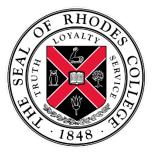


Rhodes Historical Review

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The Other Hussite Revolution: The Evolution of Secular Law in 15th Century Bohemia

Matthew Bishop

Salty Spinoza: Baruch Spinoza's attack on Rabbinical authority

Madeline Mehok

Catholic Clergy in Memphis: Reconstructing Yellow Fever Relief Efforts

Anna Johnson

The Civil War's Dirty Legacy: Ivory Soap's Use of Racial Advertising

Samuel Cross

Edited by Emma Stauber and Patsy Wardlaw

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The Rhodes Historical Review showcases outstanding undergraduate history research taking place at Rhodes College in Memphis, Tennessee. Phi Alpha Theta (The National History Honor Society) and the Department of History at Rhodes College publish The Rhodes Historical Review annually. The Rhodes Historical Review is produced entirely by a two-member student editorial board and can be found in the Ned R. McWherter Library at The University of Memphis, the Benjamin L. Hooks Central Public Library of Memphis, and The Paul J. Barret Jr. Library at Rhodes College.

<u>Submission Policy</u>: In the fall, the editors begin soliciting submissions for essays 3,000-6,000 words in length. Editors welcome essays from any department and from any year in which the author is enrolled; however, essays must retain a historical focus and must be written by a student currently enrolled at Rhodes College. Submissions are reviewed in December, with a premiere date set in April.

THE RHODES HISTORICAL REVIEW

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Introduction

This year's edition of the *Rhodes Historical Review* encapsulates a broad range of essays, topics, and time periods, representing the various interests of our student-authors. For instance, Mathew Bishop's "The Other Hussite Revolution: The Evolution of Secular Law in 15th Century Bohemia" invites us to examine deeply the dramatic changes in Bohemian legal codes brought on by Jan Hus's medieval conflict with the Catholic Church. Likewise, Madeline Mehok's essay, "Salty Spinoza: Baruch Spinoza's attack on Rabbinical authority", welcomes us to explore Baruch Spinoza's Theological Political Treatise, a key work of the early Enlightenment movement, in light of Spinoza's personal relationship with his Jewish past. Moving across the Atlantic Ocean and forward in time, Anna Johnson's "Catholic Clergy in Memphis: Reconstructing Yellow Fever Relief Efforts" challenges us to re-examine local history by detailing the role of Memphis's Catholic clergy in providing relief for the city while it was stricken by the sever yellow fever outbreak of 1878. Lastly, Samuel Cross's essay, "The Civil War's Dirty Legacy: Ivory Soap's Use of Racial Advertising", urges us to grapple with the harm done by Procter and Gamble's marketing of their Ivory Soap products after the American Civil War, which frequently portrayed Native Americans and African Americans as inferior groups. The goal of this journal is to capture impressive undergraduate history research grounded in both secondary and primary sources. The essays vary significantly; however, they all demonstrate a significant commitment to furthering historical research and interpretation. We are fortunate to work with a team of such talented student-authors and are proud of the work they have accomplished.

Acknowledgments

We, the editors, would like to thank the chair of the Rhodes College History Department, Professor Tait Keller, for his unwavering support. We extend similar gratitude to the staff and faculty of the history department at Rhodes College as a whole. In particular, this edition would not have been possible to produce without the four faculty advisors who assisted in the editorial process, Professor Sarah Ifft-Decker, Professor Charles McKinney, Professor Jonathan Judaken, and Professor Tait Keller. We are indebted to Professor Sarah Ifft-Decker, Professor Jeffrey Jackson, Professor Jonathan Judaken, and Professor Robert Saxe for nominating the essays selected this year. We sincerely thank the Lainoff Fellowship Grant that facilitated our editorial work and helped make the *Rhodes Historical Review* possible. Finally, we would like to thank Professor Samson Ndanyi for serving as the faculty advisor for Phi Alpha Theta and Rhodes Historical Review, as well as Professor Sarah Ifft-Decker for agreeing to serve as the next faculty advisor.

The Other Hussite Revolution: The Evolution of Secular Law in 15th Century Bohemia Matthew Bishop

At the onset of the 15th century, the Kingdom of Bohemia appeared to be in its golden age. King Wenceslas IV was crowned King of the Germans, Prague was a thriving, modern city in the image of the west, and the powerful clergy and aristocracy dominated a stable state.¹ However, under the veil of prosperity, cracks in Bohemian society would begin to show, eventually being exposed in full by preacher and teacher Jan Hus. Hus and his eventual martyrdom would trigger the Hussite Revolution, a twenty year long campaign where Bohemia lashed out against the Catholic Church and the ambitions of Catholic monarchs, crafting a culture and society that would last far after the end of armed conflict.

The Hussite movement was born out of Hus' discontent with the Catholic Church, but it grew beyond strictly a religious movement, its tendrils snaking through all facets of Bohemian society, transforming into a cultural struggle.² These shifts are evident in the oft-ignored Bohemian legal system which opened the century as a customary one, dominated by the secular high court and the church's ecclesiastical courts. By the time the 16th century started, Bohemian law had been codified, the high court was no more, and the power of the Catholic Church had been broken. I argue that these legal developments were a direct result of the Hussite Revolution destroying the old order of Bohemian society. Jan Hus himself, although he may have not been a lawyer, played a key role in inspiring these shifts through his own revolutionary rhetoric. Hus attacked the idea of the supremacy of the law and court

¹ R. R. Betts, "Social and Constitutional Development in Bohemia in the Hussite Period," *Past &*

Present, no. 7 (1955): 41.

² John Klassen, "The Disadvantaged and the Hussite Revolution," International Review of Social

History 35, no. 2 (1990): 249-50.

system, pushing for the word of God to be valued over both secular and canon law, encouraging Bohemians to break from the established system, while also defending the peasants marginalized by Bohemian society. His successors would pick up where he left off, and the aftermath of the Hussite Revolution and the resulting new social order would finally complete the transformation of the Bohemian legal system.

Hussite study has a rich historiography, but its legal history is lacking. In 1900, Feodor Feodorovitch Sigel, a professor of law at the University of Warsaw, came to Oxford University to deliver a series of English lectures on the history of Slavonic Law.³ Bohemia was but one of five regions that Sigel fixated on, giving a unique focus on the development of Bohemian Law prior to the Hussite period, and even after. However, Sigel's main focus does not fall within the bounds of the 15th century. He alludes to the Hussites, but leaves a gaping hole in legal historiography that makes one curious as to the developments in such a period. In 2020, Pavel Otmar Krafl wrote an article focusing on the ultimate codification of Bohemian law, the 1500 Code of Vladislav. This article also touches on the shifts in Bohemian society triggered by the Hussite Revolution, but again, does not delve deep nor focus on them.⁴ Thus, I see a gap in Hussite legal historiography that I can explore, address and connect.

On the other hand, plenty of historians have taken their time to study Jan Hus. Among the long list of Hus scholars who wrote in English, the chief among them are David Schaff, Matthew Spinka and Thomas Fudge.⁵ Schaff is responsible for

Moravian History, Vol. 16, No. 2 (Fall 2016): 90-138.

³ Feodor Feodorvich Sigel, *Lectures on Slavonic Law*, Kitchener: Batoche Books, 2001: 41-62.

⁴ Pavel Otmar Krafl, "Czech Medieval Codifications: The Code of Vladislav (1500)," *Czech-Polish Historical and Pedagogical Journal* (12/1/2020): 69-73.

⁵ Thomas A. Fudge, "Jan Hus in English Language Historiography, 1863–2013," *Journal of*

the translation of multiple of Hus' works into English, as well as his own biography on Hus, the first major one in the English language. ⁶ Schaff was an interesting figure that not only did not speak Czech, but also found learning it unnecessary. Furthermore, Schaff's opinion on Hus is one colored by his own devotion to him, calling Hus "an apostle of Christ that preached a pure life.⁷" Combined, these factors create an imperfect and overly glorified understanding of the man. Spinka represents the main voice on Hus within the 20th century, his own biography replacing Schaff's as the primary English language source on Hus' life.⁸ Lastly is Thomas Fudge, the leading modern English language source on Jan Hus, who wrote his own biography among a number of other works addressing the Hussite Revolution. Furthermore, he also translated hundreds of Czech documents in his The Crusade against Heretics in Bohemia, 1418-1437, bringing direct primary sources on the Hussite Wars into the English language.⁹ Fudge builds off Spinka, who largely built off Czech scholarship, but both come to different interpretations, Spinka calling him a direct forerunner of the reformation, representing the transitional stage between medieval and early modern thought¹⁰, while Fudge considers Hus as a medieval heretic with minimal connection to later reformers.¹¹ With a sense of historiographic background established, I may now move on to the heart of this paper, exploring the legal implications of the Hussite Revolution.

⁶ Fudge, "Jan Hus in Historiography," 116-118.

⁷ Fudge, "Jan Hus in Historiography," 117-118.

⁸ Fudge, "Jan Hus in Historiography," 123-124.

⁹ Fudge, "Jan Hus in Historiography," 129-130.

¹⁰ Fudge, "Jan Hus in Historiography," 125.

¹¹ Fudge, "Jan Hus in Historiography," 132.

The Development of Bohemian Law

Before one can understand how the Bohemian legal system changed, it is vital to understand its development and status prior to the Hussite movement. Reviewing Sigel's history of Bohemian Law, he notes how all of Bohemia was governed by individualistic, customary law.¹² Bohemian society was hardly unified, instead being run by large groups of Slavonic tribes that governed themselves and created their own laws, ensuring that a single grand collection of customary law would be impossible.¹³ Indeed, these differences are reflected by the primary legal document left from this period, the 1189 Statute of Prince Codrat Otto. This statute only exists today as three separate versions found within three separate provinces, nearly identical. However, each version is different according to the customary policies of its respective region.¹⁴ As Sigel points out, this reflects the purpose of this statute. It was not intended to create a single law code for all of Bohemia to abide by, but instead to list out and define pre-existing regulations. Power remained firmly decentralized.

Advancing further in Bohemian history, Ottokar II (r. 1253-1278) sought to revolutionize their legal system, establishing the Bohemian high court. This high court was inextricably tangled up with the throne, as the king had the right to appoint lords to the court for life. This court had ultimate jurisdiction within the kingdom, as well as the ability to legislate, empowering the nobles and the positions that they held.¹⁵ The construction of the high court was a rapid shift from the Bohemia of centuries prior. Instead of legal matters being left up to their own community, they became centralized within one grander legal structure. As a result, legal practices

¹² Sigel, Slavonic Law, 44.

¹³ Sigel, *Slavonic Law*, 44.

¹⁴ Sigel, Slavonic Law, 45.

¹⁵ Sigel, Slavonic Law, 46.

within the region began to emerge, making the idea of a singular, official law code a possibility.¹⁶

The invention of the high court hailed a new era of Bohemian law. With a single high court to handle legal matters, recording everything became paramount. Unfortunately, none of these sources exist today in English. The records and proceedings of the Bohemian court were destroyed by a fire in 1541, leaving us with only separate Czech law books.¹⁷ Of existing works in the post high court era, the Book of the Old Lord Rosemberg is the oldest. Written for a new appointee on the high court, this book lists out customary laws across Bohemia, as well as various criminal and civil procedures.¹⁸ This work is decidedly not a law code, and was not intended to create a common legal standard across Bohemia. However, it does show an element of consistency. Lord Rosemberg wanted to study and learn the common standard for Bohemian law, illustrating that the nobility did not make decisions without care of precedent. Nevertheless, it was not meant to be binding.

The second major 14th century work on Bohemian law was the Book of the Law of the Country, a work put together around 1350.¹⁹ While the Book of Rosemberg was intended for personal use, the Law of the Country was another extensive work outlining the customs of law courts, commenting on and detailing the common punishments for each and every infraction.²⁰ It is impossible to separate the Law of the Country from the proposed legal reform of Charles IV, which I will broach shortly, but there is one other major Bohemian legal

University Press, 1978), 41.

¹⁸ Sigel, Slavonic Law, 48-49.

¹⁹ Sigel, Slavonic Law, 49.

²⁰ Sigel, Slavonic Law, 49.

¹⁶ Sigel, Slavonic Law, 46.

¹⁷ John Klassen, Nobility and the Making of the Hussite Revolution, (New York: Columbia

treatise of the pre-Hussite period to address. *Exposition of the Bohemian Law of the Country* is a work written by Lord Andrew of Dube from 1400 to 1412, which expressed concern with the direction the high court was heading. A member of the high court himself, Dube describes the collapse and corruption of the traditional ways of Bohemian law, and writes the old and proper customary traditions within this book.²¹ Dube's critique came on the precipice of the Hussite Revolution, and his calls about the weakening of society would soon prove correct. But again, the Exposition was not a legal code, rather the passion project of a single lord. All three of these works were experimenting in outlining Bohemian law, but nothing was set in stone. Power still lay in the hands of the courts.

As just demonstrated, there are certainly commentaries on Bohemian law, but there was never a coherent law code. However, it was not for a lack of trying, different Bohemian kings each tried their own hand at codifying the existing customary law. Ottokar II organized the high court, and then he moved on to the idea of creating a law code himself, seeking to mimic that of Magdeburg in Germany. His son, Wenceslas II (r. 1278-1305), took a different, interesting approach. He summoned an Italian lawyer to organize the new Bohemian code, inspired by the Roman traditions that long since took hold in Italy. However, both of these efforts ended in failure. The finicky Bohemian lords refused the idea of accepting definite rules in the vein of the Romans. Rather than having an outlined legal code, they preferred to rule over and profit from the vague regulations of customary law that dominated the country.²² And thus the 13th century closed, with the failure of any effort to codify.

Nevertheless, there was one, final, greater effort to create a coherent Bohemian law code. King of Bohemia and Holy Roman Emperor Charles IV (r. 1346-1378), in his quest to enhance kingly power, proposed his own code in 1355. This so-called Maiestas Carolina took the customs outlined by the

²¹ Sigel, *Slavonic Law*, 50-51.

²² Sigel, Slavonic Law, 52-53.

Book of the Law of the Country and transformed them into a coherent legal code.²³ This code gave the king chief control over the Bohemian legal system, enabling him to make the ultimate decisions, as well as empowering a potential new class of professional judges and lawyers.²⁴²⁵ Ultimately, fearing King Charles' infringement on their power, and again preferring their ability to have liberal interpretations of the law, the Bohemian nobility rejected this new code. Rather than pursue its creation, Charles accepted their decision, and the Bohemian nobility would be left to their own devices for another century. Ultimately, royal power in medieval Bohemia was not strong enough to compel the Bohemian lords to abandon their traditional dominance and control over the subjective customary law of the country. They were reluctant and denied all three attempts of the king to instill an official codification upon their country, illustrating exactly how little they desired serious official regulation. So entering the 15th century and the Hussite Revolution, the Bohemian court was a corrupt structure, protected by the ambition of the nobles, and nearly impossible to defang. No one would have expected that by the end of the century, it would be the nobility looking to codify Bohemian law themselves.

Jan Hus And Bohemian Law

Jan Hus, although an educated man, was decidedly not a lawyer. Growing up in a poor family, Hus would begin his career as a teacher at the University of Prague, the dean of philosophy. Moving beyond his university career, he would become a preacher, coming into the exclusive company of Archbishop Zbinek of Prague. Although he may have began his life as a steadfast Catholic, Hus would be influenced by reading the work of John Wycliffe, and see the holes and

²³ Sigel, Slavonic Law, 53.

²⁴ Sigel, Slavonic Law, 53.

²⁵ Klassen, Nobility, 51.

struggles within the Catholic Church himself.²⁶ From there, the previously unassuming preacher would become the leader of a cultural revolution.

The first interaction that we have between Hus and the court comes in June, 1408, although this was not with the secular court, which I have focused on. Religious authorities in Bohemia were clamping down on the perceived spread of heresy, particularly the idea that laymen had the ability to preach. While at the trial for one of such laymen, Hus stood up to argue in his favor, before he was admonished by court authorities and ordered to just listen.²⁷ Following court proceedings, Hus sent a letter to the Archbishop to petition for the release of all imprisoned preachers, giving us two key facts about Hus and his relations. First off, he wields power and has a valued voice. Leading his letter, Hus recounts how Archbishop Zbinek instructed him to tell him to report any "laxity of discipline."²⁸ And second, Hus is directly confronting and challenging the court of law. He is not willing to accept the ruling of the ecclesiastical court, speaking out both in public and then utilizing his connections within the Bohemian church to attempt to secure a release. Ultimately Zbinek would release the preachers before he ever had the opportunity to read Hus' letter, but the attitudes that he reflected still stand.

Hus' struggle with the ideals and practices of the Catholic Church are well known, and they stretch into his discontent with the legal structure of the courts. His book *De Ecclesia*, written in 1413, serves to outline his perspective on the state of the church as a whole- and importantly, gives us an insight into Hus' mind on legal matters. In chapter 16 of the work, Hus says outright "but if the rabbins, that is, the teachers or great men, as Lyra says, or popes or cardinals

²⁶ Herbert H. Workman, "Introduction," in *The Letters of Jan Hus*, (London: Hodder and Stoughton, 1904).

²⁷ Jan Hus, "Letter to Archbishop Zbinek," in *The Letters of Jan Hus*, trans by Herbert W. Workman and R. Martin Pope, (London: Hodder and Stoughton, 1904).

²⁸ Hus, "Letter to Archbishop Zbinek."

charge or admonish anything besides the truth, even though the whole Roman curia is on their side, the faithful is not to obey when he knows the truth, for God says: 'Thou shalt not follow after the multitude to do evil.²⁹' The message of this passage is obvious. Neither pope nor cardinal nor any man is the ultimate authority, instead it is the word of God. People have the right to ignore the religious leaders when they deem them untruthful, a power that they would vehemently oppose. Hus' argument essentially tells the church to either be non corrupt or else the people should stop listening to them, admittedly a risky argument. What one man may think as evil could be acceptable for another Christian, and Hus shakes the status quo and encourages distrust of greater authorities. The very logic that he applies to religious authorities can be turned against secular ones. If the people are convinced they are being abused and taken advantage of by the corrupt law courts highlighted by Andrew of Dube, then with Hus' logic, they no longer have to hold themselves to their decisions, nor that of a king. Even if it was not originally intended in such a way, Hus' rhetoric is revolutionary to the secular arm of Bohemia.

