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Articles

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The current issue is the second of the sixth volume of the *Athens Journal of History (AJHIS), published by the History Unit of ATINER*.

Gregory T. Papanikos
President
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- Submission of Paper: **4 May 2020**

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Kata Christon, Mataia, and *Physikē Philosophia* in Gregory Palamas's 14th Century Byzantine Philosophy of Education

By Matthew Penney & Theodore M. Christou†*

This paper is a presentation of Gregory Palamas's philosophy of education. It begins with an examination of the details and content of the educational curricula of the exothen and kath'ēmas traditions in Byzantium. Next, the study undertakes a close reading of Palamas's chief texts which serve to unpack his understanding of the difference of these traditions. Additionally, the study provides a clear critique by Palamas of the misuse of philosophical or academic study. He describes three types of study: 1) kata Christon philosophia *(kath'ēmas paideia, or theological knowledge), 2)* mataia philosophia *(misused exothen paideia), and 3)* physikē philosophia *(exothen paideia proper or philosophical knowledge). In examining each of these, Palamas articulates practically what is meant by the content of philosophical and theological knowledge, and how the appropriate combination of the* kata Christon philosophia *and* physikē philosophia *provide the best tools for an educational system that facilitates the personal transformation and salvation of students. Finally, this study offers some concrete advice from Palamas on pursuing one's education and what pitfalls to avoid.*

Introduction

This paper examines the work of Gregory Palamas, Christian saint and scholar (1296-1359) with respect to education and the diverse ways of acquiring knowledge. Gregory's writings on the subject are positioned within a longstanding tension between two distinct curricular traditions, the exothen paideia and the kath'ēmas paideia, which persisted throughout the Byzantine world. In Gregory's texts, these are referred to as the exo (or exothen) philosophia and the kata Christon philosophountōn, respectively. In framing the saint's position on the tension and use of these two distinct methodologies as they relate to the acquisition of knowledge, we discuss three categories that describe Gregory's understanding of the purposes and the application of philosophy: kata Christon philosophia, mataia philosophia, and physikē philosophia. The first is the ideal philosophic existence, which is nothing else than the practice of the Christian life reinforced by the kath'ēmas paideia. The second is the misapplication of the exothen paideia, whereby philosophy is applied to domains that exceed its natural bounds. The third is the right application of the exothen paideia, which works within its limits as a support to the kath'ēmas paideia.

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Consideration of this application is crucial since philosophy is understood as a way of right living, rather than a mere intellectual system or set of texts. Human salvation—the ultimate aim that education should facilitate—is defined here as it was by early philosophers and theologians, as a life lived virtuously and well.[1] In Gregory's conception, this virtuous life is exemplified by the life of Christ and the practice of his commandments. Gregory argued that Classical and Christian sources were both beneficial, and while the latter were superior with regards to the illumined spiritual guidance that they offered as paths to wisdom, the former should not be entirely foresworn due to their usefulness. Instead, the exothen sources should be used selectively and moderately in order to facilitate one's movement towards Christian perfection. About matters metaphysical and theological, though, the exothen paideia is nefarious and misleading.

Exothen Paideia in Byzantium

In many ways, Byzantine education is one of the most concrete demonstrations of the continuity of "pagan" Rome with Constantine's new Eastern Roman empire of Byzantium. As Markopoulos puts it: "The education system in Byzantium was in all major respects the ancient educational format inherited from its Hellenistic and Roman past, which it perpetuated with remarkable constancy down to the last years of the empire's life."[2] This preservation of classical Greek education has been an occasion for both praise and criticism in the historiography.[3] The Byzantine system adopted both the form and the content of classical Greek education, a notable feature given the new Christian trajectory of the empire.[4]

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1. Shawn Bullock and Theodore Christou, "The Case for Philosophical Mindedness," *Paideusis* 20, no. 1 (2012): 14-23.

2. Athanasios Markopoulos, "Education," in *The Oxford Handbook of Byzantine Studies*, ed. Elizatbeth Jeffreys, John Haldon & Robin Cormack (Oxford: Oxford University Press, 2008), 785.

3. Distressingly, as pointed out by Averil Cameron, *The Byzantines* (Maldon, MA: Blackwell Publishing, Ltd., 2006), 149: "It is a curious feature of the academic study of Byzantium that even notable scholars of Byzantium have gone out of their way to denigrate their subject, and judgements on its literature are particularly prone to be negative"; for an example cf., Cyril Mango, *Byzantium: The Empire of New Rome* (New York: Charles Scribner's Sons, 1980), 132-133.

4. Cameron, *The Byzantines*, 8-9; Mango, *Byzantium*, 125-127; Markopoulos, "Education," 785; Marcus Rautman, *Daily Life in the Byzantine Empire* (London: Greenwood Press), 281; Warren Treadgold, *A Concise History of Byzantium* (New York: Palgrave, 2001), 83; N.G. Wilson, *Scholars of Byzantium* (London: Gerald Duckworth & Co. Ltd., 1996), 9-10.

There were three stages to Byzantine education corresponding roughly to the contemporary divisions of primary school, secondary, and higher education.[5] Primary school began around 6-8 years of age and generally lasted between three and four years. Small groups of students were taught by *grammatistes*, or a *daskalos*, who were available as tutors for hire in most villages and towns.[6] Many of these seem to have been clergy and lessons were generally taught in churches or courtyards of monasteries.[7] Education at this stage consisted of basic literacy skills: learning to recognize letters and their sounds, progressing to vowel and consonant combinations, to words, and eventually to texts themselves. At this level, the chief text used was the Psalter and some accounts of Gospel miracles, as well as references to classical mythology.[8] For arithmetic, fingers and small stones were used as well as an abacus counting board.[9]

At the secondary level, the *trivium* of grammar, rhetoric, and dialectic, and *quadrivium* of arithmetic, geometry, astronomy, and music, served as the curriculum.[10] This usually lasted four years under the direction of another private teacher called a *grammatikos*, though at this level groups of teachers would also form schools. For teaching the *trivium*, the key textbook was the work of Homer, among other things.[11] Likewise, the *quadrivium* was taught using classical works, such as those of Euclid and Ptolemy, but supplemented in this area by Byzantine authors as well.[12] All together the curriculum was referred to as the *enkyklios paideia*, or cycle of education.[13]

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5. Markopoulos, "Education," 787-790; Rautman, *Daily Life*, 281-283; and Mehdi K. Nakosteen and Robert Browning, "Education: The Byzantine Empire," Encyclopedia Britannica, accessed May 10, 2018, https://bit.ly/2Nse6dk.

6. Markopoulos, "Education," 787; Rautman, *Daily Life*, 281. Markopoulos also makes reference to the alternative names *paidodidaskalos, paidotribes,* and *paidagogos*.

7. Ioannis Anastasiou, "Η κατάστασις της παιδείας εις το Βυζάντιον κατά του θ' αιωνος," in *Κυρίλλω και Μεθοδίω Τόμος Εόρτοις επί τη Χιλιοστή και Εκατοστή Ετηρίδι,* vol. *A* (Θεσσαλονίκη: Ιεράς Μητρόπολη Θεσσαλονίκης, 1966), 32; Markopoulos, "Education," 788.

8. Markopoulos, "Education," 788; Rautman, *Daily Life*, 282.

9. Markopoulos, "Education," 788.

10. Anastasiou, "Η κατάστασις της παιδείας," 32-33; Markopoulos, "Education," 788-789; Rautman, *Daily Life*, 293-298.

11. Deno John Geanakoplos, *Byzantium: Church, Society, and Civilization Seen through Contemporary Eyes* (Chicago: University of Chicago, 1984), 401; Rautman, *Daily Life*, 282, also notes that classical tragedies and comedies, works of rhetoric and classical philosophy, the Psalms, and some select Christian authors were key texts in Byzantine schooling. Cf., Wilson, *Scholars*, 18ff.

12. For example, the *Tetrabiblos* of George Pachymeres (Markopoulos, "Education," 788).

13. Mango, *Byzantium*, 127; Markopoulos, "Education," 787; Rautman, *Daily Life*, 282.

The final level, that of higher education, was only available in certain large cities around the empire, and varied greatly depending on which period one looks at.[14] This education cannot be understood to correspond to what is contemporarily meant by higher education, though in a few instances something approaching that can be observed. Mango puts it well when he writes: "There was nothing, however, in the ancient world that corresponded to a university in the sense of a consortium of accredited teachers of various disciplines offering a syllabus of studies that led to a degree."[15] But this does not mean that high levels of education were not taking place.

On the contrary, these schools often had particular subjects of specialization such as philosophy in Athens, law in Gaza and Berytus, Greek and Latin at an early period in Constantinople, and philosophy and theology later, etc.[16] Higher education was largely designed for one of a few career paths: a career as a state bureaucrat (the most common), a position in the clergy, or a teacher oneself (the least common), among a few other options.[17] The Byzantine state and its emperors were always conscious and concerned to facilitate (to varying monetary degrees) the continuous production of state functionaries required for the effective running of Byzantium.[18] This was always a key goal of Byzantine education, and not only an intellectual program of mental or spiritual formation.

Kath'ēmas Paideia in Byzantium

In many ways the kath'ēmas paideia is less apparent than the exothen. We understand by kath'ēmas paideia what C. Galatariotou has in mind when she writes: "The reference ... to *exo paideia* points to the Byzantines' distinction between the *exothen* or *exothen* ('outside') learning, which was secular, based on ancient Greek literature and philosophy; and the *esothen* or *kath' hemas* (sic) (the 'inside' or 'our') education, which was ecclesiastical, based on the Holy Books."[19] The reason why the kath'ēmas is more difficult to assess is because a general formal education in the Christian faith did not exist per se.

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14. Cameron, *The Byzantines*, 142; Mango, *Byzantium*, 128; Markopoulos, "Education," 785; Rautman, *Daily Life*, 282-284.

15. Mango, *Byzantium*, 128. Cf. Rautman, *Daily Life*, 282-284.

16. Mango, *Byzantium*, 128.

17. Ibid., 129-130; Warren Treadgold, "Photius Before his Patriarchate," *Journal of Ecclesiastical History* 53, no. 1 (2002): 17; Markopoulos, "Education," 787.

18 Anastasiou, "Η κατάστασις της παιδείας," 35; Cameron, *The Byzantines*, 143; Mango, *Byzantium*, 130; Treadgold, *A Concise History*, 83.

19. Catia Galatariotou, The Making of a Saint: The Life, Times and Sanctification of Neophytos the Recluse (New York: Cambridge University Press, 1991), 154.

Village clergy seem often to have been the primary teachers, and lessons were generally taught in churches or courtyards of monasteries[20] (with the exception of salaried public teachers in bigger cities)[21]. As mentioned above, at this level the chief text used was the Psalter and some accounts of Gospel miracles, but these were used as a means to teach the basics of language rather than to teach religious *content*.[22] As Moffatt writes: "Because information about the formal teaching of theology is very scarce and ambiguous in the preceding centuries in the Eastern Empire, scholars have resorted to searching for the origins of this eleventh and twelfth century system of schools even as early as the fifth century."[23] This is further borne out in the 4th to 7th centuries as presented in Moffat's study where the number of teachers of theology is almost non-existent.[24] So where did this education take place? The most obvious answer is: in the Church.

There exist a variety of collections of lengthy homilies, such as those of St. John Chrysostom. Collections of letters also abound, many of which have an explicitly didactic purpose, such as in the cases of Scriptural exegesis or responses to theological questions, etc.[25] Other major sources are the development of a detailed Church calendar of feasts and fasts,[26] the development of the *kontakion* or chanted sermon,[27] as well as other advances in church hymnology such as the *canon*.[28] There is the establishment and confirmation of the icons as a necessary part of Christian praxis through the 8th and 9th centuries,[29] the development of

20. Anastasiou, "Η κατάστασις," 32; Markopoulos, "Education," 788; Cameron, *The Byzantines*, 138.

21. Marjorie Ann Moffat, "School Teachers in the Early Byzantine Empire: 330-610 A.D.," (doctoral dissertation, University of London, 1972), 49.

22. Markopoulos, "Education," 788; Rautman, *Daily Life*, 282.

23. Moffat, "School Teachers," 41.

24. Cf. Cameron, *The Byzantines,*143; and Mehdi K. Nakosteen and Robert Browning, "Education: The Byzantine Empire."

25. A brief survey of Patristic literature would easily suffice to demonstrate this point.

26. Mother Mary and Kallistos Ware, *The Festal Menaion*, trans. Mother Mary and Kallistos Ware (South Canaan, PA: St. Tikhon's Seminary Press, 1998), 9-19.

27. Ephraim Lash, "Introduction," in *On the Life of Christ: Kontakia*, trans. Ephraim Lash (New York: Harper Collins, 1994), xxiii-xxxii; Andrew Louth, "Preface," in *On the Life of Christ: Kontakia*, trans. Ephraim Lash (New York: Harper Collins, 1994), xv-xxii. Also, cf., Cameron, *The Byzantines*, 142.

