ABERDEEN HISTORICAL REVIEW

Volume 1 Issue 2

Editorial Board

2021-2022

For all correspondence, please contact the Editorial Board at info@abdnhistory.co.uk.

Letter from the Editors

A year after the first-ever call for papers, we are delighted to introduce the second issue of the *Aberdeen Historical Review*. As soon as the Aberdeen campus woke up from the long months of isolation, we were thrilled to share our journey with the student community. In September 2021, *AHR* enjoyed its first readership as we welcomed over 450 readers in the first month after publishing our inaugural issue. Championing our pledge for open-access publishing, all issues and further activities found their home on our website (https://abdnhistory.co.uk/published-issues).

Throughout the 2021/22 academic year, we introduced our project to many Honours students and members of the History Society. We were delighted to see students and staff referring to the journal as a continuing source of inspiration; many of these conversations illuminated the uniqueness and potential of such a student-led project. The renewed life on campus afforded us the opportunity to expand our team. We welcomed returning and new peer reviewers among Level 3 and 4 students of History, Art History, English, Politics, and Philosophy. Our interdisciplinary team of dedicated students collaborated on providing more effective feedback to and support for authors and students. In May 2022, we opened our call for the new Editorial Board. We are delighted to introduce Jude Christison, A. Hyacinth Fourrier, Cerwyss McKay, Kristen Nicolson, and Halle Sim as members of the Editorial Board of 2022/23.

Although shorter than our first publication, the second issue brings many examples of excellent undergraduate research. We are thrilled to introduce essays from long-established as well as newly established courses, such as Slavery and Empire in the British World. The current nine titles originate from History and English courses and chronologically range from the ancient American civilisations to twenty-first century academic debates.

Benjamin Morgan publishes his second essay with the *AHR*. He opens our second issue with a historiographical overview of the role of the Spanish bishop, Diego de Landa, and his well-known account on Mayan civilisation amidst the advent of European conquest of Mesoamerica. Closely following this theme, Frederick Walker Svalling offers another exceptional historiographical essay on

the early-colonial period of the Andean region. The subsequent title, written by Kirsteen Meiklejohn, is a vivid investigation into the lives of the Cathars in the medieval village of Montaillou and their complex attitudes towards sex and marriage. With an essay produced for an English course, Ask Vestergaard presents the late sixteenth-century publication *The Faerie Queene* and the close relationship between literature and history.

Sara Joswig's essay brings us to the colonial era and the shift in attitudes towards African slavery within the newly-founded colony of Georgia. Following the theme, Kieran Nimmo uses legal sources to examine the relationship between human rights and legality after the 1807 decision to outlaw the British slave trade. Returning with his second essay, David Lamparelli examines the bourgeois reaction to the Paris Commune and its legacy after its bloody suppression in May 1871 through the role of visual sources and censorship. Meret Meister brings our attention to the state creation process among the Kurds before and after the fall of the Ottoman Empire. Concluding our issue, Rachel Quirke offers insights into the contemporary academic discussions within the studies of manhood and masculinities in Scotland.

As the leaving Editorial Board, we wish to thank the History Department for their continuous guidance and support of the journal. Moreover, we would like to thank our peer reviewers, who were crucial to the publishing process and provided exceptional feedback to our authors. Finally, we wish to thank all student authors who have done an extraordinary job with their articles. We were honoured to work with many talented and dedicated undergraduate students who now embark on new paths within academia and beyond.

Once again, we wish to express our sincerest gratitude to all authors, peer-reviewers, and editorial assistants. It has been a pleasure to work with you. Also, thank you to the reader for supporting us. We hope you enjoy reading this issue as much as we enjoyed making it.

We wish the new Editorial Board only the best in creating the second volume and hope they will enjoy the publishing process the same as we did.

Your Editors

Table of Contents

'The Vices of the Indians': An Examination into the Historiographical Uses of Diego de Landa Calderón and His Works on Mayan Civilisation

BENJAMIN MORGAN

Benjamin Morgan is a fourth-year single honours history student. Benjamin has an interest in Post-colonial African History, and he recently completed his dissertation on the legacy of the Mau Mau rebellion in Kenya. After graduating, Benjamin is looking to take a year out to pursue his interests before undertaking a Masters in African Studies.

Diego de Landa Calderón was a Spanish bishop working in the Yucatan region of what is now Central America. He is most well-known for his writing and research on Mayan civilisation at the advent of the Spanish conquest. Landa's work is widely regarded as one of the most authoritative collections on the Mayan world to exist. His writings are seen as being a key touchstone for much of past and current historiography. Indeed, William Gates goes as far as to make the claim that ninety-nine percent of what we know of the Mayans comes from Diego de Landa's accounts.[1] Through his writing, historians have managed to construct many aspects of Mayan life by resting heavily on his descriptions of social stratification, performative behaviours, and rituals. However, there is a fierce conflict between interpretations of his works. The two camps are broadly split into what David Timmer describes as 'Landa the missionary' and 'Landa the inquisitor.'[2] 'The missionary' presents the Mayans as docile and cooperative and gives researchers a primary base for their historical analysis. 'The inquisitor', conversely, presents misleading information through torturing his sources for information and destroying any evidence contrary to his world view. This essay will propose that there is an emerging change in the historiography on Landa, showing how he can be contextualised within the conquest of the Mayan world rather than debating the providence of his writings. It is with these two interpretations and new reimaginings of his context that Landa must be considered, as each highlights a different usage

---

[*] This essay was written for HI355M: Aztecs, Mayas and Incas.

[1] W. Gates, 'Introduction' in D. de Landa, *Yucatan Before and After the Conquest* (New York, 1978), p.iii.

[2] David E. Timmer, 'Providence and Perdition: Fray Diego de Landa Justifies His Inquisition against the Yucatecan Maya', *Church History*, 66 (1997), 477-88.

of his works within the historiography. They will be analysed together to present how Landa's importance within the historiography has evolved, largely with reference to the changing perceptions of the relationship between the Maya and the Spanish.

Landa's place within the historiography functions as a crucial part of many works on the Yucatan, providing at times fundamental understandings of the Mayan world. In particular, Landa has been used to identify some social nuances within Maya culture before the conquest. In a 1979 piece by William Folan et al., Landa's *Realciones de las Cosas de Yucatan* is utilised for its observations on social stratification and subsequent placement of buildings in various Yucatan settlements. The *Relaciones* is Landa's pivotal piece and the most referenced of his works. This piece is the bedrock of Folan's article. He describes this writing as a 'gem' which stands apart from other contemporary writers.[3] Landa is evidently an important writer to Folan and this is explored throughout the article, as it is with these descriptions of Mayan towns that he crafts an inference of social structure due to data such as tree dispersal, position of wells, and housing placement. Landa is therefore being used here to construct an indication of Mayan social structures. His writing is being utilised as a trusted and crucial source which is compared to the archaeological work of Folan. However, it is worth noting that Folan's work does not frequently appear in later articles concerning social structures, likely due to the changing perceptions of Landa.

An issue with the usage of Diego de Landa is the seemingly uncontested acceptance of his work. In more recent historiography a call has been made to put the Spaniard's writing under reassessment.[4] Indeed, key historians have questioned Landa's elevated place within the historiography. These calls particularly come from ethnically Mayan historians such as Victor Montijo. This historian presents the problematic nature of relying so heavily on Landa by talking about the misconceptions of Mayan gods presented through the works of Sylvanus Morley in 1910. Morley saw the Spaniard's writing as infallible.[5] The issue with Morley's analysis was that it did not consider the agenda of the Spanish and

---

[3] William J. Folan, Laraine A. Fletcher, and Ellen R. Kintz, 'Fruit, Fiber, Bark, and Resin: Social Organization of a Maya Urban Center', *Science, New Series*, 204 (1979), 697-701.

[4] Inga Clendinnen, 'Reading the Inquisitorial Record in Yucatán: Fact or Fantasy?', *The Americas*, 38 (1982), 327-45.

[5] Victor Montijo, 'In the Name of the Pot, the Sun, the Broken Spear, the Rock, the Stick, the Idol, *Ad Infinitum*

their capacity to distort Mayan religion to suit their worldview. When compared with other primary sources, such as letters sent by the Mayans to the King of Spain, Landa's assessments appear exaggerated or even falsified, as, within this example, the Spanish thought the Mayans were calling them gods which was an oversimplification of Mayan thought.[6] Montijo certainly writes with a bias as a Mayan historian, but his qualms about the Bishop are echoed by other key historians. Montijo references Inga Clendinnen in his article on the gods. In her referenced article on the Inquisitorial record, she too is troubled by the omnipresence of Diego de Landa. This is because our knowledge of Mayan religion, continuing Montijo's example, comes from the chief inquisitor of the Mayans, who wrote his findings after the Inquisition had culminated. The point of contention here is, therefore, whether 'Landa the Inquisitor' should be the central source of Mayan historiography since his writings are influenced by his conquest agenda.

As a result of his methods within the inquisition, Landa's accounts on Mayan culture are a significant point of contention in the historiography of the Yucatan. This has also been key to the reassessments called for by the likes of Richard Greenleaf and Inga Clendinnen.[7] In spite of Clendinnen's call for a reassessment of Diego de Landa, she still calls him 'remarkable' and 'miraculous', which does indicate his prowess in language acquisition and knowledge of the natives.[8] She places him as the authoritative voice within the context of the inquisition and uses his writing as a key source, which she corroborates with a limited number of other friars.[9] The consistency of the accounts seem to validate the Spanish sources, yet there are difficulties identified with this by Clendinnen. When compared to the widely referenced article by France Scholes and Eleanor Adam (1938), there are clear discrepancies within the uses of the testimonies of the Maya with regards to idolatry. Due to some corroborating data, Scholes and Adam had identified a supposed reliability of Mayan accounts which Landa relied heavily upon. However, through questioning the Spanish methods

---

& *Ad Nauseum*: An Exposé of Anglo Anthropologists Obsessions with and Invention of Mayan Gods', *Wicazo Sa Review*, 9 (1993), 12-16.

[6] Ibid., 13.

[7] Clendinnen, 'Reading the Inquisitorial Record', p. 327.

[8] Ibid., p. 328.

[9] Ibid., p. 334.

of interrogation, Clendinnen has ascertained that the account of the Mayans either contain leading questions and gaps in memory or a sparse collection of data from only a handful of villages, which would lead to an incomplete image of the issue of idolatry.[10] The use of Landa within the historiography, therefore, had to change under these conditions, as his position as the uncontested voice of Mayan history had begun to be questioned by the likes of Montijo and Clendinnen.

To better understand Landa and his writings, an effort was made by historians to look more into his personal life to understand the context he was writing within and, therefore, try to decipher how his biases would affect his *Relaciones*. David Timmer tries to place the Spaniard within the context of the conquests and the Franciscan order he belonged to. The use of torture by Landa makes his writings as a point of reference problematic, as it is unclear whether his 'confessions' are genuine or not. There is little on the methods of torture that the Spaniard used, given that many of the accounts of these methods are his own. All that is known is that the torture was widespread within the Inquisition and deaths were high.[11] Landa's work is frequently put into the analytical context of Scholes and Adams in earlier historiography. The Scholes and Adams article utilises eye witness primary sources which openly dispute Landa's writing, as he vehemently denies torture whilst multiple accounts speak of his integral role in the practice.[12] However, Timmer takes this a step further, positing that this debate comes down to the pressure from Franciscan practices which treated Mayans with a sense of paternalism as was befitting their perceived role as servants of God.[13] Timmer takes this argument from Clendinnen, yet criticises her for not further pursuing the depth that the Franciscan society took Landa and the pressure that this created on his mission against idolatry. Franciscans were proponents of Millenarianism, a belief in a utopian transformed society under Christ, and there is evidence to suggest that Landa was influenced by this from his predecessors in the Yucatan Mission. This, therefore, adds a new significance to Landa's writing, as it evokes a sense of determinism for a radical change in society, from which the Spanish would create a Millennial Kingdom of the New World.[14] It is these difficulties surrounding the

---

[10] Ibid., p. 223.
[11] Timmer, 'Providence and Perdition', p. 480.
[12] Ibid.
[13] Ibid.
[14] Ibid., p. 481.

interpretations by the Spanish, based on the influences of their cultures, that have become a crucial complication within the use of the Diego de Landa in the historiography.

The difficulties in the uses of the Spanish Bishop are furthered by historian Diana Taylor. Her research focuses on the derivative nature of any Spanish source used in the historiography of the Post-Conquest era. Her main issue is the difficulty of translation and how this alters the 'how-we-know' of this period and the impact this has on 'what-we-know.'[15] Her main emphasis is on performance in the Mayan world. She uses Landa as a key source of information in describing the popularity and significance of Mayan dances and their adroitness at imitation. Landa is used alongside the likes of Bernadino de Sahagún and Diego Duran, yet it is evident that Landa still holds a central position within the historiography due to the frequency of references and the use of Landa for direct descriptions of events. In spite of this, the issue Taylor confronts is that of language differences between the Spanish and the Mayans. She references Spanish accounts of Mayan dances and performances which used Spanish Language words from their own tradition such as *bailles* and *teatro,* which were not necessarily accurate descriptions of the event due to discrepancies in the cultures of language.[16] The use of Landa is, therefore, placed under a sceptical lens which links to Clendinnen's writing, who is frequently referenced in Taylor's work. What this indicates is a continuity in the interest of certain historians to decentralise Landa from the narrative of Mayan history. To compensate for this, Taylor and Clendinnen signify a change in the historiography. They move away from using Landa as the primary source of our knowledge of the Maya. Instead, they aim to show how the Spanish understood the Maya within the context of a post-conquest society where a clash of cultures was a defining characteristic. Taylor aptly describes this by a turn of phrase concerning her 'how-we-know' adage. She states that the lens we see events through (the how) is what allows us to construct an analysis of events (the what).[17] An example of this construction is in Mayan performance. In this context, Taylor uses corroborating sources, including Landa, to decipher what was actually occurring whilst also being aware of the nuances in Spanish language, which might differ from the reality of the event. In a sense, this sustains Diego de

---

[15] Diana Taylor, 'Scenes of Cognition: Performance and Conquest', *Theatre Journal*, 56 (2004), 353-72.
[16] Ibid., p. 355.
[17] Ibid., p. 356.

Landa at the centre of the historiography; however, the way historians interpret these events has clearly shifted. Emerging from the seeming unquestioning lines of Scholes and Adam and their leaps in judgement, according to Clendinnen, a more critical analysis of how we understand the Spaniards' writing which relies far more heavily on corroboration with the Mayans sources has materialised.[18]

Indeed, in some cases after Clendinnen, much of Diego de Landa's assumptions have been supplanted by more up to date and accurate historical representations, thus moving the Spaniard away from the centre of their understanding of Mayan culture. Karl Taube wrote a seminal piece of work on the Katun Wheel and Mayan calendar system in 1988, speaking of the intricacies of the precolonial artefacts of the Mayans. He comments on how colonial writers failed to understand the significance of certain aspects of the calendar system. It is within this that Landa exists merely as a side note with little importance to the rest of the article. The article frames Landa's writing as filled with false assumptions and gives evidence of the errors in architectural findings in later centuries. Within this critique is a preference for revisionist works by historians in the seventeenth and eighteenth centuries .[19] Whilst this clearly gives prominence to other sources in the historiography, it also throws into question the legitimacy of Landa's writing if, indeed, new findings have upheaved some of the groundwork he laid prior to this. A crucial example of this is in Taube's writing, whereby the notion of a previously unidentified circular calendar system was changed by a Mayan carving discovered in the 1950s.[20] The use of Landa is, therefore, being compared more-so to emerging archaeological records and later historiography. This has both the effect of bringing Landa into question and proving some of his writings legitimate, if the right evidence presents itself, as seen in Folan's work a decade prior.

Another key aspect of the reassessment of Diego de Landa within the historiography is the positioning of the Mayans themselves as key players with autonomy. Montijo's position in 1993 was a wholly polemic account of Landa and the Spaniards' imposition on the Mayans. He references Landa as the 'authority' in an ironic sense, as he recognises the Spaniard's position as vital to the narrative. However, he in fact disputes the legitimacy of his writing by stating that the Franciscans had heard what

---

[18] Clendinnen, 'Reading the Inquisitorial Record', p. 344.
[19] Karl A. Taube, 'A Prehispanic Maya Katun Wheel', *Journal of Anthropological Research*, 44 (1988), 183-203.
[20] Ibid., p. 184.

they wanted to by having little recognition of Mayan nuances. Indeed, Montijo goes as far as to claim that the Spaniards, particularly Landa, 'invented' gods and that common perceptions of Mayan idolatry and sacrifice have been a gross embellishment of the truth.[21] Whilst this is calling for a reassessment of Landa, as Clendinnen did, Montijo's claims of rampant falsehoods do not seem to have held up to scrutiny and this historian is not referenced in many articles post-1993. This is likely due to the influences that Montijo writes with and the fact that he has been very selective in his choice of primary sources, focusing on the early encounters of Columbus and Landa without then accounting for Landa's later expertise in the Mayan language and the corroborating accounts by other Spanish writers. Whilst it is known that there are difficulties in trusting Spanish sources and their embellishments have been recognised, particularly with reference to Montijo's inclusion of Mayan letters complaining about Spanish imposition and misrepresentation, a complete dismissal of Landa does not seem to have taken hold after this 1993 article by the Mayan historian. Nevertheless, Montijo's complaints about his own history being written from an outside perspective is one that must be respected and acknowledged within the historiography.

This is not to say that the concept of Mayan authority has been completely ignored in subsequent historiography. John Chuckiak in particular wrote a revisionist article in 2010 on colonial Yucatan and on Mayan resistance through their writings. Previous interpretations of Landa's writing had positioned the Maya as subservient and merely the object of the Spaniards, who were the subject. This kind of narrative is evident in the earlier writings of Mayan history, yet what Chuckiak achieves is a mixed narrative of both Spanish and Mayan interpretations. He does this by using a broad range of sources from the Spaniards which corroborate one another, one of which is Landa's *Relaciones de los Cosas de Yucatan,* alongside writers such as Fray Juan de Herrara and Fray Luis de Villalpando.[22] In doing so, Chuchiak decentres Landa by placing him within the context of the Franciscans as a wider working group. These Franciscans write of their 'awe' and amazement at the Mayan ability to write their own

---

[21] Montijo, 'In the Name of the Pot', 14.
[22] John F. Chuchiak, 'Writing as Resistance: Maya Graphic Pluralism and Indigenous Elite Strategies for Survival in Colonial Yucatan, 1550-1750', *Ethnohistory*, 57 (2010), 87-116.

histories in their own language.[23] This is particularly evident in Chuchiak's reference to Bernardo de Lizana. Lizana references Mayan histories, which is in stark contrast to Landa's more one-sided accounts. Lizana writes in depth about the types of histories written and their format, which is infinitely more valuable than Landa's description of 'a book' with no real reference to its significance or substance.[24] This differs greatly from the narratives in previous uses of Landa's work, which only describe his horror at the 'devil's work' within Mayan codices and his own efforts to subdue them.[25] With the invocation of Mayan histories and their own unique cultures coming to the forefront of historiography there has been a movement against the inferences of Landa. The text we use from Landa has stayed the same, yet different aspects of his writings are now invoked to understand the Maya in the context of cooperation and independence rather than subjugation and subservience.

In most recent historiography there has been a notable emphasis on this idea of cooperation and independence with regards to how the conquest actually occurred. As seen in previous articles which invoke the works of Landa, there is a lot of emphasis on torture, inquisition, and violent military conquest, which is seen plainly in just some the titles of the works that have been referenced. Where the historiography has evolved, in works by the likes of Logan Wagner, is in the further inference of a religious conversion, rather than conquest.[26] This aptly ties into the original question of 'Landa the missionary' or 'Landa the inquisitor'. Landa once again takes the back seat in the sources used; however, his writing is used amongst other European authors to present the mindset of the Franciscans and their motives, rather than placing the emphasis on Landa himself. Landa's work is corroborated with other Franciscans to decipher the Mayan uses of public spaces. Wagner then utilises these accounts to identify how the Spaniards actually used these Mayan motifs in their own settlements to aid in the conversion and integration of the Maya into the Spanish world system.[27] The use of Landa in the historiography has, therefore, clearly undergone a fundamental shift moving from Folan to Wagner, as Landa is not

---

[23] Ibid., p. 92.
[24] Ibid., p. 90.
[25] Clendinnen, 'Reading the Inquisitorial Record', p. 344.
[26] E. Logan Wagner, 'The Continuity of Sacred Urban Open Space: Facilitating the Indian Conversion to Catholicism in Mesoamerica', *Religion and the Arts*, 18 (2014), 61-86.
[27] Ibid., p. 67.

used exclusively as a pivotal source but instead is placed amongst a multitude of sources with a clear emphasis on motives and agendas.

Given that Landa has largely been displaced from a central position in the historiography in the name of Mayan autonomy and Spanish contexts, there is a central question of how valuable he is as a primary source. Whilst it is undeniable that Landa carried certain influences and agendas, as seen in the writings of Clendinnen and Timmer, he continues to represent a key touchstone for many historians, whether positive or negative. For example, writing on modern Mayan politics, Juan Cocom comments on the generalisations made of Mayan indigenous cultures and, thus, references Diego de Landa in his bibliography as a key source of misinformation about the Maya. This is particularly evident in how we witness Mayans in our popular culture.[28] From this, it is evident that there are still misgivings over the broad use of Landa, particularly in public spheres. However, what Cocom's article perhaps fails to address is that, whilst Landa presents a distorted view of Mayan culture, he is presenting us with an insight into the Franciscan mindset and into the relationship that existed between the Spanish and the Mayans. The value of Diego de Landa's writing is therefore largely based on the context that he is being used within.

As seen in earlier articles such as Folan's, Landa's work is indispensable as his *Relaciones de los Cosas de Yucatan* contains descriptions of Mayan social structures which can be assessed through archaeological findings.[29] Indeed, much of the value of Landa can be garnered from archaeological evidence, such as in Houston's article, whereby Landa's comments on alcohol consumption are used in tandem with hieroglyphs and other primary sources to identify the place of drink within Mayan celebration.[30] On the other hand, difficulty arises out of the more contentious issues of idolatry and inquisition, as the agendas in Landa's writing are much clearer. What this can demonstrate, however, is a multiplicity to the Spaniard's writing. As stated previously, his work has been used to study social structures, idolatry, intercultural relationships, and power plays within the Franciscans themselves. The

---

[28] Juan Cocom, 'Hot and Cold Politics of Indigenous Identity: Legal Indians, Cannibals, Words, More Words, More Food', *Anthropological Quarterly*, 85 (2012), 229-56.

[29] Folan, 'Fruit, Fibre, Bark', p. 18.

[30] Stephen D. Houston, 'Decorous Bodies and Disordered Passions: Representations of Emotion among the Classic Maya', *World Archaeology*, 33 (2001), 206-19.

Relaciones is therefore an incredibly rich source of information for many aspects of the historiography of Yucatan, making it invaluable to historians. Trepidation must evidently be had over the universalisation of this source in some histories and popular culture, yet it is without question that the writings of Diego de Landa have impacted modern perceptions of the Maya, whether positive or negative.