In chapter 19 of *De Ecclesia*, Hus elaborates further on his revolutionary ideals. Tying back to his ideas of papal fallibility, Hus states "Therefore, no one should obey man in anything, even the least thing, that opposes itself to the divine commands," and calls back to Peter the Apostle stressing the importance of obeying God rather than man.³⁰ While religious context surrounds both this passage and the one within chapter 16, Hus' ideas are incredibly clear, and are certainly not limited to church authorities. Not even the very least evil command is to be followed. Although he does not state it directly, it is clear that it means from a bishop or lord. Scripture cannot be sidelined whenever he picks or chooses, and the message from

²⁹ 16. Jan Hus, "The Law of the Standard of Ecclesiastical Judgments" in *De Ecclesia*, trans. David Schaff (London: George Allen & Uwin, 1915), 168.

³⁰ 19. Jan Hus, "When Ecclesiastical Superiors Are to Be Obeyed" in *De Ecclesia*, trans. David Schaff (London: George Allen & Uwin, 1915), 221-222.

Peter that he cites tells Christians to obey God rather than men. In the eyes of Hus and his followers, the laws of man are clearly secondary to whatever they view as the will of their God. And this becomes a problem when the law clashes with their supposed heresy.

While Hus would seem to encourage the people against secular authority within the aforementioned passages, he would turn back to supporting them in another part of *De Ecclesia*. In chapter 17, Hus explores the idea of obedience, outlining three separate forms: spiritual, secular and ecclesiastical. Hus' spiritual obedience encourages following the laws of god, while secular and ecclesiastical entail following the laws of secular authorities and priests in turn.³¹ The idea of following secular authorities remained important in his eyes, so long as they were opposed to acts of evil. Earlier in the chapter, he states such a claim in ironclad fashion: "Similarly, all Christians are bound to obey the secular power, each in his own rank, as the apostle says in Titus 3:1: "Put them in mind to be in subjection to rulers and powers," and, Romans 13:1, "Let every soul be subject unto the higher powers."³² Carrying on, Hus affirms that these commands are to be upheld when their superiors are righteous, and may be ignored when they stray away from God.³³ The ideas applied when he attacked the power of the church came into full fruition. Although they may not be religious bodies, the people should still judge secular laws on religious terms. Do what is righteous, ignore them when they oppose God's will. Hus stresses the importance of having a secular power to follow, but also opens the possibility to refusing their commands. Such ideas hardly trigger armed revolt, but they again bring ideas begging to be radicalized into the fold. The ability to deny laws and regulations based on their holiness

³¹ 17. Jan Hus, "Huss's Resistance to Papal Authority" in *De Ecclesia*, trans. David Schaff (London: George Allen & Uwin, 1915), 194.

³² Hus, *De Ecclesia*, Ch, 17, 190.

³³ Hus, *De Ecclesia*, Ch. 17, 191.

sounded strong in theory, but the subjectivity of the guidelines makes any such consistent enforcement impossible.

Although he attacked the authority of the secular courts in De Ecclesia. Hus had a stronger relationship with the Bohemian high court during his lifetime. When faced with prosecution and excommunication by religious authorities, Hus wrote a letter to the high court, begging them to intercede on his behalf. In fact, Hus acknowledges that he is not listening to the rulings of the pope, viewing such as unrighteous. Instead, he wants to stand in front of the high court and make his case, rather than go through the religious courts.³⁴ This was likely not motivated by Hus' absolute love of the secular court, but was instead a form of court shopping. He had significant support among the nobles of Bohemia, while the church vehemently hated him. He deemed he would have a better chance in the high court than elsewhere, an interesting reversal of the trend where men who had taken vows sought out ecclesiastical courts to gain lighter sentencing.

Every now and then, Hus would step out of his primary domain, church reform, and offer support to secular causes. One such cause was supporting the Bohemian peasantry. Hus argued that peasants had the right to own land, and that lords could not just take it away from them.³⁵ Such support of the peasantry completely conflicted with the attitude of the nobles and the high court. In fact, a decision in 1402 ruled that the peasants could not even bring nobles in front of the court to be tried. Of course, the Bohemian court was inextricably tied with the affairs of the nobles, who could use its vagueness to instill pretty much whatever they want, ensuring continued oppression of the peasantry. Again addressing the subject of the nobility and peasants, Hus came to their defense in 1407. A noble wrote him a letter to inquire if it was moral to take a death tax whenever a peasant died. Although such a decision

³⁴ Jan Hus, "To the Supreme Court of the Kingdom of Bohemia," in *The Letters of Jan Hus*, trans by Herbert W. Workman and R. Martin Pope, (London: Hodder and Stoughton, 1904), 60.

³⁵ Klassen, "The Disadvantaged," 257.

was easily doable within the context of 15th century Bohemia, Hus rejected it and admonished the noble. Aggressively pursuing tax collection is a sign of greed, Hus says, as again, the peasants are the ones who put their work into the land.³⁶ These ideas are equally revolutionary, seeking to empower the commoners who worked the land, and go directly against the wishes of the powerful nobility. Such dramatic defenses of the peasantry contributed to their discontent with the legal system that oppressed them, and only served to increase Hus' popularity across the Bohemian countryside. He did not dabble much in the secular realm, but he made his points quite clear.

Again, while Hus was not a man of the law, his influence in inspiring legal change cannot be understated. His rhetoric encourages distrust of the court system and empowerment of the people, only being a step away from more powerful feelings of revolution. It is not difficult to see how Hus garnered a following. According to 15th century Polish historian Jan Dlugosz, Hus was a "a man of outstanding intelligence, a gifted speaker and a master of debate."³⁷ Dlugosz's perspective on Hus and the Hussites is an important one. He was a Catholic priest himself, his own work vehemently opposed to Hus and everything that he stood for. Nevertheless, he here admitted Hus' strengths, being an excellent speaker with a brilliant mind, perfect qualities for rising power in a tumultuous social situation such as Bohemia. Ultimately, not only was he a powerful leader in his own right, Hus would ascend to another role, even more unbreachable: that of a martyr. Invited to the Council of Constance to defend his beliefs, he would be betrayed and when refused to recant, burned alive.³⁸ The champion of the Bohemian cause was dead. but his writings and memory would prove to be enough to

³⁶ Klassen, "The Disadvantaged," 262.

³⁷ Jan Dlugosz, *The Annals of Jan Dlugosz*, trans Maurice Michael (Chichester, UK:

IM Publications, 1997), 419.

³⁸ Dlugosz, Annals of Jan Dlugosz, 420-422.

launch the next phase of Bohemian history, the Hussite Revolution itself.

The Hussite Revolution

As I have explored, the origin of the Hussite Revolution did not come out of violence, but out of desire for church reform. Ultimately, the death of Hus and resulting further oppression of Bohemian people triggered the large-scale military action, plunging Bohemia into utter anarchy. The Hussites were only loosely organized, yet they still formed a coalition of all parts of Bohemian society. Hussite clergy, the nobility, the gentry and the peasants all combined to be part of this unstable alliance, the nobility taking charge of a command that was actually led in the field by the gentry and peasantry.³⁹ This coalition was fixated on the destruction of the church's influence in Bohemia, a goal that they would accomplish decisively. The church lost up to 80% of their holdings within the country, largely seized by the nobility, and to a lesser extent, the gentry. The Hussites stripped the Catholic church of any legal powers as well, ruling that the church could no longer use the secular court to enforce their own decisions, further crippling their influence within the nation.⁴⁰ With such an open void, the nobility would fill it by empowering themselves even further.

But what of administration within Hussite Bohemia? After the death of King Wenceslas in 1419, Bohemia would have no sitting king or greater power, that being part of the motivation of Sigismund's crusades into the region.⁴¹ The interregnum was a lawless time, a back and forth between the nobility gorging themselves on the lands of the church, as well as the roving bands of Hussite rebels. Most powerful of them all was Jan Žižka, an old military veteran when he took command of Hussite forces in the crusades. A daring

³⁹ Klassen, "The Disadvantaged," 264-266.

⁴⁰ Klassen, "The Disadvantaged," 266-267.

⁴¹ Betts, "Social and Constitutional Development," 45.

commander who never lost a battle, Žižka also exercised absolute control while commanding Hussite armies, making the point of the high court moot. A particularly interesting story is told by Dlugosz, who recounts the existence of a sect known as the Adamites, renown for their sexual depravity. According to Dlugosz, Žižka was repulsed by their very existence, so the leader of heretical rebels marched upon them and slaughtered them all.⁴² It is an interesting twist of hypocrisy compared to the original Hussite view in Bohemia. Even if they were repressed and denigrated by the Catholic church, the Hussites still had their day in court. But when the country was dominated by the Hussites, there was no such due process, with the Hussites liable to exterminate you without a second question.

This idea ties in with another philosophy governing Bohemia in these years, that of Tabor, of which Žižka was a chief proponent. Many peasants within Bohemia became convinced that the return of Christ was imminent, at the urging of radical Hussite priests, and they fled from their farms into the cities to await him. When nothing happened, the priests shifted gears. The claim was that Christ had returned, he was merely hiding in secret. In fact, it was now in the hands of the people. Christ was waiting for them to overthrow the old order and kill all those who were evil or sinned, and then he could instill the new Kingdom of God.43 When looking back at Hus' initial ideas, it sounded ridiculous. He was not advocating for violent overthrow nor of massacres, but of following the Bible first and foremost. Christ certainly did not advocate violent revolution while promising his second coming. However, the Hussite priests and peasants had radicalized Hus' name, and he became the center of a bloody movement slaughtering those that they deemed sinners. This movement completely undercut any effort of legal power within Bohemia during the twenty years it was reigned by the Hussites, the mob was effectively ungovernable. Bohemian nobility struggled between appeasing

⁴² Dlugosz, Annals of Jan Dlugosz, 431.

⁴³ Klassen, "The Disadvantaged," 263.

them to retain their strong position within the nation, and seeking out a king to help end the anarchy. Although they had greatly benefitted from the chaos reigning over Bohemia, such aggressive bands did not make them comfortable.

Understandably, Bohemian legal historiography largely ignores the Hussite period because of the ineffectiveness of the court. As long as there was no central structure, the court that had dominated and legislated Bohemia for the past one hundred and fifty years was exposed as toothless, and it had no power to enforce its will upon the region. However, as the Hussite Revolution began to settle down, the high court made its mark once more. The Bohemian court declared that the nobles had the ability to force peasants to return to their land, even after they had spent the past twenty years fighting elsewhere.⁴⁴ Of course, this was only enabled by the crowning of Sigismund as king in 1436, after he spent nearly twenty years fighting for the throne. Sigismund used his newfound power to favor Catholics and the nobles that elected him, however he was still limited by the terms of the treaty. The Hussite faith remained ingrained in Bohemia, and there was nothing the Catholic Holy Roman Emperor could do about it.45

Aftermath

The greatest legal implications of the Hussite Revolution came not in the midst, but in its aftermath. The first major shift was the dismantling of the high court, which was rooted within the political shifts of the time. Sigismund, after fighting for so much of his adult life to acquire the Bohemian throne, would die in 1437. The Bohemians elected the new Holy Roman Emperor, Albert of Austria, to reign over them. Then he also died in 1439, leaving only a son that would be born four months after his death, Ladislas the Posthumous.⁴⁶ The Bohemians turned first towards Albert, Duke of Bavaria, who refused the offer, and then to the new

⁴⁴ Klassen, "The Disadvantaged," 267.

⁴⁵ Klassen, Nobility, 138.

⁴⁶ Klassen, Nobility, 138.

King of Austria, Frederick. Understanding the disaster that has been Bohemian politics for the past twenty years and lacking any desire to get involved with them, Frederick told the Bohemians to rule over themselves until Ladislas came of age, so they appointed their own noble administrators.⁴⁷ Jan Dlugosz's fiercely anti-Bohemian sentiment is reflected again in this passage, making sure to note how they were selfish and refused to cooperate with the Austrian king unless they were handsomely rewarded, and how it would be easier to let them rule themselves.

However, things had changed since the leadup to the revolution. The high court of Bohemia was the main judicial and legislative body, its members, mostly nobility, were appointed by the king for life. Yet the long period without a king, the brief reigns of outsiders, and the shifting demographic in Bohemia meant that the high court's domination was coming to a close. The gentry, a class that struggled to break into Bohemia prior to the revolution, now wielded serious land and influence.⁴⁸ Furthermore, the Revolution saw many Bohemians move away from the countryside into the towns, empowering the townspeople further. With no real king, the nobility was forced to compromise with these two groups, forming a new body to elect the king. The nobility still held eighteen seats, but the towns and the gentry held fourteen each, ensuring that they would not be able to completely trample Bohemia.⁴⁹ The influence of these groups expanded beyond simply electing the king, and they began to seep into other parts of the Bohemian legal system. The high court was expanded to also include members of the gentry, erasing the stranglehold that the nobility had had on it for so long. Additionally, the high court's powers to legislate were completely removed, hamstringing what was once the most

⁴⁷ Dlugosz, Annals of Jan Dluglosz, 485.

⁴⁸ Klassen, "The Disadvantaged," 254-256.

⁴⁹ Klassen, *Nobility*, 138-139.

powerful institution within Bohemian society.⁵⁰ In its place was the diet, which enabled the nobility, gentry and townspeople all to make their own contributions in governing Bohemia. The nobility had so much more land now and no longer had to deal with an ambitious king, but the Hussite Revolution had raised up new classes to clash with them.

In 1453, the regency for young Ladislas came to a close, and he was crowned the newest King of Bohemia. Ladislas was unlike the previous Catholic kings of Bohemia, in that he had no desire to compromise with the Hussite majority. Instead, he insisted on the adoption of Catholicism in his kingdom.⁵¹ The young king had not lived through the Hussite Wars, perhaps explaining his lack of care or worry of alienating his heretical subjects. Regardless, these tensions never came to a head, for Ladislas died in 1457, another king with an incredibly brief reign.⁵²

The Hussites were hardly the first medieval heresy to express their ideas, with Hus himself being heavily influenced by John Wycliffe and the Lollards of England, as well as the Waldensians of Germany.⁵³ And indeed, the Cathars took root in southern France at the end of the 12th century and beginning of the 13th, before the Albigensian Crusade expelled them. What truly sets the Hussites apart from these three

⁵² Fudge, "Reform in Prague," 81-82.

⁵³ J. K. Zeman, "Restitution and Dissent in the Late Medieval Renewal Movements: The

Waldensians, the Hussites and the Bohemian Brethren," *Journal of the American*

A cademy of Religion 44, no. 1 (1976): 11-15, <u>http://www.jstor.org/stable/1462099</u>.

⁵⁰ Klassen, *Nobility*, 139.

⁵¹ Thomas A. Fudge, "Reform and the Lower Consistory in Prague, 1437–1497," *Bohemian*

Reformation and Religious Practice, Vol.2 (1996): 81-82, http://www.brrp.org/proceedings/brrp2/fudge.pdf.

groups is their lasting influence, reflected in both the culture of Bohemia and the continued development of their law. While the three aforementioned heresies were expelled or destroyed by the church, the Hussites were hanging on, still recognized at the time of the death of Ladislas. And then there was a unique occurrence: George of Podebrady, a Hussite, was selected as the new King of Bohemia. Briefly interrupting the development of Bohemian law, there was a key difference between King George and earlier Hussite authorities, such as Žižka. While Žižka and the Taborites were extremists, George was one of the Utraquists, who were supported by Catholic monarchs as a better alternative to the violent Taborites.⁵⁴ Even if he was a moderate, George's ascension was not welcomed by the other nations of Europe, with Dlugosz even theorizing that George's wife, Joanna, secretly poisoned the king.⁵⁵ George's reign wasn't vital to the development of Bohemian law, however, he set the stage for Vladislav II, another Catholic king. George spent the latter half of his reign warring with Poland and Hungary, neither of which were fond of the idea of having a Hussite nation on their border, reminiscing of the brutal raids of Žižka half a century earlier. George would pass away in 1471, ending the reign of Bohemia's only Hussite king.⁵⁶

Vladislav II, son of King Casimir of Poland-Lithuania, found himself as the newest ruler of perhaps Europe's most unstable kingdom, with its nobility wielding immense, near unbreakable power. At best, Vladislav was non-existent. However, his lack of influence allowed other bodies within Bohemian society to make their mark. Religious conflict rocked the country in the 1480's, Vladislav pushing for the supremacy of Catholicism while the Hussites still held the majority. However, on the edge of revolution, the nobles and common people would broker the Peace of Kutna Hora in 1485, ensuring the equality of both the Catholics and the

⁵⁴ Fudge, "Reform in Prague," 68-69.

⁵⁵ Dlugosz, Annals of Jan Dlugosz, 528-529.

⁵⁶ Dlugosz, Annals of Jan Dlugosz, 571-578.

Hussites within Bohemia, bringing them religious equality before the Protestant Reformation ever broke out.⁵⁷ The officialized freedom to become a heretic was nearly unheard of, and is perhaps the most obvious legal implication of the Hussite Revolutions. Seventy years of religious and political conflict culminated in the Peace of Kutna Hora, as those who protested against the corruption of the Catholic church finally received their religious freedom.

However, Bohemian law was not finished evolving. Vladislav, who played no real role in the Peace of Kutna Hora, would inherit the throne of Hungary, and chose to rule from Pest rather than the exceptionally unstable Prague.⁵⁸ With the king gone again, the nobility looked towards consolidating their gains, and began to clash once more with the rivals they created in the Hussite Revolution: the towns and the gentry. The mid 1480's not only saw religious but legal conflict. The towns and the nobility were fighting over the towns' right to participate in the diet, when the nobles decided to lock them out. Going prior to the Revolution and the rise of the town, the nobles began to compile a law code.⁵⁹ For the first two hundred years of organized Bohemian legal history, the nobility had vehemently opposed any concept of a code. The ability to control and freely make the law had been important to their role within Bohemia, but they now viewed limiting the towns as an important enough cause to go ahead with it. Furthermore, they did not fear royal authority, for Vladislav made minimal effort to stop the nobility from acting how they wanted.⁶⁰

Nevertheless, codification was a slow process. The first attempts ended up going nowhere, before the nobles pushed for it again in the diet of 1497. Outraged, the towns made the poor decision to boycott the assemblies because of the codification, which only served to make the job of the nobility that much

⁵⁷ Fudge, "Reform in Prague, "93-94.

⁵⁸ Krafl, "Code of Vladislav," 72.

⁵⁹ Krafl, "Code of Vladislav," 70-71.