28. Robert Browning, *The Byzantine Empire* (New York: Charles Scribner's Sons, 1980), 70.

29. Constantine Cavarnos, *Orthodox Iconography* (Belmont, MA: Institute for Byzantine and Modern Greek Studies, 1992); Leslie Brubaker and John Haldon, *Byzantium in the Iconoclast Era c. 680-850: A History* (Cambridge: Cambridge University Press, 2011).

the visual and auditory symbolism of the Church's liturgical worship,[30] and the emergence of collections of theological codification such as the work of John of Damascus.[31]

Each of these elements, which together made up the liturgical life of a Byzantine Christian, not to mention all the ways this intersected with social and political life, are key to understanding the kath'ēmas paideia within the territories of Byzantium.[32] A further difficulty in accurately assessing this education is the tremendous variance from person to person and from community to community. There existed for those who wanted to study theology, especially at the higher levels, some monastic schools, such as at the Studion monastery in the 8th century and onward,[33] as well as at the Patriarchal School during certain periods.[34] It is also clear from various monastic sources and from a reading of Orthodox hagiography that elementary levels of education were also taking place in monasteries[35]—though the degree to which this was organized or used a formal curriculum is unclear.

Kata Christon Philosophia[36]

St. Gregory Palamas goes to great lengths in his writings to make a distinction between the kata Christon philosophia, mataia philosophia, and physikē philosophia. By doing this the saint depicts a clear picture of the right relationship that should exist between the exothen and the kath'ēmas paideia. As evidenced by the entirety of Gregory's first book of the *Triads*, this relationship can be extremely fruitful or extremely harmful depending on how one understands and applies this relationship in one's own education.

For Gregory, the kata Christon philosophia (lit., *των κατά Χριστόν φιλοσοφούντων*) is the true philosophy and it is not primarily a "speculative subject": "Certain people scoff at the aim recommended to Christians…. As they only know speculative science, they wish to introduce that into the church of those who practice the philosophy of Christ. They say that those who do not

30. Robert Taft, *The Byzantine Rite: A Short History* (Collegeville, MN: The Order of Saint Benedict, Inc., 1992), 16-19; Timothy Ware, *The Orthodox Church: Second Edition* (Toronto: Penguin Books, 1993), chapter 13.

31. Frederic Chase, "Introduction," in *The Fathers of the Church: Saint John of Damascus, Writings* (Washington: The Catholic University of America Press, 1958), v.

32. Cf. Brubaker and Haldon, Byzantium in the Iconoclast Era.

33. Anastasiou, "Η κατάστασις της παιδείας," 43-46.

34. Anastasiou, "Η κατάστασις της παιδείας," 35; Robert Browning, "The Patriarchal School at Constantinople in the Twelfth Century," *Byzantion* 32, 167-202.

35. Cf. Anastasiou, "Η κατάστασις της παιδείας," 42-46.

36. It should be noted that quotations in this article from the writings of Gregory Palamas will be included in their original Greek in the footnotes.

possess scientific knowledge are ignorant and imperfect beings."[37] Gregory continues a little further down in his description by articulating what he means by the kata Christon philosophia:

> "When I spoke of the purity that brings salvation, I did not simply mean separating from worldly ignorance. I know, in fact, that there is a blameless ignorance, and there is knowledge which can be criticized. So it is not that kind of ignorance which must be stripped away, but their ignorance of God and the divine doctrines. This is the ignorance that our theologians have forbidden. If you conform to the rules prescribed by our theologians, and make your whole way of life better, you will become filled with the wisdom of God, and in this way you will become truly an image and likeness of God."[38]

For Gregory, the kata Christon philosophia is essentially a knowledge rooted in experience through praxis. This begins in a knowledge of "divine doctrines," which motivates and guides an individual's action, which in turn grants experiential knowledge and a deeper intellectual insight, whereupon the cycle begins again, growing and deepening each time. In effect, for Gregory, the kata Christon philosophia can be equated with the practice of the Christian life.

Elsewhere, Gregory describes in further detail the content of this tandem relationship of Christian knowledge and praxis that makes up the kata Christon philosophia:

> "If we want to keep our divine image and our knowledge of the truth intact, we must abstain from sin, we must know the law and commandments not merely in theory, but by practising them, and we must 'persevere in all the virtues', and in this way turn back towards God through prayer and true contemplation. Without purity, one would not be any less mad, nor any the wiser, even by studying natural philosophy from Adam to the end. Yet even if you do not know this natural philosophy, if you

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37. Gregory Palamas, *The Triads: Book One*, trans. Robin Amis (Chicago: Praxis Institute Press, 2002), 34. [In Greek], *Απάντα τα Έργα, τομ.2: Λόγοι υπέρ των Ιερών Ησυχαζόντων*, vol. 54 of *Έλληνες Πατέρες της Εκκλησίας*, edited by Παναγιώτη Χρήστου, and translated by Ελευθερίου Μερετάκη, (Thessaloniki, GR: Πατερικαί Εκδόσεις "Τρηγόριος ο Παλαμάς," 1999), 1.1.4, p. 54: "Νῦν δή τινες, ὡς σὺ φής, τοῦ τοῖς χριστιανοῖς προκειμένου τέλους ... ὡς ἐλαχίστου περιφρονήσαντες καὶ τὴν ἐπιστήμην εἰς γνῶσιν μεταλαβόντες, τῇ τῶν κατὰ Χριστὸν φιλοσοφούντων ἐπισάγουσιν ἐκκλησίᾳ. Τοὺς γὰρ οὐκ εἰδότας τὰς μαθηματικὰς ἐπιστήμας ἀνάγνους ἀποφαίνονται καὶ ἀτελεῖς ...."

38. Ibid., 35, id., 1.1.4, 54, 56: "Οὐ ταύτης οὖν ἐγὼ τῆς ἀγνοίας ἀπαλλαγὴν ὑποτιθέμενος, καθαρότητα σωτήριον ἐκάλεσα ταύτην (οἶδα γὰρ ἀνέγκλητον ἄγνοιαν καὶ γνῶσιν ἐγκεκλημένην)·οὔκουν ταύτης, ἀλλὰ τῆς περὶ Θεοῦ καὶ τῶν θείων δογμάτων ἀγνοίας ἀπαλλαγείς, ὅσην οἱ καθ' ἡμᾶς ἀπηγόρευσαν θεολόγοι, καὶ πᾶν ἦθος κατὰ τὰς αὐτῶν βελτιώσας ὑποθήκας, γενήσῃ Θεοῦ σοφίας ἀνάπλεως, εἰκὼν ὄντως καὶ ὁμοίωμα Θεοῦ ...."

> purify and strip away the bad habits and evil doctrines from your soul, you will gain the wisdom of God, which has overcome the world."[39]

Simply put, a true philosopher is a Christian.[40] Likewise, *true philosophy* is the Christian faith as practiced according to the commandments of Christ: "Do you not see that knowledge alone achieves nothing? And why speak only of knowledge of what we should do, or of knowledge of the visible world or of the invisible? No: even a knowledge of God, Who created all this, will not achieve anything on its own. 'What will we gain from the divine doctrine if we do not live a life pleasing to God.'"[41]

Where appropriate, though, the Christian may draw on the tools and resources that are lent him by the exothen paideia to support his development in the kata Christon philosophia. As Gregory argues, "worldly education serves natural knowledge. It can never become spiritual unless it is allied to faith and love of God, and it can never become spiritual unless it has been regenerated not only by love, but also by the grace which comes from love."[42]

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39. Ibid., 34, id., 1.1.3, p. 54: "Οὐκοῦν τούτου παντὸς μᾶλλον ἐπιμελητέον καὶ τῆς ἁμαρτίας ἀφεκτέον καὶ τὸν νόμον τῶν ἐντολῶν διὰ πράξεως ἀναγνωστέον καὶ ἀρετῆς πάσης ἀνθεκτέον καὶ δι’εὐχῆς καὶ θεωρίας ἀληθους ἐπανιτέον πρὸς Θεόν, τὸν βουλόμενον τό τε κατ’εἰκόνα σῶον καὶ τὴν ἀληθογνωσίαν σχεῖν. Καθαρότητος γάρ ἄνευ, κἂν μάθῃς τὴν ἀπὸ Ἀδὰμ μέχρι συντελείας φυσικὴν φιλοσοφίαν, μωρὸς οὐδὲν ἧττον, ὅτι μὴ καὶ μᾶλλον, ἔσῃ, ἢ σοφός· ἐκείνης δὲ ἄνευ, καθαρθεὶς καὶ τῶν πονηρῶν ἠθων καὶ δογμάτων ἀπαλλάξας τὴν ψυχήν, τὴν νικῶσαν τὸν κόσμον τοῦ Θεοῦ σοφίαν κτήσῃ καὶ ‘τῷ μόνῳ σοφῷ Θεῷ’ συνδιαιωνίσεις ἀγαλλόμενος."

40. Palamas, *Λόγοι*, 2.1.8, p. 232: "Ὁ δὲ ζητητικὸς τοῦ θείου θελήματος καὶ τοῦτ' ἐγνωκὼς ἐφ' ἑκάστου τῶν ὄντων, τίνος ἕνεκα παρὰ τοῦ δημιουργοῦ τῶν ὅλων προήχθη, καὶ κατὰ τὴν θείαν ταυτηνὶ βούλησιν αυτοῖς χρώμενος, οὗτός ἐστιν ὁ τοὺς αἰτιώδεις λόγους τῶν ὄντων εἰδώς, οὗτος ἐστιν ὁ τὴν γνῶσιν ἔχων τῶν ὄντων, οὗτος ἐστιν ὁ ἀληθὴς φιλόσοφος καὶ τέλειος ἄνθρωπος ...." ["The one seeking the divine will and who has learned this by means of each being that exists, that is, for the sake of which they were brought into being by the Creator of all, and who uses these according to the divine will, he is the one who knows the principles underlying all beings. He is the one who possesses the knowledge of beings. He is the one who is the true philosopher and the perfect man.]" (translation provided by the authors); cf., Palamas, *Triads*, 34; id., 1.1.4, p. 54.

41. Palamas, *Triads*, 40; Palamas, *Λόγοι*, 1.1.9, p. 66: "Ὁρᾷς ὡς οὐδένα ὀνίνησιν ἡ γνῶσις μόνη; Καὶ τί λέγω τὴν περὶ τὰ πρακτέα ἢ τὴν τοῦ ὁρατοῦ κόσμου ἢ τὴν τοῦ ἀοράτου; Οὐδ' αὐτὴ ἡ γνῶσις τοῦ κτίσαντος αὐτὰ Θεοῦ δυνήσεταί τινα ὀνῖναι μόνη."

42. Ibid., 41; id., 1.1.9, p. 66: "Τῇ γὰρ φυσικῇ ταύτῃ ἡ ἔξω παιδεία βοηθεῖ, πνευματικὴ δ’οὔποτε γένοιτο ἄν, εἰ μὴ μετὰ τῆς πίστεως καὶ τῇ τοῦ Θεοῦ συγγένοιτο ἀγάπῃ, μᾶλλον δὲ εἰ μὴ πρὸς τῆς ἀγάπης καὶ τῆς ἐξ αὐτῆς ἐγγινομένης χάριτος ἀναγεννηθείη ...."

Gregory does not outline a particular set of texts as part of the kata Christon philosophia, although he does make copious references to church fathers, from which one could easily compile a list.[43] Rather, the curriculum of the kata Christon philosophia, i.e., the kath'ēmas paideia, is an ongoing striving for purification and the keeping the commandments of Christ, the outcome of which is union with God in *theosis* and knowledge of God proceeding from *theoptia* (or divine vision). The highest knowledge—*certain* knowledge of the uncreated God—happens as an *encounter* between two persons, the one divine, the other human. This encounter generally takes place as *theoptia*, and is—as Palamas so clearly emphasizes—entirely different from knowledge, even if it also conveys knowledge: "Then [the *nous*[44] of a person] unites itself to God and [attains] supernatural and inexpressible visions filled with all immaterial knowledge of a sublime light... This is completely different from knowledge, but it can bring knowledge."[45] This divine vision is the goal of the kata Christon philosophia and

43. Here is a list of some of the Church writers that Gregory refers to directly in his *Triads*, most of whom are cited numerous times by him: St. Dionysios the Areopagite (c. unknown), Origen (+254), St. Gregory Nazianzus (+390), St. Basil of Caesarea (+379), St. Macarius the Great (+392), St. Gregory of Nyssa (+394), Evagrios of Pontus (+399), St. John Chrysostom (+407), St. Neilos the Ascetic (+430), St. Cyril of Alexandria (+444), St. Diadochos of Photiki (+486), St. John Climacus (+649), St. Maximos the Confessor (+662), St. Isaac the Syrian (+700), St. Andrew of Crete (+740), St. Symeon Metaphrastes (+960), St. Symeon the New Theologian (+1022), St. Nikiphoros the Monk (c. +1300), Theoleptos of Philadelphia (+1322), St. Philotheos Kokkinos (+1379), as well as a wealth of quotations from the Old and New Testaments.