'Landa the inquisitor' and 'Landa the missionary' hold two very polarised positions within the historiography, as represented by their place within the arguments by the historians. 'Landa the missionary' is the source seen in articles such as Folan's where he holds a central position as the pivotal voice in Mayan historiography. The uses of this aspect of Landa have been important in forming the conception of the Maya, particularly in the social structures that have become evident in current history writing. In this respect, Landa has also been a crucial source in giving a voice to the Maya as well. As seen in Chuchiak's article, the prevalence of Landa within this upsurge in Mayan authority is clear, as he was integral to the understanding of Mayan writing systems and, therefore, underpinned the identification of the resistance that they perpetrated. However, 'Landa the inquisitor' also played a crucial role. This is evidenced in the fact that much of what is known of the Maya is down to Landa placing himself as an authoritative voice in history. He achieved this by destroying much of Mayan culture due to it not adhering to his Christian worldview. It is this Landa that has come under scrutiny in much of the historiography, for diminishing the role of Mayan actors and misrepresenting events due to the agenda he carried with the Franciscan Millenarian mindset. It is worth noting that Landa is widely trusted as an authority on the Pre-Conquest Yucatan, yet it is his experience with the Mayans and idolatry which has caused much contention.[31] It is due to a mixture of these two perceptions of Diego de Landa that his writing has necessarily moved to the edges of the historiography, rather than maintaining centre stage. Through the writings of historians who have placed Landa within his own context, a wider range of sources that contribute to placing less emphasis on Landa, or that at least can either corroborate or deny his writings, have come into the forefront of the conversation.

---

[31] Timmer, 'Providence and Perdition', p. 479.

This is not to say that the importance of Landa has fully diminished. As stated previously, his writings are an incredibly valuable insight into the Yucatan microcosm. It is only through an exploration into his own life from the historiography that Landa has been taken off his pedestal and placed under scrutiny in order to gain a far more vivid, varied, and vibrant account of what the relationships between the Maya and Spanish entailed. The historiographical uses of Diego de Landa Calderón are, therefore, a diverse mix with a particular emphasis on his use as a bedrock source from which key facts and data about the Mayans can be lifted. However, and perhaps more crucially, Landa can also be used as an information source about the relationships and cooperation experienced in the Post-Conquest era of the Yucatan. Thus, the Spaniard is no longer the centrepiece of this history, but is instead a guide on how two cultures came to be irreparably intertwined.

History Changes: Uses of the Works
by Pedro Sarmiento de Gamboa & Baltasar de Ocampo

FREDERICK WALKER SVALLING

Frederick Walker Svalling has recently completed the third year of his Single Honours history degree. He is employed as an ambassador and guide for The Viking Museum and The Museum of Wrecks in Stockholm as his special interests are the Viking Age and nautical history, with an emphasis on how cultures and peoples interacted with one another during the early stages of maritime exploration. His goals are to make history research accessible and engaging and therefore sees a future in museology and developing the presence of good historiography online.

History of the Incas by Pedro Sarmiento de Gamboa and *The Execution of the Inca Tupac Amaru* by Baltasar de Ocampo are both critical works in understanding early-colonial Andean politics and society. How scholars have used these accounts, and their relative importance within the academic field, has varied tremendously over the years, resulting in both a clear example of historiographical evolution as well as regression. The extensive yet detailed inquiry by Gamboa has been an attractive source for scholars of all departments for more than a century but possesses an apparent, almost fatal flaw that modern historiography has perhaps not concerned itself with enough. Ocampo's work is marred by many of the same issues; however, it has not been as readily embraced by students of the great Inca Empire.

Pedro Sarmiento de Gamboa was an established and respected navigator and historian for the Spanish Empire in the mid-to-late sixteenth century. From his base of operations in Peru, he was a central figure in the Spanish exploration of the Pacific, co-discovering, for instance, the Solomon Islands. Due to his reputation, he was commissioned by the Viceroy of Peru to compile a history of the province in 1572. Because of some uncertain circumstances, however, the chronicle was never released to the public and fell into obscurity. Conversely, Baltasar de Ocampo was a former conquistador of little repute. His account of the history of the Vilcabamba region, written in around 1611, contains the detailed information of a first-hand experience, as he had been a part of many of the campaigns he described, having seen much of the *Conquista* of Peru (1537–72). Nevertheless, Ocampo's account similarly

---

[*]This essay was written for HI305M: Aztecs, Mayas and Incas.

remained in obscurity until the early twentieth century, when both were translated and jointly published by Sir Clements Marham and the Hakluyt Society in 1907.

Understanding the purpose of a source is crucial to using it in a decent manner. For example, it is widely known that Gamboa was under the employ of the Viceroy of Peru, Don Francisco de Toledo, who commissioned the inquiry to be carried out, likely in reaction to Bartolomé de las Casas' *De Thesauris in Peru*, a vehement critique on Spanish rule.[1] Likewise, Ocampo seemingly created his account to curry favour with the gentry of Vilcabamba after having lived in relative poverty.[2] With motive established, bias becomes clearer. This bias and the historicity of the newly published texts as a whole was what scholars in the early twentieth century prioritised.[3]

Just two years after the English edition had reached international academia, H. P. Biggar had raised issues in regards to the translation made by Markham (1907) and posited it had been severely misrepresented. He claims that the omission of negatively charged phrases such as *temió* and *asoló* ('he feared' and 'he ravaged', respectively) on the basis that they must have been additions made by Viceroy Toledo to vilify the Inca and not Gamboa's original writing was problematic.[4] Indeed, the English version of the text at the points Biggar referenced comes across as distinct from the Spanish, the aforementioned omitted words weighing heavily on the reader. The importance of Gamboa's work was not lost on the early scholars; however, even Biggar's scathing review had extracted some valuable information. This was not a unique occurrence; the international community was equally sceptical towards Markham's edits and Gamboa's reliability. One author writes that the new addition to the Inca

---

[1] *Pedro Sarmiento de Gamboa and Baltasar de Ocampo, History of the Incas, by Pedro Sarmiento de Gamboa, and the Execution of the Inca Tupac Amaru, by Captain Baltasar de Ocampo,* ed. and trans. by Sir Clements Markham (Cambridge: Hakluyt Society, 1907) pp. xii–xiii.

[2] Brian S. Bauer, Madeleine Halac-Higashimori, and Gabriel E. Cantarutti, 'Baltasar de Ocampo Conejeros and the Province of Vilcabamba', in *Voices from Vilcabamba*, (Boulder: University Press of Colorado, 2016), pp. 109–150 (p. 109).

[3] Held at the University of Göttingen since 1785, *History of the Incas* was published in 1906, the Hakluyt Society's English translation following shortly thereafter alongside Ocampo's account.

[4] H. P. Biggar, '*History of the Incas, by Pedro Sarmiento de Gamboa, and the Execution of the Inca Tupac Amaru, by Captain Baltasar de Ocampo* (1907)', *The English Historical Review,* 24 (1909), 357–358.

bibliography is important as it fills out gaps in previous knowledge but is once again marred by its bias and contrasts heavily with other already vetted and established chroniclers.[5]

This comprised much of the discourse in the first decades after the publication, simultaneously praising the importance of the work while debating its contradictions and distinguishing the true account from Toledo's revisions. Phrases such as 'The history ... is ... the most authentic and reliable that has yet appeared' appearing alongside remarks like 'there is one serious blemish' or 'we may have every confidence in the care and accuracy of Sarmiento ... provided that we always keep in mind the bias' were common, proving the attractiveness of Gamboa's detailed inquest to historians as well as their cautious attitude towards the source.[6] The wariness to use the chronicle as an accurate account of Inca history was long-lasting, scholarly pieces rarely referencing Gamboa even when it would be relevant to do so. A book on Incan roads by Alberto Regal (1936), for instance, only cites Gamboa's description of administrative terminology when there are several relevant passages about Incan infrastructure and their religious origins to choose from.[7] Baltasar de Ocampo has, for the time being, been left at the fringes of the conversation.

Markham's translation has remained the primary English version of Gamboa and Ocampo's work; this initial historiographical debate is, therefore, crucial in understanding the development in scholarship on these two sources. A flawed translation can not only provide a distorted view on historical events (or how they were initially represented), but the negative initial reception will have shifted the academic perception of the originals' reliability as well. This negative reception of the translation may have exposed Gamboa's chronicle to undue criticism in, for instance, comparison to Cieza and El Inca, whose texts had been available ever since their original publishing date, giving them a centuries-long head start in establishing themselves as reliable sources. Gamboa's new chronology of Incan royal

---

[5] M. Gonzalez de la Rosa, '*History of the Incas, by Pedro Sarmiento de Gamboa, and the Execution of the Inca Tupac Amaru, by Captain Baltasar de Ocampo* (1907)', *Journal de la Société des Américanistes,* 5 (1908), 115–118.

[6] Quotes from Markham (ed.), *History of the Incas* (1907), pp. xii, xiv. Similar comments can be seen in the referenced reviews; '*History of the Incas, by Pedro Sarmiento de Gamboa, and the Execution of the Inca Tupac Amaru, by Captain Baltasar de Ocampo* (1907)', *Athenaeum*, 4188 (1908), 123–124.

[7] Alberto Regal, *Los Caminos del Inca en el Antiguo Perú* (Lima, Sanmarti, 1936), p. 57.

succession was, therefore, initially dismissed alongside many other points that disagreed with the historical consensus. The long-lasting effects of Markham's translation being the definitive English version for such a long period should not be understated, as the ensuing fluctuations in scepticism toward Gamboa and Ocampo's work can much more easily be understood through understanding this early historiography. It would take years for this reputation to be re-examined and *History of the Incas* to take a prominent seat at the discussion.

The trend of scepticism continued until the mid-twentieth century, when the historiographical discourse started picking up steam yet again. This period is characterised by a focus on the political motive behind both Gamboa's and Ocampo's works; Osborne's comments in his *Indians of the Andes* (1952) that Gamboa was 'consciously dishonest' and Ocampo's work was 'very little of historical importance' represent this mid-century trend quite well.[8] The author is concerned with the narrative monopoly early chroniclers had on history, going so far as to title one chapter 'Vandals of History'. He claims *History of the Incas* was created for purely political aims and *The Execution* for monetary ones and, therefore, both hold little factual reliability.[9] The danger with such powerful language is that it morally discredits the entire source while ignoring any truths that may be found within.

There were, of course, contrasting perspectives; Levillier, Diffie, and Bernstein, for instance, were convinced Markham exaggerated (or even fabricated) many of the Spaniards' atrocities in his translations. Diffie criticised the mistranslation of Cieza's chronicle and implied he omitted certain passages that portrayed the Inca as perverted, violent, and obscene so as to make the Spanish conquest seem more unjust.[10] Juxtapose this to Biggar's earlier review, and the broad spectrum of historiographic perspective exposes itself. The most tenacious defender of Gamboa's works was perhaps Levillier, who in 1935–42 published a series of volumes about Toledo's life and accomplishments. In these

---

[8] Harold Osborne, *Indians of the Andes: Aymaras and Quechuas* (Oxford: Routledge, 2004), pp. 17, 162.
[9] Osborne, *Indians of the Andes*, p. 17.
[10] Bailey W. Diffie, 'A Markham Contribution to the *Leyenda Negra'*, *The Hispanic American Historical Review*, 16 (1936), 96–103.

comprehensive tomes, he again criticises Markham and other contemporary scholars while also implying a defence of Toledo's political position and denying his denigration of Inca society.[11]

The debate still not having come to a satisfying conclusion may be one reason as to why references to Gamboa and Ocampo remained relatively niche in the historical community; this is, of course, with exception to weighing in on the debate on their reliability. Exemplifying this historiographical milieu are Kubler and Hanke, who both wrote in the 1940s: Kubler about the Neo-Inca state and Hanke about Toledo's battle for solidifying Spanish legitimacy over Peru. Here one would expect Ocampo to be heavily referenced by Kubler, as he had made a dedicated account of the region of Vilcabamba, where the Neo-Inca state was based, *as well as* the execution of Tupac Amaru, the last Neo-Inca ruler. The role of Ocampo's source is a middling one, however, providing only some trivial details about the life and capture of Tupac Amaru, and none in regards to the execution.[12] Hanke heavily suggests in his 1946 article a political motive to Toledo commissioning Gamboa while still relying on the research done by Levillier, the preeminent author on the viceroy's reign.[13] The difference in opinion being so vast while reading essentially the same sources could perhaps be due to the extreme duality of post-war attitudes, or perhaps the individual scholar's opinion on the *Leyenda Negra* (Eng. The Black Legend), the theory that Spanish rule in the Americas was illegitimate and was based on needless cruelty and greed.

Proponents of the legend would naturally find evidence in, for instance, Markham's work that he was trying to make the Spanish seem more justified in their conquest, which suggests scholars like Biggar were in this camp; opponents would, on the other hand, find evidence to the contrary, Diffie of course falling into this category. There is, however, a marked departure from *Leyenda Negra* meta-analysis that takes place in the mid-century; even amidst Hanke's commentary on *History of the Incas,* where he posits the motive for the work impacts its historical reliability, he distances his conclusion

---

[11] Roberto Levillier, *Don Francisco de Toledo, Supremo Organizador del Perú; su vida, su obrá*, *(1515-1582), 2 vols* (Buenos Aires: Espasas-Calpe, 1935-1940), I (1935), p. 297 and II (1940), pp. 201–202.

[12] George Kubler, 'The Neo-Inca State (1537-1572)', *The Hispanic American Historical Review*, 27 (1947), 189–203.

[13] Lewis Hanke, 'Viceroy Francisco de Toledo and the Just Titles of Spain to the Inca Empire', *The Americas*, 3 (1946), 3–19.

from this being an example of inherently harmful Spanish imperialism. Instead, he claims the fact that the work was never published proves the opposite, that there were powerful humanitarian actors in both Peru and Spain that championed Incan autonomy and human rights.[14] The *Leyenda* was fading, and scholars became less focused on the overarching goals of the source creators and instead on what could tangibly be learned from them. A new kind of historiography was being championed, where generalised conclusions and preconceptions about Latin-American history were challenged by looking more closely at the practicalities of Spanish rule and the administration of more rural, independent areas of South America.[15]

Entering the 1960s, we find Gamboa being referenced much more in academic literature. Some of the first to do so were perhaps Canseco and Murra, who in their examination of Inca royal succession used Gamboa's account as one of their primary sources of information. *History of the Incas* was feasibly still not fully trusted as a reliable source, however, as Gamboa was for the majority of the paper referenced alongside Cabello de Balboa or as supporting evidence for Cieza. Many of Gamboa's statements are nevertheless taken at face value, his motives not being questioned or historicity challenged.[16] *History of the Incas* is used in this instance for what it was created for, to narrate the life and deeds of Inca rulers as well as the political and administrative processes of their Empire. Canseco and Murra are not hindered by the historiographical tradition of analysing Gamboa's accuracy but deftly cross-reference him with contemporaneous sources to extract historical value. The topic of the article in question being so in-line with *History*'s contents explains why it is one of the first works to use *History* as a source for information and not for scholarly debate. The fact that this article was published in an anthropological journal should not be ignored either; indeed, it represents a trend that started to take shape during this period, namely interdisciplinary approaches and the importance of anthropological methods within historical research.

---

[14] Ibid.

[15] Idem, 'A Modest Proposal for a Moratorium on Grand Generalizations: Some Thoughts on the Black Legend', *The Hispanic American Historical Review*, 51 (1971), 112–127.

[16] María Rostworowski de Diez Canseco and John V. Murra, 'Succession, Coöption to Kingship, and Royal Incest among the Inca', *Southwestern Journal of Anthropology*, 16 (1960), 417–427.

While Gamboa and Ocampo still play second fiddle to chroniclers such as Cieza and de la Vega in historians' circles during this period, they, especially Gamboa, appear more and more in ethnohistorical works. Murra, perhaps the most preeminent figure in Latin American anthropology at the time, frequently features information gleaned from Gamboa's texts and uses the heavily detailed account to solidify arguments based on then more trusted reports. For example, in his 1962 paper on cloth in Inca society, Polo Ondegardo is used as the primary source, while Gamboa is used to confirm Polo's statements; this is despite Murra himself admitting *History* is 'even more rigid and specific' than Polo's account.[17]

The interest other social sciences started showing in Latin American history can feasibly be attributed to the political, economic, and social turmoil that characterised the region during the Cold War period. Economic history and class analysis had become primary forces within the field, as they could incorporate methods and systems of analysis from different academic departments. The concern Murra shows about class roles and social hierarchy in his 1961 work proves to be an early example of this, taking a somewhat sociological approach when analysing different societal positions. In this innovative article, he connects access to arable fields and llama herding (i.e. economic control) to religious rituals and racial status. However, perhaps more interesting is the value he puts on folkloric myths and stories as tools to extract data regarding societal and economic structure.[18] As several chapters in Gamboa's work feature origin myths and oral traditions, this may have been the impetus needed for *History* to be drawn upon in future inquiries. Focusing on more specific and incidental evidence from the Spanish chronicles distances the source from the bias and motives of the original authors. By using the sources in this way and in conjunction with new methodological approaches from other departments, they have now in many ways become more reliable and, therefore, more useful to historians. In this we can perhaps see a link to Hanke's bottom-up historiographical method as well.

---

[17] John V. Murra, 'Cloth and its Functions in the Inca State', *American Anthropologist,* 64 (1962), 710–728.
[18] Idem, 'Social Structural and Economic Themes in Andean Ethnohistory', *Anthropological Quarterly*, 34 (1961), 47–59.

The influence of social sciences on historiography became all the more evident throughout the 1970s and '1980s. Political science can be seen influencing Saeger in his 1975 analysis on the Paraguay Rebellion, as he focuses on institutional interests and emphasises ethnic and religious unrest.[19] A clear-cut example of the 'new political history' trend according to Sweirenga's definition, where the focus on ethnocultural uniqueness as a source of conflict is a crucial component.[20] Gabai and Jacobs evidence this trend further in 1987, ironically separating themselves from 'great man' analysis in an article about the 'great men' of the Pizarro family to instead analyse their economic activities in detail, using this as examples to explain broader economic phenomena and how it relates to the society of the Spanish Empire.[21]

Leaving the Cold-War era, scholars seem much more interested in using native stories and perspectives to create models of societal structures, a continuation of the anthropological influences in historiography. When examining systems of legitimisation and social hierarchy in the Inca Empire, in 1991 Bauer uses a compilation of myths found in various chronicles to generate an impartial narrative on the process of Inca state formation.[22] Religious tales that in decades prior might have been seen as propaganda to portray the Inca as barbaric or 'other' were used here as evidence of premeditated cultural assimilation of defeated rivals and as systems of establishing religious control over their peoples. Gamboa is featured heavily in this paper alongside several other chroniclers who mention Inca myths, suggesting that sourcing a wide pool of data has become more important for the Inca scholar than sourcing the 'true' account of past events.

Bauer expands on this model in a 1996 paper, where a large extract from *History* is used to prove one of his main arguments: that the origin myth of the Inca is intimately tied to the access to

---

[19] James S. Saeger, 'Institutional Rivalries, Jurisdictional Disputes, and Vested Interests in the Viceroyalty of Peru: José de Antequera and the Rebellion of Paraguay', *The Americas*, 32 (1975), 99–116.

[20] Robert P. Sweirenga, 'Ethnocultural Political Analysis: A New Approach to American Ethnic Studies', *Journal of American Studies*, 5 (1971), 59–79.

[21] Raphael Varón Gabai and Auke Pieter Jacobs, 'Peruvian wealth and Spanish Investments: The Pizarro Family During the Sixteenth Century', *Hispanic American Historical Review*, 87 (1987), 657–695. 'Great man' theory is a historiographical trend which places a narrative focus on important leaders who were thought to have influenced history through their extraordinary deeds.

[22] Brian S. Bauer, 'Pacariqtambo and the Mythical Origins of the Inca', *Latin American Antiquity*, 2 (1991), 7–26.

farmland and the hierarchy of the many ethnicities within the valley of Cuzco. The extreme brutality

exhibited in the extract (perpetrated by Mama Huaco, the sister and bride to the first Inca, Manco Capac)

is largely ignored by Bauer; instead, he takes the vital pieces of information (that the Inca won the battle

and became the primary authority in the valley) and fits it into a wider model.[23] Again, this article

appears in an anthropological journal, exemplifying the now established importance of early-colonial

chronicles in the academic conversation; they are no longer limited to the discipline of history, but

provide crucial material for all Latin American studies. Bauer features Gamboa once more in 2002 in a

very similar circumstance to provide details on state-building processes and military campaigns by Inca

rulers. Here he vocalises the approach towards using early chronicles, stating that 'we use the documents

to construct multiple lines of evidence for state formation processes, rather than as historical facts'.[24]

The institutionalist approach is perhaps what categorises Bauer best, that the norms, traditions,

and administrative processes within a culture shape the behaviour of the people within and determine,

to a large extent, how empires are formed. The long-standing tradition of intermarriage and adoption of

conquered peoples' *huacas* in Inca culture, which were established during the early consolidation of

power in Cuzco, allowed for a uniquely rapid expansion and thorough integration of various ethnicities

and cultures.[25] Contrast this to the traditional rivalries between the city-states of the Mexican plateau,

which created unstable alliances and political intrigue within the Aztec Empire. This perspective shapes

the historiographical uses of Gamboa as a source because, as the focus on individual actors diminishes,

the broader behavioural patterns and shared oral traditions become increasingly important, and those are

generally more difficult to falsify, as there are more people who can contend that information. This leads

to a more confident application of early sources, the controversial Gamboa benefiting greatly.

The handling of Spanish chronicles by Bauer and others who used similar methods sparked

some debate in the academic community. Covey, for instance, who had worked with Bauer in the past,

---

[23] Idem, 'Legitimization of the State in Inca Myth and Ritual', *American Anthropologist*, 98 (1996), 327–337.

[24] Brian S. Bauer and R. Alan Covey, 'Processes of State Formation in the Inca Heartland (Cuzco, Peru)', *American Anthropologist*, 104 (2002), 846–864.

[25] Bauer and Covey, 'Processes of State Formation'. Huacas are objects of worship within Andean tradition; the definition is vague and can include everything from mountains to pebbles.

wrote a 2006 piece on how the recent archaeological advancements in Inca territory (in which Bauer played no small part) meant a reassessment of chronicle application was necessary.[26] Using Gamboa as an example of severe inconsistencies within Spanish historiography, he espoused a revisionist mindset toward the traditional Inca chronology. While Covey does mention the background to and motives behind *History*, it is not, as it was with early scholars, a primary concern; he even mentions the source as a 'more reliable chronicle'.[27] Covey's position is that academia had perhaps been too quick in using data from the early sources to fashion models of Inca society. In casting off the historiographical stalemate of the early twentieth-century, they had, in his mind, moved too far in the opposite direction.

This reassessment may have been key to Beyersdorff's utilisation of *History*. In this article, while she does confidently use Gamboa's account, the confidence may stem from Gamboa's personal experience as a navigator and cosmographer, providing more credence than would otherwise be afforded to his statements regarding mapping and landscape charts.[28] Caution in using Gamboa's work had yet again become the pattern of historiography: Herring used Gamboa only for inconsequential detail, Tung and Knudson as support for archaeological evidence, and in an archaeological survey on violence against natives at Puruchuco-Huaquerones, his account is mentioned only in passing.[29] Yet again, the consensus had landed on distancing one's work from the overarching narrative of the early chronicles and rather on incidental, more reliable details, minimising their overall role in historiographical methods. Yaya seemingly ignores this caution, however, the author basing a large portion of her study on Gamboa's annal. While published in 2008, Yaya's article was drafted in 2002, which might explain the heavy use

---

[26] R. Alan Covey, 'Chronology, Succession, and Sovereignty: The Politics of Inka Historiography and Its Modern Interpretation', *Comparative Studies in Society and History*, 48 (2006), 169–199.

[27] Ibid.

[28] Margot Beyersdorff, 'Covering the Earth: Mapping the Walkabout in Andean Pueblos de Indios', *Latin American Research Review*, 3 (2007), 129–160.