⁶⁰ Krafl, "Code of Vladislav," 70-71.

easier, picking and choosing which towns could help them draft the law code.⁶¹ The towns' obstinacy only served to sabotage their position, and ultimately the law code would be passed and approved in 1500, the gentry and nobility content in locking the towns out of the lawmaking process. Vladislav himself played no role in drafting the code, and the nobility did not even ask for his final approval. Nonetheless, it was given his name, labeled as the Code of Vladislav.⁶²

As the first Bohemian law code, the Code of Vladislav focused mainly on the land diet. After all, it was drafted primarily to control the nobility's dominance over the diet, and not to give a standardized law code. The nobles achieved this goal by exclusively giving the nobility the right to make decisions relating to the entire kingdom, while the royal towns only had the right to make decisions relating to themselves.⁶³ That was not its sole purpose, of course, for it also outlined family law, succession and criminal law, basic components of everyday life.⁶⁴ The peasants, after struggling for their own rights in the Hussite Revolution, found themselves continually trampled, with the code reaffirming their lowly stature. Finally, the Code of Vladislav did nothing to disturb Bohemia's religious peace, the equality between Hussitism and Catholicism being upheld.⁶⁵

Although it may have come sixty years after the end of the Hussite Wars, the Code of Vladislav was a direct result of the political and legal upheaval that they triggered. The Hussites and the resulting interregnum depowered the high court, which led to the nobility desperately seeking other means to continue in control. The diet was raised in the high court's place, and that was where the nobility, gentry and townspeople

⁶¹ Krafl, "Code of Vladislav," 71.

⁶² Krafl, "Code of Vladislav," 72-73.

⁶³ Krafl, "Code of Vladislav," 71.

⁶⁴ Krafl, "Code of Vladislav," 73.

⁶⁵ Krafl, "Code of Vladislav," 73.

fought over administration of the country, a struggle that it would seem like the nobility and gentry won in the aftermath of the Code of Vladislav. Without the rise of the towns and diet, the nobility would have had no reason to limit their power by codifying their law. Furthermore, messy successions and the destruction of kingly power with every new succession made the nobility comfortable with codifying a law without risking their powers of unlimited lawmaking too much.

Except the Code of Vladislav was not the end of it all. It was rushed, poorly constructed, and the people were immensely unsatisfied with having their vote in the diet removed, to the point where they were threatening revolution in 1508. Fearing an open civil war, the nobility would acquiesce and give the towns their vote back.⁶⁶ Bohemia's previous civil wars were doubtlessly on their mind, and they deemed it unnecessarily risky to provoke open warfare once more. Less than a decade after it was passed, the entire creation of the Code of Vladislav was rendered moot, and now the nobility were trapped with a codification they had minimal other desire for. Again, the role of the Hussite Revolution in empowering the townspeople and transforming the everyman into a threat comes up. Without the previous history of military threat, would the nobility seriously fear a people's rebellion?

As we exit the scope of this paper, it seems fitting to give a resolution to the struggle for a Bohemian legal code. Vladislav died in 1516, and the townspeople and the nobility would come to a peace agreement, settling issues of the code and securing its role within Bohemia. However, ten years later, Ferdinand I Habsburg would gain the throne of Bohemia, and his eyes would immediately fall on the Code of Vladislav. Recognizing how it essentially destroyed royal power, Ferdinand immediately reworked it to better fit his own designs, increasing his own power while weakening the nobility. Twenty years later, the Bohemians would revolt against their Austrian overlord, and were resoundingly crushed. As a result, he again tightened the legal code, cementing the dominance of the king in Bohemia. A few years later came the Treaty of

⁶⁶ Sigel, "Slavonic Law," 56.

Augsburg, which erased the religious equality the Hussites had gained seventy years earlier with the Peace of Kutna Hora.⁶⁷ Almost everything that the nobility and Hussites had fought for in the latter half of the 15th century disappeared, and Bohemia continued to be folded into the Austrian domain. The law code they made to cement their power over the common man ended up playing a key part in their downfall.

Meanwhile, Jan Hus' beliefs on the right to resist unrighteous laws did not get adopted by the blossoming reformation. John Calvin rejected it most thoroughly, stating that rulers are handed their power directly from God, and the people must listen to them, both those that are good and seem evil.⁶⁸ Luther rejected it also, though he took a more secular approach, in that the ruler reigns over the Christian and non-Christian, and one cannot hold the former to the standards of the latter. In the event of an "evil" ruler, the Christian must display their spiritual nature and accept it.⁶⁹ The new generation of church reformers carried on his torch for ecclesiastical reform, but his ideas for legal and social reform fell by the wayside entirely. Truly, the legal developments of the 15th century did not last for long.

Conclusion

At the opening of the 15th century, Jan Hus pictured a world where people would value the words of God and scripture over the evil laws of man, instilling the idea of a new legal culture. After nearly one hundred years of conflict over Hus' ideas, the conclusion was nowhere near what he had once proposed, and instead saw the common man and peasants that he had once fought for oppressed exactly like they were before. Hus' religious ideas may have taken root in Bohemia, but none

⁶⁷ Sigel, "Slavonic Law," 57.

⁶⁸ 20. John Calvin, "Of Civil Government" in *Of The Holy Catholic Church*, trans. Henry Beveridge (Grand Rapids: Eerdman, 1953).

⁶⁹ Martin Luther, "Secular Authority: To What Extent It Should Be Obeyed," 1523, 4-9.

of his idealistic legalistic ones did. Nonetheless, it would be unfair to say that the Hussites had no influence on the development of the Bohemian legal system. From the establishment of the high court by Ottokar II in the 13th century, there was an everlasting struggle between the Bohemian king and the nobility over the establishment of a unified law code, where the nobles denied him and his efforts time and time again. The Hussite Revolution triggered an anarchistic, kingless period in Bohemian history where the traditional power of the court crumbled. In its place rose the land diet, which would be the new sparring ground for control of Bohemia and development of the law. Ultimately, this change in ground would lead to the codification of Bohemian law, as the nobility sought to cement their power within this newer social order. By the beginning of the 16th century, Bohemia had a weak, but still modernized legal code, a vast transformation of the corrupt structure that existed prior to Hus.

The development of the Bohemian legal system may have ended in vain, as the kingdom would gradually be incorporated into Germanic law, but it is not worth ignoring. By exploring the Hussite role in the development and changes of Bohemian law, we see their vast breadth of influence, and exactly how they altered every level of Bohemian society. Prague went from the center of imperial power to a den of heretics in a century, as Bohemia itself turned into a new nation. The Hussite struggle and its impact on Bohemian and Czech culture would make its mark in Europe forever, culminating in the dramatic 30 Years War. But by exploring the history of Bohemian law, we see the more intimate, quieter ways the Hussites transformed their nation. Salty Spinoza: Baruch Spinoza's attack on Rabbinical authority Madeline Mehok

Published in 1670, Baruch Spinoza's Theological Political Treatise challenged notions of traditional biblical truth and interpretation. Scholars see the Treatise as one of the beginnings of the Enlightenment and as a result, scholars have studied the new ideas Spinoza put forth in the text extensively. Less studied is Spinoza's personal relationship with his Jewish past in the Treatise. This essay will focus on Spinoza's relationship with rabbinical authority, both traditional as well as that of his former Talmud Torah community in Amsterdam. Looking at Spinoza's writings on rabbinical authority regarding scriptural interpretation, rabbinical knowledge of Hebrew, the use of the term Pharisee, and arguments against the Jewish philosopher Maimonides and indirectly through ideas of Jewish Choseness there shows a clear pattern of Spinoza purposely trying to critique the authority of Rabbinical Judaism. Additionally, looking into Spinoza's personal life and historical trends inside the Talmud Torah community in Amsterdam gives historical context to many of his arguments. It will also show the importance of Judaism to Spinoza's ideas and why even in rejection, the context of Spinoza's Judaism is necessary for a full understanding of the Theological Political Treatise.

Part One: Background information

Baruch Spinoza was born November 24, 1632, in Amsterdam, Netherlands. He was born into the Talmud Torah Jewish community. The community consisted of Sephardic Portuguese Jews; in particular former conversos⁷⁰who had returned back to Jewish practice. Spinoza had the typical upbringing of a Jew in his community. He was educated in the Keter Torah Yeshiva and received the standard Jewish education for boys. Eventually Spinoza dropped out to help take care of the family business at 17. In his late teens and early

⁷⁰ Steven Nadler, *Spinoza's Heresy: Immortality and The Jewish Mind* (New York: Oxford University Press, 2001), 1-5;Steven Nadler, *Spinoza: A Life* (Cambridge: Cambridge University Press, 1999) 72-76

20's is the time where Spinoza began to doubt the tenants of Judaism. It is also at this time when Spinoza began to study Latin with a man named Franciscus Van Der Eden and began learning non Jewish philosophy. Spinoza's doubts and outside study came with a price. On July 27, 1656, the Talmud Torah community gave Spinoza a cherem (excommunication in Judaism) for his "abominable heresies" and "monstrous deeds". It was the strongest cherem ever given in the history of the community; it was also never rescinded. Spinoza reacted by leaving the community and Judaism entirely behind.⁷¹ Spinoza moved from Amsterdam to Rijinsberg then to Voorburg. He lived a simple living as a lens grinder and also studied philosophy as a private scholar.⁷²

The *Tractatus Theological Politicus* or *Theological Political Treatise* was published in 1670. It was first published anonymously and under a fake location, as well as written in New Latin rather than vernacular Dutch in order to bypass censorship by Dutch authorities. In it, Spinoza attacks rabbinic ideas and interpretations of the bible. The text serves also as Spinoza's way of introducing new ideas regarding biblical interpretation and religion, as well as call for freedom of religion and speech and separation of religion and state. The text was one of the most controversial texts of the early modern period. Regardless, it had influence on thinkers of the Enlightenment and beyond.⁷³Scholars throughout history often speak about Spinoza's newly formed enlightened ideas, but less has been said about his relationship with Judaism.

Because Spinoza no longer identifies as Jewish after his cherem, it is tricky to study his personal relationship with Judaism. In the treatise he refers to Jews in the third person, saying things such as "the Jews" or "the Hebrews." He also had no religious affiliation for the rest of his life, living as one

⁷¹ Ibid

⁷² Roger, Scruton, *Spinoza: A Very Short Introduction* (New York: Oxford University Press 2002). 22-24

⁷³ Epstein, Charlotte. "Spinoza's Not so Quiet Influence: The Theological-Political Treatise 350 Years On." *International Affairs* 96, no. 4 (2020): 1081–88. https://doi.org/10.1093/ia/iiaa118.

of the first known secular people.⁷⁴ On top of this, Spinoza does not mention his old community whatsoever in later correspondence. Instead, one must look at Spinoza's words in the *Treatise* itself, as well as biographical factors that would have influenced his writings to understand the influence of Judaism on his thought.

In order to understand the extent of Spinoza's attack on rabbinical Judaism, one needs to know how Jewish law treats rabbinical authority, as well as the basis of Jewish law. There is differentiation between the Written Torah and the Oral Torah. The Written Torah is the words of the Hebrew Bible itself, while the Oral Torah is the rabbinical texts and interpretations that have come through history. Rabbinic Judaism traditionally taught that the oral law was given at Mt. Sinai along with the Written Torah and has been passed down orally for generations. However, scholarly research says that rabbinical texts developed new ideas of scriptural interpretation over time over the development of oral tradition. Important rabbinical texts include the Talmud, with both the Mishnah (interpretations on Torah law) and the Gemara (interpretations of the Mishnah). The Talmud forms the basis of rabbinic Judaism. Other important texts that would have been influential and were authoritative in Spinoza's time are the Mishnah Torah by Moses Maimonides and, the Shulchan Aruch by Rabbi Yosef Caro.⁷⁵ All these texts helped to interpret the Hebrew Bible and were used by Jewish communities including Spinoza's Talmud Torah community.

According to Rabbinic Judaism, both the Written Torah and Oral Torah are binding on Jews forever. However, with the question of how to interpret the written Hebrew Bible came the notion of rabbis and rabbinical authority. The basis of rabbinical authority comes from a term called *lo tasur*. The basis for this rabbinic injunction comes from Deuteronomy 17:

⁷⁴ Steven Nadler, A Book Forged in Hell: Spinoza's Scandalous Treatise and the Birth of the Secular Age (Princeton, NJ: Princeton University Press, 2014).

⁷⁵ Elman, P. Introduction to Jewish Law. London, published for the World Jewish Congress. 1958 Pg. 11-31

11, which says, "According to the law they instruct you and according to the judgment they say to you, you shall do; you shall not divert from the word they tell you, either right or left."⁷⁶ Originally, the power of the Jewish authority rested in the Great Sanhedrin, a group of elders in ancient Israel. Their authority in all matters was absolute and disobedience was punishable. However, with the destruction of the Temple (70 ACE) and the survival of the Pharisees, authority shifted towards the rabbis. According to Jewish law, the rulings made in the Mishnah and Gemara cannot be questioned. Over time, there have been rabbinical texts whose rulings became consensus among Jewish communities around the world. The majority rulings of these were also not to be questioned. However, in both the cases of the Talmud and later rabbinic rulings there was still room for questioning everything else. Regardless, even if a person disagrees with any rabbinic ruling, one must always be respectful towards the rabbis, and are not to question their abilities and treat them as a great authority.⁷⁷ Regardless, a person who denies the authority of the rabbis' interpretations goes against the commandment of lo tasur. One who does so consciously is called a "rebellious elder" and by Jewish law should be punished.⁷⁸

In order to understand why Spinoza critiqued rabbinical authority the way he did, it is also important to understand how rabbinical authority worked in Spinoza's Jewish community in Amsterdam. The role of rabbinical authority in a seventeenth century Jewish community was more than just basic religious matters. Traditionally, the rule of halacha covered every aspect of life and on top of this, rabbinical

⁷⁶ *The Complete Tanach, The Complete Tanach* (Chabad), accessed November 20, 2022,

https://www.chabad.org/library/bible_cdo/aid/63255/jewish/The-Bible-with-Rashi.htm.

⁷⁷ Eli, Turkel, "THE NATURE AND LIMITATIONS OF RABBINIC AUTHORITY." *Tradition: A Journal of Orthodox Jewish Thought* 27, no. 4 (1993): 80–99. http://www.jstor.org/stable/23260887.

⁷⁸ Yonason, Sacks. "THE MIZVAH OF 'LO TASUR:' Limits and Applications." *Tradition: A Journal of Orthodox Jewish Thought* 27, no. 4 (1993): 49–60. http://www.jstor.org/stable/23260885.

authority and halacha covered into more "secular" aspects of life. In the case of the Amsterdam community, rabbinical authority also included the ma'amad. The ma'amad consisted of a governing board whose authority was absolute and could not be questioned. They governed over many aspects of Jewish life such as ritual slaughtering and distributing charity. ⁷⁹ The authorities of Amsterdam kept strict control over its members. One of the reasons for such control was to implement normative Judaism upon the newly observant Jews. In 1492 in Spain and 1497 in Portugal said that Jews had a choice to either leave said countries, convert to Catholicism, or die. Many became conversos, who outwardly practiced Catholicism but kept practices of Judaism in secret. The Talmud Torah community was made up of former conversos ⁸⁰from Spain and Portugal who had returned to Judaism. As a result, the community put an immense amount of effort into introducing normative Judaism to the newly practicing Jews.⁸¹

In the case of Spinoza and his old Talmud Torah community, the rule of Rabbinic authority would have gone as follows. Growing up Spinoza would have been told that all the Torah laws and majority rulings of the Talmud would have had to be obeyed. Later codes of law that the general Sephardic Jewry accepted as well as the law of Amsterdam's *ma'amad* and rabbis also had to be followed without question. Though the rabbinical Judaism allowed for debate and questioning, it was only with certain parameters. The parameters were basic tenants of Rabbinic Judaism such as the divinity of the Written and Oral Torah and the binding nature of halacha among Jews. Questioning outside the parameters was curtailed by tight rabbinical control.⁸²

However, despite the tight control rabbinical authorities held, there were disagreements in the community, ones which Spinoza would have been influenced by. First, and most importantly, many conversos had issues accepting the authority

⁷⁹ Steven Nadler, Spinoza: A Life, 67

⁸⁰ Melammed, Renee. *Heretics or Daughters of Israel*. New York: Oxford University Press (1999). pp. 3–10, 86–95, 166–174.

⁸¹ Nadler, Spinoza's Heresy, pg.1-16

⁸² Ibid.

of the Oral Law. Though many had kept ceremonial practices of rabbinic Judaism as crypto Jews, many ended up rejecting the authority of the Oral Torah. This was due to physical limitations of rabbinic law of the Iberian peninsula under the eye of the Inquisition. But a large part was due to the need to prove the authority of Judaism despite Christian attacks against it. Starting centuries before and during the time of the conversos, attacks were made against the Talmud by Christians especially the Spanish Inquisition. It was written and spoken about as superstitious, irrational, and hypocritical. In order to retain a polemical edge against Christians, Jews focused on the Hebrew Bible. By keeping to scripture, itself, crypto Jews could keep, even if secretly to themselves, a tradition that held them as fully qualified defenders of the word of God.⁸³

On top of this, lack of rabbinic oversight meant lack of rabbinical control over ideas and theological practice. This meant that conversos had ways to develop ideology and practice separate from rabbinic Judaism of the time. They developed their theology based on ideas from the Hebrew Bible. Though later as the conversos moved from the Iberian peninsula into Amsterdam, they sought help from outside Jewish communities in building up their Judaism and establishing Jewish communities. But despite efforts of rabbinization from outside Jewish rabbis, scholars and communities, the Jews of Amsterdam struggled with rabbinic authorities over practice. It was not a community that simply assimilated into the rabbinic Judaism of other Jewish communities. Many continued to have skepticism over rabbinical law. As evident to the many *cherem in* the community, many people in the Talmud Torah community had issues keeping up with the practices of Rabbinic Judaism. The cherem were given based on things such as the breaking laws such as those of the sabbath or drinking non-kosher wine. Much of the effort that the rabbinical authorities had over the Talmud Torah community was to assimilate them into mainstream Jewish practice. Though they were largely

⁸³ Miriam, Bodian. "Hebrews of the Portuguese Nation: The Ambiguous Boundaries of Self-Definition." Jewish Social Studies 15, no. 1 (2008): 66– 80. http://www.jstor.org/stable/40207034.

successful, they did not have the complete control they wanted. $_{\rm 84}$

One famous case of dissent was that of Urial de Costa, who decried Rabbinic authority and the validity of the oral law. In 1623 Costa published the book Exame das tradições phariseas (Examination of Pharisaic Traditions). In this book De Costa told of the discrepancies between biblical and rabbinic Judaism and also told that Rabbinic Judaism was an accumulation of mechanical rituals and practices. In his view, it was thoroughly devoid of spiritual and philosophical concepts. De Costa was in the Amsterdam Jewish community at the time and the book was very controversial. 85 Spinoza was only eight at the time of de Costa's death. However, despite this, as well as rabbinic censorship, De Costa's ideas were still clandestinely spread through the community, which Spinoza would have had access to through the years. Another area of dissent that would have helped were Jewish anti-Christian polemics. These were designed by Jewish authorities in order to give these newly practicing Jews faith, and to combat Christian religious arguments. Spinoza would have had access to these polemics which could have helped to teach Spinoza the art of religious dissent and critique of faith.86

Spinoza growing up in the Talmud Torah community of Amsterdam would have been exposed growing up to opposing forces. On one hand, he would have experienced tight rabbinical control over every aspect of life. On the other hand, Spinoza saw heavy skepticism, instances of laxed practice and struggle with rabbinic authorities to control the dissident behavior of Jews around him. As a result, he was exposed early to Jewish dissent towards rabbinical authority.