44. This word is often translated in English as simply "mind" or "attention", depending on the context. For a more precise definition cf., Elder Ephraim, glossary to *My Elder Joseph the Hesychast*, ed. & trans. Saint Anthony's Monastery (Florence, AZ: St. Anthony's Greek Orthodox Monastery, 2013), 690-691: "Nous (νούς): The Church Fathers employ the term 'nous' with several meanings. They mainly refer to the nous as the soul (the 'spiritual nature' of a man—St. Isaac the Syrian) and the *heart* (or 'the essence of the soul'—vid. *Philokalia*, vol. II, p. 109, 73). More specifically, it constitutes the innermost aspect of the heart (St. Diadochos, 79, 88). However, they also refer to it as the 'eye of the soul' (*The Orthodox Faith*, St. John of Damascus, FC vol. 37, p. 236) or 'the organ of theoria' (vision) (*Makarian Homilies*) which 'is engaged in pure prayer' (St. Isaac the Syrian). When referring to the energy of the nous, they call it 'a power of the soul' (*On the Holy Spirit*, St. Gregory Palamas, 2.9) 'consisting of thoughts and conceptual images' (*On the Hesychasts*, St. Gregory Palamas, p. 410, 413). However, it is more commonly known as the energy of the soul, whereas the heart is known as the essence of the soul (pp. 404-05) ...."

45. Ibid., 95-96; id., 1.3.5, p. 134: "ἐμφανῶς καὶ ἀπορρήτως ἑνωθείη τῷ Θεῷ ἐκεῖ καὶ τῶν ὑπερφυῶν καὶ ἀπορρήτων ἐπιτυγχάνοι θεαμάτων, πάσης ἀϋλου γνώσεως ὑψηλοτέρου φωτὸς ἀναπιμπλάμενος, ... ἄλλος παντάπασι παρὰ τὴν γνῶσιν, ὅς καὶ παρεκτικός ἐστιν αὐτῆς …."; cf., Basil Tatakis, *Christian philosophy in the Patristic*

is fundamentally rooted in a *praxis* of Christian purification through the keeping of the commandments.

Furthermore, as the saint explains: "There is knowledge about God and His doctrines, a contemplation which we call theology... But this is not the dawn of the perfect beauty of the noble state which comes to us from above. This is not the supernatural union with the most resplendent light, which is the one source of sure theology ...."[46] This is an essential point when describing Gregory's understanding of the process of the kata Christon philosophy and how it contributes both to knowledge of God and to human salvation. But, as we shall see, this can also be facilitated—though never supplanted—through the proper use of exothen paideia.

Mataia Philosophia

Gregory goes to great lengths to make a distinction between the kata Christon philosophia and the mataia philosophia (*ματαία φιλοσοφία*, or vain philosophy). In this, he follows a long tradition of the great teachers of the Church and sees himself as situated in a broader tradition of thought. The *Triads* is steeped in references and quotations that draw on these sources.[47]

In Gregory's thought, *mataia philosophia* is the misuse of the exothen tradition. Gregory is not advocating a wholesale rejection of exothen paideia. Rather, he is critical of excesses in its application: "A man addicted to the love of vain philosophy [lit., mataia philosophia], wrapped up in its figures and its theories, never sees even the beginning of this [education in true knowledge] …."[48] Gregory's critique is a longstanding one in the Orthodox tradition. The

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and Byzantine tradition, ed. and trans. George Dragas (Rollingsford, NH: Orthodox Research Institute, 2007), 158.

46. Palamas, *The Triads*, 106; id., *Λόγοι υπέρ των Ιερών Ησυχαζόντων*, 1.3.15, p. 152, 154: "Ἔστι γὰρ καὶ ἡ περὶ Θεοῦ καὶ τῶν κατ'αὐτὸν δογμάτων γνῶσις, θεωρία, ὃ θεολογίαν ὀνομάζομεν, καὶ ἡ τῶν τῆς ψυχῆς δυνάμεων καὶ τῶν τοῦ σώματος μελῶν κατὰ φύσιν χρῆσις τε καὶ κίνησις ἀναμόρφωσιν ποιεῖται τῆς λογικῆς εἰκόνος·ἀλλ' οὐ τοῦτό ἐστιν ἡ τελεία τῆς ἄνωθεν ἡμῖν εὐγενείας εὐπρέπεια καὶ ἡ πρὸς τό ὑπερφαὲς φῶς ὑπερφυὴς ἕνωσις, παρ' ἧς μόνης ἐγγίνεται καὶ τὸ θεολογεῖν ἀσφαλῶς καὶ τὸ κατὰ φύσιν ἑστάναι τε καὶ κινεῖσθαι τὰς ἐν ἡμῖν δυνάμεις τῆς ψυχῆς καὶ τοῦ σώματος· ταύτην οὖν ἀναιροῦντες, συνανεῖλον πᾶσαν ἀρετὴν καὶ ἀλήθειαν."

47. Vid., footnote 43 above.

48. Palamas, *The Triads*, 38; id., *Λόγοι υπέρ των Ιερών Ησυχαζόντων*, 1.1.7, p. 62: "Αὕτη παιδεία καὶ γνῶσις ἀληθής, ἥς οὐδέ την ἀρχήν, ... δύναται χωρῶσαί τις ἐνεσχημένος τῇ τῆς ματαίας ἀγάπῃ φιλοσοφίας καὶ ταῖς στροφαῖς αὐτῆς και θεωρίαις ἐνειλούμενός τε καὶ συστρεφόμενος."; cf., 2.1.19-20.

Synodikon of Orthodoxy[49] (ca. 1082), for instance, reads: "To them who undertake Greek studies not only for purposes of education but also follow after their vain opinions, and are so thoroughly convinced of their truth and validity that they shamelessly introduce them and teach them to others, sometimes secretly and sometimes openly, Anathema."[50] What sort of opinions? An example is given elsewhere in the *Synodikon*: "To them who prefer the foolish so-called wisdom of the secular philosophers and follow its proponents, and who accept the metempsychosis [transmigration] of human souls... and who thus deny the resurrection, judgment, and the final recompense for the deeds committed during life, Anathema."[51]

And "to them who dogmatize that matter and the Ideas are without beginning or are co-eternal with God... and the other created things are everlasting, unoriginate and immutable, ... anathema."[52]

In these examples, what is being censured is not the undertaking of "Greek studies," but the adoption of their metaphysical views. Gregory believed that philosophy ought not to make claims about metaphysics and that when it does, it errs. As he notes: "We absolutely forbid them to expect any accurate knowledge of divine things from it [exothen paideia] since it is

49. This is a conciliar document produced by the Orthodox Church—originally in 843, though expanded in subsequent centuries—which is read publicly in Orthodox churches each year (particularly, cathedral churches) on the First Sunday of Great Lent. Vid., John Sanidopoulos, "Synodikon of Orthodoxy," *Mystagogy*, accessed February 3, 2020, https://bit.ly/2pX9a7x. Note that the Greek text of the Synodikon will follow in the footnotes for any quoted excerpts, "Το Συνόδικον της Ορθοδοξίας: Κατὰ τοῦ Ἰταλοῦ Ἰωάννου, κεφάλαια ΙΑ," *Συμβολή*, accessed Feb 3, 2020, https://bit.ly/34NBLL7.

50. "Το Συνόδικον της Ορθοδοξίας: Κατὰ τοῦ Ἰταλοῦ Ἰωάννου, κεφάλαια ΙΑ," *Συμβολή*, accessed June 6, 2015. https://bit.ly/2Cs4dX2. Κεφάλαιο ζ΄: "Τοῖς τὰ ἑλληνικὰ διεξιοῦσι μαθήματα καὶ μὴ διὰ παίδευσιν μόνον ταῦτα παιδευομένοις, ἀλλὰ καὶ ταῖς δόξαις αὐτῶν ταῖς ματαίαις ἑπομένοις καὶ ὡς ἀληθέσι πιστεύουσι, καὶ οὕτως αὐταῖς ὡς τὸ βέβαιον ἐχούσαις ἐγκειμένοις, ὥστε καὶ ἑτέρους ποτὲ μὲν λάθρᾳ ποτὲ δὲ φανερῶς ἐνάγειν αὐταῖς καὶ διδάσκειν ἀνενδοιάστως, ἀνάθεμα."

51. Ibid. Κεφάλαιο Γ: "Τοῖς τὴν μωρὰν τῶν ἔξωθεν φιλοσόφων λεγομένην σοφίαν προτιμῶσι καὶ τοῖς καθηγηταῖς αὐτῶν ἑπομένοις καὶ τάς τε μετεμψυχώσεις τῶν ἀνθρωπίνων ψυχῶν ἢ καὶ ὁμοίως τοῖς ἀλόγοις ζῴοις ταύτας ἀπόλλυσθαι καὶ εἰς τὸ μηδὲν χωρεῖν δεχομένοις, καὶ διὰ τούτων ἀνάστασιν καὶ κρίσιν καὶ τὴν τελευταίαν τῶν βεβιωμένων ἀνταπόδοσιν ἀθετοῦσιν, ἀνάθεμα."

52. Ibid. Κεφάλαιο Δ: "Τοῖς τὴν ὕλην ἄναρχον καὶ τὰς ἰδέας ἢ συνάναρχον τῷ δημιουργῷ πάντων καὶ Θεῷ δογματίζουσι, καὶ ὅτι περ οὐρανὸς καὶ γῆ καὶ τὰ λοιπὰ τῶν κτισμάτων ἀίδιά τε εἰσὶ καὶ ἄναρχα καὶ διαμένουσιν ἀναλλοίωτα, καὶ ἀντινομοθετοῦσι τῷ εἰπόντι· «ὁ οὐρανὸς καὶ ἡ γῆ παρελεύσονται, οἱ δὲ λόγοι μου οὐ μὴ παρέλθωσι», καὶ ἀπὸ γῆς κενοφωνοῦσι καὶ τὴν θείαν ἀρὰν ἐπὶ τὰς ἑαυτῶν ἄγουσι κεφαλάς, ἀνάθεμα."

not possible to extract any teaching about God from such an education."[53] This distinction is an old one. As Basil the Great (+379) wrote a thousand years before Gregory in his famous letter on education: "But that this pagan learning [lit., exothen] is not without usefulness for the soul has been sufficiently affirmed... But least of all shall we give attention to them when they narrate anything about the gods."[54]

This is precisely what St. Gregory is also objecting to in his *Triads*. Throughout the text, we find Gregory's critique of mataia philosophia. While he clearly makes room for the use of philosophy, he is quite strict and prohibitive regarding mataia philosophia, writing: "The foolish philosophy of the worldly wise neither comprehends nor reveals the wisdom of God."[55] But what exactly constitutes *mataia* philosophia, as opposed to kata Christon or physikē philosophia? Gregory's answer is straightforward: mataia philosophia is philosophy which has "abandoned the end appropriate to simple human wisdom"[56] and oversteps its proper bounds. These proper bounds are rooted *in the physical universe* and in the ability to draw conclusions about it. Philosophy, though, should not speak about things which transcend the physical universe, such as the "transmigration of the soul"[57] or the eternity of the world, etc., as being beyond its scope to study. When it does it transforms itself into a *vain* form of philosophy—mataia philosophia.

Furthermore, Gregory refutes the claim that the study and application of philosophy is *necessary* for human salvation. He draws on St. Basil to support his argument noting that Basil "calls these worldly studies vain, harmful, and unintelligent... [And] certain people claim that this knowledge is the aim of contemplation and believe that it leads to salvation."[58] Here, Gregory argues that the exothen philosophy may serve as an aid to humans in their search for salvation, but in-itself, does not *save human beings*. The noted Palamas scholar,

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53. Palamas, *The Triads*, 44; Palamas, *Λόγοι*, 1.1.12, p. 72: "Προσδοκᾶν δέ τι τῶν θείων ἀκριβῶς παρ᾽ αὐτῆς εἴσεσθαι καὶ τελέως ἀπαγορεύομεν· οὐ γάρ ἐστιν ἐξ αὐτῆς διδαχθῆναί τι περὶ Θεοῦ ἀσφαλές."

54. St. Basil the Great, "Address to Young Men on Reading Greek Literature," in *The Letters, vol. 4*, trans. Roy Deferrari & Martin McGuire (Cambridge: Harvard University Press, 1934), 387, 389: "Ἀλλ᾽ ὅτι μὲν οὐκ ἄχρηστον ψυχαῖς μαθήματα τὰ ἔξωθεν δὴ ταῦτα ἱκανῶς εἴρηται· ὅπως γε μὴν αὐτῶν μεθεκτέον ὑμῖν ἐξῆς ἂν εἴη λέγειν…. Πάντων δὲ ἥκιστα περὶ θεῶν τι διαλεγομένοις προσέξομεν …."

55. Palamas, *The Triads*, 46; Palamas, *Λόγοι*,1.1.14, p. 76: "Οὔκουν διορατικὴ καὶ ἐξαγγελτική ἐστι τῆς τοῦ Θεοῦ σοφίας ἡ τῶν ἔξω σοφῶν μεμωραμένη φιλοσοφία."

