

GATEWAY

*A collection of historical essays written by undergraduate students
at Washington University in St. Louis.*

**A Publication of the Washington University in St. Louis
Chapter of Phi Alpha Theta
Volume X, May 2010**

Editors-in-Chief:

Cynthia Mancha

Dave Spandorfer

Faculty Advisor:

Dr. Nancy Reynolds

Special thanks to:

Midtown Printing Company

Washington University Department of History

Washington University Student Union

Washington University ArtSci Council



CONTRIBUTORS TO THIS ISSUE



Michael Brodsky ('12) is a history major from West Bloomfield, Michigan. His paper was written for the class "The History of Jews in Islamic Lands," taught by Professor Martin Jacobs.

Andrew Collings ('11) is a history major with minors in Spanish and text and tradition. He is from Springfield, Illinois, and his essay was written for the Advanced Seminar "Magic, Hersey, and Witchcraft in the Middle Ages: 350-1550," taught by Professor Mark G. Pegg.

Randall Pippenger ('11) is a double major in history and religious studies and a minor in political science. He is from Waynesboro, Tennessee. His paper was written for the Advanced Seminar "Magic, Hersey, and Witchcraft in the Middle Ages: 350-1550," taught by Professor Mark G. Pegg.

Michael Goodwin ('10) is a European studies and Spanish double major. He is from Providence, Rhode Island, and his essay was written for the European Studies Seminar "Europe, an Imagined Community: Essays on Identity since 1750: Literature, Thought, Art and Politics," taught by Professor Paul Michael Lutzeler.

Max Silverstein ('09) is a history major who graduated in December of 2009. He is from Bala Cynwyd, Pennsylvania. His essay was written for the Advanced Seminar "A Long Road to Uhru and Nation: The Social History of Modern Kenya," taught by Professor Timothy Parsons.

Dave Spandorfer ('11) is a history and international business double major and a political science minor from Narberth, Pennsylvania. His paper was written for "Topics in American Culture Studies: 1957," taught by Professor Wayne Fields.

Kathryn Connelly ('10) is a history major and psychology minor from Plymouth Minnesota. Her paper was written for the Advanced Seminar "Historical Perspectives on Human Rights and Globalization," taught by Professor Elizabeth Borgwardt.

Cynthia Mancha ('10) is a history and international studies double major from Poteet, Texas. Her paper was written for the Advanced Seminar "The U.S. in Vietnam: Origins, Developments, and Consequences," taught by Professor Krister Knapp.

Shelby Carpenter ('10) is an interdisciplinary project and Japanese double major from Kent, Ohio. She composed her essay for the Advanced Seminar "Historical Perspectives on Human Rights and Globalization," taught by Professor Elizabeth Borgwardt.



TABLE OF CONTENTS



Letter from the Editors <i>Cynthia Mancha and Dave Spandorfer</i>	7
Maimonides: The Muslim Perspective <i>Michael Brodsky</i>	8
A Ghost's Testimony: The Noisy World of the High Middle Ages and the Rise of the Confessional Culture <i>Andrew Collings</i>	12
Did the Ordeal End? A Study of the Ordeal, Torture and the Swimming of Witches <i>Randall Pippenger</i>	28
Europa and the Bull in Berlin: Myth and Eurocentrism in Modern Germany <i>Michael Goodwin</i>	43
The Mitigated Impact of African Ex-Servicemen in Kenya after World II <i>Max Silverstein</i>	49
Sex-Ed without the Sex: A Study of American and St. Louis Postwar Public School Sexual Education <i>Dave Spandorfer</i>	57
"And Forgive us Our Trespases, As We Forgive Those Who Trespass Against Us": The Magdalene Asylums of Ireland <i>Kathryn Connelly</i>	71
Forging the Middle Ground in Vietnam: Eisenhower and the Quest to Realize International Objectives <i>Cynthia Mancha</i>	92
The Unfortunate Role of Affect in Policy: How a Lack of National Empathy Contributed to the Spread of the AIDS Epidemic in the United States, 1980- 86 <i>Shelby Carpenter</i>	110

Letter from the Editors

Cynthia Mancha and Dave Spandorfer

After a two-year hiatus, the 2009 Gateway Journal marked the revival of student and faculty involvement in undergraduate historical research at Washington University. Thanks to the publication's warm reception from both students and staff, we are proud to present another edition of the Gateway Journal.

Over the past year, student and departmental interest in the publication has grown. Largely due to faculty encouragement, the number of student submissions has doubled, and this year's edition is 50 percent longer than last year's Journal.

The close collaboration between students and teachers has allowed us to not only increase the size, but also improve the quality of the Journal. For the first time, many of the published essays were submitted through a faculty nomination process. However, all essays published in the Gateway Journal represent the highest standards of undergraduate historical writing and embody the pinnacle of undergraduate research on campus. From the Middle Ages to contemporary society, these essays cut across a diverse range of historical time periods and historical themes.

Editing the Journal has been a rewarding and enlightening experience. We would like to thank our authors for their help with the process and the history department for their unwavering support. Our faculty advisor Dr. Nancy Reynolds has been particularly crucial in at first resuscitating the Journal in 2009 and this year lifting the Journal to a heightened level of writing and research.

The following essays are presented in roughly chronological order. We hope you enjoy the submissions and, in the process, learn a little bit about history.

Maimonides: The Muslim Perspective

Michael Brodsky

As a courtier-rabbi in Muslim lands, Moshe ben Maimon—or Maimonides—rose to a position of international prominence. Among his seminal works were the *Mishneh Torah* and his *Guide for the Perplexed* – texts that affirmed his scholarly acumen and confirmed his ascent to the forefront of Jewish culture. However, Maimonides’ esteemed status within the Jewish community comprises only one facet of his legacy. An equally important component is his perception within the Muslim Ummah. Thus, it becomes critical to examine Maimonides through an Islamic lens, and to appreciate his reputation as a Muslim contemporary would have understood it.

Upon investigating the details of Maimonides’ life, it becomes clear that he owed much of his success to the support of a Muslim benefactor, al-Qadi al-Fadil. Al-Fadil served Saladin, the first Ayyubid sultan, as both a trusted advisor and his chief administrator. In deciding to take Maimonides under his wing, al-Fadil placed a great deal of faith in his dhimmi, or non-Muslim, protégé. This was doubtless a precarious move to make and al-Fadil would not have determined to do so without good reason.

From al-Fadil’s standpoint, Maimonides was an already established leader in the Jewish community who had demonstrated that he was at odds with the Christian Crusaders. He had successfully entered the world of commerce and was familiar with the business of international trade. Maimonides’ remarkable intellect and passion for learning were both proven and were characteristics that complemented the like-minded al-Fadil. Furthermore, stories might have been in circulation that characterized Maimonides as a descendent of King David. Since the Islamic tradition recognizes David as a great prophet, the existence of such a myth would have certainly ennobled Maimonides in the eyes of his Muslim beholders. Establishing a friendship with Maimonides would have provided al-Fadil with an opportunity to benefit financially as well as to gain support from the Jewish community at large.¹ Such considerations must have had great appeal to a leader of this young Ayyubid dynasty, an empire that that was still attempting to establish itself as an enduring power.

However, it appears that al-Fadil’s relationship with Maimonides extended even beyond self-interest. Accounts suggest that the two men developed a true friendship - one rooted in mutual respect and affection.

After all, al-Fadil and Maimonides shared many of the same philosophical and literary interests, and erudite men such as themselves were few and far in between.² Moreover, Al-Fadil himself was not the only Muslim to befriend Maimonides. His Jewish protégé was introduced to many members of the Islamic elite and formed relationships with some of the most influential Muslims of the time. In a letter to one of his pupils, Maimonides wrote “I have already acquired a very great reputation in medicine among the distinguished men [of the kingdom], such as the supreme judge, the amirs [army officers], the court of al-Fadil, and other leaders of the country”.³ Not only does this first-hand report substantiate Maimonides’ relationship with the qadi al-Fadil, but also it affirms that he was well received by the Ummah at large.

One instance in particular confirms the bond of friendship shared by both al-Fadil and Maimonides. Early in his childhood, when Maimonides and his family found themselves under the jurisdiction of the conquering Almohads, they decided to submit to Islam rather than flee or face death. However, when his family later migrated east to Fustat, Maimonides wasted little time before converting back to Judaism. It was there that a Muslim jurist, claiming to recognize Maimonides, brought attention to this issue. The accusation of apostasy that was brought against Maimonides was a serious one – it was a crime punishable by death. Yet, after hearing the charges leveled against Maimonides, al-Fadil unequivocally defended his friend and publicly rejected the allegations. He argued that because Maimonides was converted by force, his commitment to Allah was not legally or religiously binding and thus no charge of apostasy could be leveled against him. Al-Fadil passed the test of friendship and saved Maimonides’ life, contrary to the urgings of a fellow Muslim.

This anecdote points to an additional reason why the qadi al-Fadil and fellow Muslim leaders might have regarded Maimonides in high esteem. At the time of Maimonides’ childhood, Almohad practice mandated that all Muslim children receive primary schooling - an education that unquestionably hinged on religion. As the latter part of Maimonides’ childhood was spent in the Almohad heartland, he was inevitably exposed to their religious instruction. Maimonides not only observed Islamic ritual, but was also trained in the sacred writings of the Qur’an. Even after Maimonides settled in Fustat and had readopted Judaism, he must have maintained the wealth of Islamic knowledge that he had previously accumulated. In fact, it is likely that this familiarity with Islam actually softened his attitude toward Muslim culture as a whole. To a larger extent than his brethren, Maimonides was exposed to the similarities that the two religions shared, and began to see “certain Islamic practices as actually being mandated by Judaism.”⁴ He became

lax about inter-religious contact and strayed from custom when he permitted Jews to consume wine that had previously been touched by Muslims.⁵ As the study of Qur'an was strictly forbidden from nonbelievers, this understanding of Islamic law and culture must have further differentiated Maimonides from other dhimmis. Therefore, Maimonides' unconventional background and knowledge of Qur'an likely impressed both al-Fadil and the other Muslim leaders with whom he came into contact.

Although many indicators point to Muslim admiration for Maimonides, there are some instances that suggest he was not always well received. In 1191 'Abd al-Latif al-Baghdadi, a Muslim philosopher, traveled to Cairo and requested a meeting with the Jewish sage. Al-Baghdadi related the encounter: "He was of superior merit but was overcome by the desire to have first rank and to serve powerful people".⁶ While still acknowledging Maimonides' scholarly accomplishments, al-Baghdadi paints a starkly different image of the Jewish philosopher. This depiction of Maimonides, as being both greedy and power-hungry, indicates that Muslims of the non-ruling class might have felt jealous about the vast authority entrusted to Maimonides and suspicious of any secret motives that this dhimmi might have harbored.

Nevertheless, as Maimonides continued to ascend the hierarchical ladder, he increasingly gained the attention of Saladin. The sultan appointed him to the post of personal court physician, in which he not only administered to Saladin's family and most influential advisors, but also was trusted with caring for the sultan himself. Moreover, in this position he functioned as an advisor as well, and was charged with sharing his insight and wisdom with the sovereign. Eventually, Maimonides was chosen to serve in the prestigious role as head of the Egyptian Jewish community. Such appointments always required the consent of the ruling sultan, and his confirmation was a testament to the confidence that both Saladin and al-Fadil had placed in Maimonides.

In turning to a thirteenth century treatise, the Muslim author al-Wasiti provides further proof of Maimonides' high standing in the Ummah. Although the bulk of his writing conveys disparaging anecdotes about dhimmi, there is one story in particular that sheds them in a respectable light. Not surprisingly, at the core of this anecdote is Maimonides. Al-Wasiti writes that "I have been informed by the most unimpeachable sources that the physician Moses (Maimonides) was ill, and the Qadi al-Fadil paid him a visit. The Jew was a scholar and a gentleman".⁷ This account, coupled with the Muslim poet Ibn Sana' al-Mulk's munificent praise of Maimonides, further verifies the eminence with which some Muslims held him.

In order to fully appreciate the legacy of Moses ben Maimon, it is essential to consider his life from both the Islamic and Jewish perspectives. Although categorized as a dhimmi by the Muslim world, this inferior status had little hindrance on his professional ambitions. Indeed, Maimonides' extraordinary intellect, unique background and strategic position within the Jewish community succeeded in catching the attention of Saladin's vizier, the qadi al-Fadil. The relationship that they fostered soon grew into a mutual affection, as al-Fadil defended his friend's life against a Muslim jurist and introduced him to other ranking members of the Ayyubid court. Maimonides' reputation continued to blossom and he served recurrently in some of the most trusted posts within Saladin's government. Thus, while it is clear that some Muslims remained skeptical of this powerful dhimmi, the Islamic elite tended to regard Maimonides with a genuine admiration, recognizing both the merit of his wisdom and the usefulness of his service to the Ayyubid court.

¹ Joel L. Kraemer, "The Life of Moses ben Maimon," *Judaism in Practice: From the Middle Ages through the Early Modern Period*, (Princeton: Princeton University Press, 2001), 416.

² Kraemer, *The Life of Moses ben Maimon*, 416

³ Kraemer, *The Life of Moses ben Maimon*, 417

⁴ Mark R. Cohen, *Under Crescent & Cross: The Jews in the Middle Ages*, (Princeton: Princeton University Press, 1994), 176.

⁵ Cohen, *Under Crescent & Cross: The Jews in the Middle Ages*, 176.

⁶ Kraemer, *The Life of Moses ben Maimon*, 418.

⁷ Norman Stillman, "Some Jewish Anecdotes from an Anti-Dhimmi Treatise," *The Jews of Arab Lands: A History and Source Book*, (Philadelphia: The Jewish Publication Society of America, 1979), 276.

A Ghost's Testimony: The Noisy World of the High Middle Ages and the Rise of Confessional Culture

Andrew Collings

“For how, they say, can people know these things, when they have neither seen them nor had experience of them?”¹

Gervase's Ghost

In July 1211, three years after Pope Innocent III proclaimed a crusade to eliminate heretical depravity from the county of Toulouse, a young boy was mortally wounded on the road to Beaucaire, a town in the diocese of Arles. Having forgiven his killer, the boy Guilhem confessed his sins, received his viaticum, and died. “Cousin, do not be afraid,” he said, appearing less than a week later to an eleven-year-old girl in Beaucaire, “For I come to you by divine permission, drawn by my old abundant affection for you.”² After reassuring her of his good intentions, Guilhem informed her that “I am allowed to speak to you alone, and to transmit my replies to others through you.”³ Explicitly claiming to have returned to earth so that “the faithlessness of unbelievers shall be turned to faith, and the faith of believers may burn more brightly,” the ghost, through his beloved cousin, went on to answer questions from the surrounding populace until a certain priest requested to question him directly of the “more abstruse secrets of divine wisdom.”⁴ “At the moment of leaving this life,” both good and bad angels fought over Guilhem’s soul, “but eventually the good ones prevailed, and conducted him to purgatory.”⁵ What follows in Guilhem’s testimonial to the priest is a remarkably detailed description of this intermediary realm: its location (“nearer to Jerusalem than to the place where [Guilhem] used to live”); the state and nature of the souls that inhabited it; its intense and painful physicality, and its close temporal and spatial connection with the physical world.⁶

Unfortunately, with modern skepticism of the supernatural occurrences such as Guilhem’s appearance in Beaucaire, we too quickly relegate such ghost stories to popular legend and superstition, which may account for the considerable lack of English scholarship about Gervase and his treatise.⁷ Gervase’s work, especially the colorful *exempla* of the third book (part of the larger work *Otia Imperialia*), and its relevance to the fundamental shifts in religious thinking in the late medieval period is still disregarded because of the presumed object of the treatise: to bring together an interesting and entertaining collection of *mirabilia*.⁸ One

may also question the author's motives, considering, for example, the canon lawyer's fabrication of the tale to endorse and garner support for a relatively new theological concept that had not yet achieved dogmatic status. Such uncertainties, however, should not obscure the observable reality that, though not expressed with the same articulateness and terminology as the assertions of learned Church contemporaries, belief in tangible and active spirits was common and would become increasingly widespread throughout late medieval society.

How, then, is Gervase's story relevant, especially in its discussion of purgatory, to the tumultuous and changing medieval society of the early thirteenth century in which it was written? I argue that the *Otia Imperialia* presents an intricate vision of the late medieval world seen and diligently recorded by its widely traveled author, a picture of the Europe of Gervase's day placed within the context of a very traditional and orthodox conception of the world and a lens through which modern scholars can perceive a rapidly changing medieval world. Interestingly, purgatory serves much the same purpose in the treatise as it did in late medieval society—a relatively infant and cosmological conception of a physical and autonomous intermediary realm that not only opened the spiritual world to everyday medieval persons but also served a growing ecclesiastical effort to combat and refute supposedly dualistic *hereticae pravitatis*, proving through witnessed and documented marvels that “God's power” extended beyond the spiritual and was intrinsically active in the physical world of the High Middle Ages.⁹ At the same time, the story of Guilhem, as well as the remaining collection of 145 *exempla* and *mirabilia* of the *Otia Imperialia*'s third book, should be seen not only as serving a distinct purpose specifically related to and reflecting the time period in which the book was written, but also as playing an integral part in the later development of a medieval, confessional culture.

The historical context of the early thirteenth century in which the *Otia Imperialia* and Gervase of Tilbury found themselves was a crucial time in the development of late medieval cosmology and piety. To claim this period of time as a watershed moment in medieval history does not originate simply from retrospect; rather, medieval authors themselves, Gervase included, perceived the vital importance of their work as a critical part of the fight against worldly corruption and unorthodoxy. Not only was Gervase keenly aware of the ongoing ecclesiastical debates over purgatory, but he seems well attuned, (and reasonably so after over thirty years of travel throughout Latin Christendom), to the tumultuous shifts within the Church and medieval society at the turn of the thirteenth century, remaining throughout his work a “passionate advocate of

orthodoxy and the sacramental life” against the perceived threat of heretical belief and practice.¹⁰

Origins of Late Medieval Shifts

Many of the changes that came to diffuse throughout medieval society between the thirteenth and fifteenth centuries find their seminal foundations in instrumental Church reforms, beginning in the late eleventh century. Following the East-West Schism, formally declared in 1054, Latin ecclesiastics seem to have felt a need to establish Church authority and legitimacy amongst the relatively small, scattered, and isolated communities of Latin Christendom. Barring a thorough exploration of the many facets of the Gregorian reforms, two broad trends become evident. The first of these is a progression toward centralization involving both introspective, reformist measures against clerical corruption and an increased, more strictly enforced demarcation between religious and secular. Movements against clerical corruption and the practice of simony, such as the Investiture Controversy and the Cluniac Reforms, or the gradual disappearance of the ordeal from popular practice show a nascent tendency of the Church to monopolize control over the spiritual, attempting to limit the channels of communication with God to religious persons.¹¹ The result of these multiple measures was an increasingly hierarchical Church structure which based its legitimacy on the idea of apostolic succession from the Patristic period. This retrospective claim of legitimacy, the second general trend of the Gregorian reforms, sought through its idealization of the early Church to create an eternal Church, lineally united throughout history. The implications of these two particular developments would be profound within the interrelated, intellectual notions of purgatory and heresy and how those ideas came to affect all of medieval society—religious and secular, pious and heretical.

Purgatory: A Paradoxical Existence?

“He added that there is no suffering equal or comparable to death, and that the slightest pain of purgatory is harsher than any bodily suffering.”¹²

43 years after Guilhem’s appearance in Beaucaire, the First Council of Lyon in 1245 would give the first dogmatic definition on purgatory, following nearly a century of heated ecclesiastical and intellectual debate over the concept, in which Gervase’s treatise played an instrumental role at the beginning of the thirteenth century. “Calling

it purgatory according to the traditions and authority of the Holy Fathers,” the council officially recognized the physical existence of a spiritual intermediary between heaven and hell, where souls “can be cleansed after death and can be helped by the suffrages of the Church.”¹³ This is not to say that purgatory was an entirely new concept among ecclesiastical circles, for Christian descriptions of and beliefs in an intermediary realm of purgation had appeared in many patristic writings, as well as the New Testament.¹⁴ Yet, partly due to growing fears of heresy and how Church intellectuals tried to understand heresy’s existence, the conceptualization of purgatory into one of actual, physical existence was a new idea gaining influence in the late eleventh and early twelfth centuries that had a direct and lasting impact throughout late medieval society.

Heresy

The apparently spontaneous and monumental interest in the problem of heresy, beginning in the late eleventh century and exemplifying an integral aspect of the High Middle Ages, is directly related to the Church’s newly assumed role as the eternal, universal, and Mother Church. As stated earlier, this claim to authority based itself upon direct apostolic succession from the Late Antique and patristic periods up to the present. In order to legitimize this assertion, Church intellectuals looked to texts of their predecessors as insight into the ideal of early Christianity to be emulated in contemporary, medieval Christendom.¹⁵ Heresy was no exception. While implanting its new policies of centralization and unity across Latin Christendom, Church thinkers saw the prevalence of misguided religious observance. To better understand this supposed phenomenon, religious academics looked into the works of patristic writers like Augustine of Hippo and Isidore of Seville; in their search, they found dualism, particularly Manichaeism.¹⁶ Applying these early Christian models to their worldview, the polemicists suddenly began to see the same dualist tendencies all around them, and a new assumption became clear in their writings: the Church had always confronted misguided individuals, and to understand the Church as an eternal, continuous entity, the existence of *hereticae pravitatis* was absolutely necessary.¹⁷ Bernard of Clairvaux’s sermon on heresy in 1144 explicitly states the period’s general ecclesiastical sentiment.¹⁸ Recognizing that “the Church from the beginning has always had her foxes,” Bernard goes on to label them as a threat to the Church, “a cause of offense to the whole Church” and covert antagonists “destroying the vine.”¹⁹

However, a more nuanced perception of the relationship between orthodoxy and unorthodoxy was taking shape in these early medieval polemics: the imperative need to seek out, combat, and eliminate heresy. This change relates to the growing desire, following the Gregorian reforms, to more strongly establish the authority of the universal Church through what Peter Brown calls “one of the most subtle shifts of all in the twelfth century” from “consensus to authority.”²⁰ Projecting its roots in Roman law forward to the present, ecclesiastics framed the Church and its officials in the role of *imperator*, the “imposer of law and order,” meanwhile characterizing heresy as disorder and the harbinger of chaos.²¹ Motivated by their new duty to save Latin Christendom from its supposed enemies, churchmen left their sanctuaries to directly confront and defeat heresy through debates and eventually formal inquisitions. This led not only to the founding of important religious orders like the Dominicans and Franciscans, but also to a crucial change of what being a Christian meant in the Middle Ages.²²

Gervase seems well aware of the current threat of heretical belief and action. For example, he seemingly interrupts his discussion of medieval cosmology in Book I of the *Otia Imperialia* with an entire chapter devoted to a fierce attack on the Albigensian heresy.²³ Rather than seeing this as an interruption, however, Gervase’s discussion of the Albigensians fits perfectly in his discussion in his Book I of the conception of the spiritual and physical realms. This chapter, then, acts as an early refutation of unorthodox, dualist beliefs preceding his very orthodox description of the medieval world, comparable to both earlier and contemporary polemics and treatises against dualism. In addition, much of the rest of the work can be seen as a negation of the presumed doctrines of *hereticae pravitatis*, through his numerous demonstrations of the power of the Church and its clerics through the sacraments, which was a common point of opposition between ecclesiastics and heretics.²⁴ Within this context, Gervase also demonstrates the relatively new notion of purgatory, and its development as linked to the growing concern over heresy at that time.

The Relationship between Purgatory and Heresy

“When asked if the death and extermination of the Albigensians were pleasing to God, he replied that nothing that had ever been done in that region had pleased God so much.”²⁵

As stated before, the central reason for Guilhem’s appearance to the citizens of the Arles’ diocese was so that “the faithlessness of unbelievers shall be turned to faith, and the faith of believers may burn

more brightly.”²⁶ This also reflects Gervase’s intended mission through writing the *Otia Imperialia*, directed specifically to the excommunicated Holy Roman Emperor Otto IV. Part of that mentioned faithfulness in the thirteenth century included belief in the relatively new notion of purgatory, an intermediary realm whose inhabitants could visibly and physically interact with medieval persons, thus necessarily implying that God could in fact actively work in the world. Otherwise, by what means could Guilhem make his fantastical appearance? Not only was the inclusion of this tale of purgatory meant as didactic entertainment to return the excommunicated emperor to the flock of the faithful, but purgatory itself was an important tool in combating persistent and unyielding heretical depravity during this time period. Gervase is well aware of purgatory’s importance in ongoing debates between orthodox and heretical Christians, and much of his work is dedicated to emphasizing purgatory’s existence, especially in the efficacy of masses and prayers for the dead that were becoming more greatly encouraged and widespread.²⁷

The notion of purgatory as a distinct and physical place gained increasing support as religious figures traveled the communities and countrysides of Europe, attempting to uproot what they assumed to be latent dualist heresy. Appearing sporadically throughout Church writing since the patristic period yet not wholly accepted as official doctrine until the mid-thirteenth century, purgatory’s importance escalated as a direct attack on the dualistic, dichotomous worldview of their supposed enemies.²⁸ Most early treatises on heresy contain some reference to the denial of purgatory’s existence by the accused. Though doubt still remains among scholars whether the earliest heresy condemnations, most of them targeted at other ecclesiastics, were signs of actual heresy or instead accusations flung about among religious figures during a period of increased Church reform; nevertheless, because of purgatory’s essentially anti-dualist nature, to deny its physical reality would become a classic indication for Church inquirers of manifest heretical views of the accused.²⁹ Thus, it can be argued that the increased, though not total, acceptance of purgatory among educated circles came out of presumed and immediate necessity rather than out of any teleological notion of eventuality or inevitability. It would be the Church’s continual emphasis on the use of purgatory as a tool to uproot heresy that led to its widespread acceptance throughout medieval society by at least the end of the fourteenth century.³⁰

Yet, considering the reforming and centralizing movements of the medieval Church at around the same time, the ascent of purgatory as a doctrinal reality retains a paradoxical existence in this period, both corresponding to and contradicting ongoing changes to the intellectual

framework of Latin Christendom. From one angle, purgatory fit perfectly into the growing conception of the Church's continuous, eternal nature and the linear model which the church sought to advocate; the influence and spiritual power of the Church simply extended beyond the point of one's death, which can be observed through the escalating role of Church-facilitated rituals to either expiate the sufferings of the faithful in purgatory or to shorten the duration of their stay. Intellectuals even conceived purgatory as sharing a sense of worldly time (while heaven and hell maintained a timeless quality) to further strengthen this metaphysical link between the two realms.³¹

The Paradox

The most prominent of the effects of the doctrine of purgatory in the High Middle Ages was not necessarily the spread of the Church's conception of this intermediary realm. Such intellectualizing remained relegated to ecclesiastical texts and manuals for Church officials and did not directly have an immediate effect on society at large; for example, the subjects of Jacques Fournier's Palmiers inquisition in the early fourteenth century do not mention the term purgatory or an articulate, dogmatic understanding of an intermediary realm, though they note ghosts do physically exist in the world.³² Rather, what can be seen through the lens of everyday medieval persons, as in the Fournier register, is a belief in a tangible hereafter. Thus, the most profound and immediate imprint of purgatory on medieval society was that, in a world where such a physical-yet-spiritual realm could conceivably exist, the supernatural world became much more tenable to the individual person.

However, this is not to say that purgatory alone was the sole cause of this new cosmological conception of the medieval world. Similar trends in medieval spirituality and piety during the same period of time, namely the rise of the individual and *imitatio Christi*, also point to a growing immediacy and availability of the spiritual.³³ Aided by the efforts of medieval inquisitors, preachers, and clerics, this resulting ability of the everyday medieval person to interact with supernatural beings set the stage for many further developments in conceptions of heresy, inquisition trials, and medieval piety. Holiness and God became much more easily attainable to a medieval individual. Whereas in the patristic period when holy men and women were to be admired, not imitated, this new Christian mentality offered each individual, no matter his position in life, an opportunity to not only live a saintly life and achieve salvation individually, but to imitate Christ himself through an acceptance of one's own basic humanity.³⁴

Meanwhile, increased contact with the otherworldly began to consume the interest of many contemporary writers, as seen in abundant collections of *exempla* from the period, one the most well known of these being Jacobus de Voragine's *Legenda Aurea*, as well as through inquisition trial records and treatises.³⁵ Interestingly, this close connection between the "other" and lay people seems quite contradictory to much of the Church's efforts since the eleventh century to centralize its authority and maintain its monopolistic control over contact with the spiritual. Perhaps recognition of this paradox by Church intellectuals led to an outpouring of writing on the subject. The most extensive and articulate of these writers was the Dominican Thomas Aquinas. His writing shows recognition of the new openness of the spiritual world to medieval people and the ability of those individuals to attain holiness. He directs much effort to bring together these different notions to scholastically analyze and ultimately understand the benefits, but more importantly the dangers, of this increased individual devotion and contact with the spiritual realm.

Within Aquinas' immense work, the *Summa theologiae*, is the Aristotelian, teleological assumption that at the rational conclusion of each point/counter-point, the reader can find religious, universal truth: ultimately, that truth is God. Thus, within this highly intellectualized conception of the world, secular and divine, miraculous stories such as that of Guilhem are not merely "isolated events to wonder at, but as manifestations of certain truths about the nature of reality."³⁶ From Aquinas' perspective, all can conceivably find God's truth, but man's limited "sphere of knowledge" and the "corruption of the flesh" can lead him to be deceived by demons.³⁷ Thus, while the individual may be able to reach the divine through reason or his own humanity, he may through that same (imperfect) reason and humanity just as easily be led into sin.³⁸ Meanwhile, in his discussion of the nature and powers of demons and the Devil, another of Aquinas' assumptions becomes evident: that all communication with or deception by a demon is a rejection of one's faith. The implication of this bit of Thomist logic, as Nicolau Eymeric would most scathingly spell out in his 1376 *Directorium inquisitorum*, was subjection "to the judgment of the inquisitor of heretics" as to the worthy punishment for such apostasy.³⁹

Spiritual Limitations?

These new efforts by Church intellectuals and inquisitors alike to limit or mediate the medieval individual's connection with the spiritual can be seen as another of the Church's centralizing and monopolizing tendencies, as was seen in the preceding centuries with the Gregorian

reforms, discussed above. Though this new availability of the supernatural remained available to persons, the Church and its associates had the final say in whether that contact was divinely or demonically inspired. Thus, in a way, the threat of unknowing deception by demonic powers was a limitation of sorts on the spirituality of many medieval persons. However, where this new, individual piety remained most powerfully active in the High Middle Ages was within the Church itself.

The conception among religious persons of the individual attainability of holiness took many forms, the most obvious of these being St. Francis of Assisi and the ascetic religious community he founded, perhaps the paradigmatic figure(s) of late medieval piety. However, at this time, even the act of writing, and any genre thereof, could be considered a holy act. Whether it was through the personal style and flavor of the *historia*, the straightforward *chronica*, the scholastic treatise, the anti-heretical polemic, or the inquisitorial trial documentation, the writer(s) purpose and individual style was to not only find divine truth, but to “reflect the fluidity of the boundary between sacred and secular...and the easy and fruitful interchange which could occur between them.”⁴⁰ Ultimately, the goal was to demonstrate clearly to that God worked powerfully in the secular world.

Of the many examples and facets of individual holiness and *imitatio Christi* in the late medieval period, none has attracted as much controversy as religious violence, especially concerning the subject of inquisition.⁴¹ Christine Caldwell Ames is correct in her list of the flaws of contemporary historiography on the subject, whether Catholic apologists or non-Catholic critics that attempt to separate inquisition from religious belief.⁴² This is especially true of the religious mentality of medieval Dominican Order. One cannot read the Dominican William Pelhisson’s chronicle without sensing Pelhisson’s conviction that the inquisitors’ work amid the constant threat of death and violence is a holy, self-sacrificial act in the spirit of *imitatio Christi*.⁴³ However, I would go further than Ames by arguing that inquisition is not just instrumental to understand only the mentality of medieval religious persons; rather, inquisition is absolutely and inextricably necessary to understand late-medieval, religious culture as a whole.

The Rise of a Confessional Culture

“Every Christian of either sex after reaching the years of discretion shall confess his sins at least once a year privately to his own priest.”⁴⁴ This passage, taken from the twenty-first canon of the Fourth Lateran Council, offers the first official Church declaration on Christian confession. Pope Innocent III had convoked this ecumenical council in

1213, spurred on by the same fears of hidden evils of heresy in the Languedoc that had prompted him to declare the Albigensian Crusade five years earlier. While many of the other canons deal with the Church's stance toward specific heresies or wayward notables such as Peter of Lombard or Raymond VI of Toulouse, it seems that the confessional canon is directly aimed at unearthing heresy and the "most malicious foxes...who do not even wish to disclose themselves, but prefer to slink about in the shadows" of the rest of the populace.⁴⁵ In fact, much of the language of this canon – such as comparing the priest to a "skilful physician" who "mak[es] use of different experiments to heal the sick one" – mirrors contemporary use of medical terminology in polemics against heresy.⁴⁶ Of course, like most intellectual and ecumenical declarations of the time, the canons of the Fourth Lateran Council did not represent Christianity as it truly was at the time, but rather Innocent III's idealized notion of Christianity, a normative vision that would become an increasing reality over the next three centuries.

At this point, it seems appropriate to further explain and clarify what is meant by "confessional culture." Confessional culture is set up in contrast to penitential culture, which is a piety based on outward observance of orthodoxy that characterized the early medieval period. For instance, the asceticism of the patristic period, contrasted with that of the Caroline Bynum's holy women, is purely penitential, outwardly—reflective, and communal.⁴⁷ The same conception of piety remained prevalent until the High Middle Ages; for example, in the texts available to modern scholars, the First Crusade (1095-1099) stands out in its conceptualization as a purely penitential endeavor.⁴⁸ In other words, these tangible demonstrations of religious observance take precedence in a penitential culture. On the other hand, confessional culture is highly individualized and introspective. The importance lays not in what is done but why it is done. Thus, in a confessional culture, individual thought comes to supersede action.

In many ways, this confessional culture was an immediate and lasting result of the various ideological and social shifts, enumerated above, that played themselves out through the preceding centuries. The act of confession itself, as a Church sacrament, was a reassertion of the priest's (and, thus, the Church's) essential role as a spiritual intermediary for medieval persons. However, the confessional culture also relates to the new, highly individualized reality that all late medieval persons could conceivably find truth, holiness, and God through their own efforts or even by their fundamental existence as human beings through the notion of *imitatio Christi*. Yet, as Thomas Aquinas and many other intellectuals contended, the breakdown of former barriers and Church mediation between earthly and spiritual realms could have dire results. This

growing doubt of who or what influenced a person led to constant self-examination, and medieval persons participated in this growing, individualized spirituality amid perpetual doubt by themselves and others about their individual orthodoxy and piety. Medieval individuals became used to telling their life stories, whether voluntarily through priestly confession or involuntarily through inquisitorial trials, in order to examine not only their present actions and beliefs, but also the foundational sources of those beliefs. Thus, a medieval confessional culture was born.

Further, as the spiritual realm opened itself up to medieval society, and as the Church came to conceive itself as eternal and extending even beyond death (as seen most visibly through purgatory), the confessional culture of the late medieval period included even those long dead. Guilhem the ghost, though a very early example, easily fits into this ideological framework. In a sense, his testimony to his cousin, the citizens of the diocese, and eventually the priest can be seen as a confession. His orthodox answers to the inquiries about the existence and geography of purgatory, the efficacy of Church rituals, and the need to extirpate heresy all validate his appearance, predictions, and actions as benevolent and made possible by divine influence. This proves, as Gervase seeks to do in his treatise, that God does act in the world in a mysterious, yet profound, way.