[29] Adam Herring, 'Shimmering Foundation: The Twelve-Angled Stone of Inca Cusco', Critical Inquiry, 37 (2010), 60–105; Tiffiny A. Tung and Kelly J. Knudson, 'Social Identities and Geographical Origins of Wari Trophy Heads from Conchopata, Peru', Current Anthropology, 5 (2008), 915–925; Melissa S. Murphy, Catherine Gaither, Elena Goycochea, John W. Verano, and Guillermo Cock, 'Violence and Weapon-Related Trauma at Puruchuco-Huaquerones, Peru', *American Journal of Physical Anthropology*, 142 (2010), 636–649.

of Spanish narratives as Bauer's call for reassessment had not yet been published and historiographical approaches had only just begun to adapt.[30]

Baltasar de Ocampo's contribution to the historiographical conversation can be summarised as 'Ocampo's account remains one of the least studied documents describing the ultimate decades of Inca resistance'.[31] Initially, his lack of presence could be attributed to a hesitancy to use a new source that has yet to be vetted by the community; however, this explanation does not explain his absence in modern scholarship. Bauer, Halac-Higashimori, and Cantarutti call attention to this in their book on Vilcabamba, the last stronghold of Inca independence. As an experienced soldier, a large portion of his works are dedicated to military campaigns that he was a part of, providing a valuable eye-witness account. However, the text in question was written several decades after the fact and contains numerous factual errors and surprising omissions.[32] These issues are not unique in colonial historiography, so for the foreseeable future, Ocampo's history will most likely still be surprisingly neglected.

Trends in historiography are often muddled and confined to specific fields of study; examining the many uses that have been made of Gamboa and Ocampo's works has exposed many predictable ones and some that were unforeseen. Being met with scepticism is only natural in academic circles, and it took many years for *History of the Incas* to become an accredited source within Latin American studies. The effects of the *Leyenda Negra* were evidenced throughout the early scholarship, and the gradual rejection of said theory alongside the intermingling of history and anthropology allowed Gamboa to return to relevancy. The issues that marred his historicity were in many ways forgotten, as new historians started taking his account at face value, in effect regressing the historiographical direction. The strides made in archaeology and in the creation of interdisciplinary models have meant less of a reliance on colonial annals for narrative, but instead as a source for native stories and myths which have otherwise been forgotten, an important qualitative tool in creating a model of the Andean world. This does not

---

[30] Isabel Yaya, 'The Importance of Initiatory Ordeals: Kinship and Politics in an Inca Narrative', *Ethnohistory*, 55 (2008), 51–85.
[31] Bauer, et al., 'Baltasar de Ocampo Conejeros', p. 109.
[32] Ibid, p. 14.

mean Gamboa and Ocampo are reduced to irrelevancy, however, as they remain crucial in understanding not only Incan but also Spanish colonial society.

Montaillou: Catharism and the Attitudes Towards Sex and Marriage in a Medieval French Village

KIRSTEEN MEIKLEJOHN

Kirsteen Meiklejohn is a fourth-year Joint Honours History and Anthropology student. Her focus is on studying the lives of women during the medieval period. Upon graduation, she would like to work in archives.

The medieval village of Montaillou was one of the last footholds of Catharism after the Albigensian Crusade in the early thirteenth century. The Cathars, who referred to themselves as 'good Christians', followed an alternative dualist version of Christianity and, as a result, were called heretics. They believed that there were two gods, one good and the other evil, and that the physical realm was the domain of the evil god while the spiritual realm was that of the good god. Their belief that there were two gods was at odds with the Catholic principle of monotheism. In the early fourteenth century, the last of the Cathars were interrogated as a part of Jacques Fournier's Inquisition, and many of them were residents of Montaillou. The records from Fournier's Inquisition created a wealth of material about medieval life, as described by the people who lived through it. Furthermore, it documented the complex attitudes that these people held about a variety of issues, including sex and marriage. In her deposition, Guillemette Clergue stated that 'My mother told me that these good people were the men who are called heretics, but who, even so, are good men, who send souls to paradise, who do not touch women, nor eat meat, nor do any sort of evil.'[1] This concept of the heretics being men 'who do not touch women' is repeated often in the depositions, but is often not the case in practice. This essay will examine the depositions of a number of people from Montaillou who were interrogated as a part of Fournier's Inquisition and analyse their attitudes towards sex and marriage, as well as examine the way their stories have been represented in literature such as *Montaillou* by Emmanuel Le Roy Ladurie and *The Yellow Cross* by René Weis.

---

[*] This essay was written for HI304H: Law, Sex and Marriage in the Middle Ages.
[1] Nancy P. Stork, 'Guillemette Clergue de Montaillou Confession 25' <https://sjsu.academia.edu/NancyStork> [accessed 23 November 2020].

Historiographical debate

The most well-known text featuring the depositions from Fournier's investigation is *Montaillou* by Emmanuel Le Roy Ladurie. As many of the depositions feature detailed descriptions of the everyday lives of the residents of Montaillou, Le Roy Ladurie used them to build a narrative of medieval village life. However, Leonard Boyle posed some significant criticisms towards Le Roy Ladurie's retelling in his article 'Montaillou Revisited'. One point in particular which Boyle picks up against Le Roy Ladurie is that of to whom Le Roy Ladurie attributes credit for the sources. On this topic, Boyle writes:

> According to Le Roy Ladurie, Fournier is 'the person responsible for our documentary sources' and so, presumably, merits to be an object of this 'critique.' But of the real authors of 'our documentary sources,' the men and women of Montaillou and elsewhere of whose depositions at Pamiers Fournier and his notaries are simply reporters, there is nothing, not even a list of the names of those upon whose depositions Le Roy Ladurie particularly depends for his study.[2]

Le Roy Ladurie's text, through its purpose to illustrate the idea of everyday village life, has embellished and simplified aspects and characters, which pulls the story he tells away from the reality of these people's lives. He turns Pierre Maury, the shepherd, and Pierre Clergue, the rector, into the main characters of his tale; Maury becoming something akin to a protagonist, while Clergue is painted as a treacherous spy who is distrusted by his own father.[3] Le Roy Ladurie focuses on the family alliances and rivalries between the residents of Montaillou, such as the conflict between the Maurs and Clergue families where the Maurs family were arrested for heresy as a result of being denounced by the rector, Pierre Clergue.[4] This draws attention away from the more serious dynamics of religion and social order that the villagers experienced and creates a narrative which focuses on melodramatic gossip.

---

[2] Leonard Boyle, 'Montaillou Revisited,' in *Pathways to Medieval Peasants*, ed. by J.A. Raftis (Toronto: Pontifical Institute of Mediaeval Studies, 1981), p. 132.
[3] Emmanuel Le Roy Ladurie, *Montaillou: Cathars and Catholics in a French Village 1294-1324*, trans. by Barbara Bray (London: Penguin Books, 1990), pp. 60-61.
[4] Ibid., pp. 50-51.

Unlike Le Roy Ladurie, Weis focuses on a different aspect of Fournier's Inquisition. While Le Roy Ladurie framed Pierre Maury and Pierre Clergue as the main characters, Weis presents Beatrice de Planissoles as the key figure. From a Cathar family and a noblewoman by birth and by marriage, Weis illustrates Beatrice as the person who was connected to everyone. Furthermore, he paints her deposition as the piece of evidence which exposed the entire Cathar community of Montaillou to Fournier's Inquisition.[5]

The depositions provide an insight in to a medieval community's views on topics such as sex and marriage not from the point of view of scholars or members of the clergy, but from the viewpoint of the laypeople, primarily peasants, who are usually underrepresented in first-hand accounts. Not only does it provide an insight into the views of ordinary people from the medieval period, but it also illustrates the differences of opinion surrounding these matters, on what was or was not a sin, and the validity and purpose of a marriage ceremony.

Attitudes towards sex

Pierre Clergue, the son of Pons Clergue, was the rector of Montaillou. In her deposition, Alazaïs Faure, the wife of Arnaud Faure of Montaillou, wrote that she was told by Guillaume Belot and Arnaud Vital that 'the rector here is one of the believers, and there is no need to be afraid of him; on the contrary, he holds the region in safety from this point of view.'[6] Boyle describes him as 'no great advertisement for Cathar or Catholic.'[7] Although there is no evidence that Pierre Clergue made a deposition himself before he died in prison in 1321 – Boyle speculated it might have been in the missing volume of Fournier's Inquisition register – he appears in many of the accounts given by other villagers.[8]

Fabrissa den Riba of Montaillou gave an account in her deposition of a conversation she had with Pierre Clergue, when she confronted him about rumours that he was committing adultery with a

---

[5] René Weis, *The Yellow Cross: The Story of the Last Cathars 1290-1329* (London: Penguin Books, 2000), p. 8.
[6] Nancy P. Stork, 'Confession 32 Alazaïs, the wife of Arnaud Faure of Montaillou' <https://sjsu.academia.edu/NancyStork> [accessed 23 November 2020].
[7] Boyle, 'Montaillou Revisited', p. 121.
[8] Ibid., p. 120.

married woman. She claimed: 'He told me that one woman was the same as any other and he thought he sinned just as much with one as with any other because he did not believe he sinned with any one.'[9] This concept is one that is repeated in many accounts from the villagers of Montaillou. Raimonde den Arsen, the widow of Prades den Arsen, claimed that she heard Guillaume Authié say that 'it was as grave a sin to sleep with or to know carnally one's own wife as with any other woman.'[10]

Raimonde Testanière of Montaillou, the wife of Bernard Testanière, was told a similar belief by Arnaud Vital. In her deposition, she said:

> He told me that marriages consecrated in the church are worth nothing, that it was equally bad to know a strange woman as it was to know one's own wife, and one sinned equally with one woman as another, without exception. It was not a sin if the believers in heretics carnally knew a woman who was not a believer in heretics; but if they carnally knew any believers, they would sin and equally so when they had a believing spouse and knew her frequently.[11]

Raimonde Testanière also claimed that later Arnaud Vital wanted to rape her, and she said that 'it would not be a sin if I let him know me carnally' because she was not a believer.[12] This shows that the heretic beliefs surrounding sex and whether or not it was a sin were complex and often self-serving. One element of the Cathar beliefs was that when a person was hereticated, converted from orthodox Christianity to Catharism, before their death they were absolved of all sins; this meant that there was no need for confession or penitence.[13] As a result, this would mean that it would not matter if a person sinned while they were alive, because they would be absolved of their sins before their death.

Grazide, the widow of Pierre Lizier of Montaillou, was one of the women who had carnal relations with Pierre Clergue. She said that around the year 1313 Pierre Clergue took her virginity, and

---

[9] Idem, 'Fabrissa den Riba de Montaillou Confession 24' <https://sjsu.academia.edu/NancyStork> [accessed 23 November 2020].

[10] Idem, 'Confession 26 Raimonde den Arsen of Montaillou' <https://sjsu.academia.edu/NancyStork> [accessed 23 November 2020].

[11] Idem, 'Confession 38 Raimonde Testanière of Montaillou' <https://sjsu.academia.edu/NancyStork> [accessed 23 November 2020].

[12] Ibid.

[13] Idem, 'Confession of Pierre Maury' <https://sjsu.academia.edu/NancyStork> [accessed 23 November 2020].

then later gave her to her husband. According to her deposition, Pierre Clergue 'with the knowledge and consent of my said husband, knew me carnally often, and during the four years that my husband lived.'[14] When interrogated about what carnal relations she considered to be a sin, Grazide said that 'although all carnal union between a man and a woman is displeasing to God, I do not believe that persons sin in the manner, as long as it is pleasing to both of them.'[15] Fabrissa den Riba, who was Grazide's mother, said in her own deposition that the relationship between Grazide and Pierre Clergue was 'common knowledge around Montaillou' and also expressed how she had considered her daughter's relationship with the rector to be a sin.[16]

These depositions from Fabrissa den Riba, Raimonde den Arsen, Raimonde Testanière, and Grazide Lizier all suggest that the heretical men of Montaillou did not practice the beliefs that they claimed to hold about sex. As Guillemette Clergue stated, the Cathars were believed to be 'men who did not touch women,'; however, this does not match their actions as depicted in the depositions. This is linked to the idea that heretication will absolve them of their sins before they die, and, therefore, it is not necessary to avoid sinning while alive; furthermore, it can be tied to the concept that the physical realm is the domain of the evil god, so it is impossible for actions that are taken by physical bodies to be free of sin.

Attitudes towards marriage

Pierre Maury, the son of Raimond Maury of Montaillou, who was a shepherd and a heretic, went into great detail about his experiences with sex and marriage in his deposition. His marriage to a woman named Raimonde was negotiated and then dissolved by a heretic called Guillaume Bélibaste. Pierre Maury stated that 'When it was concluded and our carnal union followed, our alliance was displeasing to this Guillaume Bélibaste; he ordered us to have no relations in the future and we dissolved this

---

[14] Idem, 'Confession of Grazide, widow of Pierre Lizier of Montaillou' <https://sjsu.academia.edu/NancyStork> [accessed 24 November 2020].
[15] Ibid.
[16] Idem, 'Fabrissa den Riba.'

marriage.'[17] Pierre Maury also claimed that he had been told by Guillaume Bélibaste and Philippe de Coustaussa that while it was always a sin to know any woman, it would be better to take a wife than go elsewhere because with a wife a man can have children and a good companion.[18]

When he went into more detail about his own marriage ceremony, Pierre Maury described the ceremony, and when Guillaume Bélibaste considered them to be officially married:

> I asked Raimonde if she would like me to be her husband; she said yes, and we did not say or do anything more. Upon hearing this, the heretic laughed and told us that we had done well. This was how the marriage took place between Raimonde and me, in the presence of the heretic and Guillemette, the daughter of Raimonde.[19]

This view that the essence of marriage is the spoken agreement between the two parties is not particularly different from the view of the Roman Church at the same time. Consent to marriage in the present tense, for example 'I take you as my wife,' was enough to create a valid marriage.[20] This demonstrates that although the Cathar and Catholic views on other aspects of marriage were very different, they had a similar belief in regards to what created a valid marriage.

Pierre Maury also mentions that Bernard Bélibaste commented that his sister, Guillemette, should have been given in marriage to someone 'de la entendensa', which meant in the faith.[21] This shows a different point of view on marriage than the one presented earlier. While the depositions of Fabrissa den Riba, Raimonde den Arsen, and Raimonde Testanière all suggest that it is an equal sin, with no exceptions, the confession of Pierre Maury suggests that some heretics thought that marriage to a fellow believer was a better option than having carnal relations outside of marriage. Jeay notes this when she writes that the heretics married for a similar reason as Christians, 'to unify and reinforce the

---

[17] Idem, 'Pierre Maury.'
[18] Ibid.
[19] Ibid.
[20] Thomas Kuehn, 'State and Law', in *A Cultural History of Marriage: Volume 2*, ed. by Joanne M. Ferraro and Frederik Pedersen (London: Bloomsbury Academic, 2020), p. 66.
[21] Stork, 'Pierre Maury.'

community.'[22] Although the heretics did not believe in the marriage advocated by the Catholic Church, marriage had an essential social role in a community.

Furthermore, Pierre Maury offered a definition of marriage in his deposition. Pierre Maury claims that he was told by Bernard Bélibaste that 'the marriage performed in the Roman Church is not a thing that lasts, nor is it good, but the other marriage, which the Son of God makes is a good and lasting thing.'[23] When interrogated further, he stated that Guillaume Bélibaste and Philippe de Coustaussa told him that:

> Carnal marriage between a man and a woman is worth nothing, but that spiritual marriage between the soul and the spirit, that is to say, when the soul, that remains always in a man, and the spirit, which comes and goes, are good and unite with one another, so that the soul wishes what the spirit wishes, and the spirit what the soul wishes, they will exist together in goodness. This is the marriage that God made.[24]

This idea of the spirit and the soul is something that appears to be linked to the dualist beliefs in Catharism. Pierre Maury also claimed that Philippe de Coustaussa told him that 'a man always has his soul while living: but that when one becomes a believer, or heretic, a good spirit arrives and that between the first soul and the spirit there is made in effect a sort of marriage.'[25] This suggests that marriage for the Cathars was not a term used exclusively for a union between a man and a woman, but could also be used to describe what they believed to happen when a person was hereticated, which was that their soul was joined by a spirit. This spiritual marriage can be viewed in contrast to a physical marriage between a man and a woman, which was seen as being connected to the evil god.

Throughout his deposition, Pierre Maury mentions the heretics' unhappiness that his sister had been married to someone who was not a believer. When talking about removing Guillemette from her marriage, Pierre claims that Philippe de Coustaussa said 'that he would take the sin upon himself, if

---

[22] Madeleine Jeay, 'Sexuality and Family in Fifteenth-Century France: Are Literary Sources a Mask or a Mirror?', *Journal of Family History*, 4, (1979), 328-345, p. 331.
[23] Stork, 'Pierre Maury.'
[24] Ibid.
[25] Ibid.

there were any sin in this separation; but there was no sin there, but rather a merit, because we were taking my sister from the bad path and an evil spirit, and placing her on the good path.'[26] This continues to connect the dual idea of a good and an evil spirit to the Cathar concept of marriage.

In his deposition, Pierre Maury speaks about two instances of marriages dissolved by the heretics: his own marriage with Raimonde, and his sister's marriage to a non-believer. 'A marriage can be dissolved by men, because, according to what I have heard them say, carnal marriage is not a stable thing and is worth nothing. It is not the work of the good god, but of the evil.'[27] This view that marriage can be dissolved by men stands directly in opposition to the view of Catholicism at the time, where the idea that marriage was indissoluble was promoted and solidified in law.[28]

The Catholic Church promoted exogamy, with Innocent III and the Fourth Lateran Council in 1215 setting the incest prohibition to four degrees.[29] However, to the people of Montaillou this does not seem to be as important. In her deposition, Beatrice de Planissoles recognises that the Church forbids carnal relations between blood relatives, but she says 'before God the sin is the same, whether it concerns a stranger, a sister or another relative because the sin is just as bad with a wife as with another.'[30] This demonstrates that those who followed the Cathar beliefs did not create a definition between incestuous relationships and other carnal relationships. During her interrogation, Grazide Lizier was asked if she would have had carnal relations with Pierre Clergue if she had known he was her mother's first cousin, to which she responded 'No. But because this was pleasing to me and also pleasing to the said rector, when we knew each other carnally, I did not think I sinned with him.'[31] This reinforces that while relationships with blood relatives were not encouraged, they were not considered to be more sinful by the Cathars than any other carnal relationship.

---

[26] Ibid.
[27] Ibid.
[28] Kuehn, 'State and Law', p. 65.
[29] Ibid., p. 72.
[30] Nancy P. Stork, 'Beatrice de Planissoles' <https://sjsu.academia.edu/NancyStork> [accessed 23 November 2020]
[31] Idem, 'Grazide.'

Duby theorised that there were two models of marriage in twelfth-century France: 'the lay model of marriage, created to safeguard the social order, and the ecclesiastical model, created to safeguard the divine order.'[32] He then lays out three key features of the lay model, the first being that sexual activity was permitted outside of marriage, although for women adultery was condemned.[33] This description of how sexual activity was regarded by the laity presents ideas that are not radically different to those followed by the Cathars and the residents of Montaillou. The example of Fabrissa den Riba's opinion of her daughter Grazide's affair shows that women were criticised for having relationships outside of marriage, but many of the male heretics did not seem to face the same disregard from their peers for the same action.

As the second feature of the lay model of marriage, Duby presents the lack of monogamous structure; people could choose to end their marriage agreement in order to take a different spouse.[34] The most prominent example of this among the Cathars is from Pierre Maury's deposition, where he mentions the dissolution of his own marriage and that of his sister.

Finally, Duby states that there was a strong tendency towards endogamy within the laity.[35] This means that the laity more commonly arranged marriages amongst cousins. For the Cathars, Pierre Maury mentioned the importance of marrying 'de le entendensa'.[36] Many of the families in the village of Montaillou were related through marriage; the Belots, Benets, and Authiés all shared family ties through marriages.[37] This shows that although many of the villagers in Montaillou had heretical beliefs, their attitudes towards marriage were very similar to those of other members of the laity throughout France.

Conclusion

---

[32] Georges Duby, *Medieval Marriage: Two Models from Twelfth-Century France*, trans. by Elborg Forster (London: John Hopkins University Press, 1991), p. 3.
[33] Ibid., p. 7.
[34] Ibid.
[35] Ibid., p. 8.
[36] Stork, 'Pierre Maury.'
[37] Le Roy Ladurie, *Montaillou*, p. 50.

The interrogation records of the village of Montaillou provide a wealth of attitudes surrounding sex and marriage. Many of the opinions given by the people interrogated conflict with each other and present different views of what is sinful and what is not. While initially the views of the Cathars of Montaillou are very different to the Catholic views which were dominant at the time, there are many ways in which they shared similarities in their attitudes towards sex and marriage. The most divergent attitude between the Cathars of Montaillou and the Catholic population of France regarding sex and marriage is linked back to the Cathar idea that a person can be absolved of all sin before death. This means that , despite sex still being considered a sin as it was by Catholics, the Cathars could have carnal relations and then be absolved when they were hereticated before death.

Lord Grey's Arse-Kissing Poet: Ireland, Imperialism, and the Many Elizabeths of Edmund Spenser's The Faerie Queene

ASK VESTERGAARD

Ask Vestergaard is a fourth-year English with Creative Writing student who gets the most enjoyment out of writing essays about the historical contexts of literature and the effects that certain pieces have had - and still continue to have - on those who read them.

The Faerie Queene is many things: a sprawling epic, an aching romance, a mischievous criticism-cum-commendation of Queen Elizabeth Tudor – but, perhaps most importantly, it is also a work of imperialism, written by an imperialist. A work that is inextricable from Ireland: Ireland the nation, Ireland the idea, and Ireland the scorched earth of conquest. It was there that Edmund Spenser made his home from 1580 until his death in 1599, and his housewarming on this 'salvage soyl' was a bloody one – one that would eventually bear the 'wilde fruit' of Faerieland.[1] Spenser initially worked as the secretary and aide to the brutal Lord Deputy of Ireland Arthur Grey de Wilton, during which time he witnessed the execution of over 600 already-surrendered Papal soldiers at the Massacre of Smerwick, along with countless other instances of slaughter and starvation, from the famine of Munster to the exhibition of severed heads along the walls of Dublin Castle.[2] He was an avid supporter of Lord Grey's attempts to quash the Second Desmond Rebellion and bring English justice to Ireland, and often defended his patron against detractors. When Grey left his post, disgraced, in 1582, Spenser was furious at Queen Elizabeth's decision to recall him.[3] Although Spenser remained in Ireland, becoming the Clerk of the Council of Munster and, later, the owner of a plantation in Kilcolman and even taking on the role of Sheriff of Cork, the recall of Lord Grey remained a pivotal moment for the poet, and is intensely important in understanding any readings of imperialism in his work.[4]

---

[*] This essay was written for EL40ES: Spenser.

[1] Andrew Hadfield, 'Spenser, Ireland, and Sixteenth-Century Political Theory', *The Modern Language Review*, 89 (1994), 1, 13.

[2] Raymond Jenkins, 'Spenser and Ireland', *ELH,* 19 (1952), 133.

[3] Ibid., 131.

[4] Ibid.