56. Ibid., 46; id., 1.1.13, p. 76: "...ὡς καὶ τοῦ προσήκοντος ἀπολειφθῆσα τῇ κατ᾽ἄνθρωπον σοφίᾳ τέλους."

57. Ibid., 42; id., 1.1.10, p. 68: "μετεμψυχώσεις."

58. Ibid., 39; id., 1.1.8, p. 62, 64: "Ὁρᾷς πῶς ματαίαν, βλαβεράν, ἀνόητον, τὴν ἔξω παιδείαν καὶ αὐτὴν τὴν τῶν μαθημάτων καὶ τὴν ἐξ αὐτῶν προσαγορεύει γνῶσιν, ἥν τινες, ὡς σὺ φῄς, τέλος θεωρίας καὶ σωτήριον ἀποφαίνονται;"

J. Meyendorff, confirms this: "Palamas admits the genuine character of natural knowledge; but the difference between it and revealed wisdom is that, by itself, it cannot procure salvation."[59]

Philosophy's right use, as well as the kath'ēmas tradition in general, consists in facilitating a person to draw nearer to God: "The beginning of wisdom is to become wise enough to distinguish and prefer what is serviceable, heavenly, and spiritual—which comes from God, leads towards God, and makes those who acquire it Godlike."[60] Conversely, mataia philosophia is the ignorance of this distinction and a distortion of philosophy's purposes: "It is the Hellenic heresy that concentrates all its enthusiasm and interest on those who research the science of such things. Indeed, all the Stoics define this science as the aim of contemplation."[61]

Here, we can distinguish between two conceptions of how one ought to be educated and where education can lead: one where natural philosophy is equivalent to kata Christon philosophy in leading toward human salvation and perfection (mataia philosophia), and one where natural philosophy is bound to follow kata Christon philosophia in order to facilitate and achieve these goals. Gregory presents various refutations of the position that exothen philosophy is equal to, or supersedes, the kata Christon philosophy. In one characteristic example, he writes: "If a person could rediscover and perceive the [divine] image, transforming his character for the better and ridding his soul of the shadows of ignorance simply through worldly education [lit., *exothen paideia*], then the wise ones of the Greeks would have been more closely conformed to God. They would have seen God better than did the fathers who came before the Law, and the Prophets... Where in the desert were the schools of that futile philosophy which those people call 'saving'? "[62] As Meyendorff highlights, the Italian-monk Barlaam, the initial opponent of

59. John Meyendorff, *Study of Gregory Palamas* (London: Faith Press, 1964), 127.

60. Palamas, *The Triads*, 33; Palamas, *Λόγοι*, 1.1.2, p. 52: "Καὶ ὄντως ἀρχὴ σοφίας γνῶναι σοφίαν, ὥστε διελέσθαι καὶ προελέσθαι τῆς χαμερποῦς καὶ γηΐνης καὶ ἀνονήτου τὴν μεγαλωφελῆ καὶ οὐρανίαν καὶ πνευματικὴν καὶ παρὰ Θεοῦ καὶ πρὸς Θεὸν ἐρχομένην καὶ Θεῷ τοὺς κτησαμένους συμμόρφους ἀποδεικνῦσαν." Cf., ibid., 2.3.7, p. 358, 360.

61. Ibid., 34; id., 1.1.3, p. 54: "Πρὸς γὰρ τὴν ἐπιστήμην τῶν τοιούτων βλέποντες πᾶσαν ἀπευθύνειν σπουδήν τε καὶ ζήτησιν, αἵρεσίς ἐστιν ἑλληνική· οἱ γὰρ Στωϊκοὶ πάντες τέλος τῆς θεωρίας τὴν ἐπιστήμην ὁρίζονται." Cf. Tatakis, *Christian Philosophy*, 158.

62. Ibid., 53; id., 1.1.4, p. 56: "Εἰ δ'οὐκ ἀληθὴς ὁ λόγος οὗτος, ἀλλ' ἐκ τῆς ἔξω παιδείας τὸ κατ' εἰκόνα τὸν ἄνθρωπον εὑρεῖν καὶ ἰδεῖν ἐστιν, ὡς τοὺς χαρακτῆρας ἐπὶ τὸ κρεῖττον μεταρρυθμιζούσης καὶ τὸ σκότος τῆς ἀγνοίας ἐξαιρούσης τῆς ψυχῆς, οἱ καθ' Ἕλληνας σοφοί θεοειδέστεροι ἂν εἶεν καὶ θεοπτικώτεροι τῶν πρὸ νόμου πατέρων καὶ τῶν ἐν τῷ νόμῳ προφητευσάντων... Ποῦ τοίνυν ἐν ἐρημίᾳ διδασκαλεῖα τῆς ματαίας, ὡς δ' λέγουσι, σωτηρίου φιλοσοφίας;"

St. Gregory, "was clear that 'theological wisdom and the philosophy of the profane sciences had the same end'."[63] Barlaam taught that the exothen and the kata Christon philosophies were distinct curricula but each respectively leading to knowledge of God and human salvation. For Gregory, conversely, while the end of each educational tradition can and ought to be human salvation, exothen paideia can never achieve this end by itself, let alone an accurate knowledge of supra-natural things. Rather, it may do so only in service to the kata Christon philosophia. Thus, when exothen paideia is used to try to achieve some form of human perfection or salvation without reference to kata Christon philosophia, it easily overestimates and oversteps the limits of its knowledge and becomes corrupted into mataia philosophia.

Physikē Philosophia

Here it is important to qualify what is meant by Gregory's critique of mataia versus *physikē philosophia* (*φυσική φιλοσοφία*, or *natural philosophy*). By *physikē* philosophia Gregory has in mind philosophy, scientific knowledge and investigation, academic study and education used and directed toward its proper goal. He returns to this point on several occasions. For instance, Gregory notes: "But if someone says that philosophy, in the sense that it is natural, is a gift from God, then they speak the truth, without contradicting us."[64] Elsewhere, he continues, "if you put to good use that part of the secular [lit., *exothen*] wisdom which has been clearly separated from the rest, no harm can result, for now by its nature it will have become an instrument for good."[65] So physikē philosophia, well-used, is a good and beneficial educational tool that can help facilitate the wider goals and practice of the kata Christon philosophia in the lives of students.

In particular, Gregory provides two noteworthy examples of how best to approach the use of physikē philosophia in order to maximize it as an

63. Meyendorff, *Study*, 126. With respect to Barlaam's views on philosophy and theology being a single kind of knowledge, and of equal value cf., Panayiotis Christou, "Double Knowledge According to Gregory Palamas," *Myriobiblos*, last accessed February 3, 2020, https://bit.ly/2WTPD41, paragraph 13. In Greek: Π. Κ. Χρήστου, *Θεολογικά Μελετήματα*, τ. 3 (Νηπτικά και Ησυχαστικά), Θεσσαλονίκη, 1977.

64. Ibid., 52; id., 1.1.19, p. 86: "Εἰ δέ τις τῷ φυσικὴν εἶναι τὴν φιλοσοφίαν ἐκ Θεοῦ δεδόσθαι λέγει ταύτην, ἀληθῆ μὲν λέγει καὶ ἡμῖν οὐκ ἀντιλέγει." With respect to philosophy as a *natural*, but not *spiritual* gift, cf., Christou, "Double Knowledge."

65. Ibid., 54; id., 1.1.21, p. 90: "ὅμως εἰ καὶ καλῶς χρήσῃ τῷ καλῶς ἀπειλημμένῳ μορίῳ τῆς ἔξωθεν σοφίας, κακὸν μὲν οὐκ ἂν εἴη τοῦτο, καὶ γὰρ ὄργανον πέφυκε γίνεσθαι πρός τι καλόν."

"instrument for good." He speaks in terms of the need to separate out what is useful for the Christian life in exothen philosophy drawing on the image of someone trying to separate honey from hemlock in a mixture of poison: "There is some benefit to be had even from words of the worldly wise... but we must take care to separate the honey from the mixture and not mistakenly drink the deadly remnant."[66] The second example portrays exothen paideia as a serpent:

> "If you begin with worldly [thyrathen, i.e., exothen] wisdom... it is first necessary to kill the serpent, after overcoming the pride that comes to you from this philosophy... After you have overcome it, you must separate and throw away the head and tail, for these the extremities are evil in the highest degree. By the head, I mean manifestly wrong opinions concerning things noetic, divine, and primordial. By the tail, I mean assumptions about created things. As to what lies between, that is, discourses on nature, you must separate out the harmful ideas by using the abilities in critical analysis and observation."[67]

This generally represents the care with which Gregory advocates approaching philosophy, so that the "discourses on nature,"[68]—or, physikē philosophia—can be of benefit to a person in his education.

Much more about Gregory's exact views on physikē philosophia can be gleaned from a close reading of his *Topics of Natural and Theological Science and on the Moral and Ascetic Life: 150 Chapters.*[69] One major aspect of this work is as Costache writes: "The message conveyed is transparent: on the one hand, there are areas of confluence between theological and natural epistemologies; on the other hand, there are domains that cannot be dealt with outside the

66. Ibid., 53; id., 1.1.20, p. 88: "Ἔστι τοίνυν χρήσιμιον ἐν τούτοις καὶ πολὺ γ' ἴσως ὡς μέλι κωνείῳ παραμιχθέν· ἀλλὰ καὶ πολὺ τὸ δέος μὴ διακρίνουσιν ἐκεῖθεν λάθῃ τι συναποληφθὲν λείψανον θανατηφόρον." While Gregory makes no mention of it, Basil the Great uses a similar analogy about poison in his *Address to young men on reading Greek literature*, 387 & 389.

67. Palamas, *The Triads*, 54; id., *Λόγοι υπέρ των Ιερών Ησυχαζόντων*, 1.1.21, p. 90: "Ἐπὶ δὲ τῆς θύραθεν σοφίας, δεῖ μὲν πρῶτον τὸν ὄφιν ἀποκτεῖναι, καθελόντα σε τὸ παρ'αὐτῆς προσγενόμενόν σοι φύσημα … · καθελόντα δ' ὅμως, ἔπειτα διελεῖν καὶ διαρρῖψαι κεφαλήν τε καὶ οὐράν, ὡς ἄκρα καὶ ἄκρατα κακά, τὴν περὶ τῶν νοερῶν καὶ θείων καὶ ἀρχῶν δηλαδὴ σαφῶς πεπλανημένην δόξαν καὶ τὴν ἐν τοῖς κτίσμασι μυθολογίαν. Τὸ δὲ μεταξύ, τοὺς περὶ φύσεως τουτέστι λόγους, ὡς οἱ φαρμακοποιοὶ πυρὶ καὶ ὕδατι τὰς τῶν ὄφεων σάρκας ἀποκαθαίρουσιν ἕψουντες, οὕτω δὲ τῷ τῆς ψυχῆς ἐξεταστικῷ καὶ θεωρητικῷ τῶν βλαβερῶν διακρῖναι νοημάτων."

68. Ibid., 54; id., 1.1.21, p. 90: "τοὺς περὶ φύσεως τουτέστι λόγους."

69. St. Gregory Palamas, "Topics of Natural and Theological Science and on the Moral and Ascetic Life: 150 Chapters," in *The Philokalia: The Complete Text, Vols. 1-4*, trans. G.E.H. Palmer, P. Sherrard, and Kallistos Ware (London: Faber and Faber, 1979).

confines of divine revelation."[70] These "epistemologies" correspond roughly to kata Christon and physikē philosophies, with mataia philosophia occurring when the "domains that cannot be dealt with," are dealt with.

In other words, "Natural sciences [or philosophy] have their well-grounded competence yet this does not extend to matters pertaining to the domain of the spiritual life"[71] P. Christou, likewise, writes: "according to Palamas' teaching worldly knowledge and theological knowledge are clearly distinguished and proceed on parallel paths. The *destination* of each determines its value."[72] For Gregory, the ultimate goal for physikē philosophia is to "naturally [impel] our soul to understand God's creatures: Then it will be filled with admiration, will deepen its understanding, and continually glorify the Creator."[73]

Gregory draws our attention to the fact that exothen paideia, "can never become spiritual unless it is allied to faith and love of God, and it can never become spiritual unless it has been regenerated not only by love, but also by the grace which comes from love. Then, it becomes different from what it was, new and deiform, pure, peaceful, tolerant, persuasive, full of words which sustain those who listen to them, and full of good fruits."[74] The product of this transformation is the possibility of a curriculum "which purifies the soul".[75] This is the direct result of the interrelationship of the kata Christon and the physikē philosophies. The *right use* of physikē philosophia has the ability to transform and redeem the errors of mataia philosophia. The two pedagogical traditions of the exothen paideia and the kath'ēmas paideia, far from being inherently in conflict, have the possibility of working harmoniously in such a way that a student is provided with a set of beneficial tools that help contribute to the ultimate goal of a human life—personal transformation and salvation.

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70. Doru Costache, "Theology and Natural Sciences in St Gregory Palamas," in *God, Freedom and Nature*, eds. Ronald S. Laura, Rachel A. Buchanan and Amy K. Chapman (New York: Body and Soul Dynamics, 2012), 132.