Despite its designation as a confessional culture, this terminology and its application to the late medieval period is not meant to imply that the development of confession as a Church institution is solely responsible for this development. In comparison, it seems much more likely that inquisitions and their growing frequency during the High Middle Ages, especially in heavily scrutinized areas such as the Lanquedoc, helped to bring about this change much more so than sacramental confession, which the *Omnis utriusque* designated to occur once a year and the Council of Toulouse of 1229 increased to three.⁴⁹ In this period, inquisition and confession seem to share an interesting relationship that has attracted a considerable amount of scholarship.⁵⁰ There seem to be obvious parallels between the inquisition and confession for one studying this period, such as the existence of manuals for the two procedures which eventually developed into distinct literary genres, or even the basic premise of discussing oneself with a religious authority. Yet, while a scholar may argue for an inherent relation between the two, this evoked world of causality and interconnectedness cannot be the same as that seen by those people who experienced both inquisition and confession.⁵¹ Ostensibly similar premises cannot lead one to assume that one procedure could be mistaken for the other or seen as the same by participant (or practitioner); for those undergoing the

scrutiny of the friar-inquisitor and seeing their confession transcribed as they spoke, there could be no comparison to the discreetly uttered questions and answers of priestly confession.⁵²

As much as *inquisitio hereticae pravitatis* helped to bring about the rise of a medieval confessional culture, it in itself also dramatically changed as a result of these numerous and almost simultaneous shifts in Christian intellectual thinking, common piety, and cosmological understanding already discussed in this essay. This can be seen quite visibly in the difference of emphasis and length between two treatises on heresy, both widely read and used by medieval inquisitors: Bernard de Caux and John of St. Pierre's "Manual for Inquisitors," prepared in 1248 or 1249 and focused on the explicit heretical action, and Bernard Gui's *Practica inquisitionis heretice pravitatis*, meticulously detailing the varying beliefs of a number of early fourteenth-century heresies, including Judaism and witchcraft.⁵³ Meanwhile, the same individualizing tendencies already discussed in late medieval piety also came to be seen in inquisitions, which itself had been partly responsible for the shift toward a confessional culture in the first place. For instance, one can see this trend by comparing the Great Inquisition of 1245-46, which questioned thousands over a year's span; the Fournier Inquisition over a century later involving a few hundred persons over the course of seven years; and, for example, the two long, individual trials of Joan of Arc in 1429 and 1431.⁵⁴ These trials give historians glimpses not only into the nature of inquisition, but also by examining the changing nature of the questions asked and the answers to them one can see the conceptions of the medieval world through the eyes of inquisitors, witnesses, and defendants.

Finally, in a confessional culture, one can see the tangible results of the Gregorian reforms, purgatory, heresy, and inquisitions on medieval society and the individual. There also exists here a strange interconnectedness: for just as these aforementioned developments helped to bring about the rise of a confessional culture, this new medieval piety came to fundamentally change the doctrines, assumptions, and perspectives that underlie the more intellectualized notions of the likes of Thomas Aquinas and Nicholas Eymeric. How all these transformations came to specifically alter individual thought and action within the context of an inquisition trial would be an interesting subject for further study. Ultimately, carefully examining the transition from focus on action to belief (whether here or in another study) and how that change affected medieval society has two interrelated, overarching benefits. First, it extends to present medievalists an invitation to escape the *longue durée* model that tends to promote extremely problematic ideas of unchanging religion, monolithic institutions of persecution (i.e.

the Inquisition), and dualist counter-churches.⁵⁵ Secondly, and most importantly, by removing oneself from this Marxian model, a close study of the changes in basic assumptions, themes, and styles of inquisitional trials, intellectual texts, and literary genres between the thirteenth and fifteenth centuries can offer an evocative vista into the changing and chatty world of the late medieval period, whether it is peasants giving testimonials, ecclesiastics developing more and more intellectualized models of heresy and inquisition, or friar-preachers sermonizing against and debating with presumed heretics. Through the lens of the authors of the period, from Gervase of Tilbury to Nicolau Eymeric, we can see the emergence and flourishing of a lively confessional culture in which the conception of Christianity was as clear as it ever had been up to that point during the medieval period: to be a Christian was, essentially, to talk about oneself.

¹ Gervase of Tilbury, *Otia Imperialia* (Recreation for an Emperor), ed. and trans. S. E. Banks and J. W. Binns (Oxford: Clarendon Press, 2002), III, 103, p. 759.

² *Ibid.*, 761.

³ *Ibid.*, 763.

⁴ *Ibid.*, 771.

⁵ *Ibid.*, 770-73.

⁶ *Ibid.*, 775.

⁷ H.G. Richardson, "Gervase of Tilbury," *History*, 46 no. 157 (2007): 102-114.

⁸ Gervase, *Otia*, Preface, 12-15.

⁹ *Ibid.*, Preface, 15.

¹⁰ Cf. Jacques Le Goff, *The Birth of Purgatory*, trans. Arthur Goldhammer (Chicago: University of Chicago Press, 1984), 203 and Gervase, *Otia*, Introduction, xlvi.

¹¹ For the Investiture Controversy, see Uta-Renate Blumenthal, *The Investiture Controversy: Church and Monarchy from the Ninth to the Twelfth Century* (Philadelphia: University of Pennsylvania Press, 1988); H.E.J. Cowdrey, *Pope Gregory VII, 1073-1085* (New York: Clarendon Press, Oxford University Press, 1998). For Cluniac Reform, see Southern, R.W., *Western Society and the Church in the Middle Ages* (London: Penguin Books, 1970); *Idem*, *The Making of the Middle Ages* (New Haven: Yale University Press, 1953). For a discussion of the ordeal, its decline, and its relation to the supernatural, see Peter Brown, "Society and the Supernatural: A Medieval Change," in his *Society and the Holy in Late Antiquity*, 302-332. Though it was not until the Fourth Lateran Council of 1215 that the ordeal was officially proscribed by the Church, this should be sign as a final nail in the coffin of a long-dying practice.

¹² Gervase, *Otia*, III, 103, p. 773.

¹³ Henry Denzinger, *The Sources of Catholic Dogma*, trans. by Roy Deferrari (Rockford, IL: TAN Books and Publishers, 1957), para. 456.

¹⁴ Gervase is well aware of these earlier notions of purgatory, and presents along with the fantastical tale of Guilhem numerous comparisons of Guilhem's testimony to Gregory the Great's discussion of purgatory in his *Dialogues*; for example, see *Otia*, III, 103, pp. 768-775.

¹⁵ For example, there is a noticeably increased interest in and imitation of Roman law in ecclesiastical writing: see Stephan Kuttner, 'The revival of jurisprudence' in *Renaissance*

and *Renewal in the Twelfth Century*, eds. R.L. Benson and G. Constable (ed.) (Oxford: Oxford University Press, 1982), 299-323.

¹⁶ For an excellent summary of the role of Manichaeism in the patristic period, see Richard Lim, "The *Nomen Manichaeorum* and Its Uses in Late Antiquity," in *Heresy and Identity in Late Antiquity*, eds. Eduard Iricinshi and Holger M. Zellentin (Tübingen: Mohr Siebeck, 2008), 143-167.

¹⁷ Cf. Bernard Hamilton, "The Cathars and Christian Perfection," in *The Medieval Church: Universities, Heresy, and the Religious Life. Essays in Honour of Gordon Leff*, ed. Peter Biller and Barrie Dobson (Woodbridge: The Ecclesiastical History Society-The Boydell Press, 1999), 5-23; Malcolm Lambert, *The Cathars* (Oxford: Blackwell, 1998); Idem. *Medieval Heresy: Popular Movements from the Gregorian Reform to the Reformation*, 2nd Ed. (Oxford: Blackwell, 1992).

¹⁸ Bernard of Clairvaux, "A Sermon by Bernard of Clairvaux Against Heresy," trans. Walter L. Wakefield and Austin P. Evans in *Heresies of the High Middle Ages. Selected Sources Translated and Annotated.*, Records of Western Civilization (New York: Columbia University Press, 1991), 132-38.

¹⁹ Ibid., 135.

²⁰ Peter Brown, "Society and the Supernatural," 324.

²¹ Ibid., 323.

²² It is also important to consider the sociopolitical status of those accused in the early inquiries into heresy, primarily composed of clergymen and religious persons. For example, see "Heresy at Orléans," "The Heresy of Tanchelm," in *Heresies of the High Middle Ages*, 74-81, 96-101. This can be seen to correspond with ongoing reform within the Church itself, as discussed earlier with the Gregorian reforms. Also, these early inquiries appear to be rather sporadic and highly localized, only later to be replaced by highly formalized and systematic inquisitions, corresponding closely to the increasing intellectualization and formalization of heresy through inquisitorial manuals and treatises on heresy. It is also noteworthy that the early writings on heresy came primarily from local monks, with Bernard of Clairvaux being a notable exception. Only later, with the transition of centers of learning from monasteries to cathedral schools, would the intellectualization of heresy and the universal tone of anti-heretical treatises come into play. For an early example of a recorded local debate between a Church official and a group of heretics, see "The Conversion of Heretics by the Bishop of Arras-Cambrai" or "Catholics Debate Heretics" in *Heresies of the High Middle Ages*, 82-85, 189-194.

²³ Gervase, *Otia*, I, 2, pp. 28-35. For the Albigensian heresy, see Mark Gregory Pegg, *The Corruption of Angels: The Great Inquisition of 1245-1246* (Princeton: Princeton University Press, 2001).

²⁴ Ibid., III, 57, pp. 664-5; III, 103, pp. 784-5, 788-9.

²⁵ Ibid., III, 103, p. 779.

²⁶ Ibid., 771.

²⁷ For example, see Ibid., I, 20, pp. 114-15; III, 17; III, 103, pp. 762-3, 766-7, and 776-7.

²⁸ Cf. Le Goff, *The Birth of Purgatory*, p. 131. Le Goff also points to other changes in medieval society that could have led to the growing importance of purgatory as a third spiritual, most questionably as a reflection of the new tripartite division in society between *oratores*, *bellatores*, and *laboratores*. This seems to be a rather simplistic and outdated assertion, especially considering the increasingly prominent role of the new mercantile class at around this same period.

²⁹ Malcolm Lambert, *Medieval Heresy: Popular Movements from the Gregorian Reform to the Reformation*, 2nd Ed. (Oxford: Blackwell, 1992), 14-40. Robert I. Moore, "The War Against Heresy in Medieval Europe," *Historical Research* 81 (2008): 189-210.

-
- ³⁰ A Profession of Faith by Waldes,” “Catholics Debate Waldenses,” and “The Reconciliation of a Group of Waldenses to the Church” in *Heresies of the High Middle Ages*, 204-208, 210-213, 220-230.
- ³¹ Gervase, *Otia*, III, 103, pp. 774-7. Gervase addresses both the continuity of the Church and earthly conceptions of time in purgatory: “When asked if the souls in purgatory ever rest, he [Guilhem] replied that every week they enjoy a respite from their sufferings from Saturday evening until Sunday evening [the Sabbath].”
- ³² Emmanuel Le Roy Ladurie, *Montaillou, The Promised Land of Error*, trans. Barbara Bray (New York: George Braziller, 1978), 342-356.
- ³³ For the rise of medieval individuality, see Southern’s chapter titled “The Bonds of Society” in *The Making of the Middle Ages*, 74-117. For an overview of the rise of *imitatio christi* in late medieval society and its effects on individual piety, see Caroline Walker Bynum, *Holy Feast and Holy Fast: The Religious Significance of Food to Medieval Women* (Berkeley: University of California Press, 1987), 31-69.
- ³⁴ Cf. Peter Brown, *The World of Late Antiquity* (New York: Norton, 1996), 96-109 *passim*. Brown describes early Christian piety, namely asceticism, as an act of “displacement” from civilized society. In a world of humans “besieged by demonic powers,” these early Christians looked ever more to the Last Judgment, and the ascetics were admired for their power and will to endure the tests of the Apocalypse during their earthly life.
- ³⁵ Jacobus de Voragine, *The Golden Legend or Lives of the Saints*, trans. by William Caxton, ed. by F.S. Ellis (London: Temple Classics, 1931).
- ³⁶ Alan C. Kors and Edward Peters eds., *Witchcraft in Europe 400-1700: A Documentary History*, 2nd Ed. (Philadelphia: University of Pennsylvania Press, 2001), 88.
- ³⁷ Thomas Aquinas, “From the *Summa theologiae*: The Demons Tempt Man,” in *Witchcraft in Europe 400-1700*, 100-101.
- ³⁸ Ironically, Aquinas’ *Summa theologiae* was put on trial for heresy after his death.
- ³⁹ Nicolau Eymeric, “From the *Directorium inquisitorum*,” in *Ibid.*, 120-127 (esp. 123).
- ⁴⁰ *Otia*, Introduction, xcv.
- ⁴¹ For a good summary addressing these debates, see Christine Caldwell Ames, “Does Inquisition Belong to Religious History?,” *American Historical Review* (February 2005), 11-37.
- ⁴² *Ibid.*, 13.
- ⁴³ Guilhem Pelhissou, *Chronique*, trans. Walter Wakefield in his *Heresy, Crusade, and Inquisition in Southern France 1100-1250* (Berkeley: University of California Press, 1974), 207-236.
- ⁴⁴ Canons of the Fourth Lateran Council (1215), trans. Harry Rothwell in *Readings in Medieval History*, ed. Peter J. Geary (Peterborough, Ont.: Broadview, 1991), 469.
- ⁴⁵ Bernard of Clairvaux, “A Sermon...” in *Heresies of the High Middle Ages*, 133.
- ⁴⁶ Canons of the Fourth Lateran Council, *Readings in Medieval History*, 469.
- ⁴⁷ Peter Brown, *The World of Late Antiquity* (New York: Norton, 1996), 96-109 *passim*. Brown describes the early Christian asceticism as an act of “displacement” from civilized society. In a world of humans “besieged by demonic powers,” these early Christians looked ever more to the Last Judgment, and the ascetics were admired for their power and will to endure the tests of the Apocalypse during their earthly life. Also see Idem, *The Cult of the Saints: Its Rise and Function in Latin Christianity* (Chicago: The University of Chicago Press, 1981). For later medieval asceticism, see Caroline Walker Bynum, *Holy Feast and Holy Fast*.
- ⁴⁸ Edward Peters, ed. *The First Crusade: The Chronicle of Fulcher of Chartres and Other Source Materials*, 2nd ed. (Philadelphia, University of Pennsylvania Press, 1998).

⁴⁹ Mark Gregory Pegg, *The Corruption of Angels: The Great Inquisition of 1245-1246* (Princeton: Princeton University Press, 2001), 62.

⁵⁰ For example, see the collection of six essays in *Handling Sin. Confession in the Middle Ages*, Ed. Peter Biller and A. J. Minnis (Rochester, New York: York Medieval Press in association with the Boydell Press, 1998); Mary Mansfield, *The Humiliation of Sinners: Public Penance in Thirteenth Century France* (Ithaca: Cornell University Press, 1995); or Alexander Murray, "Confession as an Historical Source in the Thirteenth Century," in *The Writing of History in the Middle Ages: Essays Presented to Richard William Southern*, ed. Ralph Henry Carless Davis and John Michael Wallace-Hadrill (Oxford: Clarendon Press, 1981); Marjorie Curry Woods and Rita Copeland, "Classroom and Confession" in *The Cambridge History of Medieval English Literature*, ed. David Wallace (Cambridge: Cambridge University Press, 2002) 376-406.

⁵¹ Cf. Annie Cazenave, "Aveu et contrition: Manuels de confesseurs et interrogatoires d'Inquisitino en Languedoc et en Catalogne," in *La piété populaire au Moyen Age, Actes du 99^e Congrès national des sociétés savants, Besançon, 1974*, Philologie et histoire jusqu'à 1610, 1 (Paris: Comité des travaux historiques et scientifiques, 1977), 333-349.

⁵² Mansfield, *The Humiliation of Sinners*, 76-77.

⁵³ *Processus*, trans. Walter Wakefield in *Heresy, Crusade, and Inquisition in Southern France 1100-1250*, 250-258; also see Pegg's *Corruption of Angels*. Bernard Gui, *Practica inquisitionis heretice pravitatis*, Part V, in *Heresies of the High Middle Ages*, 375-445.

⁵⁴ Pegg, *The Corruption of Angels*; Le Roy Ladurie, *Montaillou; Joan of Arc, La Pucelle*, ed. and trans. Craig Taylor (Manchester: Manchester University Press, 2007).

⁵⁵ See chapter titled "Wedged Between Catha and Cathay" in Pegg, *Corruption of Angels*, 15-19; Idem. "On the Cathars, the Albigensians, and good men of Languedoc," *Journal of Medieval History*, 27 (2001): 181-195; Idem. "'Catharism' and the Study of Medieval Heresy," *New Medieval Literatures*, 6 (2004): 249-269. Cf. Bernard Hamilton, "The Cathars and Christian Perfection"; Malcolm Lambert, *The Cathars*; Idem. *Medieval Heresy*.

Did the Ordeal End? A Study of the Ordeal, Torture and the Swimming of Witches

Randall Pippenger

Introduction

“O God, just Judge, firm and patient, who art the Author of peace, and judgest truly, determine what is right, O Lord, and make known Thy righteous judgment.” Eberhard of Bamberg instructed priests to utter this prayer while performing the ordeal over a cauldron of boiling water in his breviary, which dates from the late twelfth or early thirteenth century.¹ The medieval ordeal was a physical, often painful, test that called on God’s judgment to resolve a contested dispute, lawsuit or crime. The ordeal was “one of the more dramatically alien practices of medieval society,” claims Robert Bartlett, “and so here the medievalist is confronted with the problem of a custom which has no familiar counterpart in the modern West.”² Scholars have had great difficulty attempting to describe almost all aspects of the ordeal, including its origins, functions and end. Their conclusions rarely agree. The ordeal flourished from the ninth to the early thirteenth century. There were many types of the ordeal: from the ordeal of candles found in Navarre to the universal, pan-European ordeals of hot and cold water. The ordeal “was a dramatic and often a desperately cruel moment.”³ As Peter Brown claimed, “There were moments of heady triumph,” and “of wild hope.”⁴ By undergoing the ordeal, individuals put their honor, freedom, property, and lives at risk in order to prove their innocence before God. There was much to lose, but a lot to gain.

Most studies of the ordeal end with the Fourth Lateran Council in 1215, or at the very latest by the end of the thirteenth century. Many scholars, with the notable exception of Bartlett, do not address the “survivals” or “revivals” of the ordeal that appear throughout the six centuries after the Council. I will argue that despite the accepted grand narrative that states that the ordeal definitively ended in the early thirteenth century, manifestations of the ordeal survived the Fourth Lateran Council. Rather than completely ending, the ordeal was replaced and transformed during the religious, social and legal changes that characterized the twelfth and thirteenth centuries, and continued to reoccur with some frequency. These new manifestations of the ordeal, including torture and the swimming of witches, served many of the same functions as the ordeal did before 1215, but they also differed in

important and substantial ways. The Fourth Lateran Council was one step in the process that ended the medieval ordeal. It was only when torture ceased to be an accepted form of legal proof and witchcraft was discredited as superstition that the use of the ordeal came to a definitive end in Europe.

Function of the Ordeal before 1215

To fully understand the differences and similarities of later manifestations of the ordeal, it is important to understand what the ordeal's function was during its peak before the Fourth Lateran Council. Contrary to the claims of R.W. Southern, medieval people never had the "tendency to fly to the ordeal in all matters of doubt whatsoever."⁵ From the beginning, the ordeal was always a last resort, not the first.⁶ Written documentation, human witnesses, and particularly oaths, were always considered more important and sought before an ordeal was required.⁷ One of the earliest mentions of the ordeal in Europe can be found in the *Pactus legis Salicae*, or the Salian Law. It stated that a man, whether a Roman or Frank, could clear his name and forego the ordeal by simply producing 25 men who were willing to swear an oath with him.⁸ The increased emphasis on written documents and witnesses, along with the desire to avoid ordeals if at all possible was not a sudden departure from the past. Nor does it demonstrate decreased faith in the ordeal in comparison to earlier times. It simply followed established procedure. In Catalonia around the year 1000, ordeals were actually the least common form of legal proof and were used when other proofs, such as written documentation, were unavailable or unreliable.⁹

In general, ordeals were only employed when a resolution through normal means, such as oaths or witnesses, was impossible or suspect, yet the nature of the crime demanded a resolution. Almost every case in which the ordeal was implemented shares a certain opaque quality. Ordeals were regularly used when witnesses of the actual crime were unavailable, yet there was strong suspicion that a crime had been committed. Offenses that commonly fell under this category include accusations of "night" crimes, sexual infidelity, heresy and witchcraft.¹⁰ A telling example is the twelfth century love story of Tristan and Isolde. Although the two were not actually caught *in flagrante delicto*, there was strong circumstantial evidence that implicated them. Because the two were charged with treason and infidelity their "oath-worthiness" was severely diminished. Isolde, as the accused adulterer, had to clear herself through the ordeal of hot iron: "Amen!" said fair Isolde. In the name of God she laid hold of the iron, carried it, and was not burned."¹¹

Although this story is fictional, according to John W. Baldwin,

“there is little significant disjunction between the portrayal of ordeals in fictional accounts and what we know about them from other historical documentation.”¹² The story of Isolde parallels much of what we know from actual cases that involved queens entering the ordeal, such as Teutberga, the wife of a ninth century Carolingian king, and Cunigunda, wife of emperor Henry II.¹³ In connection with sexual infidelity, the ordeal was often used to determine parentage – once again, a situation of the utmost importance in the world of feudalism that required the divine judgment of God to decide. A famous example is recorded by Orderic Vitalis in the late eleventh century. According to Orderic, a former concubine of the Duke of Normandy Robert Curthose brought two sons to court and claimed that they were the Duke’s offspring. “Because he saw some truth in this, but hesitated to recognize the boys as his, the mother publicly carried the red-hot iron and, escaping without the least burn, proved that she had conceived by the king’s son.”¹⁴

Of course, most of the participants in the ordeal were not queens or those in power they were outsiders – foreigners and slaves (and eventually heretics).¹⁵ Their cases resulted in the ordeal more often than others simply because they had no legitimate ties of kinship or fealty to anyone else of standing in the community. In short, their oath was worth nothing, and if they were accused the only way they could demonstrate their innocence was through an appeal to God. In contrast, Hyams claims that “the ordeal, primarily a device of small communities, functions most comfortably in milieus where each man’s personal character and standing are publicly known and affect the welfare of the rest.”¹⁶ However, that claim is better applied to the judicial system of oaths and witnesses that surrounded the ordeal, rather than to the ordeal itself. The ordeal was primarily used in small communities, but it was rarely implemented when a man’s personal character and standing were known. The ordeal was most often employed precisely because they were not known or their character was in question. In contrast, oaths and witnesses, who were then required to take oaths, function because the judge and the community are confident of the individual’s personal character and standing.

In part, the ordeal functioned as a way for small face-to-face communities to pass judgment on crimes, which would otherwise be irresolvable in a system built around oaths. However, the ordeal functioned very well in “urban” communities, and there is seemingly no direct connection between levels of population and urbanization with the ordeal.¹⁷ Much has been made of the exemptions from the unilateral ordeal sought by urban communities in the twelfth century. But, scholars have only found evidence of 31 communities actually being granted exemptions from 1050 to 1212, and 19 of those are found within a 200

mile radius in northern Spain. Many of these communities could not strictly be labeled as “urban,” and many major urban centers such as Rome, Paris and Milan never requested exemptions. In fact, Milan mandated trial by cold water for those who could not undergo a judicial duel until 1216, a year after the Fourth Lateran Council. Also, most of the exemptions simply exempted the citizens or burgesses of a given community, and it did not end the practice of the ordeal in those communities for non-citizens or outsiders.¹⁸

It is important to remember that twelfth century Europe was not a utopian society of small independent communities who had the power to rule themselves. In fact, Europe during this time was a rather bloody and violent place. While the power of centralizing authority was admittedly weak, local lords and their retainers more effectively exploited peasants than before.¹⁹ Castles were not built for defense. Even in the early eleventh century, Raimond III of Toulouse claimed that he planned to build a castle on a promontory “to subjugate by his violence [*violentia sua*] and impose his lordship on those who neglected to render their due submission to him.”²⁰ According to Thomas N. Bisson, violence was a way of life and “lordship of this sort of life was personal and affective: militant, aggressive, but unstable.”²¹ The ordeal was a part of this society and from its inception was used as a tool of lordship.²² Although the ordeal was first mentioned in the sixth century, it was not until the beginning of the ninth century that it became widespread. It did not come into regular use because small face-to-face communities spontaneously began to use it, but rather because the Carolingian kings imposed it as a regalian measure to control society and enforce order. The Church supported this measure by transforming the ordeal into a ritual that was intimately connected to the liturgy and Eucharist. In 809 Charlemagne commanded, “Let all believe in the ordeal without any doubting.”²³ From then until 1215 it was “jealously guarded and vigorously used as a regalian right, by kings themselves and the secular and ecclesiastical officials upon whom it devolved from them.”²⁴

The results of an ordeal were *meant* to be decided by representatives of the king, priests and local nobles – not the small face-to-face community. As stated earlier, the primary function of the ordeal was to resolve circumstances that could not be solved through the normal avenues of oaths or witnesses. This served to preserve both peace and social order. Yet maintaining consensus within the small community does not appear to have been a driving purpose behind the implementation of the ordeal, and could best be described as a subsidiary effect.²⁵ Both Moore and Brown use the trial of heretics at Soissons in 1114, described by Guibert of Nogent, as an example of the ordeal functioning as a consensus mechanism and as an expression of

communal, rather than authoritative, judgment.²⁶ However, both scholars interpret the events at Soissons in a certain way, and a very different argument could be formulated from this example. First, it is very clear that the priests, not the community, initiated the ordeal. Second, the heretics attempted to bribe the archdeacon Peter, “a man of very sound faith who had scorned the promises which they made to avoid being subjected to the ordeal.”²⁷ The heretics believed that the priests had the power to stop the ordeal despite the wishes of the community. Third, after the “whole church was carried away with boundless joy” at seeing the heretics float on top of the water which indicated their guilt, the priests did not immediately pronounce a verdict, but instead sought the bishop’s council. “But during that time, the faithful people, fearing clerical leniency, rushed to the prison, seized the men, and having laid a fire under them, burnt them all together, outside the city.”²⁸ Brown’s “group of interested parties” and Moore’s “communal justice” could alternately be described as the vigilante justice of an unauthorized lynch mob who broke the law and openly flouted the authority of the priests.

Attempting to End the Ordeal: The Mechanisms behind 1215

The ordeal normally receives incomplete and divided consideration as a legacy of how we traditionally divide medieval history. Studies of early medieval history normally end around the year 1000, while studies of the High Middle Ages do not begin until late in the eleventh century. The ordeal bridges the gap between the early and high medieval periods. It did not become widespread until late in the early medieval period and ended early in the High Middle Ages. This has led most studies of the ordeal to concentrate solely on developments in the eleventh and twelfth centuries. Brown is straightforward about this: “I have excluded from consideration the writings of ninth century critics of the ordeal, as these appear to me to reflect a totally different social and intellectual culture.”²⁹ While the ninth century critics might indeed reflect a different culture, excluding them is very problematic. “The ninth-century criticism, considered as a whole, is remarkably extensive. It contains, or prefigures, virtually all the arguments of later centuries.”³⁰ But, excluding pre-eleventh century history from a discussion of the end of the ordeal has the potential to cause misleading analysis. It ultimately gives the impression that the ordeal came under heightened attack in the twelfth century, and eventually fell solely because of skepticism or clerical opposition. However, addressing the full scope of the history of the ordeal reveals that it had always been met with some skepticism and was criticized by clerics from its inception.

Changing notions of the interaction between the supernatural and natural, and a separation of secular and clerical spheres are responsible for making centuries-old skepticism and clerical opposition salient in the late twelfth century, and ultimately caused the downfall of the ordeal at the Fourth Lateran Council. The entire notion of the ordeal, that God would intervene and perform a “controlled miracle” in a purely secular legal dispute, really depends on the intertwined nature of secular and religious life, of the sacred and the profane. The disentanglement of the clergy and laity began with the Investiture Controversy and the subsequent Gregorian reforms in the eleventh century. Secular authority was increasingly exercised without religious trappings, and the clergy was cordoned off from, though technically made superior to, the laity. After 1215, “we have a society that came to accept a far more clearly defined hierarchy, explicitly designated in terms of the varying degrees of contact with the supernatural.”³¹ Increasingly, priests tried to create a monopoly on the holy that excluded laymen. Canon 18 of the Fourth Lateran Council, which banned clerical participation in the ordeal, and the new doctrine of transubstantiation are both important parts of this process and signify a shift in mentality. “Laymen were no longer allowed to expect that the untold majesty of God might any day shine out for their benefit in a law suit: but if they went to church, the transmutation of bread and wine into Christ’s body was certain to happen.”³²

The religious life of the twelfth and thirteenth centuries was also characterized by the growing sense that humans could imitate the divine, a phenomenon commonly known as *imitatio Christi*. During these centuries, a more human “Christ the Savior” replaced the remote “God the Judge” in religious thought.³³ “The supernatural itself comes to be defined gradually and tentatively, but with a growing conviction all the more strong for being largely unwitting, as an upward extension of the individual,” continues Brown, “Angels wither away in the mind and in the art of the twelfth century – ancient symbols of the non-human, they are rapidly replaced by symbols of the idealized human.”³⁴ As Christ became more human, humans became more divine. Hence, inquisitors believed that they could make judgments on their own, without being forced to constantly refer to or rely on God’s will to find the truth. “Individuals like Bernart de Caux and Jean de Saint-Pierre could trust themselves, and be trusted by others, to judge innocence and guilt.”³⁵ In such a world, the ordeal quickly became antiquated. The ordeal functioned precisely because the sacred and the profane were intertwined, yet the sacred remained everything that the profane was not. The divine could find the truth, while humanity could not. When the sacred and the profane were clearly disconnected by the separation of the clergy and the laity, coupled with notions that humans could aspire to be

divine, the ordeal, like the belief system that gave it birth, became increasingly obsolete.

The Ordeal Replaced: Torture

“No cleric may pronounce a sentence of death, or execute such a sentence, or be present at its execution,” Canon 18 of the Fourth Lateran Council stated, “Neither shall anyone in judicial tests or ordeals by hot or cold water or hot iron bestow any blessing; the earlier prohibitions in regard to dueling remain in force.”³⁶ Despite the trends outlined in the previous section and this straightforward denunciation of the practice by the Church, the ordeal did not immediately end after the edicts of 1215. It could be argued that the underlying notions behind the ordeal did not completely disappear until the eighteenth century. However, in the decades following the Fourth Lateran Council, king after king and commune after commune abandoned the ordeal, often replacing it with torture. For example, the first explicit legislative reference to torture is found in *Liber juris civilis* written in 1228 by the commune of Verona.³⁷ It was a transitional document that “empowered the ruler of the city to seek evidence in doubtful cases by the duel, any other judgment of God, or by torture.”³⁸ Furthermore, Frederick II of Sicily issued the *Liber Augustalis*, which condemned the ordeal while embracing torture in 1231. “We, who study the true science of laws and reject errors, abolish from our courts those proofs, called by some simple-minded people ‘apparent’ [the ordeal],” however, “We decree that this procedure, of inquisition, proof and, eventually, torture, shall be observed in the case of other clandestine or nocturnal injuries.”³⁹ Cases that had previously required the ordeal and the judgment of God now simply called for torture.

Roman law was based on an inquisitorial model, rather than the accusatorial model of oaths and ordeals. In the traditional “Germanic” judicial system, normally a specific accuser had to bring a claim or grievance to court. By doing so, the accuser was held responsible if the accused was declared innocent or unjustly charged. This system relied primarily on oaths, oath-helpers, general reputation, and the ordeal as a last resort. By contrast, inquisitorial procedure did not rely on an accuser; instead, the judge or inquisitor possessed the unilateral authority to inquire into a controversial matter. The inquisitorial model also put much more emphasis on written documentation, testimony of witnesses, and confession – “the Queen of Proofs.”⁴⁰ This system also had its share of flaws. Crimes like heresy that lacked written documentation or even witnesses, had once been resolved by the ordeal, which for all of its shortcomings had produced definitive decisions. Under the inquisitorial

model, however, confession was the only way to secure a complete conviction when all other forms of proof were absent. Gratian's *Decretum* of 1140 stated that "confession is not to be extorted by the instrumentality of torture."⁴¹ However, the desire to get confessions ultimately led to the reintroduction of torture into the inquisitorial model, despite previous clerical condemnations of the practice.⁴²

This transition was not sudden or abrupt, but gradual. Over the course of the eleventh and twelfth centuries, legal literature developed in the Italian cities, particularly Bologna, that described a "procedure not based on fire and water, but on evidence and argument." In general, these primarily ecclesiastical legal texts emphasized aspects of the old Roman law, such as inquests, reliance on written documentation and witnesses, as well as the importance of confession.⁴³ Roman law had never completely disappeared from Latin Christendom and the areas of the Western Roman Empire. Perhaps one of the best examples of this was the process used to compile the Domesday Book after the Norman conquest of England in 1066. In 1085, after 20 years of having to resolve countless contradictory claims to land and rights, William the Conqueror conducted a survey of all the land and people in England. His commissioners did not carry out their task by visiting each shire and resolve every dispute by the judgment of God through the ordeal to resolve every dispute; instead they summoned witnesses in each shire to answer a prepared list of questions. "The accounts of the making of Domesday Book uniformly term the inquiries that produced it *inquisitions*."⁴⁴

Torture was initially used in civil courts, like those of Frederick II, but not in ecclesiastical courts or the inquisitions. Early inquisitors of heretical depravity (*inquisitores heretice pravitatis*), such as Bernart de Caux and Jean de Saint-Pierre, did not implement torture. The use of torture by inquisitors to combat heresy was first authorized in *Ad extirpanda* issued by Innocent IV in 1252. "The official or Rector should obtain from all heretics he has captured a confession by torture."⁴⁵ However, it was only with the papal bull *Ut negotium* issued by Alexander IV in 1256, which allowed inquisitors to absolve one another of any wrongdoing, that torture was first used by inquisitors outside of the Italian peninsula.⁴⁶ In the next several centuries, torture was increasingly used to combat heretics, especially as the lower-cased "i" in inquisition became a capital "I".

It is clear that torture replaced the ordeal as a way to help solve otherwise undeterminable cases and, in that sense, served the same basic function. Both practices have several similarities. The ordeal and torture were used under similar conditions – as a last resort in resolving "invisible" crimes such as heresy, when other suitable evidence could not

be found.⁴⁷ In the late thirteenth century Albertus Gandinus claimed, “Men are tortured in civil and criminal cases when the truth may not be discovered in any other way.”⁴⁸ The ordeal and torture involved recourse to physical violence and discomfiture as a way of determining the truth.

During their respective “heydays,” both the Church and the state supported the ordeal’s use. Many scholars have noted that by calling on God’s judgment, the ordeal was an explicit recognition of human inadequacy. However, the use of torture in the inquisitorial method is a similar, if more understated, recognition of the inability of humans to judge a circumstantial case without witnesses or a confession. In addition, similar and interchangeable language was used to describe both practices. In the twelfth century, the ordeal was often described as torments or torture, and in later centuries torture was sometimes described as an ordeal. For example, the *Book of Tubingen*, written around 1100, claimed “The lowest of men, however, those easily corrupted, may not be received on their oath alone, but are to be subjected to tortures, that is, to the judgment of fire or of boiling water.”⁴⁹ Perhaps most telling is the fact that in the thirteenth century the ordeal and torture were often either placed side-by-side in legal texts, as in the *Liber juris civilis* of Verona, or directly supplanting one another like the *Liber Augustalis* of Frederick II.