⁸⁴ Sutcliffe, Adam. "Judaism in Spinoza and His Circle." *Studia Rosenthaliana* 34, no. 1 (2000): 7–22. http://www.jstor.org/stable/41482422

Nadler, Spinoza's Heresy, pg. 1-16

⁸⁵ Salomon, Herman Prins, and Sassoon, I.S.D., (trans. and

intr.), Examination of Pharisaic Traditions – Exame das tradições

phariseas: Facsimile of the Unique Copy in the Royal Library of Copenhagen, Leiden, E. J. Brill, 1993. 47

All these earlier currents of dissent influenced Spinoza, for he did not come up with the ideas he had entirely by himself. Evidence makes it clear that Spinoza's ideas in the *Treatise*, including those of rabbinical authority, were being formed as he was still in the Jewish community. Spinoza says so himself in the Treatise, "Indeed, I may add that I write nothing here that is not the fruit of lengthy reflection; and although I have been educated from boyhood in the accepted beliefs concerning Scripture, I have felt bound in the end to embrace the views I here express."87 Other historical sources from the time period of Spinoza's life that speak about him also point to Spinoza's cherem being caused by heterodox views, ones that Spinoza would later write about. An inquisition testimony given to an Augustinian monk Tomas Solano y Robles says that he saw Spinoza and another heretic Juan De Padro give account that they had been observant Jews, but due to comments on the law, had been excommunicated.⁸⁸ Many historical sources on Spinoza say that after his cherem, he wrote a piece called Apologia para justificarse de su basification de la sinagoga defending his views, some of which were to be found later in the *Treatise*.⁸⁹ Finally, another letter from the Rotterdam regent Adriaen Peats, dated March 30, 1660, says that there was an author, whose name should be kept quiet, was writing a theological political treatise that would make theologians calumniate against such a book. Since there was no other text dated from the 17th century of this title other than Spinoza's work, this was referring to Spinoza and his desire to critique the bible and religion.⁹⁰

All of this shows that the *Theological Political Treatise* was the culmination of Spinoza's beliefs dating back to his time in the Talmud Torah community. This also shows that though Spinoza wasn't writing about his past or seeing himself as Jewish, the views in the *Treatise* are based on his views that went against those of Jewish rabbinic arguments.

⁸⁷ Baruch Spinoza, *Theologico-Political Treatise*, trans. Robert Harvey-Monro Lewis (public domain, 1901), 89

⁸⁸ Nadler, Spinoza's Heresy, pg. 189

⁸⁹ Nadler, *Spinoza: A Life*, pg. 156

⁹⁰ Nadler, *Spinoza: A Life*, 157-158

To also understand how Spinoza attacks rabbinical authority, lets first understand how Spinoza casts Judaism as a whole in the Theological Political Treatise. He says that the "Jews know not true blessedness" because Judaism "focuses only on temporal happiness and rewards." Judaism only gives rewards for good behavior to laws, rather than giving any spiritual learning or sustenance.⁹¹ On the Jews themselves, he infantilizes them. When speaking of the ancient Israelites he says, "The Israelites knew scarcely anything of God, although he was revealed to them," and "they were unfit for a wise code of laws" ... "as well as his commands, holding out many promises of good if they should observe them, thus treating them as parents treat irrational children." ⁹² To Spinoza, Judaism was simply the practices of an ancient society. However, the continuation of Jewish practices past the fall of the Temple was superstitious and fickle to him. Rabbinical authority was thus a tradition based in superstition.

Also, important to understanding the *Treatise* is knowing Spinoza's Jewish educational background. Spinoza was educated in the Keter Torah Yeshiva through age fourteen with the basic Jewish education for boys, as well as likely tutored privately as was common in the community. It is here he acquired his knowledge of Hebrew, Halacha,⁹³Torah and rabbinic sources and arguments. ⁹⁴ This background would have given Spinoza the knowledge of rabbinic Judaism and its precepts. It also gave him background knowledge that other later critics of the bible would not have had- the knowledge of the Hebrew Bible from a Jewish perspective. Spinoza admits himself in the *Treatise* he is only going after the Hebrew Bible because it is his area of study and that he did not have sufficient knowledge for critique like he did for the Hebrew Bible, due to his lack of knowledge of Greek.⁹⁵

⁹¹ Spinoza, Theologico-Political Treatise pg. 26, 42

⁹² Ibid.

⁹³ Halacha means Jewish law.

⁹⁴ Jacob R. Marcus, Jew in the Medieval World: A Source Book, 315-1791. Cincinnati, Union of American Hebrew Congregations. Pg. 379: Nadler, Spinoza: A Life,72-76

⁹⁵ Spinoza, Theological Political Treatise, pg. 99

Spinoza's First Attack: The Attack Against the Concept of Jewish Choseness

The first area where Spinoza attacks rabbinical authority is on the topic of Jews as a chosen people. Spinoza's view of Choseness is also an attack on rabbinical authority itself, even if it does not directly appear to be. In the *Treatise*, Spinoza fights the idea of eternal Jewish Choseness, creating an entirely new idea of being chosen, one which strips Rabbinical Judaism of its power. As Spinoza says in the text, "Why the Hebrews were called God's chosen people, that it was only because God had chosen a strip of territory...I learnt the law revealed by God to Moses was merely the individual law of the Hebrews state and therefore it was binding on none but the Hebrews and not even on the Hebrews after the downfall of their nation"⁹⁶

He adopts a historicist view: the Jews' covenant was temporary. God chose the Jews for their governance and power of their state. The laws of the bible are simply the laws of the Hebrew State. The laws of the covenant were binding only to the ancient Jews, and only for political purposes of keeping the state. With the fall of the state of ancient Judea, the covenant was broken and therefore, the ancient laws were no longer binding on anyone.⁹⁷

As for the question of Jewish survival despite relentless persecution, an argument used by rabbinical authorities to showcase the eternity of Jewish Choseness, Spinoza denounces the idea of a miracle, saying instead it was due to Jewish separateness and Gentile hatred. "As for their continuance for so long …there is nothing marvelous about it, for they have so separated themselves from every other nation and drawn upon themselves universal hatred not only by their outward rites conflicting with those of other nations, but also by the sign of circumcision… they have been preserved in great measure by gentile hatred, experience demonstrates"⁹⁸ For Spinoza, there is nothing inherently special about Jews. Their survival is due to historical circumstance and actions of Jews themselves. Thus,

⁹⁶ Spinoza, Theologico-Political Treatise pg. 5

⁹⁷ Spinoza, Theologico-Political Treatise pg. 34

⁹⁸ Ibid

Jews are taken down from being a special people to God to a people keeping the practices of a bygone age.

Though Spinoza does not directly mention rabbinical authority, his ideas of Choseness usurps the power of it. The power of the rabbinic authorities is based off of the idea that Jews are God's chosen people. From it comes the idea that Jewish law is binding on all Jews for all time; being chosen is the basis for the laws and their binding power. Inversely, Halacha is binding only to Jews because they are the chosen people. The rabbis get their power from being those that interpret the halacha of the Torah. Spinoza's idea tears this notion down. If Jews were only Chosen for political purposes, then there is no holiness to being chosen. Therefore, there is no holiness to the laws of the Torah. The laws become simply those to keep a unified strong populace of ancient Hebrews. They are not anything to actually be followed after the fall of ancient Judea. And thus, the words of the rabbis are meaningless. The rabbis are not keeping an ancient tradition of God's laws for a holy people. They are instead keeping outdated laws of a bygone kingdom, ones that serve no apparent purpose or hold real value. Even Jewish survival, which Jews traditionally see as a sign of God's protection of the Jews, is reduced to simple means of Jewish and gentile historical behavior. Meanwhile, rabbinical authority is reduced from holy interpretation down to outdated control of an outdated set of laws. It is important to note that denying the validity of the Written and Oral law is one of the biggest sins in Rabbinic Judaism. Spinoza as a formerly halachically observant Jew would have been aware of this. On top of this, Choseness is a core concept of Jewish thought and identity. which would have been a primary aspect installed in Spinoza as young Jew. Spinoza therefore gives an ultimate rejection. Jewish Choseness informs Torah and Rabbinic law, rabbinic commentaries, and philosophical thought, and liturgy. By saying Choseness is only a historical bygone fact, Spinoza is saying that there is no reason or purpose for Jewish existence. Saying that Judaism should not even exist is the ultimate rejection of Judaism. This is why it is important to understand

why learning Spinoza's Jewish roots, it shows that a focus of the *Treatise* is its rejection of Judaism.

Spinoza's Second Attack: Scriptural Interpretation

Spinoza continues his attack on rabbinical authority in his writing on scriptural interpretation. According to Spinoza, the only way to interpret scripture is that "Our knowledge of scripture must be looked for in scripture only."⁹⁹ On methods, Spinoza says very clearly to look at the authors' original words and interpret their original meaning. He says, "so scriptural interpretation proceeds by the examination of Scripture and inferring the intentions of its authors as a legitimate conclusion from its fundamental principles." ¹⁰⁰What Spinoza means by this is very simple, scripture must be interpreted according to the words of the authors themselves and according to what is said in the text, not by any other means.

Spinoza is very critical of later rabbinical commentaries on the Hebrew Bible. He distrusts the intentions of the authors of those commentaries. In the Treatise, he has many disparaging comments towards rabbinical interpretation of scripture. When talking about religious commentaries in general, Spinoza declares, "We see most people endeavoring to hawk about their own commentaries as the word of God and giving their best efforts, under the guise of religion, to compel others to think as they do."¹⁰¹ Another of his arguments is that those who interpret scripture are forgetting about what is actually important in scripture. Spinoza says, "That for the sake of increasing the admiration and veneration felt for scripture, men strive to explain it so as to make it appear to contradict as far as possible, both one and the other: thus, they dream the most profound mysteries lie hid in the bible and weary themselves out in the investigation of these absurdities to neglect what is useful."¹⁰² According to Spinoza, religious leaders do not focus on what scripture itself says nor is their

⁹⁹ Spinoza, Theological Political Treatise, pg. 64

¹⁰⁰ Spinoza, *Theological Political Treatise*, pg. 63

¹⁰¹ Spinoza, Theological Political Treatise, pg. 62

¹⁰² Spinoza, Theological Political Treatise, pg. 63

focus on interpreting scripture correctly. Instead, religious leaders are looking at the text and imagining what they wish to see; and trying to make others believe in their interpretation.

Spinoza is very clear in his message here. Religious leaders aren't interpreting according to what is actually said in the Hebrew Bible. They are men who interpret according to what they want the text to say. Its not a method of understanding God's word, it's a method of control. Religious authorities care more about controlling the populace than interpreting the will of God. Though in these quotes he is referring to all religious leaders, it is important to note that most of the direct rebuke in the *Treatise* towards religious authority is towards rabbinical authority.

Spinoza in his personal life had much issue with rabbinical control due to his *cherem*. Traditionally, a *cherem* was used in Judaism to exert control over the behavior of Jewish communities. A *Cherem* meant exclusion from the community, which in the case of Judaism basically meant being cut out from one's economic and social life. The Talmud Torah congregation frequently used the *cherem* as a method of keeping tight control over members. It makes sense that Spinoza did not like rabbinical control and would speak out against it, since having different opinions and questions got him cut off from the world he had known.¹⁰³

Spinoza's critique of religious authorities for creating supplementary commentary is interesting when understanding the breadth of Jewish rabbinical literature. Rabbinical literature such as the Talmud, the Torah commentaries of Rashi, and the Shulchan Aruch, which was taught to Spinoza in his Keter Torah Yeshiva curriculum, consists of books upon

¹⁰³ Nadler, Spinoza's Heresy, pg. 1-16

It is important to note that Spinoza spent his entire first twenty-three years of life in the Talmud Torah community. Though the Amsterdam Jewish communities were far from isolated from their gentile neighbors, most of a Jew's life was kept in the community. However, Spinoza would have lived, worked and had family and friends inside the Jewish community, all of which would have ended with the *cherem*. Though Spinoza obviously continued to live outside the Jewish community, it gives strong reason for him to have negative views of rabbinical authority.

books of rabbinical interpretation of the Torah, and afterwards interpretations on those interpretations. These consist of thousands upon thousands of pages of interpretation, which would have taken years to study. Spinoza's method meanwhile is very simple and only requires direct interaction with the Hebrew Bible. In the eyes of Spinoza, he saw these rabbinical works as useless at best and since the majority opinions were considered absolute on a Jewish community, a method of ecclesiastical tyranny at worst.

Spinoza's Third Attack: Hebrew Knowledge

In Spinoza's continuing attack on rabbinical knowledge of scripture, he attacks something very specific, their knowledge of Hebrew. According to Spinoza, it is necessary to know Hebrew in order to truly understand the text of the Hebrew Bible. It is with this that Spinoza goes on an attack of rabbinical interpretation based on their Hebrew skills. In short, Spinoza says that their knowledge of the original Hebrew is not good enough to properly interpret scripture. Spinoza first says that the Hebrew of the ancients is lost and that the current Jews only have fragments of the language left:

"The first great difficulty (of interpreting scripture) is in its requiring a thorough knowledge of the Hebrew Language...The men of old who employed the Hebrew tongue have left none of the principals and bases of their language to posterity; we have from them absolutely nothing in the way of dichotomy, grammar and rhetoric. Now that the Hebrew Nation has lost its grace ... has only retained certain fragments from its language and a few books."¹⁰⁴ Rabbinical tradition does not deny that some Hebrew knowledge has been lost to time, but it does hold that the biblical text has remained the same and that the rabbis have the Hebrew knowledge and thus authority to interpret it. Spinoza challenges this, saying that only fragments of the language remain, and that Rabbinical tradition does not have the proper Hebrew knowledge to accurately interpret the text of the Hebrew Bible.

¹⁰⁴ Spinoza, Theological Political Treatise, pg. 69

In the *Treatise*, Spinoza further goes into why knowing the Hebrew can be challenging by pointing out Hebrew grammar rules and common mistakes people make with the language. He tells of commonly mistaken letters, problems of grammatical regarding conjunctions and adverbs and problems due to lack of tenses in Hebrew. He says this combined with the fact many words have been lost to time makes it difficult to understand the text. Spinoza points out the multitude of common Hebrew mistakes to show how easily Hebrew can be interpreted wrongly and thus why it is not a good idea to say that rabbinical authorities have the knowledge of Hebrew that they say they do.¹⁰⁵

Another attack Spinoza makes on rabbinical Hebrew is its use of the nikkud vowel system. As Spinoza states, "the ancients wrote without points (that is vowels and accents) ...their descendants added what was lacking according to their own ideas of scriptural interpretation; whenfore the existing accents and points are simply current interpretations and are more authoritative than any other commentaries."¹⁰⁶

Spinoza's attack on rabbinical Hebrew is a clear example of a formerly practicing Jew using his Jewish background to attack his old religion.¹⁰⁷ This section of the *Treatise* shows that Spinoza was very knowledgeable on Hebrew grammar (or to what Spinoza sees as the remnant of Hebrew) and is using that knowledge he gained during his education to attack the tradition he grew up with. On top of this, attacking rabbi's knowledge of Hebrew is again attacking the basis of authority of the rabbinic tradition. As mentioned before, Jewish rabbinical tradition is full of instances where rabbis have differing interpretations of words and phrases of

¹⁰⁵ Spinoza, Theological Political Treatise, pg. 70

¹⁰⁶ Ibid

¹⁰⁷ Spinoza's knowledge of Hebrew shows his Jewish background. Hebrew scholarship was taught to Christians by Jews. Some of the only people who knew Hebrew at the time came from Jewish a background.

Adam Sutcliffe, "The Crisis and Decline of Christian Hebraism in *Judaism and Enlightenment* (Cambridge: Cambridge Univ. Press, 2005), pp. 23-42.

the Hebrew text. ¹⁰⁸ There were also questions among Hebrew grammarians about how much survived from ancient times. However, what is important is that rabbinical tradition holds that the rabbis have the authority to interpret the Hebrew text, and that they still are the best source for Hebrew knowledge. Rabbinical Judaism holds that the rabbis know how to properly interpret the Hebrew text due to the best attempts at careful preservation of the language in text and due to their intense Jewish education; it is by their study and ordination that they have the authority to interpret the Torah. On the contrary, Spinoza is saying that the rabbis do not have proper knowledge of ancient Hebrew and thus do not have the ability to properly interpret the Hebrew Bible. The rabbis' interpretation of scripture comes from their broken knowledge of Hebrew. Thus, the education of the rabbis, which is the basis for their authority, doesn't hold up because the Hebrew they learned is not enough to actually be an authority on ancient Hebrew. What they have are their interpretations of the text they made from their limited knowledge. The nikkud vowel system becomes a showcase of how rabbis make up their own ways to interpret the text instead of actually knowing what the ancient Hebrews say.

The nikkud vowel system was created in the early medieval period by Masorite Jews in Tiberius, Palestine in order for Jews to better understand Hebrew.¹⁰⁹ To Spinoza, this is a rabbinical invention that proves that the rabbis do not actually know the true Hebrew text; by showing new vowels signs, it shows they didn't know the original meaning of words and had to find a way to guess. What has been interpreted by rabbis as authoritative Jewish tradition is not a continuation of ancient tradition, but inventions over time that rabbis have used to their favor. As a result, rabbinical interpretation is not

¹⁰⁸ Orfali, Moisés. "On the Role of Hebrew Grammars in the Western European Diaspora and the New World." In *Religious Changes and Cultural Transformations in the Early Modern Western Sephardic Communities*, edited by Yosef Kaplan, 54:431–51. Brill, 2019. http://www.jstor.org/stable/10.1163/j.ctvrzgvqk.23.

¹⁰⁹ Angel Sáenz-Badillos, *A History of the Hebrew Language*. Cambridge University Press. (1993)

the absolute authority of the Hebrew text, it is only the interpretations of later Jewish generations. Spinoza's interpretation of rabbinical knowledge makes rabbis look incompetent and using the text for their own aims. These ideas of Spinoza are in direct contrast to rabbinical tradition. And because of this it a direct attack by Spinoza on Jewish rabbinical tradition.