71. Ibid., 34.

72. Christou, "Double Knowledge." Italics added.

73. Palamas, *The Triads*, 53; Palamas, *Λόγοι*, 1.1.20, p.90: "Ἄφροντις γὰρ βίος διὰ τὴν εἰς Θεὸν ἐλπίδα φυσικῶς κινεῖ τὴν ψυχὴν πρὸς κατανόησιν τῶν κτισμάτων τοῦ Θεοῦ· ἐκπλήττεταί τε ταύτῃ προσανέχουσα καὶ ἐμβαθύνουσα, καὶ παραμένει δοξάζουσα τὸν κτίστην."

74. Ibid., 41; id., 1.1.9, p. 66, 68: "γένοιτο καινή τε καὶ θεοειδής, ἁγνή, εἰρηνική, ἐπιεικής, εὐπειθής, μεστή τε λόγων τοὺς ἀκούοντας οἰκοδομούντων καὶ καρπῶν ἀγαθῶν."

75. Ibid., 38; id., 1.1.7, p. 60: "τῆς καθαιρούσης τὴν ψυχὴν."

Conclusions

It should be clear that it is an error to conflate the exothen paideia with the mataia philosophia in Gregory's educational thought. In rejecting the mataia philosophia, Gregory does not reject the entire exothen tradition. Instead, he draws attention to the use and application of exothen sources and argues that the Christian in his search for salvation may use these selectively, moderately, and judiciously. They have an important role to play, even if somewhat limited in scope from what Gregory's opponents would desire it to be. It is not an absolute necessity for human salvation, but it can be an important tool.

Palamas's critique simply centers around what he considers the *misuse* of the exothen tradition in such a way that it replaces the distinct methodology and content of the *kath'imas* tradition. The real problem for Palamas is that these views *necessitate* that a person abandon pursuing the highest experiential knowledge within the kath'ēmas tradition in exchange for that of the exothen, which is only meant to *facilitate* the former.

Furthermore, Palamas criticized his opponents for adopting uncritically the philosophical categories of the exothen tradition from Plato, Aristotle, and the Neo-Platonists, and for trying to apply these philosophic principles—particularly in epistemology—to the Christian revelation and kath'ēmas educational tradition in ways Palamas considered inconsistent with them.[76]

Exothen paideia trains the mind to understand "discourses on nature,"[77] and through this process develops "abilities in critical analysis and observation."[78] But St. Gregory laments that the Greek philosophers have failed to achieve this—not because exothen paideia is inherently deficient—but because these philosophers and their ideas have, "justly earned the name of folly... as a result of a lack of knowledge of the truth, since [their philosophy] had abandoned the end appropriate to simple human wisdom. Not only did it abandon this [truth], but it strayed in the opposite direction, and persisted in telling lies and presenting them as truth."[79] Again, exothen paideia can be of great value as

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76 Cf., Aristeides Papadakis, *The Christian East and the Rise of the Papacy* (Crestwood, NY: SVS Press, 1994), 297: "[St Gregory] found inadmissible only the degree of authority assigned to the profane science of philosophy .... It is the pretentious claims made for secular philosophy by his opponents that was at issue ...."

77. Ibid., 54; id., 1.1.21, p. 90: "τοὺς περὶ φύσεως τουτέστι λόγους."

78. Ibid., 54; id., 1.1.21, p. 90: "οὕτω δὲ τῷ τῆς ψυχῆς ἐξεταστικῷ καὶ θεωρητικῷ τῶν βλαβερῶν διακρῖναι νοημάτων."

79. Ibid., 45; id., 1.1.13, p. 76: "τῆς μωρίας δικαίως ἐπώνυμος, … ἀλλὰ τῆς κατ' ἔλλειψιν ἀληθείας ἐχομένης γνώσεως, ὡς καὶ τοῦ προσήκοντος ἀπολειφθῆσα τῇ κατ' ἄνθρωπον σοφίᾳ τέλους, οὐκ ἀπολειφθεῖσα δὲ μόνον, ἀλλὰ καὶ εἰς πᾶν τοὐναντίον ἀποβουκοληθεῖσα, καὶ τοῦ μὲν ψεύδους ὡς ἀληθείας ἀντεχομένη."

long as it is not misused, and the exaggerations of the Greek philosophers—particularly with respect to metaphysics—are avoided.

In light of the potential dangers, Gregory offers some guidance. He writes: "We do not forbid anyone to initiate himself in worldly education [lit., *exothen paideia*] if he wishes, at least if he has not adopted the monastic life. But we would not advise anyone to devote himself to this unendingly."[80] This is a principle to which Gregory adhered in pursuit of his own education.[81] While often construed as always a good and beneficial thing, one must recognize that education *can* become an obstacle to salvation if one lacks discretion.

Gregory points to individuals who become distracted from their purpose and drown themselves in the "vistas of deep and diverse knowledge"[82] along with other earthly ends. They expend their energies on vanities—among these, academic learning—and lose sight of the aim of education, which is to facilitate human salvation. As a consequence, they spend their "whole lives seeking these things, and never have enough strength left to set [their] hand firmly to the education which purifies the soul."[83] With particular respect to monastics, Gregory counsels a judicious and limited concentration on reading texts, both exothen *and* kata Christon, when these texts become a distraction from the spiritual life.

The way that Palamas harmonized these seemingly opposed traditions was through a careful and clear prioritization of them that simultaneously valued each form of knowledge for what it offered to a human being, but which needed to be delicately balanced so as not to undermine one or the other through excesses in either direction. In the same way that a coach would caution an athlete against over-practicing to the point of injury and exhaustion before the championship game, or that a professor would counsel one's students not to research so excessively that there remained no time to write the assignment, so Gregory emphasizes not a rejection of exothen education, but a prioritization of its use in relation to the goals of human life. The point in this, as for the athlete and for the student, is to avoid unwittingly undermining one's ultimate goals.

In Palamas's own philosophy of education, he always advocated a tandem relationship between the theoretical and the practical. That which is learned

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80. Ibid., 44; id., 1.1.12, p. 72: "Ταῦτ' ἄρα καὶ τὴν ἔξω παιδείαν μετιέναι τοὺς βουλομένους τῶν μὴ τὸν μονήρη βίον ἐπανελομένων οὐκ ἂν ἀπείρξαιμεν, διὰ τέλους δὲ ταύτῃ προσεσχηκέναι παραινοῦμεν ἥκιστα τῶν ἁπάντων οὐδένα."

81. Meyendorff, *Study*, 28-31.

82. Palamas, *The Triads*, 38; id., *Λόγοι υπέρ των Ιερών Ησυχαζόντων*, 1.1.7, p. 60: "τὸ πολύ τε καὶ μακρὸν ὑποτίθεται μῆκος καὶ πλῆθος τούτων τῶν γνώσεων."

83. Ibid., 38; id., 1.1.7, p. 60: "τὸ πολύ τε καὶ μακρὸν ὑποτίθεται μῆκος καὶ πλῆθος τούτων τῶν γνώσεων, … των ζητήσει διὰ βίου παντὸς ἀπασχολήσαντες ἑαυτους, ἀπρὶξ ἐπιλαβέσθαι τῆς καθαιρούσης τὴν ψυχὴν παιδείας οὐκ ἐξισχύσωμεν...."

based on theory or intellectual knowledge must always be related to and informed by the implementation of this knowledge through praxis by an individual. For Palamas, the two function cyclically to produce an expanded knowledge of both theory and practice as a result.

In the end, Gregory's main concern is for the salvation and transformation of human beings. It is according to this principle that he assesses the usefulness of exothen paideia in its relation to kath'ēmas. For Gregory, exothen paideia has the potential to be either fruitful or destructive, depending on its application. In this respect, St. Gregory follows the Apostle Paul, who writes: "All things are lawful for me, but all things are not helpful. All things are lawful for me, but I will not be brought under the power of any."[84]

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Women, Pleas and Property Crime: Understanding the Fortunes of Female Petitioners in London, 1819–1840

*By David Orr**

From a random sample of five-hundred petitions submitted (1819–1840) by felons convicted at the Old Bailey, only thirty-nine were female petitioners. This approximates the female-male felony ratio of convictions for felonious property crimes in London during this period.[1] The thirty-nine female petitioners are the focus of this article. In particular, the article examines evidence and arguments suggesting that ideas of morality and social constructions of femininity and masculinity rather than legality most influenced the outcome of their appeals. Second, the article will examine the extent to which elite decision-makers used their ideals of motherhood, marriage status, and chastity to determine both the credibility of appeals and the moral integrity of the petitioners. Third, the article will examine how constructions of respectability were also applied to those who petitioned on behalf of female convicts and whether these ideas influenced the perception of the petitioner as credible. Ultimately, the article will conclude by assessing the degree to which subjective perceptions of petitioners and prisoners as moral or respectable determined who was deemed "fit subject of mercy."

Introduction

Historiography concerned with pre-Victorian pardoning processes has developed considerably since Hay's (1975) thesis and subsequent debates regarding powerful elites and mercy. Notably, the publication of Gatrell's *Hanging Tree (1994/6)* shifted focus to the agency of the accused and condemned.[2] Additionally, several historians have noted that petitions for pardon or mitigation of sentence offer a rare insight into the lived experiences of some of the least powerful individuals in pre-Victorian society.[3] Whilst not losing sight of why these documents were produced, which obviously meant certain aspects of the appellants' lived experiences were accentuated, it is wrong to simply dismiss the

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1. Peter King, *Crime and Law in England 1750–1840* (Cambridge: Cambridge University Press, 2006), 172–175.

2. Simon Devereaux, "Execution and Pardon at the Old Bailey 1730–1837," *American Journal of Legal History* 57, no. 4 (2017): 490.

3. David Orr, "The Foul Conspiracy to *Screen Salisbury* and *Sacrifice Morton'*: A Micro-history of Extortion, Resistance and Same Sex Intimacy in Early Nineteenth-century London," *History: Journal of the Historical Association* 103, no. 357 (2018): 572.

petitions as individualised, emotive and subjective.[4] These petitions were a direct interaction between some of the most powerful and least powerful people in pre-Victorian society. As such, female appellants and their advocates were fully aware of the need to reconstruct felons as fit subjects of mercy. In turn, this had a disciplinary effect upon the content of a petition. In the first instance then, the petitions tell us a great deal about pardoning processes. Second, the petitions tell us about the assumptions of the poorest concerning the morals and values of those to whom they were appealing.[5] Third, the responses of elite decision makers tell us how the petitions were received and what specific moral, value and practical considerations informed decisions about the fate of female petitioners. Using this framework, the article explains why very few female petitioners received mitigation of their sentence despite apparent adherence to contemporary constructions of femininity. The paper examines evidence and arguments, suggesting constructs of morality rather than legality most influenced the outcome of the women's appeals, and how the assessment of the petitioner as a moral woman determined whether she was a *fit subject of mercy*.

Literature Review

Women and men in the early nineteenth-century were subject to and the subject of a moral and gendered discourse that had gained added impetus and currency in the final decade of the eighteenth-century.[6] Dominant ideas regarding femininity suggested "that the public world was by definition coarsening and corrupting" for women and that women belonged in the home performing their

4. Alistair Thomson, "Four Paradigm Transformations in Oral History," *The Oral History Review* 34, no. 1 (2006): 52.

5. Ibid.," 52–54.

6. Françoise Barret-Ducrocq, *Love in the Time of Victoria*, trans. John Howe (London-New York: Verso, 1989), 29–33; Anna K. Clark, "Rape or Seduction? A Controversy over Sexual Violence in the Nineteenth Century," in *The Sexual Dynamics of History: Men's Power, Women's Resistance*, ed. The London Feminist History Group (London: Pluto Press, 1983), 14; Catherine Hall, "The Early Formation of Victorian Domestic Ideology," in *Gender and History in Western Europe*, ed. Robert Shoemaker and Mary Vincent (London: Hodder Education, 1998); Bridget Hill, *Eighteenth-Century Women: An Anthology* (London and New York: Routledge, 1993); Theresa M. McBride, *The Domestic Revolution: The Modernisation of Household Service in England and France 1820–1920* (London: Croom Helm, 1976), 24; Roy Porter, *English Society in the Eighteenth Century* (London: Penguin Books, 1982), 35–45; Thompson, *The Making of the English Working Class* (London: Penguin, 1991), 60–61; Randolph Trumbach, *Sex and the Gender Revolution (Volume One); Heterosexuality and the Third Gender in Enlightenment London* (Chicago and London: The University of Chicago Press, 1998), 23–49.

gender as devoted mothers and wives.[7] However, as Thompson noted, this was very much a middle-class idea of womanhood. Poor women rarely had the option to devote themselves to husbands and children, since their wages were required to sustain their families.[8] Paradoxically, women in this situation were also expected to work. According to the same moral code that frowned upon women's participation in the public sphere, "work was the sole corrective and just retribution for poverty."[9] Thus, poor women were expected to work, but without neglecting their familial duties, and in occupations "that coincided with a woman's nature sphere."[10]

As the century progressed, the occupational status and wage-earning power of poor women diminished, whilst the imperative to earn remained. Concurrently, expectations regarding familial roles increased.[11] This created tension between middle class cultural expectations and the economic reality of working women's lives. It also meant that poor women were judged by a measure of femininity from which their poverty had excluded them, and which it was impossible for them to fulfil. They were neither permitted to be poor nor neglect their familial responsibilities lest they be deemed immoral, so were placed in an impossible situation whereby the contradictory elements of middle-class moralism could not be satisfied without risking the censure of that class.[12] Hence, petitioners believed that activities outside the family, including crime, had to be presented as an extension of femininity and familial responsibilities, so as not to compromise the Home Department's perception of the convict as a good woman.[13]

Historiography concerned with women and crime in late eighteenth, early nineteenth-century has been cognisant of these issues. However, research has

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7. Clark, "Rape or Seduction?," 15; Dorothy K. G. Thompson, *British Women in the Nineteenth Century* (London: The Historical Association, 1989), 8.

