

# CHRONOS

The History Journal of  
Yeshiva University

2014 - 2015

# CHRONOS

The History Journal of  
Yeshiva University

2014 – 2015

*Editors*

**Shai Berman**

**Philip Blass**

**Rivka Pahmer**

*Editor-in-Chief*

**Elianne Neuman**

*Faculty Advisor*

**Dr. Hadassah Kosak**



Yeshiva University, New York, NY

## TABLE OF CONTENTS

- iv Welcome Letter  
*Chronos Editorial Board*
- 2 Abigail Bachrach  
*What Regan Knew: An Analysis of the  
Iran-Contra Affair*
- 14 Tzvi Aryeh Benoff  
*The Railroads: A Case Study for the  
"What If" Scenario*
- 30 Jacob Bernstein  
*The Spanish Inquisition: A Long-Lasting Institution*
- 46 Meir Goodman  
*By Divine Fury: Josephus Flavius' Account of the  
Destruction of the Temple*
- 58 Abraham Kahn  
*Nationalism as Grounds for Ethnic Cleansing:  
A Study of Ottoman Aggression*
- 70 Rachel Rolnick  
*We the Pirates: Pirate Codes and  
the American Government*
- 84 Professor Joshua D. Zimmerman  
*The Polish Underground Home Army (AK)  
and the Jews: What Survivor Memoirs  
and Testimonies Reveal*

**Dear Reader,**

Welcome to the 2014-15 edition of Chronos, the Undergraduate History Journal of Yeshiva University. Since its reinvention in 2011-12, Chronos has become a popular and important forum for the publication of student research on a broad range of topics.

We would like to acknowledge the authors of these papers for working with us to prepare their submissions for publication. Thank you to ST Schwartz for her skillful design and formatting work, as well as to our printers for their efforts in producing Chronos. We are also indebted to last year's Editorial Board and Meirah Shedlo for their invaluable advice.

Thank you to Deans Bacon and Orlian of Stern College, Deans Eichler and Sugarman of Yeshiva College, and the undergraduate Student Councils for their enthusiastic support of Chronos, both academically and fiscally. Finally, we would like to extend our sincere gratitude to our faculty coordinator, Dr. Hadassah Kosak, and the History Department faculty of Yeshiva University for their guidance throughout the publication process.

We hope you will enjoy exploring these fascinating works of History as much as we have enjoyed bringing them to you!

Sincerely,

*The Editors*

Shai Berman

Philip Blass

Rivka Pahmer

*Editor-in-Chief*

Elianne Neuman

---

# CHRONOS

## What Regan Knew: An Analysis of the Iran-Contra Affair

Abigail Bachrach

"The full story of the Iran-Contra Affair is complicated, and for this Nation, profoundly sad."<sup>1</sup> This, the first sentence of the U.S. Congressional Committee's official report on the events that became internationally known as the Iran-Contra Affair, speaks volumes. Indeed, the Iran-Contra Affair is not the most shining moment in American History: it led to a public scandal, the indictment of a number of American officials, and much speculation regarding President Ronald Regan's involvement in the affair.


To understand how this affair came to be, a brief discussion of the history of Nicaragua, a country that occupied a central role in this scandal, is warranted. Located in the heart of Central America, its history has been stained by dictatorship and bloody war. A variety of factors, including its low population density and abundance of natural resources, indicate the small country should be one of economic prosperity and success. Yet the majority of its population's economic condition in 1979 ranked Nicaragua "with the two or three most backward of Latin America." The country's resources were exploited by the rich and the regime of the ruling Somoza family, who "used law and brute military force to promote their already lopsided class advantage."<sup>2</sup>

The Somoza family's rise to power was enabled at a time when Nicaragua was virtually reliant on the United States. In 1911, the United States signed a treaty with Nicaragua that President Taft used as a basis for stationing U.S. Marines there until 1933. At that time, the government was run by Alfredo Diaz and was "singularly 'friendly' to the economic

1. Lee Hamilton and Daniel Inouye. Report of the Congressional Committees Investigating the Iran/Contra Affair. (New York: Diane Publishing, 1987), pg. 3.

2. Thomas W. Walker, Reagan versus the Sandinistas: The Undeclared War on Nicaragua. (Boulder: Westview Press, 1987), pg. 1.

**ONLY 53¢ A DAY WILL SUPPORT A  
NICARAGUAN FREEDOM FIGHTER**  
N 40315



In every corner of the world there are children who stand their feet fighting for freedom. They cry at night for an end to war. Their parents were abducted by Communist forces because they spoke about "democracy." Some were captured by firing squads, others were shot in the back, still some died in political prisons.

Do you think you would like a nightmare, something you would see in the late show that is Nicaragua. It is a way of life.

I know, my name is Charley and I am a Nicaraguan freedom fighter. A Cuban. A Freedom Fighter.

I have taken up arms against the Somoza Empire and its satellite government in Nicaragua and I need your help.

Let your own Congress act off our funding. People like Richard Nixon, Jimmy Carter, and Ted Kennedy who claim to be "friends of the people" and

are it was essential to find what kind of this type to the "will of the people." There is no "freedom" without Nicaragua. Help a nation of people living under a tyrannical regime headed by Cuba and the Soviet Union.

How? You as Americans, committed to governments of the people, by the people, and for the people! Let the value you bought the last time you gave your \$1 in peace help.

For \$10 a month you can help bring democracy to Central America. Register, mail, medical attention, and the chance to vote in a free and open election. THAT'S ALL WE ASK.

In America you have no doubt. We have nothing. Our very lives and the lives of the thousands more to us matter.

Please help me and my fellow freedom fighters. We haven't got long.

*Maya con Dios,  
Charley*

An advertisement encouraging Americans to support the Contras

and geopolitical interests of the United States.”<sup>3</sup> From 1927 until 1933, Gen. Augusto César Sandino led a guerrilla war against the U.S.-backed conservative regime. Though two of Sandino’s fellow liberal leaders made peace and received the presidency through “elections under U.S. auspices,” Sandino continued to fight on.<sup>4</sup> He finally submitted to the government after the withdrawal of the Marines and the rise of the Nicaraguan National Guard, led by General Anastasio Somoza García. The National Guard, however, turned out to be even less sympathetic to Sandino’s cause. Somoza arranged for the assassination of Sandino, and rigged the election to become president on January 1, 1937.<sup>5</sup> His subsequent dictatorship continued on to his son and other puppet rulers who were controlled by his family. They dominated the country and impoverished the people – most of the economic growth during the decades of their reign was concentrated into Somoza hands and a small elite. Some estimate that the family owned or controlled around 60 percent of the nation’s economic activity, and after a devastating earthquake in 1972, the family cemented its corrupt status and its reputation for human rights abuse by funneling relief funds for its own personal gain.<sup>6</sup> When Anastasio Somoza Dabayle fled in 1979, the family’s worth was estimated to be between 500 million and 1.5 billion US dollars.<sup>7</sup> Yet America backed Somoza. Franklin D Roosevelt put it astutely when he said, “Somoza may be a son of bitch, but he’s our son of a bitch.” In reference to Roosevelt’s statement, Susan Ram writes that, “In other words, the dictator of Nicaragua was an investment to be underwritten heavily.” Indeed, the dictator was underwritten by Washington both financially and militarily, and he and his family lorded it over Nicaragua in a bloody and corrupt dictatorship with little interruption.<sup>8</sup>

3. *Ibid.*, 184.

4. Karl Berman. *Under the Big Stick: Nicaragua and the United States since 1848*, pg. 183-217.

5. “Nicaragua” *Encyclopedia Britannica Online*. *Encyclopedia Britannica*. Web. 9 Jan. 2013.

6. Hamilton, *Report of the Congressional Committees*, pg. 25.

7. B. Annis, (1993). “Nicaragua: Diversification and Growth, 1945-77”. *The Library of Congress*. Retrieved 8 January 2013.

8. Susan Ram, “Intervention in Nicaragua: Carter and Now Reagan Find the Options Limited.” *Economic and Political Weekly* 18.47 (Nov 19 1983): 1977-1982. *JStor*. Web. 23 Dec 2012.

This ended when a rebellion by the FSLN – Frente Sandinista de Liberación Nacional, the Sandinista National Liberation Front, named after Augusto César Sandino – toppled the dictatorship. Beginning in 1978, this civil war “devastated the nation’s economy, caused more than 130,000 casualties” and brought the Somoza family’s forty-three years of rule to an end.<sup>9</sup> On July 17th 1979, then President Anastasio Somoza Debayle fled Nicaragua and, on July 20, a new Sandinista government emerged. In the years that followed, the United States became doubtful of the Sandinista government’s statements that it had “no intention of subverting their neighbors,” and suspected them of sending weapons and equipment to rebels in El Salvador. The reforms initiated by the “socialist-oriented Sandinista regime” were negated by the United States, as Ronald Reagan’s new 1981 administration suspended aid to the Nicaraguan regime.<sup>10</sup> However, the United States did not simply allay their concerns by suspending aid: and thus began the Iran-Contra Affair.

The Contras were, in essence, a rebel movement to counter a rebel movement. The name is the pluralized form of the nature of its members, *contra*, which is the shortened version of the Spanish word for counterrevolutionary, *contrarevolucionario*. The official Congressional report on the Iran-Contra Affair notes that the guerilla group was a combination of three elements of Nicaraguan society: former National Guardsmen and other right-wing figures who were anti-revolution; those who felt betrayed by the new government but were not as right-wing or pro-Somoza; and Nicaraguans who had not been involved in the revolution, but opposed the now ruling Socialist regime. The group went looking for support and found a “receptive audience” in President Reagan.<sup>11</sup> Reagan was well known for his position against communism and, according to the U.S. Congressional Committee, used it as “the lens through which [he] saw all defense and foreign policy issues, and this produced certain blind

9. Hamilton, *Report of the Congressional Committees*, 25.

10. *Ibid.*, 26-27.

11. *Ibid.*, 28-29.

spots." Many believe that this led him to provide American support for "brutal regimes and proxy wars that had nothing to do with moral clarity and everything to do with whatever seemed expedient as an anti-Soviet maneuvers."<sup>12</sup>

In December 1981, the President authorized the CIA to begin a covert project to support the Contras' movement. "The Project," as it was called by the intelligence community, began officially on March 9, 1981, with Reagan's "Presidential Finding on Central America," report to Congress.<sup>13</sup> In accordance with the President's authorization and Congress-appropriated funds, the CIA supervised the Contras. However, much debate ensued in Congress about overthrowing the Sandinista government. It was clear that the Contras were not just there to "interdict supplies destined for El Salvador," but also were "in the field for the announced purpose of overthrowing the Sandinistas." This prompted the passing of Boland I in 1982, an amendment restricting aid and prohibiting CIA use of funds to overthrow the Nicaragua government. Over the next two years, two more amendments followed, and by 1984, Congress "exercised its Constitutional power over appropriations and cut off all funds for the Contras' military and paramilitary operations... and [these measures were] signed into law by the President on October 12."<sup>14</sup> Meanwhile, questions of compliance with the Boland Amendment increased, and in March 1983, 37 House members sent a letter to the President warning of potential legal violations regarding CIA activities in Central America. The Congressional Committee's volume states that Reagan assured that there would be no violation.<sup>15</sup>

Despite Reagan's statements that there would be no violation of the law, the subsequent illegalities that ensued were a sharp contradiction. They unfortunately remain surrounded by a cloud of ambiguity that can only be explained through the use of classified documents that are bring slowly

12. Hugh Hecla, "The Mixed Legacies of Ronald Reagan," *Presidential Studies Quarterly* 38.4 (Dec 2008): 555-574. Jstor. Web. 12 Dec 2012.

13. Walker, *Reagan versus the Sandinistas: The Undeclared War on Nicaragua*, pg. 23.

14. Hamilton, *Report of the Congressional Committees*, 4.

15. *Ibid.*, 32-36.

released, if at all. What is clear, however, is this: denied funding by Congress, the National Security Council still felt strongly about the Contras' war and continued to support it.<sup>16</sup> The problem, of course, was funding. The National Security Council secretly raised \$34 million for the Contras from other countries and 2.7 million more through private solicitors. Private bank accounts were set up in Switzerland, and under the supervision of CIA Director Casey, Lt. Col. Oliver L. North proceeded to direct what was referred to as "The Enterprise," a secret organization aimed to engage in covert activities on the behalf of the United States.<sup>17</sup> Under North and his two main associates, Robert McFarlane and John Poindexter, the NSC began to raise funds for the Contras. Although the Central Intelligence Agency, National Security Council, Director Casey, and North were very much aware of the Boland Amendments and the consequentially illegal support for the Contras affairs, they chose to disregard this and continue on.

The fact that these government officials deemed it necessary to undergo such extensive activities to provide aid for the Contras may be attributed to the Reagan Administration's attitude towards Communism. Yet it is vital to note that according to the Executive Order and National Security Decision Directive issued by President Reagan, all covert operations were to be approved by the President personally and in writing and that, by statute, Congress must be notified about each covert action. Nonetheless, North's actions were not approved by the President, at least in writing, nor was Congress notified in any way. North and his colleagues seem to have deliberately evaded the "Constitution's most basic check on Executive action - the power of the Congress to grant or deny funding for Government programs."<sup>18</sup> However, it was not just constitutional violations that were associated with supporting the Contras, but, in fact, a breach of international law as well.

16. Theodore Draper, *A Very Thin Line: The Iran-Contra Affairs*. New York: Hill and Wang, 1991, pgs. 4-26.

17. Hamilton, *Report of the Congressional Committees*, 4.

18. *Ibid.*, 3-5.

In 1984, Nicaragua sued the U.S. in a lengthy application to the International Court of Justice. The Court held in favor of Nicaragua, rejecting the United States' self-defense justification and deciding a variety of operative judgments. The court ruled that the U.S. had, "by training arming, equipping, financing and supplying the contra forces or otherwise encouraging, supporting and aiding military and paramilitary activities in and against Nicaragua," breached its obligation not to intervene in the affairs of another state. By its attacks on Nicaraguan territory, they used force against another state and violated its sovereignty – both violations of international law. For example, their laying of mines breached the country's "obligations under customary international law not to use force against another State, not to intervene in its affairs, not to violate its sovereignty and not to interrupt peaceful maritime commerce."<sup>19</sup> Among other judgments, the Court determined that the U.S. acted against Article XIX of the Treaty of Friendship, Commerce and Navigation between the U.S. and Nicaragua, and further broke the law by failing to make the mines locations known. Each judgment listed was decided on a twelve to three or fourteen to one vote, the one being Judge Schwebel, the American jurist on the International Court at the time.<sup>20</sup>

However, the United States' involvement in Nicaragua is but one part of this scandal. After all, Contra is only half of the scandal's name – so what role did Iran play? As stated previously, the National Security Council still needed funding for their campaign, and Iran's secret request to buy weapons from the United States was ultimately how they secured the funds. The National Security Council proceeded to establish an arms deal with Iran, funneling some of the money acquired from it to support the Contras.

On November 3, 1986, a Lebanese weekly, *Ash-Shiraa*, published an account of Robert McFarlane's secret mission to Teheran earlier that year.

19. *Ibid.*

20. *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)*, Jurisdiction and Admissibility, 1984 ICJ REP. 12 December 2012.

This story began the unraveling of the covert ongoing arms deal with Iran. Initial reports were deemed to be untruthful, and President Reagan declared that media reports of the trip had no foundation and denied any association. Yet even as public awareness increased and a media scandal loomed, North and his associates remained relentless in their negotiations with Iran. By the end of the month, the scandal could no longer be denied. North was relieved of his duty, Poindexter resigned, arrests were made, and investigations by appointed congressional intelligence committees were underway.<sup>21</sup> In a televised address from the Oval Office on March 4, 1987, along with two subsequent press conferences, Reagan spoke to the American people, saying, "A few months ago, I told the American people I did not trade arms for hostages." He took full responsibility for the acts committed, stating, "As angry as I may be about activities undertaken without my knowledge, I am still accountable for those activities. As disappointed as I may be in some who served me, I'm still the one who must answer to the American people for this behavior."<sup>22</sup> The "some who served me" seem to indicate North and Poindexter, the alleged ringleaders and possible scapegoats of the entire investigation. Yet North wrote that, "Ronald Reagan knew of and approved a great deal of what went on with both the Iranian initiative and...on behalf of the Contras...I have no doubt that he was told about the use of residuals for the Contras and that he approved it. Enthusiastically."<sup>23</sup>

What did President Reagan know? Although he denied knowledge of the events, North's accusation should not be discounted completely. There are certainly many others who maintain the Regan was heavily involved in the Affair. In a video segment from Democracy Now, Father Miguel D'Escoto, a priest who was Nicaragua's Foreign Minister under the Sandinista government in the 1980's, speaks over the phone about

21. Peter Kornbluth and Malcolm Byrne, eds. *The Iran-Contra Scandal: The Declassified History*. New Press, 1993, pg. 379-408.

22. "Primary Resources: Iran Arms and Contra Aid Controversy." PBS. March 4, 1987. PBS. Web. 09 Jan. 2013

23. David Johnston, "North Says Reagan Knew of Iran Deal" *The New York Times*. *The New York Times*. 20 Oct 1991. Web. 9 January 2013.



Reagan. He begins by saying that he does not want to dishonor the dead President, but “as much as I sincerely pray that God forgive him for having been the butcher of my people for having been responsible for the deaths of some 50,000 Nicaraguans, we cannot, we should not ever forget the crimes he committed in the name of what he falsely labeled freedom and democracy.” He continues to speak negatively about Reagan, calling him an “international outlaw” and stating that: “Reagan...was known as the great communicator, and I believe that is true only if one believes that to be a great communicator means to be a good liar. That he was for sure...” D’Escoto concludes that “Reagan did damage to Nicaragua beyond the imaginations of the people who are hearing me now. The ripple effects of that; criminal murderous interventions in my country will go on for what, 50 years or more.”<sup>24</sup> These shocking accusations are not simply one man’s ravings—they are, in fact, echoed by others. An article from the Washington Post noted that, for many Nicaraguans, “Reagan was an anti-communist zealot, whose obsession blinded him to the human rights abuses of those he supported with funding and CIA training,” and that the politician Daniel Ortega, a Sandinista who led Nicaragua from 1979 to 1990, “said at a public ceremony this week that he hoped God would forgive Reagan for his ‘dirty war against Nicaragua.’”<sup>25</sup>

It is the statement made by the Congressional Committee itself that speaks volumes about Reagan’s role in the Iran-Contra Affair:

The ultimate responsibility for the events in the Iran-Contra Affair must rest with the President. If the President did not know what his National Security Advisors were doing he should have. It is his responsibility to communicate unambiguously to his subordinates that they must keep him advised of important actions they take for

24. “Reagan Was the Butcher of My People: Fr. Miguel D’Escoto Speaks From Nicaragua.” Democracy Now. June 8 2004. Video.

25. Kevin Sullivan and Mary Jordan. Washington Post Foreign Service June 10 2004, Page AO8.

the Administration. The Constitution requires the President to “take charge that the laws be faithfully executed.” This charge encompasses a responsibility to leave the members of his Administration in no doubt that the rule of law governs.<sup>26</sup>

The Report continues to address more detailed-oriented aspects regarding the President’s culpability, stating that “members of his NSC staff appeared to believe that their actions were consistent with the President’s desires,” and that it was “his policy – not an isolated decision by North or Poindexter – to sell arms secretly to Iran...” In addition, the Report brings examples of statements he made the public, that were all, to varying degrees, untrue.<sup>27</sup> Ultimately, the question of what Ronald Reagan knew about the actions of the National Security Council is one that may never be answered definitively. The inconclusive evidence and shroud of secrecy that still remains makes it difficult to tell, especially from a legal standpoint. Nevertheless, it is still quite reasonable to be taken aback by the fact that such events took place, that there was such a display of “secrecy, deception, and disdain for the law.”<sup>28</sup>

The American legal system did respond to the Iran-Contra Affair. Oliver North and John Poindexter were indicted on multiple charges and found guilty on several accounts. However, both indictments were overturned and the Independent Counsel at the time opted not to re-try them. Furthermore, President Bush – the then Vice President who managed to escape mostly unscathed from his involvement in the scandal – chose to fully pardon six of the previously indicted officials, a move some interpreted as “a conspiracy among the highest ranking Reagan Administration officials to lie to Congress and the American public.”<sup>29</sup>

26. Hamilton, Report of the Congressional Committees, 21.

27. Ibid., 21-22.

28. Ibid., 11.

29. Ibid.

Even with all of the information about the Iran-Contra Affair that continues to emerge, the nature of these events remains obscure. While the political scandal died down with the end of Reagan's presidency, Bush's pardons, and the Contras' decision to stop their war and peacefully join Nicaraguan elections, there is still a great need for further investigation and understanding of this chapter in American history.