Perhaps Spenser's most controversial piece, both now and when it was written, is *A Veue of the Present State of Ireland*, a political tract published in 1596 which, among other things, explicitly advocates for a genocide against the indigenous Irish.[5] The *Veue* is a dialogue between two Englishmen: Eudoxus, a man who has never been to the Pale – much less beyond – and seeks to reform the Irish with laws; and Irenaeus, a man with a great deal of experience on the field – perhaps even a New English settler – who wishes to put Ireland to the sword.[6] Whether one reads the *Veue* as a soapbox for bloodthirst or as a semi-Socratic dialogue that still favours violence, the result is the same: a call to 'civilise' the Irish and claim their land for the Queen – a Queen who, it just so happens, Spenser was quite disappointed with.[7] As Walter S. H. Lim puts it, the *Veue* was 'written in response to Queen Elizabeth's vacillating and placatory policies in dealing with the Irish question.'[8] Spenser is intensely critical of what he sees as unwarranted and ineffective mercy on her behalf, and sneakily critiques her policies by defending Lord Grey. Through the character of Irenaeus, he portrays Grey as a just and restrained man who only resorted to wanton brutality because 'the necessity of that present state of things enforced him to.'[9]

This tactic of critiquing Queen Elizabeth's policies in Ireland through an implicit defence of Lord Grey is one that is rendered with fascinating effect through the complex and interlocking allegories of Spenser's great epic, *The Faerie Queene*. This essay will explore how Spenser allegorises the ideological conflict between Queen Elizabeth and Lord Grey, arguing that he is intensely critical of the Queen's policies in Ireland and her decision to recall his erstwhile employer. It will focus on the two Books of *The Faerie Queene* that deal most explicitly with the colonisation of Ireland – Book V, *The*

---

[5] Hadfield, 'Spenser, Ireland', 2.

[6] Ibid.

[7] Scholar Raymond Jenkins argues that it can be '[taken] for granted that Irenaeus is not merely Spenser's mouthpiece but the poet himself, and that almost every observation of Irenaeus is from the poet's first-hand experience' (Raymond Jenkins, 'Spenser with Lord Grey in Ireland', *PMLA*, 52 (1937), 338-353, p. 352). While this is arguably true to an extent, Spenser is a notoriously ambiguous writer, and that impishness extends to the *Veue*. For example, Irenaeus strongly advocates for 'the power of the prince, to change all the laws and make new', referencing the sovereignty over civil laws that Elizabeth I inherited from her father Henry VIII. However, it is entirely possible that Spenser himself was against this sovereignty: numerous episodes in *The Faerie Queene*, most obviously in the implied triumph of Mutabilitie over the laws of the Olympians in the eponymous *Cantos of Mutabilitie*, indicate that Spenser believed that monarchs should be subject to the same laws as their people.

[8] Walter S. H. Lim, 'Figuring Justice: Imperial Ideology and the Discourse of Colonialism in Book V of *The Faerie Queene* and *A View of the Present State of Ireland*', *Renaissance and Reformation*, 19, (1995), 61.

[9] Ibid, 47.

Legend of Artegall, and the two unfinished and posthumously published *Cantos of Mutabilitie* – putting particular emphasis on the ambiguity of Sir Artegall as a representation of Lord Grey, and the various obstacles posed against him by the many fictionalised Elizabeths whom he encounters.

The first Canto of Book V details the upbringing of Artegall: a 'fit' boy with 'no crime defilde' whose fairness in play catches the eye of Astraea, Goddess of Justice, daughter of Jupiter and Themis.[10] She takes him in, teaches him 'all the discipline of iustice', raises him to become a great knight, and then… she leaves. Unable to bear living amongst sin and 'wicked men, in whom no truth she found', Astraea orders the sadistic iron automaton Talus to assist Artegall in maintaining the justice that she cannot, and then she escapes back to the peaceful heavens.[11] This theme of abandonment is one that crops up constantly with Spenser's Elizabethan allegories – and there is little doubt that Astraea is one of those allegories. In the astute words of Andrew Hadfield, Astraea 'deems herself too pure to perform the actions which will implement justice; instead, she delegates responsibility to a male deputy, a viceregal figure, akin to the Lord Lieutenant or Deputy of Ireland.'[12] Astraea gifts Artegall with the monopoly on violence in the eyes of imperial law made manifest in Talus, but is too weak to support him in the conquests she demands he carry out. The atrocities of Artegall – atrocities that, it must be stated, often consist of butchering peasants and hill-dwelling savages – are little more than him permitting the actions that Astraea programmed Talus to perform. To Spenser, Lord Grey's cruelty in Ireland was more the result of the institution he upheld than any personal villainy – an institution that was doing everything it could to distance itself from him despite unleashing him in the first place. Furthermore, Grey was getting the job done in a way that Queen Elizabeth's milquetoast and dithering attitude was not.

In *The Legend of Artegall*, that 'job' is allegorised as the rescue of the damsel Irena, who has long been understood by Spenserians to be a representation either of Ireland or of Queen Elizabeth's

---

[10] Edmund Spenser, *The Faerie Queene, 2nd Edition*, ed. by A. C. Hamilton (Routledge, New York: 2013), V.i.6.
[11] Ibid., V.i.11.
[12] Andrew Hadfield, *Edmund Spenser's Irish Experience: Wilde Fruit and Salvage Soyle* (Oxford, Clarendon Press: 1997), p. 150.

power therein.[13] Irena is a useless, weeping wretch, deposed by the giant Grantorto and slated for imminent execution, utterly dependent on Artegall and Talus for her liberation. It has often been pointed out that Grantorto dresses like an Irish foot-soldier, and it is only when Artegall kills him with the Titanomachy-winning blade Chrysaor that Irena is freed, and her kingdom restored.[14] What follows is the systematic removal of any remaining opposition: Artegall and his personal terminator begin to reform 'the ragged commonweale' to deal 'true Iustice' and punish all who seek to 'rebell gainst lawfull gouernment'.[15] But, before their work can be completed… they leave. Although Spenserians have long agreed that *The Faerie Queene* is positively drenched in a multitude of allegories for Elizabeth, Spenser himself only mentioned two in his 'Letter to Raleigh' – Belphoebe and the Queen of Faerieland herself, Gloriana.[16] It is Gloriana who sends Artegall to save Irena from the Irish-coded colossus, and it is Gloriana who recalls him back to her queendom:

> [Artegall's] course of Iustice he was forst to stay
> And Talus to reuoke from the right way,
> In which he was that Realme for to redresse […]
> So hauing freed Irena from distresse,
> He tooke his leaue of her, there left in
> heauinesse.[17]

Although Spenser initially states that Artegall was forced to leave 'of necessity,' he quickly undercuts this by implying a conspiracy of resentment with the line '[b]ut enuies cloud still dimmeth vertues ray'.[18] Irena is incompetent and incapable of ruling without the strong arms of Artegall and Talus – without them, she cannot stand against what survives of Grantorto's legacy. This episode is almost universally regarded by scholars as a blatant vindication of the deputyship of Lord Grey.[19] According to Spenser, the successful colonisation of Ireland is dependent on men like Grey, and Queen Elizabeth

---

[13] Sheila T. Cavanagh, '"Licentious Barbarism": Spenser's View of the Irish and *The Faerie Queene*', *Irish University Review,* 26 (1996), 268-280, p. 268.

[14] Hadfield, *Wilde Fruit*, p. 153.

[15] Spenser, *The Faerie Queene*, V.xii.26.

[16] Idem, 'Letter to Raleigh' in *The Faerie Queene, 2nd Edition*, ed. By A. C. Hamilton (Routledge, New York: 2013).

[17] Idem, *The Faerie Queene*, V.xii.27.

[18] Ibid.

[19] Hadfield, *Wilde Fruit*, p. 154.

removing him threatens the project's future – particularly when Spenser sees the move as motivated not by political savvy, but by envy.

As Lord Grey's secretary, it was Spenser's duty to send and make copies of all his patron's letters. Many of them involved appeals for recall – for, interestingly enough, Grey himself desperately wanted to leave his post – as well as responses to complaints from Queen Elizabeth and William Cecil, the 1st Baron Burghley.[20] But those were not the only complaints he received. As Raymond Jenkins writes, 'even members of [Grey's] own Council wrote in cypher to Elizabeth and Burghley letters in which they maligned him for his extravagance and favouritism.'[21] Combine that with his brutality, which was infamous even in England, and the result was what Spenser saw as a betrayal from the Queen and her officials that unfairly targeted Lord Grey and endangered the entire imperial project in Ireland.[22] After Artegall leaves Irena's kingdom, he encounters the hags Envy and Detraction, who unleash the hundred-tongued Blatant Beast, a creature capable of clouding even the most respectable of reputations. Spenser saw Grey as effective and right, and criticisms against him as little more than life-ruining libel – he wanted Grey's tactics to be understood, and he wanted the Queen to accept him: in a word, he wanted Elizabeth to show his patron a little mercy.

Spenser's views on mercy are intensely complicated, and only become more so when Ireland and Lord Grey are involved. The trial of the evil witch Duessa in Book V is almost always talked about as an allegory for the trial of Mary Queen of Scots, and this essay will not seek to circumvent that view – after all, it was even interpreted as such by an intensely offended James VI of Scotland.[23] However, there is much more to be gleaned from how Spenser conceives of mercy as embodied by that episode's requisite allegory for Elizabeth, Mercilla. Elizabeth was greatly hesitant to execute Mary, largely because doing so would set a precedent for a monarch being subject to civil laws and therefore liable to imprisonment and beheading.[24] *The Faerie Queene* portrays this as Mercilla feeling inclined to be merciful to Duessa, who readers have encountered in several previous books manipulating and trying to

---

[20] Jenkins, 'Spenser with Lord Grey', 339.
[21] Ibid.
[22] Ibid., 352.
[23] Hadfield, 'Political Theory', 15.
[24] Ibid.

kill the knightly protagonists. The men who advise Mercilla, not least Artegall himself – it is very important to note here that Lord Grey was a commissioner during the trial of Mary and was 'most keen to see her executed' – elucidate in no uncertain terms that she is vile and dangerous, but Mercilla remains unconvinced.[25] The canto ends in uncertainty as to her decision, and it is only after that cliffhanger that readers learn that Mercilla was finally convinced by the apparently much wiser men who surrounded her to finally have Duessa executed.[26] This is not a categorical condemnation of mercy in all its forms: it is specifically a criticism of Queen Elizabeth's brand of mercy, which Spenser arguably believes lets criminals off the hook. Mercilla is entirely capable of swift justice, but she only ever does so for the wrong reasons: echoing the severing of the hand of John Stubbs in 1579 when he published a pamphlet critiquing Elizabeth, the first introduction to Mercilla's justice comes as a description of the poet Malfont, who offended his queen and consequently had his tongue nailed to a post.[27] In Spenser's eyes, Mercilla, and therefore Elizabeth, grant clemency to those who do not deserve it, and punish those who deserve mercy. This misplaced mercy is best symbolised by the sword that lies at the foot of Mercilla's throne – a sword 'whose long rest rusted the bright steely brand'.[28] In being too queasy for war, she has crippled her defences. And while she can only be convinced to make the right decision by wise counsel, the opposite can also be true: jealous men can frame a hero like Lord Grey as unworthy, and have the Queen recall him, leaving Ireland to the wolves.

And to the wolves Ireland is left. While the consequences of Artegall's abandonment of Irena are never emphasised, Spenser's *Cantos of Mutabilitie* paint a devastating picture of an Ireland without an iron law. In it, Spenser describes the history of Arlo Hill, which he quite explicitly places in Ireland.[29] He emphasises the beauty of Arlo Hill and the goddess Diana who makes it her home, as well as the (admittedly debauched) tranquillity in which its satyr and nymph inhabitants live. All that is upended when the trickster Faunus invades the privacy of a nude and bathing Diana. In a clear reference to Ovid's telling of the death of Actaeon in his *Metamorphoses*, Diana and her nymphs punish Faunus by dressing

---

[25] Hadfield, *Wilde Fruit*, p. 167.
[26] Spenser, *The Faerie Queene*, V.x.4.
[27] Ibid., V.ix.26.
[28] Ibid., V.ix.30.
[29] Ibid., VII.vi.38.

him 'in Deares skin' and setting hounds on him.[30] However, unlike Actaeon, Faunus isn't torn apart by claw and fang: he escapes.[31] Diana's punishment is ineffective, and, ashamed, she curses Arlo Hill with roving packs of ravenous wolves and thieves who 'rob and spoile the Coast around',[32] and then… she leaves. To 'this day,' writes Spenser, Ireland is infested with wolves and thieves – much to the chagrin of Colin Clout in the eponymous pastoral poem *Colin Clovte Comes Home Againe*.[33] Gloriana and Belphoebe were the only two allegories for Elizabeth in *The Faerie Queene* that Spenser ever explicitly admitted to, but the portrayal of Belphoebe is nearly inextinguishable from that of Diana, with Braggadocio playing a similar Acteon-like role as Faunus in Book II, making reading Diana as Elizabeth an inevitability. Diana's abandonment of the world to sin is almost identical to Astraea's, aside from one notable difference: Astraea merely left Faerieland; Arlo Hill has been ravaged because Diana cursed it. Spenser is arguing that Queen Elizabeth's incompetent colonial efforts have failed to discipline the Irish and have left the lands beyond the Pale in a far more disastrous state than they ever were before.

Cynthia is another version of Diana – and therefore another version of Elizabeth – who appears in the *Cantos of Mutabilitie*. She accompanies Jove and the other Olympians on the now-savage Arlo Hill to debate Mutabilitie for sovereignty over the world. Andrew Hadfield argues that this references the 'Irish custom of assembling on a rath (hill) to decide local affairs', humorously implying that this gathering of gods is an 'uncivilized squabble, a dangerous and absurd parody of proper debate.'[34] This is not flattering. Karl Marx famously called Spenser 'Elizabeth's arse-kissing poet', but more recent studies of the works of Spenser have demonstrated much of what this essay has argued: Spenser is intensely, savagely critical of Queen Elizabeth. If he is kissing anyone's arse, it is the aristocratic tush of Arthur Grey, 14th Baron of Grey de Wilton.

And yet, while until this point that has been this essay's chief argument, it is worth now taking a little time, and risk going a little off-topic, to explore some of the ambiguity that results in reading Sir Artegall as an allegory for Lord Grey. For one, despite Spenser's apparent adulation of Grey, Sir Artegall

---

[30] Ibid., VII.vi.50.
[31] Hadfield, 'Political Theory', 16.
[32] Spenser, *The Faerie Queene*, VII.vi.55.
[33] Hadfield, 'Political Theory', 16.
[34] Ibid., 15.

is not always represented as a just, or even good, man. Talus's wanton butchery and mutilation is often not explicitly framed as positive or necessary, and it is even called out when Britomart rescues Artegall from the Amazon Queen Radigund (yet another Elizabethan figure), who had dressed him up all prettily in a gown and forced him into domestic servitude. After Britomart beheads her, Talus commits 'piteous slaughter' against Radigund's court, but when Britomart sees 'the heaps, which he did make, | Of slaughtred carkasses, her heart did quake',[35] and she demands that he put a stop to the butchery. Artegall, who up until this point permitted all of Talus's cruelties, internalises Britomart's call for mercy, and soon after he stops Talus mid-murder and wills 'him to stay, and [make a] signe of truce'.[36] Additionally, Artegall falls for the beauty of the False Florimell in Book IV, just as all the other knightly protagonists around him, aside from the virtuous Britomart, do.[37] In fact, the virtue of Gloriana's knights is called into question incessantly, and they are often just as brutal and cruel as the monsters they face. While there is little doubt as to Spenser's bigotry towards Irish culture, it is somewhat tempered by his understanding of the crimes of colonialism. He is in no way an anticolonialist, as has by this point been made all too apparent, but he also argues that 'many of the woes of Ireland were due to English chicanery', and that 'many of the English in Ireland had become more lawless and licentious than the wild Irish.'[38] Similarly, while *The Faerie Queene* is suffused in raids from savages and Irish-coded villains like Grantorto, Atin, Pyrochles, and Cymochles who constantly seek to kill the knights of Gloriana, Book VI introduces the Savage Man, who represents an Irishman who has overcome his upbringing and ennobled himself.[39] This is clearly still quite bigoted, as it presents the shift towards civility as a prerequisite to any potential 'goodness' in an Irish person, but it does nevertheless still complicate matters by showing that Gloriana's knights are capable of sin and the savages of the wilds are capable of virtue. The results of these and similar ambiguities present throughout *The Faerie Queene* are fascinating, and subject to debate: they could be an argument that it takes a 'salvage knight'[40] like

---

[35] Spenser, *The Faerie Queene*, V.vii.36.

[36] Ibid., V.xii.8.

[37] Ibid., IV.iv.42.

[38] Jenkins, 'Spenser and Ireland', 136.

[39] Clarence Steinberg, 'Atin, Pyrochles, Cymochles: On Irish Emblems in *The Faerie Queene*', *Modern Language Society*, 72 (1971), 750.

[40] Spenser, *The Faerie Queene*, IV.iv.39.

Artegall and Grey to tame 'salvage soyle', it could be an attempt to distance Grey from atrocities like Smerwick, but it could also be a subtle expression of discomfort either at some of the lengths Grey went or at Grey's desperation to retire from his role as Lord Deputy – a discomfort that, it is important to note, never extended to open criticism.

Despite these caveats, there is very little doubt that *The Faerie Queene* is an intensely imperialist text, written by an intensely imperialist man, and even if there can be some niggling doubt as to whether Edmund Spenser is wholeheartedly kissing Lord Grey's arse, he is most certainly very defensive of it, and regards it as unfairly maligned. In conclusion, Spenser's allegories for Queen Elizabeth in Book V of *The Faerie Queene* and the *Cantos of Mutabilitie* are inextricable from the colonisation of Ireland and the recall of Lord Grey. Through Astraea, Gloriana, and Diana, he condemns what he sees as Elizabeth's desertion of Grey and the New English colonisers, using the abandonment and recall of Sir Artegall and the cursing of Arlo Hill to argue that she left Ireland in a worse place by halting Lord Grey's progress. And, through Mercilla, he measures Elizabeth's justice against Lord Grey's, and finds the Virgin Queen's wanting.

'Inhumane and Abominable': Attitudes towards the Enslavement of Africans in Colonial Georgia, 1732-1750

SARA JOSWIG

Sara Joswig is a third-year Joint Honours student in History and English. She is interested in the history of global empire and colonialism and she especially enjoys working with primary sources and researching in archives. After graduating next year, she hopes to continue her studies with a master's degree in digital humanities or archiving.

On 9 June 1732, King George II signed the charter for the creation of the colony of Georgia, a publicly-funded colony deliberately conceived to be different from those which preceded it. Part of this difference was the prohibition of the enslavement of Africans, codified in the 1735 'Act for rendering the Colony of Georgia more Defensible by Prohibiting the Importation and Use of Black Slaves or Negroes into the same'. Only fourteen years later, on 17 May 1749, a meeting of the Board of Trustees resolved that the 1735 Act should be repealed, 'permitting the Importation and Use' of enslaved Africans into the colony 'under proper Restrictions and Regulations'.[1] In January 1750, African slavery became legal.[2] The nearly twenty years of debate in-between provide a critical opportunity for study: interested parties were forced to articulate and defend the attitudes they held towards African slavery. While none of the parties can be described as abolitionist, they can show what Brown calls 'antislavery values': a dislike of or discomfort with slavery, often confined to certain circumstances and not expressed in activism against the entire system of slavery.[3] Examining these attitudes in the context of the participants' class, location, and nationality can reveal the contemporary anxieties which produced them. As the example of 1730s Georgia shows, attitudes towards slavery developed in the context of conceptions of work, morality, religion, race, economics, and security.

---

[*] This essay was written for HI305S: Slavery and Empire in the British World.

[1] *The Colonial Records of the State of Georgia (GCR),* ed. by Allen D. Candler, 26 vols (New York: AMS Press Inc., 1970), I, pp. 11, 50, 532.

[2] As Rodney Baine notes, the 1735 Act did not address the enslavement of indigenous Americans, an important topic which is unfortunately outside the scope of this paper. Rodney Baine, 'Indian Slavery in Colonial Georgia', *The Georgia Historical Quarterly*, 79 (1995), 418-424.

[3] Christopher Leslie Brown, *Moral Capital: Foundations of British Abolitionism* (Chapel Hill: University of North Carolina Press, 2006).

One important starting point is the reasoning of those who decided to ban slavery in the first place: the trustees in charge of the administration of the colony. The prohibition of slavery was part of the overall vision for Georgia. As a publicly-funded colony, proponents needed to define and defend this vision in years of promotional writings and codify it in the colony's charter. This helpfully gives a modern audience a look into the Trustee's motivations. Georgia was intended as a haven for the poor. It was assumed they should be 'glad to settle' in any of the American provinces and live by 'cultivating the lands at present waste and desolate'. The Trustees hoped 'the trade, navigation, and wealth' of the greater Empire would be increased by cultivating luxury goods like silk and wine.[4] The envisioned luxury goods were imagined to require skilled but relatively light labour, for which enslaved labour was considered unnecessary. For example, the production of silk was characterised as 'so Easy a work that Every Person from Childhood to Old Age can be Serviceable therein'.[5] This was all set up deliberately to suit the opinion the Trustees had of their envisioned colonists. They believed that dependence on slave labour would encourage 'idleness and luxury' among the colonists, who were supposed to subsist on 'industry and virtue'.[6]

Of course, philanthropy was not the only justification for the project. Georgia was also intended as a military buffer zone to support South Carolina, anxious after the Yamassee war of 1715 and continued tensions with Spain. These tensions were exacerbated by a 1693 Spanish offer of emancipation to any enslaved person 'who could make it through the swampy jungle' into Spanish territory in Florida.[7] The presence of enslaved Africans in South Carolina was seen as a security risk, and the Trustees were anxious not to have a similar situation in Georgia. As Wood explains, they reasonably understood that enslaved people would 'be encouraged to flee to Florida, where they would be armed and turned against their former owners'.[8] Beliefs in the inherent danger posed by an enslaved

---

[4] Candler, *GCR*, p. 11.

[5] Henry Newman, *Henry Newman's Salzburger Letterbooks,* ed. by George Fenwick Jones (Athens: University of Georgia Press, 1966), p. 45.

[6] Betty Wood, *Slavery in Colonial Georgia, 1730-1775* (Athens: University of Georgia Press, 1984), p. 6.

[7] Noeleen McIlvenna, *Short Life of Free Georgia: Class & Slavery in the Colonial South* (Chapel Hill: University of North Carolina Press, 2015), p. 19.

[8] Wood, *Slavery,* p. 8.

population seemed to be confirmed later by the 1739 Stono Rebellion in South Carolina.[9] The founding documents and later defences of the colony show a clear set of opinions which led to the prohibition of the enslavement of black people in Georgia.

It is, however, important to understand these opinions in the context in which they were produced. As many commentators point out, the Georgia plan was an amalgamation of several earlier colonial theorists' work, like Thomas Coram's 1717 vision of 'Georgeia', Robert Mountgomery's 1717 *Discourse Concerning the Design'd Establishment of a New Colony to the South of Carolina, in the Most Delightful Country of the Universe*, Jean-Pierre Purry's 1724 *Memorial*, and Joshua Gee's writings in 1729.[10] When the main founder Oglethorpe met the Viscount John Percival, later Earl of Egmont, about the project in 1730, Oglethorpe 'verbally reproduced' Gee's proposals.[11] In fact, Crowley's study on eighteenth-century conceptualisations of economics sees the writings around the founding of Georgia as an 'ideal' example for studying 'the prevailing attitudes toward work'. They exemplify the quite widespread contemporary intersection of morality and economy in which the dangers of 'excessive consumption' needed to be allayed by the suppression of self-interest. In this model, slavery was problematic not because of the horrific exploitation and abuse of the enslaved, but because of its effect on the society of enslavers. It would, ostensibly, lead to 'disrespect for manual labour, a concentration of wealth in a few hands', economic dependency, and competition for white labour, as many believed was already the case in slaveholding colonies.[12] The prohibition of slavery in Georgia was a logical extension of prevailing economic theories of the time.