Spinoza's attack on rabbinical knowledge of Hebrew becomes more damning knowing some historical context about Sephardic Amsterdam during Spinoza's time in the community. Sephardic Amsterdam in Spinoza's time was a main source of Jewish printing in the world. One of the biggest areas where this printing occurred was the publishing of Hebrew grammar books. The Hebrew grammar books were published in order for newly practicing Talmud Torah community to know Hebrew. Two of these grammars were written by Rabbi Menasseh Ben Israel and Rabbi Aboab De Fonesca. Though the grammars were written after Spinoza's cherem, these two rabbis taught at Spinoza's Keter Torah Yeshiva and possibly taught Spinoza his Hebrew. This information makes Spinoza's attack on rabbinical Hebrew knowledge more personal. Spinoza was not just attacking the rabbinical tradition in general; he could have been very much attacking those who taught him his Hebrew knowledge. This idea becomes more prominent with the knowledge of Spinoza writing his own Hebrew grammar guide in 1677. He wrote it in order to show how the language changed over time, for proper biblical interpretation and for "Hebrew to be spoken not chanted." Though it was written after the Treatise, it shows that Spinoza continued to believe in the faults of the Hebrew of rabbinical authorities. And by writing a completely different Hebrew guide than his predecessors, Spinoza is saving that he himself has a better grasp of Hebrew than his former community's authorities. Besides the heresy of attacking, one's teachers in rabbinic Judaism, Spinoza is saying that his community, known for their Hebrew abilities, is actually not that skillful nor one to be admired. Though not mentioning the

community directly, context shows how this was indeed an attack on the Talmud Torah congregation. ¹¹⁰¹¹¹

Spinoza's Fourth Attack: Against Maimonides

Another one of Spinoza's attacks on scriptural interpretation involves directly attacking the famous medieval Jewish philosopher-Moses Maimonides. In his Guide to the Perplexed, Maimonides argues for his own form of biblical interpretation. In his interpretation, the biblical text has many meanings, and that one could never be certain of a particular pattern unless the passage was studied, and that all passages must be interpreted according to reason, and if cannot be taken literally by reason (even if perfectly clear in meaning), must be interpreted metaphorically. Meanwhile, a literal interpretation of a passage, no matter how odd it may be, should be interpreted literally if it does not contradict any Jewish truths.¹¹² Maimonides is committed to the rationalist method of interpretation because he believes that the Torah contains. metaphysical and moral truths in concrete form. Any interpretation that contradicts the teachings of Judaism is to be entirely discarded. On top of this, Maimonides believes that only those with proper education in Rabbinical Judaism and philosophy should be those to interpret the Torah.¹¹³

Spinoza goes completely against these ideas. First, he argues against this by indicating how this prevents people without a philosophical background from interpreting the text, which Spinoza does not believe to be necessary. As Spinoza points out, the ancient Hebrews understood the biblical text without any philosophical training. He also believes it to be elitist and leads to a faulty ecclesiastical authority. As Spinoza says,

¹¹⁰ Orfali, Moisés. "On the Role of Hebrew Grammars in the Western European Diaspora and the New World." ¹¹¹ Ibid.

¹¹² Moses, Maimonides, Leo Strauss, and Bollingen Foundation Collection (Library of Congress). The Guide of the Perplexed. Edited by Shlomo Pines. Chicago: University of Chicago Press, 1963., pg. 328

¹¹³ Nadler, A Book Forged in Hell pg. 126-130

If this view were correct, it would follow that the common people for the most part know nothing of logical reasoning...would have to rely solely on the authority and testimony of philosophers for their understanding of scripture and would therefore have to assume that philosophers are infallible in their interpretation of scripture. This would indeed be a novel form of ecclesiastical authority with very strange priests or pontiffs, most likely to excite men's ridicule rather than veneration.¹¹⁴

Spinoza also attacks Maimonides in saying that his method twists the meaning of biblical passages to meet his philosophical doctrines. As Spinoza argues, "Maimonides assumes that it is legitimate for us to explain and distort the words of scripture to accord with our preconceived opinions, to deny its literal meaning and to change it into something else when it is perfectly plain and absolutely clear." ¹¹⁵

In the end Spinoza dismisses Maimonides's scriptural interpretation as "harmful, useless and absurd."¹¹⁶

Spinoza is not just attacking a random rabbi; he is going against one of the most important and influential rabbis ever. Maimonides's works have major influence on the structure of Orthodox Judaism, including the Orthodox Judaism of Spinoza's time. The *Guide for the Perplex ed* is a key work of Jewish philosophy, completely revolutionizing Jewish philosophy at the time. Much of Jewish philosophy since the *Guide For The Perplex ed* has been seen as "Maimonedan" in nature. Even Spinoza has been noted by scholars for his similarities to Maimonodes's thought in his work, *Ethics.*¹¹⁷

However, in the *Theological Political Treatise*, he has a very staunch anti-Maimonides stance. Spinoza's attack on Maimonides is a critique of rabbinical elitism. To Spinoza, the Hebrew Bible has clear meaning: all one needs to understand Hebrew and a sense of logical reasoning. After all, if the

¹¹⁴ Spinoza, Theological Political Treatise, pg. 74, ibid

¹¹⁵ Spinoza, Theological Political Treatise, pg. 74,75

¹¹⁶ Ibid

¹¹⁷ Warren Zev, Harvey. "The Return of Maimonideanism." *Jewish Social Studies* 42, no. 3/4 (1980): 249–68. http://www.jstor.org/stable/4467093.

ancient Hebrews did not have rabbinical education and understood scripture, why would any later generations be different? Maimonides's thinking to Spinoza is harmful because it prevents normal people from access to scripture and gives the rabbis too much power to interpret. And according to Spinoza, the rabbis are prone to mistakes, and since they are not infallible, leaving interpretation in their hands means major issues with knowledge of scripture. Thus, rabbinical elitism is harmful in itself to the modes of scriptural interpretation.

Spinoza is historically correct in thinking Maimonides was elitist. In the case of *Guide For the Perplexed*, it was deliberately written in a concealed way so that only educated readers could understand its true meaning. This is because to Maimonides, the secrets of the Torah taught in scripture should be taught only to those with enough background.¹¹⁸ Maimonides interpretation is useless and absurd because it twists the actual meaning of what Spinoza sees as very clear text. Maimonides is interpreting on his own beliefs, not the text. Thus, to Spinoza, his interpretation is irrational. It is important to note that Jewish tradition views Maimonides as one of the most rationalist of Jewish philosophers. By saying that the 'rationalist' rabbi's ideas are useless and absurd, then what is there to say about the rest of R abbinical Judaism?

Spinoza's Fifth Attack: The Word Pharisee

Spinoza's attack on Rabbinical Judaism goes all the way down to the use of a single word- Pharisee. Throughout the *Treatise*, he uses the word Pharisee to describe the rabbinical Jewish tradition. Though it looks like a simple way of describing different Jewish sects, for he uses the terms Sadducees and Masortes to correctly describe other Jewish sects, it is in fact an insult. This is shown when looking at context historical information. It again goes back to the new conversos having trouble accepting the Oral Torah. They had a desire to not be with "Pharsiac tradition", it gave into fears

¹¹⁸ Marvin Fox "Interpreting Maimonides: Studies in Methodology, Metaphysics and Moral Philosophy," in *Interpreting Maimonides: Studies in Methodology, Metaphysics and Moral Philosophy* (Chicago: The University of Chicago Press, 1994), pp. 6-8.

that there was a problem of Karite Judaism in the community, and thus became an issue in the Talmud Torah community,¹¹⁹so much so that there were rabbinic reposas telling the importance of the oral law. Some of these were written by people that Spinoza knew, including his old teacher, Rabbi Aboab. ¹²⁰ Thus, Spinoza continuing to use the term Pharisee is a continuation of him going against rabbinical tradition.

Another reason why the word Pharisee can be seen as an insult is due to the Collegient Christian influence on Spinoza. Spinoza never became a Christian; however, he did study with a group of radical Christians called the Collegients following his *cherem* in the 1650's and possibly even as early as 1654 before his *cherem*. Christianity, at the time, held the term Pharisee negatively, making the term mean old fashioned, hypocritical and against proper teachings of scripture. Though Spinoza never became a Christian, the Collegiants helped shape his new ideas. It is very possible that one of them was the way to view "Pharisees".¹²¹

Conclusion:

The *Theological Political Treatise* by Baruch Spinoza is a radical critique of traditional biblical interpretations of scripture. Spinoza uses the *Treatise* to attack his former religion, Judaism. In particular, Spinoza goes after traditional notions of rabbinical authority. He does so when going against the concept of Jewish Choseness. Meanwhile he critiques it directly by attacking the ideas of scriptural interpretation put forth by individual rabbis like Maimonides and the power of rabbinic consensus of scriptural interpretation, by challenging rabbinic knowledge of Hebrew, and by the simple use of the word Pharisee as an insult. Contextual information regarding Jewish law and traditional rabbinic authority shows the extent and magnitude of Spinoza's attacks. Meanwhile, knowledge of Spinoza's life and of the Talmud Torah community of

¹¹⁹ Orfali, On the Role of Hebrew Grammars, pg. 446-448

¹²⁰ Ibid

¹²¹ Nadler, Spinoza: A Life, pg. 167

Amsterdam show a link of events and practices that would later influence Spinoza's writings. In the end, learning about Spinoza's connection with his old Jewish community and with Judaism is essential to understanding Spinoza, as well as Jewish history as whole. Catholic Clergy in Memphis: Reconstructing Yellow Fever Relief Efforts

Anna Johnson

Introduction

In 1878, Memphis, Tennessee experienced a severe vellow fever epidemic that prompted the flight of three out of every five citizens from the city and claimed the lives of over ten percent of its population.¹²² Yellow fever was highly contagious and deadly, and the mechanism of the disease was largely misunderstood at the time, leaving those who remained in Memphis extremely susceptible to contracting the virus. With yellow fever rayaging the city, many chose to flee in the hope of avoiding almost certain death. In the first days after the plague struck, over half of the population had vacated Memphis, a testament to the imminent death and utter terror yellow fever would bring to the city in the coming months.¹²³ While wealthier citizens sought sanctuary outside of the city, the poorest sectors of the population were forced to remain within reach of the fever. Among this group living in Memphis during the epidemic and falling victim to the virus was a stronghold of Catholics whose clergymen selflessly provided care for fever victims in the city. Unsurpassed in service and sacrifice, these Catholic leaders opened their churches and convents to house the sick and offered sustenance, both religious and secular in kind. Consequently, the history of yellow fever in Memphis would not be complete without an

¹²² S. Wright Kennedy, Andrew J. Curtis, and Jacqueline W. Curtis, "Historic Disease Data as Epidemiological Resource: Searching for the Origin and Local Basic Reproduction Number of the 1878 Yellow Fever Epidemic in Memphis, Tennessee," Annals of the Association of American Geographers 105, no. 5 (2015): 989.

¹²³ Thomas H. Baker, "Yellowjack: The Yellow Fever Epidemic of 1878 in Memphis, Tennessee," *Bulletin of the History of Medicine*, 42, no. 3 (1968): 245.

understanding of the integral role the Catholic community played in shaping relief efforts.

While Protestant leaders in the city have been applauded for their work during the epidemic, praise for Catholic clergy has been largely silent, despite what Thomas Baker, in his history of yellow fever in Memphis, describes as their "especially high degree of dedication and self-sacrifice."¹²⁴ Although attempts have been made to fill in the gaps left by scholars regarding the large role of Catholic clergy, sources on the topic remain scant, likely due to the strong anti-Irish Catholic sentiments spreading throughout the United States during the mid-nineteenth century, including Memphis. At the time of the 1878 outbreak, the influx of new immigrants from these groups had begun to rapidly alter the cultural identity of the United States which was dominated by a white Protestant class.¹²⁵ With this dominance under attack, the religious differences between Protestants and Catholics were highlighted as point of contention which explains why the fever relief efforts of the latter are disproportionately absent from the historical record. Thus, the confessional rifts between Protestants and Catholics distorted the history of the Yellow Fever epidemic. To construct a more accurate picture of this outbreak, the framework of care in Memphis during the 1878 epidemic must be reassessed with Catholic clergy at the center.

Reexamining primary accounts from the fever years in Memphis reveals the depth of Catholic support. These sources, which are preserved in the "Yellow Fever Collection" of the Shelby County Library, document that the Catholic clergy in Memphis opened the doors of their churches and convents to fever victims at a level that made their efforts an indispensable

¹²⁴ Ibid., 257.

¹²⁵ "Trends in Migration to the U.S.," PRB (Population Reference Bureau), accessed November 27, 2022, <u>https://www.prb.org/resources/trendsin-migration-to-the-u-s/</u>.

source of relief.¹²⁶ Reverend William Walsh's letter "Contributions to the Father Matthew Camp," which describes the Catholic-sponsored yellow fever shelter established just outside of Memphis, epitomizes this reality. Walsh's writing details the establishment and innerworkings of the Father Matthew Camp, an important safe haven for the community during the epidemic. Although Walsh does not list every act of Catholic charity in Memphis, his letter provides a sufficient basis for understanding the logistics of Catholic involvement throughout this period. Surveying the Father Matthew Camp details the type of work performed by Catholic clergy and the cultural atmosphere in which their actions were situated. To reconstruct the memory of yellow fever in Memphis, I will begin by using a synthesis of sources produced in the years immediately following the epidemic to provide a history of the Father Matthew Camp. Using this narrative as a starting point, I will then explain how the work performed there is reflective of the vital role Catholic clergy played in treating victims of the 1878 epidemic throughout Memphis and why their involvement has historically been neglected.

The Father Matthew Camp

When yellow fever struck Memphis once again in 1878 after it had previously ravaged the city only five years earlier, William Walsh, an assistant priest at St. Patrick's Church [and later priest at St. Brigid's Church] and honorary President of the Father Matthew Society, felt compelled to intervene. Recognizing the dire state of the city as its death toll increased and living conditions worsened, Walsh, who later fell victim to the virus, proposed that a camp be established outside of the city for those attempting to flee the grip of the fever, hoping

¹²⁶ "Yellow Fever Collection," Dig Memphis. The Digital Archive of the Memphis Public Library, Accessed October 25, 2022, <u>https://memphislibrary.contentdm.oclc.org/digital/collection/p1303</u> <u>9coll1/id/14/rec/1</u>.

that the camp would serve as a place of "Refuge and Relief."¹²⁷ To create the safe haven Walsh propositioned, he and his colleagues had to find a suitable space outside of the city that could sustain their community during the fever months. Walsh writes, "We quietly found out an eligible site, of about 200 acres of land. There was a boiling spring in the midst, and groves of forest trees on each side of the crystal stream, to which the spring was a main tributary."¹²⁸ In the placing of Father Matthew Camp at a productive and peaceful site away from the quickly deteriorating city, Walsh primed the retreat to serve as a religious home of solitude for all who desired its protection.

To establish this sanctuary, Walsh had to secure the support of the Catholic Church which would act as a primary benefactor of the relief efforts there. Using his position in the Church and within the Father Matthew Society, an organization that advocated "total abstinence" as inspired by the temperance movement that originated in Ireland, Walsh secured approval of the Camp.¹²⁹ With the camp operating under the auspices of the Church and guided by a strict commitment to abstinence, the Father Matthew Camp was a refuge for those willing to follow its code of morality. In order to ensure proper conduct, Walsh explains that leaders "issued permits, to be distributed, by responsible parties, among those alone who were in need of our protection, of good morals, and prepared to submit to our rules and regulations."¹³⁰ As outlined by Walsh, refugees had to adhere to the religious mandates for proper conduct, especially that free of vice. Consequently, the site was viewed among its patrons as a microcosm of goodness

¹²⁸ Ibid., 5.

 ¹²⁷ William Walsh, Contributions to the Father Matthew Camp at Memphis, Tenn. during the yellow fever epidemic of 1878, (Philadelphia: I.C.B.U. Journal Office, 1878), 3.

¹²⁹ "Father Matthew Total Abstinence Society," Encyclopedia of Cleveland History (Case Western Reserve University, May 11, 2018), <u>https://case.edu/ech/articles/f/father-mathew-total-abstinence-society</u>.

¹³⁰ Walsh, 6.

in which priests, nuns, Catholic laymen, and even non-Catholics contributed to the relief of fever victims, and by extension, the preservation of the spirit of Catholic charity.

In addition to goodwill, an undertaking such as the Father Matthew Camp required significant funds. To obtain the needed monetary backing, a committee of five members of the Father Matthew Society, with Walsh as chairman, enlisted the help of organizations within the city, as well as Catholics across the region, to set up a treasury to support the operation of the camp.¹³¹ Considering the numerous amenities it provided, no small value could cover the cost of the camp's construction. However, within days of the founding of the camp, Walsh relates that it consisted of "a commissary and drug-store, a kitchen and commodious dining-hall" along with a church, and later, a school.¹³² In celebration of the camp's success, Walsh applauds the generosity of donors, especially that of the Catholic community, citing that a sum of approximately \$29,000 was collected.¹³³ Leo Kalmer, pastor of St. Mary's Church from 1912-17, who provides an overview of Catholic involvement in the epidemic, underscores this benevolence, stating that coupled with donations from individuals, the funds of the Father Matthew Society and St. Brigid's Church provided a "good reserve."¹³⁴ Thus, the overwhelming response of Catholics to Walsh's call to action demonstrates not only the sense of fellowship they felt toward one another, but their willingness to render aid to fever victims, a generous spirit which has remained underappreciated given the breadth of its accomplishments.

Anti-Catholicism during the Epidemic Years

¹³¹ Ibid., 3.

¹³² Ibid., 5.

¹³³ Ibid., 8.

¹³⁴ Leo Kalmer, Stronger than death; Historical notes on the heroic sacrifices of Catholic priests and religious during the yellow fever epidemics at Memphis in 1873, 1878 and 1879, (Memphis: Franciscan Herald, 1928), 11.

While the Father Matthew Camp enjoyed great success outside of Memphis, Walsh had originally hoped that such a sanctity of relief could be established within the city, given that Catholics comprised the largest portion of the white population left behind. Kalmer confirms this reality, explaining that "among those who had been unable to get away from the city by train were hundreds of poor Irish Catholics..."¹³⁵ Considering their foreign-born status and lack of wealth, Walsh recognized the difficulties he would face trying to build and fund a camp using the limited wealth of the Irish Catholics in Memphis. In comparison to white, Protestant Memphians who enjoyed an elevated social status during this period, Walsh points out the marginalized and poverty-stricken condition of the Memphis Catholic community. He explains, "knowing full well that our society did not contain the class of men who would be enabled to effectually carry out this grand idea, I suggested that the members save themselves and their families by timely flight..."¹³⁶ The lack of funds for a more formally recognized relief center inside the city forced Catholic laymen to locate the Father Matthew Camp to a rural, more economically-feasible site. Though their endeavors demonstrated the devotion of the Memphis Catholic community, this relocation outside of Memphis displayed how the spirit of Catholic charity found little room to operate in a sphere dominated by a wealthier class of white elites.