Despite these similarities, there are several crucial differences between the ordeal and torture. Torture did not call upon the judgment of God. It did not require clerical involvement, although the instruments used to torture individuals were often blessed. The ordeal was normally an event that happened only once, while torture could continue indefinitely if the individual did not confess.⁵⁰ In fact, one of the only recorded instances of a man undergoing the ordeal multiple times was at Vezelay in 1167 as a result of a guilty verdict. “The second man, when plunged into the water, was declared guilty,” stated Hugh of Poitiers, “since opinion was not unanimous even among the clergy, he again underwent the ordeal of water, at his own request, and was a second time immersed.”⁵¹ The ordeal was not a prolonged process, and was designed to speedily reveal guilt or innocence without relying on the individuals involved. The main purpose of torture, on the other hand, was to garner a personal confession, something that the ordeal was entirely uninterested in.⁵² Unlike the ordeal, torture was never used with the intention of discovering the truth, but rather with the intention of confirming the truth that the inquisitors already believed.

The Ordeal Transformed: Swimming Witches

The medieval ordeal, though largely supplanted and replaced by torture, achieved a recrudescence in the witchcraft trials of late medieval and early modern Europe. Despite the similarities between the ordeal and torture, torture represented a replacement rather than a transformation of the ordeal. The differences between the ordeal as practiced before 1215 and during the witchcraft trials of later centuries are not as apparent and are more nuanced. As mentioned previously, before the Fourth Lateran Council witchcraft, along with other problematic crimes like heresy, was often tried by the ordeal. Carolingian and Anglo-Saxon law codes of the early medieval period required the ordeal to resolve accusations of witchcraft. The twelfth century *Bogarthing Law* of Norway stated that if anyone is suspected of being a witch by the bishop, then “they must clear themselves with the iron.”⁵³ After 1215, however, the ordeal disappeared from most mainstream witchcraft trials, and was replaced by torture.⁵⁴

Although the ordeal was largely replaced by torture, a strong tendency remained in Europe to proscribe the ordeal in cases of witchcraft. Bartlett describes this tendency as an “undertow,” partly because unlike the judicial ordeal, these practices were usually not condoned by either the Church or the central state authorities. The notable exception was James VI of Scotland (I of England) who proclaimed, “God has appointed for a supernatural sign of the monstrous impiety of the Witches that the water shall refuse to receive them in her bosom.”⁵⁵ However, the swimming of witches was not a mechanism of Church sanctioned regal control. Most central state authorities and learned scholars were united in their condemnation of the practice. “Such opposition frequently manifested itself in attempts by higher courts or central authorities to stop lower courts employing or countenancing swimming [the ordeal].”⁵⁶ The *Malleus Maleficarum*, perhaps the most famous treatise on witchcraft and written by Heinrich Kramer and James Sprenger in 1496, definitively stated that the ordeal should not be used in cases of witchcraft because it was wrong to tempt God and there was a strong possibility of manipulation by the Devil:

She appealed to the trial by red-hot iron; and the Count, being young and inexperienced, allowed it. And she then carried the red-hot iron not only for the stipulated three paces, but for six, and offered to carry it even further. Then, although they ought to have taken this as a manifest proof that she was a witch (since none of the Saints dared to tempt the help of God in this manner), she was released.⁵⁷

The swimming of witches never commanded the support of authority like the medieval ordeal prior to 1215. It was often associated

with the unlearned and superstitious countryside.⁵⁸ Most of these later episodes of the ordeal had more of a lynch mob atmosphere than those that came before 1215. The rationale behind employing the ordeal to try early modern witches was also less sophisticated than the traditional medieval ordeal. Those employing the ordeal did not do so with the consent of a priest and there was no explicit recognition that they were calling upon the judgment of God. Almost no ritual pretensions to solemnity were involved. The process was quick and sudden, and an individual floated or sank. Matthew Hopkins, the leader or “Witchfinder General” of the great witch hunt that took place in the eastern counties of England between 1645 and 1647, defended his use of trial by ordeal in *The Discovery of Witches*.⁵⁹ His defense centered on four points: the willingness of many of those involved to undergo the ordeal, the results of the ordeal were never used as evidence at trial, the authority of King James VI on the subject, and the fact that he no longer used the ordeal due to the influence of “able Divines.”⁶⁰ Not once does he explicitly state that the ordeal could uncover witches because it called upon the judgment of God; instead he evokes the authority of King James.

Conclusions

One of the final recorded incidents of swimming a witch took place in Great Britain during 1863. By this time, witchcraft was no longer a crime associated with treason, but was instead treated as superstition, and the individuals who carried out the ordeal were actually charged with assault.⁶¹ While witchcraft had slowly evolved from a crime to a frightening bedtime, judicial torture had largely succumbed to its inherent flaws.⁶² The reliability of the evidence produced by torture had continually been questioned, and there was always an underlying possibility that torture would lead to a false confession. For example, when threatened with torture, Joan of Arc forthrightly responded “Truly if you were to tear me limb from limb and make my soul leave my body, I would not say to you anything else. [And if you force me to do so], then afterwards I shall say that you made me say so by force.”⁶³ Despite these flaws, judicial torture had thrived for centuries, and died out in Europe during the eighteenth century when a new legal system required a new legal proof.⁶⁴ At the most basic level, the ordeal called upon God’s judgment as a way to overcome human fallibility. All vestiges of the ordeal definitively ended in the Enlightenment, not in 1215, because of an increasing confidence in mankind’s ability to unilaterally judge disputes without reliance on confession, torture or God. The process of abandoning the ordeal and the belief system behind it had begun in the twelfth century and finally terminated in the eighteenth century.

The ordeal was not irrational.⁶⁵ This stands in stark disagreement with Baldwin's claim that the ordeal's decline "must be viewed in the context as a general movement toward more rational legal procedure."⁶⁶ The ordeal served a very rational purpose. It settled disputes that would otherwise be irresolvable, even under the inquisitorial method, had to rely on torture. Calling upon God's judgment does not necessarily make a practice irrational. If someone truly believes that God is all-powerful and willing to intervene in human affairs, then the ordeal is perfectly reasonable and consistent with that worldview. Rather than relying on men to judge an incomplete picture, medieval individuals called upon God.

The importance of recognizing that the ordeal did not end in 1215, but was replaced by torture and reborn with the swimming of witches, is to dispel the notions of evolutionary theory that permeate conceptions of history. History should not be viewed as an inevitable ascent from the primordial depths of humanity to rationality and modernity. Such a theory fails to account for events like the fall of Rome, the Mongol conquests, or the Holocaust. However, the ordeal is often used as a justification of such theories. There is an overwhelming tendency to identify twelfth century critics of the ordeal as standard bearers of the struggle to achieve modernity, and to see the technical abandonment of the ordeal in the early thirteenth century as an emergence from Europe's "Dark Age." While many of these scholars note that the ordeal actually continued in witchcraft trials well into the seventeenth century, they dismiss its implications, and normally do not recognize the similar functions of the ordeal and torture at all. The swimming of witches and torture reveal that Europeans continued to recognize the limitations of human reason and to seek solutions to difficult problems elsewhere. The Renaissance, the Reformation, "advances" in learning, philosophy and science prior to the eighteenth century did not change that. The ordeal should not be seen as simply a dark moment in the history of Western civilization; rather, it was a humble one. Canon 18 of the Fourth Lateran Council was possible because of the changing relationship between humanity and divinity in the late twelfth century. In their efforts to imitate Christ (*imitatio Christi*), humans themselves consequently became more capable and divine. The final residue of the ordeal dissipated in the eighteenth century for similar reasons. Humans no longer imitated God because they were divine themselves; judges and juries were now competent to convict an individual based only on suspicion or circumstantial evidence, an ability that had once, perhaps wisely, been placed solely with God.

-
- ¹ Henry Charles Lea, *The Ordeal*, (Philadelphia: University of Pennsylvania, 1973), 186.
- ² Robert Bartlett, *Trial by Fire and Water: The Medieval Judicial Ordeal*, (New York: Clarendon Press, 1986), 1.
- ³ Peter Brown, "Society and the Supernatural: A Medieval Change," *Society and the Holy in Late Antiquity*, (Berkeley: University of California, 1989), 309.
- ⁴ *Ibid.*, 310.
- ⁵ R. W. Southern, *The Making of the Middle Ages*, (New Haven: Yale University Press, 1953), 96.
- ⁶ Bartlett, *Trial by Fire and Water*, 26.
- ⁷ *Ibid.*, 27.
- ⁸ *Pactus legis Salicae*, 14.2 and 16.5, trans. Katherine Fisher Drew, *The Laws of the Salian Franks*, (Philadelphia: University of Pennsylvania, 1991), 79 and 81-82.
- ⁹ Jeffrey A. Bowman, *Shifting Landmarks: Property, Proof and Dispute in Catalonia Around the year 1000*, (Ithaca: Cornell University, 2004), 120 and 140.
- ¹⁰ Bartlett, *Trial by Fire and Water*, 33.
- ¹¹ Gottfried von Strassburg, *Tristan*, trans. A.T. Hatto, (New York: Penguin, 1960), 248.
- ¹² John W. Baldwin, "The Crisis of the Ordeal: Literature, Law, and Religion around 1200," *The Journal of Medieval and Renaissance Studies*, 24 (1994), 238.
- ¹³ Bartlett, *Trial by Fire and Water*, 13-19.
- ¹⁴ Orderic Vitalis, *Ecclesiastical History*, vol. 5, ed. Marjorie Chibnall, (Oxford: Clarendon Press, 1975), 283.
- ¹⁵ Bartlett, *Trial by Fire and Water*, 32-33.
- ¹⁶ Paul R. Hyams, "Trial by Ordeal: The Key to Proof in Early Common Law," *On Laws and Customs of England: Essays in Honor of Samuel E. Thorne*, eds. Morris S. Angold et al, (Chapel Hill: University of North Carolina, 1981), 95.
- ¹⁷ Cf. Brown, "Society and the Supernatural."
- ¹⁸ Bartlett, *Trial by Fire and Water*, 55-59.
- ¹⁹ Brown, "Supernatural and Society," 311. Thomas N. Bisson, *The Crisis of the Twelfth Century: Power, Lordship, and the Origins of European Government*, (Princeton: Princeton University, 2009), 46.
- ²⁰ *Liber miraculorum sancte Fideis*, ii.5, ed. Luca Robertini (Spoleto 1994), 165.
- ²¹ Bisson, *The Crisis of the Twelfth Century*, 46.
- ²² Bartlett, *Trial by Fire and Water*, 36.
- ²³ Charlemagne, *Monumenta Germaniae historica, Capitularia regum Francorum*, ed. Alfred Boretius, (Hanover, 1883), 150.
- ²⁴ Robert I. Moore, *The Formation of a Persecuting Society*, 2nd ed., (Malden: Blackwell, 2007), 122.
- ²⁵ Bartlett, *Trial by Fire and Water*, 34-69. Brown, "Society and the Supernatural," 311.
- ²⁶ Brown, "Society and the Supernatural," 316. Moore, *The Formation of a Persecuting Society*, 122-124.
- ²⁷ Guibert of Nogent, "'Manicheans' near Soissons," *Heresies of the High Middle Ages*, trans. Walter L. Wakefield and Austin P. Evans, (New York: Columbia University, 1969), 104.
- ²⁸ *Ibid.*
- ²⁹ Brown, "Society and the Supernatural," 308.
- ³⁰ Bartlett, *Trial by Fire and Water*, 75.
- ³¹ Brown, "Society and the Supernatural," 326.
- ³² *Ibid.*, pp. 326-327. See also, Dyan Elliott, *Proving Woman*, (Princeton: Princeton University, 2004), 42.
- ³³ Mark Gregory Pegg, *The Corruption of Angels: The Great Inquisition of 1245-1246*, (Princeton: Princeton University, 2001), 49.

-
- ³⁴ Brown, "Society and the Supernatural," 329.
- ³⁵ Pegg, *The Corruption of Angels*, 49.
- ³⁶ Canon 18 of the Fourth Lateran Council, *Disciplinary Decrees of the General Councils: Text, Translation and Commentary*, ed. H. J. Schroeder, (St. Louis: B. Herder, 1937), 236-296.
- ³⁷ *Liber juris civilis*, ed. Bartolomeo Campagnola, (Verona, 1728), 61, cap. 75.
- ³⁸ Edward Peters, *Torture*, Expanded Ed., (Philadelphia: University of Pennsylvania Press, 1996), 49.
- ³⁹ *Historia diplomatica Friderici secundi*, vol. 4, ed. J.L.A. Huillard-Breholles, (Paris, 1852-1861), 29-31, 102.
- ⁴⁰ Edward Peters, *Inquisition*, (New York: Free Press, 1988), 52. Also, Peters, *Torture*, 1st edition, 40-44.
- ⁴¹ Peters, *Torture*, 49.
- ⁴² *Ibid.*, 44-49.
- ⁴³ Kenneth Pennington, *The Prince and the Law*, (Berkeley: University of California, 1993), 135.
- ⁴⁴ Peters, *Inquisition*, 38.
- ⁴⁵ Innocent IV, *Ad extirpanda* [1252], trans. Edward Peters, *Torture: Expanded Edition*, 236.
- ⁴⁶ Pegg, *The Corruption of Angels*, 32.
- ⁴⁷ Bartlett, *Trial by Fire and Water*, 142.
- ⁴⁸ Albertus Gandinus, *Tractatus de maleficiis*, ed. Hermann Kantorowicz, *Albertus Gandinus und das Strafrecht der Scholastik*, 2 (Berlin and Leipzig, 1926), 159.
- ⁴⁹ *Book of Tübingen*, cited in Peters, *Torture*, Expanded edition, 48.
- ⁵⁰ Bartlett, *Trial by Fire and Water*, 141.
- ⁵¹ Hugh of Poitiers, "Publicans' at Vezelay," *Heresies of the High Middle Ages*, 249.
- ⁵² Bartlett, *Trial by Fire and Water*, 141.
- ⁵³ *Borgarthing Law*, Caps. 293-294, ed. R. Urena y Smenjaud (Madrid, 1935), 328.
- ⁵⁴ Bartlett, *Trial by Fire and Water*, 144.
- ⁵⁵ James VI of Scotland, *Daemonologie*, 3.6, ed. G.B. Harrison, (New York: Barnes and Noble, 1966), 81.
- ⁵⁶ Bartlett, *Trial by Fire and Water*, 149.
- ⁵⁷ Heinrich Kramer and Jakob Sprenger, *Malleus Maleficarum*, trans. Montague Summers, (New York: Dover, 1971), 235.
- ⁵⁸ Bartlett, *Trial by Fire and Water*, 151.
- ⁵⁹ Matthew Gaskill, "Witchcraft and Evidence in Early Modern England," *Past and Present*, no. 198, (Feb. 2008): 33-77.
- ⁶⁰ Matthew Hopkins, *The Discovery of Witches*, ed. Montague Summers, (London: Cayme, 1928), 56-57.
- ⁶¹ *The Times* (of London), Thurs. 24 Sept., 1863, 4. On the repeal of English and Scottish witchcraft statutes in 1736 see, *Statutes at Large from the Third Year of the Reign of King George the Second to the Twentieth Year of the Reign of King George the Second*, Vol. 6, (London, 1769), 206-207.
- ⁶² An excellent source of eighteenth century criticism of torture and witchcraft is Christian Thomasius, "The Prohibition of Torture, 1705," *The Witchcraft Sourcebook*, ed. Brian P. Levack, (New York: Routledge, Taylor and Francis Group, 2004), 167-170. Also, Christian Thomasius, "Witchcraft and the Law, 1702," *Witchcraft in Europe 400-1700, A Documentary History*, ed. Alan Charles Kors and Edward Peters, (Philadelphia, University of Pennsylvania Press, 2001), 444-448.
- ⁶³ Joan of Arc, *The Trial of Joan of Arc: being the Verbatim Report of the Proceedings from the Orleans Manuscript*, trans. W.S. Scott (London: Folio Society, 1956), 151.

⁶⁴ John H. Langbein, *Torture and the Law of Proof: Europe and England in the Ancien Regime*, (Chicago: University of Chicago, 1977), 61-80.

⁶⁵ Wendy Davies and Paul Fouracre, *The Settlement of Disputes in Early Modern Europe*, (New York: Cambridge, 1986), 207-240 is a very powerful argument against viewing early medieval procedure as “simplistic.”

⁶⁶ John W. Baldwin, “The Intellectual Preparation for the Canon of 1215 Against Ordeals,” *Speculum*, 36 (1961): p. 18. See also, Charles M. Radding, “Superstition to Science: Nature, Fortune and the Passing of the Medieval Ordeal,” *American Historical Review*, 84 (1979), 945-969.

Europa and the Bull in Berlin: Myth and Eurocentrism in Modern Germany

Michael Goodwin

Europe, a continent whose collective identity has taken as many forms as the diverse peoples who inhabit it, has historically been a land of great contrasts. From widespread *Pax* to the “Great War,” identities of a shared Europe have been shaped by countless factors, whether geographic boundaries, cultural nations, religious observance, or personal creed, race and understanding. If the first step in analyzing the construction, or reality, of a true European identity is an analysis of what the word “Europe” truly means, then an understanding of the Cretan myth of Europa is a logical place to start. Nevertheless, a comprehension of the deepest intricacies of variation in the ancient story cannot even begin to provide insight on what Europa means to the descendants of such early Europeans in the present day. One of the most wide-spread myths from antiquity, the multitude of representations of Europa has swelled and ebbed throughout the ages, as from Renaissance Rome to present day Brussels, the character of Europa is continuously rethought, reinterpreted, glorified and satirized. Perhaps it is a fascination with, and reaction to, the myth of Europa that can be one of the true constants of a construction of European identity. Yet certain cultural communities of Europe, both near and far from Crete, have taken ownership of the myth on a cross-cultural level, with constant analysis, exploitation and mistrust of the long-celebrated myth.

Whereas an exploration of modern Greek-European identity would be a logical, and exciting, place to begin widespread evaluations of the myth, modern German interpretations of the myth of Europa carry a much larger diversity of genre, analysis and approach. Whether because of the historic amalgamation of conflicting geographic identities in Germany (continental, regional, state, local) or because of a deeply politicized national construction of modern identity, in which the rest of Europe has laid claim in the twentieth century (deconstructions of East-West), Germany is an ideal case study for politically minded reactions to the Cretan tale. German disintegration, reunification and often short-lived dreams of European domination have looked to the “Rape of Europa” as a means to understand the European self. The importance of the myth in Germany can also be attributed to a celebrated tradition of philosophy, a notable fascination with the Greeks, and the birth of a turbulent, modern intra-European military regime. Regardless of why Germany in particular has a deep interest in the myth, modern elucidations and theorizations of Europa and the Bull are

extremely beneficial in conceptualizing German national and continental identity.

Though the story of Europa and the Bull cannot be discussed without recognition of its importance throughout Classical antiquity and Renaissance intellectualism; yet modern German readings of the myth, beginning in the mid-nineteenth century, provides great insight into contemporary German identities.¹ While the Ovidian reinterpretation of the Myth inspired much European awareness of Europa as a beautiful young woman seduced by the gentle, yet sensual bull², Theodore Ziolkowski, a German studies scholar and author, suggests that it was Gustav Schwab's "retelling in *Die schönsten Sagen des klassischen Altertums...* from which generations of German writers learned their mythology."³ Taking Ziolkowski's interpretation as truth aids in pinpointing the years in which Europa re-entered the German dialogue.⁴ Only shortly thereafter did Friedrich Nietzsche publish his iconoclastic work that aimed to move toward, among other things, a post-Christian morality, entitled *Beyond Good and Evil (Jenseits von Gut und Böse)*.

Nietzsche's 1886 work⁵ indeed used Europa as a symbol for European collective identity and stressed that notions of modernity, disguised just as Zeus was disguised as the bull, would carry Europe away once again. "Thy old fable might once more become 'history' – an immense stupidity might once again overmaster thee and carry thee away...no God concealed beneath it – no! Only an 'idea,' a 'modern idea!'"⁶ Nietzsche's Europe, as represented by Europa, shares her qualities of naïveté and vulnerability. Unlike earlier allegories, Nietzsche does not empower Europa, but empowers the bull that carries her away against her control. Through Nietzsche's image of Europa as endangered and "overmastered," a representation common to German modernity, his visions of German and European identity are intertwined. As in other sections of *Beyond Good and Evil*, Nietzsche sees the German spirit as one of progress, but a progress that must take caution, so as not to hoard political power and dominance. Nietzsche also writes of the contrasts in European cultures, though he surely does not praise Germans as the most refined; instead, the philosopher points to dilemmas in German language and culture and chillingly prophesizes that the following century "will bring the struggle for the dominion of the world."⁷ Nietzsche did not live to see the German attempt at such domination, though his Eurocentric (Nietzsche does not see Russia as part of a shared, continental consciousness) rhetoric overwhelmingly creates a Germany that sits as potential victim of modernity and European power politics.⁸

Insight of Nietzsche's bold allegory with his specific reference to Europa is critical for later Germans, despite the fact that themes of German (thus, European) victimization as a result of modernity had been part of a

German philosophical dialogue since at least the turn of the nineteenth century (e.g. Novalis' *Christendom or Europe*, 1799). Such writings take into account a dynamism intrinsic in modern "Germanhood," as iconoclastic German religious "progress" dates centuries earlier than such writings, to the Protestant Reformation. Understanding Germany as a seat of religious and philosophical modernity accordingly adds context to the multitude of twentieth century references to Europa. Important to note, however, is the interpretation of Europa as a supremely sexual being, as seen in German painting and sculpture in the early twentieth century. Fritz Behn and Heinrich Vogeler (who used sculpture and etching respectively), portrayed Europa in "sexual ecstasy" in the second decade of the twentieth century.⁹ Though these references to the myth are important culturally, they should be looked at through a lens of postwar "sexual and moral liberation," and as less of a Eurocentric construction of German identity. More focused on the issue of the essence of Germany is dramatist Georg Kaiser, with his 1915 play, *Europa*, just one of his successful Expressionist satires.¹⁰ Kaiser's version of Europa—manifested a young woman—is initially disenchanted with the young suitors of her land and cannot find happiness until she seduces the fiercest leader of the warriors. The reinterpretation of the myth, to music and dance, ends with a happy, "glowing"¹¹ Europa, though Kaiser is quick to challenge his own portrayal of European harmony. The end of the play pits Europa's sons against her father's sons and foreshadows the sons in eventual battle for control of the world.¹² Kaiser's version of Europa almost takes on the form of Germany as a woman determined to make her own decisions, and his play's finale suggests that war may be the necessary consequence of the push for social progress. A clear product of Germany before the end of the war, and almost propagandistic in its call for battle, Kaiser's aggressive homage to Nietzsche and further reinterpretation of the Cretan tale once again forces Eurocentrism on the myth. As Europa, in her happiness, must have her sons ultimately fight for the preservation of her ideals, Europe (and Germany) is personified as a character dedicated to modernity at any cost. For Kaiser, the tale of Europa and the Bull was significant as an embodiment of beauty, modernity, and free spirit, all of which he associated with Germany more than any other nation.

German reformation of the ancient tale continued in the 1920s, though with extremely diverse implications. While Claire Goll's 1926 novel *Der Neger Jupiter raubt Europa* uses an African Zeus to show hypocrisy in Europe's mistreatment of blacks and simultaneous "fashionable obsession" with Africa,¹³ Stefan Wolpe's 1928 opera entitled *Zeus und Elida* portrays Europa as a modern prostitute, too concerned with her work to take Zeus seriously. These two works share a general criticism for German and European culture and values, placing little emphasis on German uniqueness. Key to their context is the fact that both writers were Jewish and eventually

fled Germany, both heading to the United States. With this in mind, candid criticisms of German and European society are understandable as reactions to living as “outsiders” in their own home, their identity as Germans was stripped from them. It is through these Jewish-German reinterpretations of the myth that the glorification of Germany and its distinctive modernity within Europe is made evident in the non-Jewish versions of the Rape of Europa. Such “insiders” took the story as a call to arms, or later in the century, a call to reinvigorate the German spirit.

Moving into the threatening political climate of the Second World War, depictions of Europa did not fade in Germany. Though Europa came to be interpreted in political reaction to the conflict, especially after its end, the image of Europa with or without the bull became an image of popular culture. From fine art to tasteless design, the image was widespread in Germany, curiously illustrated in such examples as the city of Wiesbaden’s Europa-themed park, a public gathering space with frescoes, temples, and statues honoring Europa.¹⁴ Such Eurocentric celebrations of the glory and beauty of being European continued in Nazi paintings, where similar images were meant to show German triumph and pride.¹⁵ These images did not enter the public sphere without critical counter-representations of the “raped” Europa as literally slaughtered (e.g. Max Beckmann’s *The Rape of Europa*, 1933¹⁶) or even suicidal (e.g. Karl Götz’s *Europa’s Suicide*, 1917¹⁷). As the image of the bull and its maiden rider became symbols for satirical use in anti-Nazi cartoons, they also became images of Nazi heraldry, as seen in Rudolf Schmidt’s 1942 medallion for the National Socialist European Conference of Youth, which depicted a “Germanic Europa” meant to represent “European rebirth.”¹⁸ Nazis, in fact, “harbored a particular affection for the myth.”¹⁹ Such representations were carried throughout the war, though in its immediate aftermath Germany was a divided nation, troubled by its identity, nationalism, and role within the larger Europe.

With the advent of the European Union, the symbols of Europa and the bull have once again become symbols for unity. “Represented on occasional postage stamps from Greece, Poland, Great Britain, Sweden, and Switzerland” and on Euro currency of Greece, Italy, and of course, Germany, the symbolism has been adopted on a continental level.²⁰ Employed as a representation of continental harmony and shared culture, in line with its original interpretations, the image of Europa is commonly used in a celebratory, Eurocentric light, as is the case with the collection of Europa and bull sculptures standing at the various European Union headquarters. Notwithstanding the continental adoption of the images, modern German fascination and examination of the ancient tale continues. One notable contemporary interpretation is the 1969 short story by Heinrich Böll entitled *He Came as a Beertruck Driver (Er kam als Bierfahrer)*,

written during the early years of the European Community. Perhaps one of the most recent representations of the myth in Europe's modern age, Böll's story is about a Greek immigrant named Tauros ("doesn't that mean 'bull'?" remarks a waitress), who works as a truck driver in Germany.²¹ Tauros' plight is the search for the true Europa. In his travels throughout the strange German lands, the Greek picks up a "free-spirited girl"²² named, of course, Europa, who he eventually carries away to Aachen. Rife with symbolism and European historical reference--Aachen as the capital of Charlemagne's Europe, and thus the birthplace of "modern Europe"—Böll points to a Europe far removed from its original ideologies, and one that needs to be imbued with the spirit of the Greek, or the initial understanding of Europe.²³ "Europa isn't in London" exclaims one character, a clear disapproval of the modern Europe on behalf of Böll, and a call for Germany to embody the true essence of Europe, as "Europa...combines intuition and intellectuality in a manner than warrants the expectation of great things from her."^{24 25} Böll's criticism of Europe and assertion that the continent has gone off-course is a beautifully symbolic inversion of the myth, though in many ways it is not far-removed from the Nietzschean model of Europa as the German spirit, crafted over 80 years earlier. Though the story of Europa and her image are continuously satirized, lionized, devalued and re-valued, Böll's story, as a representation of modernity's final German Europa, emphasizes the significance of the tale for generations of German writers and thinkers.

Beginning with a resurgence in the mid-nineteenth century, depictions and interpretations of the myth of Europa have penetrated all forms of German expression: philosophy, drama, music, fine art, political cartoon and opera. These expressions do not stand alone in their depictions, however, as Europa and the bull have infiltrated modern German culture for nearly a century, from textbooks to currency and plaques to parks. Though the war and inter-war periods in Germany saw Europa as a symbol of national "tragedy and violent destruction," the same symbolism being used, at times, to celebrate female sexuality, the uses of the image by non-enemy Germans between 1886 and 1969 share several key qualities: All such uses recognize a German stake in the true Europe and realize a distinct German spirit, whether addressed, suppressed, or oppressed, that is marked by progress.²⁶ Although some of the myth-reinterpreters saw Germans as doomed by their free thought, others saw a great need for expressions of this German individuality. In both scenarios, the allegories and representations depict a Germany that is susceptible to being swept away, as Zeus did to Europa, into lofted liberalism, inspired complacency, or the quest for global domination. These authors and artists, who must be distinguished as true "insiders" as opposed to "outsiders" inside Germany, used the image of Europa to praise Europe with the highest regard of Eurocentrism, and also make Germany stand out as a nation with the duty of carrying on the

character of the true Europe, the first Modern Europe. As Germany is currently a state within the relatively new political climate of the European Union and today the images of Europa and the Bull are used to “promote European civilization,” it should be thrilling to see how future generations of Germans reinterpret the myth.²⁷ Perhaps Germans will become disillusioned with the European Union, and feel the need, as their great thinkers once did, to call to arms, call to action, and call to reinvigorate Europe. As the moderns held this image close to their hearts and minds and breathed into it new life, perhaps contemporary Germans will reframe the myth once again and get carried away, as Zeus carried Europa, in the symbolism of their identity.

¹Michel Wintle, “Europa and the Bull, Europe and European Studies: Visual Images as Historical Source Material,” (lecture, Universiteit van Amsterdam, December 10, 2003), 12.

²George Sandys, *Ovid’s Metamorphosis: Englished, Mythologized, and Represented in Figures*, (Lincoln: University of Nebraska Press, 1970).

³Theodore Ziolkowski, *Minos and the Moderns: Cretan Myth in Twentieth-Century Literature and Art* (Oxford: University Press, 2008), 28.

⁴Though Schwab’s 1838-1840 collection of myths surely brought the Cretan legend to life in German classrooms and homes, famed German archaeologist Heinrich Schliemann also stirred German fascination with Greek antiquity via his work in the Aegean, even though it was a Briton who uncovered the most famous Cretan palace and labyrinth Ibid, 11-12.

⁵Ziolkowski, *Minos and the Moderns*, 29.

⁶Friedrich Nietzsche, *Beyond Good and Evil*, trans. Helen Zimmern, (Buffalo, NY: Prometheus Books, 1989), 190.

⁷Ibid., 146.

⁸Ibid.

⁹Ziolkowski, *Minos and the Moderns*, 31-32.

¹⁰Ibid., 32.

¹¹Ibid., 39.

¹²Ibid., 39-40.

¹³Ibid., 46.

¹⁴Ibid., 52.

¹⁵Ibid., 59.

¹⁶Ibid., 58.

¹⁷Ibid., 54.

¹⁸Ibid., 59.

¹⁹Wintle, “Europa and the Bull,” 27.

²⁰Ziolkowski, *Minos and the Moderns*, 64.

²¹Heinrich Böll, *The Stories of Heinrich Böll*, trans. Leila Vennewitz, (New York: Alfred A. Knopf, 1986), 633.

²²Ziolkowski, *Minos and the Moderns*, 64.

²³Ibid., 64.

²⁴Böll, *The Stories of Heinrich Böll*, 632.

²⁵Ibid., 634.

²⁶Wintle, “Europa and the Bull,” 29.

²⁷Ibid., 31.

The Mitigated Impact of African Ex-Servicemen in Kenya after World War II

Max Silverstein

Introduction

Returning soldiers to civilian life is a complex task nearly all governments face. Given sufficient motivation, soldiers can turn their training against their own regimes. From military *coups d'état* to peaceful protest, disgruntled soldiers present a significant threat to ruling governments. Military veterans tend to enjoy high levels of prestige within local communities, making them prime movers for general political action. Furthermore, veterans often come from marginalized elements of society, be they poor or less educated or having fewer rights. This was especially true of colonial societies, such as British Kenya, that employed colonial subjects in their armed forces.

In Kenya in the 1940s, Africans had fewer opportunities than their white or South Asian counterparts. White settler society pigeonholed African Kenyans as mere units of their respective “tribes,” and prohibited upward mobility. British Kenya discouraged Africans from even learning English. In his memoir, Lord Wigg wrote, “Any African who spoke English to a white man was qualifying for a belting. [...] They thought English speaking Africans might give themselves airs and threaten white supremacy.”¹ Settlers and the Colonial Office also prevented Africans from engaging in many commercial activities by limiting commercial licenses to South Asians and whites. Service abroad during World War II would change African *askaris*, or Kenyan soldiers, perceptions of Kenyan society. Servicemen were exposed to new places and ideas, and were better educated than before the war. Fear spread among whites. They believed returning veterans presented a significant threat to the political and economic stability of the colony. Past events supported such fears. In 1938, when the Colonial Office tried to reduce Kamba cattle herds in a misguided attempt to prevent soil erosion, the threat of angry Kamba soldiers, who made up a large percentage of active servicemen, forced the government to back down. The Colonial Office wished to take no chances at the end of the war and began planning heavily for demobilization well before its end. As early as 1942, an *ad hoc* subcommittee of the Kenyan Post-War Employment Committee formed to plan specifically for the discharge of the hundreds of thousands of servicemen returning from abroad.²

The conventional historical narrative suggests African *askaris* played key roles in Kenya's nationalist independence movements. Popular Kenyan historian Ali Mazrui suggests returning World War II veterans were the forefathers of Kenyan independence.³ Little evidence exists to show this was the case. This paper will establish that veterans did pose a substantial threat to the order of Kenya's colonial system because of their wartime experience. Their increased knowledge and awareness transformed their ability to push for social change after the war. But postwar planners feared this ability, and separated soldiers in demobilization plans according to their destructive potential. By ensuring those soldiers most likely to destabilize local governments were content, planners effectively prevented veterans from becoming a significant force for change.

Colonial Fears and the Effects of Service

Fear of veterans' potential danger was widespread, from metropolitan government offices in Britain to white settler communities in Kenya. From a social standpoint, demobilized *askaris* were a settler's nightmare. The capital and other resources necessary to move to Kenya and begin life there were beyond the means of lower class British, theoretically restricting settlers to the upper class. Settlers and colonial officials believed this reinforced the social hierarchy wherein Africans occupied the lowest position.⁴ Whether or not this belief had any merit was irrelevant, as both groups realized *askaris* would be exposed to lower-class British and South Asians while abroad, and return to demand a restructuring of the social order. Bildad Kaggia's autobiography provides evidence for this transformative effect. Living with a working class family while stationed in England changed Kaggia considerably. He wrote that he no longer considered Europeans any differently than Africans, and given the same opportunity for education, Africans could achieve anything Europeans could.⁵ Similarly, Waruhiu Itote, a Mau Mau fighter known as General China during the insurrection in the 1950s, had similar revelations while serving abroad. Itote met a black American soldier who changed the way he thought. The soldier asked Itote why he fought for an empire that subjugated his people. In his own autobiography, Itote explained how military service taught him the injustice of Kenya's color bar.⁶ Additionally, Margaret Wrong wrote "Africans who had travelled far were changing the mind set of others in profound ways."⁷

Sexual fears also pervaded white settler culture. Similar to settlers' desire for Africans to see whites as naturally more civilized, they wanted Africans to see white women as untouchable. White settlers

feared the “black peril,” a cultural myth of a savage sexual African used as the basis for discriminatory laws and prosecution. White women were seen as highly vulnerable to the predations of African men. In fact, those African men “caught burglarizing homes when white women were home alone were summarily charged with attempted rape.”⁸ Brigadier General A.J. Knott of the East African Community (EAC) provided commentary on settler’s sexual fears with regard to veterans, noting that African *askaris* were exposed to female Egyptian prostitutes they believed were white.⁹ The settlers feared the soldier who had intercourse with women outside his race would return to Kenya and violate white females.

Race and gender relations were not the sole focus of feared social change. In most communities, particularly among the Kamba, veterans were well respected. Equally important, soldiers’ wages were higher than civilian wages. An uneducated, unskilled soldier would on average earn twice as much as his civilian counterpart, despite being paid far less than white soldiers.¹⁰ Some soldiers reported much greater discrepancies in pay with King’s African Rifles (KAR) servicemen earning nearly ten times civilian wages.¹¹ This wealth accumulated over the course of the war. Some pay was sent home to soldiers’ families in the form of remittances, but many soldiers had large savings by the war’s end including end-of-war gratuities. This capital, coupled with an expanded worldview and prestige, threatened the power of local Chiefs and headmen at home.