As well as the economic context, the political context of the parliamentary debates around the slave trade in the preceding decades would have had a profound impact on the Trustees' attitudes. As Pettigrew's study shows, the political battle between the Royal African Company (RAC) and the 'separate traders' who opposed its monopoly on the African slave trade caused moral concerns to be

---

[9] Glenn McNair, *Criminal Injustice: Slaves and Free Blacks in Georgia's Criminal Justice System* (Charlottesville: University of Virginia Press, 2009), p. 23.
[10] All citations of primary documents follow the spelling of the original text.
[11] Anthony W. Parker, *Scottish Highlanders in Colonial Georgia* (Athens: University of Georgia Press, 1997), pp. 15-18.
[12] J. E. Crowley, *This Sheba, Self: Conceptualisations of Economic Life in Eighteenth-Century America* (Baltimore: Johns Hopkins University Press, 1974), pp. 16, 22, 33.

raised about the treatment of enslaved Africans as early as 1680. By the time the RAC was defeated in 1712, the years of political discussion had allowed participants to 'nurture antislavery sentiment'. Pettigrew places Georgia's founder Oglethorpe, also a shareholder of the RAC, into this exact political context, which he later describes as a 'stable for some early, lukewarm critics of slavery'.[13] This strain of thought would come to set the tone of later discussions of abolition as regulation. Rather than being ahead of their time in any significant sense, the founders of Georgia and their prohibition on slavery were, in fact, products of the political and economic discussions of their time.

The same, however, can be said of those who opposed them. Ultimately, the colony of Georgia became, as Jennison describes it, a 'hierarchical society stratified by race and class' led by a 'planter elite'.[14] Who pushed for this change, and how did they argue their case? One perspective is that the colonists were influenced and emboldened by slaveholders and merchants in neighbouring South Carolina, who showed a sustained interest in the debate. The colony's first settlement, Savannah, was built in part by workers enslaved in South Carolina. They helped 'to clear the bluff and build the huts and shelters'.[15] Oglethorpe indignantly reported that 'several South Carolinians' had 'attempted to bribe him into securing a reversal of the Trustees' land and labour policies' in 1733. One of the first advocates for slavery in Georgia was Carolina merchant Samuel Eveleigh, who 'believed that Georgia could not survive, let alone prosper, without the permanent employment of slaves' and expressed this to the Trustees in 1734.[16] The lengthiest pro-slavery missive was published by Georgians in exile in South Carolina, which they called 'a *Land of Liberty*', certainly suggesting a connection between the two.[17] South Carolina was the only British colony which bordered Georgia, with infrastructure and resources which were critical to Georgia's survival. Some degree of connection and influence was inevitable.

---

[13] William Pettigrew, *Freedom's Debt: The Royal African Company and the Politics of the Atlantic Slave Trade, 1672 - 1752* (Chapel Hill: University of North Carolina Press, 2013), pp. 182, 192, 208.
[14] Jennison Watson, *Cultivating Race: The Expansion of Slavery in Georgia, 1750-1860* (Lexington: University Press of Kentucky, 2012), p. 11.
[15] Phinizy Spalding, *Oglethorpe in America* (London: University of Chicago Press, 1977), p. 61.
[16] Wood, *Slavery,* pp.16, 17.
[17] Patrick Tailfer, Da Douglas, Hugh Anderson, and David Douglas, *A True and Historical Narrative of the Colony of Georgia in America* (Charles-Town: P. Timothy, 1741), p. 2.

Most significantly, as Wood shows, the main beneficiaries of the introduction of slavery were the South Carolinian slaveholders, who moved in and created a 'plantation economy' which they came to dominate 'to a considerable degree'.[18] On its face, this explanation makes sense: South Carolinians who already owned enslaved people would benefit economically from hiring them out or moving to Georgia themselves, and their worldview was already primed to justify it to themselves and others. The argument made by Eveleigh in 1735 that 'the heat of the climate will not permit white men to labour' as black people could was echoed in the Georgian's 1741 assertion that 'white People' were 'incapable to clear and cultivate the Swamps' and that it was 'simply impossible to manufacture the Rice by white Men'.[19] Pressure from South Carolina was likely a significant influence on the colonists' push for the introduction of slavery.

But however significant the influence from the South Carolinians, it cannot be denied that the colonists pushed their own agenda. Wood concludes that an 'embryonic pro-slavery faction' emerged in Savannah as early as 1735, which became 'clearly defined and increasingly articulate' as the 1740s approached.[20] She identifies the main leaders of this faction of 'malcontents' as four Lowland Scots, private adventurers who had paid their own fare and that of their servants to find prosperity in Georgia. McIlvenna argues that it was their class and subsequent expectations which led to their belief that slavery was necessary. Her argument focuses on the idea that the debate around slavery in Georgia was fought along class lines.[21] But, as Lannen points out, her argument 'downplays evidence that the proslavery movement drew broad support from across the class spectrum in Georgia'.[22] In his view, the key element driving the pro-slavery faction was the argument that white liberty depended on the enslavement of black people. This interpretation is consistent with the language in the malcontents' writing. They complained that they had failed to receive the justice they were due from 'a free British Government'

---

[18] Wood, *Slavery,* p. 90.

[19] Paul S. Taylor, *Georgia Plan: 1732-1752* (Berkeley: University of California Press, 1972) p. 102; Tailfer, pp. 102, 104.

[20] Wood, *Slavery,* pp. 21, 24.

[21] McIlvenna, *Short Life.*

[22] Andrew C. Lannen, 'Liberty and Slavery in Colonial America: The Case of Georgia, 1732-1770', *The Historian, 79* (2017, 32-55, p. 37.

and listed the prohibition of slavery in a catalogue of unjust restrictions.[23] Their argument was, in large part, founded on their British citizenships and the rights they felt this should entail – one of these rights being the right to enslave Africans.

Once again, this echoes the language of the debate around the slave trade in the early eighteenth century. Here, advocates for demonopolising the slave trade 'celebrated the right to trade as an inherent feature of the national character'—an inherent freedom to be enjoyed by all English (and later British) citizens.[24] Thomas Stephens, who became the malcontents' lobbyist in Parliament in 1738, argued that one of the 'unalienable rights' due to the British colonists was 'the liberty to own slaves'.[25] These two key arguments—that enslaved Africans were naturally better suited for the labour and key to economic growth, and that their enslavement was an inherent British right—seem to have garnered a wide range of support in the colony. Wood calculates that 'fractionally over 44 percent' of those who signed the pro-slavery petitions of 1738 and 1740 had arrived in Georgia as 'charity settlers' or 'servants'. [26] Even if the pro-slavery agenda was pushed mainly by private adventurers, it seems that their arguments won over other classes of British settlers.

However, with a few dissenting exceptions, the pro-slavery argument seems not to have won over settlers of other nationalities, like the Salzburgers in Ebenezer or the Highland Scots in Darien. The historical record of the Salzburgers is particularly rich: their religious leader, Johann Martin Bolzius, kept a diary and frequently wrote to his mentor Samuel Urlsperger in Halle. Urlsperger often published journals, letters, and calendars to update the rest of the Salzburger community in Europe. Bolzius was one of the most vocal and active opponents of introducing African slavery in Georgia for religious, economic, strategic, and generally racist reasons. It is often assumed that Germans had no cultural context for the transatlantic slave trade, and so his conceptions of slavery were formed entirely in America. But this assumption of German exceptionalism is inaccurate. Kroslofsky's study examines newspaper stories and other public texts about the story of Ocktscha Rinscha and Tuski Stannaki, two

---

[23] Tailfer, *True and Historical Narrative,* p. 28.
[24] Pettigrew, *Freedom's Debt,* p. 104.
[25] Lannen, 'Liberty and Slavery', p. 49.
[26] Wood, *Slavery,* p. 51.

Native Americans who were enslaved by a South Carolinian merchant and travelled through the Holy Roman Empire from about 1722-1734.[27] Crucially, his study shows that 'African slavery functioned as an invisible template' which shaped German narratives of the men.[28] The Salzburgers would likely have heard of the two Native Americans in their very public travels through the Holy Roman Empire. They would equally likely have had other preconceptions of slavery influencing the way they viewed their experiences.

As Bolzius' 1734 account indicates, he found these experiences negative. He thought the enslaved men he met were 'malicious' and prone to escape, theft, violence, and suicide, which he attributed to the cruel treatment they suffered from their enslavers.[29] Unfortunately, his record provides little opportunity to reconstruct the voices and thoughts of the enslaved people whom he encountered, who generally had little opportunity to leave a written record until later in Georgia's history. Bolzius's view of them remained firm over the years. In a 1746 letter to Urlsperger, he outlined his reasons for his continued opposition to slavery. He disliked the effects of slavery on smaller white landowners and the sinful and cruel behaviour of enslavers towards the enslaved. He also emphasised positive effects he believed were visible in northern states 'where no blacks are permitted to cultivate the land or to learn the trades', the military danger from Spain, and a detailed account of the 'advantages this country enjoys over Germany', which would be endangered by the presence of enslaved Africans.[30] He also insisted that the arguments of their greater suitability for labour 'conflicts with the experience of all our people and of all unprejudiced whites'.[31] An independent inquiry in 1747, prompted by the malcontents' accusations of 'spiritual tyranny', found no one in his community expressing a desire for slaves.[32] The attitudes towards slavery found in the written record of Bolzius are notable for the way they directly challenged the arguments of the pro-slavery faction while mirroring and bolstering the views of the

---

[27] Craig Koslofsky, 'Slavery and Skin: The Native Americans Ocktscha Rinscha and Tuski Stannaki in the Holy Roman Empire, 1722-1734', in *Beyond Exceptionalism* ed. by Rebekka von Mallinckrodt, Josef Köstlbauer, and Sarah Lentz (Berlin: De Gruyter, 2021), pp. 81-108.

[28] Ibid., p. 96.

[29] Taylor, *Georgia Plan,* pp. 130-31. All citations of the diary come from Taylor's translation.

[30] Ibid., pp. 246-256.

[31] Ibid., p. 253.

[32] Wood, *Slavery,* pp. 70-72.

Trustees. Bolzius calling the colonists 'idle and delicate' for their opinions on labour directly reinforced the Trustee's economic worldviews and their perspective that the pro-slavery faction was simply idle and looking out for their economic self-interest.

Another community with an antislavery interest in the debate was that of the Highland Scots in Darien. Parker traces the political and social developments which led to the push factors in the Highlands thatencouraged migration, as well as the reason why in 1735 the Trustees were interested in recruiting Highlanders specifically.[33] In short, the Trustees worried about Georgia's meagre military capabilities and picked Highlanders for their strong military as well as agricultural background. They left behind a rather small written record, but one text of high significance: the 1739 Darien anti-slavery petition. The petition cycles through the known military and economic reasons and ends on one which commentator Jackson has called an 'enigma'.[34] They wrote that 'it is shocking to human Nature, that any Race of Mankind and their Posterity should be sentenc'd to perpetual Slavery' and warned that 'they are thrown amongst us to be our Scourge one Day or other for our Sins'.[35] The context for this petition is elaborate and contested: the 1741 proslavery book insisted that the 'inconsiderate deluded Wretches' in Darien were 'bought with a Number of Cattle, and extensive promises' to sign a petition they neither cared for nor believed in.[36] Indeed, their settlement had suffered badly in droughts of summer 1738 and they considered leaving for South Carolina. A pro-slavery petition was sent to the community, but the leader took it to Oglethorpe instead, and they came to an agreement that the Scots would sign a counter-petition in exchange for a 'guaranteed store', 'more servants', and a 'loan of £200' to allow for cattle herding. Two Darien Scots, M'Leod and Monroe, later swore that there had been pressure to sign.

But, as Jackson concedes, the last clause 'simply does not fit the pattern' that 'the Scots opposed slave labour only to wring concessions from Oglethorpe' – why add a contrived moral reason when military and economic ones would suffice?[37] Properly contextualised, it is less of an enigma than he

---

[33] Parker, *Scottish Highlanders,* chapters 2 and 3.
[34] Harvey H. Jackson, 'The Darien Antislavery Petition of 1739 and the Georgia Plan', *The William and Mary Quarterly, 34* (1977), 618-631, p. 631.
[35] Ibid., p. 619.
[36] Tailfer, *True and Historical Narrative,* p. 93.
[37] Jackson, 'The Darien Petition', pp. 628, 629, 631.

indicates. As Brown's study of sermons and pamphlets of the time shows, 'moral opposition required neither justification nor elaboration' in the eighteenth-century British context. Rather, 'the origin of antislavery was slavery itself'.[38] It was not, and had never been, unheard of for people who witnessed slavery to take issue and raise moral objections to it. Indeed, the language is not dissimilar from that used in Salzburger writings. Whoever wrote the Darien petition was not expressing a wholly unfamiliar or radical idea. Rather, the attitudes expressed in the petition, however genuine, are characteristic of both general contemporary antislavery attitudes and the specific debate in Georgia.

In conclusion, the debates around slavery in Georgia from 1732 to 1750 provide an opportunity to study various contemporary attitudes to slavery. The debates were certainly more nuanced and specific to individuals than there is time to explore. For example, a settler called Isaac Gibbs in 1738 asked the Trustees for agricultural tools in lieu of 'that Inhumane and Abominable useing' of black people.[39] But the general outlines remain. The pro-slavery arguments were rooted in a language of rights and liberty reminiscent of the slave trade debates in Britain only decades earlier. They insisted that economic prosperity, as observed in South Carolina, could only come from the labour of enslaved Africans. The antislavery opinions pointed out that the economic advantage of enslaved labour came from exploitation rather than an inherent difference in constitution. But rather than genuine concern for the welfare of enslaved Africans, the concern was centred on the moral character of the white enslavers. This was both in the sense that their cruelty towards enslaved people was sinful, and in the sense that slaveholding would promote idleness and the selfish pursuit of economic self-interest. The debates were long overshadowed by security concerns. These derived both from a fear of retribution from a dominant enslaved population (heightened after the 1739 Stono Rebellion in South Carolina), and the military influence of the Spanish, which was not resolved in the area until the end of the War of Jenkins' Ear in 1742. While it was distinct from the abolitionist debates which would follow in the century to come, the discourse in Georgia foreshadowed it. It was a reminder that slavery did not have to pass entirely uncommented and contention could arise out of a broad variety of contexts.

---

[38] Brown, *Moral Capital,* pp. 38, 41.
[39] Wood, *Slavery,* p. 69.

Law and Abolition: Britain's Illegal Legal Regime

KIERAN NIMMO

Kieran Nimmo is a final-year History student. His research interests lie in using legal sources to investigate subaltern cultures or diplomatic relations, particularly concerning Russia and the British Empire. After graduating from Aberdeen, he plans to pursue a career in academia.

Britain's 1807 decision to outlaw the slave trade (henceforth, the trade) was and continues to be met with popular acclaim.[1] However, historiography concerning the legal regime (henceforth, regime), defined as the courts, judiciary, and law that facilitated emancipating the enslaved, is split. Scholars like Jenny Martinez argue that, as the legal regime freed people from enslavement, it represented a nascent human rights regime.[2] However, most scholars argue that the regime rarely afforded liberated Africans rights and that it occasionally made them suffer.[3] The following engages with this debate and defines human rights as non-derogable universal rights that are irremovable and enforceable everywhere by any human. This paper analyses the British Vice-Admiralty (VA) Courts from 1807-17, Mixed Commission Courts, Britain's post-1839 unilateralism, and the nature of freedom granted. The abolitionary efforts involving France and the United States have been reluctantly excluded to better conceptualise British-led efforts. This piece will argue that the regime was unilateral, extra-legal, and not driven by human rights.

VA courts used British law, which illegalised the trade, and international law, which permitted war belligerents to search foreign vessels to prevent them trading with enemies, to emancipate enslaved

---

[1] Slave Trade Abolition Act (1807).

[2] J. Martinez, *The Slave Trade and the Origins of International Human Rights Law* (Oxford: Oxford University Press, 2012), *passim.*

[3] L. Benton, 'Abolition and Imperial Law, 1790-1820', *Imperial and Commonwealth History*, 39 (2011), 355-374; L. Ford and N. Parkinston, 'Legislating Liberty: Liberated Africans and the Abolition Act, 1806–1824', *Slavery & Abolition*, 42 (2021), 827-846; E. Haslam, 'International Criminal Law and Legal Memories of Abolition: Intervention, Mixed Commission Courts and 'Emancipation', *International Law*, 18 (2016), 420-447; M. Jean, 'The Slave Ship 'Maria da Gloria' and the Bare Life of Blackness in the Age of Emancipation', *Slavery & Abolition*, 42 (2021), 522-544.

Africans during the Napoleonic Wars.[4] For example, VA Courts tried 180 slave ships between 1808-16, up to 20% of all enslaver voyages. The Freetown VA court alone freed 1,991 people between 1807-11.[5] In freeing the enslaved, VA courts ostensibly protected human rights and enforced them with monetary incentives. Capturing crews were allotted £10-40 per emancipated person and a share of the condemned ship's value.[6] Whilst the prize system was corrupt, prizes counterweighted the capturer's potential personal liability should their capture be retroactively deemed illegal.[7] For example, British naval officers stationed in West Africa quarrelled over the right to patrol areas frequented by enslavers, underscoring the abolitionary zeal created by personal gain.[8] Thus, monetary incentives effectively enforced a regime 'freeing' the enslaved.

However, scholars overlook that human rights are universal and must protect everyone.[9] As enslavers are human, they too possess human rights. Yet, in 1812, the Freetown VA court tried the Dutch enslaver Samo. The VA court had no legal authority to do so, as Samo was not a British subject. Despite this, Thorpe, the Chief Justice of Sierra Leone, made Samo's freedom contingent upon his convincing 'other slave factors, in the vicinity of this colony, to lead a new life' and forgo the trade.[10] Emily Haslam argues that Samo's case represents a reformist tendency amongst abolitionists, but this overlooks something more fundamental.[11] Thorpe illegally detained a foreign national, infringing his right to freedom, a human right. Whilst Samo's actions warranted punishment, immorality should not have revoked his human rights. He should have had a fair trial, where his illegal detention could have been rectified. However, as there was no established law against which Samo could prove his innocence, he

---

[4] J. Allain, *Slavery in International Law: Of Human Exploitation and Trafficking* (Leiden: Martinus Mijhoff, 2013), pp. 55-57 and Slave Trade Abolition Act (1807).

[5] J. Martinez, 'Antislavery Courts and the Dawn of International Human Rights Law', *Yale Law*, 117 (2008), 567;T. Helfman, 'The Court of Vice Admiralty at Sierra Leone and the Abolition of the West African Slave Trade', *Yale Law*, 115 (2006), 1143.

[6] Helfman, 'The Court of Vice Admiralty', 1143.

[7] P. Scanlan, 'The Reward of their Exertions: Prize Money and British Abolitionism in Sierra Leone, 1808-1823', *Past & Present*, 225 (2014), 113-142. See *Buron v Denman, Esq* [1848], 154 E.R. 450.

[8] P. Scanlan, *Freedom's Debtors: British Antislavery in Sierra Leone in the Age of Revolution* (New Haven: Yale University Press, 2017), pp. 136-138.

[9] For example: Martinez, *The Slave Trade, passim;* Haslam, 'International', 420-447; Helfman, 'The Court of Vice Admiralty', 1122-1156.

[10] E. Haslam, 'Redemption, Colonialism and International Criminal Law: The Nineteenth Century Slave-Trading Trials of Samo and Peters', in *Past Law, Present Histories (Canberra: Australian National University Press, 2012), ed. by D. Kirkby*, pp. 11-13.

[11] Ibid., p. 22.

was forced to acquiesce to Thorpe's illegal and arbitrary demands. Thus, the Freetown VA Court extralegally impinged on Samo's right to freedom. Samo's case shows human rights were not afforded to all. As human rights are universal, VA courts cannot be human rights courts.

The regime that made emancipation legal until 1817 was arbitrary and misapplied international law. Whilst belligerent visitation rights legalised ship searches during war, the *Amedie* precedent unilaterally legalised emancipation.[12] The *Amedie* was a ship registered in the United States and, thus, should not have been subject to British law. Whilst the United States illegalised the trade, British courts could not enforce foreign law. However, the Tortola VA court condemned the *Amedie* because Westminster had 'declared the … trade … contrary to … justice and humanity'.[13] Judge Grant held that unless a ship's nation expressly legalised the trade, it could be condemned.[14] However, as the 1807 Act claimed no extraterritorial jurisdiction, it should not have applied to non-Brits. Furthermore, foreigners who were charged came from nations lacking positive slavery law. Thus, Grant's precedent permitted judicial punishment (condemning of ships) without legal authority, making the law arbitrary. As international law is created by consensus, and the trade remained legal in Spain, Portugal, and elsewhere, international law could not illegalise the trade.[15] It follows that the trade was not illegal under international law. Thus, British law broke international law, which recognised states' rights to govern themselves, meaning enslavers' ships were condemned arbitrarily.

British judges often manipulated the law to benefit the enslaved. In 1812, the VA court condemned the *Donna Marianna* as a British ship, despite a legal contract of sale transferring ownership to a Portuguese national. By overlooking contract law, the enslaved were illegally emancipated, as Portugal legalised the trade.[16] Further, British judges condemned ships with no enslaved people aboard, only the equipment necessary for doing so.[17] However, no nation had yet agreed to an 'equipment

---

[12] Benton, 'Abolition', p. 361.
[13] *Amedie* (1810) 12 E.R. 92.
[14] Ibid.
[15] H. Kern, 'Strategies of Legal Change: Great Britain, International Law, and the Abolition of the Transatlantic Slave Trade', *History of International Law*, 6 (2004), pp. 242, 251.
[16] *Donna Marianna* (1812) 165 E.R. 1244; also mentioned by Kern, 'Strategies of Legal Change', p. 237.
[17] *The "Fortuna"* (1811) 165 E.R. 1240.

clause', which allowed seizure when a ship possessed paraphernalia for enslaving people.[18] These efforts illegally emancipated the enslaved, but, by 1817, were no longer sustainable. *Le Louis,* a French slave ship, was considered illegally captured by Britain. British judges in the Admiralty Court recognised Britain's lacking right to impose her laws on foreign-flagged vessels, and that the trade was not illegalised by international law.[19] In short, the law's arbitrariness proved unsustainable, despite judicial activism to free the enslaved.

After *Le Louis,* Britain sought international agreement to curtail the trade. However, multilateral attempts failed. For example, the Congress of Vienna (1815) declared the trade unjust, but provided no enforcement mechanisms, meaning the declaration had little effect.[20] Britain then turned to bilateral agreements. However, Britain's pre-1817 unilateralism constrained negotiations. For example, VA courts condemned Portuguese ships despite the Anglo-Portuguese treaty (1810) granting no such right.[21] Britain was compelled to recognise this legal 'wrong' by paying £300,000 of compensation to Portugal to secure a new treaty in July 1817.[22] The 1817 Anglo-Portuguese convention granted mutual rights of search in peacetime and re-affirmed Portugal's abolition of the trade north of the Equator.[23] The Anglo-Portuguese treaty later bound Brazil as a *quid pro quo* for Britain recognising Brazilian independence in 1831 and a similar agreement was concluded with Spain, illegalising the Spanish trade entirely after 1820 for £400,000.[24] These treaties were to be enforced by Courts of Mixed Commission (henceforth, CMC), composed of judicial officers from both nations. They were empowered to adjudicate and condemn captured slave-ships and emancipate their human cargo, arguably creating an international human rights court.

---

[18] M. Ryan, 'The Price of Legitimacy in Humanitarian Intervention: Britain, the Right of Search, and the Abolition of the West African Slave Trade, 1807–1867' in Humanitarian Intervention: A History (Cambridge: Cambridge University Press, 2011), ed. by B. Simms and D. Trim, p. 242.