Only in the absence of a large number of the city's white Protestants were Catholics able to carve space for their ministry. For Walsh and his followers, this reality points to the hostility they felt, not only as matter of their status as a Catholic minority, but also due to the threat they seemingly posed to Protestantism. The PRB notes the relationship between the perceived danger of Roman Catholicism and the rise in immigration during the mid-1800s, stating that it "challenged the dominance of the Protestant Church and led to a backlash against Catholics, defused only when the Civil War

¹³⁵ Ibid.

¹³⁶ Walsh, 3.

practically stopped immigration in the 1860s."¹³⁷ The significant number of Catholic immigrants foreboded contention with an already well-established Protestant class. With a large number of Irish Catholics arriving to a Protestantdominated region like the Memphis area in the years leading to the epidemic, confessional conflict was inevitable. Thus, the changing character of the United States in the years leading to the epidemic helps explain the marginalization of Irish Catholics in Memphis and their absence from popular memory of this event.

In combination with the perceived religious threat posed by Irish Catholic immigrants to the U.S., their apparent poverty in the eyes of nativist citizens compounded growing distrust. Specifically, the privilege white Protestants enjoyed relative to these impoverished newcomers confined the latter to an inferior social status that their Catholic identity further reinforced. In his article "Ireland and Irish America: Connections and Disconnections." Lawrence McCaffrey explains this trend in immigration, focusing on the barriers to social integration that Irish Catholics faced upon their arrival to the United States. He writes, "From 1845 to 1854 about a million-and-a-half victims [of The Great Famine in Ireland] sought shelter from hunger, disease, and poverty in America...So many illiterate immigrants, often with limited or no knowledge of English, sank an already low Irish image."138 This characterization of Irish Catholics as penniless and intellectually deficient left them susceptible to disdain not only for their religion, but also for the degenerative stereotype they carried among their white Protestant counterparts. Consequently, the same denigrating national image of immigrants applied to Catholics in Memphis, and this hostile context is critical for understanding the absence of Catholic clergy in the narrative of the epidemic.

In his ministry at the Father Matthew Camp, Walsh found that his congregation was not absolved of this anti-

¹³⁷ "Trends in Migration to the U.S."

¹³⁸ Lawrence McCaffrey. "Ireland and Irish America: Connections and Disconnections." U.S. Catholic Historian 22, no. 3 (2004): 2.

Catholicism. Instead, he saw these nativist sentiments exacerbate the dire circumstances of the epidemic. Having already been pushed to the outskirts of the city due to the Irish Catholic community's lack of wealth, Walsh found resistance when asking for aid beyond the provisions made available by the Father Matthew Society and his church. Retelling the story of the Father Matthew Camp in his Catholic history, Kalmer writes that "during the first twelve or fourteen days the camp was maintained by the funds from St. Brigid's and the Father Matthew Society. Then, applications for rations was made to the Committee of Safety." In response to this request, Kalmer describes how Walsh was met with "'some inconvenience and exhibition of ill-temper on the part of some..." before being granted the needed rations.¹³⁹ Whether the reluctance of the Committee of Safety to provide resources for the Father Matthew Camp stemmed from anti-Catholic ideas, a general shortage of supplies, or both is not confirmed by Walsh. However, the desolate condition of the Irish Catholic community in Memphis during this era of nativism put him at the end of the line for aid, demonstrating the inexplicable link between his immigrant status and his limited capacity to navigate the tenuous circumstances imposed by the fever.

In competition with the building hatred of the white Protestant class was a similar discontent emanating from the object of their animosity as yellow fever conditions worsened. At the onset of the fever, Irish Catholics were already in contention not only with the subjugation they experienced, but also with the social and economic implications attached to their status. Noting this reality, Kalmer writes, "Pastor of a church which at that time had only the poorest people as its parishioners, Father William [Walsh]...knew the work before him, and quietly went about it."¹⁴⁰ Given that Irish Catholics, like those under Walsh's guidance, were disadvantaged as Memphis entered the epidemic, the increased ability of white Protestants to flee to safety further fueled the growing divide

¹³⁹ Kalmer, 12.

¹⁴⁰ Ibid., 14.

between the two groups. In his study "The Immigrant Population of Memphis," Sterling Tracy explains:

> One might think that pestilence, like war and famine, would tend to lessen the tensions among ethnic groups. That was not, however, altogether so in Memphis. No sector of the population suffered so disastrously as the Irish... There was deep and widespread resentment on the part of the Irish that their more fortunate fellowcitizens, non-Catholic, were able to run away.¹⁴¹

Without the means to flee the virus, Irish Catholics were trapped in the fever-ridden city, heavily reliant on leadership within the Catholic community to provide relief and resentful of the elevated status of the white Protestants who had escaped the outbreak.

Fever Relief of Many Forms

Irish Catholics captive in Memphis depended heavily upon the Catholic clergy who refused to abandon the city in its hour of need. Counted among the leaders in Walsh's camp and within the city were sisters and priests, many of whom sacrificed their livelihood in order to minister to the sick.¹⁴² Baker, in his yellow fever history, describes this commitment, writing, "...it was unthinkable that a Catholic priest would leave a parishioner who might need the last rites..."¹⁴³ With the salvation of the faithful dependent on the clergy, priests had to stay in the city during the epidemic to remain in close proximity to those who wished to engage in a final confession. Walsh confirms this reality during his ministry at the F ather Matthew Camp where, "...every dying Catholic needed his Priest...the Priest had to sit and kneel beside the bed of the plague-stricken patient...hearing the confession of years of

¹⁴¹ Sterling Tracy, "The Immigrant Population of Memphis," West Tennessee Historical Papers 1947-2015 (Shelby County Register of Deeds, 1950), <u>https://search.register.shelby.tn.us/imgView.php?imgtype=pdf&id=</u> <u>04wth038.tif</u>.

¹⁴³ Baker, 257.

¹⁴² Walsh, 4.

sin..."¹⁴⁴ The dire necessity of Catholic clergy during the epidemic was paramount in that beyond medical care was the even more looming demand of last rites. Fully committed to their congregations, Catholic clergy had to stay behind in order to fulfill their duty as religious leaders, placing them in a position to render a myriad of additional services to fever victims.

Looking more closely at the innerworkings of the Father Matthew Camp, the clergy's labors there typified the blend of secular and spiritual healing offered by Catholic strongholds throughout the Memphis area. Specifically, Walsh's leadership in the camp and in the city best illustrates the taxing commitment expected of Catholic clergy. Describing this devotion found in Walsh, Rev. D.A. Quinn, author of Heroes and Heroines of Memphis, writes that credit for the camp is "entirely due to the zeal and fertile brain of Rev. W. Walsh."¹⁴⁵ Walsh's energy and devotion enabled him to meet his religious responsibilities to parishioners as well as treat their secular needs as patients; both types of care were understood as indispensable. For example, the operation of the camp required \$150 dollars per day to sustain its operations.¹⁴⁶ As an administrator, Walsh had to maintain constant vigilance in his administration to ensure that funds were secured and properly utilized, all the while tending to his priestly charge. Thus, between his position as assistant priest at St. Bridget's and minister at the Father Matthew Camp, Walsh found himself pledged to fever relief of the spiritual and non-spiritual kind, stepping into bigger shoes than those he was required to fit upon ascension into priesthood.

For the Catholic clergy serving at the Father Matthew Camp, their position outside of the city conferred the additional challenge of daily travel. Because many of the priests and nuns who worked at the camp hailed from churches in the

146 Walsh, 6.

¹⁴⁴ Walsh, 4.

¹⁴⁵ D.A. Quinn, *Heroes and Heroines of Memphis*, (Providence: E.L. Freeman & Son, 1887), 31.

city, abandoning members of their congregation to die in the city was unthinkable, thus forcing them to travel daily between the city and the camp. As an assistant priest at St. Brigid's, which housed fever victims in the city, Walsh constantly traversed between his parish and his camp.¹⁴⁷ Describing his day, he writes, "There [the camp's church], during the plague, I celebrated Mass almost every morning, and recited the Rosary and gave Benediction of the Most Blessed Sacrament every night, then, after the day's labor in the plague-stricken city, I returned to rest at the camp..."¹⁴⁸ Like Walsh, many other clergy members found themselves subject to the challenges of serving a disjointed community of parishioners. Consequently, incessant travel became the shared experience of Catholic religious leaders during the epidemic as they were expected to serve beyond their pulpits and care for the afflicted regardless of their proximity.

Similarly, the experience of the Sisters of St. Joseph who served at the Father Matthew Camp was analogous in many respects to the ministry of the priests. Described by Quinn as the "Fever-proof Little Band of St. Joseph's Heroines," the nuns were an indispensable source of relief during the epidemic years of '73, '78, and '79 in Memphis and showed an unwavering dedication to their mission. Working from their base at the Father Matthew Camp, the Sisters of St. Joseph rendered, in the words of Walsh, "invaluable assistance...in ministering to a variety of necessities among our poor people, " which even included instructing school children.¹⁴⁹ According to Kalmer in his discussion of the work performed by the nuns, "When the care of the sick was not too urgent, the three sisters [Clarissa, Irene, and Antoinette] taught the children of the camp reading, writing, and catechism."¹⁵⁰ The nuns provided proper schooling, all while filling other roles both within and

¹⁴⁷ Kalmer, 24.

¹⁴⁸ Walsh, 5.

¹⁴⁹ Quinn, 6.

¹⁵⁰ Kalmer, 25.

outside of the religious realm, a testament to the versatility of care required of them during the epidemic.

Like Walsh and other Catholic priests, the Sisters of St. Joseph traveled to and from the Father Matthew Camp and Memphis. The nuns also had commitments at established churches in the city, making their journey a necessary burden. Of the nuns, Quinn writes, "They went directly to Camp Father Mathew [sic], where they spent their nights. Every morning, they walked to the city, carrying large baskets filled with provisions, money, and medicine for the sick and poor."¹⁵¹ Along with transporting various necessities, the sisters were as heavily involved in nursing fever patients as were the priests and medical professionals. Kalmer confirms their contribution, writing "...while Sister Irene devoted herself to the sick...Sister Antoinette and Clarissa went daily into the city to administer to the fever patients."¹⁵² The many days the Sisters of St. Joseph spent traveling in order to offer religious guidance and medical aid within the camp and the city is a testament to their selflessness in the face of desolation. The nuns are a prime example of the Catholic charity displayed during the epidemic in Memphis, their spirit of service standing starkly apart from the missing benevolence of those who fled the city in the face of the fever.

Demographically Disproportionate Service and Sacrifice

In comparison to the large Catholic presence in Memphis during the epidemic, like that of Walsh and the Sisters of St. Joseph at the Father Matthew Camp, the proportion of Protestant leaders who chose to stay in the city and minister to the afflicted was significantly less. In his summary of "Incidents of the Fever of '78," Rev. Quinn relates, "Amongst the run-aways were several prominent city officials, several physicians, and almost all the Preachers of the town." While Quinn makes certain to qualify this statement with the note that not all Protestant leaders abandoned the city, their involvement at the secular and non-secular levels still

¹⁵¹ Quinn, 183.

¹⁵² Kalmer, 25.

pales in comparison to the work of the Catholic clergy. Quinn's description of Protestant involvement is a single paragraph with a rough estimate of ten to fourteen names, a count easily trumped by the eighteen Catholic priests subsequently listed.¹⁵³ Based on these findings, Protestant involvement grows even dimmer in light of the Catholic clergy who sacrificed their time, resources, and in some cases, their lives, such as the "score of Sisters" who fell victim to the fever.¹⁵⁴ Considering Quinn's statistics and the work of the nuns, the missing stories of Catholic servitude are not indicative of a more significant Protestant presence, but rather, a failed acknowledgment.

As the paltry degree of Protestant intervention in the lives of fever victims becomes readily apparent with a one-toone comparison of Protestant to Catholic leaders remaining in the citv as Quinn does, calculating the number of respective congregations adds another level of absurdity to the story. When the fever hit Memphis in 1878, Quinn writes that "there were in Memphis five Catholic churches and fifty-three Protestant churches..."¹⁵⁵ Based on Quinn's history, Protestant congregations exceeded Catholic congregations 10-fold before the epidemic. Moreover, "Catholic Serials of the Nineteenth Century in Tennessee" confirms the minor presence of Catholics in the state following the Civil War. Once settled, Catholic congregations had "scattered" during the war, leaving Catholic clergy to "begin anew" in its wake.¹⁵⁶ With Catholics somewhat disbanded heading into the fever years of the '70s, the greater proportion of Catholic to Protestant leaders remaining in Memphis during the epidemic appears even more impressive, especially given that the latter group had a more stable support system in place. When considering the large number of aid workers drawn from a relatively large pool of

¹⁵³ Quinn, 185-186.

¹⁵⁴ Walsh, 4.

¹⁵⁵ Quinn, 186.

¹⁵⁶ Eugene P. Willging, and Herta Hatzfeld, "Catholic Serials of the Nineteenth Century in Tennessee." *Records of the American Catholic Historical Society of Philadelphia* 70, no. 1/2 (1959): 20.

adherents, the achievements of Catholic public service is exceedingly remarkable.

Yet Catholic congregations were clearly disadvantaged even before accounting for the number of clergy who would inevitably be taken by the virus. Walsh notes this reality from his position at the Father Matthew Camp as he mourns the loss of his brothers and sisters. In his letter, he relates, "Among our Sisters and Priests the fever made great havoc. Almost a score of sisters died. Of the Priests who were in the city when the fever broke out, only three of us escaped, without having to submit to the treatment of physicians and nurses..." Though the Father Matthew Camp reported only ten deaths, faithful clergy commuting to and from the city witnessed the devasting degree of fatality wrought by the fever. Walsh continues, "Those of us who God was pleased to spare, in order to minister wants of the sick, the needy and the dead, had to witness scenes which pen cannot well describe..."¹⁵⁷ Although Walsh would ultimately not be spared when the fever returned to Memphis in '79, the strain on his fellow clergymen and him is obvious by their constant travels and immediate proximity to death. In the face of limited leadership and deadly disease, an exceptional weight was placed on the diminished Catholic community.

Despite insufficient resources, Catholic clergy nevertheless extended care to Protestants who had been abandoned by their pastors. Remembering his intentions for the Father Matthew Camp, Walsh explains that he wished to organize a "corps of nurses, or others, to assist the families of the members who might be stricken down, and, as far as they might be able, other afflicted families—without distinction, as I apprehend, of race, creed, or color"¹⁵⁸ From the outset, the Father Matthew Camp cared for anyone infected with the virus, providing aid for the entire city, not solely the small Catholic community left behind. Catholic clergy had to expend their own resources on those of all demographics and find ways to supplement areas of deficiencies. Yet this indiscriminate aid

¹⁵⁷ Walsh, 4.

¹⁵⁸ Ibid., 3.

was not returned by the few Protestants remaining in the city, which Baker suggests "aggravated the old antagonisms between the rich and poor, natives and Irish, Protestant and Catholic, alignments that were nearly identical" due to the accusation that "Protestant relief workers did not care what happened to the Irish."¹⁵⁹ Apparent Protestant apathy left Catholics almost entirely responsible for relief efforts in Memphis and excited deep-seeded antagonisms in the wake of the outbreak.

Even with governmental aid and contributions from benevolent societies like the Howard Association and Citizens Relief Committee, Catholic relief efforts remained underfunded, forcing clergy to look beyond the Memphis area for support. In his recollection of donations to the Father Matthew Camp, Walsh writes that "The Citizens Relief here, gave us rations for about one fifth of our people..."¹⁶⁰ While the connotation of Walsh's commentary on the Citizens Relief Committee is clearly positive, rations of one fifth of the needed amount scarcely provided for the camp's refugees. Not one to lose faith, Walsh doggedly found donors in other cities: "I have to thank especially the Citizens Relief of Philadelphia, Pittsburg, Worcester and Newark, Ohio for recognizing the claim of our necessities. Outside of our Comrade Catholic Societies, our Priests and Bishops, those alone assisted us."¹⁶¹ Aside from the limited capital of the Irish Catholics in Memphis, fever relief depended largely on outside wealth, making the Protestant-dominated narrative misleading in terms of unpaid credit to Catholic leaders located inside and outside of Memphis.

Due to the great, but largely undocumented, relief efforts of the Catholic community, the death toll of Catholic Memphians is worthy of long-overdue commemoration. From August through October in 1878, a three-month span of devastation resulted in the loss of approximately ten percent of

¹⁵⁹ Baker, 259.

¹⁶⁰ Walsh, 6.

¹⁶¹ Ibid., 7.

the population in Memphis. Kennedy et al., in their epidemiological study of yellow fever, state that approximately 30,000 out of 50,000 citizens fled the city of Memphis within two weeks of the first confirmed local case of the disease and. of those who remained, some 19,600 contracted vellow fever: 5,150 of these cases proved fatal.¹⁶² Of those who perished during the fever, twenty-five percent of these victims were Catholics with some accounts even suggesting a higher death toll. In her thesis vindicating Catholic servitude during the 1878 epidemic, Elizabeth C. Sims confirms these numbers, writing, "Of the total 5,150 deaths in the 1878 epidemic, the compiled records of Calvary Catholic cemetery records 1, 287 buried Catholics from the months of the 1878 epidemic, but this figure is low. Rev. D.A. Quinn estimates that 2,000 were Catholic, of which 43 were male and female religious."¹⁶³ From these statistics, the sacrifice Catholics, especially the clergy, made during the epidemic is undisputable and appears even more substantial when considering the percentage removed from an already miniscule population.

The Cross-section Between Misinformation and Care

In the minds of Catholic clergy on the frontlines of the epidemic, the overwhelming death experienced within their community was beyond debate. However, the mechanism of the virus was a different question as no consensus among medical professionals existed at the time, resulting in misguided efforts to control the outbreak. Baker notes that, "Most authorities assumed the germs were spread by 'fomites,' the excreta, clothing, or bedding of an infected person, or anything a victim had touched," a theory that gave rise to the practice of ineffective preventative strategies.¹⁶⁴ Inconsistent methods of prevention became prevalent among caregivers throughout the city, sometimes exacerbating the fever's mortality rate. Even

¹⁶⁴ Baker, 242.

¹⁶² Kennedy, et al., 989.

¹⁶³ Elisabeth Sims, "The Catholic Witness during Memphis Yellow Fever Epidemics of the 1870s: A Description and Vindication," University Libraries (Baylor University, May 29, 2020), 8.

Walsh admits this gap in knowledge, relating that the "physicians and nurses... know no specific remedy for yellow fever patients. It is a FACT that wherever the *disease was directly attacked* by the powers of medicine, the *life* of the patient was *directly attacked*."¹⁶⁵ Ignorance meant a lack of proper precautions among caregivers, compounding their already high mortality rate.