8. Thompson, *British Women*, 9–10; This point is also made by Hill, *Eighteenth-Century Women*, 5. McBride, *The Domestic Revolution*, 27, adds that as the century progressed "the middle class work and family ethic gradually permeated most levels of society." Francis Place also commented on this paradox, British Library [BL] Add.35142: *f.*94, *The Artisan's London and Provincial Chronicle*, July 1825; [BL] Add.35142: *f.*95, "Political Economy," *Trade News and Mechanic's Weekly Journal*, 14.08.1825; [BL] Add.35142: *f.*111, "Mr Hale's Address on a Minimum of Wages," *Trade News and Mechanic's Weekly Journal*, 21.05.1826.

9. Sally Alexander, *Women's Work in Nineteenth-century London: A Study of the Years 1820–1850* (London: The Journeyman Press and The London History Workshop Centre, 1983), 11.

10. Ibid., 12.

11. Thompson, *British Women*, 11.

12. Porter, *English Society*, 45–48.

13. Clark, "Rape or Seduction?," 18–19, makes a similar point regarding judgements of Mary Ashford's character following her murder by Abraham Thornton; Also see Barret-Ducrocq, *Love in the Time of Victoria*, 53–54.

largely focused upon women as victims or women who worked as prostitutes.[14] In cases of felony, King has claimed that women were treated more leniently than their male counterparts. If this were the case, women's pleas for mitigation of sentences would have been largely successful.[15] Yet, only one woman from the entire sample examined here received mitigation for anything other than ill health or commutation of a capital sentences. King's sample was taken from Home Circuit cases, so it is possible that a less harsh view of female felons prevailed amongst provincial jurors.[16] London had a specific and greater crime problem than the provinces, and this could account for differences in reporting, decision-making and conviction.[17] In support of this argument, Beattie has shown that there it was a larger proportion of female defendants in early eighteenth-century London, although numbers of female defendants fell after 1750.[18] Additionally, these women were mostly prosecuted for misdemeanour.[19]

Thus, even in London convicted female felons represented a very small minority of the most serious criminal cases.[20] It follows that the capitally convicted women constituted an even smaller proportion of those sentenced to hang. However, Beattie and Gatrell both argue that Londoners were increasingly squeamish and sentimental about whipping and hanging female felons. Gatrell cites the substantial campaigns concerning the Sarah Lloyd and Eliza Fenning

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14. Robert Shoemaker, "Forty Years of Crime in London," *The London Journal* 40, no. 2 (2015): 93–94; Gregory Durston, *Victims and Viragos: Metropolitan Women, Crime and the Eighteenth Century Justice System* (Bury St Edmonds: Abramis Press, 2007), 197–224; Tony Henderson, *Disorderly Women in Eighteenth-Century London: Prostitution and Control in the Metropolis, 1730–1830* (Harlow: Longman Press, 1999); Judith R. Walkowitz, *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian England* (London: Virago Press, 1992), 21–22.

15. King, *Crime, Justice and Discretion in England 1740–1820* (Oxford: Oxford University Press, 2000), 279.

16. John M. Beattie, Policing and Punishment in London 1660–1750: Urban Crime and the Limits of Terror (Oxford: Oxford University Press, 2001), 20.

17. See ibid., 1; Alan Brooke and David Brandon, *Tyburn: London's Fatal Tree* (Stroud: Sutton Publishing, 2004), 108–109; Clive Emsley, *Crime and Society in England 1750–1900* (Harlow: Longman Press, 1996), 60–64; V.A.C. Gatrell, *The Hanging Tree: Execution and the English People 1770–1868* (Oxford: Oxford University Press, 1996), 6–11; Heather Shore, *Artful Dodgers: Youth and Crime in Early 19th Century London* (Woodbridge: The Boydell Press, 1999/2002), 2–4; John J. Tobias, *Crime and Industrial Society in the Nineteenth Century* (London: Pelican Books, 1972), 26–56.

18. Beattie, Policing and Punishment, 63–71.

19. Shoemaker, Prosecution and Punishment: Petty Crime and the Law in London and Rural Middlesex c1660–1725 (Cambridge: Cambridge University Press, 1991), 212–213; Gwenda Morgan and Peter Rushton, Rogues, Thieves and the Rule of Law: The Problem of Law Enforcement in North-East England (London: UCL Press, 1998), 67–68, 97–123.

20. Beattie, Policing and Punishment, 296–299.

cases, to evidence this point.[21] The result, they claim, was a reticence to convict women for capital crimes and a tendency towards more lenient sentencing.[22] Three women in the sample discussed here were capitally convicted. All three had their sentences commuted to transportation for life. Maria Williams was convicted for uttering a forged banknote and Honor Baldwin for stealing various valuable items from the dwelling house of the Earl of Belfast.[23] As Devereaux notes, commutation for both offences had become standard by the late 1820s. Therefore, these commutations were neither exceptional nor indicative of greater leniency towards women.[24] Only the commutation of Mary Jackman's capital sentence requires further discussion. On 30th June 1831, Mary Jackman was convicted of violently robbing Henry McFarlin, four days before at her house in Goswell-street, St Luke's, London. McFarlin was taken to the house by Mary Ann Gray, also known as "Country Polly," after meeting Gray in a nearby public house. In the process of stealing eighteen shillings McFarlin claimed, "Jackman was holding me by the collar with one hand all the time, and striking me as hard as she could, like a man."[25] The gendered description of violence was obviously used to denote its seriousness, and perhaps to preserve the victim's dignity by suggesting Jackman was *unnaturally* strong. Despite Jackman's plea at trial, that she was "as innocent as an unborn baby;"[26] her petition was nothing more than a statement of character from the parishioners of St Luke's.[27] A man who had effectively admitted using such force as to threaten murder during a robbery may well have hanged, but Mary Jackman's sentence was commuted to "Transportation for Life."[28] This is the only possible support in the sample for Gatrell and Beattie's argument, but it is hardly conclusive. What is more, there was no campaign for the life of Mary Jackman, as there had been for Sarah Lloyd and Eliza Fenning. A woman who used violence "like a man" was hardly going to attract such sentimental attention. Conversely, unwillingness to address violence against women in the home gave license "to men to use violence in particular

21. For full details of these cases and attendant campaigns for commutation, see Gatrell, *Hanging Tree*, 339–370.

22. Beattie, *Policing and Punishment*, 362; Gatrell, *Hanging Tree*, 334–338.

23. Old Bailey Proceedings Online [OBSP] Case 262, 14th January 1824: Trial of Maria Williams, *accessed 13 February 2015*; [OBSP] Case 281, 11th January 1827: Trial of honor Baldwin, *accessed 13 February 2015.*

24. Devereaux, "Execution and Pardon," 477–478.

25. [OBSP] Case 1210, 30th June 1831: Trial of Thomas Haywood, Mary Jackman, Hannah Graham and Phoebe Hymans, *accessed 13 February 2015.*

26. [OBSP] Case 1210, 30th June 1831, *accessed 13 February 2015*.

27. The National Archive [TNA] HO 17/17 (1) Bg 1: "The Humble Petition of Mary Jackman, convicted at the June session 1831 for robbery and sentenced to death."

28. [TNA] HO 17/17 (1) Bg 1: "The Humble Petition of Mary Jackman," June 1831.

'domestic' contexts."[29] So, in contrast to Mary Jackman's violence, violence of male partners was mostly ignored as an explanation for the criminality of female petitioners because it conformed to gendered expectations of behaviour.

The following discussion of petitions submitted by women convicted of non-capital felonies will test these arguments. Particularly, the case of Elizabeth Holland will be closely examined to understand why her petition succeeded when the pleas of her peers did not. The paper will then go on to highlight the failings of the remaining petitions to argue that intersections between women's experience, social class, gendered social constructs and non-legal elite decision were much more complex than either Gatrell or Beattie indicated.

Methodology

At one level, the research is concerned with documenting the view from below. The petitions offer a window into the lives of women previously undocumented and rarely heard from in historical documents.[30] More than this, the petitions bear witness to the interconnection between individual and collective experience, and the social expectations and beliefs that framed how the women reinterpreted events in their lives for the purposes of their plea. Thus, petitions signify the agency of female convicts or their advocates whilst revealing dominant contemporary ideas of femininity and appropriate behaviour that shaped appeals for mercy.[31] In order to examine this relationship, a representative sample of thirty-nine petitions submitted by or on behalf of women convicted at the Old Bailey, 1819–1840, was examined. The petitions were taken from a larger random sample of 500 petitions submitted by both men and women and approximate the female-male felony ratio of convictions for property crimes in London at this time.[32] Whilst it is tempting to view the experiences and articulations of the petitioners as "representative or ordinary," one must be mindful of the circumstances under which the pleas were produced. For this reason, the voice of female petitioners is understood as "specific and

29. John Carter Wood, Violence and Crime in Nineteenth-century England: The shadow of our refinement (London: Routledge, 2004), 110.

30. Thomson, "Four Paradigm Transformations," 51–52.

31. Ibid., 55–56; Polly Russell, "Using Biographical Narrative and Life Story Methods to Research Women's Movements: Sisterhood and after," *Women's Studies International Forum* 35, no. 3 (2012): 132–134; Cynthia Richards, "Women of Quality: Accepting and Contesting Ideas of Femininity in England, 1690–1760," *The Scriblerian and the Kit-Cats* 36, no. 2 (2004): 182–183; Carolyn Malone, "Women in England 1760–1914: A Social History," *Journal of Victorian Culture* 12, no. 1 (2007): 132.

32. King, *Crime and Law in England*, 172–175. For full details of the sample see appendix.

extraordinary."[33] However, dominant social constructions of femininity and woman that mark the self-conscious content and construction of the petitions are discussed in terms of their disciplinary effect upon the lives of women and men more generally.

By taking a microhistory approach, the focus shifts from the discussion of elites and statistical evidence to examine how individual women sought to negotiate their sentence through the petition process. This enables an examination of varied experiences and realties of pre-Victorian criminal justice.[34] Individual experience and action offer a further key to understanding the complex interaction between actors' choices and their understanding of contemporary narratives concerning femininity and gender. Hence, the methodological approach adopted goes beyond a situational understanding of the cases presented to reveal previously "unobserved factors endemic" to the society in which the women lived.[35] Finally, it is worth noting that few petitions in the sample resulted in mitigation. Excepting the three capital commutations and one mitigation of sentence on mental health grounds, only one non-capital case in the sample, that of Elizabeth Holland, was positively received. The remainder of the paper will discuss why Elizabeth Holland was successful. It will also shed some light on why her co-appellants were not, and the key strategies women used to re-construct themselves as *appropriate females* and *fit subjects of mercy*.

Findings and Commentary

In December 1826, Elizabeth Holland was convicted at the Old Bailey for theft from a specified place. She was sentenced to seven years transportation. According to her petitioner, Ann Betley, Elizabeth "in want of the common necessities of life 'was' induced to pawn a sheet for two shillings" taken from her lodgings.[36] Elizabeth had worked hard as a shoe binder. She was poorly paid, and work was increasingly scarce due to the decline in London's traditional crafts and

33. Russell, "Using Biographical Narrative," 134.

34. Orr, "The Foul Conspiracy," 573; Rachael Griffin, "Bobbies, Booze and Bagatelle: Policing Vice in Early Victorian London," in *Law, Crime and Deviance since 1700: Micro-Studies in the History of Crime*, ed. Anne-Marie Kilday and David Nash (London: Bloomsbury Academic Press, 2017), 192, 201.

35. Laurie Marhoefer, "Lesbianism, transvestitism, and the Nazi state: a microhistory of Gestapo investigation, 1929–1945," *American Historical Review* 121, no. 6 (2016): 1172.