[19] *"Le Louis" – (Forest)* (1817) 165 E.R. 1464.

[20] Ryan, 'The Price of Legitimacy', pp. 235-337.

[21] *Donna Marianna* (1812) 165 E.R. 1244.

[22] Kern, 'Strategies of Legal Change', p. 242.

[23] Martinez, 'Antislavery', p. 577.

[24] Kern, 'Strategies of Legal Change', p. 251; Martinez, 'Antislavery', p. 577.

However, CMCs' apportioning of rights was contingent upon location. The Portuguese and Brazilians could legally trade people south of the Equator until 1839 and 1845 respectively.[25] Further, lacking equipment clauses, for example, in Portuguese CMCs until 1823, caused unnecessary suffering by freeing ships *about to* engage in the trade.[26] This needlessly exposed thousands to the middle passage's misery and encouraged enslavers to rid themselves of implicating evidence. If no enslaved persons were aboard, the CMC could not condemn, motivating enslavers to drown their human cargo to retain their ships.[27] However, signatory nations also flaunted the law. Although Spain illegalised the trade in 1820, imported enslaved people were sold in Havana, a Spanish colony, as late as 1836.[28] Further, the CMCs lacked jurisdiction over vessels from the United States (until 1862) and France, offering no protection to the enslaved aboard.[29] Thus, CMCs did not grant enslaved Africans universal rights. As rights were not universally protected by CMCs, they cannot be considered human rights courts.

However, those on the spot manipulated the regime to 'illegally' emancipate the enslaved. For example, the Portuguese *Sinceridade* was captured south of the Equator in 1822, making its detention illegal. However, the CMC bargained with the ship's owners to free 123 people.[30] This highlights enslaved Africans' lack of universal rights, as judicial activism or agreements would be unnecessary if they possessed human rights. However, activism was not delimited to courts. The enslaved aboard the *Activo* revolted and dispersed onshore whilst awaiting the Sierra Leonean CMC's judgement in 1826. Despite the CMC's ordering their restoration to their 'owner', Sierra Leone's Acting Governor refused to find the self-liberated, essentially freeing them.[31] Haslam argues that this encapsulates how the rights of the enslaved were minimal, but this requires caveat.[32] Although acting commendably to free the

---

[25] The Slave Trade (Portugal) Act (1839) and An Act to carry into execution a Convention between His Majesty and the Emperor of Brazil, for the Regulation and final Abolition of the African Slave Trade (1845).

[26] Ryan, 'The Price of Legitimacy', p. 242.

[27] Jean, 'The Slave Ship', p. 534.

[28] Martinez, 'Antislavery', pp. 616-617.

[29] Ibid., pp. 602-603.

[30] Gregory and Fitzgerald, 'Messrs. Gregory and Fitzgerald to Mr. Secretary Canning, 22 April, 1823' in Anon, *Correspondence with British Coms. at Sierra Leone, Havana, Rio de Janeiro and Surinam on Slave Trade: 1823-24 (Class B)*, (London: Parliamentary Papers, 1824), pp. 71-74. Also mentioned; Haslam, 'International', pp. 431-433.

[31] Gregory and Fitzgerald, '22 April 1823', p. 71.

[32] Haslam, 'International', p. 447.

enslaved, these agents acted illegally by contravening the CMC's decisions. Effectively, they broke international law by illegally emancipating. That the law had to be bent to free the enslaved, which would have been unnecessary had the regime protected human rights, proves the regime was not human rights based.

CMCs sometimes imposed unnecessary suffering. When the Rio De Janeiro CMC tried the Portuguese ship *Maria de Gloria* in 1833, they were compelled to send it to the Anglo-Portuguese CMC in Freetown, Sierra Leone. The Freetown CMC deemed the capture illegal, as the capturing officer lacked the required documentation. Thus, the enslaved returned to Brazil in bondage. From *Maria de Gloria*'s capture until leaving Sierra Leone, 104 perished.[33] Had the law been bent by the Rio CMC or the Brazilians enforced their domestic ban, these people need not have died. Although 64 were disembarked and emancipated in Freetown due to illness, it is apparent that CMCs were not human rights courts.[34] A CMC had twice held those enslaved aboard the *Maria De Gloria*. Yet, owing to lacking paperwork, they remained enslaved and were compelled to thrice endure the middle passage. *These Africans had no rights.*

From the 1830s, despite international law demanding states govern themselves, Britain imposed the trade's abolition. Failed negotiations to extend Portuguese and Brazilian abolition to the Southern Hemisphere brought unilateral British action. The Slave Trade (Portugal) Act (1839) legalised capturing Portuguese enslavers in the Southern Hemisphere, without Portuguese consent.[35] Similarly, the Aberdeen Act made Brazilian enslavers pirates in British law from 1845. As pirates were legally the enemies of all humanity, all courts had jurisdiction to try them.[36] These laws usurped the 'international' adjudication of the CMCs by permitting British VA courts to try such cases. For example, the St. Helena VA court tried 96 Brazilian vessels from 1847-1850.[37] This all but nullified the allegedly international

---

[33] J. Denman, 'Evidence', (23 March 1848) in Anon, *First report from the Select Committee on Slave Trade* (London: Parliamentary Papers, 1848), pp. 38-39 and Jean, 'The Slave Ship', pp. 526-533.

[34] Jean, 'The Slave Ship', p. 534.

[35] J. Macmillan, 'Myths and Lessons of Liberal Intervention: The British Campaign for the Abolition of the Atlantic Slave Trade to Brazil', *Global Responsibility to Protect*, 4 (2012), pp. 105-106.

[36] Ibid., p. 109.

[37] J. van Niekerk, 'The Role of the Vice-Admiralty Court at St Helena in the Abolition of the Transatlantic Slave Trade: A Preliminary Investigation (Part 2)', *Fundamina*, 15 (2009), 9-11.

CMCs. Some scholars argue that international law illegalised the trade by the 1840s, which legitimised Britain's unilateralism.[38] However, the Spanish and Portuguese did not equate the trade to piracy, meaning no international custom granted universal jurisdiction. Thus, British law superseded other states' rights to govern themselves and debarred a multilateral solution to abolishing the trade.

After 1839, although some suggest international law illegalised the trade, no such convention existed to abolish slavery. Thus, only the Aberdeen Act permitted emancipating those aboard Brazilian ships by declaring that enslaving 'should be deemed and treated as Piracy'.[39] The Aberdeen Act drew authority from the 1831 Anglo-Brazilian treaty. Thus, only those trafficked from Africa and enslaved after 1831 were legally entitled to emancipation.[40] Yet, when the Brazilian *Sylphide* was captured in 1851, 103 people were freed. Only five were not fluent in Portuguese, suggesting they had spent considerable time in Brazil and were not being trafficked from Africa. Another person arrived in Brazil before 1831.[41] Likely, only five were legally entitled to emancipation under the Aberdeen Act, yet all were freed. Proclaiming that enslavers were pirates illegally infringed Brazilian territorial integrity, as British courts refused to delimit enforcement to the high seas. For example, the VA court condemned the *Bella Maria,* although it never left Brazilian waters.[42] Even if international law illegalised enslaving, it did not allow peacetime searches nor foreign navies to sail in other nations' waters. Thus, these emancipations contravened law, deeming them extra-legal.

From the 1830s, Britain forcibly compelled West African states to end the trade. West African economies' reliance on slavery meant agreement was seldomly reached without coercion. For example, when the Royal Navy blockaded Dahomey in 1851, they disregarded Dahomey's protests over British ships violating Dahomey's territorial integrity. This is telling, as Britain assumed African states lacked

---

[38] Martinez, *The Slave Trade*, pp. 75-89.

[39] An Act to carry into execution a Convention between His Majesty and the Emperor of Brazil, for the Regulation and final Abolition of the African Slave Trade (1845).

[40] B. Mamigonian, 'In the Name of Freedom: Slave Trade Abolition, the Law and the Brazilian Branch of the African Emigration Scheme (Brazil–British West Indies, 1830s–1850s)', *Slavery and Abolition*, 30 (2009), p. 52.

[41] Ibid., pp. 53-54.

[42] W. Wilde, 'Her Majesty's Judge to Viscount Palmerston, (11 September 1848)' in Anon, *Correspondence with British Coms. at Sierra Leone, Havana, Cape of Good Hope, Jamaica, Loanda, and Cape Verd Islands; Reports from British Vice-Admiralty Courts and Naval Officers on Slave Trade: 1848-49 (Class A)*, (London, Parliamentary Papers, 1849), pp. 211-212.

territorial integrity, a cornerstone of state sovereignty. Thus, the British considered state rights inapplicable to African nations.[43] The same blockade facilitated treaties outlawing the trade with Porto Novo, Grand Popo, and others.[44] These assignations ended blockades, causally linking military force to ending the trade. Further, whilst blockading Bonny, the Royal Navy attacked enslavers' barracoons at New Cestos, despite lacking the legal authority to do so. The local ruler was compelled to outlaw the trade. Yet, enslavers re-established themselves there within five years, as the ruler considered the agreement non-binding because it was signed through 'forcibility'.[45] This underscores the inefficacy of compelling agreement from unwilling parties, as they resort to the *status quo* when not threatened.

Despite these illegal emancipations, those freed lacked liberty. Law compelled the emancipated to complete a fourteen-year apprenticeship, laterally seven years after 1824. Although given no choice of employer, liberated Africans were bound as if they 'had himself or herself, when of full Age upon good Consideration, duly executed the same'.[46] Others were coerced into the armed forces or were forcibly emigrated to the Gambia or Caribbean. Anderson suggests that around half of those 'emancipated' in Sierra Leone during the Napoleonic Wars and after 1840 were conscripted or forcibly emigrated.[47] Ultimately, 'freed' Africans had no legal right to determine their employment nor residence, implying that they lacked irremovable and, thus, human rights. Jake Richards agrees, but argues that the emancipated possessed unguaranteed entitlements, for example protection from violence during an apprenticeship.[48] However, protective mechanisms for apprenticeships only existed after 1825 and deportees and conscripts were denied this protection.[49] When emancipated Africans did enforce their legal rights, they often found them desultory.

---

[43] R. Law, 'Abolition and Imperialism: International Law and the British Suppression of the Atlantic Slave Trade', in Abolitionism and Imperialism in Britain, Africa, and the Atlantic (Athens, OH: Ohio University Press), ed. by D. Peterson, pp. 155-159;I. van Hulle, *Britain and International Law in West Africa,* (Oxford: Oxford University Press, 2020), p. 110.

[44] Law, 'Abolition and Imperialism', p. 159.

[45] Ibid., p. 154.

[46] Slave Trade Abolition Act (1807) and Slave Trade Act (1824), VII.

[47] R. Anderson, 'The Diaspora of Sierra Leone's Liberated Africans: Enlistment, Forced Migration, and "Liberation" at Freetown, 1808-1863', *African Economic History*, 41 (2013), 123.

[48] J. Richards, 'Anti-Slave-Trade Law, 'Liberated Africans' and the State in the South Atlantic World, *C*.1839–1852', *Past & Present*, 241 (2018), 218-219.

[49] Ford and Parkinston, 'Legislating Liberty', p. 12.

Whilst some argue that the regime protected human rights by emancipating up to 100,000 people, they overlook what that freedom looked like.[50] Smallpox vaccinations were mandatory for the emancipated. Whilst this seems benevolent, Samuël Coghe shows that vaccinations were only mandatory for new-borns in Britain, implying that the emancipated were considered legally analogous to children.[51] As children's rights only became prominent in the twentieth century, the emancipated too were considered rightless.[52] Although not all suffered, the fact that some did shows that rights were not universal. In 1831, a ten-year-old apprentice was beaten to death, and his *murderer-master* met with the maximum fine of £100.[53] Similarly, in 1831, the Freetown Mixed Commission's Surgeon, responsible for the wellbeing of the emancipated, was fined £50 for whipping his young apprentice 'over the back and loins' before rubbing salt in the wounds.[54] Despite hanging murderers throughout the nineteenth century, taking emancipated African lives in British colonies was, at worst, a £100 affair. *This is what freedom looked like.* Thus, Africans in British colonies were considered legally inhuman. As human rights require the holder to be considered human, the regime could not have afforded liberated Africans human rights.

Overall, the legal regime was unilateral, extra-legal, and granted only contingent rights. During the Napoleonic wars, the VA courts acted without international sanction. After, the CMCs emancipated those not legally entitled, whilst permitting others to languish in bondage. From 1839, Britain unilaterally compelled states to abolish the trade, flouting international law, whilst judicial activism contravened British law. Although the regime emancipated enslaved Africans, those 'freed' possessed rights contingent upon military service, apprenticeship, or emigration. As human rights are non-derogable and universal, the regime did not protect them. Even if the regime had protected human rights, its unilateralism negated their universal protection by destroying diplomatic trust, which encouraged

---

[50] Martinez, *The Slave Trade.*

[51] S. Coghe, 'The Problem of Freedom in a Mid Nineteenth-Century Atlantic Slave Society: The Liberated Africans of the Anglo-Portuguese Mixed Commission in Luanda (1844–1870)', *Slavery & Abolition*, 33 (2012), 487.

[52] UN Convention on the Rights of the Child (1989).

[53] M. Ryan, ''A Moral Millstone'?: British Humanitarian Governance and the Policyof LiberatedAfrican Apprenticeship, 1808–1848', *Slavery & Abolition*, 37 (2016), 399.

[54] Ibid., 403.

non-enforcement. Situating the regime within the legal history of human rights must be abandoned.

Scholars must instead answer: *had Britain acted legally, might the trade have been abolished sooner?*

'The Terror Under the Commune': The Revolutionary Tradition of France in the Bourgeois Reaction to the Paris Commune of 1871

DAVIDE LAMPARELLI

Davide Lamparelli is a Single Honours History student and the Editorial Assistant of the Aberdeen Historical Review. His main interests include modern and contemporary history, with a focus on political violence, national identities, and revolutions in the nineteenth and twentieth centuries. After graduation in July 2022, he is planning to continue his studies and pursue a career in academia.

Introduction

The ten weeks between 18 March and 28 May 1871 witnessed the unfolding of the last of the nineteenth-century French revolutions: the Paris Commune, the spontaneous revolutionary government that was established by working-class Parisians following the end of the Franco-Prussian war.[1] Its creation spurred the reaction of the conservative bourgeois republican government, the National Assembly of the Third Republic (1870-1940), led by the monarchist Adolphe Thiers, which embarked on one of the harshest repressions in the history of revolutionary France. Indeed, estimations indicate that during the *Semaine Sanglante,* or Bloody Week (22-28 May), up to 30,000 Communards lost their lives.[2]

The relationship between the Communards and the French Revolution has been explored in the historiography, for example by Hutton's study on the Blanquists, the supporters of the Socialist revolutionary Louise Auguste Blanqui, or Johnson's article on the cult of revolution.[3] However, considerably less attention has been paid to the relationship between the bourgeois reaction to the Commune and the revolutionary tradition of France. Studies by historians such as Gullickson and Wilson have analysed some of the ways the bourgeoisie responded to these events, respectively the visual representation of Communard women, and the post-Commune attitudes towards

---

[*] This essay was written for HI304M Power and Traditions: France 1799-1900.

[1] Colette Wilson, *Paris and the Commune 1871-78: The Politics of Forgetting* (Manchester: Manchester University Press, 2007), p. 3.

[2] John Merriman, *Massacre: The Life and Death of the Paris Commune of 1871* (New Haven: Yale University Press, 2003), p. 32.

[3] Patrick Hutton, *The Cult of Revolutionary Tradition: The Blanquists in French Politics 1864-1893* (Berkeley: University of California Press, 1981); Martin Johnson, 'Memory and the Cult of Revolution in the 1871 Paris Commune', *Journal of Women's History*, 9 (1997), 39-57.

commemoration.[4] However, they perhaps failed to show how these relate to the revolutionary past of the country. In this essay, therefore, it will be argued that the revolutionary tradition, namely the lived or remembered experience of the previous revolutions, shaped the bourgeois reaction and attitudes towards the Paris Commune. In particular, this essay will firstly analyse the influence on the bourgeois views on the Commune and visual representations of Communards in propaganda, both of which formed the ideological justification for its violent repression. Finally, it will explore the influence on the policies of censorship and forgetting undertaken after May 1871.

Bourgeois views on the Paris Commune

Before analysing the influence of the revolutionary tradition on views of the Commune, it is appropriate to examine the relationship between the Third Republic, the bourgeoisie, and the French Revolution. The proclamation of the Republic, on 4 September 1870, stated that 'the Republic was victorious against the invasion of 1792: the Republic is proclaimed. The Revolution has been carried out in the name of public safety'.[5] This clearly showed a positive attitude from the bourgeoisie towards the revolutionary legacy. It stressed the Revolution's role in the fight against the foreign invaders, who were once again threatening the country; it drew a continuity narrative with the First Republic of 1792; and, by defining the change of government as a 'Revolution', it placed the Third Republic in the series of French revolutions. Many, indeed, were the elements of the newly formed Republic that were taken directly from the previous revolutions, such as the location of its proclamation – the Hôtel de Ville, that featured in 1830 and 1848, becoming part of the revolutionary ritual – and the adoption of the *Marseillaise* as the national anthem.[6] In fact, its legacy was so strong that Johnson argues that, in the nineteenth century, all French politics were seen through the lens of the French Revolution. Furthermore, the similarity between the situations in 1870 and 1792 reinforced this principle. In this way, collective memories of

---

[4] Gay Gullickson, *Unruly Women of Paris: Images of the Commune* (Ithaca: Cornell University Press, 1996); Wilson, *Paris and the Commune*.

[5] 'The Republic Proclaimed, September 4, 1870', in *France: Empire and Republic 1850-1940,* ed. by David Thomson (London: Macmillan, 1968), p. 54.

[6] J. P. T. Bury, *France 1814-1940* (London: Routledge, 2003), p. 96; Merriman, *Massacre,* p. 253.

the past revolutions, passed down through generations, created a form of cult and a model for political action.[7]

The same principle was applied by the bourgeoisie to the Commune, which was also seen through the lenses of the French Revolution, albeit with opposite results. In this case, bourgeois observers and the Versailles government based their views on negative memories of the revolutions and their fears of the working class.[8] Failing to distinguish the different political alignments of the Communards, which spanned from neo-Jacobinism to Blanquism, socialism, communism, and anarchism within the spectrum of the republican left, they defined them all simply as Jacobins.[9] In the nineteenth century, this term was used derogatorily by conservatives to indicate anyone who posed a threat to the constituted order. However, this definition was borrowed from the Great Revolution and hinted at the revolutionary faction of Robespierre, which was connected to a form of centralised republican government and to drastic measures, such as anticlerical violence and executions of alleged traitors, in what is known as the Terror.[10]

Indeed, the bourgeoisie were convinced that the Commune would bring back the Terror by establishing a despotic government that would persecute the opposers and embark on anticlerical oppressions. The capture of hostages by the Commune served as confirmation of these fears.[11] At the same time, the working-class background of the Communards made the bourgeoisie identify them with the Sans-Culottes of the Great Revolution, the radical popular revolutionaries that in the bourgeois imagination evoked images of pillages, disorder, and the abolition of private property. Therefore, the bourgeoisie expected the Communards to act according to the way they remembered, or assumed, Jacobins and Sans-Culottes had acted in the French Revolution.[12] The fact that there were no actual pillages or expropriations of property during the Commune Government, but instead loans with the Bank of France were negotiated and the stock exchange was reopened, did not matter; the Commune was seen

---

[7] Johnson, 'Memory and the Cult of Revolution', pp. 41-42.
[8] Gullickson, *Unruly Women of Paris,* p. 57.
[9] Ibid., p. 64.
[10] Hutton, *The Cult of Revolutionary Tradition,* pp. 2-3.
[11] Gullickson, *Unruly Women of Paris,* pp. 66-67.
[12] Ibid., p. 57.

as the embodiment of the anarchy, disorder, and destruction of the French revolutions.[13] Evidence of this perception is provided by the biggest anti-Commune demonstration in Paris, which was organised by a bourgeois group called *Société des Amis de l'Ordre* appealing to 'those who desire order, tranquillity and respect of the law'.[14]

At the same time, the Communards also viewed themselves as part of the revolutionary tradition, reinforcing the views of the bourgeoisie. While they came from diverse ideological backgrounds, these differences were mostly set aside for the common commitment to revolutionary republicanism and political, social, and economic democracy.[15] These, they argued, were the objectives of the Great Revolution, which they sought to finally complete. Communards saw themselves as the heirs of the Revolution, identifying themselves in revolutionary heroes such as Marat, Robespierre, and Hebert. Furthermore, they stressed their connections to the Sans-Culottes and the revolutionary armies through the National Guard and took direct inspiration from the experience of the Revolutionary Commune of 1793.[16] All these elements alimented the fears and presumptions of the bourgeoisie, which reached their peak with the creation of the Committee of Public Safety by the Commune Council, an executive of five members that deliberately evoked the Reign of Terror. This also provided the bourgeoisie with ideological justification for the bloody repression of the *Semaine Sanglante*.[17]

The attitude of the bourgeoisie towards the revolutionary tradition might, then, appear contradictory. Indeed, on the one hand, the Revolution was the source of inspiration for the newly established Third Republic, and, on the other hand, it was the source of all the evils and crimes of the Commune. However, this is explained by the fact that the Commune and the Versailles government contended over ideas and definitions of the revolutionary tradition.[18] As the Communards did not consider the Versailles government to be republican or revolutionary and claimed ownership over the

---

[13] Ibid., pp. 63-65; Alan Forrest, *The Legacy of the French Revolutionary Wars: The Nation-in-Arms in French Republican Memory* (Cambridge: Cambridge University Press, 2009), p. 131.

[14] Gordon Wright, 'The Anti-Commune: Paris 1871', *French Historical Studies,* 10 (1977), 149-172.

[15] David Shafer, *The Paris Commune: French Politics, Culture, and Society at the Crossroads of the Revolutionary Tradition and Revolutionary Socialism* (New York: Palgrave Macmillan, 2005), p. 122.

[16] Johnson, 'Memory and the Cult of Revolution', pp. 43-44; Forrest, *The Legacy of the French Revolutionary Wars,* p. 128; Hutton, *The Cult of Revolutionary Tradition,* p. 64.

[17] Johnson, 'Memory and the Cult of Revolution', p. 45.

[18] Forrest, *The Legacy of the French Revolutionary Wars,* p. 129.