## The Railroads: A Case Study for the “What If” Scenario

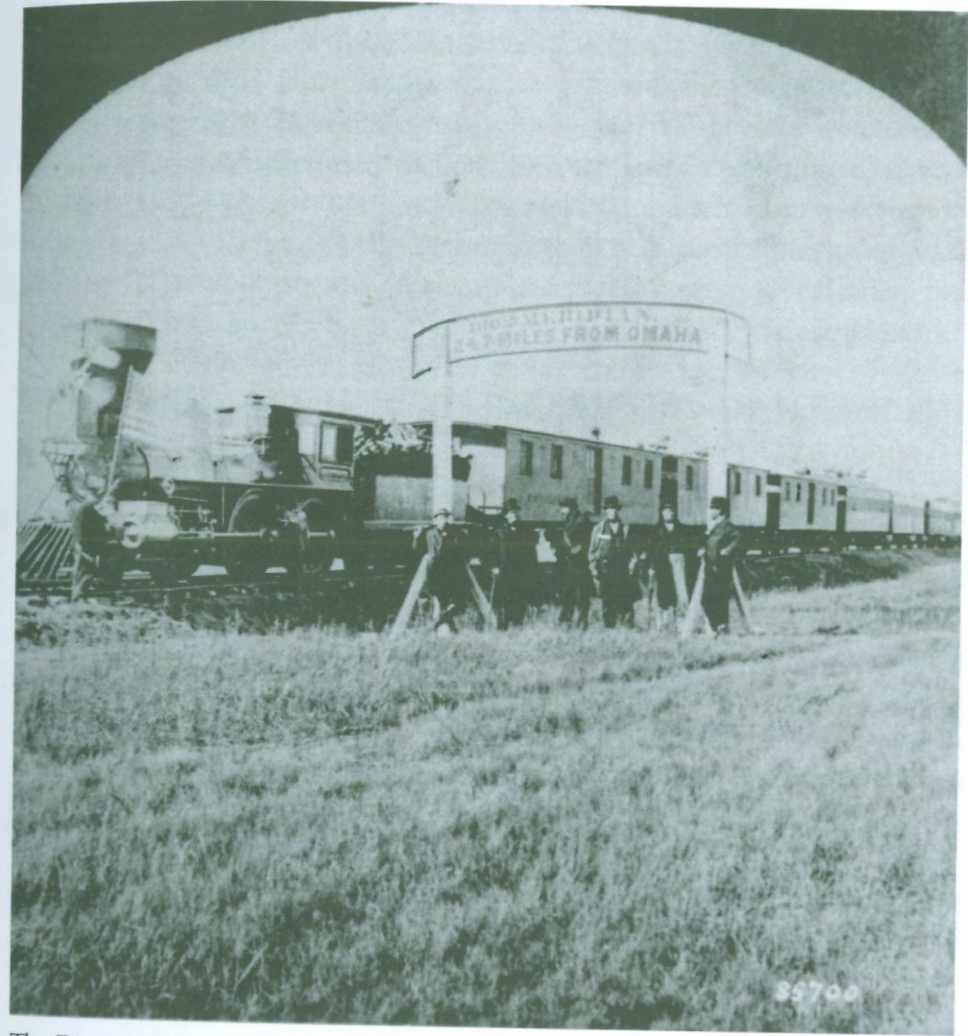
*Tzvi Aryeh Benoff*

### I - Introduction

My grandfather once told me that as a boy growing up in the 1940's the symbol of American growth and ingenuity was the railroads. Even today when locomotive travel is virtually outdated, the sight of a large wrought-iron steam engine with a column of smoke trailing behind still evokes images of the untamed American west of the nineteenth century and the exponential growth that only the innovative, persevering American is capable of actuating. Consummate with this spirit, many historians and economists believe that the railroads were a critical catalyst for the socioeconomic development of the United States during the latter half of the nineteenth century, including economic growth, urbanization, and the populating of the western half of the country. During the last fifty years, however, this position has been challenged and revisited several times. While most authorities still believe that the “railroad played a decisive role in American development,” some assert through the use of mathematical models and economic data that they were not a prerequisite for such growth to occur.<sup>1</sup>

Although the debate has certainly not reached its conclusion, the discussion that has ensued over the decades presents a unique opportunity to study different methods of approaching a challenge that has vexed historians and laymen for millennia: how to analyze a “what if” scenario. Constructing an alternative version of history has always been a difficult task due to the obvious lack of data and myriad of factors that could influence the outcome. The study of the railroads is certainly no exception. The articles published thus far indicate two approaches to evaluating the

1. Robert W. Fogel. “Railroads in American Economic Growth.” *The Journal of Economic History* Jun., 1962. Print. 167.



The Directors of the Union Pacific Railroad, 1866

claim of the railroad's invaluable nature. One position advocates strict fidelity to mathematical and economic models and data at the expense of considering other potential factors whose data is insufficient to conclusively analyze for fear of confusing causation with correlation. The other camp argues that the more holistic picture must be taken into account, however unquantifiable the data may be, because of the broad and far-reaching effects that such factors allegedly catalyze.

## II – Background of the Debate

### II (a) – Leland Jenks's "Innovation Argument"

The inception of the railroad debate can be traced back to an article published in the May 1944 edition of *The Journal of Economic History* by Leland Jenks, entitled "Railroads as an Economic Force in American Development." Building upon a theory posited by economist and political scientist Joseph Schumpeter, Jenks classified the invention of the railroad as an "innovation." According to Jenks, an innovation is "an internal factor operating within a given economic system" working concurrently with "external [sociological] factors and [population and financial] growth" to foster "economic evolution."<sup>2</sup> Using this definition, a single invention can function as an "innovation" in several ways. As such, Jenks highlighted three elements of railroad development that were manifestations of "innovation:" "The railroad as an idea, the railroad as a construction enterprise, and the railroad as a producer of transportation services."<sup>3</sup>

"The railroad as an idea" refers to the role railroads played in encouraging further innovations. Jenks believed that technological and economic change are inhibited by three factors: "hostility to the new

2. Leland Jenks. "Railroads as an Economic Force in American Development." *The Journal of Economic History* May, 1944. Print, 1.

3. *Ibid.*, 3.

idea, absence of facilitating economic functions, and inhibitions against entering upon a relatively incalculable course."<sup>4</sup> Because these are primarily psychological factors, the success of even a distantly related innovation mitigates the fear of change. Thus, in mid-nineteenth century America, in an atmosphere already inundated with expansion and infrastructure development projects such as canals, turnpikes, and bridges, aspiring enterprisers came to see the railroad as a springboard for "town promotion and real-estate speculation."<sup>5</sup> Eventually, the railroad transcended its own direct pecuniary advantage and became a symbol "of the power of steam, of the advantages of the corporate form of business organization, [and] of the ability of man to master his environment."<sup>6</sup>

More directly, Jenks believed that "the railroad as a construction enterprise" created a greater demand for American products, effectively becoming a "pace setter" for the national economy.<sup>7</sup> Railroad construction required copious amounts of iron, lumber, and coal. Even with the predictable market surge during a railroad boom, the quantity of iron demanded was so large that an average of 20% of the iron used in railroad tracks was usually imported from England.<sup>8</sup>

Railroad construction also stimulated industries that were not directly involved in the production of the raw materials needed for the tracks. Jenks estimated that an average of 200,000 laborers were laying tracks in a given year. These laborers used their salaries to purchase food, homes, and other manufactured goods, thereby increasing the demand for a myriad of diverse products. The construction projects also revolutionized the concept of business and the banking industry. Many of the strategies and tactics that were developed by railroad

4. *Ibid.*

5. *Ibid.*, 3.

6. *Ibid.*

7. *Ibid.*

8. *Ibid.*, 4-6. & Marc Nerlove. "Railroads and American Economic Growth." *The Journal of Economic History* Mar., 1966. Print. 108.

entrepreneurs to finance and maintain their business ventures, including the organization of the modern corporation, investment banking, and the hiring of legal firms specializing in corporate law, eventually became standard practices in the American business world.<sup>9</sup>

Finally, the advent of the railroad served as a means of transport for goods. Although the actual cost of shipping was not significantly cheaper than other contemporary shipping methods, the railroad was able to connect the eastern seaboard to the areas of the Midwest that were not able to be reached by waterway.<sup>10</sup> As such, areas that “had scarcely any commercial existence at all” were soon populated and exploited.<sup>11</sup> Factories and farms were built in the newly accessible lands and urbanization soon followed. This phenomenon was best articulated by Jenks when he commented that “the very existence of most American communities and regions, of particular farms and industrial firms and aggregates, was made possible by the railroad.”<sup>12</sup>

## II (b) – Robert Fogel’s Attack

Jenks’s position that the railroads were critical, if not a prerequisite, for the United States’ economic development was accepted and echoed by the majority of the academic community until economic historian Robert Fogel published “Railroads in Economic Growth” in 1962 and his seminal work *Railroads and Economic Growth* in 1964. Fogel admitted that Jenks’s evidence was “impressive,” but “without empirical foundation.”<sup>13</sup> He argued that the increasing rate of industrial production during a period of intense railroad construction was a mere correlation; the evidence only highlighted “an association between the

9. Jenks, “Railroads as an Economic Force in American Development,” 9-10.

10. Fogel, 207 & E. G. Plowman. “Were Railroads Vital to 19th Century American Economic Growth: A Review Article.” *Transportation Journal* Fall 1966. Print. 42.

11. Jenks, “Railroads as an Economic Force in American Development,” 13.

12. *Ibid.*

13. Fogel, “Railroads in American Economic Growth,” 165.

growth of the rail network and the growth of the economy.”<sup>14</sup> Indeed, Fogel’s data indicated that increased rate of iron production had begun before the first railroad boom in 1843. Instead, he used econometric models to show that “the strongest statement that c[ould] be made...[was] that the demand for railroad iron played an increasingly important role... in maintaining the previous level of production when the demand for other items sagged” during the economic recession in the 1850’s.<sup>15</sup> Thus, he concluded that “the railroad...was a part [of] rather than a condition for the industrial revolution.”<sup>16</sup>

Additionally, Fogel was skeptical about what he referred to as the “axiom of indispensability.”<sup>17</sup> Although he agreed that the railroads abetted economic development, he believed that historians were making the tenuous leap that “the economy of the nineteenth century lacked an effective alternative to the railroad and was incapable of producing one,” an assumption he believed to possess little, if no, “empirical foundation.”<sup>18</sup> To Fogel, it was conceivable that the economic development facilitated by “the interregional distribution of agricultural products” could have been achieved by alternative means of interregional transportation.<sup>19</sup> To test the hypothesis, Fogel used railroad shipping rates and data from 1890 to calculate the average shipping costs for pork, cattle, wheat, and corn, the four main products that were shipped throughout the United States, and subtracted it from the anticipated cost of water transport without the existence of railroads. Fogel called this difference the “social savings” that railroads afforded.<sup>20</sup> After predicting possible routes for additional canals that would have been built in the absence of railroads and using a mathematical technique called linear programming to calculate the

14. *Ibid.*

15. *Ibid.*, 233.

16. *Ibid.*, 208.

17. *Ibid.*

18. *Ibid.*, 207.

19. *Ibid.*, 167.

20. *Ibid.*

“social savings,” Fogel determined that all but 4% of the land connected by railroads would also be accessible via waterways, and that the “output loss associated with removing railroads” was equivalent to only 2.7% of the GNP, a figure “much too small an amount to prove the indispensability of the interregional railroad.”<sup>21</sup>

### III – Analysis: A Study of Methods

As with any cogent opinion challenging a long held assumption, Fogel’s revolutionary work immediately caught the attention of the academic community. Reviews of Fogel’s book were soon to follow and papers supporting both sides of the debate were published. Even as late as 2013, students and professors were taking advantage of new computer modeling techniques to better analyze the limited data culled from maps, government records, and railroad firms. Although it is beyond the scope of this paper to take a stand in the ongoing debate, a careful analysis of both Jenks’s and Fogel’s publications, as well as the responses that followed, demonstrates that the unspoken primary point of contention between these two economists is of a historiographical nature: how to study a hypothetical historical scenario with limited data.

Fogel chose to only deal with data sets and models that were quantifiable because they are conclusive and objective, thus capable of testing a subjective theory. Such tenacity for exactitude and support is best articulated when he questioned whether the railroad as a construction project “was of decisive importance” to the manufacturing surge that occurred before the Civil War.<sup>22</sup> He noted that such a belief

“involves a minimum of three assumptions. It not only assumes that the volume of the goods purchased by the railroad was large relative to the total output of the supply industries, but also that railroad purchases

21. Ibid., 166-167, 170, 175, 178, 195.

22. Ibid., 166.

were directed toward domestic...markets. It assumes further that if there had been no railroad, the demand for manufactured goods by the other forms of transportation would have been significantly less... Without such guesses or assumptions no analysis is possible. The only question is, ‘How good are the guesses?’ Is there any way of testing them?”<sup>23</sup>

For Fogel, every statement must stand upon bedrock of quantitative evidence devoid of any unsupported leaps. Thus, it is only natural for him to sift through generalizations, tease apart the inference from the evidence, and subject each statement to rigorous scrutiny.

Such an approach is evident from the very first sentence of his article: “Leland Jenks’s article describing the pervasive impact of the railroad on the American economy first as an idea, then as a construction enterprise, and finally as purveyor of cheap transportation, has become a classic of economic history.”<sup>24</sup> It would appear that the duration of his analysis would be a response to Jenks’s paper. Thus, when Fogel continued that “out of this summary the railroad emerges as the most important innovation of the last two thirds of the nineteenth century,” and that “[the railroad] appears as the sine qua non of American economic growth,” one would expect to find such statements in Jenks’s article.<sup>25</sup>

An analysis of Jenks’s article yields interesting results. Aside from his declaration that “the very existence of most American communities and regions...was made possible by the railroad,” Jenks shies away from making such binary statements about alternative history.<sup>26</sup> Rather, he was primarily interested in applying Schumpeter’s theory of innovation to the railroad, claiming that they were responsible for the socioeconomic changes that occurred in our historical timeline (though those changes could have

23. Ibid., 166-167.

24. Ibid., 163.

25. Ibid., 163-164.

26. Jenks, “Railroads as an Economic Force in American Development”, 13.

hypothetically occurred at a later date without the railroads). For example, when describing the role of the railroad as an "idea," per se, he stated that "the barriers to new projects were periodically lowered by the inception of new railway systems" and that "the first moment of the railroad as an economic force was manifested in a wavelike profusion of new enterprises of many sorts."<sup>27</sup> Although this could be interpreted to mean that the railroad was the "sine qua non of...the rise of the corporation" and more, it could simply mean that the railroad was responsible for such developments to occur, though those changes could have hypothetically occurred in a different fashion.<sup>28</sup> It is Fogel and others who interpret such statements to mean that the influence of the railroad was a "prerequisite."<sup>29</sup> Whether such an interpretation is correct or not is irrelevant to the discussion at hand. What is important is that such an interpretation highlights Fogel's penchant for exactitude and evidence.

Another poignant example is Fogel's attack on the theory that shipping rates of railroads were cheaper than those of waterways. Fogel introduced this theory in the first sentence of his paper when paraphrasing Jenks's article – that the railroad was a "purveyor of cheap transportation."<sup>30</sup> He believed that "the amount by which water costs exceeded railroad costs is far from obvious."<sup>31</sup> Indeed, Fogel reasoned that a saving as minute as two cents per bushel of wheat would have induced a businessman to change shipping methods, an amount too inconsequential "to prove the indispensability of the...railroad."<sup>32</sup> Fogel then devoted the majority of his article to proving that the saving was very minimal and that canals would have been a sufficient substitution to facilitate the economic growth that ensued.<sup>33</sup>

27. *Ibid.*

28. Fogel, "Railroads in American Economic Growth", 164.

29. *Ibid.*

30. *Ibid.*, 163.

31. *Ibid.*, 174.

32. *Ibid.*, 175.

33. *Ibid.*, 180-185.

As before, a thorough analysis of Jenks's paper reveals a somewhat different picture. Jenks himself admitted that "there is no convincing evidence...that railways have ever carried freight at lower costs either to shippers or to society than canals and waterways."<sup>34</sup> Moreover, he agreed with Fogel that the intraregional railways were one of the few direct advantages that the "early railways showed over canals."<sup>35</sup> The only instance in which Jenks conceded that railroads yielded financial savings is that of increasing return; because the railroad constituted an ever-growing interconnected network of tracks, the amount one saved by shipping something via rail increased every year. However, Jenks stressed that such an economic development is an endogenous one, a change originating from within a preexisting reality, and "not a measure of innovation" – the topic that he was studying.<sup>36</sup>

What then was Fogel arguing about? Three possibilities exist. The first is that he simply grouped Jenks's statements with those of other economists who believed that the railroads did herald cheaper shipping rates. This approach, however, is unlikely. A second possibility is that he was alluding to the concept of increasing returns. The final, and most probable, possibility is that he was arguing with a broader statement made by Jenks that the "far more important" consequence of the railroad as a transporter of goods was that it "brought transportation to areas that without it could have had scarcely any commercial existence at all."<sup>37</sup> It is this sweeping, general statement that Fogel sought to test. Support for this possibility can be found when Fogel himself "clarif[ies] the hypothesis to be examined in [his] paper: Rail connections...were a necessary condition for the system of agriculture production and distribution that characterized the American economy...Moreover, the absence of such rail connections would have forced a regional pattern of agricultural production that would

34. Jenks, "Railroads as an Economic Force in American Development", 12.

35. *Ibid.*, 12-13.

36. *Ibid.*

37. *Ibid.*

have significantly restricted the development of the American economy.”<sup>38</sup> As such, the remainder of the paper dedicated to calculating shipping costs must be interpreted with the above statement in mind. Regardless of which possibility is correct, all of the above interpretations indicate that Fogel was not addressing the overt thrust of Jenks’s argument. He was analyzing postulates that were ancillaries or supports for Jenks’s primary thesis of railroad innovation. Thus, the two economists are operating on different wavelengths. Jenks was primarily concerned with the holistic theory, while Fogel mined those statements for quantifiable, testable assumptions that were outgrowths of the general theory.

Fogel’s desire to only utilize data and evidence that are quantifiable had several consequences. One result of such an approach was that he either deliberately or accidentally glossed over aspects of Jenks’s arguments. In a 1966 review of Fogel’s book, Marc Nerlove noted that Fogel “does not deal with [the] railroad[s] role in supplying entrepreneurs or with its impact on financial and other institutions of the American economy,” a critical component of Jenks’s conception of the railroad as a construction enterprise and as a transportation service.<sup>39</sup> He suggested that Fogel might outright reject such influences because they would be “intrinsically unverifiable.”<sup>40</sup> In effect, Fogel elected to not even explicitly argue with a suggestion that was not supported by requisite amount of evidence, deeming such a hypothesis unworthy of academic attention.<sup>41</sup>

Fogel was also limited by technological constraints. In 2012, an article was published by Dave Donaldson and Richard Hornbeck entitled *Railroads and American Economic Growth: A “Market Access” Approach*. They argued that in addition to considering the social savings of railroads on shipping rates, one must also take

38. Fogel, “Railroads in American Economic Growth”, 170. 39. Nerlove, “Railroads and American Economic Growth”, 108.

40. Ibid.

41. Ibid., 108-112.

“market access” into consideration. “Market access” refers to financial feasibility to trade with another region. By constructing railroads, entrepreneurs were able to bring Jenks’s “economic existence” to previously inaccessible regions.<sup>42</sup> Using advanced mathematical techniques and new computer models, Donaldson and Hornbeck were able to calculate the saving of railroads measured by market access and discovered that the total savings would still constitute less than 6% of the GNP, thereby corroborating Fogel’s thesis that the railroad had only a minimal impact upon economic development. Thus, one of the aspects of Jenks’s argument that Nerlove asserted Fogel would reject as “intrinsically unverifiable” presented Fogel with an opportunity for support that he could not avail himself to due to lack of quantifiable evidence.<sup>43</sup>

Similarly, Scott N. Swisher IV published a paper entitled *Reassessing Railroads and Growth: Accounting for Transport Network Endogeneity*, in which he considered yet another factor that Fogel was incapable of effectively quantifying due to technological constraints – geography. Using digitized maps of canals, railroad tracks, and topography, he harnessed advanced mathematical and computer modeling techniques to design two alternative realities, one without railroads and the other without canals, and calculate the ease and financial feasibility of transportation and related costs. Swisher’s results indicated that railroads were actually complements, not substitutions as Fogel had believed. Unlike Fogel, Donaldson, and Hornbeck, Swisher calculated a 45% decrease in output in a counterfactual world in which railroads did not exist.<sup>44</sup> Ironically, the notion of railroads serving as a complement to canals was advanced by E. G. Plowman almost four decades earlier in a review of Fogel’s book.

42. Ibid., 17.

43. Donaldson and Richard Hornbeck. “Railroads and American Economic Growth: A “Market Access” Approach.” JSTOR. Web. 4 May 2014. 1-3.