36. [TNA] HO 17/15 (2) Bm 10: "Letter from Ann Betley to Robert," December 19th, 1826.

industries.[37] Whilst want was common as the basis of pleas for mitigation, it is clear from the outset of the petition that Ann Betley had a distinct and conscious strategy. Rather than simply relying on pity, Ann sought to distinguish Elizabeth from those women who, in the eyes of the Home Department, did not deserve mercy. To these ends, the substantive part of the petition focused on Elizabeth's previous good character and the respectability of her family. Again, this was not unusual for petitions of the period, but the discussion of previous good character in this instance needs to be understood in the context of the whole petition. Hence, Ann stated that Elizabeth's family,

> "Have been respectable the Father having lived for 22 years as Head Gardner in the Family of Mr Bruce of Brompton but who is now dead, and the mother died only two months ago leaving several children."[38]

Elizabeth was twenty-two years old when convicted. She had spent most of her life in and around the Bruce residence before moving to London with her sister, of whom Ann Betley wrote, "has lived servant with me for the last two years, and who is now in my service."[39] Without stating it directly, Ann established that Elizabeth came from an honest and industrious family, and by association she was accorded the habits, industry and character of her trusted sister. Their family had also been financially dependent upon Elizabeth and her sister since the death of their mother. Ann Betley thus contested the construction of Elizabeth Holland as a felon beyond moral redemption or reformation. The petitioner went on to states that Elizabeth lived in a "lodging house for young women."[40] Again, rather than making a direct statement, the intimation here is that Elizabeth was chaste, so as well as being honest and industrious she was also virtuous. This was crucial to the success of the petition. Although written eight years after Ann Betley's petition, Chitty's comment in *Treatise*, 1834, summed up the prevailing attitude stating that,

> "Universally, in England, an unmarried woman who has had sexual intercourse, even by such force that she was unable to resist with effect, is in a degree disgraced, or rather no longer retains her virgin purity in the estimation of society, and there is a natural delicate, though perhaps indescribable feeling that

37. [TNA] HO 17/15 (2) Bm 10: "Letter from Ann Betley," Iorwerth J. Prothero, *Artisans and Politics in Early Nineteenth-century London: John Gast and His Times* (Grantham: Methuen Press, 1979), 210–225.

38. [TNA] HO 17/15 (2) Bm 10: "Letter from Ann Betley."

39. [TNA] HO 17/15 (2) Bm 10: "Letter from Ann Betley."

40. [TNA] HO 17/15 (2) Bm 10: "Letter from Ann Betley."

> deters most men who know that female has been completely violated, from taking her in marriage."[41]

Consequently, in the opening sentences of the petition Ann Betley has succeeded in reconstructing Elizabeth Holland, female convict, as a paragon of middle-class morality. Clearly and understandably, Ann's petition reflected the dominant cultural script that informed assumptions regarding femininity and the socially constructed "good woman" of early nineteenth-century Britain.[42] The petition did not seek to challenge this script, but rather to present Elizabeth Holland to the Home Department as a moral and "appropriate" woman, despite her circumstances.

However, previous good character did not generally weigh as heavily with the Home Department as subsequent legal transgressions. So, Ann moves next to discuss the theft for which Elizabeth was convicted. Ann began her defence by stating that Elizabeth came by, "the property in her possession, not by theft she being a lodger and the money obtained being only two shillings I hope and trust will be sufficient apology for this supplication."[43] The petition does not deny Elizabeth took the sheets, but Ann questions the perception of Elizabeth as a thief. Elizabeth's transgression is neither heinous nor serious, nor is Elizabeth really a thief as far as Ann is concerned. Therefore, she feels compelled to write, "To save this unfortunate young creature, from total ruin, which must ultimately be the case if transported with class of Females who are sent out of the Country."[44] This "class of Females" was not defined but were clearly meant to represent the antithesis of Elizabeth's chaste, virtuous and industrious character. The dominant cultural script also defined these *other* women. They were the unchaste, supporting themselves with crime and sex, and were the converse of the so-called appropriate or moral woman. Again, the petition does not challenge the dominant cultural script there are women who deserve transportation, Ann Betley makes clear, but Elizabeth Holland is not of that *other* "class of females."

Ann had only one point to add to her petition, but it was critical to the success of Elizabeth's plea. At the end of the petition, Ann also implies that Elizabeth will not be led back into criminality because, "I on her release will most cheerfully receive her into my service being satisfied from her family and general conduct that nothing but the greatest distress prompted her to commit the crime."[45]

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41 Joseph Chitty, "A Practical Treatise on Medical Jurisprudence…," (London: Sold by Longman, Rees, Orme, Brown, and Green, 1834), 378. Quoted in Clark, "Rape or Seduction?," 24.

42. Hall, "The Early Formation," 181–197.

43. [TNA] HO 17/15 (2) Bm 10: "Letter from Ann Betley."

44. [TNA] HO 17/15 (2) Bm 10: "Letter from Ann Betley."

45. [TNA] HO 17/15 (2) Bm 10: "Letter from Ann Betley."

The fact that Ann Betley was a wealthy woman living in Little Chelsea was crucial to the success of Elizabeth's petition. Ann knew what the bureaucrats at the Home Department needed to read if they were to commute Elizabeth's sentence. She wrote the petition without sycophancy or sentimentality and addressed Peel as her social equal, without telling him directly how to do his job. The offer of work for Elizabeth was not tenuous or unstable, but promised secure employment in a large house, where Elizabeth's behaviour would be under constant scrutiny. It ensured that Elizabeth would not find herself without income on release from her sentence, and it displayed Ann trusted Elizabeth enough to employ her in a situation where she will have access to Ann's property. On the back of the petition was scribbled "Is there any credit due to the writer of this letter," which indicates that enquiries were made about Ann Betley.[46] Once her character and social status were established, Ann's confidence in Elizabeth encouraged the Home Department to grant mercy, and Elizabeth's punishment was commuted to a shorter prison sentence.

Clearly, the strategy and status of Elizabeth Holland's petitioner were deciding factors in the mitigation of her sentence. But, how does this petition compare to the those of the other women in this sample who failed to be granted mitigation? To begin with, most of the other women in the sample petitioned on their own behalf using the services of an advocate or scribe or their petitioner did not have Ann Betley's social standing. In other words, they did not have an individual considered respectable representing their case in such a calculated way. Second, most petitions attempted to arouse the pity of elite decision makers rather than distinguish themselves as special cases. But these were not merely emotive and subjective appeals. Whether consciously or not, petitioners also reconstructed offending and the convict within what they believed to be the ideas of femininity and respectability held by those to whom they appealed. To these ends, many female petitioners focused upon their experiences as mothers and wives to illustrate their femininity and demonstrate their moral character. This accounts for the frequency with which children were mentioned in the petitions of female prisoners. Of the thirty-nine female convicts in the sample, fifteen of their petitions suggested or implied that the Home Department should consider children as mitigation against legal transgressions or given sentences. Maria Fillingham's petition is typical of many petitions in the sample. Petitioner George Barton stated that Maria's husband,

> "Thrust her and her children out of doors! Thereby exposing them to misery, destitution and want [to become] a wanderer and compelled to seek a precarious livelihood for herself and her family."[47]

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46. [TNA] HO 17/15 (2) Bm 10: "Letter from Ann Betley."

47. [TNA] HO 17/15 (2) Bm 9: "Letter sent by George Barton, 5th February 1827, on behalf of Maria Fillingham who was convicted of larceny at December session 1826 and sentenced to 7 years transportation."

Likewise, Honor Baldwin's petitioner stated that he was, "Fully convinced that absolute want induced her to commit this act…having 3 children almost starving."[48] Mary Day's petition states that she was "driven" to steal the books, for which she was sentenced to seven years transportation, "By the sight of her infants in actual want of nourishment."[49]

In this way, property offences committed by the women were, consciously or not, presented as an extension of her mothering role, and thus consistent with dominant ideas regarding femininity. The statements made by these women in their petitions were borne out of real experiences. The prisoners, or those advocating on their behalf, were acutely aware of the need to present themselves as good female characters even though they had transgressed the law. Since legal transgression was additionally a transgression of dominant constructions of femininity, the offence had to be represented as an extension of a woman's accepted role if a plea was to be accepted. Thus, a mothers' sacrifice for the sake of children was one way a female prisoner attempted to salvage her character. For this to work, though it rarely did, the petitioners had to make it clear that, through no fault of their own, they had become solely responsible for the care and upkeep of their children. For this reason, several women discuss violent and estranged husbands to explain how the circumstances of their offence had occurred. In Maria Fillingham's case, her petition explains her transformation from a woman who "had conducted herself with great propriety and respectability' to a twice convicted felon as a "consequence of the brutal usage she has received from her husband." It goes on to state that,

> "[Maria's husband] very soon after their marriage cohabited with another Woman by whom he has a family and has been Married to a second Wife by whom he has a family also-! this adding the crime of Bigamy to his other vices she [Maria] has been a lost woman –coupled with this is the personal violence she has experienced– the many times he has endangered her life."[50]

Still Maria did not leave the family home until; she was "thrust" out by her husband. In other words, her loss of character was purely a result of her

48. [TNA] HO 17/15 (2) Bm 15: "Note from the Earl of Belfast, 22nd January 1827 in favour of Honor Baldwin, convicted of stealing in a dwelling house at January session 1827 and sentenced to death." Tasmanian Record Office [TRO] HO11/6, 216, state that Honor travelled with her husband James and 3 children to Van Diemen's Land in 1827, received a condition pardon in 1836, and died in Van Diemen's Land in 1859.

49. [TNA] HO 17/16 Bo 44: "Petition sent to Robert Peel by Mary Day, convicted at the February session 1829 for stealing books and sentenced to 7 years transportation."

50. [TNA] HO 17/15 (2) Bm 9: "Letter sent by George Barton."

husband's actions. By this, Maria hoped to demonstrate that she was not an incorrigible criminal undeserving of mercy, and her legal transgression should in no way cast aspersions upon her character as a conscientious mother and loyal wife. In fact, Maria hints that if she had been less loyal and conscientious, she would not have fallen into committing larceny to feed her children.

Similarly, according to her petition Mary Wilson had given her a "moral" education, but things went wrong when she married "a man of loose morals and dissolute conduct."[51] Mary Day was taught honest and industrious habits by her parents and would have been able to support herself and her family "but for the profligacy and indiscretion of an unfeeling husband" who abandoned her and their three children "leaving them in distress and want."[52] A variant on this theme is presented by seventeen-year-old Elizabeth Wheatley. Elizabeth did not have children, but she had attempted suicide because of the "inhumane manner" with which her husband had treated her. The theft of two silver spoons was committed whilst she was "in a state of the most abject wretchedness and starvation through the disgraceful conduct of her husband" who was known "to keep her on very little food for weeks."[53] In all these cases, the situation presented to the Home Department was beyond the control of the women seeking commutation. These were women, the petitions claim, that were forced to commit crime because of ill-treatment by men upon whom the family were financially dependent.[54]

These petitions demonstrate the disciplinary effect of ideas of femininity believed to be held by elite decision-makers. They also demonstrate the poor woman's inability to fulfil the contradictory elements of dominant moralist discourse that expected women to be responsible for their own poverty and, at the same time, their families. By presenting experiences of male violence, it could at least be argued that they were not responsible for their own poverty or legal transgressions. Their offences were thus actively presented as the actions of desperate mothers trying to survive and feed their children, and not a product of their immorality.

No doubt, some petitioners exaggerated their circumstances. After all, the women in the sample were pleading to avoid execution or transportation. At the

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51. [TNA]HO 17/2 (1): "Petition of Mary Wilson, convicted of stealing from the shop of Mr Harvey, linen draper, and sentenced to 14 years transportation." Sent by a number of "householders" from Southwark and Bishop's Gate, October 1826.

52. [TNA] HO 17/16 Bo 44: "Petition sent to Robert Peel by Mary Day."

53. [TNA] HO 17/15 (2) Bm 14 (1): "Petition sent to Robert Peel from James Leggett (prosecutor) on behalf of Elizabeth Wheatley, convicted for larceny at the December session 1826, and sentenced to 7 years transportation," and (2) "Petition sent to Robert Peel from Ann Turner [*Elizabeth's mother*] on behalf of Elizabeth Wheatley, convicted for larceny at the December session 1826, and sentenced to 7 years transportation," February 26th 1827.

54. Thompson, *British Women*, 12.

same time, interpersonal violence was ubiquitous in many women's lives. These experiences alongside expectations of women as primary carers of children evidently shaped the material circumstances of female petitioners' lives.[55] However, the mention of children often went against female prisoners because of contemporary beliefs that criminal parents infected their progeny with immorality and criminality.[56] This idea had been gaining currency in the eighteenth-century but was particularly strong in the 1820s and 30s.[57] Given dominant ideas regarding femininity, this obviously placed women at the forefront of producing moral children. Thus, in the minds of those deciding her fate a convicted mother broke expected norm in her own right and threatened the morality of future generations. These were Ann Betley's other "class of females," for whom the system of transportation was set up to banish from their native country.[58] Thus, for female petitioners to state that they had children without denying their guilt was more likely to alarm the home department than induce mercy. This evident mismatch between petitioners' assumptions and the specific moral and practical considerations of Home Department elites clearly explains why most petitions in the sample were rejected.