Local government was based on the principles of indirect rule favored by the British. Kenyan chiefs and Local Native Councils (LNCs) were the lowest rung of the state’s administration and answered to white district officers. Chiefs played a key role in maintaining the status quo the Colonial state desired. The idealized “tribe” responded to the wishes of its chief. Since chiefs were selected by colonial British authorities, their prestige theoretically would allow them to enforce the wishes of the state given to them via a District Commissioner (DC). Contemporary commentators like Knott believed greater levels of literacy among *askari* would enable them to articulate their complaints, circumventing the power of mediation chiefs held.¹² Knott specifically wrote the actions of men who had returned home on leave made it apparent the chiefs and even District Commissioners would likely face a crisis when the majority of soldiers were demobilized.¹³ A postwar report by the district commissioner of Kitui confirms Knott’s suspicions. The DC, W.F.P. Kelly, reported on at least one occasion veterans in his district excused themselves from mandatory work, using their status to override the power of their local chief.¹⁴ By threatening the power base of local elites at home, returning *askaris* threatened a fundamental part of the state’s apparatus of indirect control.

The most tangible problem of demobilization was the economic impact and status of ex-servicemen. Postwar planners recognized the dramatic differences between demobilization following World War I, and the looming demobilization of World War II. During World War I African servicemen were either riflemen or porters, and served only in East Africa.¹⁵ And only 120,000 men were mobilized for service compared to over 300,000 in World War II.¹⁶ Many of those 300,000 *askaris* had extensive training, as the army needed to inexpensively equip and maintain a modern force capable of fighting sophisticated enemies.¹⁷ Service gave many *askaris* tremendous access to education unavailable or highly limited in Kenya, where nearly all education was provided by mission schools like the Church of Scotland Mission. These educated men would return home at the war's end demanding new and better jobs. Contemporary critics recognized that not only did veterans need more education, but like nearly all Kenyans, they wanted it. Knott wrote African veterans would want to continue their education at home as a direct result of the availability of education in the Army.¹⁸ Postwar planners believed Kenya's economy would not be able to support the influx of skilled workers and realized there would be little educational opportunity for ex-*askaris*.

The planners unjustly believed that although *askari* tradesmen were skilled, they could not possibly compete with Asian or white competitors since their training did not include a traditional British apprenticeship.¹⁹ A memo on demobilization from January, 1946, noted army tradesmen lacked the skills to compete in the civilian market. It insisted tradesmen did not know how to properly estimate costs, knew only army styles, etc. as a result of the highly specified nature of their trades during service.²⁰ Articles in the *Journal of the Royal African Society* and in the *East African Standard*, two white publications, echo the sentiment that Africans lacked the business skills necessary to start new commercial enterprises.^{21,22} To avoid leaving skilled tradesmen without work, postwar planners wanted to devise a way to ease veterans back into the colonial economy.

Postwar Plans and Execution

The principle driving postwar plans was detribalization. The Subcommittee on the Post-War Employment of Africans was chaired by A.T. Lacey, the colony's Director of Education, and classified servicemen into three distinct groups. These groups were a fabrication of the postwar planners, representative of the types veterans they believed existed. "Tribal" veterans would be content to return to their "traditional" ways, while men detribalized by their experience would

require additional support. “Tribal natives” remained strongly attached to their ethnic land and agricultural modes of production.²³ This category made up the majority of veterans. These unskilled men received no specialized training and little education. Nearly all infantrymen and most men in labor units such as the East African Military Labour Service (EAMLS) and Pioneer Corps fit into this category. The Colonial Office hoped these men would need little postwar supervision, as they would return to the land and take up what the government saw as their traditional agricultural livelihoods. Planners appear to have been correct to some extent in their estimation. Correspondence from Kitui’s District Commissioner indicated “most old soldiers were content to work on their farms.”²⁴ The next, and smallest, group of men was described as detached from the land, or detribalized. “Detribalized” men were urbanized, and likely worked for wages before the war at skilled jobs. The Colonial Office believed they would readjust to urban life and find wage earning jobs in short order. However, it did note the importance of ensuring that such men were able to find suitable employment before discharge.²⁵

The most important and potentially dangerous group of veterans was the middle group: men who were semi-skilled and partly urbanized. Most skilled tradesmen—including drivers, clerks, mechanics, and signalers—fell into this category.²⁶ Over 63 percent of the nearly 30,000 specialists were Luo, Luyia, or Kikuyu, the ethnic groups whose economic status changed most as a result of colonization and thus were the most politically active.²⁷ Planners believed these men presented the greatest threat to the colonial system, and created provisions to ensure they remained content.

The resources available for skilled veterans were plentiful. Mission officials told returning *askaris* the missions and churches stood ready to assist with their education needs, noting they would continue the work of the Education Corps. The message told soldiers a mission education could lead to a lucrative job as a teacher.²⁸ Qualified ex-tradesmen could receive vocational training at centers established in a number of districts. To be qualified a veteran needed a certain ranking of skill that varied by trade. Documents show for the most part only tradesmen of Class I and II could receive training in the field of his current expertise. Courses in accounting, clerkship, teaching, health, and police work were taught at “Centre C,” the Jeanes school in Kabete, while other centers across the colony trained soldiers for a variety of skilled-labor occupations.^{29, 30} In order to compete with established firms upon discharge, veteran tradesmen would need tools specific to their tasks, and the same established firms were likely to be the only ones selling such tools. To circumvent this problem, postwar planners

suggested tradesmen be allowed to purchase necessary tools and materials at a reasonable cost from the army before discharge.³¹

In addition to programs for skilled ex-servicemen, planners looked after the needs of educated men without directly marketable skills. Roughly 2,000 Kamba teens were recruited, or more often conscripted, into the signal corps, and the Subcommittee sought to find placements for them in the postal service after the war.³² Similarly, former Non Commissioned Officers (NCOs) were often given positions as policemen or other government jobs with managerial roles.³³ These accommodations helped ensure the men most able to articulate grievances against the state would have none. By providing best for NCOs and highly-trained specialists, the postwar planners eliminated the natural channels through which soldiers could collaborate and push for change. The men with the most training who were most adept at organizing other men would have little reason to change the status quo after the war.

Conclusion

It would be impossible to measure the effects postwar planning had on veteran participation in politics between the war's end and independence. The strongest evidence for the success of British postwar planners in keeping veterans content is the lack of evidence to the contrary. Many men felt the government did not compensate them sufficiently for their efforts, but men who took action against the colonial government appear to be the few exceptions to the rule. A popular myth of Kenyan history regards World War II veterans and Mau Mau. Mau Mau insurgents dominated Kenyan headlines from 1952 to 1960, without ever making significant gains against British forces. Many Kenyans to this day believe veterans played a significant role in Mau Mau fighting against the British. In fact, with a few notable exceptions, the opposite was true. Mau Mau was not a Kenyan movement; it was a Kikuyu movement, and nearly all Mau Mau fighters were Kikuyu. Waruhiu Itote, a Kikuyu Mau Mau leader and combat veteran, bemoaned the lack of *ex-askari* in his fighting units, noting he had to train most of his men himself.³⁴ Evidence suggests ex-servicemen fought in Homeguard units, local militias committed to defending towns against Mau Mau insurgents.³⁵

The other important notion to challenge regards veteran involvement in the nascent nationalist movements growing around the end of the war. Veterans may well have returned from the war with ideas appealing to freedom and nationalism, but none of Kenya's founding fathers was a veteran. The leaders of KANU, the Kenya

African National Union, who ruled Kenya after independence, were not veterans. Only one prominent member of the leftist opposition party, Bildad Kaggia, was a veteran, and after KANU rose to prominence and banned the Kenya's People Union (KPU), Kaggia disappeared from public life.

Returning soldiers presented a significant problem for the Colonial Kenyan government. Officials feared the education and experiences soldiers received while serving abroad during World War II would cause them to resent the colonial system and demand better treatment including better jobs and social advancement. Veterans returned from the war with experience that dramatically altered their view of race relations and the colonial system. They were more skilled and ready to adapt their training to civilian business. They had little incentive to organize collectively; however, as colonial planners successfully isolated the groups that posed the greatest potential danger to the system. Veterans were far more likely to petition for their own interests than the interests of a greater group. This divide prevented veterans from advocating for themselves or for change in the colony as a group, accounting for the negligible impact of World War II *askaris* on Kenyan history.³⁶

¹ Wigg, George Baron. George Wigg. London: Joseph, 1972. 110,111.

² "Report of the Sub-Committee on the Post-War Employment of Africans." April 1943, Nairobi. Kenya Government Publication. 4.

³ Mazrui, Ali and Donald Rothchild. "The Soldier and the State in East Africa: Some Theoretical Conclusions of the Army Mutinies of 1964." *The Western Political Quarterly*, 20 no. 1 (University of Utah: Mar., 1967). 85.

⁴ Kennedy, Dane Keith. *Islands of white: Settler society and culture in Kenya and Southern Rhodesia, 1890-1939*. Durham [N.C.]: Duke UP, 1987. 3-6.

⁵ Kaggia, Bildad. *Roots of Freedom: The Autobiography of Bildad Kaggia*. Nairobi: East African House, 1975. 46.

⁶ Itote, Waruhiu. *"Mau Mau" General*. Nairobi: East African House, 1967, 13.

⁷ Lewis, Joanna. *Empire state-building: War & Welfare in Kenya, 1925-52*. Oxford: James Currey, E.A.E.P., Ohio UP, 2000. 199.

⁸ Kennedy, *Islands of White*. 142.

⁹ Knott, A.J. "East Africa and the Returning Askari." *Quarterly Review*, 28, 571: 98-111.

¹⁰ Lewis, *Empire state-building*. 191

¹¹ Mutunga Kilovoo: EAASC, 1942-8, Kamba Private.

¹² Lewis, *Empire State Building*, 202.

¹³ Knott, "East Africa and the Returning Askari." 106.

¹⁴ Kelly, WFP, "Ex servicemen in Kitui district, Kenya." 2.

¹⁵ Report of the Subcommittee on Post-war Employment of Africans, 4.

¹⁶ Lewis, *Empire State-building*. 189.

¹⁷ Parsons, Timothy. "Dangerous Education? The Army as a School in Colonial East Africa." *The Journal of Imperial and Commonwealth History* 28 (2000): 112-34." 119.

¹⁸ Knott, "East Africa and the Returning Askari." 104.

-
- ¹⁹ Report of the Subcommittee on Post-war Employment of Africans, 10.
- ²⁰ "Demobilization Memo." Directorate of Training. January 1946. DEF/10/4
- ²¹ Fane, Mrs. R. "The Return of the Soldier: East Africa." *Journal of the Royal African Society*, 43 (1944): 56-60.
- ²² "Problems of the Returning Soldiers." *The East African Standard*. February 8, 1946. 12.
- ²³ Report of the Subcommittee on Post-war Employment of Africans, 5.
- ²⁴ WFP Kelly, "Ex servicemen in Kitui District, Kenya." 1
- ²⁵ Report of the Subcommittee on Post-war Employment of Africans, 7.
- ²⁶ Ibid.
- ²⁷ Parsons, Timothy H. The African Rank-and-File Social Implications of Colonial Military Service in the King's African Rifles, 1902-1964 (Social History of Africa). Chicago: Heinemann, 1999. 235.
- ²⁸ Message to Askari." DEF/10/64/72.
- ²⁹ "From Army to Artizan Civilian Fund." Kenya Government Publication. Sheet 2, 3.
- ³⁰ W.F.P. Kelly, "Ex Servicemen in Kitui District, Kenya." 1.
- ³¹ Report of the Subcommittee on Post-war Employment of Africans, 14.
- ³² Ibid, 12.
- ³³ W.F.P. Kelly, "Ex Servicemen in Kitui District, Kenya." 1.
- ³⁴ Itote, "*Mau Mau*" *General*. 1-30, 53.
- ³⁵ W.F.P. Kelly, "Ex Servicemen in Kitui District, Kenya" 2.

Sex-Ed without the Sex: A Study of American and St. Louis Postwar Public School Sexual Education

Dave Spandorfer

At the beginning of the twentieth century, chastity and chivalry dominated the language of sex education, a topic that was taught at home rather than in the classrooms. But by the 1950s, sexual education in America's public schools had evolved rapidly: it evolved in language and proliferated as a public school class. The postwar period witnessed the inclusion of new sexual education curricula that promoted "family life education" and "social hygiene" to a new generation. It expanded not just as a means to educate about sex, but to produce a more moral and whole postwar generation. Organizations, educators, parents, and administrators sought to rectify delinquency while simultaneously preparing adolescents for a wholesome family life.

The 1950s incarnation of sexual education appears disjointed from today's public school lessons. Lectures and guidebooks avoided the very topic the course title suggested: sexual education. Rather, such educational programs focused on dating, gender expectations, sexual abnormalities, and venereal diseases as mediums to present information on "sex." From tips for relationships to advice on "how to fit in," sexual education programs instituted across the U.S. during the 1950s preached conformity, not insight, to America's sexual habits. Americans largely accepted the program as a necessary but important way to educate juveniles shaped by growing freedom in the postwar years. Yet the highly traditional and ultimately unfulfilling sexual education schools taught accomplished few goals the programs promised. The country's sexual education expanded rapidly during the 1950s to an often welcoming public, who were pleased with a program emphasizing values such as customary dating, abstinence, traditional gender roles, and fitting in. However, despite teaching an overtly abstinence-only message, the graduating generation from 1950s sexual education classes hardly conformed to the program's goals: by 1960s, venereal diseases were up, teenagers felt their sex education to be inadequate, and a new trend pushing for sexual liberty, gender equality, and feminist ideology emerged.

American sexual education had its roots in the early part of the twentieth century, but only proliferated in public schools after the war. The American Association for Social Hygiene (AASH) was founded in the early twentieth century to combat prostitution and public health

disorders.¹ During World War I, the AASH educated U.S. forces abroad about the dangers of venereal diseases, a role it assumed for the average American at the war's end.² The public drive for sex education was also guided by domestic political changes. Newspaper and radio taboos against public information on venereal diseases collapsed after the war, exposing Americans to the grim realities of sexual transmitted diseases.³ In 1932 the White House Conference on Child Health and Protection for the first time called for the teaching of sex education within the public school curriculum.⁴ Organizations and political pushes paved the way for increasing sex education in the middle of the twentieth century.

The Second World War, as well as the ever-growing freedoms for American teenagers, precipitated the need for sex education. Americans and military men weathered the devastating effects of sexually transmitted diseases, which at times wiped out full divisions of the army.⁵ Organizations such as the AASH pushed for more sexual education in the military to tackle the debilitating problem while educational film companies premiered anti-venereal disease films for servicemen.⁶ But the war lifestyle, according to contemporaries, also reconfigured American sexual culture. According to Lester A. Kirkendall, a mid-century writer on education, "The war resulted in a general relaxation of standards having to do with the relations between the sexes" as soldiers "were brought in contact with social customs and sexual mores and freedoms to which they were entirely unaccustomed."⁷ With more military men adopting a promiscuous view of sex, Americans felt the need to educate and warn future generations of the dangers of sexual indiscretions. Growing freedom at home, concurrent with the new freedoms abroad, also factored into the push for sex education. "Love manuals" for teenagers noted the heightened sexual liberty for 1950s youth, whose cars enabled them to shirk parental supervision.⁸ The automobile, noted one author, "provides a kind of intimate privacy that invites love-making."⁹

Sexual education was not designed exclusively for teenage advice; it was a part of a larger effort to transform America's delinquent youth into wholesome citizens. Between 1951 and 1954, arrests of juveniles jumped annually by 3.8 % in St. Louis County.¹⁰ Consequently, by the middle of the 1950s, organizations such as the Family Service Society of St. Louis County and the Missouri Social Hygiene Association (MSHA) grew in prominence, promising to tackle delinquency through education.¹¹ Their goal: stymie the rise of youth crime by strengthening the bonds of the traditional American family. In part, this meant steering teenagers towards a proper love life. Many adults characterized teenagers as "horny, condomless, and obviously ill informed"¹² Teenage pregnancies rose during the decade, but more

worrisome to parents and educators, studies showed that the majority of such unmarried mothers had sought a pregnancy without a husband.¹³ Educators and administrators endorsed a rigorous program of family education, especially at the public school level, as a means to curb America's sexual deviances. Parents echoed this call. They believed a proper sexual education for their children meant that they "would no longer experience 'unwholesome curiosity,' and would no longer need to investigate and experiment."¹⁴ The MSHA shifted their role "from one which emphasized the use of legal and protective measures... to a program that largely employs educational and public information."¹⁵ These organizations, which compiled many of the studies on juvenile law-breaking and sexual delinquency, reflected a growing trend in social-science research. Contemporary research held that environmental influences, such as dysfunctional families and sexually-charged popular culture, disrupted traditional adult responsibilities and relationships.¹⁶ Americans, especially through social and family education programs, tried to combat the new generation's propensity for promiscuity and delinquency through education.

With increased pressure from organizations and the average American, public schools implemented new sex-related curricula. These programs were neither state nor federally mandated; rather, according to education historian Susan K. Feeman, such programs served as "experiments that emerged in local contexts, building from a national dialog among social hygiene and education professionals."¹⁷ Most public school sex education classes originated from simple parental requests or from organizations like the American Social Hygiene Association.¹⁸ Generally, such programs were met with enthusiasm.¹⁹ Several authors praised the programs because they provided a service otherwise unavailable. One contemporary quipped "The indisputable fact is that parents are not equipped to give their children adequate sex education."²⁰ Yet integrated sexual educational programs rarely promised to educate children on sex: instead, they promoted their programs as "family life education," "mental hygiene," or "social hygiene." One curriculum planner noted that sexual education should be based around family goals and "kept in mind as the ultimate goal of all future planning."²¹ Other proponents held that sexual education, and thus family education, helped make the local community suitable for families and family life.²² Although sex education by 1957 was growing, it was couched as a means to rectify youths and reestablish the bonds of the traditional family.

Though the operative title suggested otherwise, sex education classes centered on how to interact with others and how to be "normal." Ralph H. Ojemann, in his 1956 curricula planner on sex education, saw human relations as the "fourth R" in education, joining reading 'righting,

and ‘rithmetic. Many educators and parents wanted public school sex education to help pupils maintain an emotional balance and work to build healthy, social relationships among students.²³ Films from the era complimented this goal. The 1953 educational movie *Who are the People of America?* stated deductively that “We have become Americans through the process of sharing”.²⁴ *Developing Friendships* highlighted the benefits of friendships, its once loner protagonist declaring at film’s end: “With friends, it’s a great old world!”²⁵ Forging relationships, however, meant becoming “normal” and fitting in. Many of the decade’s films and lessons emphasize the immediate benefits of developing relationships by being like everyone else. Teenagers who make little effort to fit in are depicted as unpleasant or desperate.²⁶ In the film *Name Unknown*, the protagonist Ethel rejects relationships with boys her age; she is later raped by an older man who picks her up in his car. Fitting in was not just the duty for shy adolescents, it was also the responsibility of more physically mature teenagers. Manuals admonish more developed students for ignoring prepubescent peers.²⁷ The curricula, manuals, and films developed for sexual education class reveal instructors’, administrators’ and parents’ desire to produce “normal” children capable of “normal” relationships.

In addition to developing the relationship oriented student, sexual education classes sought to develop young men capable of separating sexual facts from sexual fictions. Proponents of sexual-education in the classrooms noted that nearly 90 percent of the information public school boys received came from their male peers.²⁸ The statistic, beyond revealing a proclivity for sociality, highlights the ubiquity of adolescent misinformation. Even though teaches explicitly sought to debunk sexual lies, boys were not necessarily given more or even better information about sex; rather, they were demonized and chastised by educators and films for their hypersexuality. In her manual for teenagers, Evelyn Duvall noted that some boys “claim a right to any gratification they can get”²⁹ and warned deviant youths that out of wedlock sex “often means the harvest of a crop of thistles.”³⁰ In sexual education classes, rarely were boys the victim and girls the perpetrator. Date movies suggest that only upstanding boys are to be trusted.³¹ In family education films about narcotics, boys exclusively offer drugs, while women serve as hapless victims forced into tricky situations.³² Sexual education material, rather than educate, admonished and reminded boys of their penchant for sexual and behavior indiscretions.

Overly promiscuous females depicted in videos, stories, and teaching materials were likewise vilified. Those who strayed from chastity were portrayed as ostracized and stigmatized. In his popular manual, Duvall wrote that “The girl who is starved for affection may

accept the attention of boys and men as a kind of gratification of her need for love.”³³ The righteous and admirable girl, on the other hand, would never resign herself to premature petting. Duvall later wrote that “If she knows who she is in her own heart... she will be able to put off some of the blind alley activities that lead nowhere.”³⁴ Teaching material, rather than delve into sex, emphasized the public shame for sexually charged girls. Like Duvall, educators noted the emotional disturbances of such girls and their eventual and inevitable social isolation.³⁵ The film *Are You Popular?* encapsulated this belief. Young Ginny is alienated from girls her age after found in a car with a boy. The narrator dryly states “Girls who park in cars are not really popular.” Girls were told that sexuality—caused by an abnormality in personality—leads to social isolation and stigmatization.

Sexual education videos, manuals, and curricula also devoted time to dating, while noting the importance of a non-sexualized relationship. As a means to construct a “normal” child who fits in with his/her peers, educators stressed relationships as perfectly healthy adolescent tendencies. Educators and parents noted that dating was critical for any adolescent: it served as a means to get acquainted with the opposite sex and proved an appropriate precursor to marriage. Frances Bruce Strain, in his popular 1950’s book *Teen Days*, wrote that “in reality dating is a school of experience, an academy of romance, but socially it is merely the playtime of boys and girls.”³⁶ It is also, according to Strain, a uniquely American activity.³⁷ Though classes, manuals, and films underscored the importance of dating, they hardly endorsed relationships that had intercourse. Marriage was still the only institution that allowed sex. Ken Smith states frankly: “Sex outside of marriage was wrong; teenagers were not supposed to be married; therefore any teenager who had sex was probably not married and was certainly wrong.”³⁸ Though sex proved permissible in marriage, classes rarely emphasized marriage’s sexual aspect; instead, instructors noted its mutual affection, fulfillment, and familial features.³⁹ Most classes avoided the sexual nature of relationships; they painted dating as an instrument for personal growth and marriage as a source of happiness.

Not only did classes discuss healthy relationships, instructors also devoted time to sexual and relationship improprieties. For example, while educators chiefly held that having a boyfriend or girlfriend was normal, literature and videos emphasized that such relationships should be between people of similar age. In *Facts of Life and Love for Teenagers*, Duvall devoted nearly 15 pages of her guide book to exploring the risks of teenage girls seeing older men. Love, as authors such as Duvall noted, should be channeled.⁴⁰

Though classrooms admonished students for relationship deviances, discussions about the sexual aspects of teenagers' lives were either spottily covered or conspicuously absent. Instructors—principally through film—taught that masturbation was healthy and normal. However 1950s educational films and teacher manuals fail to mention female masturbation.⁴¹ Sex—primarily labeled mating or intercourse—is discussed, but exclusively within the confines of marriage. Other “improprieties” are avoided in the curriculum entirely, including abortion—legal in some states—and oral sex—legal everywhere. Sexual education classes, though open to talking about relationship issues, largely failed to discuss thorny sexual topics.

Homosexuality, on the other hand, was covered in many of sexual education classes and pamphlets. Classes never presented homosexuality as an inherited issue; instead, classes viewed homosexuality as a phase that did not necessarily carry a sexual element.⁴² Instructors stressed that the action, not the attraction, is what was important.⁴³ Other authors wrote that homosexuality was a debilitating and immoral societal affliction. Duvall warned that homosexuality means that such persons “are unable to fall in love, get married, and lead normal lives.”⁴⁴ In the Michigan state-government issued *Citizens Handbook of Sexual Abnormalities and the Mental Hygiene Approach to Their Prevention*, Samuel W. Hartwell wrote that homosexuality “far exceeds, in its social importance, all the crimes that are committed by sexual deviants.”⁴⁵ According to many educators and writers, this sexual disorder can be remedied. Though teaching manuals chiefly described homosexuality as a phase, if it persists they proscribed education, counseling or hobbies as therapies.⁴⁶ Duvall suggested to her readers that homosexuals could adopt a sport or join a club to rein in their homosexual tendencies. And, if all else failed, “The young person who gets well into the teens and still is attracted intensely only to people of the same sex may need competent counseling.”⁴⁷ Homosexuality in the classroom was presented as a phase, but something easily corrigible with the right cocktail of hobbies, sports, and counseling.

Often however, it was not the lessons learned, but the pedagogical techniques employed that defined the classrooms. While locating unmodified footage of sexual education classes being taught proved nearly impossible, curricula guide plans and teacher's manuals hint at the way lessons were shaped. Ojemann writes in his manual that the teacher should involve students through “casual orientation” during family life education or sexual education classes.⁴⁸ Kirkendall's teacher and administrator guidebooks advised asking questions and encouraged teachers to involve students through illustrative or interactive evidence.⁴⁹ Elizabeth McHose, in her book *Family Life Education School and*

Community, visited several sexual education classrooms and concluded that discussions and engagement with students led to the best results. She wrote “Actual participation in this type of community problem solving leads to mature thinking.”⁵⁰ Other instructors viewed class community building as essential for sexual education. Frances Bruce Strain, in his sex-ed handbook for schools, noted the need to imbed class community discussion as well as feature creative activities.⁵¹ These techniques all emphasized class involvement and community building within the classroom, building relationship oriented and social individuals

Public school sexual education classrooms also included films as an instructive technique, especially when the teacher felt uncomfortable speaking about sensitive topics. Yet sexual education videos in the 1950s rarely depicted sex itself and shirked sensitive topics. According to Ken Smith, films about sex “were rarely seen outside of senior biology class. Most are dull.”⁵² While there were exceptions, sexual education films during the first half of the 1950s dealt primarily with puberty, bodily changes, or the birds and bees of human reproduction.⁵³ Rarely did films serve as a surrogate to tackle thornier issues for instructors, such as menstruation or nocturnal emissions. Films concerned with sex itself principally studied the dangers, rather than the joys, of intercourse. The Second World War underlined the perils of venereal diseases and many sexual education films sprung up during the war to educate soldiers. Postwar films continued this trend. *Feeling All Right*, *The Invader*, and *The Innocent Party* each highlighted the bleak symptoms and deleterious consequences of contracting syphilis from seemingly trustworthy partners. In *The Innocent Party*, released in 1959, young Betty succumbs to the wants of her hyper-sexualized boyfriend Don. The film ends with the doctor diagnosing both partners with syphilis and chastising them for “doing something that society condemns.” Questioning their actions, he dismissively states “Perhaps you didn’t realize some of the penalties involved.” The film, like most other 1950s sex education movies, reproved premarital sex on the grounds that it carried diseases and led to unfulfilling pleasures. The few sexually liberal films released during the era—such as *As Boys Grow...* and *Human Beginnings*—were cheaply shot and rarely seen in classrooms.⁵⁴ Sexual education films, a common technique for teachers, scantily covered sensitive sexual subjects and never endorsed premarital intercourse.

As the dearth of sex in sexual education films would suggest, sex was typically absent from teaching materials. Eberwein writes that “until the 1960s educational films often lagged behind written guides in terms of conveying explicit information and offering advice.” But just as sexual education films neglected sex, so did teenage guidebooks, teacher manuals, and class room discussions. Elizabeth McHose’s portrayal of

1950s sexual education classrooms lacks any reference to sex itself. Curriculum guides rarely allotted space for talking about petting. Strain's manual for teenagers spends 150 pages detailing hormonal changes and gives relationship advice; yet he devoted all of two pages to warn readers against petting and intercourse. As Strain's book evinces, sex is either conspicuously absent or tritely mentioned. Duvall, in a brief aside, cautions her readers against petting and necking, both of which potentially lead to "mating." She noted "Left uncontrolled, the urgencies of stimulation rush a couple through stage after stage of their involvement until nature has satisfied herself in intercourse."⁵⁵ Only petting in marriage, Duvall declared, should lead to intercourse. Though classrooms, manuals, and films discuss dating in detail, sex itself remained incongruously absent in sexual education.

Just as sex was taboo for discussion, contraceptives, sexual advice, and disease protection were similarly left out of the classroom. Teaching curricula and films rarely mentioned condoms, the most readily available contraceptive during the decade.⁵⁶ Other forms of birth control were nonexistent in classroom materials. Though the FDA approved the first "morning-after" pill during the 1950s, it receives no mention in classroom curricula or films.⁵⁷ One teenage manual wrote that contraceptives did exist, but rather than analyze their utility, the author only mentioned its opposition by Catholics and other religious groups.⁵⁸ The missing discourse on condoms is also remarkable given their effectiveness in combating venereal diseases. Films that decry the prevalence of syphilis and gonorrhea neglected to cite condoms as a method to prevent contraction. Instead, abstinence dominated the rhetoric of 1950s educational videos and teachers' guide. This reliance on abstinence carried across school districts, with only the most liberal and adventurous teachers daring to confront topics involving premarital sex. Authors of teenage guidebooks remarked on sex's prevalence, but advice on intercourse—how to be careful and what protection to use—remained nonexistent. Like films, lecture guides, teaching curricula, and teenage guidebooks avoided talking about safety, protection, and the right way to engage in sex. Abstinence monolithically dominated the classroom discourse on sex.

Even though 1950s public school sexual education fed on methods of abstinence-only education derided by today's progressives, sex-ed classes were met warmly by school children, parents, and teachers alike. One teenage girl from Toms River, New Jersey told her teacher that her sexual education "course made me realize that all girls go through the same things."⁵⁹ Another 16 year-old-girl believed that her sex education course "helped her to find an answer."⁶⁰ Parents in St. Louis approved of sexual education as a way to curb the terrifying rise of

juvenile delinquency and teenage pregnancies.⁶¹ Proponents of sexual education likewise perceived programs as educating and enlightening.⁶² And administrators, citing only a lack of trained instructors as the impediment for sexual education, approved the course's goals.⁶³ Programs also stimulated an active role and interest for teenagers according to contemporaries. Woman's studies professor Susan L. Freeman writes "Young people's commentaries about sex and the problems of teenagers in the 1940s and 1950s reveal an active pursuit of knowledge and insight about sex, bodies, conduct, and relationships."⁶⁴ Educators, administrators, and children alike often positively received sexual education in the classroom.

However, not everyone saw public school sexual education as beneficial by its own merits: a lack of parental inclusion was often decried by sex-ed's critics. Kirkendall cited the need for parental inclusion in school programs to achieve full effectiveness.⁶⁵ Hartwell, in his *Citizen's Guidebook*, wrote that "instruction is a long way from being an adequate substitute for individual talks about or explanation of sex that are given the child by some trusted person who knows him well."⁶⁶ Worse, Hartwell remarked, voluntary sexual education programs—widespread in the early part of the decade—were attended by anxious or overly interested teenagers, complicating and polarizing class discussions.⁶⁷ Yet the most aggressive opponents to sexual education came from aggressive conservative advocacy groups. The John Birch Society, established in 1958 to battle sex education's proliferation in the public schools, was the most visible and vocal opponent of such programs. Birch saw sexual education as a Soviet plot, imposing communist hypersexuality on America's youth.⁶⁸ His organization developed a devoted following by advertising their slogan: "I'm the one person responsible for raising my children, not the principal."⁶⁹ Though popular among many students and educators, sexual education programs met resistance from parents who felt sex-ed perverted the parental-child relationship.

Resistance to sexual education grew during the decade; by the early 1960s, sexual education programs throughout the country were met with fierce opposition and were often forced to reorient their goals. During the 1950s, sex education programs proliferated without subscribing completely to progressive or right wing views.⁷⁰ At the end of the decade, the trend had changed. Classrooms became polarized, either adopting a completely conservative or liberal approach. The Los Angeles district deputy superintendent announced that his district taught "human reproduction," not sexual education.⁷¹ With demand drying up from more conservative districts, the outpouring of sexual education videos withered by the end of the 1950s.⁷² However, in many instances,

sexual education became more radicalized after the 1950s. The 1970s guidebook *A Fresh Look at Sex Education* recommended parents push sex education at age three or earlier, an idea shunned by 1950s contemporaries.⁷³ Other manuals produced in the late 1960s suggested that premarital sex was not just permissible, but natural.⁷⁴ Sex education instructors in public schools even abandoned admonishing premarital intercourse. This split paralleled the release of statistics undermining sexual education's efficacy among young people. Though instructors, films, and guidebooks aggressively warned teens about the perils of sexually transmitted diseases, VD cases rose considerably between 1956 and 1960, even as the first generation of sex-educated children came of sexual age.⁷⁵ Increasingly polarized, controversial, and removed from the curricula in many schools, sexual education ultimately fell victim to its expansion, as opposition grew from increasingly intrusive parents.

Though sexual education was met with strong resistance by decade's end, classes during the 1950s had a lasting impact on school children. What was once a private discussion in a family setting morphed into an open discourse in the public sphere. Teenagers, meeting the goal of the course, walked out of classes more informed about sexual diseases. However, the generation that emerged from the 1950s proved dramatically different and far more radicalized than their conservative parents. Rather than fit neatly into previous generations' conceptions of gender and sex, the postwar children that partook in sexual education assumed fresh views. Freeman believes that "the gender consciousness instilled in girls by sex education and family living curricula in some ways enabled them to recognize their collective identity."⁷⁶ But sexual education accomplished far more than that: it forged new conceptions of sex itself, transforming a once private topic into a public one. Far from encouraging premarital abstinence, sexual education succeeded primarily in reinventing, rather than reinforcing traditional conceptions of sex. For the first time in American history sex was out in the open.

Though the prewar generation had little schooling in sexual education, little had changed in the baby boomer generation. A 1958 study of Midwest students confirmed that nearly 40 percent of young people found their own sexual education inadequate.⁷⁷ Sexual education for many teenagers opened ideas, but remained unfulfilling. The conformist videos that preached fitting in with societal traditions and being normal was rejected by the very generation it sought to correct. The feminist, free spirit, and sexual equality movement that followed owed much of its origins to the conformist and conservative sexual education classes of the late 1950s. Students had been enabled by a new, interactive discussion about relationships, yet completely shunned by the realities and details of sex. The result was not the creation of a less-

sexual, more relationship oriented, and certifiably normal generation: rather, it was the beginning of a generation that split from the past.

From its beginnings as a method to combat delinquency, venereal diseases, and prostitution, sexual education dramatically changed over the course of the 1950s. In St. Louis County, like much of America, sexual education was largely absent in public schools at the end of the war. However, by 1960, public school sexual education programs multiplied thanks to concerned parental groups and, at a communal level, thanks to organizations like the Missouri Social Hygiene Associations. Public schools across the country, including in St. Louis, widely adopted classes devoted to sexual education. Yet these classes lacked information on the very topics they promised to teach. Instructors, curricula, videos, and guidebooks endorsed an abstinence-only education that demonized premarital sex and vilified sexually-interested youths. Other sexual education topics pressed gender stereotypes, emphasized the necessary yet temporal joys of adolescent dating, and pushed students to adopt “normal” behavior to fit in. Though this study attempts to evaluate the different curricula of sexual education, the resources to gather an appropriate picture of the 1950s classroom are flawed. As mentioned above, there exist few if any sexual education class footage; ones that exist are either adulterated or biased in sample.⁷⁸ However, important sources such as teaching manuals, teenage guidebooks, curriculum planners, and educational films reveal that sexual education in the 1950s mirrored the trends of the era. Building off a postwar drive to remedy delinquency and curb teenage pregnancies and venereal diseases, sexual education during the 1950s embedded traditional values in a radical topic. But by reducing sexual education to peripheral and ultimately uncontroversial lessons, classes failed to provide a satisfactory understanding of sex itself. The generation that was supposed to be guided by sexual education precipitated the feminist, sexual equality, and sexual liberation movements that flowered in the 1960s. Though sexual education programs proliferated in public schools during the 1950s as a means to educate the delinquent juvenile and strengthen the traditional family, such courses—ultimately avoiding sex itself—soon shifted the public push for abstinence-only education into a public discussion about the meanings behind sexual freedom.