44. Scott N. Swisher IV. “Reassessing Railroads and Growth: Accounting for Transport Network Endogeneity.” JSTOR. Web. 4 May 2014. 1-4, 40-42.



Plowman noted that by the very act of questioning the necessity of railroads, Fogel “minimized the fact that before 1850 most railroads supplemented rather than competed with canals, rivers, lakes, and coastal vessels.”<sup>45</sup>

Finally, Fogel’s fixation with quantifiable evidence compelled him to make assumptions of his own. For example, Swisher noted that Fogel assumed that the cost of canal transportation remained constant over a period of 50 years. Moreover, he assumed that in a counterfactual world without railroads, canal prices would remain equivalent to the shipping costs in a world with railroads.<sup>46</sup> Additionally, Nerlove noted that Fogel assumes that his estimate of the social savings of railroad transportation is minimal. Although the number 2.7% may appear to be a small quantity, such a figure lacks an appropriate ‘yardstick.’<sup>47</sup> When considering the number 2.7%, the reader must remember that the hypothesis being tested is not whether the social saving of railroads constituted a significant portion of the GNP, but whether the percentage of the GNP it comprised is significant enough to be considered a prerequisite for economic growth. It is Fogel who believed that the GNP alone is an adequate barometer. Others historians like Jenks who, at times, also considered the broader, unquantifiable dynamics might argue that the importance of railroad shipping costs should be measured by other standards such as commercial access to new land and urbanization (like Donaldson, Hornbeck, and Swisher did). Thus, Nerlove noted, “Fogel’s tacit acceptance of the triviality of the saving due to railroads is just the sort of half-conscious quantification of which he accuses the traditional economic historians.”<sup>48</sup>

Nerlove’s phrase “traditional” further accentuates the difference between Fogel and Leland’s methods. Fogel first presented his critiques on Jenks’s work almost 20 years after Jenks’s *Railroads as an Economic*

*Force in American Development* was published. By Nerlove referring to Leland as a “traditional” economic historian, he alluded to a dramatic shift in the approach to studying history that Fogel advocated – a more faithful adherence to strict economic models and quantitative evidence. Indeed, Fogel saw himself as the harbinger of this new method. In an autobiography, Fogel noted that upon leaving graduate school, he had “worked out a two-pronged research strategy... The second was to promote the wider use of the mathematical models and statistical methods of economics in studying complex, long term processes.”<sup>49</sup> He thought that the best way to demonstrate the efficacy of this “new method” was “the contribution of railroads to economic growth.”<sup>50</sup> Therefore, the debate about the socioeconomic impact of railroads represented something far more important to Fogel than a mere historical puzzle. It was an opportunity to market a revolutionary approach to studying economic history.

Jenks, however, belonged to the “traditional” era – an era in which historians also considered and assigned value to ideas that were too broad to be entirely supported by incontrovertible evidence. Such an attitude is reflected in Jenks’s formation of the theory that the railroad as a construction enterprise served as an economic “innovation.” To support the idea that railroad construction stimulated the antebellum economy, Jenks cited a simple trend of rising production rates that mirrored the expansion of railroad networks. Apparently, Jenks was not bothered by what Fogel referred to as mere “correlation.”<sup>51</sup> Jenks did not simply accept postulations as facts; he agreed with Fogel that there was insufficient evidence to conclude that interregional railroads provided a cheaper means of transportation. However, he was open to working with ideas that had not been completely confirmed.<sup>52</sup>

As a result, Jenks was capable of promoting general, fundamental

45. E. G. Plowman. “Were Railroads Vital to 19th Century American Economic Growth: A Review Article.” *Transportation Journal* Fall 1966. Print. 44.

46. Swisher, “Reassessing Railroads and Growth”, 11.

47. Nerlove, “Railroads and American Economic Growth”, 112.

48. *Ibid.*

49. “Robert Fogel – Biographical” Nobelprize.org. Web. 21 May 2014. 3.

50. *Ibid.*

51. Fogel, “Railroads in American Economic Growth”, 165.

52. Jenks, “Railroads as an Economic Force in American Development”, 17.

theories incapable of being supported by the rigorous standards of Fogel. For example, the main purpose of Jenks's article is to prove that railroads constituted an economic innovation. Despite the heavily analysis Fogel conducted on the paper, he never discussed the term "innovation." Nerlove believed that the unverifiable nature of such a statement discouraged Fogel from addressing the crux of Jenks's entire argument.<sup>53</sup>

#### IV - Conclusion

It seems that the argument between Jenks and Fogel did not revolve around the historical and economic legacy of the railroads. One could argue that Jenks might reconsider the finer aspects of his theory of "railroad innovation" should the evidence of Fogel and like-minded economists suggest otherwise. Rather, these historians were debating a much more fundamental issue – how to approach a hypothetical scenario in history. Both demanded a certain degree of fidelity to quantifiable evidence as well as a measure of creativity. Jenks, however, was primarily concerned with the overarching theory. Thus, he was not bothered by the same problems that Fogel was. Instead of striving to prove and test every minor assumption, he sought to understand the "fundamental force that had determined technological and institutional changes over the ages," an effort that Fogel commented to having grown disillusioned with as graduate student.<sup>54</sup> To maintain this open perspective, however, Jenks sacrificed a certain degree of certainty immutability of the evidence that he analyzed. Fogel argued that it was more important "to focus on more discrete issues," issues that were able to be quantified and proven.<sup>55</sup> As such, he was prepared to sacrifice the ability to seriously consider broader relationships and dynamics that were beyond the scope of the evidence available.

However, the alternative methods of analysis have broader applications

53. Nerlove, "Railroads and American Economic Growth", 108.

54. "Robert Fogel – Biographical" Nobelprize.org. Web. 21 May 2014. 1.

55. Ibid.

than analyzing a hypothetical scenario. The legacy of railroads is a paradigm of the confluence of the social sciences and humanities. The effort to supply social, psychological, and historical phenomena with calculable, definable order and logic can aid the student, philosopher, and thinking layman to better appreciate the nuances of how humanity and its environment functions and evolves on both the macro and micro levels. Although both approaches have shortcomings, and much like the debate about the railroads, the discussion about how to study history and other branches of the social sciences and humanities rages on, the fusing of approaches can empower humanity to better understand what has happened – history – and what could have happened – alternative history – to better understand what can happen – the potential for the positive change and development of the economy, society, and the world as a whole.

## The Spanish Inquisition: A Long-Lasting Institution

Jacob Bernstein

The Spanish Inquisition, established in 1480 by Ferdinand and Isabella, was instituted to deal primarily with cases of heresy against the Church performed by conversos in Spain. The institution lasted into the beginning of the 19th century, and expanded its purpose and mission during the 16th century to include heretical actions performed by Old Christians. The Spanish Inquisition impacted the religious, economic, political, and social environments within Spain, and because it had such far-reaching impacts, many historians have questioned its original purpose. Was the Inquisition established primarily to rid New Christians from places of power, wealth, and status within society, or was the intention truly a religious one from the start? While there are differing perspectives regarding the original objective of the Inquisition, the result that lasted for many centuries clearly evolved over time.

What should be noted is the fact that an institution formed toward the end of the Middle Ages lasted for many more centuries than one would have expected, spanned many countries, and served as a functional court for different forms of crimes against Christianity. The Inquisition maintained a strong institutional model, which was the foundation that may have allowed it to exist for so long. Built into this model was a centralized base of power provided by the Spanish monarchy that was paired with local representatives, a "secret police" within towns of far-reaching locations. In addition, the Inquisition had an internal source of revenue that motivated further work and effort, as its salaries depended on the confiscations taken from convicted heretics. The Inquisition was also able to keep extensive records for their cases and court hearings, an amazing feat especially given that the records were made available to many tribunals at once. With a strong and keen connection to the opinions and emotions of the public arena, the Inquisition became an effective voice of judgment within society as well. This model allowed for the continued existence of the Spanish

Penitents in the procession to an *auto de fe*



The scene of an *Auto De Fe*

Inquisition over time as an institution that was centralized yet reached everyone, was self-sufficient financially and in terms of motivation, was mindful of keeping records, and had a relationship with society at large – the perfect recipe for a lasting institution.

The centralized power that existed for the Spanish Inquisition is evidenced by the fact that it was “founded in 1480 by the Catholic monarchs Ferdinand and Isabella on the basis of a bull granted by the pope.”<sup>1</sup> In 1469, when Ferdinand of Aragon and Isabella of Castile married, the two had become King and Queen of each Kingdom, and had united as a central power within Spain as well. They together fought off the last of the Muslims in Granada in 1492, as part of the Spanish Reconquista, and centralized Catholicism within the kingdom as well.<sup>2</sup> When both the King and Queen of Spain founded the Inquisition with the backing of a papal bull, the institution was created by the two most powerful bodies of leadership in Spain, the Church and the Crown, and therefore was provided with power to fulfill its tasks. “The Inquisition in the Crowns of Castile and Aragon was established to combat heresy among the New Christians,”<sup>3</sup> at first, and “during the period of the Catholic Reformation...many of the Inquisition’s policies were clearly aimed at the Old Christian population in the hopes of improving the tenor of religious life.”<sup>4</sup>

The Inquisition had a governing body called, “the Suprema,” or a council of inquisitors, and an Inquisitor General at the top of its pyramid. In the Inquisition’s early days, a tribunal was set up as a court for major cities throughout Spain, and an inquisitor was assigned to run that court. The inquisitor for a particular domain had his own centralized power as well, probably because each inquisitor was originally considered to have

1. Henry Kamen, “Confiscations in the Economy of the Spanish Inquisition,” *The Economic History Review*, New Series, Vol. 18, No. 3 (1965), pg. 511.

2. Charles E. Chapman, “A History of Spain,” Harvard University, (1918) pg. 124.

3. “Inquisition - The Spanish Inquisition until 1492,” *Encyclopedia Judaica*, 9:791. Section Authors: Cecil Roth and Yom Tov Assis.

4. Sara T. Nalle, *Inquisitors, Priests, and the People during the Catholic Reformation in Spain*, *The Sixteenth Century Journal*, Vol. 18, No. 4 (Winter, 1987), pg. 558.

permission directly from the pope. As time went on and the cases in the provinces lessened, the central council gained further power, and the Inquisitor General became the point person in charge of providing the allowance from the pope to the other inquisitors.<sup>5</sup> The inquisitors had powers to arrest, jail, and interrogate suspects based on evidence about their having acted in a heretical manner. What is clear from several of the inquisitorial documents found within the Inquisitorial Inquiries is that the inquisitors were clearly in control and their commands were followed.<sup>6</sup> In particular, the case of Elena/Eleno de Cespedes who was on trial in 1587—a time when the Reformation movement was already well on its feet—for “sorcery” and “disrespect for the marriage sacrament” shows the powers of the inquisitor in even the most private realms.<sup>7</sup> The inquisitors on ask intruding questions, and send Elena/Eleno to be inspected, so as to confirm as to whether he/she is actually a man as he/she claimed.<sup>8</sup> In addition, the inquisitors had the power to sentence her to three separate forms of punishment: “two hundred lashes, public shaming, appearance at an auto de fe, and to serve the poor as a surgeon in a charity hospital for ten years...”<sup>9</sup> The clear reign of power and domain that the inquisitors had over their court and its procedure was important to create legitimacy for the Inquisition and its tribunals.

While it is clear that the inquisitors used different forms of power within their tribunals, the question arises as to whether they had additional rights from that of other legal authorities of the time or not. The basic debate assumes that inquisitors had employed various forms of powers that went beyond those of their counterparts in regular secular courts, and the question then is if these rights were provided to them. On one hand, scholars say, “on paper, [the inquisitors’] powers were almost

5. Henry Kamen, *The Spanish Inquisition*, New American Library, New York (1966), pg. 137-145.

6. Richard L. Kagan & Abigail Dyer, *Inquisitorial Inquiries: Brief Lives of Secret Jews and Other Heretics*. Baltimore: Johns Hopkins University Press, 2004.

7. *Ibid.*, 37.

8. *Ibid.*, 37-53.

9. *Ibid.*, 53.

unlimited,"<sup>10</sup> because they were able to do basically anything they wanted within their tribunals, including deciding between life and death. On the other hand, other scholars assert that the powers taken do not necessarily represent the powers given, and that "there was not a single provision of the original *ordo juris* or rules of procedure for inquisition that privileged heresy cases over all other kinds of cases."<sup>11</sup> Whether the inquisitors had legal rights to employ all of these powers is not as important for this study as the fact that they were able to use them unchecked in thousands of cases. The inquisitor had access to these powers, whether he had the legal rights to them or not, and as a result, the centralized power of the Inquisition existed in the inquisitor's tribunal as well.

Within each tribunal existed a number of other paid officials who served under the inquisitor, including a notary, secretaries, and messengers. Each tribunal, however, could never have accomplished all that it did without the work of volunteer "secret police."<sup>12</sup> Tribunals were responsible for large portions of land, and many times the travelling conditions between the court and the people of a particular town would have made communication and enforcement impossible. To solve this problem, tribunals utilized local volunteers to help them carry out the Inquisition throughout their domains: "There was no difficulty in finding men ready to serve without pay. The honor of [having] connection with the Inquisition...rendered applicants for appointments more numerous than positions to be filled. These unsalaried officials consisted of *calificadores*, *consultores*, commissioners with their notaries, and *familiars*."<sup>13</sup> The men employed loved the opportunity to be involved with the Inquisition,

10. Bernard Hamilton, *The Medieval Inquisition - Foundations of Medieval History Series*, Holmes & Meier Publishers, Incorporated, (1981), pg. 10.

11. Henry A. Kelly, *Inquisition and the Prosecution of Heresy: Misconceptions and Abuses*, Church History, Vol. 58, No. 4, (Dec., 1989), pg. 443.

12. Nalle, *Inquisitors, Priests, and the People during the Catholic Reformation in Spain*, 559.

13. Henry Charles Lea, *A History of the Inquisition of Spain*, New York, The Macmillan Co.; London, Macmillan & Co., Ltd., (1922), vol. 2, pg. 263.

as it provided them a level of importance within their small villages, and therefore everyone wanted to be involved. While "the familiar acted as the inquisitor's helpmate... the *comisario*...was a legal extension of the inquisitor himself...he carried out the inquisitors' investigative (but not judicial) powers."<sup>14</sup> These positions were real and made a real impact on the Inquisition as an institution.

Since the *comisario* served as an extension of the inquisitor, choosing the right ones for the job—especially given the application circumstances—was crucial to the inquisitor's mission. These men were out in the towns and were the local face of the inquisition, and so they each needed to be "a well educated and prudent man who was respected and powerful in his community."<sup>15</sup> The volunteer officials, once selected, had to follow strict rules regarding their work, especially because they often did all investigative work for the tribunal. The *comisario* would investigate people being denounced, find witnesses and interview them, and then keep records of all that was said before a notary, as was required of him. He would then send the information and person to the tribunal by messenger. By 1607, rules were written up for each *comisario* by their parent tribunals to guide them through the process, to the point where particular questions were provided and all he had to do was ask them to the suspect and record the answer.<sup>16</sup>

Officials of the tribunal would serve as the face of the Inquisition in the villages and towns, and because of their positions, "the Inquisition did not have to seek out its Old Christian 'victims'...[since] villagers presented themselves and their neighbors for either penancing or punishment."<sup>17</sup> The Inquisition was prepared even as early as the 15th century to have communication from far distances, by having additional help within the

14. Nalle, *Inquisitors, Priests, and the People during the Catholic Reformation in Spain*, 559.

15. *Ibid.*, 60.

16. Nalle, *Inquisitors, Priests, and the People during the Catholic Reformation in Spain*, 566.

17. *Ibid.*, 582.

villages. The Inquisition spent nothing on these officials, because they were all volunteers, and the help that they provided to the Inquisition was invaluable. Every town thus had a presence from the Inquisition, which allowed for constant contact with the tribunals from the towns. Nothing within a small community could just go by without being seen or heard, because an official for the Inquisition almost always lived nearby. However, being spread out like this would have been meaningless if the Inquisition or each tribunal did not have its own centralized power and strength. A combination of the two, both centralized power and connection to small towns through volunteer officials, put the Inquisition in great shape for sustaining their control and weeding out heresy. As an institution, the Inquisition was prepared for what seemed like all matters regarding maintaining a strong sense of power both in the city and its nearby villages.

As with any large institution, the Inquisition required a form of revenue to pay its workers, experts, and most importantly, its inquisitors. While Ferdinand and Isabella instituted the Spanish Inquisition, as mentioned previously, it “was not at first given any secure financial basis for its existence.”<sup>18</sup> Each case that convicted a heretic resulted in the confiscation of his money and land, and that of his entire family.<sup>19</sup> The idea of confiscation of property from heretics began in 12th century Rome and, with Papal approval, became accepted practice in Spain in 1485.<sup>20</sup> Although large amounts of money were collected with each convicted case, until 1559 the tribunals depended on political authorities to potentially rule for a portion of the money confiscated to go back to the inquisitors as payment for their time and efforts.<sup>21</sup>

“In the sixteenth century control of confiscations was granted almost

wholly to the Suprema, and the Crown was content to receive an agreed proportion of the income.”<sup>22</sup> At this point, when the confiscations were provided for the inquisitors directly, an internal encouragement for further convictions existed – especially if the convicted family had significant funds – because this would pay everyone’s salaries. In the process of any hearing, the accused person would have to give his or her word that the property listing that was collected was the total funds that they own, and that they were not forgetting or leaving out any property.<sup>23</sup> The existence of this incentive caused communities of conversos to offer the king 600,000 ducats so that he would provide for the salaries of the inquisitors directly, and so they would not be in further danger of conviction.<sup>24</sup> Though the confiscations were heavily beneficial for the inquisitors and their staff, when a convicted heretic walked out of the Inquisition alive it either meant that he was able to negate the testimonies brought against him, or that all of his property was confiscated. The wealthiest of families could become beggars on the street within a matter of seconds because when a tribunal confiscated property, it confiscated everything.

The confiscations took place at the beginning of the process, around the time when someone was brought in for a hearing, rather than at the end of the process.<sup>25</sup> Officials of the Inquisition would not only document everything owned by the person who had just begun trials, but would also kick the families out of their homes as well. The property was taken until the person being charged was let free and declared not guilty, a rare occurrence. There were, in fact, cases where the Inquisition would charge someone who recently died, and convict them of heresy even beyond their death. The clear intention of this charade was to confiscate

18. Kamen, “Confiscations in the Economy of the Spanish Inquisition,” 511.

19. *Ibid.*, 512.

20. *Ibid.*

21. Joseph Perez (trans. by Janet Lloyd.), *The Spanish Inquisition: A History* (New Haven, CT: Yale University Press, 2005), pp. 126-128.

22. Kamen, “Confiscations in the Economy of the Spanish Inquisition,” 513.

23. *Ibid.*, 512.

24. *Ibid.*

25. Brenda Stalcup (Copy Editor), *The Inquisition*, “The Confiscation Policy,” John A. O’Brien (Section Author), Greenhaven Press, Inc., San Diego (2001), pg. 91.

the funds of the deceased from his family.<sup>26</sup>

A debate exists regarding the impact that the Inquisition had on Spain, especially regarding its economic standing. Henry Charles Lea, an expert on the Spanish Inquisition who wrote extensively on the topic in his four volume corpus, wrote the following regarding the impact and influence this institution had on Spain: "in the limitations which [the Inquisition] placed on the Spanish intellect – in the resolute conservatism with which it held the nation in the medieval groove unfitted [Spain] for the exercise of rational liberty when the nineteenth century brought in the inevitable Revolution."<sup>27</sup> Lea believed that the Inquisition limited the growth of the country and that it kept Spain in the medieval mindset for much longer than the rest of the Western world. In addition, Lea felt that the Inquisition "is greatly attributable [for] the stagnation of Spanish commerce and industry."<sup>28</sup> Henry Kamen, another historian who wrote extensively on the Inquisition, asserts that the Inquisition did not impact most Spanish citizens.<sup>29</sup> Kamen also posits that "we are largely ignorant about the significance of the Inquisition as an economic institution," and that we are somewhat unaware of the economical impact that it had on Spain on as a country.<sup>30</sup>

The Encyclopedia Judaica concludes the topic of confiscations with the following note: "Nothing else, perhaps, was more instrumental in draining the Peninsula of its accumulated wealth during the course of the 16th, 17th, and 18th centuries. It was a weapon which struck at the whole of a man's family, and might reduce it in a moment from affluence to beggary, while through its means the economic life of the whole country was liable to be disorganized."<sup>31</sup> Whether the impact of

26. *Ibid.*, 91-93.

27. Lea, *History of the Inquisition of Spain*, Preface, vol. 1, pg. v.

28. *Ibid.*, Vol. 2, 386.