Given the perplexing nature of the virus for medical professionals, Catholic clergy were left to their own devices to mitigate the virus. They often employed methods colored by public opinion and the conflicting theories of physicians. In A *History of the Yellow Fever: The Yellow Fever Epidemic of* 1878, in Memphis, Tenn., J.M. Keating, though criticized for his failure to give Catholics due credit for their fever relief efforts, paints a useful picture of the circulating theories that hindered the clergy's ability to establish proper precautions. A mainstream Memphis journalist during the epidemic, Keating writes that the most common point of convergence was that the "excitation of the yellow fever germ" was linked to moist, warm, and unsanitary environments.¹⁶⁶ The real culprit behind the spread of the virus, the mosquito Aedes aegypti, would not be discovered until a few years later by the Cuban epidemiologist, Carlos Finlay.¹⁶⁷ Dispelling the misconception that yellow fever was communicable, the finding that the bite of A edes aegypti was the means of transmission laid bare the fallacies in previous theories. As a result, no measures targeted voracious mosquitos. Instead, ineffectual precautions left Catholic caregivers vulnerable to infection and death.

Keeping in mind that Catholic clergy comprised the largest proportion of religious servants in the city and belonged

¹⁶⁵ Walsh, 4.

 ¹⁶⁶ J.M. Keating, A History of the Yellow Fever: The Yellow Fever Epidemic of 1878, in Memphis, Tenn., (Memphis: Howard Association, 1879), 29.

¹⁶⁷ Molly C. Crosby, The American Plague: The Untold Story of Yellow Fever, The Epidemic That Shaped Our History, (New York: Berkley Books, 2006), 99-101.

to the most represented demographic among the white community there, misidentifying the vector for yellow fever was particularly significant. With Catholic clergy constantly immersed in the most afflicted regions of the city and operating under misguided precautions, they were at a much greater risk of contracting the virus. Walsh accurately notes the higher death rates among Catholic clergy but wrongly identifies the cause: "The great mortality among Priests is not to be wondered at...the Priest has to sit and kneel beside the bed of the plague-stricken patient...lean over the patient, inhaling his poisonous breath..."¹⁶⁸ Walsh assumed that intimate contact with fever patients was to blame for the spread of the virus to priests when, in reality, transmission was exacerbated by proximity with Aedes aegypti. Nonetheless, priests and nuns continued to travel in and out of fever-ridden zones, placing themselves in mosquito territory and at greater risk of the insect's deadly bite. Misinformed epidemiology and ineffective prevention measures compounded the hardships associated with a marginalized community and left Irish Catholics especially susceptible to the devastating effects of yellow fever. In light of these challenges and given the social divides, economic disparities, and scientific gaps that shaped their world, the work of Catholic clergy was extraordinary indeed.

Concluding Remarks

In the years following the '78 epidemic, the martyrdom of Catholic clergy in their attempts to save lives was a loss to be felt for years to come. With Irish Catholics comprising the largest proportion of religious leaders and laity to fall victim to the fever, the Catholic community in Memphis experienced traumatic levels of devastation. The most agreed upon estimate of the death toll in Memphis is approximately 10,000 people, and of this number, Sterling, in her history of the Irish in Memphis, claims that "nearly half were Catholics, and most of these were Irish."¹⁶⁹ Although safe havens like the F ather

¹⁶⁸ Walsh, 4.

¹⁶⁹ Tracy, 75.

Matthew Camp offered refuge, only "400 souls"¹⁷⁰ found safety within its confines, leaving thousands of Irish Catholics effectively imprisoned in a city of disease and death. While Protestants reestablished a relatively stable population that quickly replenished itself following the epidemic, Irish Catholics did not enjoy the same rejuvenation. According to Sterling, "...never did they recover the proportionate numerical strength they had maintained in the middle 1840s to the onset of the fever."¹⁷¹ A population collapse of this size was a seismic change. Whether mention of this collapse was lost with those who passed or intentionally misconstrued, the fragmentation of the Catholic community in Memphis altered the character of the city in ways that would be felt for generations to come.

When the epidemic finally expired, the occupants of Father Matthew Camp could safely return home physically, but not without the mental anguish that lingered. Since Aedes *aegypti*, the vector for yellow fever, thrives in a warm, moist environment, the first frost brought relief to the refugees. Walsh writes, "At the end of October, the long-wished-for visitor arrived. Frost made its appearance, and 'Yellow Jack' was slain for the present..." Colder weather sent the virus into hibernation until it again returned the next year, the yellow fever wave of '79. With the assurance that the city was safe, Walsh held a "Mass Thanksgiving" to celebrate their return on "All-Hallows Day" and describes the scene as "inspiringly grand."¹⁷² Despite his apparent cheerfulness, Walsh notes the lasting trauma from the epidemic: "miseries, consequent of the plague, still surround me. The condition in which I am placed, as Rector of this Church, is embarrassing. The effects of the plague shall long remain."¹⁷³ In the end, Walsh, along with the occupants of the Father Matthew Camp had to return to the city of despair, knowing that a bleak future awaited them.

- ¹⁷² Walsh, 7.
- ¹⁷³ Ibid., 8.

¹⁷⁰ Kalmer, 14.

¹⁷¹ Tracy, 75.

In consideration of the immense sacrifice made by the Catholic clergy who served Memphis during the 1878 vellow fever epidemic, acknowledging their work and filling the gap in scholarship is long overdue. The absence of Catholic voice in the literature speaks to the biased sources and a shameful history of discriminatory anti-Catholic sentiments that have prevented Catholic aid workers from garnering the respect that they deserve. Consequently, the goal of this paper was to outline the accomplishments of Catholic religious leaders during the epidemic in order to correct a historical injustice. As the stories of the Father Matthew Camp and individuals like William Walsh and the Sisters of St. Joseph tell, Catholic clergy played a central role in relief efforts during the 1878 Yellow Fever epidemic in Memphis. Without their service and sacrifice, the epidemic would have been far more devastating. Widespread white Protestant prejudices in the late nineteenth century United States meant that Catholic relief efforts were scorned in the sources and the clergy's vital role in providing aid, often the only ones to do so, was largely discounted. However, the time has arrived for part of this recognition to be returned to its rightful home among the Catholic clergy who displayed arguably the largest amount of sacrifice in their selfless efforts to preserve not only their own, but the entire Memphis community.

The Civil War's Dirty Legacy: Ivory Soap's Use of Racial Advertising Samuel J. Cross

Ivory Soap, rising to dominate the market during reconstruction following the American Civil War, was built on the strained racial tensions of the time. Playing on the segregationist policies and the indigenophobia of 19th and 20th century America, Procter and Gamble was able to carve out a niche in the hygiene market that they would dominate into the modern age. Procter and Gamble's most successful advertisements would play on the notion of the pure white bar of soap "civilizing" the primitive natives and saving them from their backward traditions. African Americans would also consistently appear in advertisements in subservience to the owners of Ivory Soap creating a juxtaposition between the pure white individual and the African American. These advertising techniques would evolve with the changes in racial tensions in America with anti-indigenous advertising being more prevalent during westward expansion and anti-black advertising more common just prior to the civil rights movement. By studying these trends Ivory Soap marketing provides a picture of the shifting racial tensions in America during the 19th and 20th centuries and demonstrates their ability to persist beyond the civil rights movement with remarkably similar language still appearing going into the 21st century.

Procter and Gamble rose to prominence during the 19th and 20th centuries growing to monopolize the hygiene industry. The company's dominance was predicated by their earliest and most notable product: Ivory Soap. Known for its spotless white appearance and ability to float, Ivory Soap dominated the American. Riding on the military contract that plummeted their business to the forefront of the industry, Procter and Gamble, began a massive advertising campaign to capitalize on their past success. By relying on these new adverts Ivory Soap evolved from a product for the soldier to a household staple. These advertisements followed a formula in which Procter and Gamble exploited race to sell their soap. As American society continued to change and racial tensions evolved, Procter and Gamble would frequently switch out which minority they depicted in their advertisements to best suit the sensibilities of the time. From claiming the ability to "civilize" the Native Americans to a frequent depiction of African American subservience these techniques were used to

connect their product to the believed supremacy of the white community. By selecting different racial groups these advertisements provide a depiction of the 19th and 20thcentury race relations in America, how racism has evolved, and its consequences both for the white community and those depicted.

Despite being widely considered a priority by modern standards, hygiene leading up to the American Civil War was an afterthought and not a priority for the average individual.¹⁷⁴ To the average American, still living off of subsistence farming, dirt and grime were an expected aspect of life¹⁷⁵. This approach to hygiene would shift, however, as preserving the lives of soldiers becomes a priority for the United States as it waged a war against itself. One of the greatest threats to a military force during this time was disease and infection¹⁷⁶.

This threat, however, begins to wane as a product of the recent Crimean War, only four years prior to the American Civil War, resulting in Europe's discovery of the medical benefits of hygiene due to the work of English army nurse Florence Nightingale.¹⁷⁷ Upon witnessing the substantial benefits of Nightingale's new medical practices, including hand sanitation, data driven treatments, and safe disposal of medical waste, the United States chose to implement similar reforms to its army during the conflict to better protect its soldiers from

¹⁷⁶ Smallman-Raynor MR, Cliff AD. Impact of infectious diseases on war. Infect Dis Clin North Am. 2004 Jun;18(2):341-68. doi: 10.1016/j.idc.2004.01.009.
PMID: 15145384.

¹⁷⁴ Kostka and McKay, "NCW 2002: Chemistry Keeps Us Clean. Chemists Clean Up: A History and Exploration of the Craft of Soapmaking - How Soap Came to Be Common in America."

¹⁷⁵ Stiverson, Gregory A. "Early American Farming: A Comment." Agricultural History 50, no. 1 (1976): 37–44. http://www.jstor.org/stable/3741905.

¹⁷⁷ Kostka and McKay, "NCW 2002: Chemistry Keeps Us Clean. Chemists Clean Up: A History and Exploration of the Craft of Soapmaking - How Soap Came to Be Common in America."

non-combat related deaths¹⁷⁸. To supply the soldiers kits with bars of soap the Union military signed a contract with two immigrants from the British Isles, William Procter and James Gamble.¹⁷⁹

Just prior to the war Procter and Gamble had merged their shops, one being a candle shop and the other selling handmade soap, in Cincinnati. The two having married sisters and both selling fat based products were asked by their fatherin-law to further their association by pooling their assets together with their eyes set on expansion¹⁸⁰. By the time the war broke out the two men had around 80 employees mass producing soap and candles, both of which were of vital importance to the Union military¹⁸¹. Having the resources to supply the Union's war efforts, Procter and Gamble recieved multiple contracts from the United States military to outfit their soldiers. At this point, however, there was nothing notable about Procter and Gamble other than the size of their operations, it wouldn't be until after the war that they would become a household name.

Following the war a there was an incident where a member of Procter and Gamble's staff walked off the shift for lunch without checking on the soap being actively processed. This resulted in the batch running longer than intended and accidentally created a soap that was pure white and floated.¹⁸² Due to its coloration this soap would become known as Ivory Soap and take the place as their flagship product. By 1904

¹⁷⁸ Aravind M, Chung KC. Evidence-based medicine and hospital reform: tracing origins back to Florence Nightingale. Plast Reconstr Surg. 2010 Jan;125(1):403-409. doi: 10.1097/PRS.0b013e3181c2bb89. PMID: 19910854; PMCID: PMC4386633.

¹⁷⁹ U.S. Smithsonian, "Ivory Soap Advertising Collection."

¹⁸⁰ *The Proctor Gamble Company,* The National Science and Technology Medals Foundation

¹⁸¹ *Procter and Gamble,* Ohio History Central

¹⁸² U.S. Smithsonian, "Ivory Soap Advertising Collection."

Procter and Gamble spent \$400,000 in advertising pushing their new Ivory Soap to Americans.¹⁸³ Their advertising highlighted two points: it was "99 44/100% pure" and "it floats!"

Almost as frequently they would also leverage the controversial issue of the time and use the rising racial tensions to sell their product. Early Procter and Gamble advertising of Ivory Soap is limited to the use of the Native peoples depicted as savages and "civilized" through the use of their soap.¹⁸⁴ Even more notably is that they would run the same advertisements with slightly different illustrations, particularly two named "Reclaimed" and "A New Departure." Both of these depicted Native Americans alongside a poem advertising Ivory Soap as the line between civilization and savagery. In the text below Procter and Gamble describe in "A New Departure" how Uncle Sam, playing the role of the white American, brings the Native American's Ivory Soap to teach them the ways of civilization. They use phrases such as "they'll turn their bow to fishing-rods and bury hatchets under sods" to depict them as a savage and warlike community prior to the arrival of the white community. According to the advertisement, as seen below, Ivory Soap would increase not only their wisdom but also their "worth" solidifying the racial hierarchy that they are attempting to depict.

A New Departure

"Said Uncle Sam: 'I will be wise, and thus the [Native American] civilize: instead of guns, that kill a mile, tobacco, lead, and liquor vile, instead of serving out a meal, or sending Agents out to steal, I'll give, domestic arts to teach, a cake of Ivory Soap to each. Before it flies the guilty stain, the grease and dirt no more remain;

¹⁸³ Kostka and McKay, "NCW 2002: Chemistry Keeps Us Clean. Chemists Clean Up: A History and Exploration of the Craft of Soapmaking - How Soap Came to Be Common in America."

¹⁸⁴ Ivory Soap, Procter & Gamble Company, "A New Departure", advertisement, 1883.

'twill change their nature day by day, and wash their darkest blots away. They'll turn their bow to fishingrods, and bury hatchets under sods, in wisdom and in worth increase, and ever smoke a pipe of peace; for ignorance can never cope with such a foe as Ivory Soap.'''¹⁸⁵

"Reclaimed" followed a similar style of highlighting the white man as the desired state of civilization, depicting the Native Americans as bandits or thieves, and reinforcing cultural stereotypes associated with them. While in the case of "A New Departure" the Americans civilize the Native peoples in the case of "Reclaimed" they take it upon themselves. In fact "Reclaimed" is written in a first-person perspective as though a Native American were reflecting on the change motivated by the discovery of Ivory Soap. The writer furthers the racialized language seen in "A New Departure" extending the Native Americans' lack of civility describing their diet as "buffalo meat and settlers' veins." The included illustrations, however, are unique from those previously seen, depicting Native Americans clothed like Europeans. The narrative they construct in both versions, "A New Departure" and "Reclaimed", the use of Ivory Soap as a representation of the presupposed civilized western world puts the white man in the role of a savior in these advertisements.

Additionally, Procter and Gamble play on the prejudices of the Americans at the height of westward expansion with the depiction of the Native Americans as a backward people who represent a threat to the Americans and need to be assimilated¹⁸⁶. These advertisements present America, bluntly through Uncle Sam, as the greatest hope for the Native Americans. "*Reclaimed*" best summarizes the message of these two advertisements as "... Ivory Soap came ...

¹⁸⁵ Ivory Soap, Procter & Gamble Company, "A New Departure", advertisement, 1883.

¹⁸⁶ Howard University Law Library, *The Allotment and Assimilation Era (1887 - 1934)*, Jan 6, 2023

and now we're civil, kind, and good \dots [and live] as well as folk with paler faces."¹⁸⁷



Side-by-side comparison of *Reclaimed* ran by Procter and Gamble pushing the white savior narrative against Native Americans in 1884 and 1886 respectively with no changes other than the illustration^{188,189}.

Although this advertising was unlikely to be successful with the Native American community it was likely successful with the white community given their frequent reruns. "*Reclaimed*" ran for general advertising for at least two years and "*A New Departure*" was run for at least six years indicating both were successful marketing campaigns¹⁹⁰. This understanding is furthered after learning that when Procter and Gamble became a publicly traded company less than a decade later they were spending almost \$38,500 on advertising, a considerable sum in the late 17th-century, especially given how

¹⁸⁷ Ivory Soap, Procter & Gamble Company, *"Reclaimed"*, Harper's Weekly Young People, advertisement, July 22 1884.

¹⁸⁸ Ivory Soap, Procter & Gamble Company, "Reclaimed", Harper's Weekly Young People, advertisement, July 22 1884.

¹⁸⁹ Ivory Soap, Procter & Gamble Company, "Reclaimed", advertisement, July22, 1886.

¹⁹⁰ Broussard-Simmons, Anessa and Hunt, Laura E. Guide to the Ivory Soap Advertising Collection. The Smithsonian National Museum of American History Kenneth E. Behring Center. 2017.

minor any changes being made to said advertisements were..¹⁹¹ Because, as Procter and Gamble was rapidly expanding their advertising budget, the choice to maintain the same material speaks to the effectiveness of using Native Americans as a medium to sell their product. The success of these advertisements, however, is not unexpected as the rise of Ivory Soap occurred at the height of westward expansion and the continual expulsion of the perceived to be savage Native Americans. Their headquarters being located in Cincinnati would have only fueled their interest in America's expansion as they and their soap were at the forefront of exploration into the mid-west. As this mission to civilize began to wane, however, Procter and Gamble would need to adapt to the changing attitudes of the 20th century.

Fueled by the rising racial tension and the reduced proximity to the American Civil War, Procter and Gamble began to utilize pre-Civil War racial dynamics to promote their product. The first of these new advertisements, released in 1892, depicts a black man as a kitchen worker and highlights the need in the service industry to control odors.¹⁹² This continues Proctor and Gamble's tradition of depicting racial minorities as inferior to Europeans as a means to sell their product. This advertisement, however, is notable as being the only advertisement produced by Procter and Gamble during this time to depict only a black individual and indicate that Ivory Soap was for the service workers. Instead, future advertisements would explicitly depict Ivory Soap as a white product.

Given the text of the advertisement, it is likely that this was the implied message of the initial 1892 advertisement. This is demonstrated through its concern for the comfort of the train passengers that the black cook would have been serving

¹⁹¹ Lief, Alfred. It Floats: The Story of Procter and Gamble. New York: Rinehart, 1958.

¹⁹² Ivory Soap, Procter & Gamble Company, "To keep dining, private, and hotel cars free from disagreeable odors...", advertisement, The Century Magazine, 1892, 104.

by advertising Ivory Soap as being used "to keep dining, private, and hotel cars free of disagreeable odors."¹⁹³ It is clear that while the advertisement was of a black man, the intended focus was on the white customers who would have been affected by the cook's odor. This depiction, while making a mockery of the black servant ran the risk of conveying the idea that Ivory Soap was for black consumers. To address this confusion, Procter and Gamble following this advertisement would highlight the use of Ivory Soap within the white community while equally showing a sense of racial superiority by depicting the two groups side by side.