¹ Marlene Epstein Halperin. “An Evaluation Study of the Missouri Social Hygiene Association” (PhD diss Washington University in St. Louis: The George Warren Brown of Social Work, 1957), 6.

² *Ibid.*, 9.

³ *Ibid.*

-
- ⁴ Robert Eberwein, *Sex Ed: Film Video, and the Framework of Desire* (New Brunswick: Rutgers University Press, 1999). 105
- ⁵ Ken Smith, *Mental Hygiene: Classroom Films 1945-1970* (New York: Blast Books, 1999), 69.
- ⁶ Ibid, 90.
- ⁷ Lester A. Kirkendall, *Sex Education as Human Relations: A Guidebook on Content and Methods for School Authorities and Teachers* (New York: Inor Co, 1950), 12.
- ⁸ Evenly M. Duvall, *Facts of Life and Love for Teen-Agers* (New York: Association Press, 1956, 2nd Edition), 84.
- ⁹ Ibid 276, Duvall
- ¹⁰ Helen Stammer Hunnicutt. "Development of a Family Life Education Program by the Family Service Society of St. Louis County: January, 1949 through May, 1950" (PhD diss Washington University in St. Louis: The George Warren Brown of Social Work, 1951), Abstract.
- ¹¹ Ibid, Abstract
- ¹² Smith, *Mental Hygiene: Classroom Films 1945-1970*, 59
- ¹³ Duvall, *Facts of Life and Love for Teen-Agers*, 85.
- ¹⁴ Dorothy Barclay, "Changing Concepts in Sex Education," *New York Times*, October 6, 1957.
- ¹⁵ Halperin, "An Evaluations Study of the Missouri Social Hygiene Association, 17.
- ¹⁶ Susan K. Freeman, *Sex Goes to School: Girls and the Sex Education before the 1960s*. (Urbana: The University of Illinois Press, 2008),19-20.
- ¹⁷ Freeman, *Sex Goes to School: Girls and the Sex Education before the 1960s*, X.
- ¹⁸ Halperin, "An Evaluations Study of the Missouri Social Hygiene Association, 30.
- ¹⁹ Ibid, 30.
- ²⁰ Kirkendall, *Sex Education as Human Relations: A Guidebook on Content and Methods for School Authorities and Teachers*, 126.
- ²¹ Elizabeth McHose, *Family Life Education in School and Community*, (New York: Bureau of Publications: Teachers College Columbia University, 1952), 25.
- ²² Kirkendall, *Sex Education as Human Relations: A Guidebook on Content and Methods for School Authorities and Teachers* 126.
- ²³ Frances Bruce Strain, *Sex Guidance in Family Life Education: A Handbook for the Schools*. (New York: The Macmillan Company, 1948), 69.
Strain writes "Sex education in the early years becomes education for the attainment of emotional balance, by calling upon and developing the inner resources of children in relation to their sexual, social, and egotistic forces as they manifest themselves in daily work and play"
- ²⁵ *Developing M for Murder* (Coronet Instructional Films, 1950)
- ²⁶ Smith, *Mental Hygiene: Classroom Films 1945-1970*, 40
- ²⁷ Frances Bruce Strain. *Teen Days: A Book for Boys and Girls*. (New York: Appleton-Century-Crofts, Inc, 1946), 43.
- ²⁸ Kirkendall, *Sex Education as Human Relations: A Guidebook on Content and Methods for School Authorities and Teachers*, 5.
- ²⁹ Duvall, *Facts of Life and Love for Teen-Agers*, 90
- ³⁰ Ibid. 90
- ³¹ *Beginning to Date*. (Encyclopedia Britannica Films, 1953).
- ³² Two films embodied this: *H: The Story of a Teen-Age Drug Addict* (Larry Frisch for Young America Films, 1951) and *Assassin of Youth* (New Life: 1957)
- ³³ Duvall, *Facts of Life and Love for Teen-Agers*, 87.
- ³⁴ Ibid., 289.
- ³⁵ Freeman, *Sex Goes to School: Girls and the Sex Education before the 1960s*, 34.

- ³⁶ Strain *Teen Days*, 127.
- ³⁷ Ibid., 131.
- ³⁸ Smith, *Mental Hygiene: Classroom Films 1945-1970*, 69.
- ³⁹ Freeman, *Sex Goes to School: Girls and the Sex Education before the 1960s*, 20.
- ⁴⁰ Duvall, *Facts of Life and Love for Teen-Agers*, 334.
- ⁴¹ Eberwein, *Sex Ed: Film Video, and the Framework of Desire*, 111.
- ⁴² Freeman, *Sex Goes to School: Girls and the Sex Education before the 1960s*, 120.
- ⁴³ Duvall, *Facts of Life and Love for Teen-Agers*, 100.
- ⁴⁴ Ibid., 332.
- ⁴⁵ Governor's Office of the State of Michigan: Commission on the Deviated Sex Offender, *A Citizen's Handbook of Sexual Abnormalities and the Mental Hygiene Approach to their Prevention*, By Samuel W. Hartwell. (Michigan: 1951), 6.
- ⁴⁶ Eberwein, *Sex Ed: Film Video, and the Framework of Desire*, 120.
- ⁴⁷ Duvall, *Facts of Life and Love for Teen-Agers*, 315.
- ⁴⁸ Ralph H. Ojemann, *Developing a Program for Education in Human Behavior. (Aims: State University of Iowa, 1959)*. 18.
- ⁴⁹ Kirkendall, *Sex Education as Human Relations: A Guidebook on Content and Methods for School Authorities and Teachers*, 196.
- ⁵⁰ McHose, *Family Life Education in School and Community*, 164.
- ⁵¹ Strain *Sex Guidance in Family Life Education*, i.
- ⁵² Smith, *Mental Hygiene: Classroom Films 1945-1970*, 67.
- ⁵³ These films included *You're Growing Up* (Sid Davis Productions. 1956); *Human Beginnings* (Medical Arts Production for E.C. Brown Trust Fund, 1950).
- ⁵⁴ Smith, *Mental Hygiene: Classroom Films 1945-1970*, 68.
- ⁵⁵ Duvall, *Facts of Life and Love for Teen-Agers*, 283.
- ⁵⁶ Smith, *Mental Hygiene: Classroom Films 1945-1970*, 68.
- ⁵⁷ Ibid., 27.
- ⁵⁸ Duvall, *Facts of Life and Love for Teen-Agers*, 91.
- ⁵⁹ Freeman, *Sex Goes to School: Girls and the Sex Education before the 1960s* 141.
- ⁶⁰ Ibid., 33.
- ⁶¹ Hunnicutt, "Development of a Family Life Education Program by the Family Service Society of St. Louis County: January, 1949 through May, 1950", 29.
- ⁶² Duvall, *Facts of Life and Love for Teen-Agers*, 83.
- ⁶³ Halperin, "An Evaluations Study of the Missouri Social Hygiene Association, 31.
- ⁶⁴ Freeman, *Sex Goes to School: Girls and the Sex Education before the 1960s*, 143.
- ⁶⁵ Kirkendall on page 126 states that "An effective school program on instructing young people for their role as parents eventually would bring the home much more actively into sex education than it is now"
- ⁶⁶ Governor's Office of the State of Michigan, *A Citizen's Handbook of Sexual Abnormalities and the Mental Hygiene Approach to their Prevention*, 53.
- ⁶⁷ Ibid, 50.
- ⁶⁸ Jonathan Zimmerman. *Whose America?: Culture Wars in the Public Schools* (Cambridge: Harvard University Press), 194.
- ⁶⁹ Ibid 195.
- ⁷⁰ Freeman, *Sex Goes to School: Girls and the Sex Education before the 1960s*, 18.
- ⁷¹ Ibid., 17.
- ⁷² Smith, *Mental Hygiene: Classroom Films 1945-1970*, 52.
- ⁷³ Marcia Winn, "Sex Curiosity Quite Normal in Children," *Chicago Tribune*, April 1, 1958, A5.
- ⁷⁴ James P. Semmens and Kermit E. Krantz eds, *The Adolescent Experience* (New York: The Macmillan Company, 1970), 115.

⁷⁵ Smith, *Mental Hygiene: Classroom Films 1945-1970*, 27.

⁷⁶ Freeman, *Sex Goes to School: Girls and the Sex Education before the 1960s*, 143.

⁷⁷ Dorothy Barclay, "Sex Education: How and How Much?," *New York Times*, October 19, 1958: SM59.

⁷⁸ Jonathan Zimmerman. 2009. Interview by author. Lower Merion, PA, November 4.

“And Forgive Us Our Trespasses, As We Forgive Those Who Trespass Against Us”: The Magdalene Asylums of Ireland

Kathryn Connelly

Introduction

In 1993 the order of the Sisters of Mercy sold off part of its Dublin convent to developers. That property contained the remains of 133 women buried in unmarked graves. Here, and in nine other convents throughout Ireland, women had been virtual prisoners—hidden by the Catholic Church behind convent walls and sentenced to a life of servitude as punishment for perceived sins of the flesh, in what were called the Magdalene laundries. Most had originated as rehabilitation houses for prostitutes, but by the turn of the twentieth century they had begun to house Ireland’s ‘fallen’ women -- largely unmarried mothers, along with the victims of rape and incest, and girls thought likely to ‘fall away’. While the Church has never released admittance records, it is estimated that around 30,000 women spent time, some their entire lives, in a Magdalene Asylum. They were brought in by families or priests, or were referred by orphanages or other state institutions. Some came because they were pregnant and abandoned and had nowhere else to go. All were imprisoned with no trial, sentencing, or explanation, stripped of their names, clothes and children and set to work for no wages. In institutions named for Mary Magdalene, who had rejected her sexuality in order to save her soul, the women were put to work in the laundries—cleansing their sinner’s souls by scrubbing clothes. The last laundry closed in October of 1996. How could the imprisonment of women who had committed no crime go virtually unnoticed in a modern Western society?

The Wild West

Ireland in the twentieth century was far from a modern western society, though it has long been considered part of the ‘West’ and thus by extension, modern. It did not gain entrance into that exclusive club based on merit. Aesthetically, Ireland seemed a good fit— it is the western most country in Europe, occupied by an overwhelmingly white, Christian, and English-speaking population. However, staple western

values such as democracy, equality, self-expression and separation of church and state were largely absent. The Irish government functioned as a virtual theocracy throughout most of the twentieth century. Religion permeated every aspect of society, and the Catholic Church had a hand in every major institution. Censorship was a common tool of both the Church and the government. Social and legal inequalities between citizens were rampant, with women and children on the losing end.

While Western Europe raced toward industrialization and modernity, Ireland remained stuck in the nineteenth century, generations behind countries like the United States. In the mid-twentieth century half the farms in Ireland contained fewer than 30 acres, and most families struggled to sustain themselves. In 1946, only one in five Irish houses had a toilet, and only one in 20 had a toilet indoors. There was no electricity outside the major towns. Turf was the main source of fuel throughout the Irish countryside.¹ As a group the Irish were poorly-educated and largely illiterate well into the twentieth century. In a survey administered in the 1980s, one in three adults reported leaving school before the age of fourteen.²

Widespread poverty, disease, and famine resulted in a nearly century long exodus to other Western nations like the United States, England and Canada. By the 1920s 43 percent of Irish born men and women were living overseas, with over a million in the U.S. alone. The European average was five percent.³

Economically, socially and politically Ireland did not belong in the 'West' until the 1990s. Irish women did not lead the lives of Western women. Yet, despite its government's constant disregard for Western values such as liberty, equality and self-expression, Ireland gained acceptance as part of the West. Inducted into the European Union in 1973, it was afforded the same immigration quota by the U.S. as all other white nations and, accepting Michal Radu's argument on world perception of East and West, became associated in world memory with "wealth, freedom, independence, and security" rather than the image of "backwardness, poverty, lack of freedom and foreign domination" assigned to the non-western world.⁴

Ireland's misguided identification as a modern western nation contributed to the reactions of disturbed disbelief at the grievous human rights violations evidenced by the unmarked Magdalene graves. But what was it about Irish society that nurtured the enduring presence of the Magdalene Asylums?

A Covert Theocracy

In Ireland, Catholicism saturated every area of life. A 1973 survey showed that nine out of ten Irish citizens attended Mass at least once a week. Even in 1998 90 percent of Irish citizens considered themselves members of the Catholic Church, although by then only six out of ten reported they attended Mass once or more a week.⁵ The Irish educational, cultural, political and judicial systems were all run, dictated or heavily influenced by the Catholic Church. A culture of shame, secrecy and fear was bred in the schools, dictated by the government and enforced by the courts.

The Church began to control the Irish educational system as early as 1831 with the formation of the National school system. The state funded network of public primary schools was originally meant to be non-denominational, but the state left the appointment of school managers to the communities, which almost without exception selected their local parish priest.⁶ The school manager was in charge of hiring teachers and thus nuns and brothers became fixtures in Ireland's schools. The Irish government was well aware of the religious orientation of their national schools. General Mulachy, Minister of Education from 1948-51 and 1954-57, wrote that "the state accepts that the foundation and crown of youth's entire training is religion."⁷ A 1960 report from the Council for Education identified the dominant purpose of secondary schooling as the "inculcation of religious ideals and values."⁸

Although there were about 100 Protestant schools in the Republic of Ireland, Catholic enrollment there was virtually unheard of. The Catholic Church fought hard to maintain control of education. Until 1971 it was a mortal sin not to send Catholic children to Catholic school. The Dublin Diocesan regulations of John McQuaid, who was Archbishop of Dublin for more than 30 years in the mid-twentieth century, stated: "The Church forbids parents and guardians to send a child to any non Catholic school. Deliberately to disobey this law is a mortal sin, and they who persist in disobedience are unworthy to receive the sacraments."⁹ In addition to bringing the threat of excommunication and eternal damnation, it was socially unacceptable for Catholics to send their children to Protestant schools, often viewed as a disloyal act and a rejection of the community.

Even today the Department of Education has no guidelines for sex education. Instead, Ireland's schools look to the Catholic Church, an institution that exalts celibacy as the highest form of human existence, for instruction. In 1993 the Vatican issued a statement regarding the "educational guidance in human love," encouraging schools to teach the importance of marriage as the basis of family life and as the only proper

place for sexual intercourse. They also supported “education for chastity” where students were taught self-control, modesty and temperance and were made aware of the church’s ban on birth control.¹⁰ Doctors conducting one study in the mid 1980s interviewed 112 teenage mothers: 62 had no knowledge of their own fertility and its relation to their menstrual cycle.¹¹ In a separate survey 249 unmarried mothers were interviewed. 28 percent had never had anything explained to them about their periods. 56 percent had had no instruction in contraception and 73 percent had never used any contraception.¹²

While Ireland’s schools were outright puppets of the Church, with pupils openly indoctrinated into the Catholic religion, the influence on the judicial and political systems was more subtle. The Church had no official influence on the Irish government, but many laws set moral standards that enforced Catholic values and aimed to control the sexual lives and identities of Irish citizens, particularly women, who were not the equal citizens in the eyes of the law and not the moral equals of men in the eyes of the Church.

The Catholic ban on divorce was made law in Ireland. The 1937 constitution, heavily influenced by Church officials, states: “No law shall be enacted providing for the grant of the dissolution of marriage”.¹³ In 1925, after consulting high-ranking Catholic Bishops, the Prime Minister banned any amendment that moved to make divorce legal in the future. The first legal divorce in Ireland was not granted until 1997.¹⁴ Irish rape laws, when they existed at all, were lacking considerably. The 1861 Offences against the Person Act listed rape as an offense punishable by life in prison, but absolved husbands and boys under 14 of any responsibility or wrongdoing. The law was amended in 1935 to lessen its severity—now life sentences were only applicable where victims were under 17 or mentally deficient. Two-year sentences were standard for all other cases, and husbands were still not culpable.¹⁵ Until 1981 the victim’s sexual history was relevant to rape cases, and marital rape still did not exist in the eyes of the law.¹⁶ Abortion remains illegal in Ireland today. Contraception was illegal in Ireland for much of the twentieth century. The Criminal Law Act of 1935 forbade the “importation, distribution or advertisement of contraceptives.”¹⁷ In 1929, the state had passed the Censorship Publications Act, which banned all literature advocating the “unnatural prevention of conception or the procurement of abortion or miscarriage” and forbade the “use of any method, treatment or appliance for the purpose of such prevention or procurements.”¹⁸ The sale of prescription contraceptives was finally legalized in 1973 when the Supreme Court ruled that the use of contraceptives fell within a married couples right to privacy. Yet even then the government inserted a clause allowing doctors, nurses and

pharmacists to refuse service if they held conscientious objections, a blatant attempt to restrict use to married couples. It was not until 1985 that non-medical contraceptives were made available to all citizens over 18.¹⁹

The Church's message of fear, shame and secrecy spread far beyond the pulpits and into the heart of every town and city in Ireland. The Catholic Church was the highest moral authority, its priests were earthly representatives of God, and as Martha Cooney, a Magdalene, said: "they were always right, you did what they said. Without question."²⁰ Discussion of sex was completely taboo; most women approached courtship in a state of ignorance. Contraception was illegal and sex education was non-existent. But religious dogma alone could not prevent pregnancy. Sex outside marriage was a mortal sin, "like murder," though the unforgivable part was not in the act itself but in the visible proof that resulted—the pregnancies and the children. In rural villages in particular a powerful stigma surrounded the births of illegitimate children. Secrecy and concealment were all-important and as Mike Milotte has noted: "It was the religion that demanded such concealment and it was the religious who provided it."²¹ Women rejected by their families were forced to turn to institutions run by nuns. There, hidden away from the rest of society, they carried out their pregnancies and delivered the babies that the nuns quietly arranged to place elsewhere. Even so, some women were permitted back home provided they had kept their situation secret and been relieved of all evidence. As Martha Cooney explained: "The second biggest sin in Ireland at that time—apart from having a baby—was to talk. There was never to be scandal."²²

Around 1900, as religious fervor intensified across Ireland, there culminated demographic shifts that left a greater number of women at the mercy of a Church that had failed to prepare them for life, used its influence to deny them rights, and encouraged their alienation and exile at the slightest hint of impropriety. The second half of the nineteenth century saw significant changes in the lives of the rural poor in Ireland. A series of famines had encouraged massive emigration waves. Even so, population continued to increase and the numbers began to exceed available land. After 1850 the division of family land to accommodate second, third and seventh born sons had ceased almost completely. Only the first born son had any hope of inheriting land, the rest were forced to emigrate or join the clergy; those who stayed had no means to support a family and were very poor prospects for marriage. Conversely, with the fate of the family land resting on one son, his marriage took on a new importance to the economic success of the family. That marriage was often arranged by the two families, with the bride's family paying a large dowry. The size of the dowry had a similar affect to the land shortage—

families could often only afford to pay one and so marriage was arranged for only one daughter, rendering the others all but unmarriageable. As a consequence post-famine Ireland was characterized by a low marriage rate, large numbers of single people, and one of the highest average ages of marriage in Europe, along with a massive emigration rate.²³ This trend continued into the twentieth century, and in the 1930s 55 percent of Irish women and 74 percent of Irish men ages 25 to 34 were single. In contrast only 33 percent of women and 35 percent of men of the same age were single in England. At 1945-54 the numbers were still notably high, with 25 percent of Irish women and 34 percent of Irish men still unmarried. In the 1960s almost one in four Irish women never married.²⁴ Unmarried and often uneducated, the options of more than half of Ireland's young women as they came of age were emigrate, join the convent, or to live a life of carefully monitored piousness and celibacy. Those who chose to remain laypeople and in Ireland were soon objects of pity, seen as a burden on their already struggling families.

Lacking knowledge of their bodies or access to contraception, and facing a limited number of available husbands and a sense that they already burdened their families, Ireland's young women of that era lived in a world rich with suspicion, fear and intense vulnerability. With celibacy the only available form of birth control it is not surprising that many of these young women became pregnant. The state's effort to control the morality and reproduction of its female citizens did not stop upon conception. Abortion was illegal and largely unavailable within Ireland. Only 58 cases of illegal abortion were investigated in Ireland from 1926 through 1974.²⁵ Women had to go to England to obtain even an illegal abortion, and after the English government legalized abortion in 1967 a great number of young pregnant women made their way to England's coastal towns and cities. So many that they earned their own nickname from the English-PFIs "Pregnant from Ireland".²⁶ While increasingly common, this option remained available only to women who had disclosed their pregnancies to families that were then able and willing to pay for a ticket to England, lodging once they got there and of course the procedure itself.

Many women did not have the resources to obtain an abortion, held strong moral objections to the practice, or could not bring themselves to tell their families until it was far too late. Those who carried their pregnancies to term faced even greater ostracism upon delivery. Adoption was not made legal until 1953.²⁷ Single motherhood was accompanied by social ostracism, excommunication and poverty. Welfare for single mothers was not introduced until 1973. In 1970 only 17.1 percent of single mothers kept their babies.²⁸ Once pregnant, Ireland's women had little choice but to deliver their babies and then

surrender them. A sad effect of the high-unwed pregnancy rate and the few available options both before and after delivery was a “shockingly high” number of infanticide cases.²⁹ While by the 1920s infanticide in England had declined to approximately 20 per year due to an increase in the availability of birth control and adoption, local Irish papers regularly published on average one or two reports a month of infant bodies found. The papers also often followed the trials of the mothers accused of infanticide. *The Examiner*, a mid size Irish paper, covered 16 cases from 1925 to 1926. All of the suspects were female. 12 of the suspects were unmarried, and most had carried full-term, delivered and then disposed of their babies in secret. Half of the unmarried women worked as domestic servants, and would lose their jobs and lodging were they found out.³⁰ While infanticide was an end relatively few resorted to, most of Ireland’s unmarried mothers did give birth in secret, often in religiously run homes and under the care of nuns.

The Magdalenes

Pregnant women came to the laundries a variety of ways. Most expectant mothers were brought either by a parent or a priest, other women turned to church-run homes themselves after being turned away by their families. Christina Mulcahy, born in 1918, came in the early 1940s to an asylum outside Galway, pregnant with a baby boy and with nowhere else to go. She had been disowned by her father. Sitting down for an interview in the mid 1990s she recalled: “My father came to the gate, with my two little brothers and little sister and he said to me- ‘what do you think you want?’ I said ‘I want to come home’ ‘you’re not coming into this house- you’ve disgraced us.’”³¹

Immediately after giving birth the women were separated from their babies. Six weeks later the new mothers were sent to work in the laundry and to live in the dormitory with the rest of the Magdalenes. Their children often remained in the convent nursery for some time, in some cases for up to a year, before being moved elsewhere, with or without maternal consent. The degree of permissible contact between mother and child varied by convent: some were allowed weekly and even daily contact but most were denied any contact and any information regarding their babies.

One of the collateral tragedies of this system was the fate of the babies, many of whom had been born to mothers who both wanted and loved them. Sometime after birth the nuns would move the child to a foster home, an orphanage, or put them up for adoption internationally. After 1952 children were also put up for domestic adoption, although there were few Irish homes available. A 1925 report by the *Irish Times*

addressed the problem of illegitimate children and revealed inadequacies in the foster care system. Many locations were “overcrowded and unsuitable”. One Dublin slum housed over 110 children.³² Foster families were paid three to ten pounds for each child they fostered and were not required to return the money if the child died. The Dublin Union, a facility that handled the placement of foster children in Dublin, had files on 180 children in 1924, 161 of whom had been born to unwed mothers. The mortality rate for foster babies boarded by families was staggering. One institution reported that 54 of the 86 babies they boarded out had died. The Dublin Union stated that of the 274 children they boarded out in 1925, 94 had died.³³

Many of the children who began life in orphanages and foster care were later transferred to one of Ireland’s many state-run industrial schools, usually by age six or seven. These schools were paid for by the state but they, like most institutions in Ireland, were run by religious orders. From 1868 to 1969 over 105,000 children were committed to industrial schools; most of them had one or both parents still living.³⁴ Still, over 80 percent of children and more than 90 percent of girls were committed due to “lack of proper guardianship”, which could mean they were orphaned, illegitimate, homeless or that their parent were ill or poverty stricken and “unable to care” for them.³⁵ While there were more than 200 industrial schools in Ireland, two common threads were present in all: the children played an enormous role in maintaining the buildings, grounds and farms of the school and there was a “nearly universal lack of proper education.”³⁶ The extent of the abuse endured by children within the state sponsored and church run industrial schools was catalogued in the May, 2009 publication of the Commission into Child Abuse, which contained testimony from almost 2,000 people who had spent their childhoods in one or more institutions. The Commission found that corporal punishment was “pervasive, severe, arbitrary and unpredictable,” and that children “lived in daily terror of being beaten.” They also reported that sexual abuse was an “endemic” in state-run institutions for boys; girls, meanwhile were subjected to “predatory sexual abuse by male employees or visitors.”³⁷ The children were described as “frequently hungry, dirty and not properly dressed” while the schools themselves were described as “cold, Spartan and bleak.”³⁸

A lucky minority of Ireland’s illegitimate sons and daughters were adopted by American couples—or perhaps more aptly they were purchased. From July 1949 (when the U.S. began keeping records) to 1973 approximately 2,100 children entered the United States with adoption passports issued by the Irish government. These children were called “orphans” but almost all of them were the children of unwed mothers. In 1952 (one year before adoption was formally legalized) there

were 330 adoptions on record, 327 of the children were illegitimate and only three were orphans.³⁹ These adoptions were organized by nuns and regulated by the Archbishop of Dublin. The Department of External Affairs issued passports to the children.⁴⁰ There was a shortage of available white babies in the U.S., with 20 couples looking to adopt every available white child. Americans were paying thousands of dollars for each healthy white baby.⁴¹ Irish babies were cheaper, but not free. In 1995 a nun who had arranged a number of these adoptions told social workers that donations coming back from American adopters were the largest single source of income for the convent.⁴² The Department of External Affairs insisted the mother consent before a passport was issued, but all they saw was a signed piece of paper.

In some cases the Irish birth mother had never surrendered her parental rights. In his book *Banished Babies: The Secret History of Ireland's Baby Export Business*, Mike Milotte tells the story of Margaret O'Neill, who was an unmarried teenager when she gave birth to a baby boy in 1968. She worked in a convent laundry but was permitted visits with her son every day and had made it clear she wanted to keep him. In August of 1968 another girl in the laundry informed her that her son was being adopted. When Margaret ran to the back gate she saw him put in a car and driven away. She would not see him again for 22 years. Margaret married in 1972 and began looking for her son. In 1989 an adoption board finally agreed to listen. She was shown adoption papers that she never signed and which were obvious forgeries. Her name was even misspelled. Regardless, they had been witnessed and stamped by a commissioner and her son had been sent to America.

Others were coerced into surrendering their babies. Milotte also interviewed Patricia Evers, who was unmarried when she gave birth to a son in 1962 at Sacred Heart Home. Later that year she and her son were sent to a Magdalene Asylum also run by Sacred Heart. Patricia spent 20 months in close contact with her son until one day she was told to sign documents that she was not permitted to read. These were papers surrendering her maternal rights. She was then told to bathe and dress her son to give him to a waiting priest, who took him away in a car. Patricia was then informed she had an hour to pull herself together and get down to the dining room and back to work: "That was it. No cuddles. No sign of any feelings. Nothing. You were just left raw."⁴³

In effect, women who gave birth in the convents of Ireland had their babies illegally taken from them. While the women were sent to a kind of purgatory, sentenced to work their sins off and cleanse their souls, their children were sent to hell—they were beaten, neglected and abused or were sold for profit by the Irish Government and Catholic Church.

Unwed mothers, whether pregnant by boyfriends or through incest or rape, made up the largest number of Magdalenes. But these were not the only women sent to work in the laundries. Some women had been the victims of rape that did not result in pregnancy. Rather than live with the scandal that a rape accusation and trial would incite, many families and parishes chose instead to send the girl away. Martha Cooney was fourteen when she was raped by a cousin. She then told another cousin, who reported it. "They got rid of me quite quickly," she remembered.

Other women were transferred directly from state-run schools or orphanages after they came of age if they had no 'respectable' place to go. Often these orphanages were run by the same order of nuns running the Magdalene Asylum, and often they were both on the same plot of land. Briged Young, born in 1930, grew up in a Church-run orphanage attached to the Limerick Magdalene Asylum. Some of the Magdalene's children were kept next door in the orphanage, but contact was forbidden. "They were devils and sinners. We weren't meant to talk to them."⁴⁴

Girls who were perceived as a threat to the rigid morality enforced by the church were quickly and quietly removed. What that perception was based on, beauty or boldness or some kind of indefinable quality that inspired fear and suspicion, was irrelevant, as was the identity of the accuser. These girls were often unaware of why they had been sent. Phyllis Valentine was born in 1940 and grew up in a Catholic orphanage; at 15 she was sent directly to a laundry without explanation. After nearly a year she was finally told why she'd been sent: "When I was young I was thought to be pretty, I had quite nice hair. 'You're as pretty as a picture, the nuns sent you here because they were afraid you'd fall away'...get pregnant they meant."⁴⁵ Mary Norris and Josephine McCarthy had each been working as domestic servants when they were sent to the Good Shepherd Convent in Cork "after it was decided they were in moral danger and unfit to live in Irish society." Both girls had stayed out late and angered their employers. They were turned over to the nuns because it was suspected they were, or were about to, become sexually active.⁴⁶

Women new to the laundry were often confused what they had done wrong and how long they were going to be staying. The nuns provided no explanation. As Mary Norris remembered: "I was just told my name was Phyllis, and I'd work in the laundry."⁴⁷ Upon arrival each Magdalene was given a new name, a baggy brown dress meant to "make you as ugly as possible", and a haircut.⁴⁸ Phyllis Valentine explained "It was a sin to be vain, it was a sin to go around swinging your hair, a sin to be looking at your body, you were told that by the nuns."

The girls were sent to work on the convent grounds - most commonly in the basement laundries. They worked six days a week from early in the morning until late at night, 52 weeks a year. Josephine McCarthy described her days as a Magdalene: up at five in the morning, then Mass, then breakfast, then work and then bed at seven. "That was it. That was our life. And we dare not ask questions. You'd have to hand wash-scrub. You'd have no knuckles left. Ironing- you'd be burnt. It was just hard work."⁴⁹ In addition to the constant physical labor, the women were isolated. Friendships and communication between penitents were forbidden. The women were told that the only thing that could make them happy was the love of God a detachment from all things and people.

Emotional and physical abuse within the laundries was common and sexual abuse was not unusual. It was rare for outsiders to be permitted within the laundry walls, but in 1951 June Goulding accepted a midwife position in the nursery of the Sacred Heart Magdalene Asylum. She published an account of her time there in 1998. Goulding witnessed women forced to scrub floors, pick grass, and tar roads while heavily pregnant. She saw expectant and new mothers denied medical treatment, some forced to breast feed through blocked milk ducts that had become infected. She described the girls as broken, failing to utter a word of protest no matter how unjust the request. On her first day in the Magdalene nursery Goulding was told that: "We allow them to stay in bed for ten days after their babies are born, then they stay and work until their babies are three years old. The children are then fostered out and the women 'free to go'."⁵⁰ Goulding was especially struck by the cruelty of this arrangement and touched by bond between unmarried mother and illegitimate child: "The only expression of love I witnessed there was between each mother and her child." She recalled departures of the babies for foster homes or adoption as "amputation without anesthetic." Of her time in the laundry, Goulding summarized: "The girls were treated like criminals in this building...those in charge who ran the godforsaken place like a prison did so as cruelly and as uncaringly as any medieval gaoler."⁵¹

While the strenuous labor and frequent and varied abuse were difficult to endure, perhaps the worst part was the uncertainty. None of the Magdalenes were tried or sentenced; they were simply delivered and put to work. There was no due process and no appeal. The nuns did not answer questions and most Magdalenes were too afraid or broken to ask. Phyllis Valentine recalls that shortly after her arrival she asked to be paid: "They laughed at me—and that's when they told me—I was here and I would stay here until somebody came to fetch me." This was a particularly cruel answer for someone who had spent her first fifteen

years in an orphanage, where nobody had come to 'fetch her' either. Christina Mulcahy received a similar response. "I thought I'd be in six months, maybe seven and then they'd let me out to see my baby. I'd keep asking 'when do you think I'll be going out?' and finally one girl said to me 'you won't be going out.'"⁵²

The open ended nature of their imprisonment was maddening for many. Mary Norris expressed her frustration to a reporter in 2003- "I would have rather been down in the women's jail. At least then I would have got a sentence and I would know when I was leaving."⁵³

There was only one sanctioned way out of the laundry: to be claimed by a relative willing to take responsibility. This presented a problem for the orphans, those who had been disowned and those who had such secrecy surrounding their disappearance that their family did not even know where to find them. Mary Norris had been sent to the nuns from her job as a domestic, her family was unaware she had been sent away. When asked why none of them came to get her Mary answered: "My mother didn't know where I was. My sisters didn't know where I was. Nobody knew where I was."⁵⁴ Still some were tracked down by sympathetic relatives. Some were picked up after the threat of scandal had subsided. Martha Cooney spent eight years in a laundry following her rape, and then one day a brother came and got her.⁵⁵

While they were kept in a convent and not a prison, walking out of the laundries was not an option. The convents were surrounded by high walls, some of which were topped with barbed wire or iron spikes.⁵⁶ The Asylum in Cork had 20 foot brick walls topped with shards of broken glass mortared into concrete. Niall McElwee, a scholar interviewed by CBS news, stressed of the runaways that "every effort was made to try and locate these girls."⁵⁷ Although there were physical barriers to staging an escape, the most effective chains were mental and social. Many girls were completely broken by the abandonment, abuse and monotony they had already endured. On top of that, most had nowhere to go. They made no money, and they had either been turned away by their families or never had one to start with. Still, girls did escape. Bells would ring with escapees. Phyllis Valentine recalled: "you'd be happy when you'd hear the bells, as somebody had gotten out."⁵⁸ One escapee was Christina Mulcahy. She ran to her cousin who lived just down the road and who had no idea she had been hidden in the convent for years. "Were you in prison?" she asked. "No I was in that madhouse up the road. I had a baby and my father and mother put me in there," Christina answered.⁵⁹

The existence of the Magdalene Asylums seems to have provided a solution to a number of problems. Unmarried mothers, rape victims and incest victims and the scandal they incited were hidden

away. Girls who had come of age in state institutions but who had no 'respectable' place to go were turned over to the convents, no longer the financial dependents of the state. Girls who were perceived as a threat to morality could be tucked away. All of them, out of sight and out of mind.

Steps towards Modernity

While laundries remained open well into the twentieth century, the number of Magdalenes decreased dramatically after the 1960s. It seemed modernity had finally come to Ireland, as it began to catch up with the rest of the West technologically, socially and politically. Driven by education reforms in the 1960s, changes in the political climate and a slow but emphatic cultural shift towards the secular, Ireland slowly began to resemble other Western nations. Pushes for change from both international and domestic angles forced the Catholic Church to loosen its clutches on the all levels of Irish society, which in turn allowed for more assertive pushing, and so the cycle of progress continued.

Education reforms of the 1960s saw both a slight diminution of the Church's influence over Ireland's schools and a larger number of girls completing their schooling than ever before. In 1966 the government began to provide free secondary education.⁶⁰ This allowed groups whose education had been previously regarded as more costly than beneficial—girls and the rural poor—to advance academically and to compete for the many skilled positions that were opening up as Ireland experienced an overdue economic boom. Educated women with job experience were better able to care for themselves, and not left at the mercy of family and society to quite the extent their mothers had been.