29. Nalle, *Inquisitors, Priests, and the People during the Catholic Reformation in Spain*, 558.

30. Kamen, "Confiscations in the Economy of the Spanish Inquisition," 511.

31. "Inquisition - Punishments," *Encyclopedia Judaica*, 9:802. Section Authors: Cecil Roth and Yom Tov Assis.

the Inquisition in general, or confiscations in specific, was the downfall or stagnation of Spain's economy is up for debate, but what is clear is that the Spanish Inquisition had an internal source of revenue. Every trial began with the confiscation of all property and possessions to be returned if and only if the man was found not guilty, which rarely happened. This money at first was split between political authorities and the Inquisition, but in the 16th century it all went to the Inquisition, which created an incentive to try more cases—or at least ones involving wealthy suspects. By having volunteer officials record much of the information regarding cases in advance of the trial, the inquisitors could hear more cases with time and therefore possess more property to pay salaries. The Inquisition, intentionally or unintentionally, had an internal motivator to do more: because the more inquisitors did, the better they would be paid.

Some historians of the Spanish Inquisition would agree that the most useful historical documents from the Inquisition are the documents kept by the Inquisition itself, regarding court hearings and sentencing. Thousands of these documents exist, but only from certain locations, which implies that even more of such documents once existed but did not last throughout the centuries. Though the intention of the Inquisition in keeping these records was most probably not intended to allow for detailed understanding and study of the cases years down the line, they have enabled scholars to do just that. Through these documents, historians can delve into the experiences that took place behind closed doors during the time of Spanish Inquisition. The fact that the Inquisition had employed such technical recordings, keeping highly specified accounts of every detail, name, and date of each case, implies that the institution as a whole was capable of advanced documentation and recording.

In specific circumstances the advanced record keeping was simply a reflection of a larger interconnected system that the Inquisition created for itself. Aside from having tribunals and branches within villages in

the form of volunteer officials, the records include what seems to have been a cross-referencing system that allowed for an easy transfer of information between different tribunals. This system is best seen when noticing the marginalia, or writings in the margins, in Luis de la Ysla's inquisitorial record. As Luis discussed his travels throughout Western Europe, he came into contact with many people, some of whom were judaizers, and he named them all. One "inquisitorial marginalia" included the following information: "Lisbon. Juan Pentenado, New Christian. Master Rodrigo, surgeon, New Christian."<sup>32</sup> Another similar comment was written again in the margins, where a few names and professions were listed, and this time a universal statement was included: "Valencian conversos turned Jews."<sup>33</sup> These marginal comments were intended to provide pieces of evidence toward a case against any of these people, so that they could track down the individuals mentioned, and claim that they are New Christians who became Jewish. The Inquisition's ability to create this internal system for all tribunals to benefit from is an impressive accomplishment, especially in an age with minimal technology.

The case of Miguel de Piedrola, a soldier who claimed he was a prophet, has an extensive record, including multiple hearings, as well as a final sentencing from the Inquisition. This text, translated in Inquisitorial Inquiries, actually has the entire record for this case, which is rather unusual.<sup>34</sup> One extraordinary aspect of Miguel's record is its extensive introduction, which gives much insight into the minds of the tribunal responsible for the case. An analysis of the introduction can relay information about the case and about taking the records in general.

32. "Renegade Jew: Luis de la Ysla," Richard L. Kagan & Abigail Dyer, *Inquisitorial Inquiries: Brief Lives of Secret Jews and Other Heretics* (Baltimore: Johns Hopkins University Press, 2004), pg. 25.

33. *Ibid.*, 26.

34. Miguel de Piedrola: The "Soldier-Prophet," Richard L. Kagan & Abigail Dyer, *Inquisitorial Inquiries: Brief Lives of Secret Jews and Other Heretics* (Baltimore: Johns Hopkins University Press, 2004), pg. 61-79.

Miguel's case begins "We, the Apostolic Inquisition who fight heresy, depravity, and apostasy in the city and kingdom of Toledo."<sup>35</sup> The reader is formally introduced to the Inquisition and to its "mission statement," that it fights heresy and it refers to itself as the "Apostolic Inquisition." A few lines later, a formal introduction is made about the prosecutor residing over the case, "Licenciado Sotocameno."<sup>36</sup> This introduction is not unique to this document per se, being that many others introduce the prosecutor as well. These introductions share information that everyone within the tribunal at the time would have known, which begs the question: for whom was the record actually kept? Including the prosecutor's name may have been a formality of the document, or perhaps it implies that the texts were intended as resources for other tribunals who would not have known who the residing prosecutor was at the time.

Aside for introducing the court and its prosecutor, the defendant is introduced as well, with inclusion of his name, place of origin, and current residence. The case's introduction ends: "Because of the information against him, the defendant has been brought before this Inquisition. Asked to give the story of his life, he said..."<sup>37</sup> An explanation for the defendant's appearance at court is provided in as vague of a format as the defendant himself would have received. When a suspect was brought in for questioning, he "was not told the names of his accusers,"<sup>38</sup> and in many cases, as in Miguel's, the defendant was not even told what the accusation against him was. The reason Miguel was asked for his "life story" was because it was his job to tell his story and to therefore get himself off the stand, rather than allowing a counter argument to the accusations. The goal of this procedure was to protect the informers, and the only opportunity to counter accusations was to mention their name in the process of sharing

35. *Ibid.*, 61.

36. *Ibid.*

37. *Ibid.*

38. Bernard Hamilton, *The Medieval Inquisition - Foundations of Medieval History Series* (Holmes & Meier Publishers, Incorporated, 1981), pg. 43.



one's life story.<sup>39</sup>

An analysis of the details included in these records reveals not only the rationale behind recording them altogether, but also whether these documents are historically accurate. If the documents were intended for some internal use, like crosschecking information during future cases, an argument can be made for the historical accuracy of the documents because there was no impetus to modify the truth. On the other hand, if information included in the records somehow pointed to the possibility of the documents' external usage, namely an oversight body outside of that particular tribunal, one could argue the exact opposite about its historicity. Indeed, if the records were kept so an outside body of governance or even an internal one of higher order could examine the inquisitor's work to ensure its effectiveness, there would have been strong reason to fabricate facts so as to bolster the inquisitor's argument.

The records of Elena/Eleno de Cespedes's case highlight the rationale behind the keeping of these documents.<sup>40</sup> Specific aspects of this record that may shed light onto a general rationale include information written into the margins of the document, specific details about the case that would have been known to all people present, and an inclusion of procedures of the court that would seem unnecessary at first. The "marginalia" present in the Elena/Eleno case include a form of notation that point out when he/she acts like a woman (i.e. "she bore a son"), which are seemingly intended for a later overview of the case.<sup>41</sup> The implied overview could have been an internal one by the inquisitor reviewing the case before making sentencing a verdict. On the other hand, an external review could have taken place either by another tribunal, or perhaps by the Suprema, in reference to another case or for purposes of oversight – to ensure that the tribunal was

39. *Ibid.*, 44.

40. "Sexuality and Marriage: Elena/Eleno de Cespedes," Richard L. Kagan & Abigail Dyer, *Inquisitorial Inquiries: Brief Lives of Secret Jews and Other Heretics*. Baltimore: Johns Hopkins University Press, 2004, pg. 37-53.

41. *Ibid.*, pg. 39.

running well. An inclusion of dates, names, and signatures throughout the case, information that would have been known to everyone present, seems to imply that a reason for keeping the records may have included an outside reviewing body. While the reason can swing either direction, in this case, it seems clear that both understandings have a level of truth to them.

A unique explanation for the rationale behind some of the documentation that we have from the Inquisition proceedings relates to an earlier portion of this essay. The discussion of volunteer officials working within the towns and villages of Spain to spread the word and face of the Inquisition left off with a discussion of particular rules that were set out by the tribunal. One such rule was to maintain regular correspondence with the tribunal, and another was to take detailed notations before a notary of all of the information regarding a specific suspect. On this note, when a defendant was delivered to the court, along with him came a file with all the notes taken previously about the case. Perhaps the records we have are either portions of the early texts, or the finalized version of them as they were updated throughout the case.

Records kept throughout the Spanish Inquisition have made a significant impact on our understanding of the Inquisition, what took place, and how court proceedings were run. Along with this information comes significant doubt as to whether the texts should be used for historical purposes. Nevertheless, an argument can be made for finding side points that imply certain things about society then. Beyond its historical relevance, the importance of the records to the Inquisition itself is important to discuss, as the margins of many records contained information that would be used in further cases. The ability of the Inquisition as an institution to have records of all of its dealings, and at the same time use them productively from one tribunal to the next is impressive. The interconnection that individual tribunals had with each other, and at the same time with volunteer officials in towns and villages allowed for a well organized institution to hear more cases, and to be a presence within Spanish communities. Records allowed the Inquisition as an institution connect its many parts to each other, and

at the same time to connect to smaller communities as well.

The Inquisition's advanced institutional model is also evidenced by its connection to the people and its understanding of public mentality. Everyone felt the Inquisition's presence within their towns and villages, since many well-educated and wealthy members of their community would volunteer their time to help the Inquisition. In addition to this system, the Inquisition created a feeling of fear throughout Spain via public events and killings, such as the auto de fe. By playing on the emotions of the public, the Inquisition was capable of instilling fear in all those who were considering acting upon their heretical ideas.

In addition to having a constant presence among individuals, the Inquisition also had a less constant, but nevertheless strong existence within the community at large. All of the trials specifically discussed earlier in this paper concluded with some appearance at an auto de fe, an act of faith. Henry Charles Lea wrote that the auto de fe was "an elaborate public solemnity, carefully devised to inspire awe for the mysterious authority of the Inquisition, and to impress the population with a wholesome abhorrence of heresy by representing it in so far as it could the tremendous drama of the Day of Judgement."<sup>42</sup> This spectacle served many purposes including a punishment or "sentencing of heretics," a communal festivity where the city came together to build a hatred for heresy, and to publically shame all those involved to create a sense of fear that heretics will be found and punished. The Encyclopedia Judaica notes that, "During the course of the 16th and 17th centuries, the auto- de-fé came to be regarded as a great public spectacle in the Peninsula and its dependencies, vying in popular appeal with bullfights."<sup>43</sup> While no executions took place at an auto de fe, it certainly set the stage for a public killing. The sentencing would take place

42. Brenda Stalcup (Copy Editor), *The Inquisition*, "The Spectacle of the Auto de fe," Miguel Aviles (Section Author), Greenhaven Press, Inc., San Diego (2001), pg. 121.

43. "Inquisition - The Auto's Da Fe," *Encyclopedia Judaica*, 9:803. Section Authors: Cecil Roth and Yom Tov Assis.

at the festivity, and afterward those awaiting execution were "handed over to royal justice and taken to the place of execution."<sup>44</sup>

The Spanish Inquisition was a strong and stable institution, ready to handle challenges and opportunities alike. Though it began as a brainchild of the Spanish united throne, it joined forces with the Papacy and became one of the most powerful courts to prosecute crimes of heresy against Christianity. It retained a strong central power, but ensured its success by branching out to villages and towns. Moreover, tribunals from all over were able to communicate through the Inquisition's extensive record keeping system, and each had their own incentive to work harder because their salaries were built into the successes of their offices. Through punishments of confiscations and auto de fe, the Inquisition brilliantly guided the public's fears and emotions, and at the same time was also attuned to the public's position on cases; allowing the Inquisition to retain a positive relationship with the public around it. Indeed, an analysis of the procedures and systems of the Inquisition reveals that it was an institution well prepared to stand the test of time.

44. Joseph Perez (trans. by Janet Lloyd.), *The Spanish Inquisition: A History*, New Haven, CT: Yale University Press, (2005), pg. 154.

## By Divine Fury: Josephus Flavius' Account of the Destruction of the Temple

*Meir Goodman*

Titus Flavius Josephus, born Yosef ben Matisyahu, bore witness to the culmination of the Jewish revolt against Rome during the years 66-73 CE. Having served as translator for the general Titus as he laid siege against Jerusalem, Josephus provides a critically significant eyewitness account, published in his work *The Jewish War*. Therein he describes the destruction of the Second Temple, a day most haunting in the collective consciousness of the Jewish people. Josephus claims, unlike popular assumption, that Titus did not order for its ruin. On the contrary, he vouched for its safety and protection. He even attempted, though unsuccessfully, to quench the fires that ultimately ravaged it. Josephus' account has been questioned for a number of reasons. Contradictions and hypocrisies within his own words, coupled with the works of other early historians, have led many scholars to conclude that Josephus purposefully modified history in order to portray Titus in an inaccurate but favourable light. Indeed, one may initially find Josephus' account to be odd; why would a conquering general seek to spare the Temple of a foreign people? And if Josephus did engage in an historical revisionism spurred by his supposed Flavian bias, why would Titus' clemency towards the Jewish people be seen as flattering? This essay will try to adjudicate the narrative found in *The Jewish War* by examining its difficulties, offering possible defences, and considering the motives that may have compelled Josephus towards fabrication.

Josephus' *The Jewish War* depicts the history of the Jewish people from the capture of Jerusalem by Antiochus Epiphanes in 164 BCE to the First Jewish-Roman War and the fall of Jerusalem in 70 CE. In Book VI, Josephus writes that, upon storming the city and reaching the foot of the Holy Temple, Titus gathered his commanders to discuss its fate. Posed with a request to advise Titus on "what should be done about the holy house," some of the generals proposed that it be demolished, in accordance



Bust of Titus

with Roman rules of war. The Jews would continue to rebel, they claimed, so long as the Temple remains standing. Only its total destruction would quell their insurgency. Others proposed that the fate of the Temple should rest in the hands of the Jews; if they ceased fighting it would be spared, and if they continued it would be destroyed. Thus, the impiety of its burning would belong to their own iniquities and actions. Yet Titus concluded, "Although the Jews should get upon that holy house, and fight it thence, yet ought we not to revenge ourselves on things that are inanimate, instead of the men themselves?" Commenting on these remarks Josephus adds, "And that he was not in any case for burning down so vast a work as that was because this would be a mischief to the Romans themselves, as it would be an ornament to their government while it continued."<sup>1</sup>

Having decided upon sparing the edifice, Titus retired to the tower of Antonia, the fortress adjacent to the Temple Mount. While Titus rested, a sudden Jewish insurrection against the Roman legions aroused a fatal response. As the Romans put the Jews to flight, one soldier, "without staying for any orders...and being hurried on by a certain divine fury," threw a flaming branch at a golden window in the Temple, setting fire to it.<sup>2</sup> When Titus was informed of the conflagration he arose "in great haste and as he was ran to the holy house, in order to have a stop put to the fire." Yet, despite his calls to the fighting soldiers and his orders to quench the flames, the impassioned legions, distracted by the fighting and deafened by the pandemonium of war, failed to hear his words.<sup>3</sup> Josephus describes that Titus attempted a second time to spare the Temple before the flames reached its inner parts, but again failed to restrain his soldiers. Josephus writes, "Yet were their passions too hard for the regards they had for Caesar, and the dread they had of him who forbade them, as was their hatred of the Jews, and a certain vehement inclination to fight them, too hard for

1. Wars VI.4, translation from Josephus, F., & Whiston, W. (2008). Complete Works of Flavius Josephus. Green Forest, AR: New Leaf Pub. Group.

2. Ibid., IV.5

3. Ibid., IV.6

them also." He harrowingly concludes, "And thus was the holy house burnt down, without Caesar's approbation."<sup>4</sup>

Josephus' account is primarily contested on the basis of two early historical works, one that expressly blames Titus for the Temple's destruction, and another that questions Josephus' general portrayal of the Roman legions and their impassioned and reckless behaviour in Jerusalem. Sulpicius Severus, a Christian monk and historian from the 4th century, depicts a different narrative of Titus' council to determine the fate of the Temple. In his *Chronica*, he writes:

Titus is said, after calling a council, to have first deliberated whether he should destroy the Temple, a structure of such extraordinary work. For it seemed good to some that a sacred edifice, distinguished above all human achievements, ought not to be destroyed, inasmuch as, if preserved, it would furnish an evidence of Roman moderation, but if destroyed, would serve for a perpetual proof of Roman cruelty. But on the opposite side, others and Titus himself thought that the Temple ought specifically be overthrown, in order that the religion of the Jews and of the Christians might more thoroughly be subverted.<sup>5</sup>

Scholars Gedalyahu Alon and Zvi Yavetz both write that it is generally assumed that a later redactor interpolated the reference to Christians at the end of the passage. Christianity had not yet appeared as an independent group at the time of the destruction of the Temple, nor is there reason to think that Titus sought to subvert the Jewish Christians, as they did not participate in the Great Revolt.<sup>6,7</sup>

4. Ibid., IV.7, see also Preface to the Jewish Wars where Josephus again mentioned that the Temple was burnt "against the consent of Caesar."

5. *Chronica* 2:30, translation from Schaff, P., & Wace, H. (1994). Sulpitius Severus, Vincent of Lerins, John Cassian (A Select Library of the Christian Church: Nicene and Post-Nicene Fathers; Second Series, Volume 11): Hendrickson.

6. G. Alon. *Jews, Judaism, and the Classical World*. (Jerusalem: Magnes Press, 1997), 252, footnote 3.

7. Z. Yavetz. "Reflections on Titus and Josephus." In *Greek, Roman, and Byzantine Studies*, 16, 416, footnote 21.

Severus' account attributes to Titus the opposite opinion expressed by Josephus. While Josephus contended that Titus sought to spare the Temple and his generals encouraged its destruction, Severus recorded that it was Titus himself who, against the opinions of those who intended to furnish evidence of Roman moderation, decided that the destruction of the Temple would better end Jewish insurgency. At face value, this challenge to Josephus can be easily deflected. Sulpicius Severus lived nearly three centuries after Josephus and was not an eyewitness to Titus's council. Perhaps Severus' account is inaccurate, plagued by historical imprecision. Yet both Alon and Yavetz point out that Jacob Bernays, a 19th century German philologist and philosophical writer, dealt implicitly with this problem in his article *Ueber die Chronik des Sulpicius Severus*. Bernays contends that Severus derived his account from the earlier and now partially lost *Historiae* of Tacitus, a Roman historian who covered Vespasian and the Roman Emperors of the Flavian Dynasty.<sup>8</sup> Since Tacitus, unlike Josephus, had no obligations towards the Flavian Emperors, he had no reason to flatter them, making his account more reliable than Josephus'.

A second early Roman historian, Deo Cassius, whose extensive Roman history covers nearly 1,400 years and fills 80 books, also seems to contradict Josephus' account. He relates that the Jewish defenders of Jerusalem set fire to buildings nearby the Temple Mount in an attempt to check the progress of the Roman soldiers. In their defence they unintentionally burnt down the barrier leading to the Temple, allowing the Romans to enter the sacred precinct. The Romans, however, were not so quick to make use of this advantage. "The soldiers," writes Cassius, "because of their superstition did not immediately rush in; but at least, under compulsion from Titus, they made their way inside."<sup>9</sup> While Cassius does not expressly contradict Josephus, Alon points out that his "general portrayal" of the event places

8. Yavetz 416 - 417, Alon 252, J. Bernays, *Ueber Die Chronik Des Sulpicius Severus*. *Gesammelte Abhandlungen*, II, 159-81.

9. Deo Cassius Book LXV 6:1, translation from Cocceianus, D. C., Cary, E., & Foster, H. B. (1982). *Dio Cassius: Roman History*, Volume VIII, Books 61-70 (Loeb Classical Library No. 176). Cambridge, MA: Harvard University Press.

Josephus' account into question. Josephus contends that the destruction of the Temple was "an outrage perpetrated by the troops against the Emperor's wishes," while Cassius writes that the troops were compelled by Titus to enter the area of the Temple despite reluctance engendered by superstition, or perhaps even reverence and fear of foreign deities.<sup>10</sup>

On the basis of these two sources, many scholars have rejected Josephus and favoured Severus' claim that it was Titus himself who ordered the destruction of the Temple. It is difficult, however, to accuse Josephus of historical revisionism solely on the basis of later historical works. The aforementioned scholarly dispute revolves around the general question of each source's historical reliability; which narrative is to be preferred over the other. Granted, if we accept Bernays' thesis that Severus' account of the council that took place during the siege of Jerusalem was taken from Tacitus' *Historiae*, we can assume it to be generally reliable. Yet Tacitus' credibility does not necessarily discredit Josephus. It is still tenable that Titus did not order the destruction of the Temple, yet the matter happens to be a locus of dispute amongst early sources.