French Revolution, so the bourgeoisie did not see the Commune fitting with their own reading of the Revolution, which was bourgeois-ridden, liberal, and moderate. Therefore, as Shafer argues, acceptance of the revolutionary tradition was limited to its adaptability and compliance to bourgeois ideals and principles. [19]

This idea is perfectly expressed by William Gibson, an English Methodist minister in Paris, who rejoiced at the suppression of the Commune saying: 'I cannot tell you what joy we all felt when we saw the real French flag'.[20] By referring to the *Tricolore*, a symbol that had been long associated with revolutionary governments, as the 'real flag', as opposed to the red flag of the Commune, he showed how the bourgeoisie claimed ownership over the Revolution, and how the Commune was seen as a defiled and degenerated version of the 'real' bourgeois revolution. Another similar stance can be found in the commentary on the births of the Third Republic and the Commune by the American Minister to France E. B. Washburne. In his recount of the proclamation of the Third Republic, he stressed how 'during all of this time [of the proclamation] there was no pillage, no havoc, no destruction of property, and the crowd soon retired, leaving the palace under the protection of the National Guard'.[21] On the contrary, he provided destructive, disorderly, and violent descriptions of the Commune, defining it 'an orgie [sic] of crime, incendiarism, ruin, cruelty, desolation, blood, in the presence of which all the world stood appalled' and the Communards as 'the worst elements of society' and 'those wretched creatures, who found themselves the depository of an insurrectionary and lawless power which was to end in lighting up Paris in flames, and the commission of every crime of which the imagination could conceive'.[22] Even in this case, such opposite views of the two revolutions can be explained by their social backgrounds – bourgeois for the Third Republic and working-class for the Commune – since, as previously mentioned, these negative depictions of the Commune were often exaggerated and based on assumptions. This is further demonstrated by Washburne's recounting of the Communard women marching to Versailles, who he defined as a 'poor imitation of those who marched upon the same place

---

[19] Shafer, *The Paris Commune,* pp. 95, 108, 184.
[20] William Gibson, *Paris during the Commune* (London: Whittaker, 1872), pp. 291–3.
[21] E. B. Washburne, *Recollections of a Minister to France, 1869–1877* (New York: Charles Scribner's Sons. 1887), I, pp. 107–9.
[22] Ibid., II, pp. 27, 53, 62.

in the time of Louis XVI', advancing the idea that the first bourgeois revolution was the 'real' and legitimate one.[23]

The Communards in Bourgeois Media

The views of the bourgeoisie on the Commune and its members were translated into media such as propaganda cartoons and caricatures. Communards were often demonised and dehumanised, being depicted as an uncivilised horde incapable of rational and constructive behaviours, only dedicated to destruction, arson, and pillage.[24] This is the idea conveyed, for instance, in a series of magazines dedicated to the buildings and the monuments burnt down by the Communards during the *Semaine Senglante.* The illustrations are often framed by caricatured Communards, recognisable by their red flags, torches, and National Guard uniforms.[25] Furthermore, visual representation of Communards pictured them with brutish and savage attributes, presenting them as fierce beasts, monsters, criminals, drunkards, or ambiguous genderless figures, similar to cross-dressing males or unfeminised women.[26] This was probably a reference to the relative blurring of gender boundaries and active female participation within the Commune, which went against bourgeois ideas of patriarchal social order.[27]

However, these kinds of negative and derogatory representations were not uncommon in nineteenth-century French media. They featured, for instance, in depictions of indigenous people in the French colonies, also seen as uncivilised hordes, and more importantly in depictions of anarchists, especially during the bombing season of the 1890s.[28] The same idea of degeneration that was used by the bourgeoisie to understand the Communards was applied to the anarchists, describing them in media with metaphors of monstrousness, disregarding their political views, placing them outside definitions of humanity, and reducing them to manifestations of evilness.[29]

---

[23] Ibid., pp. 73-74.
[24] Shafer, *The Paris Commune,* pp. 95-96.
[25] Barousse, 'Paris Incendié', in *Les Ruines de Paris*, c.1871, lithography, Carnavalet Museum. See appendix 1.
[26] Gullickson, *Unruly Women of Paris,* pp. 63-65.
[27] Shafer, *The Paris Commune,* pp. 106, 180. See appendix 2 for an example.
[28] Ibid., p. 95.
[29] Elun Gabriel, 'The Anarchist as Monster in Fin-de-Siècle Europe', in *Monsters and the Monstrous: Myths and Metaphors of Enduring Evil,* ed. by Niall Scott (Amsterdam: Rodopi, 2007), pp. 103-120.

What made these portrayals peculiar, instead, is the fact that they were greatly influenced by the revolutionary tradition, to which they make continuous references. Representations of the Communards did not limit themselves to portray images of monstrosity, chaos and destruction, but they also made conscious associations to the violence of the past revolutions. This can be noticed, for example, in caricatures such as 'The Terror under the Commune', whose title already evokes the terrible years of summary executions of political opponents and anticlerical spirit. Here, these events are transposed in a scene of almost apocalyptic chaos, with men, women, and children alike executing clerics, burning the city down, and destroying the Vendome Column.[30] As noted by Gullickson, women featured prominently in visual representations of Communards. They were again associated with revolutionary characters, such as the *tricoteuses,* the *sans-culottes* women who were said to knit beside the guillotine, therefore embodying the Terror itself, or with distorted versions of Marianne, the personification of the French Republic.[31] Caricatures of the latter often show a masculine and brutish looking Marianne, recognisable by her Phrygian cap, surrounded by the symbols of past revolutionary violence. This is the case of 'The Republic that People Don't Want', where Marianne is sitting on a pile of severed heads, holding the torch of the civil war in one hand and the blade of a guillotine in the other.[32] This degenerated Marianne, therefore, can be seen as the visual representation of the bourgeois perception of the Commune as a distorted version of the French Revolution.

The violence of the repression cannot be explained by anti-revolutionary fervour, since, as Tombs argues, the army that fought against the Communards was formed by ordinary conscripts rather than fanatics.[33] However, these representations, influenced by the revolutionary tradition, still helped in constructing a dehumanised and brutalised image of the Communards, contributing to the incredible massacre of the *Semaine Sanglante*.[34]

---

[30] Roche, *The Terror under the Commune,* c. 1871, lithography, Carnavalet Museum. See appendix 3.

[31] Gullickson, *Unruly Women of Paris,* pp. 69-72; Maurice Agulhon, *Marianne into Battle: Republican Imagery and Symbolism in France, 1789-1880,* trans. by Janet Lloyd (Cambridge: Cambridge University Press, 1981), p. 9.

[32] Patrioty, *The Republic that People Don't Want,* c. 1871, lithography, Carnavalet Museum. See appendix 4.

[33] Robert Tombs, 'Paris and the Rural Hordes: An Exploration of Myth and Reality in the French Civil War of 1871', *The Historical Journal*, 29 (1986), 795-808.

[34] Shafer, *The Paris Commune,* p. 94.

Forgetting and Censorship in the Post-Commune Years

Finally, the experience and the memory of the previous revolutions also shaped how the Third Republic and the bourgeoisie came to terms with the controversial memory of the Commune after its suppression. As shown in Wilson's study, in the years right after the suppression of the Commune, the Third Republic embarked on a policy of forgetting, effacing the Commune from public memory, which continued even after the granting of amnesty to the ex-Communards in 1880.[35]

The act of forgetting was encouraged sometimes more implicitly. For instance ex-Communards were deported to New Caledonia, being excluded from society. Furthermore, attempts to erase the memory of the destruction of Paris were made by celebrating the *Exposition Universelle* of 1878 and encouraging to produce Impressionist artworks, as these aimed at presenting the city as modern, healthy, and regenerated to visitors and through the paintings.[36] Finally, almost all the buildings and monuments that had been set ablaze by the Communards were reconstructed exactly as they were before, an exception being the Tuileries Palace, which was demolished.[37] However, the most systematic and explicit way the Government tried to inspire forgetfulness was through its campaign against any form of representation of the Commune conducted between 1871 and 1873. Those years witnessed the confiscation and prohibition of the distribution of drawings, photographs, books, emblems, and pamphlets that could 'disturb the public peace'.[38] These measures were maintained for many years, with meetings in cafés and song performances put under strict surveillance, and the production of artworks altered to exclude any potential Communard symbolism. Marianne statues, for instance, were deprived of their traditional Phrygian cap due to its association with the Commune.[39]

---

[35] Wilson, *Paris and the Commune,* p. 2.
[36] Ibid.; Shafer, *The Paris Commune,* pp. 103, 174.
[37] Scott McCracken, 'The Author as Arsonist: Henry James and the Paris Commune', *Modernism/Modernity,* 21 (2014), 71-87.
[38] Bertrand Tillier, 'The Impact of Censorship on Painting and Sculpture, 1851-1914', *Yale French Studies,* 122 (2012), 79-103.
[39] Adrian Rifkin, *Communards and Other Cultural Histories,* ed. by Steve Edwards (Leiden: Brill, 2017), p. 194; Agulhon, *Marianne into Battle,* p. 153.

However, this idea of actively forgetting the revolution, rather than dealing with its uncomfortable presence in French society, was not new, belonging, again, to a revolutionary and bourgeois tradition.[40] Indeed, in previous revolutions, when there had been a change of regime, such as in 1815, 1830, 1848, and 1851, the bourgeoisie had also sought to reconcile a divided country by practising censorship and, thus, inspiring forgetfulness of inconvenient events.[41] The closest parallel to the post-Commune memory-effacement is provided by the campaign of censorship enacted during the Bourbon restoration in 1815. In this case, revolutionary, republican, and imperial symbols and emblems were rounded up and destroyed by royal officers, and the erection of monuments related to the events of the Revolution was either avoided or had the purpose of encouraging forgetting.[42] Predictably, in both cases, these measures were not very effective. In 1871, Parisians were continuously reminded of the Commune. Remembrance was provoked, for instance, by the demolition and, therefore, absence of famous monuments such as the Tuileries Palace, or by the commemorations held for the Franco-Prussian War, which, being inextricably connected to the Commune, necessarily reminded Parisians of the events of 1871.[43] Therefore, the reaction of the bourgeoisie towards the memory of the Commune was also shaped by the revolutionary tradition, in particular by the post-revolutionary bourgeois tradition of dealing with a controversial past by encouraging forgetfulness.

Conclusion

It is clear that the revolutionary tradition played an important part not only in inspiring the Paris Commune, but also in shaping the reaction of the bourgeoisie to it. By the time the Third Republic was born, the French Revolution and its tradition, which had developed throughout the nineteenth century, provided the framework for the French society to understand the present. Both Communards and the bourgeoisie viewed their opponents through the lens of the French Revolution and its successive

---

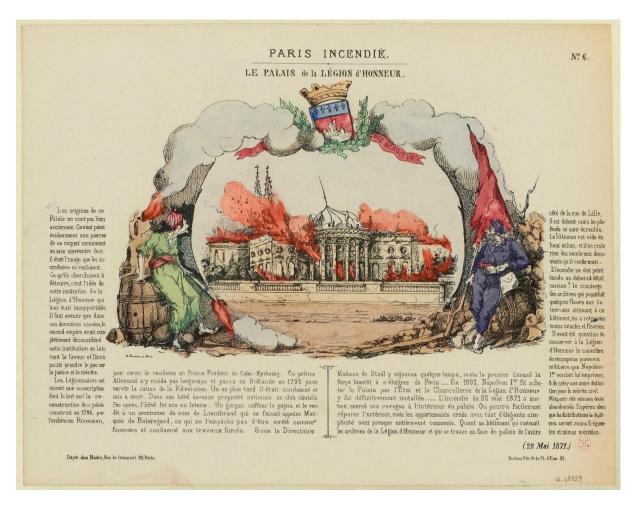[40] Rifkin, *Communards,* p. 181.

[41] Tillier, 'Impact of Censorship', p. 83.

[42] Sheryl Kroen, *Politics and Theater: The Crisis of Legitimacy in Restoration France, 1815-1830* (Oxford: Oxford University Press, 2000), pp. 39-75.

[43] McCracken, 'The Author as Arsonist', p. 79; Karine Varley, 'Memories Not Yet Formed: Commemorating the Franco-Prussian War and the Paris Commune', *Journal of War & Culture Studies,* 14 (2021), 231-250.

manifestations, reacting accordingly. As this essay has argued, this was evident in the bloody repression of the Commune by the bourgeoisie, which was shaped by the negative experience and collective memory of past revolutions and their influence on bourgeois views of the Commune and of Communards. This perception, reinforced by the Communards' own association with the revolutionary tradition, was translated into visual representations of monstrosity in bourgeois media, brutalising and dehumanising the members of the Commune and contributing to the violence perpetrated against them. Even the policy of reconciliation enacted after the fall of the Commune was shaped by the post-revolutionary and particularly bourgeois tradition of forgetting. These elements need to be considered in order to have a more comprehensive understanding of the relationship between the revolutionary tradition and the different social classes in nineteenth-century French society, and to properly place the events around one of the bloodiest and most controversial events in French history in the continuum of the French revolutions.

Appendix

1. Barousse, 'Paris Incendié', in *Les Ruines de Paris,* c.1871, lithography, Carnavalet Museum.

2. F.M., *La Commune,* c.1871, lithography, Carnavalet Museum.

3. Roche*, The Terror under the Commune*, c. 1871, lithography, Carnavalet Museum.

LA TERREUR SOUS LA COMMUNE, 1871.

4. Patrioty*, The Republic that People Don't Want,* c. 1871, lithography, Carnavalet Museum.

Creating the Kurdish Question and Its Implications in the Context of State Creation After the End of the Ottoman Empire

MERET MEISTER

Meret Meister is a fourth-year Single Honours History student, due to graduate this summer. She is especially interested in global and pre- to early modern history. Upon finishing her undergraduate degree at Aberdeen, she is aiming at pursuing a degree in Chinese History.

The Kurdish people traditionally inhabit the border region between the modern states of Turkey, Syria, Iraq, and Iran.[2] To this day the Kurds do not have a recognised nation state of their own, instead living as minorities, facing different degrees of recognition and discrimination.[3] This essay will focus on the Kurdish population living under the Ottoman Empire during the nineteenth and early twentieth centuries, their nationalist ambitions, and their influence on subsequent state creation in the treaties of Sèvres and Lausanne. For this purpose, the first part of this essay will examine the Kurds living under the Ottoman Empire and their nationalist activities, while the second part will focus upon the treaties of Sèvres and Lausanne and the way they dealt with the question of an independent Kurdistan.

The area that is inhabited by the majority of Kurds is characterised as mountainous and hard to navigate.[4] Due to the character of the geography, the Kurds retained autonomy for long periods of time while formally being under the rule of the Ottomans and posed a difficult military target, being able to draw back into mountainous terrain. Different dialects emerged in areas that were remote and had limited contact with other Kurdish tribes. This led to traditional tribal structures and the power of leading families being preserved long into the nineteenth century. The Millet system or practice in the Ottoman Empire established a cell-like structure, with religious and ethnic minorities governing their own internal matters, collecting taxes for the empire amongst themselves, and their leaders serving as links between their communities and the sultan. This system allowed different Kurdish communities to retain a form

---

[*] This essay was written for HI307B Making of the Modern Middle East.
[2] C. J. Edmonds 'Kurdish Nationalism', *Journal of Contemporary History,* 6 (1971), 87-107, p. 87.
[3] W. D. Durham *The 1920 Treaty of Sèvres and the Struggle for a Kurdish Homeland in Iraq and Turkey Between World Wars* (Oklahoma State University, 2010), pp. 1-3.
[4] Ibid, p. 10.

of self-governance.[5] Treaties between Sultans and Kurdish tribal leaders were agreed upon as early as the sixteenth century, following the Ottoman policy of encouraging separation of different religions and ethnic groups over assimilation.[6] This policy of relative autonomy changed in the nineteenth century with calls for modernisation of the Ottoman Empire and the resulting Tanzimat reforms, focusing on Ottomanism.[7] This resulted in the attempt by the Ottomans at shaping all of its inhabitants into citizens identifying themselves with the Empire, leading to a period of Turkification, as Turkish culture and language were seen as the foundation of the empire by many politicians in Istanbul.[8] Non-Turkish groups, among them the Kurds, after centuries of semi-independent activity, were sought to assimilate into a culturally homogenous empire.[9] Resettlement programs emerged, moving Turkish settlers into largely Kurdish territories as well as moving Kurdish groups out of their homelands.[10] This policy, initially used to weaken tribal leadership and centralise the empire, was used again by the Turkish government in the period between the treaties of Sèvres and Lausanne in order to break up Kurdish majorities.[11]

Whether the idea of a Kurdish struggle for independent rule only started to flourish due to imported, western concepts of nationalism or if the shared language and culture led to a form of indigenous identity people wanted to protect is a matter of debate between historians. The Millet practice contributed to a relatively cohesive ethnic identity, supporting the survival of Kurdish language and traditions, while the mountainous character of the area resulted in the Kurds being both relatively undisturbed by outside powers as well as in a variety in culture and language between different Kurdish tribes who were not communicating with each other. The difference between Kurdish nationalism and tribal territorialism can roughly be defined in the objective of the former of establishing a modern nation state, while the latter aims at the control of specific regions and the implementation of certain traditions

---

[5] L. Tas 'The Myth of the Ottoman 'Millet' System: Its Treatments of Kurds and a Discussion of Territorial and Non-Territorial Autonomy', *International Journal on Minority and Group Rights,* 21 (2014), 497-526, p. 498.
[6] Ibid., p. 502.
[7] Ibid., p. 513-16.
[8] Ibid., p. 513.
[9] Ibid.
[10] Ibid., p. 517.
[11] Ibid., p. 519.

without a nation state being the central tenet.[12] Hakan Özoğlu defines this as the difference between Kurdish nationalism and Kurdism, which he defines as the promotion of the Kurdish language and culture, not in opposition to the Ottoman state and Ottomanism, but as a part of it.[13] On this basis, he analysed the two major Kurdish uprisings in later Ottoman history and how they fit into these categories, the Bedirhani Family revolt, led by Bedirhan Pasha in 1847, and the uprising by Shaikh Ubeydullah in 1880. Bedirhan had been the ruler of the Botan emirate since 1835, when the Ottoman government sought to implement a new administrative system to create a more centralised system.[14] This system aimed at reordering the districts and provinces and would have divided the territory Bedirhan ruled over, weakening his power.[15] As such, the protection of his personal privileges and authority were the driving forces behind Bedirhan's revolt. He did not seek to establish an independent state separate from the Ottoman sphere of influence and after the revolt he continued working for the Ottoman government.[16] One of the reasons this revolt is now occasionally painted as of a nationalist character is the involvement of many of Bedirhan's children in later nationalist movements, but it should be noted that while his children were inspired by nationalist ideas, it is likely that Bedirhan himself was not.[17]

Shaikh Ubeydullah was part of the influential Şemdinan family, which had come to power in vast parts of culturally Kurdish lands after taking advantage of the power vacuum that emerged after the Ottoman Empire had removed tribal leaders from power in their centralisation efforts. In 1880, he led an uprising against both the Ottoman Empire and Qajar Persia that is considered the first nationalist Kurdish uprising by some scholars.[18] In a letter to the British Consul at Bashkal, Ubeydullah writes:

---

[12] Paul Lawrence, *Nationalism: History and Theory* (London: Routledge, 2014), p. 5.

[13] D. Natali 'Ottoman Kurds and Emergent Kurdish Nationalism', *Critique: Critical Middle Eastern Studies*, 13 (2004), 383-387, p. 383.

[14] H. Özoğlu, *Kurdish Notables and the Ottoman State: Evolving Identities, Competing Loyalties and Shifting Boundaries* (Albany: State University of New York Press, 2004), p. 70-72.

[15] Ibid., p. 71.

[16] Ibid., p. 72.

[17] Ibid.

[18] S. Laciner and I. Bal, 'The Ideological And Historical Roots Of Kurdist Movements in Turkey: Ethnicity, Demography, Politics', *The Journal of Turkish Weekly*, 2004, <https://web.archive.org/web/20071011225529/http:// www.turkishweekly.net/articles.php?id=15> [Accessed 5 November 2020].

> The Kurdish nation is a nation apart. Its religion is different from that of others, also its laws and custom. The chiefs of Kurdistan, whether they be Turkish or Persian subjects, and the people of Kurdistan, whether Muslim or Christian, are all united and agreed that things cannot proceed as they are with the two governments. It is imperative that the European governments should do something, once they understand the situation... We want to take matters into our own hands. We can no longer put up with the oppression.[19]

While this letter speaks of certain nationalistic ideas, it is important to notice that, as Hakan Özoğlu notes, the uprising was likely inspired by the results of the Treaty of Berlin in 1879, where the Ottoman government had agreed to measures protecting the Armenians against Kurdish aggression, which would have limited the control of Kurdish leaders over Armenian subjects.[20] The use of the word 'nation' in the above text is controversial, as it is only a translation and the word originally used is not known; we therefore do not know if it was intended to be read as such or was used due to the bias of the translator.[21] Contemporary voices also doubted Ubeydullah's will of succession, believing that he would rather be ruling over a semi-independent Kurdistan while still being loyal to the Sultan, similar to Bedirhan before him.[22] The revolt further involved a relatively diverse set of groups, such as the Nestorian Christians, which likely would not have been inspired by Kurdish nationalism.[23]

The supposed nationalist character of both of these revolts does not hold up under scrutiny and the Kurds seldom acted in unison, with many being loyal to Ottoman leadership until the end or supporting the young Turkish republic.[24] The theory that the Ottoman Empire collapsed partly due to a Kurdish struggle for independence is, therefore, not supported by sufficient evidence. In the Caucasus Campaign of the first World War, Kurds both fought on the side of the Ottoman Empire while also being

---

[19] Ibid.
[20] Özoğlu, 'Kurdish Notables', p. 74.
[21] Ibid., p. 76.
[22] Ibid., p. 77.
[23] Ibid.
[24] N. Danforth, 'Forget Sykes-Picot. It's the Treaty of Sévres That Explains the Modern Middle East.', *Foreign Policy,* 2015, <https://foreignpolicy.com/2015/08/10/sykes-picot-treaty-of-sevres-modern-turkey-middle-east-borders-turkey/> [Accessed 8 November 2020].

courted by the Russian Empire and fighting for the Russians who appealed to separatist sentiments.[25] This ended with the Armistice of Mudros in 1918 after the Russians had ceased fighting due to the Bolshevik Revolution.[26]

The first self-defined Kurdish nationalist movements emerged after the first World War, most prominently with the political party known as Khoybun or The Kurdish League, founded by members of the Kurdish Diaspora in Paris in 1918.[27] Like other organisations, such as The Society for the Mutual Aid and Progress of Kurdistan and The Society for the Advancements of Kurdistan, it formed due to the period also known as 'Kurdish Enlightenment', in which Kurdish culture was promoted and many Kurdish texts were published.[28] This was motivated by a will to create a united Kurdish elite that would represent Kurdish interests, but failed to do so on a broader level.[29] In the case of the Khoybun, nationalist sentiment led to involvement and organisation in Kurdish uprisings after the signing of the Treaty of Lausanne.[30]

After the armistice with the Allies effectively caused the collapse of the Empire, the Treaty of Sèvres addressed the proposed founding and future of an autonomous Kurdish region with the possibility of establishing an independent nation after a referendum. It was modelled after the suggestions made by the President of the United States, Woodrow Wilson, in his fourteen points. The twelfth point states that:

> The Turkish portion of the present Ottoman Empire should be assured a secure sovereignty, but the other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development …[31]

---

[25] Z. Zardykhan, 'Ottoman Kurds of the First World War Era: Reflections in Russian Sources', *Middle Eastern Studies,* 42 (2006), 67-85, p. 70.
[26] Ibid., p. 83.
[27] Durham, *The 1920 Treaty*, p. 14.
[28] Özoğlu, 'Kurdish Notables', p. 77.
[29] Ibid., p. 77.
[30] Durham, *The 1920 Treaty*, pp. 14-15.
[31] 'President Woodrow Wilson's Fourteen Points', *The Avalon Project*, <https://avalon.law.yale.edu/20th_century/wilson14.asp> [Accessed 8 November 2020].