While the schools became more accessible, they were still very much run by the Church. In 1984, 3,400 of the 3,500 national schools in the Republic of Ireland were operated by the Church.⁶¹ As Tom Inglis argued in his book *Moral Monopoly: The Rise and Fall of the Catholic Church in Ireland*, the Church's place was "enshrined in various articles in the constitution," and it is unlikely that position will be eroded without a new constitution.⁶² Ireland's schools are still state funded and Church run.⁶³ However, there has been a steady secularization passively taking place since the 1960s. There has been a significant decrease in the numbers of religious who work as schoolteachers. In 1965, 48 percent of teachers were nuns or priests. By 1991 the number was down to six percent.⁶⁴ The curriculum has also been secularized. Religious Studies is now a recognized subject, the implication being that religion has less of a presence in the remaining subjects. Irish schools have also introduced a modern secular approach to dealing with the prevalence of sexual abuse in the country. In 1989 the Stay Safe Programme was created with the

intention of preventing sexual abuse through teaching children to recognize good and bad and right and wrong for themselves, and not rely on teachers, priests or parents to tell them how to feel. Stay Safe is now present in the majority of primary schools.⁶⁵ Still, Irish adolescents remain sadly uninformed with regard to consensual sex, pregnancy and their own bodies.

The 1960s and 70s also saw an increase in political and social activism, particularly from Ireland's growing supply of educated young women. The country itself had joined the European Community in 1972 and with it the global economy. That same year the Commission on the Status of Women in Ireland issued "Report to Minister for Finance" which was an agenda for equal pay, equality of treatment, equality of employment, equality under the law and equal social welfare.⁶⁶ This was the harbinger of Ireland's first feminist movement, a new era of social policy, and increased political activism in the women of Ireland. The standard of living was rising all over Ireland, but particularly in cities and larger towns. Televisions became more and more prevalent and with them came a new exposure to secular culture. The government did not censor television programs the way they had the cinema, and outside ideas on dating, marriage and gender roles began to break through. The 1970s saw a radical shift in society's view of the single mother. Prior to that decade she had been a dirty secret, to be removed from public view, judged and pitied. In 1970 82.9 percent of illegitimate children were given up; nine years later the number had dropped to 27.7 percent.⁶⁷ Women now had access to jobs, single mothers could qualify for welfare, and it would seem they had the option of publicly carrying, delivering and raising their babies.

Views on victims of rape began to shift as well. Prompted by reforms in Britain and a few high profile sex crimes cases within Ireland, the Council for the Status of Women prepared a report, *Submission on Rape in Ireland* (1978). The report challenged the outdated view of rape, and called for a broadening of the definition to include all forms of penetration. It also called for the criminalization of rape within marriage. Both motions reflected the emerging idea that rape was a violent crime rather than a sexual one. The Commission also sought reform with regard to the way victims were treated—moving to ensure their anonymity and to make a woman's sexual history irrelevant to her attacker's trial.⁶⁸ In 1979 Ireland's first Rape Crisis Center (RRC) opened in Dublin, with goals to assist rape victims and to lobby for reform rape laws.⁶⁹ In 1987 the RRC submitted their views on rape to the Joint Committee of Women's Rights, who conducted a study and published a report. In that report they concluded: "For too long society in Ireland closed its eyes to the plight of rape victims; often the woman was blamed for contributing

to the rape and she was left to suffer alone with feelings of guilt and remorse.”⁷⁰ Still, rape remains a shameful crime, and the victims are often treated like criminals. A report on violence against women published in 1997 found that “women do not report cases of rape and sexual assault for fear of the way that their case is likely to be handled by the gardai and Courts.”⁷¹

At the same time, contraception was growing more and more accepted throughout Ireland. The birth control pill had been available with a doctor’s prescription since 1963, and by 1978 there were 48,000 women in Ireland on the pill.⁷² The first family planning clinic opened in Dublin in 1969. The Health and Family Planning Bill, passed in 1985, legalized the sale of condoms to every person over 18. In 1993 the government authorized the sale of condoms in vending machines.⁷³ While there was a distinct liberalization in last decades of the twentieth century, most Irish remained passionately pro-life, and the feminist movement focused on rights of victims and contraception, not abortion rights.

Abortion has been illegal in Ireland since 1861, and in 1988 the Irish Supreme Court ruled that the constitution protected the rights of all the unborn, and consequently no information could be provided on how or where to obtain an abortion, including clinics outside Ireland’s borders. An Irish women’s group filed an appeal that reached the European Court of Justice, which ruled that a state where abortion is legal can advertise within any other member of the European Community, effectively reversing the Irish ruling. In 1992 the Court of Human Rights (a completely separate entity from the European Court of Justice) ruled that any attempt to restrict information on abortion was an infringement on freedom of expression.⁷⁴ And so, various factors aligned both outside and within Ireland and forced the Church inch by inch out of institutions that should have been exclusively state-run all along, and Ireland began to emerge as a true member of the West.

“Deny till they Die”

In spite of the social and political leaps into the twenty-first century that Ireland has made in the last 20 years, the culture of shame and silence perseveres. Many former Magdalenes refuse to talk about their experiences in the asylums. Fearful of being judged as immoral or insane, the stigma remains. Patricia Evers had been married over 30 years before she told her husband about her time in a Magdalene laundry, and about the son that had been stolen from her. After watching a news story on illegal international adoption and hearing her husband express sympathy for “those poor women,” Patricia turned to him and said: “I’m

one of those women. I had a baby. ‘He asked why I hadn’t told him all the years we were married, but I just couldn’t. I was so ashamed and so afraid of what people would think of me, what sort of person was I at all?’⁷⁵ The church has also maintained a defiant silence. The state has acknowledged that rights were violated but have absolved themselves of any responsibility for what occurred in private institutions.

Associations like Justice For Magdalenes (JFM) have been working towards apologies and reparations from both the Irish government and the Catholic Church, who they maintain conspired for over a century to hide the undesirable and illegitimate from society. In a system designed for secrecy and discretion, they each benefited from the illegal imprisonment of over 30,000 women and girls.

In a 2002 document, the Irish government offered an apology and reparations to the children who had suffered abuse inside state run schools and orphanages; however, they ignored the adult victims of a similar plight. The Minister of Education and Science, Batt O’ Keefe, expressed the government’s view in a written response to a petition from Justice For Magdalene’s. In their petition JFM requested that the state “apologize for its failure to protect adequately the constitutional rights of citizens committed to the nation’s Magdalene Laundries,” establish a trust fund for reparation in lieu of wages not afforded to workers during their respective incarcerations,” “provide a pension for survivors,” and “provide housing assistance for survivors.”⁷⁶ In a September, 2009 letter O’ Keefe stated that “the Magdalene laundries are not listed in the Schedule to the Residential Institutions redress Act, 2002, as they were not subject to State regulation or supervision.” He did however offer the possibility of an apology to those women who were “transferred to a laundry during the course of their official period of residency in a Scheduled institution”, pending further discussions. He also referred to the Magdalenes as “employees” of the laundries and states that they were “privately owned and operated establishments which did not come within the responsibility of the State.”⁷⁷ Two weeks later, after a flurry of objections, O’Keefe issued an apology for using the term “employees” to refer to women forced to work ten hours a day six days a week for no wages, where he fully acknowledged that “the word ‘workers’ would have been more appropriate.”

This apology did little to pacify activists. James Smith, a Professor at Boston College and leader in the reparation movement, responded with a letter of his own. He stated that the “state was fully complicit in moving children from industrial schools to Magdalene laundries; where they would not have to financially support them.”⁷⁸ The State’s judicial system routinely referred women to the Magdalene laundries, Smith documents at least 54 instances dating from the mid

1920s to the mid 1960s. The women, charged with crimes like ‘concealment of birth’, were offered suspended sentences if they agreed to enter a Magdalene asylum for a specified period of time, typically one to three years. Court- employed officers then escorted the women to the laundries, but there is no indication they ever returned to ensure that the women were released after their ‘sentence’ had expired. The State’s knowledge of both the existence and function of these institutions is further evidenced by the Criminal Justice Act of 1960, that mentioned the availability of a particular Magdalene laundry as a remand home for young women.⁷⁹ The same act authorized the Minister for Finance to pay a “capitation grant for women so- referred.” There is also the fact that the state issued adoption passports to children whose mothers had been coerced into signing papers terminating their maternal rights, or who had their signatures forged and falsely notarized by a government official. The state may not have run the Magdalene Asylums but it referred and delivered women and children there from schools and orphanages and through the court system, it failed to enforce laws that would have protected these women from forced labor and a myriad of civil rights violations, and the popular plea of ignorance would be irrelevant if they had performed the inspections they were authorized and obligated to perform.

While the state response has been polite sympathy while refusing to acknowledge complicity, the Catholic Church has opted to practice what they preach and has remained silent. From individual orders of nuns up to the Vatican there has been no official apology or acknowledgement and no hint that one is forthcoming. At the national level, the nuns are represented by the Conference of Religious of Ireland, a group that declines interviews on the topic but did issue a statement to CBS in 1999 saying “the Sisters accept the part they played in this regrettable era and asked that it be examined in context.”⁸⁰ They also “welcomed the opportunity to speak with us;” however when a CBS correspondent knocked on the door of the convent he was told, “There’s no one to speak.”⁸¹ While an official apology eludes them, the women have managed small victories. Mary Norris, a former Magdalene, petitioned the Sisters of the Good Shepherd in Cork to at least list the names of the Magdalenes who had been buried in unmarked graves behind the laundry. Her request was granted.

In November 2009 the Irish State and the Catholic Church were once again rocked with a joint scandal, with the release of a report detailing cases of priests who were known child abusers but permitted to continue their work in schools and communities unchecked. The Commission blasted the Church, Government and Police in the document, which concluded the Church was “only concerned with the

maintenance of secrecy, the avoidance of scandal, the protection of the reputation and the preservation of its assets.”⁸² The publication of this document elicited immediate apologies from the former and current Archbishops of Dublin, the Chief Police Commissioner of Ireland, and the Justice Minister. Archbishop Diarmuid Martin spoke for the Church, saying: “No words of apology will ever be sufficient.”⁸³ The government has already vowed to make amends, promising: “the persons who committed these dreadful crimes- no matter when they happened- will continue to be pursued.”⁸⁴

No such vow has been made regarding the Magdalene Laundries. Time is running out. The Church has refused to turn over admittance records. And still, the Irish state is helping the Church keep secrets they should be fighting to expose. In 1996, questions about the practice of international adoptions arose, and a formal inquiry was demanded. Austin Currie, a Junior Minister, first denied the existence of official adoption records for Irish children sent abroad and then dismissed the idea of an inquiry. Currie was unaware that a file, containing the names of twenty Irish children exported to America in the 1950s, had just been found in the National Archive; that and files on 1,500 more children exported prior to 1964 would soon follow.⁸⁵ The Department of Internal Affairs refused suggestions to make this information available to birth mothers or adoptees. Instead, people who file requests for birth records are told to ask the old adoption societies or the nuns who organized the adoption—both of whom are generally less than candid. Once again Ireland is behind almost every western democracy, this time in granting adoptees access to their birth records. Britain and Northern Ireland both allow adult adoptees full access to their records and in Germany even 16 year-old adoptees are permitted access.⁸⁶ As the Church and state continue to refuse the Magdalenes any acknowledgement of or apology for what was taken from them, they relegate these women to the same life of secrecy and shame as their mid century counterparts did. The women themselves are growing older; many have never shared their experiences, and their stories will die with them. A scenario that Mike Milotte accuses both institutions of longing for: “deny till they die.”⁸⁷

Conclusion

The Irish state and to some extent the Catholic Church have been quick to deliver apologies for individual cases of physical, sexual and emotional abuse inflicted upon Irish children as those tragedies come to light. Yet both refuse to acknowledge responsibility for the unlawful imprisonment, forced labor, and abuse inflicted upon the Magdalenes.

Why?

These women had sinned in the eyes of the Church. The eyes of the Church were the eyes of the state. The Irish Constitution left them with only one “choice”—not to engage in premarital sex—but that “choice” could be stolen from them through rape, incest, and other forms of coercion by the powerful.

Women were unprotected by the law and unsupported by society. Chastity was their responsibility and the consequences were theirs to face alone. Of the babies born to Magdalenes, how many were fathered by priests or employers or politicians? Only the women were held to the standards decreed by the Church and enforced by the government.

These laundries were named for Mary Magdalene, a former prostitute, a fallen woman, who repented and saved her soul. But they would have been more aptly named for Jesus Christ—who was imprisoned and abused, and then killed for the sins of many. The Magdalene women were locked away to pay for the failings of a society. They were made examples of: sent away to convents to live under the watchful eye of celibate women, stripped of outward signs of femininity, and put to strenuous work—quite literally washing the dirty laundry of the Church.

Martha Cooney, a former Magdalene, put it thus: “We were caged and we were powerless to do anything about it—no recreation, just work and prayer and silence and atoning for the sins. Mary Magdalene was forgiven, and so we would be forgiven in time.”⁸⁸ Still, the Magdalenes are waiting to be forgiven. They are still paying for Ireland’s sins. The state and the Church apologized to the children raised in state-funded and Church-run institutions immediately after scandal broke. The Magdalene Asylums have generated an international outcry several times in the years since the 1993 discovery of the 133 unmarked graves outside the Sisters of Mercy Convent. Yet, there is no admittance of guilt, no acceptance of responsibility and no apology. What is the difference? The children had done nothing wrong; they had simply been born in Ireland. A logical mind assumes the Magdalenes must have done something wrong to be put away like criminals. But like the children of the industrial schools, foster homes and orphanages, the women of the Magdalene laundries had just been born in Ireland. The Irish state and the Catholic Church, operating throughout the twentieth century as a theocratic governing body, had created a regime so puritanical, rigid and sexist that premarital sex was tantamount to murder, where protection of a family’s reputation was more important than its own flesh and blood, and where women who had committed no crime could be imprisoned without trial.

-
- ¹ Jenny Beale, *Women in Ireland: Voices of Change*. (Bloomington: Indiana University Press, 1987), 20
- ² Ibid., 125
- ³ Ibid., 30
- ⁴ Michael Radu, "Why Eastern and Central Europe Look West" (*Agenda 2000*, Winter 1997), 40
- ⁵ Tom Inglis, *Moral Monopoly: The Rise and Fall of the Catholic Church in Modern Ireland* (Dublin: University College Dublin Press, 1998), 17
- ⁶ Inglis, *Moral Monopoly*, 125
- ⁷ Beale, *Voices of Change*, 126
- ⁸ Ibid., 127
- ⁹ Inglis, *Moral Monopoly*, 58
- ¹⁰ Beale, *Voices of Change*, 91
- ¹¹ Ibid., 87
- ¹² Ibid., 109
- ¹³ Richard Finnegan and James Wiles, *Women and Public Policy in Ireland* (Dublin: Irish Academic Press, 2005), 166
- ¹⁴ Finnegan and Wiles, *Women and Public Policy in Ireland*, 166
- ¹⁵ Ibid., 232
- ¹⁶ Ibid., 233
- ¹⁷ Ibid., 209
- ¹⁸ Ibid.,
- ¹⁹ Beale, *Voices of Change*, 107
- ²⁰ Sex in a Cold Climate 2002
- ²¹ Mike Milotte, *Banished Babies: The secret history of Ireland's baby export business* (Dublin: New Island Books, 1997), 57
- ²² Sex in a Cold Climate 2002
- ²³ Beale, *Voices of Change*, 24
- ²⁴ Beale, *Voices of Change*, 30
- ²⁵ Beale, *Voices of Change*, 60
- ²⁶ Milotte, *Banished Babies*, 18
- ²⁷ Ibid., 53
- ²⁸ Beale, *Voices of Change*, 60
- ²⁹ Louise Ryan, "The Press, Police and Prosecution: Perspectives on infanticide in the 1920s" (Dublin: Irish Academic Press, 2005), 148
- ³⁰ Ryan, *The Press, Police and Prosecution*, 149
- ³¹ Sex in a Cold Climate, 2002
- ³² Ryan, *The Press, Police and Prosecution*, 149
- ³³ Ibid., 150
- ³⁴ Mary Rafferty and Eoin O'Sullivan, *Suffer the Little Children: The Inside Story of Ireland's Industrial Schools* (Dublin: New Island Books, 1999), 12,20
- ³⁵ Rafferty and O' Sullivan, *Suffer the Little Children*, 22
- ³⁶ Ibid., 149
- ³⁷ Patsy McGarry, "Children Exposed to Daily Terror in Institutions" (*The Irish Times* May 2009)
- ³⁸ McGarry, "Children Exposed to Daily Terror in Institutions"
- ³⁹ Milotte, *Banished Babies*, 15
- ⁴⁰ Ibid., 15
- ⁴¹ Ibid., 23
- ⁴² Ibid., 115
- ⁴³ Ibid., 145
- ⁴⁴ Sex in a Cold Climate, 2002
- ⁴⁵ Ibid.
- ⁴⁶ Violet Feng, "The Magdalene Laundry: A life of Servitude Behind Convent Walls" (*CBS News* August 2003)
- ⁴⁷ Feng, "The Magdalene Laundry"
- ⁴⁸ Sex in a Cold Climate, 2002
- ⁴⁹ Feng, "The Magdalene Laundry"
- ⁵⁰ June Goulding, *The Light in the Window* (Ebury: Wheeler Publishing, 1998), 31

-
- ⁵¹ Goulding, *The Light in the Window*, 66
- ⁵² Sex in a Cold Climate, 2002
- ⁵³ Feng, “The Magdalene Laundry”
- ⁵⁴ Ibid.
- ⁵⁵ Sex in a Cold Climate 2002
- ⁵⁶ Ibid.
- ⁵⁷ Feng “The Magdalene Laundry”
- ⁵⁸ Sex in a Cold Climate, 2002
- ⁵⁹ Ibid.
- ⁶⁰ Finnegan and Wiles, *Women and Public Policy in Ireland*, 223
- ⁶¹ Inglis, *Moral Monopoly*, 58
- ⁶² Ibid., 224
- ⁶³ Ibid., 58
- ⁶⁴ Ibid., 225
- ⁶⁵ Ibid., 224
- ⁶⁶ Finnegan and Wiles, *Women and Public Policy in Ireland*, 166
- ⁶⁷ Beale, *Voices of Change*, 60
- ⁶⁸ Finnegan and Wiles, *Women and Public Policy in Ireland*, 232
- ⁶⁹ Ibid., 232
- ⁷⁰ Joint Committee on Women’s Rights, “Sexual Violence”, 1987
- ⁷¹ Finnegan and Wiles, *Women and Public Policy in Ireland*, 247
- ⁷² Beale, *Voices of Change*, 106
- ⁷³ Finnegan and Wiles, *Women and Public Policy in Ireland*, 216
- ⁷⁴ Ibid., 216
- ⁷⁵ Milotte, *Banished Babies*, 136
- ⁷⁶ Justice For Magdalenes, 2009
- ⁷⁷ O’Keefe, Batt and Kitt, Tom, 4 September 2009
- ⁷⁸ Ana Lopez, “English Professor Advocates for Reparations” (*BC Heights* November 2009)
- ⁷⁹ James Smith and Brian Cowen, Justice for Magdalenes (Crocknahattina, Bailieborough Co. Cavan, Ireland 22 September 2009)
- ⁸⁰ Feng, “The Magdalene Laundry”
- ⁸¹ Ibid.,
- ⁸² Sarah Lyall, ”Report Says Irish Bishops and Police Hid Abuse” (*New York Times*: 26 November 2009)
- ⁸³ Lyall, ”Report Says Irish Bishops and Police Hid Abuse”
- ⁸⁴ Ibid.
- ⁸⁵ Milotte, *Banished Babies*, 188
- ⁸⁶ Ibid., 196
- ⁸⁷ Ibid., 198
- ⁸⁸ Sex and the Cold Climate 2002

Forging the Middle Ground in Vietnam: Eisenhower and the Quest to Realize International Objectives

Cynthia Mancha

When he assumed the presidency in 1953, Dwight D. Eisenhower was faced with an undesirable situation in Vietnam inherited from his predecessor Harry Truman. After supporting the French with massive financial aid during the First Indochina War for years, eventually carrying 80 percent of the burden, the U.S. Government found that its ally was failing to achieve victory. Meanwhile, the Cold War ideologically divided the East and the West with each side seeking to secure its international position, often by exerting influence over “developing” regions of the world. Early in his term Eisenhower made many decisions about U.S. course of action in Vietnam that defined his time in office and effectively limited later presidents’ choices, two being particularly notable. In May 1954, Eisenhower decided not to send U.S. troops to Vietnam to militarily assist the French at the battle of Dien Bien Phu. He instead chose to continue only with material assistance, a decision he upheld for the rest of his presidency, seemingly distancing the U.S. from the area. However, the Eisenhower administration also installed a pro-American figure, Ngo Dinh Diem, as the leader of a puppet Government in the area that he conceived of as South Vietnam, providing him with continual support, tying the U.S. to the area rather than relinquishing Vietnam from U.S. responsibility as the Geneva Conference in 1954 offered to do. Eisenhower formed his policy toward Vietnam in the context of his international objectives of securing American prestige and building a strong system of allies that would help the U.S. maintain hegemony over the Soviet Union and China during the Cold War while concurrently accepting only a resolution in Vietnam favorable to U.S. interests. These goals were shaped by both ideology and strategy, all being inextricably tied to preventing the spread of communism; Eisenhower wanted to do this both because he was morally opposed to the system itself and because the U.S. relied on areas around the world to strategically serve its interests. By examining the situations Eisenhower was faced with, his past experiences, his personal convictions and the organizational context in which he made decisions for both of these pivotal moments of U.S. policy toward Vietnam, we can more clearly understand Eisenhower’s agency in making these decisions.¹ Eisenhower’s overarching presidential objectives led him to choose middle-ground options that at times were laudable and heeded

negative predictions, as was the case with his decision against U.S. military unilateral intervention at Dien Bien Phu in 1954, but at other times were made when Eisenhower felt restricted in the available scope of action available, resulting in faulty choices that ignored warnings, as in his choice to install and continually support Diem. The middle-ground approach that he sought was both ideological and pragmatic; ideologically, Eisenhower's past experiences and political and economic convictions shaped this path, leading to pragmatic decisions that seemingly provided him with the best way to achieve his international objectives, neither abandoning nor fully committing the U.S. to the area.

Eisenhower and the Decision Against Unilateral U.S. Military Intervention at Dien Bien Phu

In 1954, that the first war in Indochina would prove victorious seemed dubious. Under the leadership of General Navarre, French troops found them encircled by twelve thousand Vietminh troops who made their way up the hills, surrounded the French position with heavy artillery, and knocked out major airfields, making parachute drop the only means of re-supply for the French soldiers.² The French were in an obviously vulnerable and disadvantaged position, which begged the question of direct American military intervention.

Eisenhower's choice for a middle-ground approach was largely determined by his own ideological view that his past experiences and personal convictions in the political and economic spheres combined to form. Eisenhower's past experiences undoubtedly played a large role in keeping U.S. troops out of Vietnam in 1954. This situation arose just eight months after the Korean War, a limited conflict that, shrouded in the same context of the Cold War and intended to stop the spread of Communism, came to a disappointing end as the U.S. signed a treaty partitioning the country into two separate political entities. That the U.S., a major superpower, was unable to successfully lead the joint North Atlantic Treaty Organization (N.A.T.O.) effort and defeat the North Koreans hurt America's image internationally. From this engagement Eisenhower learned that limited war was not strategically viable as a means for securing victory, and he was not about to let the U.S. be part of a limited war and suffer the same fate in Vietnam. Furthermore, his political campaign in 1952, in which he branded himself as a candidate for peace, dictated that Eisenhower would not implicate the U.S. in another conflict. Eisenhower's political and economic convictions also weighed in heavily. Even should Eisenhower have wanted to militarily intervene, his stated personal political convictions about congressional approval would have limited his choices. As Eisenhower stated, "Part of

my fundamental concept of the Presidency is that we have a constitutional government and only when there is a sudden, unforeseen emergency should the President get us into war without congressional action.”³ Intervening unilaterally would also have greatly increased U.S. military spending in the area, an action that would have violated his conservative economic policies defined by his New Look strategy in which he wanted to decrease the military budget by limiting the deployment of U.S. troops abroad.

In fact, when on April 5 the French called for immediate armed intervention of U.S. carrier aircraft at Dien Bien Phu to save the situation and the question of U.S. military intervention arose, Congress did not approve the scheme.⁴ In fact, government documents demonstrate that after a long series of deliberating and analyzing the situation, most of Eisenhower’s advisers persuaded him against intervening, though there were some people that advocated for this option. In a letter to the president, the Chairman of the Joint Chiefs of Staff Arthur Radford declared that “in such a situation only prompt and forceful intervention by the United States could avert the loss of all South East Asia to Communist domination,” adding that he was “convinced that the United States must be prepared to take such action.”⁵ Vice-President Nixon, too, urged for assistance: “It is hoped that the United States must not send troops there, but if the government cannot avoid it, the Administration must face up to the situation and dispatch forces.”⁶ Elevating the importance of the area, the State Department also thought that intervention might be necessary.⁷

While it may seem that Eisenhower had a lot of advice suggesting U.S. military intervention, these individuals formed the whole of the support for this action, and most of them did not have a lot of influence. In U.S. eyes, the French were already discredited after having been fighting unsuccessfully for seven years, causing tensions to grow between the two nations. Though Nixon advocated, he was not an influential member of Eisenhower’s Cabinet.⁸ Most others discouraged U.S. intervention after an extensive analysis, which showed insightful and stunning predictions. Many officials recognized the implications of committing to air strikes. The Director of the Office of Foreign Military Affairs argued that “involvement of U.S. forces in the Indochina war should be avoided at all practical costs,” warning that naval and air support would lead to the inevitable introduction of U.S. ground troops into the area.⁹ In his memoirs, Chief of Staff for the U.S. Army General Ridgway conveyed the same sentiment and wrote of the general inefficiency of relying solely on air power, saying that “we [the U.S.] were subject again to the same dangerous delusion, the misty hope that airpower [...] could save us in time of trouble,” which to him “was a

dangerous doctrine, likely to lead us down the path to war.”¹⁰ As David Halberstam noted, Eisenhower requested that Ridgway send a survey team to the area to determine the requirements for fighting a ground war there. Ridgway’s crew found statistics that now seem particularly unnerving in their accuracy and scale: they estimated the necessity of up to ten divisions, plus 55 engineering battalions, between 500,000-1,000,000 men.¹¹ In his report, Ridgway carefully outlined these costs and suggested against intervention. The Army itself also held the view that “air action alone would not do the job and ground forces would be needed,” and upon hearing this claim, the Department of Defense was reluctant to intervene.¹² Another ramification included the possible escalation of the war with the threat of Chinese intervention. All of the Government opponents of the option to use U.S. military force, save Ridgway, were cautious about sending troops for this very reason.¹³

There has been some debate regarding Dulles’ stance likely due to, as Halberstam noted, the differences between the public Dulles, an aggressive character, and the private Dulles, who contemplated issues thoroughly.¹⁴ Though historian David Capitanichik claimed that Eisenhower was ready to intervene after failing to organize United Action, the Pentagon Papers suggest that Dulles was in favor of acting as early as April 3, days before he flew to Europe to consult with his allies.¹⁵ However, after consulting with Eisenhower and learning of his disapproval, he worked toward the President’s desires, rejecting French requests that “the U.S. intervene unconditionally and independent of other allies.”¹⁶ Either way, by March 1954, it was agreed that “unilateral intervention would not be effective without ground forces, [that] the involvement of U.S. ground forces was logistically and politically undesirable and that free world intervention would be a collective operation,” as dictated by National Security Council deliberations, the Ridgway report, the Bedell report, and President Eisenhower’s general train of thought.¹⁷ To act alone would automatically pledge an undesired level of U.S. commitment to the area, implicating the U.S. on a scale that violated Eisenhower’s middle-ground preference. On April 28, Eisenhower reiterated there would be not unilateral action by executive decision.¹⁸

Though various historians such as David Anderson have asserted that Eisenhower deserved credit for the fact that “Americans were not fighting and dying in Vietnam” in May 1954, after examining these sources, it seems that Eisenhower’s decision not to intervene was not so magnanimous after all.¹⁹ In 1948, the U.S. Government had already signed the Vandenberg Resolution, whose aim was to ensure that “armed force may not be used except in the common interest,” of United Nations countries, a document that Dulles openly referred to in a speech in May

of 1954.²⁰ Furthermore, though Capitanchik credited Eisenhower with “having the knowledge and prestige to say ‘no’ ”²¹ in the field of foreign affairs, we can see that there was not a huge force to say “no” to in this instance. As the Pentagon Papers reveal, only Radford, Nixon, the State Department and the French, whom had already lost credibility in Eisenhower’s eyes, pushed for this option, far less than the number of officials that encouraged him against unilateral action. Hence, the laudability of Eisenhower’s decision against intervention lies not in the decision itself, but in the way in which he reached this choice. An examination of the situation suggests that “establishing the conditions themselves was the key to the actual policy decision.”²² Halberstam claimed that Eisenhower did not use full force of personality, letting those around him examine the issue and then make a decision.²³ While this may seem like an accusation, it can be interpreted as a compliment. What Eisenhower can receive credit for in this case was his extensive examination of the issue and his receptiveness to the information he was given. He surrounded himself with a varied cabinet, ensuring “that the policies that the administration put into action reflected a diversity of opinions and beliefs.”²⁴ He considered the implications that using U.S. troops would have, and used all this information to make decisions. It seemed to be clear to Eisenhower that “the least risky method [to aid the French] was to provide material aid,” which the Government was already doing, in this instance providing Eisenhower with a safer middle-ground option that was in line with his foreign policy goals.²⁵

Eisenhower’s choice of non-intervention can be better understood given these overarching foreign policy goals during the Cold War era in which he served, two of which were to secure American prestige and build a strong system of allies. As Eisenhower himself later said, “As I viewed the prospects of military intervention in the relative calm of 1954, it seemed clear that if three basic requirements were fulfilled, the U.S. could properly and effectively render real help in winning the war.”²⁶ The first two requirements were “a legal right under international law and a favorable climate of Free World opinion,”²⁷ highlighting the emphasis of two of Eisenhower’s goals as described above. Eisenhower wanted to do these things while finding a resolution to the situation in Vietnam favorable to U.S. terms, his third major foreign policy goal, which also had an impact on his decision of non-military unilateral invention in 1954.

Deciding against unilateral U.S. assistance to the French at Dien Bien Phu served as a medium to realize one of Eisenhower’s main goals in the context of the Cold War—to secure U.S. allies. This element was key to his conception of America’s national security, hence Eisenhower “devoted his attention to almost immediately to strengthening American

relations with countries in Western Europe.”²⁸ While it may seem as if helping the French win the war would build their relationship, this was not a major concern- after seven years of assistance, ties between the two nations were strained and the U.S. was frustrated with France. While Eisenhower wanted to avoid unilateral action, saying that such a thing would be a “tragic error,” he was prepared to act in a concert of allies, and in April 1954 Dulles began to try and assemble United Action, a coalition of allied nations to multi-laterally handle the situation at Dien Bien Phu.²⁹ On April 4th Eisenhower wrote a letter to Churchill calling for assistance, stating that “the best way [to support the French] is through the establishment of a new, ad hoc grouping or coalition composed of nations which have a vital concern in the checking of Communist expansion in the area [...] The important thing is that the coalition must be strong and it must be willing to join the fight if necessary.”³⁰

Acting alone would have soured Eisenhower’s vision and most certainly would have invoked an international rebuff. Eisenhower’s letter to Churchill makes it clear exactly why building allies was so important to Eisenhower. Serving as president during the Cold War, building and maintaining a strong system of allies were key to staying stronger than the opposing superpower, in the American case, against the U.S.S.R. Dulles summed it up nicely when he simply said, “We need allies and collective security.”³¹ When it came to direct military intervention, Eisenhower was not a unilateralist and preferred to have international backing and support, not only by verbal approval but also by joint action.

Withholding the offer of unilateral U.S. military intervention also helped Eisenhower achieve his second international goal of securing American prestige, an issue with which he was deeply concerned. Scholars agree that acting unilaterally would have meant fighting “alongside the French colonialists, [ruining] America’s reputation as a champion of freedom”³² and that to have ordered the airstrikes would have been “to commit America’s armies and their prestige to the whole seven-year old French-Indochina War.”³³ Eisenhower’s thoughts were in line with these assertions. Hence, another reason for the attempt to form United Action was because, as Eisenhower saw it, these forces would “lend a real moral standing to a venture otherwise made to appear as a brutal example of imperialism.”³⁴ The need to hide the appearance of imperialism and aggression in order to secure both international prestige and allies also stemmed from the Cold War atmosphere of the time. During this time, the U.S. frequently portrayed the Soviet Union as having expansionist and evil characteristics. This sort of rhetoric was extremely popular in public discourse. In a speech on Massive

Retaliation in 1954, Dulles described the Soviet Communists as seeking to “gradually divide and weaken the free nations by overextending them in efforts.”³⁵ In March 1954 Dulles declared that “‘Amalgamation’ is being attempted in Indochina under the leadership of Ho Chi Minh, who was ‘indoctrinated in Moscow,’ asserting that the opposition had been ‘largely trained and equipped in Communist China,’ further stating that ‘if the communist forces won uncontested control over Indochina or any substantial part thereof, they would surely resume the same pattern of aggression against other free peoples in the area.’”³⁶ Essentially, the “imposition on southeast Asia of the political system of communist Russia and its ally Chinese communist ally, by whatever means, would be a grave threat to the whole free community.”³⁷ Eisenhower had to be sure that his actions did not fall in line with these expansionist characteristics that his administration so publicly attacked, and his decision to pledge only material rather than direct military U.S. assistance allowed him to avoid potential criticism.

Given that the effort to organize United Nations actions did not work, to intervene militarily and unilaterally would have been to risk not only Eisenhower’s first two international objectives stated above, but also his third—his desire to obtain only a settlement in Vietnam favorable to U.S. interests. The decision not to submit U.S. military troops to Vietnam and importantly, to instead supply the French with other forms of aid, allowed Eisenhower to situate himself between two inconceivable extremes—to abandon Indochina entirely and to start an American war there. The entire time the “debate over American intervention was based on the desirability of military involvement, not on questions concerning Indochina’s value to US security interests,” as it was clear to the administration that “Southeast Asia is astride the most direct and best developed sea and air routes between the Pacific and Southeast Asia.”³⁸ Eisenhower himself declared the area to be of “transcendental importance” and was not willing to give it up entirely.³⁹ However, the top Government officials doubted the effectiveness of air strikes alone, which meant ground troops would have been necessary. Since the United Nations Coalition failed, unilateral action would have been the only option, and there “seemed to be no dearth of defensive ground strength in Indochina.”⁴⁰ Eisenhower doubted the effectiveness of this, later saying that he had no “intention of using United States forces in any limited action when the force employed would probably not be decisively effective.”⁴¹ As already established, Eisenhower personally knew the ineffectiveness of waging a limited war as learned through Korea. To get involved fully was another extreme that Eisenhower would not implement. To do so would have been completely against Eisenhower’s conception of defense, which centered around his New Look strategy in

which he hoped to cut the defense budget by cutting funds to ground troops and employing other less expensive means to maintain influence over countries. Eisenhower wanted to obtain collective allies and security, but to do this in a less costly manner. Unilateral non-intervention and the continuation of aid to the French served these purposes, providing Eisenhower with a favorable and pragmatic middle ground option that was parallel to his international objectives.