Alon attempts to discredit Josephus' account from another angle. He states that the tradition of our Sages, both the Tannaim and Amoraim, unanimously condemns Titus for the destruction of the Temple, dubbing him "Titus the wicked," and accuses him of waging war against G-d. He concludes from this tradition that the people's memory "preserved the fact that the burning of the Temple did not occur accidentally or unintentionally, but with the knowledge and at the injunction of the emperor, to whom the destruction of the Temple appeared as a providential event in his war against Judaism."<sup>11</sup>

Alon's words are deceiving, however, for none of the Talmudic sources that he cites explicitly blames Titus for the burning of the Temple. Rather, they condemn Titus for his heretical and blasphemous behaviour. Foremost amongst these statements in the tradition of the Sages is the passage in the

10. Alon, *Jews, Judaism, and the Classical World*, 254.

11. *Ibid.*

## Babylonian Talmud Tractate Gittin:

Titus said: "Where is their G-d, the rock in whom they trusted?" This was the wicked Titus who blasphemed and insulted Heaven. What did he do? He took a harlot by the hand and entered the Holy of Holies and spread out a scroll of the Law and committed a sin on it. He then took a sword and slashed the curtain. Miraculously blood spurted out, and he thought that he had slain G-d Himself. Abba Hanan said: Titus further took the curtain and shaped it like a basket and brought all the vessels of the Sanctuary out in it, and then put them on board a ship to go in triumph with them to his city. A gale sprang up at sea which threatened to wreck him. He said: "Apparently the power of the G-d of these people is only over the water. If he is really mighty, let him come up on the dry land and fight with me. A voice went forth from heaven saying: "Sinner, son of a sinner, I have a tiny creature in my world called a gnat. Go up on the dry land and make war with it. When he landed the gnat came and entered his nose, and it knocked against his brain for seven years."<sup>12</sup>

The narrative in Gittin teaches that Titus was punished for his arrogance towards G-d and sacrilegious attitude towards the Temple. Other sparse Talmudic passages that deal with Titus likewise bemoan his wickedness and heresy, yet no source expressly accuses him of the destruction of the Temple.

Alon may have concluded that since these sources do demonstrate that Titus sought to fight against heaven and indicate a generally blasphemous attitude to the Temple, it stands to reason that he sought its destruction as proof of the Roman deity's victory against the G-d of Israel. Yet this is conjectural proof. It is quite possible that Josephus' account is compatible with the tradition of the Sages. While Titus was willing to defile the holiness of the Temple and claim victory against the Jewish G-d, he nonetheless

12. 56b, see also Sifri Deuteronomy 328, Midrash Tannaim Deuteronomy 32.

sought to preserve the Temple for purely aesthetic reasons. Indeed, Josephus writes that Titus' intent to save the Temple was to preserve a great work that would be an ornament to the Roman government while it stood. Titus had no respect for the sanctity of the location, nor reverence of G-d, yet he did appreciate the beauty and grandeur of the structure and was willing to preserve it for the sake of Roman glory. Thus, Alon's claims against Josephus from the Talmudic tradition are surely dubious.

Nevertheless, obstinate in his convictions, Alon continues to examine Josephus' credibility on the basis of internal problems within The Jewish War, suggesting contradictions and hypocrisies that make it difficult to conclude that Titus wished to spare the Temple.<sup>13</sup> In fact, he claims that after a thorough study of the episode, "we cannot avoid the almost certain conclusion that the Temple was put to the torch at Titus' behest."<sup>14</sup>

Many other scholars have reached Alon's conclusion, including his predecessor, Bernays. While many of their points are debatable, it is easy to see why Josephus could be regarded as generally unreliable. Steve Mason in *Flavius Josephus and Flavian Rome* tells of Josephus' favourable bias towards the Flavian dynasty. Commenting on the nature of history in first-century Rome, Mason writes, "Flattery of the princeps is non-negotiable, and it is something of a game to see who can configure an argument most favourable to Caesar."<sup>15</sup> Assuming that Alon and Bernays are correct in discrediting Josephus' account as fictitious, an important question must be asked: what compelled Josephus towards historical revisionism? Why was it more favourable to claim that Titus attempted to spare the Temple, that he even ordered his troops not once but twice to quench the fires that engulfed it?

At face value, it seems strange that Josephus would write, if it was not true, that Titus sought to spare the Temple. Such an act seems indicative of

13. Alon, *Jews, Judaism, and the Classical World*, 255-268.

14. *Ibid.*, 253.

15. J. C. Edmondson, J. Rives, & S. Mason, *Flavius Josephus and Flavian Rome*. (Oxford: Oxford University Press, 2005), 259.

weakness and misplaced mercy. Why would Titus show mercy to a people who rebelled so incessantly and irreverently against Rome? Would it not serve as a great example to other nations under Roman dominion if the splendour of the Jewish people was destroyed as punishment for their insurgency?

In answering this problem, Alon suggests that by the time Josephus wrote his history attitudes in Rome had changed; the wartime frenzy that had existed during the years of the revolt had dissipated. It was to Titus' advantage to be portrayed "among the Roman and other intelligentsia in a kindly light as a generous and god-fearing [man]." The Romans no longer regarded the Jews as dangerous enemies, for they had been defeated and pacified. Thus, Josephus' benevolent depiction of Titus would help to further endear him to the public.<sup>16</sup> Yavetz adds that "clementia" was an important virtue of all rulers. Clementia is "that which restrains the mind from vengeance when it has the power to take, or leniency of a superior towards an inferior in fixing a punishment." Pity, on the other hand, is a weakness incurred by the sight of suffering.<sup>17</sup> The great tyrannical power of an emperor can be threatening to his subjects, but one whose displays "clementia," an even-handedness, and punishes with fair justice can become endeared and treasured by his people. Consequentially, Josephus sought to demonstrate this trait in Titus' decision-making during the war, portraying his emperor as a man restrained from swift vengeance. In light of this explanation, the true intent of Titus' words (as formulated by Josephus) during the council to determine the fate of the Temple becomes clear: "Although the Jews should get upon that holy house, and fight it thence, yet ought we not to revenge ourselves on things that are inanimate, instead of the men themselves?"<sup>18</sup> Josephus wrote into Titus' mouth a statement that exudes justice and "clementia."

16. Alon, *Jews, Judaism, and the Classical World*, 267.

17. Yavetz, "Reflections on Titus and Josephus", 424-5.

18. Wars IV.4

Perhaps a different, novel motive can be ascribed to Josephus. When depicting the destruction of the Temple, Josephus prefaces the narrative with the ominous statement, "But as for that house, G-d had, for certain, long ago doomed it to the fire; and now that fatal day was come, according to the revolution of ages. It was the 10th day of the month Av, upon which it was formerly burnt by the king of Babylon." When the Roman soldiers stormed the Temple vicinity, Josephus writes, "At which time, one of the soldiers, without staying for any orders, and without any concern or dread upon him at so great an undertaking, and being hurried on by a certain divine fury, snatched one the materials that were on fire and, being lifted up by another soldier, he set fire to a golden window..."<sup>19</sup> Josephus may have sought to portray Titus in a manner that would find favour and appreciation amongst his Roman subjects, but Josephus' own words betray another motive. He highlights the fact that the destruction of the Temple was divinely ordained. Perhaps Josephus was concerned that, had he wrote that Titus destroyed the Temple, his literary audience may not have understood that it was really divine retribution that brought down the great building. Rather, they would have thought that it was Titus' own doing, bereft of any divine purpose. By vindicating Titus and vilifying an unknown soldier gripped by a "divine fury," Josephus was able to stress that the Temple was long ago doomed to fire by G-d himself as punishment for the sins of the Jewish people.

This approach incurs an abundance of questions. Why would Josephus want to highlight this point? What message does he seek to impart by condemning G-d, not Josephus, for the destruction of the Temple? And why did Josephus write that the Temple's fate had been sealed "long ago"? It is possible that Josephus sought to vilify the Jews and their sins; that their revolt against Rome had garnered the disgust of G-d. Josephus wished to indicate the divine retribution wrought

19. *Ibid.*, 5.

against those who rebel against the Roman Empire, much in line with his pro-Roman tendencies. It seems more likely, however, that Josephus' account here is delicately nuanced. Concurrent with his desire to depict the emperor favourably to his subjects, Josephus also sought to impart a message to his Jewish audience, one that perhaps indicates that Josephus did not depart so fully from his faith. By writing that the destruction was fated by G-d, Josephus latently indicates that G-d had not abandoned the Jewish people. It was not Titus who, through his own hand, destroyed the Temple. No ruler or soldier, no individual plan brought about its destruction; G-d had not left the Jewish people to the whims of their enemies. It was G-d Himself who decided their fate, and by "divine fury" did a soldier throw a flaming brand into the Temple. In this way, Josephus consoled his Jewish brothers, much like the great prophets of old consoled the Jewish people after the destruction of the First Temple by encouraging them that no man had truly defeated the Divine, for it was Divine will that brought about their tragedy. I leave it to the reader to determine if there is merit in this approach.

We have seen that Josephus' account of the siege of Jerusalem and the destruction of the Temple has come under great academic scrutiny. Early Roman historians deny Josephus' contention that Titus sought to spare the Temple. To further discredit Josephus' account, other scholars have pointed to contradictions and hypocrisies within his own work. Our analysis has demonstrated that while Josephus' words are indeed difficult, it is possible to deflect the various questions posed against him. When considering what motives compelled Josephus towards fabrication, if we do assume that he did so, we have offered two possibilities. Josephus might have found it meritorious to ascribe a certain "clementia" to Titus, thus targeting a Roman audience, or he was indirectly reassuring his Jewish audience by reminding them of G-d's involvement and continued presence. Altogether, we see the great strain scholars face when trying to reconstruct history on the basis of accounts that are not academically reliable in the modern sense. How do we interpret ancient historians, and how much credit should we give

them? Yet, while history may be written by the hand of man, the flow of history itself is in the hands of the Almighty. Whether or not we accept Josephus' assertion that Titus sought to spare the Temple, or reject it in favour of Sulpicius Severus', these words of Josephus still ring true: "That house, G-d had, for certain, long ago doomed it to the fire."



## Nationalism as Grounds for Ethnic Cleansing: A Study of Ottoman Aggression

Abraham Kahn

The Ottoman Empire during the early twentieth century is an interesting study in ethnic cleansing because of the multi-faceted nationalistic ideologies and the complex class structures that helped contribute to the conditions that ultimately caused the genocide. As the Ottoman Empire's leadership went through different stages of nationalism in order to gain broader acceptance from the Western-dominated international system and from their own people, the different ethnic, religious, and cultural groups within the state, and specifically the Armenian front, continuously challenged the state's notion of a homogeneous nation. As tensions grew between the political leaders of the Ottoman Empire fighting for the ideas of Ottomanism, pan-Turkism, and irredentism and the Armenians cultivating ideas of autonomy, the Ottoman leaders turned ideas of national identity into justification for ethnic cleansing and its most extreme version of genocide.<sup>1</sup> This paper will attempt to chronicle the development of the Ottoman Empire's phases of nationalism, in both its forms of Ottomanism and pan-Turkism, and show how they were key contributors to the Ottoman Empire's decision to pursue ethnic cleansing against the Armenians.

Before moving forward, a brief discussion is warranted regarding the history and ideology of ethnic cleansing. Although the term has only become more popular during relatively recent times (the common English term was "population transfer" until the 1990s), acts of ethnic cleansing in order to secure a particular territory—thereby cleansing the area of the original host group—have been used as instruments

1. Mark Levene, "Creating a Modern 'Zone of Genocide': The Impact of Nation- and State-Formation on Eastern Anatolia, 1878-1923," *Holocaust and Genocide Studies*, Vol. 12, No. 3 (1998): 393-95.

TELEGRAM SENT. GREEN CIPHER

PREPARING OFFICE  
WILL INDICATE WHETHER  
Collect  
Change Department  
Charge to  
3

INDEX BUREAU  
JUL  
19 1915  
DEPT. OF STATE

Department of State, *Sakky*  
Washington, July 16, 1915.

JUL 16 1915

867.4016/74

Ambassy.  
Constantinople.

865 Your, 841, July, tenth, Department, approves your, procedure, in, pleading, with, Turkish, Minister of Interior, and, Minister of War, to stop, Armenian, persecution, and, in, attempting to, enlist, sympathies of, German, and Austrian, Ambassadors, in this, cause, The Department, can offer, no, additional, suggestions, relative to, this, most difficult, situation, other than, that you, continue to, act as, in the past. Have any, native born, American citizens, or any, naturalized, American citizens, entitled to protection, under, American, statutes, received, injuries, during, this, trouble?,

Lansing

867.4016/74

3 2/P1  
*WJ*

Enciphered by *W. H. S.*  
Sent by operator *W. H. S.* July 16 1915 *Capo*

Secretary of State Robert Lansing's response to the Armenian Genocide, July 1915

of state creation or reformation for as long as ethnically homogenous political states have existed.<sup>2</sup> That being said, the twentieth century became a particularly ripe setting for ethnic cleansing to flourish, to the point where political leaders such as Winston Churchill had voiced their approval and praised the effectiveness of such measures.<sup>3</sup>

Ethnic cleansing can be linked to the political ideal of the homogeneous nation-state. This ideal rejects ideas of pluralism and ethnic heterogeneity in favor of a community that shares a common territory and a shared ethnic identity. In order to accomplish such a goal, the state must somehow remove any minorities, whether ethnic or religious, and any other group seen as threatening to the political ideal.<sup>4</sup> One of the most practical and efficient ways of accomplishing this, especially from the perspective of a strong majority, is to physically remove people who do not fit within the homogeneous ethnic model to outside the state boundaries.<sup>5</sup> However, more indirect methods can be used as well, including removing elected minority officials, restricting access to education, and forcing minorities to assimilate within the larger ethnic community. All these practices aim at forming a new state through the idea of ethnic cleansing.<sup>6</sup>

Historically, ethnic cleansing started becoming more of a widespread practice from the turn of the twentieth century, as certain international peace settlements aimed to restructure societies around the ideals of national self-determination. Any settlement of people with a distinct

2. Jennifer Jackson Preece, "Ethnic Cleansing as an Instrument of Nation-State Creation: Changing State Practices and Evolving Legal Norms," *Human Rights Quarterly*, Vol. 20, No. 4 (1998): 818.

3. *Ibid.*, 828. Churchill's exact words were: "Expulsion is the method which, so far as we have been able to see, will be the most satisfactorily and lasting. There will be no mixture of populations to cause endless trouble... A clean sweep will be made. I am not alarmed by these large transferences, which are more possible in modern conditions than they ever were before."

4. One of the first people to propose ethnic cleansing had this exact idea in mind. The Swiss anthropologist George Montandon wrote in 1915 that borders should be established according to ethnic criteria and that those nations that could not be absorbed into the majority population should be subjected to "massive resettlement" beyond the borders of the new states to join their own national groups abroad. (Norman M. Naimark, *Fires of Hatred: Ethnic Cleansing in Twentieth-Century Europe* [Cambridge, Mass.: Harvard University Press, 2001], 18)

5. Jackson Preece, "Instrument," 820-21.

6. *Ibid.*, 822.

language and culture—the champion claims to an independent ethnic identity—were perceived as containing legitimate rights to request separation as an independent governing nation.<sup>7</sup> Additionally, scholars believe that empires naturally began to break down in favor of ethno-nationalism based on economic and capitalist pursuit. In a standard societal structure, the most educated faction of society, typically sharing a common language and culture, would hold the highest political positions and hold the most financial sway. The less educated factions, typically the minorities, had little hope for accessing political positions or engaging in commerce. Naturally, the minorities would wish to establish their own state where they could access education, participate in governmental functions, control commerce, and build a society around their own unique language and culture.<sup>8</sup> In this way, separate nations were seamlessly built around shared ethnicity.

However, with the advent of new nations came an obvious issue: What was a nation to do with the ethnic minorities that existed within its state boundaries, who overtly presented a challenge to the uniformity of the host nation? Ethnic cleansing was seen as a legitimate response, both for the host state and for the minority that was being transferred to its ethnically distinct home state. Ethnic cleansing improved the fit between national boundaries and the composition of the population within each boundary. In the twenties, thirties, and forties, population transfer was perceived as orderly and successful; even double transfers happened on several occasions<sup>9</sup>. In light of these ideas, one can begin to understand how the Ottoman Empire's leadership's decision to engage in ethnic cleansing against its contentious Armenian minority came to be considered a legitimate political objective.

The earliest forms of nationalistic tension that can be identified in the

7. *Ibid.*, 823.

8. Jerry Z. Muller, "Us and Them: The Enduring Power of Ethnic Nationalism," *Foreign Affairs*, Vol. 87, No. 2 (2008): 22-23.

9. Jackson Preece, "Instrument," 824-25.

Ottoman Empire date as far back as the late seventeenth and eighteenth centuries, when the Ottomans had lost a series of wars to Russia. Russian policy sought to extend its influence into the Ottoman Empire and its minority nations. Historically seen as a dominant military power that relied on its ability to succeed in war, the Ottoman Empire had started to show some structural weaknesses right as other European nations were advancing technologically, and the Ottomans paid the price in battle.<sup>10</sup> Military defeats along with separatist nationalism were the greatest possible dangers to a state that had typically thrived on its ability to prevail in war and to integrate its diverse cultures. However, the empire proved unsuccessful at staving off either in the beginning of the nineteenth century. Russia fostered relationships with minority countries in the Balkan areas, and the first twenty-nine years of the nineteenth century saw the loss of multiple countries and provinces from the Ottoman Empire's grip.<sup>11</sup>

The Ottoman Empire sought to respond to the statewide challenges by adopting new reforms meant to bring the empire into the new age. The political leadership ushered in new ideologies with the Tanzimat, a modern reformist era that took effect during the middle years of the nineteenth century. The sultan Abdülmecid introduced a decree (Hatt-ı humayun) in 1856 that called for religious equality and a new inclusive common identity—Ottomanism—that would replace the former theocratic order within the state. The decree sought to equalize all religions and ethnicities within a state that had seen a great discrepancy of treatment between the Muslim Ottomans, who had considered themselves religiously superior, and the supposedly inferior Christian minorities, among them the Armenians.<sup>12</sup>

10. Donald Bloxham, *The Great Game of Genocide: Imperialism, Nationalism, and the Destruction of the Ottoman Armenians* (Oxford: Oxford University Press, 2005), 29-30.

11. *Ibid.*, 31. The countries and provinces in that list were Bessarabia, Serbia, Abaza, and Mingrelia. The Ottomans would go on to lose sovereignty over Moldavia and Wallachia in 1856, Bosnia, Herzegovina, Bulgaria, Kars, Ardahan, and Cyprus in 1878, Crete in 1908, Cyrenaica and Tripoli in 1912, and Macedonia and Albania in 1913.

12. *Ibid.*

To understand what the effects of such a radical shift in ideology were on the citizens, one must understand how the social and political hierarchy had been formed in the Ottoman Empire prior to the 1856 decree. Prior to the decree, non-Muslims were considered second-class citizens; they could not testify in court against Muslims, they were restricted in their abilities to pursue education, they paid higher taxes than Muslims, and they were not allowed to participate in the higher ranks of government or military.<sup>13</sup> Ottoman Muslims considered themselves the champions of Islam and viewed themselves first and foremost as Muslims and Ottomans rather than as Turks, which was a name reserved for the lowly peasantry. Islamic sentiment had dominated Ottoman society to the point that the Turkish language had practically become an amalgamation of Turkish and Arabic.<sup>14</sup> However, as long as the non-Muslim minorities were willing to live with these conditions, they could live and be quite prosperous.

Islamic law discouraged Muslims from participating in commerce and banking, and that gave minorities, such as the Armenians, the opportunity to develop the economic life of the empire.<sup>15</sup> Furthermore, with Ottoman law favoring Muslims with regards to joining the army, minorities took advantage of the remaining opportunities and engaged in trade and commerce with western and central Europe, gaining the trust of western Europeans as apt business partners. This arrangement between the Christian European powers and their "protégé" Christians in the Ottoman Empire perturbed the Ottoman government and its Muslim citizens, who saw these interactions as disloyal to their home state and religion.<sup>16</sup>

The doctrine of Ottomanism was in essence a patriotic form of

13. Naimark, *Fires*, 19.

14. David Kushner, "Self-Perception and Identity in Contemporary Turkey," *Journal of Contemporary History*, Vol. 32, No. 2 (1997): 219.

15. Naimark, *Fires*, 19-20.

16. Donald Bloxham, "Three Imperialisms and a Turkish Nationalism: International Stresses, Imperial Disintegration, and the Armenian Genocide," *Patterns of Prejudice*, Vol. 36, No. 4 (2002): 39-41.

nationalism based on allegiance to dynasty, state, and homeland<sup>17</sup>. It was meant to stem the divide between the two religious and cultural classes in the empire and to bring them together under one common ideal.<sup>18</sup> Its legal enactment as the Nationality Law of 1869 promised all people equality before the law, and it was seen as a genuine attempt to break down any barriers between Christians and Muslims by creating a new citizenship that both shared together. It also had one more important ancillary aim: to keep all factions of the state within the state's control, stemming any potential future issues with territories that could feel threatened by the Ottoman leadership and would decide to secede.<sup>19</sup>

However, Ottomanism largely failed as a national movement. The Armenians felt that the Ottoman leadership had been fairly insincere in their efforts to spread true reform in the state, and that the leadership had not followed up on their promise to equate all citizens.<sup>20</sup> The minorities who had been so successful in their international business dealings found it in their best interests to apply for foreign protection as opposed to relying on their own government to aid them. At the same time that the Ottoman government was trying to assert control over its factions and unite them, its factions were undermining the very fabric of the movement, relying more and more on foreign powerhouses for fiscal protection. At the same time, the Muslim majority saw the reforms as upsetting the natural order, creating unwarranted centralization, and encroaching on their theology of Muslim superiority.<sup>21,22</sup> And the sultan Abdülhamid, as

17. The famed historian Benedict Anderson linked the ideas of nationalism to the creation of a shared vernacular. Through newspapers, novels, plays, and other literary forms, an "imagined community" could be created even before achieving a concrete political form. Remote places and ideas could become significant to the movement (such as the French Revolution to the Ottomans) even though the people involved had never been to those places. (Levine, "Zone," 400)

18. Kushner, "Self-Perception," 19.

19. Levine, "Zone," 399.

20. *Ibid.*, 400.