When Procter and Gamble attempted to use black Americans for advertising again in 1917 it made a clearly intentional effort to juxtapose the two races by placing a black servant next to a wealthy white woman.¹⁹⁴ Furthermore, this advertisement clarified that the product was intended for the white audience, but not for African Americans by highlighting its importance to the depicted white woman. Furthermore, the artists decided to highlight the importance of white skin emphasizing its delicate nature and the importance of protecting it. This language serves as a continuation of the white superiority demonstrated in the older advertisements focusing on Native Americans. Ivory Soap marketing would long focus on their customers' delicate skin and the purity of the white soap playing towards the underlying white purity ethos of the time.¹⁹⁵

This strategy of including a black servant to highlight the superiority of the white individual depicted would become standard for Procter and Gamble to highlight the elite nature of their product. As Ivory Soap advertising entered the age of color printing its style changed to depict a narrative across three scenes and an accompanying text. The reason for this

¹⁹³ Ibid.

¹⁹⁴ Ivory Soap, Procter & Gamble Company, advertisement, 1917.

¹⁹⁵ Bloomfield, Anna, "Exploring the History of Subliminal Racism in Ivory Soap Commercials", Verge 15, Goucher College, Dec 20, 2018.

change is unknown, however, the frequent juxtaposition of white and black Americans would persist into this new age of advertisement. Of the three scenes, one would inevitably be dedicated to the relationship between the white and black individuals while the other two would only depict the lives of the white actors. In these racialized scenes, the black individual would be responsible for providing the soap to the wealthy white individual and the dialogue attached to the scene would switch from normal English to a characterized black vernacular. The use of an altered English when depicting an African American and their role in the story demonstrates the common perception of the black community and what their place in society was perceived to be.

The consistency with which the same depiction appears despite the format and narrative changing makes it clear the placement of a subordinate African American in the advertisements is a conscious choice reflecting a developed marketing strategy. As depicted below throughout their advertising Procter and Gamble would consistently place an advertised African American in a working role of subservience and would increasingly grow to focus the reader's attention on the white actors of the narrative. It is clear the media in which Procter and Gamble were participating would depict the black community as only having supporting roles in their society.



Three advertisements run by Procter and Gamble depicting the evolution of black imagery in Ivory Soap advertising. The first advertisement was run in 1892 depicting a black worker who is assumed to work for the white community¹⁹⁶. The second advertisement from 1917 begins depicting both the subservient black and elite white actors¹⁹⁷. The last advertisement run in 1934 demonstrates the new narrative focus, minimized black presence, and introduction of the black vernacular¹⁹⁸.

¹⁹⁶ Ivory Soap, Procter & Gamble Company, "To keep dining, private, and hotel cars free from disagreeable odors...", advertisement, The Century Magazine, 1892, 104.

¹⁹⁷ Ivory Soap, Procter & Gamble Company, advertisement, 1917.

¹⁹⁸ Ivory Soap, Procter & Gamble Company, "How much BEAUTY in beauty promises?", advertisement, 1934.

This strategy would come to an end in the mid-1930's, however, as the last advertisement of that style would be released in 1938.¹⁹⁹ As global tensions are rising and the prewar civil rights movement in America is redefining race in the United States the black community disappears from Procter and Gamble advertising until long after the civil rights movement had ended in 1976.²⁰⁰ Even so, in this advertisement of the seven people depicted only one is a person of color.²⁰¹ Interestingly, however, as Procter and Gamble are clearly attempting to avoid the issue of race they do begin running advertisments in the New York area in Polish and Yiddish. likely motivated by the increase of immigration during the second World War.²⁰² While the absence of black faces in their advertisments betray the sentiments of Proctor and Gamble regarding civil rights, it is perhaps their preference to advertise towards European immigrants rather than the black American community best underscores their sense of who their product was for.

Their long running focus on the black community, however, did not prevent slight deviations at times with a brief period at the turn of the century reflecting the increased globalization of the time. Especially leading up to the first world war Procter and Gamble began to show interest in the British Empire and began to depict the Indians within their advertisements as well. In the 1917 advertising campaign Procter and Gamble ran an advertisement depicting the Indians and appropriated the tradition of the Ganges River's

²⁰¹ Ibid.

¹⁹⁹ Ivory Soap, Procter & Gamble Company, "The Gibson Family - True Story", advertisement, 1938.

²⁰⁰ Ivory Soap, Procter & Gamble Company, "Lather Up America", advertisement, 1976.

²⁰² Broussard-Simmons, Anessa and Hunt, Laura E. Guide to the Ivory Soap Advertising Collection. The Smithsonian National Museum of American History Kenneth E. Behring Center. 2017.

purifying nature comparing it to Ivory Soap²⁰³. In addition to the choice to co-opt the Indian tradition, it equally drives the earlier pushed emphasis on their soap, whiteness, and purity.²⁰⁴ This sudden diversion from the normal focus on the black community is likely associated with the growing imperialist movement within the United States. These advertisements are being released in the aftermath of the Spanish-American and Philippine-American wars during which the Americans began trying their hand at colonialism.²⁰⁵ These new advertisements appear to be playing on these desires approaching the Indians from a perspective of novelty and bemusement and educating their readers rather than their normal condescension used for African and Native Americans²⁰⁶.

In fact, this difference in characterization only applied to Indians as this period also included advertisements of Africans whose advertising resembled a mix of the previous depictions of black and Native Americans. Instead of educating the reader about local traditions, as seen in the Indian advertisements, these would tell a story of the heroes (pictured as white in the illustrations) meeting a savage group of people depicted similarly to monkeys and teaching them the ways of the white civilization through Ivory Soap. While these advertisements did not go as far as to claim cannibalism, as seen in the Native American advertisements, they did maintain the same theme of needing to learn western manners and traditions emphasizing European superiority to the reader. At the end of the advertisement, the African community would sing a song proclaiming the greatness of the white community

²⁰⁴ Ibid.

²⁰⁵ McCartney, Power and Progress.

²⁰³ Ivory Soap, Procter & Gamble Company, Pomeroy, Roy Jobbins, advertisement, 1917.

²⁰⁶ Gray, Elizabeth Kelly, *"Passage to More Than India": American Attitudes toward British Imperialism in the 1850s.* College of William & Mary - Arts & Sciences. 1998.

through Ivory Soap reading: "The King who rules with Ivory Soap will rule another day."²⁰⁷

Throughout it all, regardless of the targeted group, Procter and Gamble continued to push the purity of their soap. Readers familiar with Ivory Soap would become accustomed to seeing the statistic of 99 $\frac{44}{100}$ % representing the quantifiable purity of Ivory Soap. Despite this statistic appearing in nearly every advertisement produced by Procter and Gamble they never define it and yet the lack of definition in itself reveals that the consumer of this widely popular commodity never raised the issue. It is likely that the consumer would already have an understanding of what "purity" Procter and Gamble were referencing, especially given their history use of racial undertones to sell their product. Decades later Procter and Gamble answered both of these questions on their website defining "pure" as pure alkali and lipids that make up soap and that the remaining $\frac{56}{100}$ % is preservatives "to keep the bar as white as its name."²⁰⁸ This statement clearly shows that even when explaining that the term "pure" was simply regarding Ivory Soap's chemical composition it must always be traced back to whiteness in some way, but even more so it highlights that Procter and Gamble are willing to sacrifice a fraction of Ivory Soap's famous "purity" in their quest for whiteness indicating where their priorities lav. Proctor and Gamble ultimately subscribed to the notion that it is the whiteness that equals purity, a stance growing in popularity alongside the rise of Ivory Soap in a significantly more aggressive manner.

While Ivory Soap was building its nationwide notoriety as America's soap the country was undergoing intense change

²⁰⁷ Ivory Soap, Procter & Gamble Company, "The Ivory Ballads", advertisement, November 1926.

²⁰⁸ Berthold, Dana, "Tidy Whiteness: A Genealogy of Race, Purity, and Hygiene", Ethics and the Environment, Vol. 15, No. 1 (Spring 2010), pp. 1-26, 2010.

during the Reconstruction and Jim Crow eras²⁰⁹. Following the American Civil War, the slaves had been freed under the new 13th Amendment leaving the racial dynamics of the nation in a state of chaos. Out of this chaos rose new segregation through Jim Crow enforcing many of the old standards of slavery under new means. Groups such as the Klu Klux Klan found their footing preying on the newly freed African American community²¹⁰. These organizations would create a focus on the ideas of whiteness and purity as a form of elitism within the American South. Dressing in all-white robes and imposing purity clauses to laws, such as the grandfather clause, White America would use the same ideas being used by Procter and Gamble to place themselves above those of color.²¹¹

Given the approach used by Proctor and Gamble it is unlikely they were using the same language unintentionally. The frequent depiction of people of color as savages, subservient to the Europeans, and in need of saving reflects the racist ideology pervading American consciousness. It was no mistake that when Procter and Gamble were seeking to build a consumer base within the White community they would rely on terms such as "purity" and highlight the soap's whiteness as these issues were being pushed within their community. In fact, the greatest strength of Proctor and Gamble was not in their product but their ability to manufacture a consumer by playing on the ideas of race and social dynamics. In fact, early marketing of Ivory Soap reported that physicians were warning

²⁰⁹ Berrey, Stephen A. 2015. The Jim Crow Routine : Everyday Performances of Race, Civil Rights, and Segregation in Mississippi. Chapel Hill: University of North Carolina Press.

²¹⁰ Baker, Kelly J. Gospel According to the Klan : The Kkk's Appeal to Protestant America, 1915-1930. Culture America. Lawrence, Kan.: University Press of Kansas, 2011.

²¹¹ Zimring, Carl A. Clean and White: A History of Environmental Racism. New York University Press, 2015.

patients of using "colored soaps" as they were more prone to cause infection.²¹²

In addition, Procter and Gamble appear to have advertised more heavily towards women as they were the most likely to come across an Ivory Soap advertisement in magazines and while searching for beauty products²¹³. More often than not their advertisements would be run in beauty magazines and would depict images of white women and a focus on their families. Because of this women were much more likely to fill the role of the depicted white individual than a man. Knowing this Ivory Soap would at times attempt to appeal to a maternal instinct by indicating that using anything other than their white soap would be a threat to the safety of the user. Especially as soap would be expected to be used by all family members Procter and Gamble would create an sense of fear that colored soaps may harm children, in particular, to profit off of a mother's maternal instinct²¹⁴. In her dissertation on "Ivory Soap and American Popular Consciousness," Lisa Lebduska argues that this depiction of non-white soaps as harmful was intentional to draw out the maternal instinct and depict the ivory bar as "a symbol of gentleness and purity that stood against the perils of illness, poverty, race, and social unrest.²¹⁵" Pairing this language with racialized depictions of minority cultures would have long-lasting consequences within the United States.

This impact would, however, be felt beyond the community of color and has its own, albeit different, harmful impact on the white community. The pushing of products like Procter and Gamble's Ivory Soap would instill in the white community a toxic obsession for hygiene. As the white

²¹² Lebduska, "Ivory Soap and American Popular Consciousness."

²¹³ Broussard-Simmons, Anessa and Hunt, Laura E. Guide to the Ivory Soap Advertising Collection. The Smithsonian National Museum of American History Kenneth E. Behring Center. 2017.

²¹⁴ Lebduska, "Ivory Soap and American Popular Consciousness."

²¹⁵ Lebduska, "Ivory Soap and American Popular Consciousness." pp. 2.

community continued focusing on their hygiene they began reaching a point at which their focus on cleanliness had become harmful²¹⁶. Living in such an isolated and clean bubble the white community would lose their natural immunity to common pathogens and allergens from which they would naturally expect protection. This phenomenon continues to present itself in the modern context, however, the origin of this issue is unequivocally found in the cultural success of Ivory Soap²¹⁷.

Additionally, as time has continued to progress society has looked less favorably upon the advertisements once run by Procter and Gamble. This, however, has not prevented the continued use of race as a means to drive sales with a large campaign being run in 1998 under the name "Pure Beautiful" in which Procter and Gamble attempted to escape their old marketing techniques and instead highlight diversity in a positive light. This campaign was run in both print and on television with descriptions of two women, one black and one white. These ads started with and ended with the same language, however, used character-specific language to describe each woman's life in the main body of the advertisement. The white woman's advertisement highlighted her freedom and ability to be whoever she wanted²¹⁸ whereas the description of the black woman highlighted her hardworking nature and how she is "a worker, a teacher, a cook, [and] driver."²¹⁹

This multimedia marketing campaign launched more than a century after Procter and Gamble's first black-andwhite print advertisements continued the same rhetoric. The

²¹⁷ Ibid.

²¹⁶ Berthold, Dana. "Tidy Whiteness: A Genealogy of Race, Purity, and Hygiene." Ethics and the Environment 15, no. 1 (2010): 1–26. https://doi.org/10.2979/ete.2010.15.1.1.

²¹⁸ Ivory Soap, Procter & Gamble Company, "Pure Beautiful", New Woman, advertisement, 1998a.

²¹⁹ Ivory Soap, Procter & Gamble Company, "Pure Beautiful", New Woman, advertisement, 1998b.

continued depiction of the white woman as free and open to express her femininity while a person of color would be joined at their hip in a subservient role as a worker. The artistic choice to use similar photos and cap their descriptions with identical language advertising the soap forcefully juxtaposes the two drawing the reader's attention to the similarities and differences between the two in the same manner that earlier marketing teams chose to depict the two figures side-by-side to demonstrate the superiority of the white woman who uses Ivory Soap.



The two advertisements run during the "*Pure Beautiful*" campaign depicting one white and one black woman with different descriptions. ^{220,221}

Procter and Gamble built an empire on Ivory Soap propelling them to dominance in the late 20th and 21st centuries by manipulating and profiteering off of racial tensions in America. Their advertisements attempt to highlight the superiority of the white community and connect it to the use of Ivory Soap while equally purporting their product would be capable of "civilizing" ethnic populations. Their waves of advertising corresponded to the changing times in the United States emphasizing different minorities according to current

²²⁰ Ivory Soap, Procter & Gamble Company, "Pure Beautiful", New Woman, advertisement, 1998a.

²²¹ Ivory Soap, Procter & Gamble Company, "Pure Beautiful", New Woman, advertisement, 1998b

events indicating the shifting mindset of the American people. From westward expansion and Jim Crow to American Imperialism, Procter and Gamble would identify a racialized group of interest, most frequently being the black community, and would use them to sell their soap. Furthermore, the harm done by Procter and Gamble due to their aggressive advertising highlights the harmful impact racism in media can have, even for those who are supposed to benefit. In their pursuit of profit Procter and Gamble divided American communities, promoted hateful rhetoric, and raised up the white community in a way that would ultimately leave them vulnerable to disease.

The legacy of "the soap that floats" is one of harm for both those who Procter and Gamble held up in their advertisements and those it tossed down. The white community would feel the presence of the 99 $\frac{44}{100}$ % pure soap as they fell victim to pathogens to which they were once immunes. The community of color felt its impact even greater as their lack of "purity" and whiteness would be ridiculed and persecuted through the era of Jim Crow and the Civil Rights Movement. Ivory Soap, born out of the American Civil War, carried its legacy of complex racial dynamics and European colonialism having made its rise to fame on the backs of the Native American, African American, and Indian communities. Despite the toll it has taken even in modern years the brand has fallen back on its traditions using the very same marketing techniques to sell its brand more than a hundred years after it started.

The Authors



Matthew Bishop is a junior at Rhodes college, majoring in History with an Ancient Mediterranean Studies minor. From Brewton, Alabama, Matthew found his passion for history as a child. He follows in the footsteps of his father, and they continue to visit museums and parks across the south to this day. Matthew has long been fascinated by European history, particularly at the intersection of the medieval and early modern periods. The study of this time period sparked his

interest in Jan Hus and Bohemia, which inspired "The Other Hussite Revolution."



Madeline Mehok is a senior from Nashville, Tennessee. She has had a lifelong love of history since she was a child. Though she enjoys all types of history, her area of interest is Jewish history. Her research in the *Rhodes Historical Review* was inspired by Baruch Spinoza's writings in his *Theological Political Treatise*, in which she found many similarities between Spinoza's views and the views those of former orthodox Jews (including herself). After college, Madeline wishes to go into historical archiving and preservation,

preferably focusing on American Jewish history.



Anna Johnson is a senior majoring in History. She is from Dresden TN, and discovered a love for History after arriving to Rhodes College. Dipping her toe into an intro-level history course her sophomore year, Anna discovered that the discipline was radically different from the history courses she had taken in high school. As a passionate writer, Anna felt that the history major at Rhodes would develop her writing and analytical skills which inspired her to pursue the major with this goal in mind. Under the

guidance of the truly outstanding professors in the history department, she has found a new appreciation for the subject and has gained an understanding of the need to constantly view the past through a critical lens. Looking toward graduate school, Anna plans to take her education in history at Rhodes with her, approaching life with the careful eye of a historian.



Samuel Cross is a junior from Griffin, Georgia. He is a major in history and pursuing a minor in Jewish, Islamic, and Middle Eastern Studies. On campus he serves as the President of Rhodes College's Hillel and leads the V.O.I.C.E.S. committee that oversees multicultural life on Rhodes' campus. Outside of the Rhodes community he has been distinguished as a Jewish Community Fellow by Rhodes College, a

"Changemaker" by the Jewish Federations of North America, and serves on the Student Cabinet of Hillel International. History has aided Samuel in his international work by informing his decisions and enable him to build connections across the globe. Through history Samuel has also been able to connect to his own roots and learn about his family's background and traditions. His paper, "The Civil War's Dirty Legacy: Ivory Soap's Use of Racial Advertising," is just one aspect of this journey as he explores what it means to be an American and the responsibility it comes with.

The Editors



Emma Stauber is a senior from Boerne, Texas. At Rhodes College, she is History and Chemistry Major, and a member of the Track and Field and Cross-Country teams. The author of "Wielding the Nonviolent Legacy: Martin Luther King and Cesar Chavez as Mahatma Gandhi's American Successors," an essay published in last year's addition of the *Rhodes Historical* Review, she is grateful to return to the *RHR*

this year as an editor. After graduation in May, she will attend law school in pursuit of a J.D. Although her formal study of history is coming to an end, her passion for the field is not, and she hopes to take the reading, writing, and researching skills she has developed at Rhodes College into a successful legal career.



Patsy Wardlaw is a senior from Atlanta, Georgia. She is a current History Major and English Minor at Rhodes College. After graduation in May, she will move to Scotland, where she will attend the University of St Andrews to receive her MLitt in Medieval History. She has loved history ever since she was young and has always admired learning about the past. During her senior year, she has written an

honors thesis on late medieval English birth rituals and their emotional impacts on women entitled, "'The grevaunce that wymmen han in beryng of theire chieldren:' Emotion and Women's Childbirth Rituals in Late Medieval England." She hopes to continue researching and writing about gender in medieval England in the future.