This was to counter Pan-Arabism, as Western countries were concerned about the possible creation of a separate influence sphere out of the remnants of the Ottoman Empire rivalling their own interests in the region and providing for the creation of different nation states. But despite this declaration, the United States, while supporting the creation of Kurdistan, did not become part of the League of Nations and did not take on any mandate for Kurdistan. This deprivation of a powerful international ally likely contributed to the side-lining of Kurdish nationalist interest.[32] In Article 63, the Treaty of Sèvres calls for the establishment of a Commission made up of members of the Governments of Britain, France, and Italy to create a system of local autonomy for the Kurdish areas, defined as 'lying east of the Euphrates, south of the southern boundary of Armenia as it may be hereafter determined, and north of the frontier of Turkey with Syria and Mesopotamia'.[33] The Treaty further states that:

> If within one year from the coming into force of the present Treaty the Kurdish peoples within the areas defined in Article 62 shall address themselves to the Council of the League of Nations in such a manner as to show that a majority of the population of these areas desires independence from Turkey, and if the Council then considers that these peoples are capable of such independence and recommends that it should be granted to them, Turkey hereby agrees to execute such a recommendation, and to renounce all rights and title over these areas. … If and when such renunciation takes place, no objection will be raised by the Principal Allied Powers to the voluntary adhesion to such an independent Kurdish State of the Kurds inhabiting that part of Kurdistan which has hitherto been included in the Mosul vilayet.[34]

Creating these new borders and limiting Turkey's influence in Anatolia and Mosul drew the discontent of the newly created nationalist Grand Assembly in Ankara under the leadership of Mustafa

---

[32] Durham, *The 1920 Treaty*, p. 13.
[33] Ibid., pp. 278-279.
[34] Ibid.

Kemal Pasha (Atatürk), who eventually replaced the Sultan and his government in Istanbul.[35] The Turkish nationalists, who had already started organising against the terms of surrender after the signing of the armistice, understood the measures taken in the Treaty of Sèvres as an insult and not representative of the actual nature of their defeat in the war.[36] As in the World War before, Kurdish people could be found on both sides of the conflict, either in opposition to Turkish influence and Turkification, or resisting the power of Western nations like Britain and their colonialist interests.[37] Religious reasons drove some Kurds to champion the Turkish, seen as fellow Muslims, many of which subsequently regretted their support as the Turkish state took on a secular path.[38] With the resistance of Turkey rendering the Treaty of Sèvres effectively dead on arrival, a new agreement needed to be drafted.

In the Treaty of Lausanne, signed in 1923, the British Government opted to let go of their initial idea of establishing a Kurdish state in parts of Anatolia and Mosul.[39] Turkish representatives, who in addition to Anatolia, wanted Mosul to be assigned to the Turkish state, argued that Kurds and Turkish people were not racially distinguishable, that the area of Mosul was economically stronger connected to Turkey than Iraq, and that the inhabitants of the region in question wanted to be part of Turkey.[40] All of these points were disputed by the British representative, Lord Curzon, and the question if the Mosul vilayet was to be allocated to Iraq or Turkey was temporarily excluded from the negotiations, but ultimately allocated to Iraq under a British mandate.[41] The British were focused on limiting Bolshevik influence in the region and protecting their own strategic interests, leading them to give up the cause of Kurdistan in order to reach an agreement with the Turkish.[42] Kurdish newspapers criticised the lack of any Kurdish officials at the negotiations, which arguably led to the final draft of the treaty not even mentioning the Kurds by name and Anatolia falling under Turkish control.[43] The aftermath of this

---

[35] H. Karčić, 'Sèvres at 100: The Peace Treaty that Partitioned the Ottoman Empire', *Journal of Muslim Minority Affairs*, 40 (2020), 470-479, p. 474.

[36] Ibid., p. 472.

[37] O. Ali, 'The Kurds and the Lausanne Peace Negotiations, 1922–23', *Middle Eastern Studies*, 33 (1997), 521-534, p. 521.

[38] Danforth, 'Forget Sykes-Picot'.

[39] Ali, 'The Kurds', p. 521.

[40] Ibid.

[41] Ibid.

[42] Ibid.

[43] Ibid, p. 525.

decision led to unrest and two revolts of Kurdish nationalists in Turkey and spanning to other Kurdish regions, which were defeated.[44]

The Kurdish Question started to emerge when the Ottoman Empire, pressured by the West to modernise, implemented centralisation policies and reforms that changed power relations of the Kurdish inhabited lands that had up to that point been relatively independent. This led to uprisings that at first had no nationalist or separatist character; however, the collapse of the Ottoman Empire and the subsequent restructuring of the region led to Kurdist sentiments and identity being transformed into nationalism. This essay therefore positions itself in support of the theories brought forward by Hakan Özoğlu, rejecting nationalism as a central motivation for Kurdish dissent with the empire during the nineteenth century. It is apparent however, as put forward by Whitney Durham, that Kurdish nationalism developed over time and gained traction after the dissolution of the Ottoman Empire. However, Kurdish voices were rarely heard in the following state building process, and while initially the Allied powers had supported a Kurdish state to be built, due to the newly formed Turkish Republic objecting and the British government opting for compromise, Kurdish visions of statehood were not realised, resulting in the statelessness of modern times.

---

[44] Durham, *The 1920 Treaty*, p. 14.

Historians are Breaking New Ground with the Study of Manhood and Masculinities in Scotland

RACHEL QUIRKE

Rachel Quirke is a fourth-year joint honours history and international relations student. She grew up in Dublin and the focus of her history studies generally relate to Irish history. She is also enthusiastic about her political studies, mostly focusing on counterterrorism, and critical feminism theories. After graduation this year, she plans to further her education in gender politics and human rights.

Before the 1990s, the study of masculinity was largely ignored in historical fields or limited to merely an accessory to women's history and feminist discourses. The historiography of manhood and masculinities began predominantly in sociological fields. R. W. Connell's seminal work on 'hegemonic masculinity' was the first of its kind as he described historical manhood studies as 'extremely rare'.[1] However, since the 2000s, historians have broken new ground with men's gender studies in Scotland. The shift from a psychologically focused study of masculinity to allowing for a historical perspective has been momentous for the study of men's identities.

Scholars in the 2000s have triumphed in their investigation of both dominant and subordinate masculinities throughout Scottish history and the discovery that masculinity is never fixed but is context dependent.[2] In keeping with most civilisations, Scotland is a historically patriarchal nation with men dominating economic and political arenas. As a result, interrogation of men's gender roles in Britain are less frequent than women's. Historians such as Lynn Abrams have pushed for the particularisation of the male experience rather than the treatment of male expectations and gender norms as the default for humanity.[3]

---

[*] This essay was written for HI356J: Thinking History.

[1] R. W. Connell, 'The Big Picture: Masculinities in Recent World History', *Theory and Society*, 22 (1993), 597–623.

[2] L. Abrams and E. Ewan, 'Introduction: Interrogating Men and Masculinities in Scottish History', in *Nine Centuries of Man: Manhood and Masculinity in Scottish History,* ed. by L. Abrams and E. Ewan (Edinburgh: Edinburgh University Press, 2017), pp. 1–18, p. 2.

[3] Ibid.

To provide clarity on this subject, it is important to recognise the shift in terminology relating to men's identities throughout these eras. While 'manliness' and 'manhood' predominantly relate to the physical attributes of a man, there is an evident shift in the terminology recognising the term 'masculinities' as a subjective internalised identity. John Tosh has critically examined how 'manliness' and 'manhood' are historically context-specific and declared that discourses surrounding men's gender norms have been delineated by historians since the early 2000s.[4]

One of the most significant revelations in recent years is the development of the term 'masculinities' as a plural which is crucial in understanding the multifaceted and individualistic nature of masculinity. This recognises the coexistence of a myriad of masculinities at any given time and acknowledges the domination and subordination of certain identities.[5] This breakthrough has allowed historians to carry out cutting-edge research regarding the dichotomy between Lowland and Highland identities, which will be explored throughout the analysis of several historians' work on gender history. Due to the limited scope of this essay, I will be focusing on the three main conceptualisations of masculinity that dominate the historiography of gender studies in Scotland: the Edinburgh intellectual, the Highland warrior, and the Glasgow gang member.

After the Act of Union with England in 1707 , Scotland experienced a rapid expansion of new ideas and ways of thinking. This period has become known as the Scottish Enlightenment, with Edinburgh at the core of its ideological and cultural spheres of influence. During this period, masculinity transformed from an age-old idea of strength, ruggedness, and survivalist nature to a newer, 'refined masculinity' encompassed by the figure of 'the refined gentleman'.[6] Rosalind Carr has performed advanced research in her examination of Scottish lawyer James Boswell's journal writings and the concept of 'refined masculinity' in both his public and personal life.[7] During a period where

---

[4] J. Tosh, 'What Should Historians Do with Masculinity? Reflections on Nineteenth-century Britain', *History Workshop Journal,* 38 (1994), 179-202.

[5] L. Abrams, 'The Mighty Scot: Nation, Gender, and the Nineteenth-Century Mystique of Scottish Masculinity (Review)', *Victorian Studies*, 52 (2010), 634-635, p. 635.

[6] R. Carr, 'The Importance and Impossibility of Manhood: Polite and Libertine Masculinities in the Urban Eighteenth Century', in *Nine Centuries of Man* (Edinburgh: Edinburgh University Press, 2018), ed. by Abrams and Ewan, pp. 58-79.

[7] J. Boswell and H. Milne, *Boswell's Edinburgh Journals 1767-1786* (Edinburgh: Mercat Press, 2001).

interpersonal violence was generally perceived to be declining, Carr has crucially examined the fluidity of manhood in urban eighteenth-century Scotland and the concepts of civility and refinement at Scotland's urban core.

The Scottish Enlightenment and its impact on Scottish masculinity fits the newly established historical narrative of the transition from a '"rough-and ready seventeenth-century manhood" to "a polite and civil eighteenth-century masculinity"'.[8] Carr's work has been supplemented by Abrams' conceptualisation of 'manhood' as a state-determined representation and 'masculinity' as a self-imposed, internalised, and, therefore, subjective identity. Abrams' study of interiority and masculinity as an internalised expression of self has been critical in assessing the history of men and the fundamental change brought about by the Scottish Enlightenment.[9] Similarly, John Tosh recognised the shift between 1750 and 1850 from 'masculinity as social reputation to masculinity as an interiorised sense of personal identity'.[10]

Historians' work on the Scottish Enlightenment has paved the way for the establishment of the 'refined gentlemen' model. It is important to note that Carr's study of the urbanisation of masculinity in the eighteenth century has successfully outlined the hierarchical structure of masculinities, the evidence of class-based differences, and the impact this had on the lived experience of men. The transition from the traditional physical manliness to the cultured phenomenon of polite and polished masculinity was limited to elitist classes who experienced economic privilege to the point of attaining a university education. Academic locations like the social sphere surrounding the University of Edinburgh provided the opportunity for men to refine their performative politeness in a homosocial context, as academia was a predominantly male realm. Universities in Scotland became the epicentre of the Enlightenment.[11] Educated classes established their position as the cultural elite accompanied by the responsibility to maintain progress by social advancement and to uphold this new moral code. Intellectual societies

---

[8] K. Harvey, 'The History of Masculinity, circa 1650–1800', *Journal of British Studies*, 44 (2005), 296-311, p. 310.

[9] L. Abrams, 'The Taming of Highland Masculinity: Interpersonal Violence and Shifting Codes of Manhood, *c.* 1760–1840', in *Nine Centuries of Man* (Edinburgh: Edinburgh University Press, 2018)*,* ed. by Abrams and Ewan, pp. 81-100.

[10] Tosh, 'What Should Historians Do with Masculinity?'.

[11] Carr, 'The Importance and Impossibility of Manhood'.

became a key arena in which the literati could perform cultural leadership. Virtuous male refinement became the benchmark for masculinity, while also becoming a symbol of Scottish improvement and of the civilising process of a nation on its course to becoming a key force within the British Empire.

Intellectual capability was accompanied by political agency, making refined masculinity and politeness features of both cultural superiority and political influence. As Edinburgh became the most anglicised location in Scotland, it was under greater influence from London. Therefore, the performance of refined masculinity by Scottish intellectuals allowed for the furthering of a man's social and political status both in Scotland and in the greater context of Britain. Carr outlines the relationship between masculinity and power, indicating how the elites maintained a monopoly over the political arena.[12] Patriarchal authority became less focused on physical attributes and shifted its emphasis to the overarching social hierarchy and economic power associated with educated classes. Refined masculinity as an expression of self in the societal and cultural aftermath of the Scottish Enlightenment, therefore, became a means of attaining autonomy and agency in Scotland.

The decline of interpersonal violence in Edinburgh is evident in the increase in court records for the legal settlements in the 1700 and 1800s.[13] Carr has outlined that this suggests a growing intolerance towards violence and marks the beginning of refined masculinity as the expected standard. This corroborates Henry Mackenzie's note that 'duels rarely happen in Edinburgh.'[14] While the decrease in violence is true to a certain extent, as it is visible in the Burgh records, the decline was more relevant to middle and upper-class men. However, there is an evident dichotomy between Lowland and Highland attitudes towards state involvement, as clan-based Highland societies maintained the use violence as a resource in disputes for a longer period due to a lack of urbanisation in comparison to Lowland cities.

The stereotype of the 'Edinburgh intellectual' versus the 'Highland warrior' has historical roots in this division as Lowland Scotland experienced industrialisation at an earlier and faster rate than the Highlands. In Edinburgh, alongside other British cities, the exercise of restraint from interpersonal

---

[12] Ibid.

[13] Edinburgh City Archives, 'Edinburgh Burgh Court Black Books', SL232, Vol. 3, 1736–55.

[14] H. Mackenzie, H. Thompson, and J. Dwyer, *The Anecdotes and Egotisms of Henry Mackenzie, 1745-1831* (Bristol: Thoemmes Press, 1996).

violence as an expectation of men became a key feature of masculinity discourse during the civilising process. Understanding the socioeconomic conditions that facilitate violence amongst men is crucial to understanding how violence is recognised as a resource and expression of manhood throughout history. While violence is present in all eras, it is context specific and employed in different modes and locations. Interpersonal violence suffered a period of delegitimization in Lowland urban hubs in the eighteenth century, while maintaining its prevalence in an expression of Highland 'martial masculinity.'[15]

The conceptualisation of the hyper-masculine tribal Scottish man has its roots in the cultural history of Highland regions. The conditions that allowed for the construction of this standard of manhood can be examined by assessing the influence of kinship, the impact of location, and militarism. Kinship and clan allegiance were central to the social, cultural, and political organisation of Highland areas for centuries. Clans employed violence for settling disputes which remained in cultural memory for many Highland populations. Clan allegiance legitimised violence in the Highlands long after discipline and controlled masculinity came to the fore in urbanised Scottish regions. Through their investigations of men's written history, historians in the twenty-first century have examined how violence as a tool for the defence of honour and reputation constituted a gendered norm and expectation of men in Highland society . These studies relate to the written defence records within the Burgh court archives.[16] Though previously overlooked, a thorough examination of these sources has allowed historians in recent years to carry out ground-breaking research through the investigation of the evolution of manhood throughout the 1700s.

Abrams has highlighted the impact that cultural influences had on the formation of men's identities and the way in which violence played a role in attaining individual independence and respect as a man, saying that masculinity is 'crucially defined in company with and in competition with other men.'[17] Paul Tawny focuses on the historiography of the functional role of violence in Scotland and its claims to masculinity. Violence was employed as a means of achieving independence and autonomy

---

[15] M. Martin, *The Mighty Scot: Nation, Gender, and the Nineteenth-Century Mystique of Scottish Masculinity* (Albany, NY: SUNY Press, 2009).
[16] Ibid.
[17] Abrams and Ewan, 'Introduction', p. 9.

through clan affiliations. As a result, the clan-based systems legitimised violence and, through this, the physical attributes associated with triumphs in physical clashes became central to Highlanders' masculine identities.

Similarly, the rural Highland landscape created labour-intensive employment, which emphasised the importance of a physically 'masculine' body with location and landscape playing a crucial role in shaping the image of the 'martial Scot'. Rachel Woodward has produced extensive analysis on military masculinities and their relationship to rural masculinity. She examines the mode in which 'rurality' as both a location and a social construction were essential in the formation of the image of the warrior hero as the epitome of martial masculinity in the United Kingdom generally, but the application of her findings are also suitable for investigating gender in the Scottish Highlands.[18] She emphasises the role of location and landscape on the construction of military identity, which in eighteenth-century Scotland was exclusively male. Maureen M. Martin has gained insight into the influence of national identity on masculinity with Scotland 'narrated as Britain's masculine heartland'.[19] Her work has explored the link between Scottish masculinity and Scottish national identity, again focusing on the 'rugged primal' as a construction of Scottish identity within Britain.[20]

Carr focuses on martial masculinity with both its physical and ideological roots in the Highlands. Dominated by British militarism, martial masculinity was embedded in Highland gender and cultural identities, on the periphery of Scottish industrial hubs where male politeness and refinedness were dominant. Despite its subordinate position as a characteristic of manhood, the conceptualisation of martial masculinity destabilises the 'hegemonic place of the refined urban gentleman as the embodiment of North Britishness.'[21] British military activity allowed Scots to attain personal independence and agency by obtaining property and land through active military service. There is an evident dichotomy between performed masculinities in Scotland during the 1700s, as elitist classes articulated and

---

[18] R. Woodward, 'Warrior Heroes and Little Green Men: Soldiers, Military Training, and the Construction of Rural Masculinities', *Rural Sociology,* 65 (2009), 640-657.
[19] Martin, *The Mighty Scot*.
[20] Ibid.
[21] R. Carr, 'The Gentleman and the Soldier: Patriotic Masculinities in Eighteenth Century Scotland', *Journal of Scottish Historical Studies*, 28 (2008), 102-121, p. 102.

employed polite masculine practices while also constructing and placing this notion of militarism on Highland men.

The Highlands experienced a period of mass military recruitment by the British army during the second half of the eighteenth century. The disproportional recruitment in these areas became the basis on which Highland militarism as a masculine identity was formed. This highlighted the inclusion of rural Scotland in the British Empire yet also illuminated the inequality of its place in Britain. As a result of this, the clan-based militaristic society progressed to mass army participation. Inequalities stemmed from the stereotyping of 'savage' Highland men with evident disparities from Lowland cities. Romantic Jacobitism became intertwined with features of martial masculinity, as the 'warrior Scot' once more became a Scottish patriotic icon. This highlights the centrality of gender in the British political sphere and as a feature of Scottish patriotism.

However, despite the recent studies of Scottish manhood, these images of the 'martial Scot' did not occupy a sufficiently equal space in British history to the urban elite.[22] The army populations represented by Highlanders were from lower class and lower income demographics. This perpetuated the ideology surrounding martial masculinity as a means of social advancement and attaining agency and economic independence, which Carr re-examined as perpetuating the ideological connection between property and liberty becoming the basis for independent manhood.[23] The concept of independence is a core tenet of masculinity throughout history but is especially prominent regarding Highland militarism and achieving both individual independence and a sense of patriotic national identity while also maintaining its space, if unequal, in a broader British historical discourse.

The final conceptualisation of Scottish masculinity is the discussion surrounding the stereotype of the 'hard man' as part of the cultural history surrounding gang-related activity in Glasgow, which has been paramount to the construction of masculine identity, particularly among young, working-class men. Bartie and Fraser have carried out investigatory research relating to this image of the 'hard man' and

---

[22] Abrams, 'The Taming of Highland Masculinity'.
[23] Carr, 'The Importance and Impossibility of Manhood', p. 120.

what this means for the history of gender identity.[24] The importance placed continuously on 'toughness' and 'manliness' has been preserved in the identity of Scottish working-class men in the 'hard city' of Glasgow. This has frequently been represented in media and film, encompassing the social, cultural, and economic conditions that allow for this identity to cement itself in the everyday lives of men.

Similarly, location has impacted the way in which men self-identify as 'manly', with the prevalence of 'the street' as the place in which these identities are formed. 'Street' masculinities in historical contexts are often grounded in cultures with prominent group activity such as the Glasgow gangs during the 1960s. Fraser has examined the rugged image of Glasgow masculinities within working-class labour cultures throughout periods of rapid industrialisation and urbanisation. Through this, he has evaluated the relationship between 'cultures of machismo' and the widespread interpersonal violence that has dominated Glasgow's social history.[25]

Research has been carried out in recent years on the Easterhouse housing scheme as a paradigmatic case study in which historians can examine both individual and group masculine identities in Glasgow during the 1960s and 1970s. Fraser argues that understanding both the historical and sociological perspectives of individual and gang-based violence can successfully reveal the relationship between culture, history, and location on masculinity. This new historical analysis is innovative in its ability to analyse the subjectivity of men's narratives and experiences in Glasgow gangs by combining everyday narratives with sociological understandings of the violent gang-related activity and, consequently, the impact this has on masculinity.

While Fraser and Bartie's work on this matter has highlighted the injustice surrounding the disproportionately heavy attention focused on Easterhouse, it successfully illuminates how formative gang violence was in consolidating the image of the 'hard city'. Glasgow was exhibited as a violent, hard, industrial city where toxic masculinity became both an individual and group characteristic of everyday life for working-class men. The attention of historians to oral history, drawing from interviews

---

[24] A. Bartie and A. Fraser, 'Speaking to the "Hard Men": Masculinities, Violence and Youth Gangs in Glasgow, c. 1965–75', in *Nine Centuries of Man* (Edinburgh: Edinburgh University Press, 2018), pp. 258-273.
[25] Ibid.

with past members of the Drummy gang, has allowed for a fresh analysis of the often neglected, personal narratives of labouring men to explore the impact of gang activity on their individual sense of manhood.[26]

Gang participation perpetuated the 'hard man' as the desirable norm for men and solidified the use of violence as an essential element of male identity, behaviour, and expectations. Street-based socialisation was central to working class communities and perpetuated a form of hardened masculinity with a focus on loyalty and subsequent violence. Parallels can be drawn here between Highland clan affiliations in the eighteenth century and how this was preserved through the image of the hard man and repeated through practices of gang loyalty. The 1960s stereotype of a 'gemmie', a man characterised by his will to physically defend himself despite sometimes inevitable defeat, sustains the desirability of physical 'manliness' as a means of acquiring both respect and independence.[27] The emphasis on toughness and physical traits set the stage for 'performing masculinity'.[28]

As with the figure of the 'Edinburgh intellectual' and the 'Highland warrior', social hierarchies were also evident in Glasgow gangs, such as the Tongs and the Drummies. Street-based hierarchy was critical in the formation of masculine identities, particularly amongst adolescent males who needed to prove their loyalty and willingness to fight to achieve status and respect. With violence, toughness, and loyalty came independence. Bravery and courage were maintained in the identity of men in Glasgow, which echoes the identities of Highland men in the eighteenth and nineteenth centuries and the similar ways in which masculinity was practised through physicality. As with the Highlands, and its position in the broader nation, the economic hardship of the individuals of Easterhouse and their subordinate position within an urban city provided the conditions in which 'hardness' was pushed from the age of adolescence and remained within the identities of these men for decades.

---

[26] A. Bartie, 'Moral Panics and Glasgow Gangs: Exploring "The New Wave of Glasgow Hooliganism", 1965–1970', *Contemporary British History*, 24 (2010), 385-408.

[27] Bartie and Fraser, 'Speaking to the "Hard Men"'.

[28] E. Yeo, '"The Boy is the Father of the Man": Moral Panic Over Working-Class Youth, 1850 to the Present', *Labour History Review,* 69 (2004), 185-199.

By examining these three conceptualisations of Scottish masculinity, it is evident how historians have broken new ground in their investigations of the fluidity of masculinity and the evolution of manhood throughout Scottish history. Multiple models of masculinity evidently existed through different eras and are subject to several additional variables, with this essay focusing on class and location as factors that influence individual and group identities. Consideration for a number of sources, both primary and secondary, and different methodologies, particularly the examination of oral histories, have allowed historians in the twenty-first century to expand the historiography surrounding gender studies and to particularise male gender norms, focusing on what this means for male life experiences. Analysis of personal primary sources gives greater room for historians to interpret individual masculine identities and how they were influenced by their surroundings. This new assessment of Scottish male identity and the constantly changing conceptions of male honour provide the basis for understanding masculinity and what it meant to be a man throughout these periods in Scottish history.

ABERDEEN HISTORICAL REVIEW