21. *Ibid.*

well as the Muslim bloc of the state, continued to see the Armenians' reliance on foreign nations to be a sign of ingratitude and disloyalty to the state.<sup>23</sup> The Armenians were seen as brokers for European interests; they were not pulling together for the good of the state, but instead were maximizing on the advantageous economic circumstances.<sup>24</sup> Abdülhamid pushed the ideas of Islamism to the forefront of Ottoman culture, and reinstated the theocratic order in government. As the turn of the century came, tension between the two religious factions boiled over, with Abdülhamid enlisting the help of local Muslims as well as his personal troops, called Hamidians, to stage a set of pogroms against the Armenian community, killing and wounding some 200,000 citizens.<sup>25</sup>

At this time the current empire was on the verge of extinction. Due to the country's poor economic situation (the empire had defaulted on its debt in 1876, and in 1881 had set up a fund that gave Britain and France control of Ottoman fiscal policy), it proved to be a bad time to enforce any long-standing political reform. A group of young Ottoman professionals, trained in the army and medical corps, looked to reinvigorate the empire and bring true reform. They founded the Committee of Union and Progress (Ittihad ve Terakki), a political base dedicated to democratic principles, and would later be known as the Young Turks. Enlisting the help of the Armenians to overpower the current regime, in 1908 the Young Turks seized political control.<sup>26</sup>

The Young Turks were influenced by a new wave of nationalism that was

22. David Kushner notes that as Ottomanism caught on to the non-Muslim portion of the empire, the leadership found it necessary to re-emphasize the Islamic character of the state and to strengthen its focus on traditional Muslim symbols that had brought together all Muslim Ottomans under one banner. This ideology, called Islamism, found expression in the granting of high positions to Muslim personages and in promotions given to Islamic institutions. It is important to stress that Islamism was adhered to simultaneously with Ottomanism in order to accommodate the political needs of all citizens of the empire. While the nation as a whole was addressed to in terms of the people's shared Ottoman ideals, the Muslims specifically related to each other through their Muslim bonds. (Kushner, "Self-Perception," 219-20)

23. Bloxham, *Game*, 38.

24. *Ibid.*, 41.

25. Naimark, *Fires*, 22-23.

26. *Ibid.*, 24.

sweeping across Europe during the end of the nineteenth and beginning of the twentieth centuries. This new nationalism extolled the virtues of the common people, which in this case was the Turkish peasantry. Called pan-Turkism, it was led by the sociologist and political activist Ziya Gökalp, who denounced the tenets of Ottomanism in favor of pan-Turkism and spread ideas of “the great Turkish race.”<sup>27, 28</sup> Before the influence of the Young Turks, few Ottomans viewed themselves in light of their Turkish heritage. Now, all citizens were inspired to embrace their shared heritage of Turkish military prowess that had dominated vast territories in Asia and Europe.<sup>29</sup> One of the sources of inspiration came from the vast amount of literature that was being written about the Turks at that time. There were two types of literature: those that described the Turks in either favorable or unfavorable terms. The Turks reacted with a wave of responses, ranging from feeling enhanced pride in their nationality to feeling the need to defend themselves to the rest of the world.<sup>30</sup>

There were several other political and social factors that paved the way for the rise of Turkish nationalistic sentiment. There was a growing fear among the Turkish elite for the empire’s survival. They realized that Turks were the only truly loyal element of the state, and in the long run, Ottomanism and Islamism would fail to hold the state together. They also realized that if Ottomanism and Islamism were taken to their logical extremes, a situation would develop where the Turks would lose their hegemonical place in the state. The idea that the Turks might lose

27. *Ibid.*, 25.

28. Gökalp felt that the main task of sociology was to determine “what the Turkish people already possessed or lacked to be a modern nation.” He believed that there needed to be an adjustment of the two aspects of social life, that of civilization and culture. According to Gökalp, civilization had merely become a mechanical imitation without any sort of cultural basis. This source of cultural values, he felt, was to be found in the social unit called a ‘nation.’ This was the basis of pan-Turkism to Gökalp; to give rise to the modern Turkish nation as an independent cultural unit within the confines of civilization. (Ayşe Kadioğlu, “The Paradox of Turkish Nationalism and the Construction of Official Identity,” *Middle Eastern Studies*, Vol. 32, No. 2 [1996]: 183-84)

29. By the turn of the century, most Turks had come to identify themselves by their ethnically Turkish heritage. A writer in the daily newspaper *İkdam* seemed to have captured the national sentiment with this statement: “By our social order we are Ottoman, by our religion—Muslims, and by our ethnic nationality we are Turks.” (Kushner, “Self-Perception,” 221)

30. *Ibid.*, 220.

their status within the state, or—even worse—that they might lose the state entirely, posed a serious threat to the Turkish elite.<sup>31</sup>

The Young Turks used Turkish nationalism to isolate enemies to the left and the right. As they were challenged with different attempts to overthrow Ottoman dominion in the Balkans, including during the Austro-Hungarian occupation of Bosnia-Herzegovina in 1908 and the Balkan Wars of 1912-13, feelings of Turkish nationalism flourished throughout the empire. The Ittihadists capitalized on this, enforcing the mandatory teaching of Ottoman Turkish in schools and exalting Ottoman Turkish values. They befriended allies that would help them in their battles with the Russians and other nations that were encroaching in the region, such as the Germans and the British.<sup>32</sup>

These issues were dwarfed, however, by one major concern taking place in Eastern Anatolia. The Ottoman Empire had lost a significant portion of its empire during the Balkan Wars. The Christian population of the Balkans, mostly comprised of Greeks and Armenians, had opposed Ottoman rule, and in the minds of the Ottomans this had damaged any idea of a Turkish nationalism that could include these groups. The people started to view these Christian groups as traitors to the empire, and the Armenians began to be viewed as in cahoots with the Russians.<sup>33,34</sup> The Armenians, nervous of any potential action to be taken against them by the Ottomans, tried to secure their minority rights that they were guaranteed to. The Great Powers forced the Armenian Reform Agreement of 1914, which arranged for the placement of international inspectors in Ottoman territory in order to guarantee fair treatment of the Armenians. This greatly infuriated the

31. *Ibid.*, 220-21.

32. Naimark, *Fires*, 26.

33. *Ibid.*, 27.

34. The Russians had once again displayed interest in the area, calling for an internationally supervised local autonomy in the region, which was really just a pretext for their eventual plans to take over the area. The plan called for the Hamidian guards to be removed from their stations in Anatolia and refugee Muslim immigrants to be removed from the area, and it received support from both the Armenian spiritual leadership as well as their delegates. (Levene, “Zone,” 405-06)

Ottomans, who once again saw the Armenians' initiative as an act of betrayal to the state and to the pan-Turkish notions that the state was built on.<sup>35</sup>

As World War I was quickly approaching, the fate of the Armenians was clear in the eyes of the Young Turk leadership: they would have no place in the future of the Ottoman Empire. They were charged with joining the Russians' plans to conquer the region and with fighting against the pan-Turkish cause. Although the claim that the Armenians had joined sides with the Russians was slightly true—Armenians did volunteer to fight with the Russian armies, and helped the Russians deliver a crushing defeat at Sarakamish in 1914-15—in the broader picture of the war, the limited involvement of a minority with an opposing side was certainly not exceptional.<sup>36</sup> Other minorities within the state chose to fight with opposing nations when the opportunities presented themselves as advantageous. What was different about the Armenians' perfidy?

There was a clear developmental logic involved: the ideas of pan-Turkism were built around the significance of the Turkish middle class and its place in the new, modern Turkish state. The Armenians were perceived as an obstacle in the Young Turks' race for modernization; physically removing them from Anatolia would allow the state to take advantage of the expropriated capital, businesses, and properties and to develop the middle class.<sup>37</sup> It was certainly meant to be a signal to Russia and the other Great Powers that the interference that had taken place in the past would not be tolerated again in the future. But, first and foremost, the purpose of ethnic cleansing was to rid the Ottoman Empire of the Armenians; the Ottomans were preparing for their future by eliminating a population that could potentially create a separate political autonomy and could present a challenge to the thrust

35. Naimark, *Fires*, 28.

36. Levene, "Zone," 406.

37. *Ibid.*, 407.

of the Ottomans' pan-Turkish, homogenizing agenda.<sup>38</sup> It was within this political climate that the ensuing Armenian Genocide took place, claiming the lives of over one million Armenians and changing the political landscape of the Anatolian region forever.

When assessing the factors that led the Ottomans to commit ethnic cleansing against the Armenians, there were many details, some larger than others, which were at play. For instance, this paper did not have the chance to touch upon the Armenian nationalistic viewpoint during this period which nonetheless played a central role in instigating Ottoman discontent in the time before the genocide occurred. There were two Armenian political parties that had been established in the 1880s, the Armenian Revolutionary Federation (Dashnuks) and the Hnchak party, which fought for the goals of an autonomous Armenian society under Ottoman control and the creation of an independent Armenian state, respectively.<sup>39</sup> These groups caused considerable irritation to the Ottomans, who aligned the Armenian people as a whole to these parties during the Ottomans' attempts to criticize the Armenians as citizens fighting against Turkish nationalism. Ultimately, the Ottoman Empire's attempts to bring the entire empire together as one homogenous nation ended up tearing the nation apart.

38. *Ibid.*, 408.

39. Bloxham, *Game*, 49.

**We the Pirates:  
Pirate Codes and the American Government**

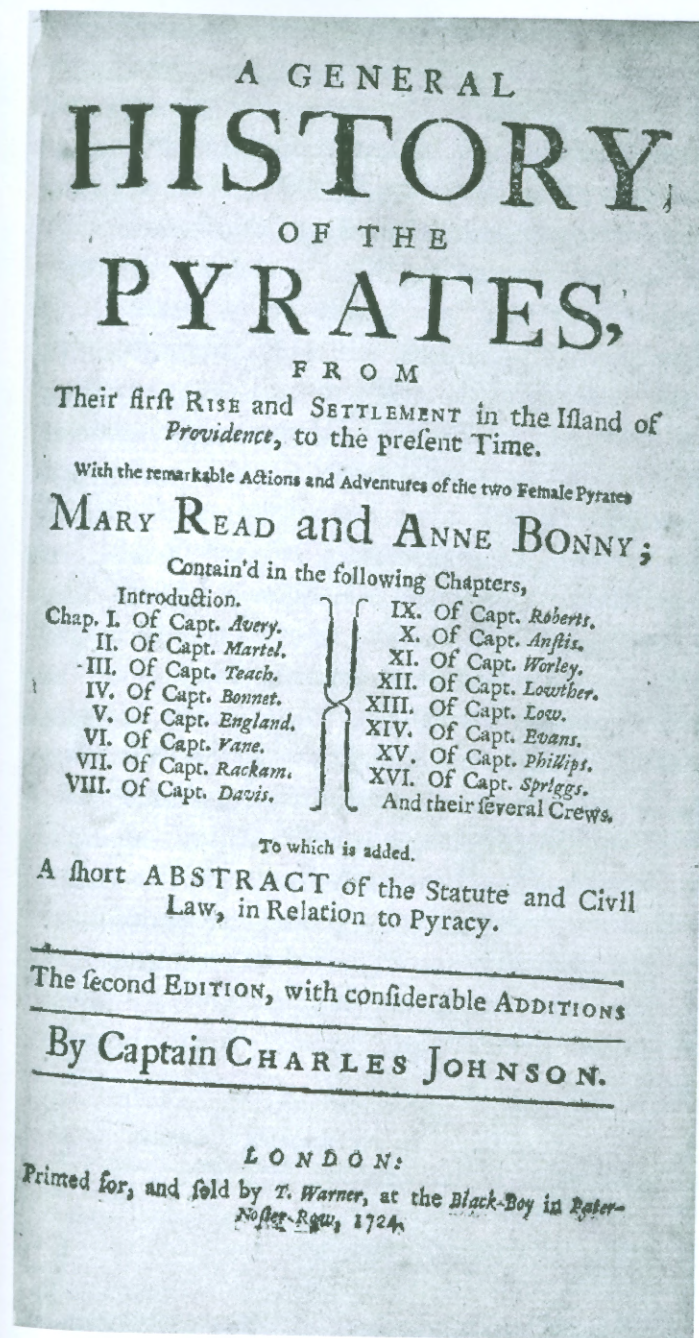
*Rachel Rolnick*

Over time, the myth of the pirate has generated the image of a rugged, foul man with an elaborate hat, an eye patch, and a peg leg. The men of these tales are brutal and unforgiving, forcing captives to walk the plank and mercilessly plundering ships at sea. Thus, often lost in this image is the pirates' significant contribution to the development of American democracy in the late eighteenth century. Having originated during the Golden Age of piracy, from the 1650s to the 1730s pirate organizations and governments actually predate any modern democratic government.<sup>1</sup> It is precisely because the pirates engaged in organized crime that it was necessary to develop a sort of democratic regime aboard each ship. As an outgrowth of a diverse society that sought to maximize efficiency, pirates formed liberal, egalitarian societies based on elected officials and mutual trust. There are many similarities between the pirate organizations and the American government structure. It is possible that American Revolutionaries had been exposed to these organizations and could have been directly influenced by them in creating their own government in the years following the Golden Age of piracy.

Piracy was a form of organized crime that required significant commitment. To become a pirate was to adopt a new lifestyle and to join a new society.<sup>2</sup> As a society, it was necessary to establish some sort of leadership order aboard each ship and among each pirate crew in order to ensure successful completion of any and all voyages. Pirates, at their core, were simple men, typically motivated by self-interest. Thus, in any endeavor that included ruthless plundering, guidelines that defined private

1. Marcus Rediker, *Villains of All Nations: Atlantic Pirates in the Golden Age* (Boston: Beacon Press, 2004), pg. 8.

2. *Ibid.*, 25.



The cover page of *A General History of the Pyrates*, an 18th century book containing biographies of famous pirates

property, cheating, or theft would have to be in place. With no check on personal interests there would be little to deter pirates from stealing from one another, causing internal conflict and violence. Such conditions would undermine the entire venture of the crew, and would be counterintuitive to the mission.<sup>3</sup> It seems that the organization of pirates was a practical measure, aimed at ensuring the most successful fulfillment of missions.

However, there was no clear or uniform method of leadership that would have been naturally selected for each ship, as pirates had no uniform background. The historical record has many gaps when it comes to determining the country of origin for most pirates since many died young and left little behind.<sup>4</sup> It can be ascertained that most pirates were of British descent.<sup>5</sup> About a quarter of the pirates during the Golden Age were from the Bahamas and Jamaica, or Barbados, Martinique and Antigua. Some were from North America. A small percentage of pirates were from Holland, France, Portugal, Denmark, Belgium, Sweden and Africa.<sup>6</sup> One historian notes that of the seven hundred pirates active in 1715, thirty-five percent were English, twenty-five percent were American, twenty percent were from the West Indies, eight percent were Welsh, and two percent were Swedish, Dutch, Spanish, and French.<sup>7</sup> More than just geographic diversity, the pirates were racially and culturally mixed as well. Of twenty-three pirate crews active between 1682 and 1726, between thirteen and ninety-eight percent were made up of black pirates.<sup>8</sup> Unsurprisingly, pirates also varied in social class and level of education. While some pirates had been sailors or members of the Royal Navy before becoming pirates, some, including the notable Alexander Exquemelin, were indentured servants or runaway

slaves. Most pirates were of the lower class and were uneducated,<sup>9</sup> but there were also some highly educated pirates, such as Stede Bonnet.<sup>10</sup> Perhaps most demonstrative of the amalgamation of identities that comprised pirate crews are the testimonies of the many governors who came into contact with them. Governor Nicholas Lawes of Jamaica called pirates a "banditti of all nations." Captain Black Sam Bellamy's crew was described as "a Mix't multitude of all countries." Such statements show that differences among the origins of pirates in any given crew were evident even to those outside of the crew itself. Thus, any pirate organization would, by its very nature, have to be sufficient to engage such a myriad of nationalities.

There are many factors that might have contributed to these heterogeneous crews developing democratic systems of government. In many cases, pirates had turned to piracy as a rebellion against the establishment they had come from.<sup>11</sup> They were typically anti-establishment men. Oftentimes they had turned to piracy after long careers serving under abusive naval officers or seamen. In the eighteenth century, sailors were commonly beaten, overworked, underpaid, and often were starved or diseased.<sup>12</sup> One historian notes that "the determined reorganization of space and privilege aboard the ship was crucial to the remaking of maritime social relations."<sup>13</sup> Pirates also took into consideration methods of ship governance that had been in place in the past. Aboard ships sponsored by merchant companies there was often a captain in place, hired by the original absentee owner. He was to ensure that the job was completed and was therefore granted absolute power, leading to a sort of autocracy aboard those ships. By centralizing power in the hands of the captain, ship owners could be sure they were minimizing pirate opportunism.<sup>14</sup> Captains

3. Peter T. Leeson, *The Invisible Hook: The Hidden Economics of Pirates* (Princeton, NJ: Princeton University Press, 2009), pg. 52.

4. Rediker, *Villains of All Nations*, 51.

5. However, British at that point in history was not cohesive. The term referred to Scotland, England, Ireland, and Wales, which were diverse entities.

6. Rediker, *Villains of All Nations*, 51.

7. Angus Konstam, *The History of Pirates* (New York: Lyons Press, 1999), pg. 9.

8. Kenneth J. Kinkor, "Black Men Under the Black Flag." *Bandits at Sea: A Pirates Reader*. Ed. C.R. Pennell (New York: New York University Press, 1999), pg. 201.

9. Rediker, *Villains of All Nations*, 58.

10. Bonnet was known as the "Gentleman Pirate," and had turned to piracy in a sort of midlife crisis when he was fed up with his wife.

11. Rediker, *Villains of All Nations*, 42-47.

12. Peter Linebaugh and Marcus Rediker, *The Many-Headed Hydra: Sailors, Slaves, Commoners, and the Hidden History of the Revolutionary Atlantic* (Boston: Beacon Press, 2000), pg. 160.

13. Rediker, *Villains of All Nations*, 262.

14. Leeson, *The Invisible Hook*, 38.



with unlimited and unchecked power were granted the right to punish in especially harsh manners, often leading to dissatisfaction and mutiny. One pirate testified, "Our Captain and his Mate used us Barbarously. We poor Men can't have Justice done us. There is nothing said to our Commanders, let them never so much abuse us, and use us like Dogs [sic]."<sup>15</sup>

It was not uncommon for pirates to have unfortunate experiences with autocratic governance aboard the ship. Any system of pirate political order would first and foremost check the power of the captain. Thus, of chief concern among pirate codes is the balance of power, guaranteeing that the captain never be in absolute control or have the authority or ability to cheat or abuse a crew.<sup>16</sup> Perhaps pirate Walter Kennedy put it best in his testimony on trial, "'Most of [the pirates] having suffered formerly from the ill treatment of Officers provided thus carefully against any such Evil now they had the choice in themselves...for the fur execution thereof they constituted other officers besides the captain, so very industrious they were to avoid putting too much power in the hands of one mane [sic]."<sup>17</sup>

The resulting pirate orders concentrated on decentralizing power away from the wealthy or connected few and instead placed it in the hands of the people. The established pirate governments therefore all boasted a sophisticated system of checks and balances. The governments were set up with specific charters, or pirate codes. Each ship featured its own unique code that outlined specific rights and regulations. The codes laid out guidelines for distribution of rewards, methods of compensation, and punishments for those who did not subscribe to the set of laws. They were unanimously signed, and all had to agree to uphold the law to the best of his ability.<sup>18</sup> Though they varied often in details, the basic structure

15. Marcus Rediker, "Under the Banner of King Death: The Social World of Anglo-American Pirates, 1716 to 1726," *The William and Mary Quarterly*, Vol. 38, No. 2 (April 1981), pg. 218.

16. Jan Rogazinski, *Pirates! Brigands, Buccaneers, and Privateers in Fact, Fiction, and Legend* (New York: Facts on File, 1995), pg. 174.