Eisenhower and Nation Building Under Ngo Dinh Diem

An additional element can also help us understand why Eisenhower made the decision of military non-intervention. Beyond considering the advice of his advisors and deciding on a middle-ground option decision in light of attaining his overall foreign policy goals, Eisenhower was already thinking of another solution to the situation in Vietnam. By 1954, the French had been unsuccessfully fighting for nine years, and Eisenhower had lost hope in them. Indeed, he claimed to have never believed in their chance of victory in the first place, stating at one point that “more than three years ago he had tried to convince the French that they could not win they Indochina war.”⁴² The French were severely discredited in his eyes, and he had already started taking steps to enact another plan to secure his objectives: discreet political intervention by the installation of Ngo Diem. After all, in his eyes, the loss of Dien Bien Phu did not necessarily mean the loss of the First Indochina War.⁴³ Though Diem’s exact road to power is enigmatic, it is known that as early as 1951 Diem approached the U.S. government with verbal attacks against Bao Dai and expressed interest in forging ties with the U.S, eventually receiving attention due to his nationalistic, anti-French, anti-Communist, and Catholic values.⁴⁴ That Eisenhower had so early started thinking about installing Diem as a medium to help him realize his goals (before the Geneva Peace Talks even started) makes him seem like a “planner, thinking of long-term consequences and overall benefits.”⁴⁵ However, when examining the mechanics of the decision, we can see that the foresightedness and critical analysis he employed when making a choice about U.S. military intervention did not always prevail given his firm commitment to achieving his international objectives, and in the end caused him to make questionable choices.

The French surrendered at Dien Bien Phu on May 7, 1954, on the eve of the Geneva Conference. The U.S. was hesitant about the conference, fearful that the French in their severely weakened position would sign away the area to the Communists. In the end, the Geneva Accords declared a line of partition, temporarily dividing the country into two areas, providing for free elections in 1956. Though officials in

Washington were strictly against the conference, seeing it as the free world bargaining with Communists, and conceived of the Geneva Accords as a “major forward stride of Communism,” the U.S. saw the agreement at best as a way of buying time to establish a leader who would gain a popular support base. Eisenhower estimated that should the elections have taken place at the time of the accords, Ho Chi Minh would win eighty percent of the electorate given his increasing popularity among the Vietnamese people, which was only elevated by their military victory at Dien Bien Phu.⁴⁶ Though the Accords would have seemingly given the U.S. a clean break from any commitment to the southern part of Vietnam, this was not an option. The need to contain communism was especially relevant as domestic anti-Communist fervor ran rampant in the U.S. largely due to Senator McCarthy’s accusations and assertions about Communists infiltrating the U.S. Government. More importantly, this option did not fit within Eisenhower’s greater foreign policy goals—Eisenhower’s intentions and hopes for the area persisted, and the administration had already taken action to achieve its ends of securing American prestige and building a network of global allies while finding a response in Vietnam favorable to U.S. interests. In Eisenhower’s eyes, U.S. global prestige would plummet should Vietnam go Communist, the U.S. losing an important strategic ally in Southeast Asia. Recognizing the area’s strategic importance yet still unwilling to engage in a U.S. unilateral war, the Eisenhower administration thought that nation building was a moderate route and would help it achieve its greater foreign policy goals. The decision to install Ngo Dinh Diem served as Eisenhower’s second watershed choice that shaped policy for the rest of his term and helped influence the terms of subsequent presidents.

Diem assumed the position of Prime Minister of the State of Vietnam July 7, 1954 (with Bao Dai remaining the legal constitutionally recognized Chief of State for the time being), days before the Accords were signed on July 21, 1954. Ngo Dinh Diem would prove to be a controversial figure, but one that U.S. government under Eisenhower would end up sustaining. From 1950 on, Diem had lived in the U.S., staying at seminaries in New Jersey and New York. From 1950-53, Diem travelled the country and made influential contacts with various governmental officials, important leaders of the Catholic Church, and professionals in academia, gaining supporters in his cause to re-make Vietnamese society free of both French and Communist influence.⁴⁷ He was Catholic, anti-French, and above all, staunchly anti-Communist, characteristics the Eisenhower administration valued above all else, making the president blind to the obvious shortcomings Diem would inhibit as a leader throughout his tenuous rule. It was Diem who the Eisenhower selected to lead a puppet government loyal to the U.S.,

setting out to “create a nation to stand as a bulwark against communism in Asia and serve as a ground for democracy in Asia.”⁴⁸ Indeed, Eisenhower selected Diem to build a nation where one did not exist, as the Geneva Accords only acknowledged merely a demarcation line, not as any sort of political boundary.⁴⁹

Certain elements of Eisenhower’s past influenced his to install Ngo Dinh Diem as leader of what the U.S. conceived of as South Vietnam, some of them being the same factors that led him to U.S. non-unilateral military at Dien Bien Phu.⁵⁰ The Korean War taught him the legacies of engaging in limited warfare—as Eisenhower was not prepared to engage in total warfare, direct U.S. military action, just as in 1954, continued to be a non-option. Another personal belief that highly influenced him was the New Look Strategy for defense. These convictions were also stressed by his party, and were another platform for his campaign in 1952. Furthermore, in 1949 when Truman “lost” China, Eisenhower was one of the people who so criticized him for this. In this way he had already committed himself to preventing the spread of Communism. For him to “lose” Vietnam would be to repeat the error of which he had so accused his predecessor. Additionally, Eisenhower thought that the support of the native people was essential. He conceived that Diem would serve as head of a government and build a following, making more people sympathetic to U.S. and its causes. Moreover, success in installing pro-U.S. leaders in other nations undoubtedly influenced Eisenhower in thinking that Diem would prove successful. Through secret C.I.A. operations in other nations feared to be on the verge of going Communist, Eisenhower had managed to install pro-U.S. regimes in nations such as Guatemala and Iran.

That the U.S. should stay involved with South Vietnam at all was a contested issue. Within the administration, there were many that rallied against this. Secretary of Defense Charlie Wilson was against any further involvement in the area, labeling the situation in South Vietnam as being “utterly hopeless.”⁵¹ However, to leave the area was not an option compatible with Eisenhower’s presidential goals, and the discussion about ways to intervene with a low profile abounded. Many officials hotly contested the installation of Diem as a way to accomplish U.S. goals specifically. Among Diem’s supporters internal to the U.S. government was Senator Mike Mansfield, who had become an acquaintance of Diem during his stay in the US, who at one point said that it was either “Diem or failure.”⁵² Future president John F. Kennedy also offered his support for Diem. Cardinal Spellman, an influential member of the Church and another old acquaintance of Diem, supported him as head of State, along with the group from the University of Michigan. Word from Vietnam itself varied. Ambassador Heath sent

messages back to D.C. warning of Diem's incapability to lead, writing that Diem was "incapable of sharing or delegating power," adding that he was not viable because he did not have the support of the Vietnamese people.⁵³ Heath would be replaced by Collins, who would teeter on the issue but would ultimately also recommended against Diem and frequently highlighted his weaknesses. However, Edward Lansdale, head of CIA ops in the region, offered a different perspective and constantly praised Diem. Secretary of State Dulles was another proponent of Diem, fiercely promoting him at nearly every step in the first few difficult months.

The period after Diem's assumption of power was fraught with difficulty as people both in the U.S. and abroad continued to doubt his leadership capabilities. In March of 1955, fighting broke out in the streets of Saigon when a pro-Diem group attacked the police headquarters of the Binh Xuyen, an opposition group. The fighting lasted for a month, and when U.S. Ambassador Collins informed Dulles that Diem's stubbornness was the reason for the fighting, Dulles himself renounced U.S. support for Diem. Hours later, Diem managed to drive the Binh Xuyen troops away from downtown Saigon, an act that convinced U.S. officials they made a mistake in renouncing support for Diem, and the first telegram was destroyed.⁵⁴ Diem was eventually elected President of the Republic of Vietnam on October 24, 1955.

In the midst of this controversy and all of differing opinions, it is important to briefly analyze the role of Eisenhower himself because of the now seemingly perplexing fact that, though Diem was risky and people openly acknowledged this, the government under Eisenhower continued to support him. Various authors offer slightly different perspectives on the decision-making process. Halberstam regarded the U.S. continued involvement in Vietnam after the Geneva Accords and hence the installation of Diem, as being "mostly Dulles' initiative."⁵⁵ Gettleman and his co-editors of the *Vietnam and America* document compilation offer the view that though Eisenhower himself "recognized Ho's popularity and the danger of trying to crush his movement," he was susceptible to pressure, concluding that "a Cardinal (Spellman), a CIA agent (Lansdale) and an ex-Austrian Socialist (Buttinger) seemed to have carried the day against the instincts of a General turned President."⁵⁶ In his article analyzing the debate over Diem, Anderson leaves Eisenhower out of the discussion almost completely, focusing on only Collins and Dulles.⁵⁷ Eisenhower himself largely skips the issue. In the end of his memoirs, likely to combat the image of his timidity in decision making that people perceived throughout his presidency, he commented that Dulles firmly believed in and respected the final authority and power of the President.⁵⁸ Regarding Diem, Eisenhower only mentions him once,

describing him as being installed by Bao Dai.⁵⁹ In fact, his discussion of his Administrations' involvement in Vietnam ends after their decision not to intervene at Dien Bien Phu and at the conclusion of the Geneva Conference, his last statement being:

By and large, the settlement [...] was the best it could get under the circumstances. It ended a bloody war... saw the beginning of the development of a better understanding between the Western powers and the nations of Southeast Asia. It paved the way for a system of true cooperation between both in the never-ending struggle to stem the tide of Communist expansion.⁶⁰

The picture seems to be overall a passive portrayal of Eisenhower. However, another historian, Robert Divine offers a different perspective on this, saying that actually, Eisenhower did this on purpose, using Dulles, a strong and ardent Cold Warrior, to both serve as a public figure for the administration and act as the person to blame when things went wrong, as they would with Bao Dai.⁶¹ Given Eisenhower's failure to mention this important area of his decisions in Vietnam policy, this makes sense and is likely a deliberate attempt to hide any agency he did or did not have in the process. In sum, there is not a large examination of Eisenhower himself in the process. The general consensus is that he let his advisers work out their issues and present their cases to him. However, no matter how the specifics worked, in the end, it was still Eisenhower's policy that he employed as a vehicle to achieve his aims as president, and reducing Eisenhower to a passive role unjustifiably overlooks these major objectives he set for his term in office and the middle-ground approach that he actively sought. It is clear that Eisenhower engaged in the same analytical process he went through when making a decision about Dien Bien Phu, sending the new Ambassador Collins on information gathering trips to the area to assess the situation. Eisenhower received gloomy predictions, a National Intelligence Estimate of August 1954 branding the chance of establishing a viable government, even with full U.S. support, as poor, Dulles himself admitting that their chances at success "might not exceed 1 in 10."⁶² However, his strict desire to accomplish his international objectives restricted his scope of options, calling for him not to heed the advice he was given by those oppose to Diem. As those people who supported continued U.S. involvement, Diem was the best, if not only, option available.

By installing Diem, Eisenhower hoped to help secure American prestige by building a nation resistant to Communism. Though there is

evidence that other nations, such as England, did not view Indochina with much importance, Eisenhower had a different perspective. Heading the global superpower competing against Communism, Eisenhower retained “a strong belief that America had an obligation as a leading party in world affairs.”⁶³ The stakes were large, and the outcome in Vietnam would undoubtedly have global ramifications, sending out various messages to the U.S. enemies, allies, and those unaligned nations. To accept a Communist Indochina would have sent the Soviets a message that the U.S. would stand by and that its (perceived) expansionist tendencies would be tolerated. It also needed to remind its allies, such as Berlin, that it would continue to support them in their struggle for democracy. Furthermore, Eisenhower placed great emphasis on the way in which the many nations that had just gained their independence in the post WWII period of mass decolonization would perceive the U.S. In the post-Stalin era, there was “a Soviet effort to extend Soviet economic ties beyond Europe, particularly ‘neutralist nations’ in the Third World,” and when Khrushchev called for peaceful coexistence and competition between Soviet Union and the U.S., the Eisenhower administration viewed it as “economic warfare” which could overthrow free markets, causing a dangerous situation for the free world, was a very serious problem as viewed by both Dulles and Eisenhower.⁶⁴ Eisenhower conceived of the world order in an “us vs. them” attitude, with only one side benefiting, leaving the option of unaligned nations implausible.⁶⁵ As he saw Asia, its “natural resources, rubber and tin, were available either to the West or the Communists,” with Asian people either supporting the West or being “potential recruits to march under the Communist banner.”⁶⁶ As historian Michael Adamson explains, aid was to be directed towards less developed countries “to enhance the likelihood that these countries [would] remain strong and free” and more disposed to “pursue their national objectives in association with the free world.”⁶⁷ Eisenhower used “foreign economic aid to encounter international communism,” playing an important role in “enabling Diem to pursue his goal of political survival.”⁶⁸ Diem would lead the creation of South Vietnam, building an entity to stand firm to Communism, holding the line there and in effect, internationally, strengthening the U.S. in the bi-polar struggle that the Cold War was.

Though historian George Herring said that containment was the fundamental goal of U.S. policy, ideology was not Eisenhower’s only motivation.⁶⁹ He not only wanted to contain communism, but to build a nation loyal to the U.S. that would serve its strategic interests in Southeast Asia, strengthening and expanding its network of allies in the international order. Given the British and French stances on the issue, the claim that Eisenhower used Diem to strengthen the U.S.’ network of

allies may seem questionable, but an examination of the situation warrants a different response as Eisenhower worked to used Diem to forge new alliances. The French, losing power in the area, were not in favor of Diem and continually tried to influence the U.S. to select someone else. However, after several years of an uneasy partnership, the U.S. was tired of what they perceived to be French weakness in handling the situation. In fact, one of the reasons they chose Diem was because he was staunchly anti- French. The British, too, were concerned and tried to dissuade the U.S. from installing and continuing to support Diem.⁷⁰ Their opposition, however, only persisted for a while and at a certain point they subsided when it became clear that the U.S. was firm in its choice. They did not have much of a say, and did not want to risk their special relationship with the U.S. over an issue as marginal to them as Vietnam.⁷¹ With their allies in Europe pretty much set and their minds made up, the U.S. supported Diem in an attempt to establish a new Southeast Asian ally for cooperation. Indeed, when the U.S. installed Diem, though his credentials were weak, they expected that he would build a strong base of support of the citizens of South Vietnam. The U.S. supported Diem's government with a generous amount of aid, the purpose of which, as Eisenhower stated in a letter directly to Diem, was to "assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means."⁷² Eisenhower wrote "The Government of the United States expects that this aid will be met by performance in the part of the Government of Vietnam in undertaking the needed reforms,"⁷³ one of the main ones being to build the nation and ally that Eisenhower so hoped for, expanding and strengthening the U.S.' international position.

Installing Diem also served Eisenhower's third goal of finding a settlement in Vietnam favorable to U.S. interests. He did this in many ways. First, after years of serving as the secondary outside power in Vietnam, Diem gave Eisenhower a chance to resume full outside control over the area. The U.S. being frustrated with the French, Diem's anti-French attitude was one of his main draws. In fact, "U.S. determination to back Diem was made with the knowledge that French support for him was hardly enthusiastic."⁷⁴ The U.S. sought to extradite the French from the area and assume hegemony. In May 1955 Dulles met with French Premier Faure, and both countries agreed they would pursue separate paths in Indochina, the U.S.'s economic policy "easing the French out of economic affairs."⁷⁵ Additionally, being a man sympathetic to the U.S. cause, Diem would work towards the U.S.' ends by preventing the spread of Communism. As Immerman noted, "necessity dictated a cautious, incremental approach in dealing with the Communists," and Diem

provided this kind of approach for Eisenhower, or seemingly so, at least.⁷⁶ Ultimately, though he had his shortcomings, Eisenhower saw installing and supporting Diem as being the most favorable solution to U.S. interests since he served as a middle ground between abandoning the area and engaging in direct war there and was seemingly the best, if not only, way to accomplish his foreign policy goals. However, unlike the recommendation for non-intervention at Dien Bien Phu, Diem's prospects looked like a questionable option from the start, but Eisenhower felt Diem was necessary to achieve his own ends and hoped that with enough time and U.S. aid, Diem would shape up to be the leader the U.S. wanted and needed.

Top Government officials warned Eisenhower that Diem had major shortcomings, but the president decided that the chance was worth risking in order to accomplish his foreign policy goals. Though some historians such as David Anderson may argue that Eisenhower did so simply because he wanted to buy time since he lacked a master plan, it is important to remember that he did have specific goals in mind when installing Diem and, however misguided, used Diem as an attempt to try and realize them.⁷⁷ Diem's rule had many negative impacts. In supporting Diem, the U.S. offered a wealth of economic support for his burgeoning nation. Though Eisenhower and Dulles had previously said that it was not "sound economics to support permanently other countries, for in the long run, that creates as much ill will as good will," this is precisely what they ended up doing.⁷⁸ Furthermore, Diem's cruelty to many factions in South Vietnam and his harsh policies provoked widespread hate, paradoxically causing popular opposition, rather than support, to foment in the countryside, weakening the U.S.'s position and working to undermine all of Eisenhower's foreign policy goals.

Eisenhower's early decisions regarding U.S. action in Vietnam defined his time in office and helped determine the course of events that would unfold in Vietnam for more than a decade after his term's end. The policies he enacted were not made in a vacuum, but rather in the context of the Cold War. In particular, Eisenhower's decisions about Vietnam reflect an attempt to secure his overarching international objectives of securing American prestige and building a strong network of global allies while accepting an outcome in Vietnam that was consistent with U.S. interests, goals driven by both the ideological concern to contain communism and the strategic considerations that the spread of communism threatened. Both ideology, shaped by Eisenhower's past experiences and political and economic beliefs, and pragmatism shaped the decisions that Eisenhower made. The middle-ground solutions for which he opted both fell in line with his personal ideology and pragmatism, seemingly serving as the most promising

mediums through which to achieve his international goals, neither fully committed the U.S. militarily to Vietnam nor abandoned the area entirely, two extremes of which Eisenhower was not willing to resort. In making these decisions, he utilized his staff to analyze situations thoroughly. While this process seemingly should have averted fallible decisions, given his staunch commitment to achieving his international objectives and firm personal beliefs, this was not always the case. At times the middle-ground option was a choice that fell in line with warning about U.S. action, as was the case with Dien Bien Phu. Eisenhower cognized the negative consequences to offering military assistance to the French, and chose rather to simply continue with U.S. material aid in what proved to be a wise decision in hindsight. At other times, however, Eisenhower's scope of actions was seemingly limited. Because he wanted to maintain a certain level of control without fully committing the U.S. to the area, nation building seemed like the best middle-ground approach. Though the means of implementing this approach were questioned, he went with what was seen as the best option in spite of the warnings of likely failure that he received, as was the case with installing and supporting Diem in the south. Acting adhering to his convictions and in the attempt to fulfill his Cold War international objectives, Eisenhower ended up making faulty decisions that slowly escalated U.S. intervention in Indochina, a situation that, though not inevitably causing the Second Indochina War, greatly increased its likelihood.

¹ A model suggested in David Capitanich, *The Eisenhower Presidency and American Foreign Policy*, (London: Routledge & Kegan Paul Ltd, 1969), ix.

² George C. Herring, *America's Longest War: The United States and Vietnam, 1950-1975*, 4th ed., (New York, NY: McGraw-Hill, 2002), 33-38.

³ Dwight D. Eisenhower, *The White House Years, Mandate for Change: 1953-1956*, (Garden City, NY: Doubleday & Company, Inc, 1963), 345.

⁴ Mike Gravel, *The Pentagon Papers: The Defense Department History of United States Decisionmaking on Vietnam*, Senator Gravel ed. (Boston, MA: Beacon Press, 1971), 461.

⁵ *Ibid.*, 456-467:

⁶ Dulles, John Foster and Nixon, Richard, "Taking Up the White Man's Burden: Two American Views" in Gettleman, Marvin, Franklin, Jane, Young, Marilyn B., Franklin, Bruce H. *Vietnam and America: A Documented History*, 2nd ed. (New York, NY: Grove Press 1995), 52.

⁷ Gravel, *Pentagon Papers*, 54.

⁸ George Herring, and Richard Immerman, "Eisenhower, Dulles, and Dienbienphu: 'The Day We Didn't Go to War' Revisited," *The Journal of American History*, 71 no. 2 (September 1984), 349.

⁹ Gravel, *Pentagon Papers*, 89:

¹⁰ Matthew Ridgway, *Soldier: The Memoirs of Matthew B. Ridgway*, (New York: Harper & Brothers, 1956), 273.

-
- ¹¹ David Halberstam, *The Best and the Brightest* (New York, NY: Random House, 1972), 143.
- ¹² Gravel, *Pentagon Papers*, 95.
- ¹³ *Ibid.*, 54.
- ¹⁴ Halberstam, *Best and the Brightest*, 138.
- ¹⁵ Capitanchik, *Eisenhower Presidency*, 53 & Gravel, *Pentagon Papers*, 100-101.
- ¹⁶ Richard H. Immerman, *John Foster Dulles: Piety, Pragmatism, and Power in U.S. Foreign Policy* (Wilmington, DE: Scholarly Resources, Inc, 1999), 92.
- ¹⁷ Gravel, *Pentagon Papers*, 98.
- ¹⁸ *Ibid.*, 106:
- ¹⁹ David Anderson, *Trapped by Success: The Eisenhower Administration and Vietnam, 1953-1962*, (New York: Columbia University Press, 1991), 37.
- ²⁰ Yale Law School, "A Decade of American Foreign Policy 1941-1949-Vandenberg Resolution," Avalon Project, http://avalon.law.yale.edu/20th_century/decad040.asp. & Yale Law School, "Indochina - Conditions for United States Direct Intervention in Indochina: Transcript of a News Conference of the Secretary of State, May 25, 1954 (Excerpt)," Avalon Project, http://avalon.law.yale.edu/20th_century/inch023.asp.
- ²¹ Capitanchik, *The Eisenhower Presidency*, 73.
- ²² Richard Saunders, "The 1954 Indochina Crisis," *Military Review*, 58 no. 4 (January 1978), 78.
- ²³ Halberstam, *Best and the Brightest*, 139
- ²⁴ H.W. Brands, Jr., *Cold Warriors: Eisenhower's Generation and Foreign Policy*, (New York: Columbia University Press, 1988), 210.
- ²⁵ Eisenhower, *Mandate*, 340.
- ²⁶ *Ibid.*
- ²⁷ *Ibid.* The third was congressional support, which itself was contingent upon these first two conditions.
- ²⁸ John King and John Vile, *Presidents from Eisenhower Through Johnson, 1953-1969: Debating the Issues in Pro and Con Primary Documents* (Westport, Connecticut: Greenwood Press, 2006), 8.
- ²⁹ Gravel, *Pentagon Papers*, 106.
- ³⁰ Eisenhower, *Mandate*, 347.
- ³¹ Dulles in King, and Vile, *Presidents from Eisenhower through Johnson*, 21.
- ³² *Ibid.*, 10:
- ³³ Melanie Billings-Yun, *Decisions Against War*, (New York: Columbia University Press, 1988), xi.
- ³⁴ Eisenhower, *Mandate*, 340.
- ³⁵ Dulles in King and Vile, *Presidents from Eisenhower through Johnson*, 21.
- ³⁶ Yale Law School, "Indochina - Views of the United States on the Eve of the Geneva Conference: Address by the Secretary of State, March 29, 1954," Avalon Project, http://avalon.law.yale.edu/20th_century/inch019.asp.
- ³⁷ *Ibid.*
- ³⁸ Gravel, *Pentagon Papers*, 88 and Yale Law School, "Indochina - Views of the United States on the Eve of the Geneva Conference: Address by the Secretary of State, March 29, 1954," Avalon Project, http://avalon.law.yale.edu/20th_century/inch019.asp.
- ³⁹ *Ibid.*
- ⁴⁰ Eisenhower, *Mandate*, 341.
- ⁴¹ *Ibid.*
- ⁴² *Ibid.*, 352.
- ⁴³ *Ibid.*
- ⁴⁴ Herring, *America's Longest War*, 58-60.

-
- ⁴⁵ John Burke and Fred Greenstein, "Presidential Personality and National Security Leadership: A Comparative Analysis of Vietnam Decision-Making," *International Political Science Review*, 10 no.1 (January 1989), 82.
- ⁴⁶ Herring, *America's Longest War*, 54 & Eisenhower, *Mandate*, 372.
- ⁴⁷ Gettleman, Franklin, Young, Franklin, *Vietnam and America* 116-117.
- ⁴⁸ Herring, *America's Longest War*, 53.
- ⁴⁹ Gettleman, Franklin, Young, Franklin, *Vietnam and America*, 74-76.
- ⁵⁰ Though Bao Dai, the former French emperor, had the choice whether or not to remove Diem, he was easily bought and wanted to live a millionaire lifestyle: Anderson, *Trapped*, 81.
- ⁵¹ Herring, *America's Longest War*, 57.
- ⁵² Anderson, *Trapped By Success*, 83.
- ⁵³ *Ibid.*, 84.
- ⁵⁴ Alfred McCoy, "Heroin and Politics in Saigon," in Gettleman, Franklin, Young, Franklin, *Vietnam and America*, 102.
- ⁵⁵ Halberstam, *Best and the Brightest*, 145.
- ⁵⁶ Gettleman, Franklin, Young, Franklin, *Vietnam and America*, 118, 120.
- ⁵⁷ David Anderson, "J. Lawton Collins, John Foster Dulles and the Eisenhower Administration's 'Point of No Return' in Vietnam," *Diplomatic History*, 2 no. 12 (1988), 127-147.
- ⁵⁸ Dwight D. Eisenhower, *The White House Years, Waging Peace: 1956-1961* (Garden City, NY: Doubleday & Company, Inc, 1965), 356.
- ⁵⁹ Eisenhower, *Mandate*, 366.
- ⁶⁰ Eisenhower, *Mandate*, 375.
- ⁶¹ Robert A. Divine, *Eisenhower and the Cold War* (New York: Oxford University Press, 1981), 21.
- ⁶² Herring, *America's Longest War*, 57.
- ⁶³ James Arnold, *The First Domino* (New York, NY: William Morrow and Company, Inc, 1991), 88.
- ⁶⁴ Michael Adamson, "Delusions of Development," *The Journal of American-East Asian relations*, 5 no. 2 (January 1996), 157.
- ⁶⁵ Arnold, *The First Domino*, 91.
- ⁶⁶ *Ibid.*
- ⁶⁷ Adamson, "Delusions," 158.
- ⁶⁸ *Ibid.*, 182.
- ⁶⁹ Herring, *America's Longest War*, 68.
- ⁷⁰ *Ibid.*, 42.
- ⁷¹ *Ibid.*, 68.
- ⁷² Gettleman, Franklin, Young, Franklin, *Vietnam and America*, 114
- ⁷³ *Ibid.*
- ⁷⁴ Gravel, *Pentagon Papers*, 214.
- ⁷⁵ Gettleman, Franklin, Young, Franklin, *Vietnam and America*, 103 and Gravel, *Pentagon Papers*, 214.
- ⁷⁶ Immerman, *John Foster Dulles*, 26.
- ⁷⁷ Anderson, *Trapped by Success*.
- ⁷⁸ Dulles in King and Vile, *Presidents from Eisenhower through Johnson*, 21.

The Unfortunate Role of Affect in Policy: How a Lack of National Empathy Contributed to the Spread of the AIDS Epidemic in the United States, 1980-86

Shelby Carpenter

Introduction

Though thousands were dying, it was not until 1985 that Acquired Immune Deficiency Syndrome (AIDS) came to the forefront of the national consciousness in the United States.¹ In comparison with outbreaks of the Ebola virus and Legionnaire's disease, both the government and the media were slow to respond to the AIDS epidemic. I argue that the slow national response to AIDS grew out of a lack of empathy with AIDS sufferers, who were primarily gay men and drug users, many of color. In my use of the term "empathy" I borrow from historian Lynn Hunt's *Inventing Human Rights*, in which she argues that an increase in empathy in Western Europe enabled people to identify across class, racial, religious, and gender lines, and subsequently to recognize the human rights of those unlike oneself.² Similarly, those with no personal connection to the AIDS epidemic began to recognize it as a serious national health issue only when they could empathize with AIDS victims. Cases in which celebrities publicly announced their HIV/AIDS status encouraged empathy for AIDS victims, as in movie star Rock Hudson's death from AIDS in 1985, that of former football player Jerry Smith in 1986, and basketball player Ervin "Magic" Johnson's announcement of his HIV status in 1991. Rock Hudson's death in particular caused an increase in national empathy with regard to the AIDS epidemic in the mid-1980s, and served as a turning point in the 1980-86 period. The increase in national empathy following his illness brought the media to cover AIDS more thoroughly and the government at last to develop a cohesive plan to fight the epidemic in 1986.

Throughout the 1980s the Reagan administration consistently provided insufficient funds to AIDS researchers. After coming into office, President Reagan issued a hiring freeze that prevented the Center for Disease Control (CDC) and the National Cancer Institute (NCI) from bringing on adequate staff to research the disease. The administration pressured officials in the CDC and NCI to tell Congress they had adequate resources to respond to AIDS, while at the same time those same officials penned dire memoranda to their superiors to request more funds. As of November of 1984, when the known AIDS caseload in the

United States surpassed 7,000, President Reagan still had yet publicly to speak a word about AIDS.³ When he finally did in 1985, it was in support of keeping children with AIDS out of public schools. After Don Francis of the CDC warned in January of 1985 that 20,000 to 50,000 deaths from AIDS were likely to occur in the United States in the next several years, the Reagan administration proposed a budget that not only failed to increase desperately-needed funding for AIDS research but actually *reduced* allocations for AIDS.⁴

As the White House blocked efforts by researchers to confront AIDS, the American media provided startlingly little coverage in the first years of the epidemic. *The New York Times* ran only four stories on the epidemic in 1981 and three stories in 1982, despite the fact that by February of 1983 over 1,000 Americans had contracted AIDS, with 75 percent dying within the first two years.⁵ Coverage slowly increased in 1983, with a major spike in response to an erroneous *Associated Press* report claiming that one could spread AIDS through routine household contact. Media coverage continued throughout 1983 and 1984, greater than in the first years, but still sparse given the increasing death toll. The next great spike came with the death of Rock Hudson in October of 1985, at which point AIDS was known in every household across America. Refer to figure one in the footnotes, a graph tracing the number of articles on AIDS throughout the early 1980s, as I discuss levels of press coverage throughout this paper. Note that media coverage was at its highest when the epidemic seemed most to concern the heterosexual population: in 1983, when the routine household contact story broke, and in 1985, when the quintessential Hollywood hunk announced he was dying of AIDS. I claim that the contrasting sparsity of coverage when AIDS appeared only to concern gay men and drug addicts was a result of the social marginalization of those individuals. Rock Hudson, on the other hand, was a film icon of the 1950's and 60's, an emblem of wholesome masculinity and heterosexuality, no matter his sexual orientation. The head of publicity at Universal Studios once said of Hudson's fans, "They like him because he's what they want their daughters to marry, or their children's father to be, or their childhood sweetheart."⁶ Hudson was an AIDS victim with whom members of the American public who had no other ties to the epidemic could identify; Hudson's diagnosis led to dramatically increased media and government attention for AIDS by encouraging empathy for those suffering from the disease. That a change in national empathy altered federal response to AIDS suggests that emotion can influence official response to health crises as well as other public policy decisions.

1980-81: Early Cases of Kaposi's Sarcoma and *Pneumocystis carinii* Pneumonia

In November of 1980, Dr. Michael Gottlieb, an immunologist at the University of California at Los Angeles, treated a patient with an unusual respiratory illness. The 33 year-old man was extremely pale, so thin as to border on anorexia, had a yeast infection in his mouth and throat that kept him from breathing properly, and was coughing uncontrollably.⁷ The yeast infection, *florid candidiasis*, was particularly puzzling. Gottlieb knew that *florid candidiasis* could occur in infants with immune abnormalities or in cancer patients who were immunosuppressed during chemotherapy, but there was no explanation for the infection in an otherwise seemingly healthy young man.⁸ To investigate the patient's cough, Gottlieb had pathologists take a scraping of the man's lung tissue and found, to his astonishment, that the man had *Pneumocystis carinii* pneumonia.⁹ In *Pneumocystis carinii* pneumonia, the 300 million air sacs in the lungs that help pass oxygen into the blood stream fill with the *Pneumocystis carinii* organism, a protozoan that healthy immune systems can usually suppress. Gottlieb had an immunologist who specialized in T-cells, which scientists had only recently discovered were white blood cells key to the functioning of the immune system, test the patient's blood. Among T-cells, there are T-helper cells that activate disease-fighting cells, and T-suppressor cells, which tell the immune system when the threat is over. Startlingly, there were not any T-helper cells in the man's blood. The results so stunned the immunologist that he tested the blood again, certain that he made a mistake, only to get the same results. Gottlieb discussed his findings with colleagues and residents to no avail; he did not know the cause, nor did he know the cure, of the array of diseases afflicting the man.¹⁰ Once a similar set of symptoms appeared one of his colleague Dr. Joel Weisman's patients, Gottlieb decided to send a report about the cases out to other health officials.¹¹

On Sunday, May 17, 1981, Gottlieb sat in his colleague Wayne Shandera's kitchen to compose a report on the *Pneumocystis* cases for the *Morbidity and Mortality Weekly Report*, or the *MMWR*. Unlike medical journals, the *MMWR* would allow him to disseminate information to health authorities quickly. Dr. Mary Guinan of the CDC helped Gottlieb and Shandera shepherd the report into publication in the *MMWR*; she also sent a copy to her boss at the Venereal Diseases division, Dr. James Curran. Later that month, at the CDC's annual sexually transmitted disease conference, Curran announced that the CDC would set up a unit to study the outbreak, and he soon became the

director of the Kaposi's Sarcoma and Opportunistic Infections Task Force within the CDC. In response to the *MMWR* report, physicians from across the country increasingly called the CDC to discuss *Pneumocystis* pneumonia, but they also mentioned concerns about the surprising appearance of Kaposi's sarcoma (KS) in young male patients; Kaposi's sarcoma was a rare cancer that typically appeared only in elderly Mediterranean and Jewish men, who tended to die of other causes before the Kaposi's sarcoma could cause any real damage. Given the rarity of both illnesses, officials at the CDC began to grow convinced that the outbreaks of *Pneumocystis* pneumonia and Kaposi's sarcoma stemmed from the same source.¹²

The first report on Kaposi's sarcoma appeared in the *MMWR* on July 4, 1981. At this time, at least forty-one gay men had Kaposi's sarcoma between New York, Los Angeles, and San Francisco, and about fifteen others had *Pneumocystis* pneumonia. In the records of New York City's Bellevue Hospital, there had not been a single diagnosis of Kaposi's sarcoma in a man under the age of fifty in the previous ten years; now there were thirty-three such cases in New York City.¹³ Three articles appeared in major newspapers in response to the cases: one on July 3 and one on July 5 in the *New York Times* as well as one in the *Washington Post* on July 4. Lawrence Altman's article on July 3 initiated a trend in news coverage in the first several years of the epidemic to focus on physicians' efforts to treat the disease rather than on the patients suffering from its effects. Altman reassured readers, "There was no apparent danger to non-homosexuals from the contagion." In contrast to Altman's 947 words, the *Washington Post* published a mere 157 words in response to the *MMWR* report, signaling the beginning of the *Washington Post's* dismal coverage of the AIDS epidemic throughout the 1980's.¹⁴

Just when press coverage briefly waxed and then waned in 1981, the CDC began to feel the effects of massive budget cuts that would severely limit its ability to research the epidemic. Laurie Garrett, a reporter for NPR and author of *The Coming Plague*, writes that Curran, Guinan, and other officials at the CDC "were convinced that something serious was going on, but they lacked the resources for a full-scale study."¹⁵ While one of the top health officials in the United States, Assistant Secretary for Health Dr. Edward Brandt, asked Curran for periodic updates of his efforts, he also supported budget cuts to the CDC out of the belief that the United States could better handle health issues at a state rather than a federal level. The budget limitations meant that Curran could not hire new staff and instead had to borrow researchers

from other departments to work on the epidemic. Needless to say, he lacked the funds to undertake a full-scale study of the epidemic.¹⁶

Jim Curran thought that the difference in response to the current epidemic and outbreaks of toxic shock syndrome and Legionnaire's disease were a result of the lack of press coverage. Randy Shilts, reporter for the *San Francisco Chronicle* and author of the ground-breaking work on the AIDS epidemic, *And the Band Played On*, writes of Curran's musings, "Back in 1976, the newspapers couldn't print enough pictures of flag-draped coffins of dead American Legionnaires. However, the stories just weren't coming on the gay syndrome."¹⁷ Reporters told Curran that editors were killing pieces because they "didn't want stories about gays and all those distasteful sexual habits littering their newspapers."¹⁸ Those few stories that did appear late in 1981 treated Kaposi's sarcoma and *Pneumocystis* pneumonia as the inevitable result of being gay. An article ran on December 10 in the *New York Times* titled, "Homosexuals Found Particularly Liable to Common Viruses."¹⁹ Rather than saying common viruses were increasingly appearing in gay men, the article said that gay men were "liable" to these viruses, as though acquiring a mysterious illness was the natural outcome of being gay. A piece in *Newsweek* on December 21 similarly pointed to the men's sexual orientation as the source of their maladies. The article began, "The promiscuous homosexual male has long been vulnerable to hepatitis and venereal diseases . . . it seems closely linked to the lifestyle of gay men."²⁰ By referring to gay men as "the promiscuous homosexual male," the article acted as though gay men were a bizarre species of animal in the wilds of Africa. The piece then directly attributed the illnesses appearing in gay men to their "lifestyle." Jeff Nunokawa, a professor of English at Princeton University, writes that homophobia "counsels acquiescence to the catastrophic effects of AIDS, namely a deep cultural idea about the lethal character of male homosexuality."²¹ The few articles that did cover the disease outbreaks in late 1981 suggested that being gay itself was a death sentence, a perspective on the epidemic that only discouraged research efforts on KS and *Pneumocystis* pneumonia.