17. Arthur L. Hayward, *Lives of the Most Remarkable Criminals [1735]*. (London: Jon Osborn, 1874), pg. 1:42.

18. David Cordingly, *Under the Black Flag: The Romance and Reality of Life Among the Pirates*. (San Diego: Harcourt Brace, 1997), pg. 96.

and outline of the codes remained consistent among different ships.<sup>19</sup> Historian Marcus Rediker attributed this phenomenon to frequent crew interactions, noting that over seventy percent of Anglo-American pirates in the early eighteenth century could be traced back to one of three captains. Thus, the dissemination of ideas and information sharing, a core aspect of democracy, was clearly taking place among pirates in the Golden Age.

The pirate codes established governments of dynamic democracy, reasonable economic equality, and a high degree of racial tolerance. In his *General History of Pyrates*, Captain Charles Johnson preserved some fragments of the pirate codes. The first rule of Captain Roberts' code reads, "Every man has a vote in affairs of moment," securing, at the start, a man's right to participate in the selection of the captain and other officials. Such a liberty was unfathomable in the world at that time. In England, due to property requirements, only a small percentage of the adult male population could vote.<sup>20</sup> It was virtually unheard of to give equal voting rights to every man. With this right in place, each crew elected a captain who was granted total power only during times of distress. The crew, rather than the captain, maintained the authority to determine where a voyage was headed and whether to attack a particular ship or village.<sup>21</sup>

Another significant check on the captain's power was the quartermaster who served as a sort of prime minister, or chief of staff, to the captain. The quartermaster was also democratically elected and held a variety of powers. He was the chief executive trusted with the job of distributing loot, and he also served as the primary executor of punishment.<sup>22</sup> He was a sort of intermediary between the pirate crew and the captain: voicing their complaints and checking his powers. Johnson explains, "The captain can undertake nothing which the quartermaster does not approve...he speaks for and looks after the interest of the

19. Rediker, *Villains of All Nations*, 267.

20. "The Struggle for Democracy." United Kingdom National Archives. <[http://www.nationalarchives.gov.uk/pathways/citizenship/struggle\\_democracy/getting\\_vote.htm](http://www.nationalarchives.gov.uk/pathways/citizenship/struggle_democracy/getting_vote.htm)>.

21. Cordingly, *Under the Black Flag*, pg. 96.

22. Charles Johnson, *A General History of the Pyrates* (London: J Watts, 1724), pg. 213.

crew.”<sup>23</sup> The quartermaster can be likened to a judge as well, as he played a vital role in arbitrating disputes among crewmembers.<sup>24</sup> The crew itself was referred to as the Pirate Council, and had the authority to make all decisions that would affect the welfare of the ship, including electing officers. The Council served as a legislative body and also often doubled as a court.<sup>25</sup> Nearly all pirate crews had the option of deposing any captain they deemed to be abusive or incapable of executing good judgment.<sup>26</sup> The Pirate Council was responsible for removing such officers from their positions and then choosing new candidates to fill the positions.<sup>27</sup> As one Dutch governor pointed out, “Every man has as much say as the captain”<sup>28</sup> A merchant captain, in utter disbelief of the system, testified, “there is so little Government and Subordination among [pirates], that they are, on Occasion, all Captains, all Leaders.”<sup>29</sup>

The fair maintenance and division of funds was of chief concern aboard pirate ships as well. Pirate codes often described methods of payment and distribution of wealth at great length. These rules were necessary to establish a specific economic order and equality, which remained in place even among a band of thieves. Most pirate codes explicitly regulated distribution of plunder. Booty was divided according to skill and duty, as Exquemelin elucidates in his clever maxim, “No prey, no pay.”<sup>30</sup> The captain and the quartermaster received between one and a half and two shares, and all other positions of name received one and a quarter shares each. Regular crewmembers received one share. This system was radical for its time,

having created a payment system that decentralized wealth. It was precisely antithetical to the elaborate pay rank structures common among all other maritime ventures.<sup>31</sup> Marcus Rediker suggests that this might have been “one of the most egalitarian plans for the disposition of resources to be found anywhere in the early eighteenth century.”<sup>32</sup> Another important and common aspect of pirate codes was injury compensation. Each pirate code made provisions for certain injuries and their monetary worth. For example, the loss of a right arm was worth six hundred pieces of eight, while a left arm was worth five hundred pieces of eight. The funds for these types of compensations were taken from a common pool of money, which remained as a portion of the booty captured on their expeditions.<sup>33</sup> In a certain sense, this “common stock” was a tax on earnings that created a welfare or healthcare system, adding to the egalitarian nature of the pirate society. In this way, pirates created an effective democratic government, boasting the ideologies of freedom and equality, far before any other modern sovereign state.

The success of pirates during the Golden Age of piracy is a testament to the success of the pirate order. It has been said that the pirates of this era flourished with unparalleled triumphs. As Charles Johnson wrote, “Between 1717 and 1726 pirates captured more vessels and did greater damage to trade than had been done by the combined naval and privateering campaigns that Spain and France undertook during the War of Spanish Succession.”<sup>34</sup> Typically, a non-pirate merchant seaman in the early eighteenth century made around fifteen to thirty-three pounds per year. In contrast, in his chronicles, Johnson describes pirate crews during the Golden Age as having earnings nearing six-hundred pounds per year. Moreover, these pirates disrupted Atlantic trade in devastating magnitude. They were able to capture hundreds of merchant ships, which

23. Ibid., 423.

24. Ibid., 213.

25. Rediker, “Under the Banner of King Death”, 203-27.

26. Ibid., 210.

27. Rediker, *Villains of All Nations*, 51.

28. Robert C. Ritchie, *Captain Kidd and the War Against Pirates* (Cambridge: Harvard University Press, 1986),

pg.124.

29. qtd. in Linebaugh and Rediker, *The Many-Headed Hydra*, pg. 163.

30. Alexander Exquemelin, *History of Buccaneers in America* (Boston: B.B. Mussey & Co, 1853), pg. 8.

31. Linebaugh and Rediker, *The Many-Headed Hydra*, 163.

32. Ibid.

33. Exquemelin, *History of Buccaneers in America*, 8.

34. Johnson, *A General History of the Pyrates*, 26.

they promptly destroyed after plundering their cargo.<sup>35</sup> Rediker described pirates of this era as "among the greatest ever in the long history of robbery by sea."<sup>36</sup> Piracy during the Golden Age had proven extremely lucrative, and the great successes of the pirates demonstrate the efficiency of the systems they had developed.

The American system of governance evolved from similar conditions to that of the pirates. The colonies, in a sense, provided the same sort of refuge to Europeans as piracy did. Fed up with the social norms or government policies of the time, many migrated to the Atlantic World for the promise of a better life. Whether for religious reasons or because of economic prospects, settlers in the colonies, like the pirates, were giving up their traditional lifestyle for something they deemed to be more promising. Dissatisfaction with the homeland, as in the case of the pirates, was certainly not limited to the English. The first American census in 1790, around the same time as the creation of the United States Constitution, shows that a large percentage of people living in the colonies were of British descent. However, there were significant amounts of Scots, Germans, Dutch and French members of the colonial population.<sup>37</sup> A more dividing factor among early Americans was religion. The late eighteenth century boasted large groups of Protestants, Roman Catholics, Presbyterians, Lutherans, Baptists, Mennonites, Amish, Quakers, and Methodists, among others.<sup>38</sup> Like the pirates, Americans were of varying social standings and levels of education as well.<sup>39</sup> Moreover, nearly twenty percent of the United States population in the late eighteenth century was black. Thus, it is fair to assert that the makeup of the American colonists was heterogeneous, similar to the makeup of pirates within a pirate crew. And likewise, an American

35. Rediker, *Villains of All Nations*, 9.

36. *Ibid.*, 8.

37. These numbers only include free white males.

38. Robert D. Mitchell and Paul A. Groves. "Colonial American in the Eighteenth Century." In *North America: The Historical Geography of a Changing Continent*. (Totowa, NJ: Rowman & Littlefield, 1987), pg. 126-127.

39. At that point in history, there were many colleges already established in the colonies.

government would have to appeal to these various and diverse people and nationalities.

Like the pirates, the colonial revolutions formed a government following years of power by an autocratic ruler. The Declaration of Independence enumerated many abuses by the King of England, including inhibiting trade, quartering soldiers unduly, and depriving criminals of trial by jury.<sup>40</sup> Similar conditions were experienced by the pirates aboard captain run ships, in the form of being cheated, impressed, and brutalized.<sup>41</sup> The king, similar to the captain of merchant ships, maintained unchecked power, which he exercised on the colonies. As the trial records of pirates are filled with testimony concerning the abuses of a ship captain, so the Declaration of Independence serves as a testimony to the abuses of the English king. The resulting American government reflects a desire to limit this type of power. The Declaration of Independence accuses King George of having disregarded "certain unalienable rights, that among these are Life, Liberty, and the pursuit of Happiness."<sup>42</sup> The Articles of Confederation, and later the American Constitution, sets up a system of checks and balances aimed at controlling the rights of the chief executive. While the English government in the colonies had taken control away from the populous and put it in the hands of the Parliament and the king, the American system of governance set up by the Articles of Confederation did just the opposite. The main concern of the founders of the American government was to concentrate power in the hands of the people.

Like a pirate ship captain, the President of the United States is the Commander in Chief and leads the army during times of distress.<sup>43</sup> He is elected democratically, and he faces the threat of removal from

40. "The Declaration of Independence." The Charters of Freedom. National Archives and Records Administration. <[http://www.archives.gov/exhibits/charters/declaration\\_transcript.html](http://www.archives.gov/exhibits/charters/declaration_transcript.html)>.

41. Charles, *A General History of the Pyrates*, 351.

42. "The Declaration of Independence."

43. "The Constitution: A Transcription." National Archives and Records Administration. <[http://www.archives.gov/exhibits/charters/declaration\\_transcript.html](http://www.archives.gov/exhibits/charters/declaration_transcript.html)>. Article II Section 2.

office for abuses of power or other crimes.<sup>44</sup> While the pirate codes granted all members of the crew the right to vote, it would take nineteen amendments before the American system had a similar level of equality. The Constitution also set up a legislative and judicial branch, equipped with multiple powers the President does not possess. The American Congress can be likened to the pirate ship Council. As Congress is intended to be representative of the many different types of people living in America, the pirate council was equally representative of the men aboard the ship.<sup>45</sup> Like the captain and the quartermaster, each of the three branches of government has specifically delineated abilities that check the powers of other branches. Thus, power can never be too concentrated or too centralized in any one branch. Separation of powers served as a reaction to dissatisfaction with autocratic rule in the formation of the American government, as in the pirate codes.

Other similarities between the codes and the Constitution exist to further establish a deep connection between the two early democracies. In both the pirate codes and the American political system, power is ultimately placed in the hands of the populace, which has the ability to elect leaders. Both systems allow people the opportunity to depose leaders they deem to be unfit or abusive. Article I Section 3 gives the Senate the right to impeach members of office, a right reserved for the pirate council aboard a ship. Article I Section 8 of the United States Constitution mandates that Congress provide for arming the Militia, necessitating that there be a ready standing army at all times. Article V of Captain Roberts' pirate code requires that all crewmembers keep their weapons clean and fit for service at all times.<sup>46</sup> Article VII of Captain John Phillip's code demands the same.<sup>47</sup> In both cases, it is fair to assert that the law at hand

encourages a responsibility and sense of duty to protect the ship. Moreover, the law calls for a collective trust, necessary in any civil society without an autocrat. This same Constitutional Article gives Congress the right to declare war, in the same way that the decision to attack certain vessels was determined by a pirate Council.<sup>48</sup> For both pirates and the American Revolutionaries, a promise to uphold the rights of the code is of major significance. Pirate codes had to be unanimously agreed to. Anyone who refused to sign the pirate code was removed immediately. Article VI of the Constitution similarly requires elected officials to take an oath to uphold the Constitution before they are considered to be in office.

It is well established in the historical record that these pirates would have had extensive communication with the American colonials. Pirates had existed off the shores of North America long before the English began to settle. When the English began to build up Southern plantations, the pirates had already been occupying the coasts, using them for refuge when pursued by their enemies. In fact, after the initial founding of Carolina, most of the currency used there was primarily from pirates.<sup>49</sup> In 1724, Governor Alexander Spotswood of Virginia expressed concern over returning home to London out of fear that the pirates would capture him. He, like many other Governors of the American Colonies, had personal experience with pirates, having played a role in the capture and trial of many.<sup>50</sup> The infamous pirate Captain Kidd maintained close ties with the New York Governor, the Earl of Bellomont, before his eventual trial, conviction, and public execution. Edward Teach, the notorious Blackbeard, spent a large portion of his career on the coast of the American colonies.<sup>51</sup> It is fair to say that, having grown up in the American colonies, the eventual founding fathers of the American government would have had significant exposure

44. *Ibid.*, Article II Section 4.

45. Because the size of the Pirate crews was substantially smaller than the population of the United States, Congress is merely representative, whereas a Pirate council was actually composed of every non-office holding member of the crew.

46. Johnson, *A General History of the Pyrates*, 234.

47. *Ibid.*, 274.

48. "The Constitution: A Transcription." Article I Section 8.

49. S. C. Hughson, "Early Piracy and Colonial Commerce," *Sewanee Review*. Vol. 1, No. 1 (November 1892): 52-62

50. Rediker, "'Under the Banner of King Death'", 203.

51. Angus Konstam, *Blackbeard: America's Most Notorious Pirate* (Hoboken: John Wiley and Sons, Inc., 2006), pg.76-78

to piracy and pirate crew organizations. One historian writes, "There is no doubt that the typical eighteenth century New York mechanic or tradesman had spend plenty of time trading pirate stories over a pint at dockside bars." He contends that sensational accounts of the pirates were common and widely told, so it is likely that a young Thomas Jefferson would be quite familiar with them.<sup>52</sup> However, it is impossible to establish an unequivocal influence of the pirates on American democracy, as no account of such a connection explicitly exists, nor would it, considering the reputation of the pirates.

Long before the American or French revolutions, pirates were living according to the principles of freedom, liberty, and equality. The codes of the pirates established democracy, equality, and even a system of healthcare before any other nation. While there is no definitive connection between piracy and America's founding fathers, it is not unreasonable to suggest that the pirate governments could have influenced the founders. With the prevalence of piracy in the early eighteenth century, it is certainly plausible that the framers of the American Constitution had been exposed to the organization of the pirates. Perhaps the young men who would eventually create the American government had noted the pirate methods of equality and fair elections. Both systems were created as a reaction to the abuses of an autocratic ruler, and had to be carefully formed to govern a nation composed of a myriad of people. Each had a developed system of checks and balances, and created a representative legislative body with certain reserved powers. Perhaps most importantly, though, both the United States Constitution and the pirate codes were revolutionary for taking power away from any one man and placing it in the hands of the majority.

52. David Graeber, *Democracy: A History, A Crisis, A Movement* (New York: Spiegel & Grau, 2013), pg.179.

## The Polish Underground Home Army (AK) and the Jews: What Survivor Memoirs and Testimonies Reveal

*Professor Joshua D. Zimmerman*

Several years ago, a study was published that evaluated the opinions of Polish and Jewish university teachers on wartime Polish-Jewish relations. Distributing a questionnaire to members of the National Polish-American Jewish-American Council, respondents were surveyed on three subjects: the behavior and attitudes of the Polish Underground Home Army (Armia Krajowa, AK) towards the Jews, the attitude of the Catholic Church towards the Jews, and popular wartime Polish attitudes. The study, conducted by Robert Cherry of Brooklyn College, found that the gap in Polish and Jewish responses was “substantially larger” on the question of the Home Army than it was for the other two categories.<sup>1</sup> In responding to the statement: “The Home Army desired full rights for Jews in Poland,” 87 percent of Poles responded “yes,” while a mere 8 percent of Jewish respondents responded similarly.<sup>2</sup>

Such a radical difference within the academic community is unusual. My research is an attempt to reevaluate the topic and ask whether or not the stereotypes about the Home Army in collective Jewish memory and Jewish historiography are correct. To a large degree these mutually exclusive perceptions are reflected in the scholarly literature.

Jewish historians have presented the AK in a decidedly negative light. They have been sharply critical of the Home Army not only for its reported reluctance and unwillingness to aid Jews, but also for what they claim was its hostile attitude and actions towards Jewish

1. Robert Cherry, “Contentious History: A Survey on Perceptions of Polish-Jewish Relations during the Holocaust,” *Polin* 19 (2007): 335.

2. *Ibid.*, 334.



The 5th Wilno Brigade

resistance groups and Jewish fugitives from the camps and ghettos.<sup>3</sup> In contrast, the Polish perception of its underground resistance movement has remained – with some important recent exceptions<sup>4</sup> – largely laudatory and uncritical. As one scholar has insightfully observed, “Poles generally think of themselves as the forgotten victims of German and Soviet oppression and are angered that they are not honored for the price they paid in support of the Allied cause.”<sup>5</sup> The influential writer and keen observer of Polish-Jewish affairs, Eva Hoffman, has recently referred to the Home Army as “one of the sacred icons of Polish memory,”<sup>6</sup> explaining the emotionally charged reaction of many Poles to accusations against its wartime resistance movement.

Until very recently, accounts by Polish and some Western scholars, while produced by professional historians, have avoided the question of the military underground’s attitude and behavior towards the Jewish population on occupied Polish lands.<sup>7</sup> The subject of the Nazi genocide of Jews in this literature appears, if at all, as a one-sided generalization about Polish aid to Jewish victims.

3. For the most succinct presentation of the Jewish historiographical view, see Yisrael Gutman and Shmuel Krakowski, *Unequal Victims: Poles and Jews during World War II* (New York: Holocaust Library, 1986), 100-134. See also Ber Mark, *Uprising in the Warsaw Ghetto* (New York: Schocken Books, 1975); Reuben Ainsztein, *Jewish Resistance in Nazi-Occupied Eastern Europe* (New York: Barnes & Noble, 1974); Shmuel Krakowski, “The Polish Underground and the Extermination of the Jews,” *Polin* 9 (1996); and “The Attitude of the Polish Underground to the Jewish Question during the Second World War” in *Contested Memories* ed. Joshua D. Zimmerman (Rutgers U. Pr., 2003), 97-106.

4. See the thickly documented and lengthy study by Dariusz Libionka, “ZWZ-AK in Delegatura Rządu wobec eksterminacji Żydów Polskich,” in *Polacy i Żydzi pod okupacją niemiecką 1939-1945: studia i materiały* ed. Andrzej Żbikowski (Warsaw: IPN, 2006), pp. 15-207.

5. Cherry, *Contentious History*, 328.

6. Eva Hoffman, *After Such Knowledge: Memory, History, and the Legacy of the Holocaust* (New York: Public Affairs, 2004): 225.

7. See Tomasz Strzembos, *Rzeczpospolita podziemna: społeczeństwo polskie a państwo podziemne, 1939-1945* (Warsaw, 2000); Grzegorz Mazur, *Biuro Informacji i Propagandy SZP-ZWZ-AK, 1939-1945* (Warsaw: Instytut Wydawniczy Pax, 1987); Marek Ney-Krwawicz, *Komenda Główna Armii Krajowej 1939-1945* (Warsaw: Instytut Wydawniczy Pax, 1990); and Stanisław Salmonowicz, *Polskie państwo podziemne* (Warsaw, 1994). For a more critical approach by a Polish historian, see Dariusz Stola, “The Polish Government-in-Exile and the Final Solution: What Conditioned its Actions and Inactions?” in *Contested Memories: Poles and Jews during the Holocaust and its Aftermath*, ed. Joshua Zimmerman (New Brunswick: Rutgers University Press, 2003), 89; and the few comments on the Home Army in Dariusz Stola, *Nadzieja i zagłada. Ignacy Schwarzbart - żydowski przedstawiciel w Radzie Narodowej RP, 1940-1945* (Warsaw, 1995).

At the same time, the first cracks in the wall separating the two camps can be observed. Going against the grain of popular Jewish perceptions, Antony Polonsky maintained in a 2003 essay that “the tragic fate of the Jews did arouse considerable sympathy in the central bodies of the Underground. This was clearly expressed in the principal paper of the [Home Army], *Biuletyn Informacyjny*,...”<sup>8</sup> Eva Hoffman commented that “the Home Army included a range of political sections, some of which actively helped Jews during the Holocaust and delivered arms to the Warsaw Ghetto during the uprising.”<sup>9</sup> On the other side, however, the courageous Polish scholar, Dariusz Libionka, recently published a critical essay on the Home Army and the Jews documenting cases of hostility, murder, and even expressions of joy at the fate of Polish Jewry.<sup>10</sup>

### Holocaust Testimonies as Sources for the Study of Polish-Jewish Relations

One of the main sources of evidence used by historians of the so-called “condemnatory camp” has been Holocaust memoirs and testimonies.<sup>11</sup> These published and unpublished texts have been reinforced by periodic comments by leading public Jewish figures.<sup>12</sup> A prime example is Elie Wiesel who, in a 1964 book review of Oscar Pinkus’s *The House of Ashes*, in the pages of the *New York Times*, remarked that “the celebrated *Armia Krajowa* [Polish Home Army],

8. Antony Polonsky, Introduction to Florian Mayevsky, *Fire Without Smoke: Memoirs of a Polish Partisan* (London and Portlan, Or: Vallentine Mitchell, 2003), 3.

9. Hoffman, *After Such Knowledge*, 225.

10. Dariusz Libionka, “ZWZ-AK i Delegatura Rządu wobec eksterminacji Żydów Polskich,” in *Polacy i Żydzi pod okupacją niemiecką 1939-1945: studia i materiały* ed. Andrzej Żbikowski (Warsaw: IPN, 2006), pp. 15-207.

11. For discussion of the historiography and the different camps, see the introduction to Joshua Zimmerman, ed., *Contested Memories* (Rutgers, 2003).

12. See, for example, Norman Salsitz and Amalie Salsitz, *Against All Odds: A Tale of Two Survivors* (New York: Holocaust Library, 1990), 350-71; and Harold Werner, *Fighting Back: a Memoir of Jewish Resistance in World War II* (New York: Columbia University Press, 1992). The latter are examples of survivors that portray the official Polish Underground as murderous towards the Jews.

which led heroic assaults on the German occupation army, proudly indulged in Jew-hunting on the side.”<sup>13</sup> When Wiesel was challenged in a letter to the editor, Pinkus, who escaped the Miezyrzec Ghetto, a town southeast of Siedlce, and survived in the nearby forests, responded that “the record of the Armia Krajowa is known to every Jew that survived the war in Poland.”<sup>14</sup>

Yet Pinkus includes in *The House of Ashes* stories of when the Home Army aided the Jews. Pinkus recalls that the AK permeated the region where he hid in the summer of 1943 in the forests of Dubicze, some 55 km east of Siedlce west of the Bug River. According to Pinkus, every young Pole in the region belonged to the organization. He commented that the AK presence comforted the Jews because it made the Germans afraid to roam the forests because the AK was assassinating collaborators and spies. “Since all collaborators and German agents were inevitably Jew-baiters,” Pinkus wrote, “these assassinations often seemed to the peasants an admonition not to harm Jews.” He continued:

“This impression was strengthened by the illegal pamphlets distributed throughout the country in which the official position of the AK was to help the remaining Jews by all possible means. So the Underground protected us to some degree, not only from the Germans, but also from the Poles.”<sup>15</sup>

The citation above raises questions about the monolithic view of the AK as universally hostile to Jews and, therefore, unwilling to help.

Two other popular Jewish memoirs reinforced the perception of the Polish Underground Home Army as a hostile enemy of the Jews. Harold Werner, in *Fighting Back: A Memoir of Jewish Resistance in World War*

13. Book review section of the *New York Times*, 6 Sept. 1964, p. 4.

14. Book review section of the *New York Times*, 25 Oct. 1964, p. 59.

15. Oscar Pinkus, *The House of Ashes* (Cleveland: World Pub. Co., 1964), rev. ed. (Schenectady, NY: Union College Press, 1990), pp. 213-214.

II, published in 1992, recalls the experience of hiding in the forests of southeastern Poland in 1943 and 1944. Upon fleeing to the forests near Rzeszow, Werner joined a group of some 300 fighters who worked jointly with the local AL, the communist underground. He claimed that his group of fighters was not ideologically oriented to communism, but merely took advantage of being included in a larger underground structure that welcomed Jews. But on the AK, Werner does not mince words:

“The members of the Army Krajowa were very anti-Semitic, exhibiting the same attitudes they had held before the war. Now, however, they were armed and Jews were ‘fair game’ for their attacks. Whenever they caught a Jew or a small group of Jews hiding in the woods or a village, they would kill them. Whether this was done on orders of their senior commanders or simply reflected their local leaders’ inborn hatred of Jews, we never knew.”<sup>16</sup>

Werner concluded in a later passage that “The Armia Krajowa hated us because we were Jews, no matter how useful we could be to them in the battle against the Germans.”<sup>17</sup>

Another memoir similarly maintained that “AK groups began to roam the forests and it proved just as dangerous to us as were the Germans.” The authors, who had been aided by a local AK commander due to a prewar friendship, nonetheless concluded that the AK “as a whole was openly anti-Semitic.”<sup>18</sup>

In addition to the negative accounts, one can also find praise for the Home Army among prominent Holocaust survivors. A prime example is the famous Nazi hunter, Simon Wiesenthal, who survived the war in German-occupied Poland with his wife. It is rarely noted that his wife

16. Harold Warner, *Fighting Back: A Memoir of Jewish Resistance in World War II* (Columbia U. Pr., 1992), 155.

17. *Ibid.*, 156.

18. Norman and Amalie Petranker, *Against All Odds: a Tale of Two Survivors* (New York: Holocaust Library, 1990), 350-51.



– Cyla – was saved by the Home Army for a large duration of the war. When asked to comment on wartime Polish behavior towards the Jews in a speech in Warsaw in the early 1990s, he acknowledged the existence of anti-Jewish sentiments and actions. He added, significantly: “But neither do I forget that it was the Polish Underground – Home Army units – who ensured my wife’s survival during the war.”<sup>19</sup> He recounted that the Home Army also sheltered him during a brief period in 1943 when he escaped from the Janowska forced labor camp in Lwów.<sup>20</sup>

### Holocaust Survivor Testimonies of the Jewish Historical Institute in Warsaw (ŻIH)

Perhaps more valuable than published memoirs is a body of oral testimonies that has heretofore not been used in the scholarly literature on the Home Army and its behavior and policies towards the Jews. This collection, which is housed at the Jewish Historical Institute in Warsaw, consists of some 7,000 survivor testimonies collected by the Jewish Historical Commission in Warsaw in the years 1945-1949. These accounts have only recently been used by such historians as Jan Gross and Dariusz Libionka. Although time will not permit use of testimonial collections from Yad Vashem, Yivo, Yale, and the Shoah Foundation, the ŻIH materials are unique. For, unlike the aforementioned collections, the ŻIH testimonies were recorded immediately after the war and are unfiltered by the distortions that time can have on memory.

#### I: The AK as Anti-Semitic

The testimonies reveal two different Polish undergrounds: the Home Army as anti-Semitic and also the Home Army as a protector and ally against the Germans. Among those testimonies expressing a negative

experience, two types are apparent. First, there are reports of violent acts towards the Jews, both firsthand but often secondhand accounts. A second type consists of testimonies in which the interviewee noted the presence of AK units in the area and recalled a sense of fear.

Let us take the example of Pelsa. In her testimony taken in July 1946 in Warsaw, she recounts that in 1942, at the age of 28, Pelsa escaped from the Sandomierz Ghetto, about 32 miles northeast of Krakow. Pelsa was taken in by a local Polish family who presented her a distant cousin. The following brief comment is significant: “[the AK] did not suspect that I was Jewish.”<sup>21</sup> Most revealing is the author’s unambiguous feeling that revealing her Jewish origins to the AK would have been unwise and dangerous.

Another example is Zelman Baum, who, in a May 1947 testimony (in Lodz), recounts his experiences as an 18-year-old from Sandomierz who hid near his native town in January 1943. At the time, a division of the AK formed in the area. Baum recalled that the Home Army division “often began to look for Jews. The situation for the Jews worsened from day to day. We fought the Poles no less than the Germans.”<sup>22</sup>

As in many other examples in these testimonies, Zygmant gives secondhand accounts of incidences such as the following: “It came to our attention that Jankel Penczynka was murdered by [a division] of the AK in [the town of] Wiązownicy.”<sup>23</sup>

The testimonies include claims that the Home Army had murdered Jewish fugitives hiding in forests. Take the account of Karolina Kremer. Born December 1932 in Lodz, Kremer went into hiding with her family in a village near Mielec in the Rzeszów province. By the middle of 1942, Kremer and her family began to return to the Lodz province, when they stayed in the rural area of Lesisko in the second half of 1942. In March 1943, according to Kremer, “members of the Home Army attacked us,

21. ŻIH Archive, sygn. 301/1525, fol. 7; Testimony of Pelsa Penczyn, Łódź, July 29, 1946.

22. ŻIH Archive, sygn. 301/2425, fols. 3–4; Testimony of Zelman Bauer, Wałbrzych, May 12, 1947.

23. Ibid., fol. 11.

murdering eight people, among them my father, mother, a brother, my uncle Uszar Goldschmidt, my aunt Rysa Goldschmidt, their son Srukla, Chanina Goldschmidt, and their daughter Rifka Goldschmidt. I and my little brother(s)... were wounded.”<sup>24</sup> One year later, in spring 1944, Karolina describes a dismal scene in which she escaped from being shot by a Home Army fighter. She testified that in the countryside in which she was hiding, “AK Bandits hunted us like wild animals.” She continued:

“I came across a wall of AK people. [The leader] asked me to come closer to him and came up behind me with a rifle. ‘Now you’re a dirty Jewess who has fallen into my hands. From my hands you will surely not escape.’ I started to cry horribly pleading with him to spare my life. I knelt down and started kissing his legs hoping he would not kill such a young person. ‘No one will help you,’ [he said]. ‘Your dead body will be lying here,’ he said, showing me the place. I started screaming at the top of my lungs, got up and ran into the nearby shrubs. He shot at me several times unsuccessfully. I was terrified but ran further and vanished into the forest.”<sup>25</sup>

Some testimonies offered insightful comments into the attitudes of the Polish Underground. Litman, from Polesia in Eastern Poland, reasoned the following way. Having escaped from the Vilna Ghetto, he joined a Jewish partisan group. Commenting on the group’s troubled relations with the Polish Underground, he stated that “the attitudes of the [Polish] partisans were no different than the attitudes towards the Jews in general. If there was a bit more respect for Jewish partisans it was perhaps only due to the fact that they were armed and therefore feared.”

A particularly interesting testimony among the negative accounts comes from a young Polish Jew from Krakow, named Adolf Wolfgang,

who survived the war years in the area of Krosno and Dukla, about 150 kl southeast of Krakow. After escaping from a concentration camp (unspecified), Adolf wanted nothing more than to join the armed struggle against the Germans. He found one group – a unit of the AK – which checked him to make sure he was neither a spy nor – according to Adolf – a Jew. With solid Aryan papers, the AK partisans were convinced Adolf was not a Jew. Successfully passing as a Pole, the AK members “apologized, explaining that lately there were many Jews hiding in the forests whom they had shot dead.” Undercover as a Christian, he was privy to private conversations that, among others, touched on the Jewish question. He thus recounted the following:

“During free time there were discussions about, among other things... the Jewish problem. From different mouths, [one could hear] words of sympathy for the Jewish nation. Like, for example: why does the AK shoot dead Jews who similarly hide in the forests, desiring to [defeat] the bestial Hitlerites? Everyone turned silent when, at last, someone spoke – ‘[because] they desire a Poland without Jews.’”<sup>26</sup>

Another example of negative experiences with the AK is the testimony of Ita, given in Yiddish. At the age of 34, Ita was in the Minsk Mazowiecki Ghetto some 40 kl east of Warsaw in 1942. When deportations began she escaped and fled to the countryside. According to her testimony, given in February 1949 in Lodz, Ita went into hiding in the home of a peasant.

The testimony then abruptly claims that the AK had issued a death sentence against her. In a statement condemning the AK, Ita testified: “We sat in that house in deadly fear [for our lives]. We trembled before the Germans but even more so before the A.K. that they would find out about us – for they would have killed us.”<sup>27</sup> The testimonies also attest to the various positions of the local AK units on the Jews. Particularly in

24. ŻIH Archive, sygn. 301/1569, fol. 2; Testimony of Karolina Kremer, Częstochowa, December 12, 1945.

25. Ibid., fol. 6.

26. ŻIH Archive, Syg. 301/590, fols. 1-2; Testimony of Adolf Wolfgang, Kraków, 1945

27. ŻIH Archive, sygn. 301/4103, fol. 4; Testimony of Itka Gartenkranz (Yiddish), Łódź, February 2, 1949.

the northeast, where the Polish-Soviet conflict was more acute and where there was the bitter memory of the Soviet occupation, the AK tended to be particularly anti-Jewish (although, as we will see, there are major exceptions to this rule, such as the district commanders of the Vilna and Lwów AK who personally took part in aiding Jews). Take, for example, the testimony of Kalman Krawiec, taken in January 1949. Kalman, who was 20 when the war broke out, spent the war years in the town of Siemiatyce in the Białystok province. He escaped from Treblinka in September 1943. He ventured into the forests near Sokolow. The author claims that in August 1943 the AK organized a hunting trap for Jews, helping the Germans to cleanse the area of Jews.<sup>28</sup>

## II: The AK as Protector and Partners in the Struggle against the Germans

In contrast to the disturbing accounts above, the ŻIH testimonies include many positive accounts of Jewish survivors who encountered the AK as fugitives from the ghettos and camps either hiding with peasant families, operating as Jewish partisan groups, or even by joining the AK itself.

The testimony of Gerszon Edelman, born April 1920 in Kurów, was recorded in June 1946. Gerszon and his family fled their native town and went to live in Rąblów, Gniazdków, and Chotcha. In October 1942, Gerszon fled to Warsaw following his escape from deportation. According to his testimony, Gerszon joined the AK and later fought as a soldier during the Warsaw Uprising. The testimony is noteworthy for the absence of negative impressions or experiences. He only comments that the commander of his unit “knew that I was Jewish.”<sup>29</sup>

The testimony of Efraim Krasnucki, from July 1946, is similarly positive/neutral on his encounters with the Polish Underground. He

28. ŻIH Archive, sygn. 301/4086, fol. 39; Testimony of Kalman Krawiec (Yiddish), Łódź, January 18, 1949.

29. ŻIH Archive, Syg. 301/1513, fol. 6; Testimony of Gerszon Edelman, Lublin, June 8, 1946.

recounts how he escaped from Lublin during the liquidation of the ghetto there in November 1942 and fled to Warsaw where he went into hiding on the Aryan side. “I made contact with the Underground,” Efraim said, “which I did thanks to an acquaintance, Stefan Sendlak, the liaison between the Delegatura (Dział Opieki nad Żydami) and Jews hiding on the Aryan side.” Efraim recounts how he also made contact with a friend from before the war who happened to later be the leader of the AK company in the Old City. Significant is the absence of a single negative impression.<sup>30</sup> Similar to Efraim’s account, the testimony of Jerzy Fordoński similarly recounts as a Jew joining the AK without any hint of anti-Semitism. Born April 1922 in Lodz, Jerzy went to officer training school after graduating high school. When the ghetto in Lodz was created, Jerzy fled to the Aryan side and later went to Krakow. In February 1944, he reports that he went to Lwów, “where I joined the AK, serving in a detachment that was defending the village of Kościejów against Germans and Ukrainians.”<sup>31</sup> Oskar Hass, born 1923 in Jarosław in Galicia, in a testimony taken in October 1945, reports that he lived on Aryan papers in Tarnów starting from May 1942 but that in May 1944 he joined the AK and became commander of a local unit. No anti-Jewish problem was reported.<sup>32</sup>

Among the testimonies that openly praise the AK is that of Salomon Liberman. Born in Lwów, Salmon was in the Lwów Ghetto. When deportations began in August 1942, Salomon was able to escape, fleeing into the countryside where he wandered the forests and where he encountered many AK partisan groups. “The AK,” Liberman testified, “was very good to us.”<sup>33</sup> Another example is Karol Litwak in a testimony taken in December 1948. Born in May 1908 in Warsaw, Karol had been in the Warsaw Ghetto from which he fled to Sadowa, 22 km northwest of Warsaw. He recalled: “I then made contact with a Pole who belonged to the AK. I worked in

30. ŻIH Archive, sygn. 301/1539, Testimony of Efraim Krasnucki, Łódź, July 18, 1946.

31. ŻIH Archive, sygn. 301/2294, Testimony of Jerzy Fordoński. Łódź, n.d.

32. ŻIH Archive, sygn. 301/1111, Testimony of Oskar Hass, Kraków, October 17, 1945.

33. ŻIH Archive, sygn. 301/2752, Testimony of Salomon Liberman, Chorzów, n.d.

the Conspiracy....The Poles trusted me. [My job was to find information about] Poles who worked for the Germans. I worked with a friend...[and] lived out the rest of the occupation here until the Red Army arrived.”<sup>34</sup> Lastly, Samuel Rothbard, testifying in November 1945, recalled that when the liquidation of the Krakow Ghetto began, he and his mother escaped through the help of the Home Army. Through connections on the Aryan side, the AK came to their aid and successfully arranged their escape from the ghetto, providing false papers and other means for their survival.<sup>35</sup>

## Conclusion

This paper has utilized some representative published memoirs that address the issue of the Home Army and its behavior towards the Jews during the Holocaust. Oscar Pinkus’s memoir in particular suggests that the position of the Home Army was not uniform and that a tension exists between the stereotype of the AK as rabidly anti-Semitic group and the documents that reveal something more complex.

I have also looked at one set of unpublished survivor testimonies at the Jewish Historical Institute in Warsaw that have heretofore not been used to assess Jewish encounters with the Home Army. Testimonies given many years after 1945 often are affected by the years that passed since the events – by stories survivors heard, read, or saw in films.

Take the example of Hershel. Born in Austrian Galicia in 1911, Hershel was in his early thirties when the war started. He fled a local ghetto in 1943 and survived in the forest passing as a Pole. In his 1995 interview with the USC Shoah Foundation, he stated that in a nearby village from where he was hiding the Home Army killed 4,000 Jews, mainly women and children, and then buried them in a mass grave.

The exchange between the interviewer and Hershel, however,

reveals the fragility of memory:

INTERVIEWER: “Did you see the graves?”

HERSHEL: “General Komorowski [the commander of the Home Army]. He was the general in that organization of Polaks, and any Jews they found they killed them.” INTERVIEWER: “How did you know that?”

HERSHEL: “I got a book.”

INTERVIEWER: “Did you yourself see any executions?”

HERSHE: “No.”

INTERVIEWER: “Did you see the graves?”

HERSHE: “I was close [by]. The AK was shooting and I couldn’t get close [enough to see]. It was the organization, AK. They destroyed a lot of Jews after the war.”

As painful and as difficult as it may seem, we are required by our profession to subject even Holocaust survivor testimonies to critical scrutiny. As I sift through the body of sources on this still sensitive and emotionally charged topic, I am reminded of Andrzej Bryk’s 1990 essay in which he referred to the Home Army as “one of the most sacred legends of Polish heritage.”<sup>36</sup> The issue of the Home Army’s attitude and behavior towards the Jews “should stand as a moral problem at the core of Polish history simply because we can never be sure that if the history of Polish-Jewish relations before the war had been shaped differently, more Poles would have felt and acted in moral outrage.”<sup>37</sup> He concluded that “the AK did not accept equal moral responsibility for the Jewish citizens of the Polish State.”<sup>38</sup>

As the late Rafael Scharf poignantly wrote, “It is the tragedy of the

36. Andrzej Bryk, “The Hidden Complex of the Polish Mind: Polish-Jewish Relations during the Holocaust,” in “My Brother’s Keeper?” Recent Polish debates on the Holocaust (London; New York: Routledge in association with the Institute for Polish-Jewish Studies, 1990), 168.

37. *Ibid.*, 170.

38. *Ibid.*

34. ŻIH Archive, sygn. 301/4106, fol. 4; Testimony of Karol Litwak, Warsaw, December 14, 1948.

35. ŻIH Archive, sygn. 301/1206, Testimony of Samuel Rothbard, Kraków, November 29, 1945.

Poles that in the midst of the cruel visitations of fate, they were exposed to an unprecedented moral trial. They did not come through it victorious. It can be argued that nobody would have come through it any better, but that is little comfort to the Jews.”<sup>39</sup>

39. Rafael Scharf, “Janusz Korczak and His Times,” *Jerusalem Quarterly* (Summer 1977), reprinted in Scharf, *Poland: What Have I to Do with Thee...* (London and Portland, Oregon: Vallentine Mitchell, 1998), 76-77.

## Picture Credits

Bachrach; (3) The advertisement is featured in the United States Congress' Iran Contra Depositions, v. 22, 855.

Benoff; (15) The photo of the Directors of the Union Pacific Railroad is courtesy of the National Archives. Photograph by John Carbutt, October 1866.

Bernstein; (31) The scene of an *Auto De Fe* is courtesy of the Dominio Público en México.

Goodman; (47) The Bust of Titus is owned by the Capitoline Museum, Rome.

Kahn; (59) The telegram is courtesy of the United Armenian Council for the Commemoration of the Armenian Genocide, Los Angeles.

Rolnick; (71) The cover page of *A General History of the Pyrates* is courtesy of the Smithsonian Libraries.

Zimmerman; (85) The photo of the 5th Wilno Brigade is courtesy of The Doomed Soldiers.