In December of 1981 the CDC had christened the new epidemic "Gay Related Immunodeficiency Disease," or "GRID." By the end of 1981 the known cases totaled 270, mostly among young gay men. U.S. spending on the epidemic for the year amounted to less than \$200,000. When at the end of 1981 Curran asked for a bare minimum of \$833,800, the Assistant Secretary for Health and Human Services, Edward Brandt, turned down his request.²²

1982: The Iceberg

By early 1982, the CDC had data to suggest that there existed far more cases of GRID than officials had yet recorded. Curran began to use the image of an iceberg to explain the epidemic to other researchers; he would describe how “KS and *Pneumocystis* cases were just the tip and people with swollen lymph nodes were in the middle, and how there was probably a vast reservoir of asymptomatic but infected people out there.”²³ By the end of 1981, graphs tracking rates of infection with KS and *Pneumocystis* pneumonia were already on an exponential curve.²⁴ In early 1982, Andrew Moss, a researcher at the University of California in San Francisco, conducted a preliminary study for the CDC on exactly how many people in San Francisco already had GRID and how many fell into the category of pre-GRID (those who were likely to come down with the illness). Moss found that the incidence of GRID in unmarried men was 102 per 100,000 in San Francisco as a whole, but that in the Castro area, San Francisco’s gay neighborhood, incidence was at 285 per 100,000. This meant that three out of every 1,000 gay men in San Francisco already had GRID. Moss plotted this data beginning in 1977, when incidence of GRID was presumably zero, and then moved ahead on a graph in which the vertical axis was the percent of the gay population infection and the horizontal axis were years 1977 through 1985. The line climbed upward at a greater-than-45-degree angle starting in 1977, with five percent infected in 1978, 15 percent in 1979, and now in 1982 over 40 percent of the city’s gay population already infected (but possibly asymptomatic). Moss predicted that by 1985 three out of every four gay men in San Francisco would have contracted GRID.²⁵

While Curran now at least had preliminary data on the scope of GRID, he still sorely lacked funds. In April of 1982, the Reagan administration not only appropriated no new funding to the epidemic, but actually sought to reduce the budget for the National Institute of Health.²⁶ The administration offered to provide an additional \$5 million to the previous year’s CDC budget, which was just enough to cause the budget to match inflation; researchers had no choice but to continue to borrow staff and resources from other programs. As CDC officials like Curran struggled to get more funding, Congressman Henry Waxman began to attribute funding difficulties to the social marginalization of communities the outbreak affected and aptly juxtaposed responses to Legionnaire’s disease and GRID. By the summer of 1982 the CDC had spent less than \$1 million on GRID research. In contrast, the CDC spent \$9 million to root out the cause of the deaths of twenty-nine Legionnaires in 1976-77. Comparison with other infectious disease outbreaks were no more

favorable. The CDC spent \$1 million to research the Ebola virus in Central Africa and over \$135 million to develop a vaccine for swine flu.²⁷ A Congressional Research Service Report found that the National Institute of Health's research amounted with \$36,100 per death with toxic shock syndrome \$34,841 per death with Legionnaire's disease. In 1981 the NIH spent \$3,225 per death on GRID and \$8,991 per death in 1982. Randy Shilts comments sardonically, "By NIH budget calculations, the life of a gay man was worth about one-quarter that of a member of the American Legion."²⁸ Comparisons with other outbreaks suggest that Waxman's argument that lack of government response to the epidemic grew out of prejudice toward the gay community was correct.

Part of the difference in funding for Legionnaire's and GRID was media coverage. Lawrence Altman, who penned the earliest stories on Kaposi's sarcoma and *Pneumocystis carinii* pneumonia for the *New York Times*, also covered the outbreak of Legionnaire's disease in 1976. James Kinsella, the former editor of the Los Angeles *Herald-Examiner*, writes of Altman, "He provided comprehensive reporting . . . which has been cited as one reason the culprit bacterium was found so quickly. Scientists working on the case knew they were under the severe scrutiny of the *Times*."²⁹ The *New York Times* ran thirteen articles on Legionnaire's in the first week of the crisis, three of which appeared on the front page. By September of 1982, there had been only 25 articles on GRID in major publications in the entire United States.³⁰ Needless to say, the media ignored the public policy implications of Waxman's statements.³¹

Those who were less socially marginalized, however, turned out to prove newsworthy; the media did report on the apparent spread of the epidemic to heterosexual non-drug users. By mid-1982, three documented cases had occurred in which hemophiliacs died of GRID. Officials such as Curran at the CDC were convinced that GRID was spreading to hemophiliacs through Factor VIII, a clotting agent they used. The CDC finally decided to drop GRID in favor of the acronym AIDS in recognition of the fact that gay men were not the only people contracting the disease.³² As health officials identified new risk groups such as hemophiliacs and the children of drug users, reports of the spread of AIDS began to appear on news broadcasts, which tended to treat gay men as the cause of the epidemic rather than a group of people at increased risk. The first report ran on NBC on June 16, 1982. The program discussed how "the lifestyle of some male homosexuals has triggered an epidemic."³³ Then, on August 26 a group of health experts appeared on *The Macneil/Lehrer Report*. The broadcast started with a voice over by Jim Lehrer, "It's new, it kills, and it's spreading: AIDS, a

disease that has medical science baffled.” While Lehrer presented AIDS as a threat in this somber introduction, he also promised a knight in shining armor in the form of science. Lehrer said that there was a “silver-lining” in the \$1.2 million in research funds from the National Cancer Institute, presenting an unrealistically rosy view of the ability of science to rush in and save the day with such limited resources. Dr. Bijan Safai from the Sloan-Kettering Cancer Institute responded to Lehrer’s initial questions by saying that while the disease first appeared “just” among “homosexual” men, it had begun to spread to drug addicts and hemophiliacs. I argue that Safai’s seeming lack of concern about hundreds of dying gay men stemmed from homophobia. Safai even stated that scientists previously believed AIDS originated in the “lifestyle . . . of the homosexual,” but they now believed an infectious agent was the cause. Much like articles in print publications during the first years of the epidemic, Safai treated AIDS as the unavoidable result of being gay. Toward the end of the broadcast, Safai reassured Lehrer, “We are talking about 500 patients in a population of several million, probably homosexuals, and many drug addicts that are supposed to be at risk at the present time. So it’s not really a major problem.” While officials on the show reported at least a 40 percent mortality rate among those infected, Dr. Safai insisted that 500 infected individuals, given that they were gay men and drug addicts, did not need to be a source of concern.³⁴ The overall message of the broadcast was firstly, the disease is frightening; secondly, science has the answer; and thirdly, mostly gay men and drug addicts would die, so the general public need not fear. As in this broadcast, throughout the early 1980’s the American media portrayed AIDS as alternately a terrible threat or a nonissue to those outside the risk group. At the same time, the media tended to minimize the impact of AIDS on those most at risk. Not only the content but also the dearth of media coverage both contributed to and resulted from a lack of empathy for AIDS victims. In the absence of investigative news reporting, the Reagan White House was able to block research efforts on AIDS without receiving criticism.

1983: The “Routine Household Contact” Story and the Rise in Media Coverage

On March 7, Larry Kramer’s incendiary article “1,112 and Counting” ran in the *New York Native*. In the piece, Kramer pegged the continued existence of gay men in the United States on their ability to grow angry over the response (or lack thereof) by the government and media. In particular, he lashed out against Mayor Ed Koch of New York

City for refusing to meet with gay rights advocates over the epidemic as well as at the *New York Times* for its meager coverage of AIDS. Later that month, a group of activists from the Harvey Milk Democratic Club composed a letter to the *Bay Area Reporter* arguing that the gay community needed to abandon the ideal of sexual liberation and to engage in safe sex with fewer partners.³⁵ The letter from the Harvey Milk Democratic Club, which in part responded to the call to action by Larry Kramer, drew extensive coverage on the West Coast from the *San Francisco Examiner*, the *San Francisco Chronicle*, and the *Bay Area Reporter*.³⁶ The greater press coverage, in turn, helped to promote greater municipal spending on the AIDS epidemic. Despite being home to 45 percent of AIDS victims in the United States, New York had yet to spend any public funds on the epidemic by May of 1983. In contrast, San Francisco spent \$4 million on AIDS services that year. Shilts notes a study by the Institute for Health Policy Studies at the University of California in San Francisco that analyzed the differences between responses by the cities of New York and San Francisco and found that the different responses arose in part from the corresponding difference in news coverage between the cities' major newspapers. The *San Francisco Chronicle* provided far more extensive coverage of the epidemic than the *New York Times*, and San Francisco responded more aggressively to the AIDS epidemic than did New York.³⁷ Media coverage directly correlated with levels of spending on the epidemic in cities with high AIDS caseloads.

Not long after Kramer's article led to greater press coverage of AIDS on the West Coast, the news that AIDS could be spread through "routine household contact" incited panic throughout the nation. It was an article by Dr. James Oleske in the *Journal of American Medicine*, or *JAMA*, that ignited the false panic. In early 1983 Dr. Oleske treated infants with AIDS, mostly the children of drug users, from some of the poorest neighborhoods in New Jersey. Since the children had clearly not contracted AIDS from contaminated needles or through sexual contact, and given that almost all of the children lived in households with someone who had the disease or who was in a high risk group, he concluded that the infants acquired AIDS through routine household contact. If the illness was occurring as a result of such routine close contact, Dr. Anthony Fauci said in an editorial in the same edition of *JAMA*, "the scope of the syndrome may be enormous"; in short, the syndrome would be a greater danger to the heterosexual, non-drug-using population.³⁸ *JAMA* sent out a press release on Oleske's findings with the title "Evidence Suggests Household Contact May Transmit AIDS." The study was factually inaccurate; the infants were contracting AIDS not by

close contact with their parents after birth but rather their mothers' wombs before, and researchers other than Dr. Oleske, such as Dr. Ayre Rubenstein of the Albert Einstein College of Medicine, were well aware of the fact. Despite its well-documented scientific inaccuracies, media coverage of AIDS skyrocketed in response to the *JAMA* article.³⁹ Compared to the 66 articles in major media outlets throughout all of 1982, 595 articles appeared in the second quarter of 1983 and 625 in the third quarter.⁴⁰ In an ABC news broadcast on June 20, Ken Kashiwaha detailed the effects of the *JAMA* article, what he called "an epidemic of fear." For example, on a local television show that was actually trying to dispel fear of AIDS, a technician refused to put a microphone on an AIDS victim and the show had to interview the individual by phone. A city in California had to cancel a first-aid class because city employees feared contracting AIDS from a mannequin. In San Jose, two nurses quit their jobs rather than treat AIDS patients.⁴¹ Coverage of the *JAMA* article ultimately served to ignite panic in those outside risk groups as well as to increase the stigma of AIDS.

Media response to the *JAMA* article was only part of a larger trend in the media either merely to parrot the words of health officials or to report incorrectly scientific findings on AIDS. Reporters took the article as fact rather than treating it with traditional journalistic scrutiny; they also failed to seek out physicians who contradicted Dr. Oleske's findings. Because science and medicine writers for media outlets seldom had scientific backgrounds themselves, they tended to accept medical journals like *JAMA* and the *New England Journal of Medicine* as incontrovertible. Kinsella refers to the adulatory response by reporters to scientific efforts around AIDS as the "Gee whiz" response. Lack of knowledge about AIDS would continue throughout the rest of the decade.⁴² The media followed the agenda of the medical journals rather than acting as a watchdog to monitor official efforts in response to AIDS.⁴³

As Americans fretted about catching AIDS from bus seats, the House of Representatives approved additional funding for the epidemic and began to inquire into the executive branch's response to AIDS. After approving a \$41 million in new funds, the House Appropriations Committee noted with concern the lack of any national programs for AIDS education and ordered Margaret Heckler, Secretary of Health and Human Services, to employ the resources at her disposal. Congressional inquiry into the epidemic continued and on December 6 the House of Representatives issued a news release documenting the government's poor response to the AIDS epidemic. The release summarized the contents of a thirty-six-page report, "The Federal Response to AIDS,"

which formed the first comprehensive investigation of federal AIDS policy in the country. The report outlined how “important surveillance, epidemiological studies, and laboratory research at [the] CDC and NIH were undermined because of inadequate resources.”⁴⁴ Furthermore, the House found that political concerns had swayed the government’s response. Representative Ted Weiss stated in the press release, “Tragically, funding levels for AIDS investigations have been dictated by political considerations rather than by the professional judgments of scientists and public health officials.”⁴⁵ As a remedy, the report recommended that the federal government support the Public Health Emergency Fund, establish procedures to expedite the award of grants by the NIH, and the creation of an independent panel of experts to develop a strategy to fight AIDS.⁴⁶ While the *Associated Press* issued a release and *The New York Times* ran the story, on the whole press coverage of the House report was scanty. As the *Associated Press* statement noted, by this time there were 2,640 known cases of AIDS in the United States and 1,092 deaths, with an expected mortality rate of 89 percent within three years of diagnosis.⁴⁷

1984: The AIDS Virus and Continued Congressional Battles

In the face of mounting numbers of AIDS victims, on April 23 Secretary Heckler held a press conference to announce a great stride forward in fighting the epidemic: the American discovery of the virus that causes AIDS. Heckler emphasized National Cancer Institute researcher Robert Gallo’s discovery of the virus, HTLV-III, as a continuation of a history of American scientific excellence.⁴⁸ She optimistically promised a blood test within six months and a vaccine within two years.⁴⁹ What Heckler failed to mention in the press conference was that the French had also discovered the virus, before Gallo. Seven months earlier Dr. Luc Montagnier of the Pasteur Institute had presented his research on the virus, which he called LAV, at the National Cancer Institute. The crucial difference between Montagnier and Gallo’s work was that Gallo succeeded in creating a cell-line that could grow permanently in the presence of the virus, which meant that he could replicate it in mass quantities for the creation of a blood test. When researchers had fully genetically sequenced both LAV and HTLV-III in 1985, they confirmed that the two differed by less than one percent—the viruses were identical. Even before Heckler announced the “American” discovery of the AIDS virus, however, AIDS researchers knew about French progress on the epidemic—when the CDC sent samples to the Pasteur Institute, they found that 90 percent of the samples that came

from AIDS patients tested positive for LAV.⁵⁰ Gallo, meanwhile, sidestepped the possibility that HTLV-III and LAV could be the same virus. The *Washington Post* quoted Gallo, “If what they have identified is the same, I certainly will say so, and I will say so with them . . . I can't say at this point they are identical.”⁵¹ Major publications such as the *New York Times* did not question Heckler’s hopeful projections about an AIDS vaccine. Lawrence Altman of the *Times* described a sense of “quiet triumph in the halls of the Atlanta center.”⁵² An article in the *Washington Post* tempered hopes for a vaccine in two years by pointing out that five years might be a more realistic estimate. While National Public Radio questioned Heckler’s promise of a vaccine, few other major media outlets did.⁵³ The “Gee whiz!” response continued.

Not long after Heckler’s optimistic announcement, on July 24 Tim Westmoreland, counsel to the House Subcommittee on Health and the Environment, found a brown envelope in the mail. The envelope contained a memo from Assistant Secretary Brandt to Secretary Heckler requesting an additional \$55 million in AIDS funding. The memo arrived at Westmoreland’s office just as Congress was about to begin planning the next year’s fiscal budget. The Reagan administration had requested only \$51 million total in AIDS funding for the next fiscal year, a mere six percent increase over the previous year; the administration insisted that health researchers had the resources they needed. Shilts avers that despite the fact that “mounting AIDS caseloads indicated the need for drastically increased funding, liberals had no persuasive documentation. Brandt’s memo lifted the camouflage off administration claims that doctors had all the resources they needed.”⁵⁴ Westmoreland quickly distributed copies to congressional allies, who then pressured Secretary Heckler to increase her funding request. Secretary Heckler did not request increased funds.⁵⁵ However, following the leak of the memo Representative Henry Waxman had learned that the Department of Health and Human Services (HHS) consistently failed to send Brandt’s funding requests to Congress. Waxman then convened a hearing in which he accused the HHS budget chief, “Every day there are deaths that are a monument to your irresponsibility.”⁵⁶ After the Waxman hearing Congress passed a final allocation of \$93 million, more than a 60 percent increase over the AIDS funds President Reagan had requested.⁵⁷

1985-86: The Rock Hudson Diagnosis and Its Aftermath

While the media largely ignored Congressional efforts, Rock Hudson’s diagnosis with AIDS would at last put the epidemic in the spotlight. Hudson had been receiving treatments of HPA-23, a drug that

doctors hoped would hold AIDS at bay, in France for months. When he collapsed in the lobby of his hotel on July 21, paparazzi quickly began to cover the story. On July 23, both the *Associated Press* and the *United International Press* issued bulletins on Hudson's condition, and then ABC and NBC picked up the wire reports.⁵⁸ The *Associated Press* detailed that Hudson was suffering from inoperable liver cancer and that, while he was receiving treatment at an institution that specialized in AIDS, his publicist claimed rumors that Hudson was suffering from AIDS were speculative. The report then moved on to reinforce Hudson's star power by quoting Elizabeth Taylor, Doris Day, and Tony Randall about Hudson.⁵⁹ The first *United Press International* report led off by describing Hudson as the "last of the traditional square-jawed, romantic leading men."⁶⁰ Early reports on his illness emphasized Hudson's stardom, his masculinity, and his perceived heterosexuality. National media outlets and wire services continued to report on Hudson's illness over the next two days while confusion abounded over whether or not he had AIDS. On July 25, Elaine Ganley with *The Associated Press* and Jonathan Ferziger of *United Press International* confirmed that Hudson, the great romantic movie lead, did indeed have AIDS.⁶¹

Media coverage exploded over the Hudson diagnosis. That night, CBS dedicated four minutes to AIDS and NBC aired a story that lasted four and a half minutes. ABC even gave slightly over seven minutes to AIDS coverage, more than in the entire history of the epidemic. While each network focused on Hudson, they also ran other stories about AIDS; ABC even examined problems with AIDS funding.⁶² Kinsella writes, "But the funding stories and controversies . . . had been around and simply went unreported before. It was not until the diagnosis of Hudson, a longtime friend of the Reagans, that the epidemic crept into the agenda."⁶³ ABC ran twenty-eight stories on AIDS after July 25 that year, while it only ran four stories before; NBC and CBS also dramatically increased coverage of the epidemic. Across the United States, media coverage increased 270 percent after Hudson's diagnosis.⁶⁴ ABC correspondent George Strait said, "Rock Hudson was the first one we all knew and cared about."⁶⁵ Strait's claim that the collective "we" first knew an AIDS victim in Rock Hudson emphasizes the seeming unimportance of those with AIDS up until that point. That Hudson was the first person with AIDS the collective "we" "cared about" shows that Americans with no personal connection to the epidemic only came to see AIDS as a cause of concern when Hudson announced his diagnosis. The Strait quote suggests a connection between knowing someone with AIDS and caring about AIDS as a national health crisis; because heterosexual, white Americans could easily identify with Hudson, they could also

empathize with him and take a step toward empathizing with other AIDS victims.

Intensive media coverage of AIDS continued for years after the revelation of Hudson's illness, and would never again drop to the levels of before Hudson's diagnosis.⁶⁶ Shilts writes that the Hudson diagnosis "had irrevocably changed everything for the AIDS epidemic. After such a burst of attention, AIDS would never again be relegated to the obscurity to which it had long been assigned."⁶⁷ Hudson, after all, had brought an aura of masculine respectability to the epidemic. An issue of *Life* magazine in September said, "AIDS was given a face everyone could recognize when it was announced that Rock Hudson, 59, was suffering from the disease."⁶⁸ As Meyer points out, the magazine's claim that AIDS only acquired a face through Rock Hudson emphasizes the invisibility of the 6,000 people who had already died of AIDS before him. Hudson, a movie star and a symbol of masculinity and heterosexuality, made AIDS an issue of "us" rather than of "them"; AIDS became integrated into the collective "we." His respectability in comparison with more marginalized AIDS sufferers brought about an increase in national empathy with respect to AIDS. Surely, part of the increasing concern over the epidemic came from the belief that Hudson's diagnosis meant that AIDS was becoming a threat to the heterosexual population, despite Hudson's orientation. *LIFE* magazine even ran an issue with AIDS on the cover titled "Now No One is Safe From AIDS" that July (see figure two); the title suggested that AIDS was beginning to break out of its primary risk groups. AIDS only began to matter when it would affect heterosexual people, a category that presumably included Rock Hudson. Ultimately Hudson, a gay man, made AIDS less of a "gay" disease. Because AIDS became a disease that even straight movie stars could contract, Americans with no other connection to the epidemic developed greater empathy for AIDS victims. That such empathy encouraged greater government and media response to the AIDS epidemic suggests that greater empathy for victims of health or human rights crises leads to a greater national response.

Other incidents in which celebrities have publicly acknowledged their HIV/AIDS status confirm that celebrities can encourage knowledge about and empathy for HIV/AIDS. Gregory Herek and John Capitanio of the University of California at Davis conducted a study of the stigma around HIV/AIDS before and following Ervin "Magic" Johnson's disclosure of his HIV status in 1991. They found that having a direct, personal relationship with someone who has HIV/AIDS did the most to reduce stigma (they measured stigma along three axes: support for coercive policies, assigning blame to people with AIDS for their illness,

and avoiding people with AIDS). However, they also found that vicarious contact with celebrities such as Johnson reduced stigma, particularly in those who had previously manifested high levels of antipathy toward those with AIDS.⁶⁹ Herek and Capitano conclude, “The present study suggests that vicarious contact has its greatest impact on those individuals who are most removed from the epidemic and have the highest levels of stigma.”⁷⁰ Seth Kalichman and Tricia Hunter of the Medical College of Wisconsin in Milwaukee conducted a study that confirmed Herek and Capitano’s general results: subjects showed greater concern about AIDS, interest in AIDS information, and willingness to discuss AIDS with friends following the Johnson disclosure.⁷¹ In short, researchers found that Johnson’s public announcement of his HIV status increased public interest and concern around HIV/AIDS as well as decreased the stigma associated with being HIV-positive. I argue that Hudson’s announcement that he had AIDS had similar effects in 1985, with a resulting increase in government and media coverage of the epidemic.

The greater media coverage of the epidemic following Hudson’s diagnosis increased pressure on the Reagan administration to support research efforts around AIDS. In June of 1986 the Public Health Service held a conference with 85 AIDS experts to make recommendations for federal policy on the epidemic. The experts insisted that the government needed to engage in public education, to create an AIDS commission, and to do more to coordinate federal offices. The press extensively covered their dismal projections for the next five years: the cumulative number of AIDS cases in the United States would reach 270,000, with 179,000 deaths.⁷² Meanwhile, throughout 1986 Surgeon General Dr. C. Everett Koop, whom Reagan chose for his importance in the anti-abortion movement, interviewed AIDS researchers, health care providers, and gay community leaders. Reagan himself had asked Koop to compose a federal report on AIDS. Once he finished the report, Koop had tens of thousands of copies printed without showing the document to the White House beforehand, and with good reason—he called for AIDS education “at the earliest grade possible,” advocated the widespread use of condoms, and insisted that mandatory testing would be ineffective; in short, Koop discussed AIDS in purely public health rather than political terms.⁷³ While other Republicans, such as the governor of California George Deukmejian, worked against anti-discrimination legislation for those with AIDS, Koop supported anti-discrimination laws as a method of fighting the epidemic—without guarantees of confidentiality and non-discrimination, large-scale testing would not be possible. Koop’s report

powerfully outlined in public health terms necessary future efforts with regard to the AIDS and proved a turning point in the epidemic. It also drew media attention to the federal government's efforts, and lack thereof, in combating AIDS.⁷⁴ Hudson's announcement paved the way for Koop's crucial report by drawing greater attention to the epidemic in the media and across the nation.

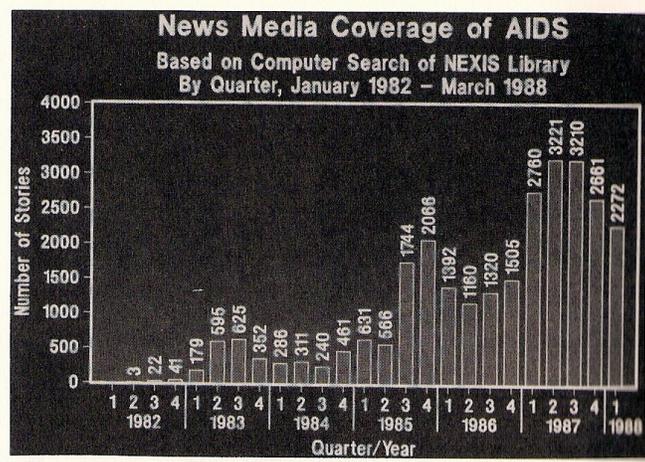
Conclusion

Rock Hudson's death was a turning point in the epidemic; his elite status drew media and government attention to AIDS. Before Hudson's death, AIDS was a disease of gay men and drug users, and those with no personal link to the epidemic often failed to empathize with AIDS victims due to the victims' social marginalization. After Hudson, AIDS was a disease even movie stars could contract, a disease worthy of empathy. The ability and the desire of Americans to identify with those suffering from AIDS proved key in press and government response to the epidemic. While having AIDS or being gay did not suddenly lose their stigma overnight, nor have they lost their stigma now, Hudson's diagnosis resulted in an increase in national empathy for AIDS victims, and thus a greater respect for AIDS victims' right to health and well-being. The greater press coverage after Hudson's diagnosis both contributed and responded to that empathy, as well as increased pressure on the federal government to support AIDS research and services.

Ultimately, Hudson's diagnosis contributed to a change in affect toward AIDS victims across the country. The American public and government were more capable of feeling empathy for those suffering from AIDS once they could identify Hudson with the disease. The U.S. government's response to the AIDS crisis demonstrates that affect is a determining factor in the formation of public policy; government officials decide policy not solely based on objective reasoning, nor on political considerations, but also based on emotion.⁷⁵

Figure 1

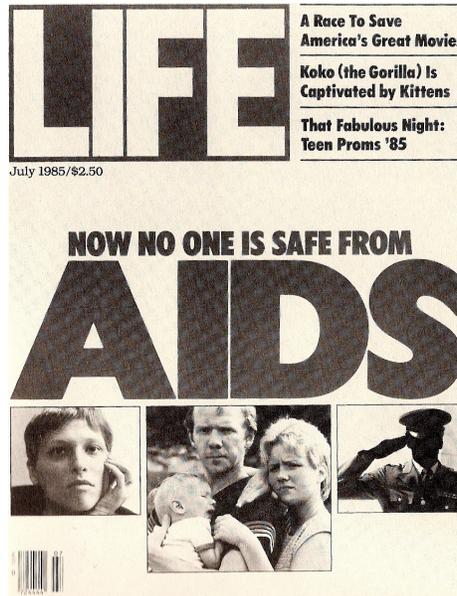
Source: James Kinsella, *Covering the Plague: AIDS and the American Media* (New Brunswick: Rutgers UP, 1989), 156.



11 THE RISE AND FALL OF U.S. MEDIA COVERAGE, TIED NOT TO SCIENTIFIC DEVELOPMENTS OR NUMBERS OF DEAD, BUT TO THE EXTENT TO WHICH THE THREAT TO MAINSTREAM AMERICANS SEEMED TO BE INCREASING. GRAPH PREPARED BY THE CENTERS FOR DISEASE CONTROL.

Figure 2

Source: James Kinsella, *Covering the Plague: AIDS and the American Media* (New Brunswick: Rutgers UP, 1989), 149.



-
- ¹ A note on terminology: I will refer to HIV/AIDS using contemporaneous language. From the late 1970's to December 1981 I will refer to the specific illnesses an individual contracted as a result of immune deficiency, such as Kaposi's Sarcoma or *Pneumocystis carinii* pneumonia. In December of 1981 the Center for Disease Control adopted the term Gay-Related Immunodeficiency Disease (GRID), which I will use when discussing the epidemic from then up through mid-1982, when researchers dropped GRID in favor of Acquired Immune Deficiency Syndrome (AIDS). A virus causes AIDS, which is a disease of the immune system that often results in opportunistic infections, eventually causing death. Two different terms circulated from 1984 to 1986 to describe that virus: the term American researchers preferred, Human T-Cell Lymphotropic Virus Type III (HTLV-III), and the term French researchers preferred, Lymphadenopathy-Associated Virus (LAV). French and American researchers reached a compromise in 1986 to term the virus Human Immunodeficiency Virus (HIV).
- ² *Inventing Human Rights: A History* (New York: W. W. Norton, 2007).
- ³ Randy Shilts, *And the Band Played On: Politics, People, and the AIDS Epidemic* (New York: St. Martin's Press, 1988), 387-495.
- ⁴ James Kinsella, *Covering the Plague: AIDS and the American Media* (New Brunswick: Rutgers UP, 1989), 266.
- ⁵ Shilts, *And the Band Played On*, 110-524.
- ⁶ Internal quote from Richard Meyer, "Rock Hudson's Body," in *Inside/Out: Lesbian Theories, Gay Theories*, ed. Diana Fuss (New York: Routledge, 1991), 271.
- ⁷ Laurie Garrett, *The Coming Plague: Newly Emerging Diseases in a World Out of Balance* (New York: Farrar, Straus, Giroux, 1994), 283.
- ⁸ Shilts, *And the Band Played On*, 42-43.
- ⁹ Garrett, *The Coming Plague*, 284.
- ¹⁰ Shilts, *And the Band Played On*, 34-43.
- ¹¹ Garrett, *The Coming Plague*, 284-85.
- ¹² Shilts, *And the Band Played On*, 37-76.
- ¹³ Garrett, *The Coming Plague*, 286.
- ¹⁴ Lawrence K. Altman, "Rare Cancer Seen in 41 Homosexuals," *The New York Times*. July 3, 1981, Section A, Late City Final Edition; *The Washington Post*, "Cancer Linked to Gays," July 4, 1981, First Section, Final Edition.
- ¹⁵ *The Coming Plague*, 287.
- ¹⁶ Shilts, *And the Band Played On*, 80-82.
- ¹⁷ *Ibid.*, 110.
- ¹⁸ *Ibid.*
- ¹⁹ Late City Final Edition.
- ²⁰ Matt Clark and Mariana Gosnell, "Diseases That Plague Gays," United States Edition.
- ²¹ "'All the Sad Young Men': AIDS and the Work of Mourning," in *Inside/Out: Lesbian Theories, Gay Theories*, ed. Diana Fuss (New York: Routledge, 1991), 311.
- ²² Garrett, *The Coming Plague*, 293-98.
- ²³ Shilts, *And the Band Played On*, 134.
- ²⁴ *Ibid.*, 99.
- ²⁵ Garrett, *The Coming Plague*, 300.
- ²⁶ Kinsella, *Covering the Plague*, 260.
- ²⁷ *Ibid.*, 303.
- ²⁸ Shilts, *And the Band Played On*, 186-87.
- ²⁹ *Covering the Plague*, 61.
- ³⁰ *Ibid.*, 61-156.
- ³¹ Shilts, *And the Band Played On*, 146.
- ³² Garrett, *Covering the Plague*, 309.

-
- ³³ Kinsella, *Covering the Plague*, 261.
- ³⁴ “A.I.D.S.—The Mysterious Disease,” *The MacNeil/Lehrer Report*, prod. Maura Lerner. August 26, 1982.
- ³⁵ Shilts, *And the Band Played On*, 244-60.
- ³⁶ Kinsella, *Covering the Plague*, 35-36.
- ³⁷ Shilts, *And the Band Played On*, 310-400.
- ³⁸ Internal quote from Kinsella, *Covering the Plague*, 106.
- ³⁹ Shilts, *And the Band Played On*, 300.
- ⁴⁰ *Ibid.*, 106-56.
- ⁴¹ *World News Tonight*. ABC, June 20, 1983.
- ⁴² Kinsella, *Covering the Plague*, 106-113.
- ⁴³ *Ibid.*, 107.
- ⁴⁴ Internal quote from Shilts, *And the Band Played On*, 397.
- ⁴⁵ *Ibid.*
- ⁴⁶ *Ibid.*, 398.
- ⁴⁷ Margaret Scherf, *The Associated Press*, December 6, 1983, AM cycle.
- ⁴⁸ Garrett, *The Coming Plague*, 332-33.
- ⁴⁹ Kinsella, *Covering the Plague*, 264.
- ⁵⁰ Garrett, *The Coming Plague*, 332-34.
- ⁵¹ Christine Russell, “Virus Discovery Could Lead to Test for AIDS,” April 24, 1984, Final Edition.
- ⁵² “New U.S. Report Names Virus that May Cause AIDS,” April 24, 1984, Late City Final Edition.
- ⁵³ Kinsella, *Covering the Plague*, 264.
- ⁵⁴ Shilts, *And the Band Played On*, 466.
- ⁵⁵ *Ibid.*
- ⁵⁶ Internal quote from Shilts, *And the Band Played On*, 493.
- ⁵⁷ *Ibid.*
- ⁵⁸ Kinsella, *Covering the Plague*, 142-43.
- ⁵⁹ Richard Benke, AM cycle.
- ⁶⁰ Scott Vernon, AM cycle.
- ⁶¹ Elaine Ganley, AM cycle; Jonathan Ferziger, PM cycle.
- ⁶² Kinsella, *Covering the Plague*, 143-44.
- ⁶³ Kinsella, *Covering the Plague*, 144.
- ⁶⁴ *Ibid.*, 144.
- ⁶⁵ Internal quote from Kinsella, *Covering the Plague*, 145.
- ⁶⁶ *Ibid.*, 134.
- ⁶⁷ Shilts, *And the Band Played On*, 581.
- ⁶⁸ Internal quote from “Rock Hudson’s Body,” 274.
- ⁶⁹ “AIDS Stigma and Contact With Persons With AIDS: Effects of Direct and Vicarious Contact,” *Journal of Applied Psychology* 27.1 (1997): 7-29.
- ⁷⁰ *Ibid.*, 30.
- ⁷¹ “The Disclosure of Celebrity HIV Infection: Its Effects on Public Attitudes,” *American Journal of Public Health* 82.10 (1992): 1374-76.
- ⁷² Kinsella, *Covering the Plague*, 266-67.
- ⁷³ Shilts, *And the Band Played On*, 587.
- ⁷⁴ *Ibid.*, 577-88.

Notes