In some instances, ratepayers who signed the women's petitions encouraged appellants to foreground experiences of interpersonal violence and childcare responsibilities. The agendas of middling ratepayers were themselves complex, and often conflicted with national policy where higher rates and local issues were concerned.[59] Whilst ratepayers supported the general removal of felons, they petitioned against transportation when the sentence promised to place dependants upon the parish.[60] Hence, ratepayerswere encouraged to support the petitions of female felons with children, particularly those women who were sole carers, as their execution or transportation equated to increased legal and financial responsibility. Where very young children were concerned, transport with their mother was less likely because of cost, arduousness of transportation and burden placed upon penal colonies. Therefore, these petitions prompted most support

55. Barret-Ducrocq, *Love in the Time of Victoria*, 45–50; Clark, "Rape or Seduction?," 20–21; Gatrell, *Hanging Tree*, 465; Morgan and Rushton, *Rogues, Thieves and the Rule of Law*, 57–58; Martin J. Wiener, *Reconstructing the Criminal: Culture, Law and Policy in England, 1830–1914* (Cambridge: Cambridge University Press, 1990), 282–283.

56. Barret-Ducrocq, *Love in the Time of Victoria*, 180–181; Shore, *Artful Dodgers*, 23.

57. Beattie, Policing and Punishment, 51; King, Crime, Justice and Discretion, 284–285.

58. Robert Hughes, *The Fatal Shore* (London: Vintage Books, 2003), 244–245; Weiner, *Reconstructing the Criminal*, 53, 254.

59. David Churchill, *Crime Control & Everyday Life in the Victorian City: The Police and the Public* (Oxford: Oxford University Press, 2017), 98–111; Orr, "Crime Control & Everyday Life in the Victorian City: The Police and the Public," *Cultural and Social History* 16, no. 3 (2019): 1–2.

60. King, Crime, Justice and Discretion, 283–284.

from local ratepayers because the children involved were most likely to become dependants upon the parish. Against this, national policy was also governed by cost. In New South Wales and Van Diemen's Land, children born in colonies were proving to be a financial and organisational burden.[61] Additionally, women sentenced in the 1820s and 30s to seven years transportation were more likely to be transported than men under the same sentence.[62] This was partly because of a demand for female convict labour amongst free settlers that no longer existed for male prisoners.[63] Therefore, the upkeep of female convicts was often met by the free settlers in Australia, except when the prisoner has attempted escape.[64]

Conclusion

It was into this complex set of relationships and competing interests that female petitioners tried to present themselves as fit subjects for mercy or pity. Elizabeth Holland's petition said no more in mitigation of her sentence than those of the female petitioners who failed to gain commutations, but the way it was constructed, by whom it was constructed and the prospect it offered Elizabeth of leading an industrious and virtuous life without cost to the ratepayer or the treasury were the factors crucial to her obtaining commutation of her sentence. Elizabeth's petition clearly demonstrates, as do the petitions of all the women discussed, how dominant ideas of femininity and gendered morality circumscribed both women's lives and elite decision-making regarding pleas for mercy.[65] The petitions also demonstrate the central importance of class. Increasingly powerful middle classes established the moralist agenda as a codification of acceptable behaviour, and it was the intervention of socially and economically elite supporters that made the difference between success and failure of a petition. Lastly, in all cases, the poverty of female petitioners led them to transgress the law in the first place. That these women were judged through a

61. Brooke and Brandon, *Bound for Botany Bay: British Convict Voyages to Australia* (London: The National Archives, 2005), 80–81.

62. George P. Holford, Letters to the Editor of the Quarterly Review on a Misstatement Contained in the 42D Volume of that work…Relative to the Supposed Ill-success of the General Penitentiary at Millbank (London: Rivington's, 1830), 31; Morgan and Rushton, Rogues, Thieves and the Rule of Law, 157–161; Alan G.L. Shaw, Convicts and the Colonies, a Study of Penal Transportation from Great Britain and Ireland to Australia and Other Parts of the British Empire (London: Faber and Faber, 1966), 100–101.

63. Holford, Letters to the Editor of the Quarterly Review, 35; Hughes, Fatal Shore, 263; Shaw, Convicts and the Colonies, 196.

64. Hughes, *Fatal Shore*, 253–258.

65. Shoemaker, *Gender in English Society 1650–1850* (New York and London: Routledge Taylor and Francis Group, 1998/2013), 316–318.

gendered filter of moralism is clear. At no time does the sentimental attitude towards punishing women, discussed by Gatrell, appear to have influenced the treatment of female petitioners in this sample. Indeed, there appears to have been no attempt to respond to female convicts and their families as human beings faced with tragic situations. The bureaucratic rational that circumscribed decision-making on pleas for mercy served only to compound these tragedies and removed the last vestiges of hope for a reprieve. That most women who transgressed the law were dealt with by justices and magistrates earlier in the prosecution process, suggests that mitigating factors had already been considered and ruled out.[66] Therefore, this made the situation of female felons even more hopeless. Not only were they viewed as the dregs of womanhood by elite decision-makers, they were, at the time of writing their petitions, cast as the most undeserving of female lawbreakers. In this context, there was little hope of receiving mercy. Thus, legal processes re-enforced dominant ideas of middle-class respectability, morality and femininity. Those female petitioners who did not fit with these ideas were promptly and physically removed from English society.

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66. Beattie, Policing and Punishment, 444; King, Crime, Justice and Discretion, 287; Shoemaker, Prosecution and Punishment, 149.

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Appendix

Sample of Women prosecuted for Felony at the Old Bailey (1819–1840)

NAME AND AGE	DATE OF HEARING	INDICTABLE OFFENCE	VERDICT	ORIGINAL SENTENCE	FINAL SENTENCE	PREVIOUS OFFENCES	MITIGATION OR COMMUTATION GRANTED
Andrews, Mary Ann (29)	March 1839	Larceny	Guilty	7 Years Transportation	7 years Transportation	William Willerman, Police Constable, produced "a certificate of the prisoner's former conviction" at trial	No – Transported 6th May 1839 (HO11/12, page 27/15).
Baldwin, Honor (28)	January 1827	Stealing in a Dwelling House	Guilty	Death	Transportation for Life	No statement recorded at trial or on petition	Commutation of death sentence – Transported 12th July 1827 (HO11/6, page 216).
Bartlett, Ann (16)	October 1838	Receiving Stolen Good	Guilty	7 years Transportation	"Pen ty as 7 year convict" written on petition.	Gaoler's report "character not known"	No
Bassett, Emma	December 1826	Pickpocketing	Guilty	14 years Transportation	14 years Transportation	No statement recorded at trial or on petition	No – Transported 27th March 1827 (HO11/6, page 137/70).
Brady, Winifred	August 1838	Receiving stolen Goods	Guilty	6 months Imprisonment	6 months Imprisonment	None	No
Burtonwood, Mary (42)	June 1821	Stealing from the Person	Guilty	Transportation for Life	Transportation for Life	"Tried before" (written on petition)	No – Transported 25th December 1821 (HO11/4, page 131/67).
Cooper, Hannah (21)	July 1819	Grand Larceny	Guilty	Gaoler's report on petition 'convicted before'.	Served sentence at Milbank	None	No
Day, Mary (26)	February 1829	Simple Larceny	Guilty	7 years Transportation	7 years Transportation	None	No – Transported 10th July 1829 (HO11/7, page 106).
Driscoll, Elizabeth (34)	January 1827	Receiving Stolen Goods	Guilty	7 years Transportation	Served sentence in penitentiary (HO/19/5)	None	No
Field, Mary Jane (18)	April 1828	Larceny (2 Indictments)	Guilty of one charge	7 years Transportation	7 years Transportation	None	No – Transported 9th June 1828 (HO11/6, page 415/209).
Fillingham, Maria (46)	December 1826	Larceny	Guilty	7 years Transportation	7 years Transportation	One (stated in petition)	No – Transported 10th April 1827 (HO11/6, page 144).
Freeman, Sarah (34)	January 1823	Grand Larceny	Guilty	7 years Transportation	7 years Transportation	No statement recorded at trial or on petition	No – Transported 20th November 1823 (HO11/5, page 109/56).
Gold, Mary (29)	April 1828	Larceny	Guilty	7 years Transportation	7 years Transportation	None (stated in the petition)	No, according to petition, but no record of transportation to penal colony. No record of sentence served in penitentiary, although this was requested in the petition.
Harrison, Eliza (30)	February 1828	Larceny	Guilty	7 years Transportation	7 years Transportation		No – Transported 9th June 1828 (HO11/6, page 415/209).
Haley, Mary	April	Larceny	Guilty	7 years	7 years	Gaoler's report on petition	No – Transported 9th June 1828 (HO11/6, page 414).

(27)	1828			Transportation	Transportation	"convicted before"	
Holland, Elizabeth (22)	December 1826	Larceny	Guilty	7 years Transportation	"Penitentiary"	None	Sentence reduced to 1 year in penitentiary following plea by Ann Betley.
Hopwood, Sarah (20)	February 1835	Theft from a specified Place	Guilty	7 years Transportation	7 years Transportation	None	No – Transported 13th April 1835 https://convictrecords.com.au/convicts/hopwood/sarah/135073.
Jackman, Mary (30)	June 1831	Robbery	Guilty	Death	Transportation for Life	Petitioners testify to "good character," and no indication of previous criminal record	Commutation of death sentence – Transported 4th December 1832 (HO11/8, page 482).
Jennings, Elizabeth (22)	June 1820	Stealing from the Person	Guilty	Transportation for Life	Transportation for Life	None	No, but was returned from Hulks to Newgate due to ill-health. Eventually transported 7th September 1822 (HO11/4, Page 199/100).
Kenney, Catherine 16)	January 1835	Larceny	Guilty	7 years Transportation	7 years Transportation	Previous conviction(s) - stated at trial	No – Transported 13th April 1835 (HO11/10, page 28).
Lewis, Elizabeth (35)	January 1825	Stealing from the Person	Guilty	Transportation for Life	Transportation for Life	"Once before for stealing money served 12 months" (CON 40/1/5 – Tasmanian Records)	No – Transported 22nd July 1925 (HO11/5, page 279/141).
Lewis, Mary (23)	February 1839	Larceny	Guilty	7 years Transportation	7 years Transportation	Known to arresting constable (William Horsfield) as "begging-letter impostor"	No – Transported 6th May 1839 (HO11/12, page 27/15).
Lowman, Margaret (23)	December 1826	Grand Larceny	Guilty	7 years Transportation	"Removed to penitentiary" where she served her sentence (HO/19/5)	None	No indication is given on the petition of why the prisoner was not transported or "removed to penitentiary."
Madden, Ellen (17)	February 1828	Stealing from the Person	Guilty	Transportation for Life	Transportation for Life	"Gaoler's report – prostitute"	No – Transported 9th June 1828 (HO11/6, page 413/208).
Miller, Emma (21)	September 1837	Larceny	Guilty	7 years Transportation	"Ordered to pen'y on recom'n of court," where sentence was served	None	No
Morris, Susannah (16)	April 1829	Theft from Master	Guilty	14 days Imprisonment	14 days Imprisonment	None	No
Short, Elizabeth (20)	December 1826	Originally indicted for Stealing in a Dwelling House but tried for lesser charge of Stealing from Master	Guilty	6 months in House of Correction	6 months in House of Correction	None	No
Spice, Elizabeth (16)	April 1829	Larceny	Guilty	7 years Transportation	Served sentence in penitentiary	None	No

					following petition		
Sutton, Clara (16)	January 1827	Stealing from the Person	Guilty	Transportation for Life	Transportation for Life	None	No – Transported 27th March 1827 (HO11/6, page 138).
Toomey, Maria (36)	April 1829	Larceny	Guilty	7 years Transportation	7 years Transportation	None	No – Transported 10th July 1829 (HO11/7, page 107/56).
Warner, Elizabeth Ann (30)	April 1829	Larceny	Guilty	7 years Transportation	7 years Transportation	No statement recorded at trial or on petition	No outcome recorded but transported 10th July for 7 years (HO11/7, page 106).
Watson, Ann (36)	February 1835	Receiving Stolen Goods	Guilty	7 years Transportation	7 years Transportation	No statement recorded at trial or on petition	No outcome on petition recorded but transported 13th April 1835 for 7 years (HO11/10, page 26/16).
West, Elizabeth (21)	February 1839	Larceny	Guilty	7 years Transportation	7 years Transportation	"She had been before convicted of felony" – stated at trial	No – Transported 6th May 1839 (HO11/12, page 27/15).
West, Hannah (35)	December 1826	Stealing in a Dwelling House	Guilty	7 years Transportation	7 years Transportation	None	No – Transported 12th May 1827 (HO11/6, page 177/90).
Wheatley, Elizabeth (17)	December 1826	Larceny	Guilty	7 years Transportation	"Removed to Penitentiary"	None	Was not transported due to poor mental health.
Williams, Ann (36)	October 1835	Coining Offences	Guilty	3 years Imprisonment	3 years Imprisonment	No statement recorded at trial or on petition	No
Williams, Maria (19)	January 1824	Uttering a Forged £5 note	Guilty	Death	Transportation For Life	No statement recorded at trial or on petition	Commutation of death sentence – Transported 25th September 1824 (HO11/5, page 182).
Wilson, Mary (26)	October 1826	Stealing from a Shop	Guilty	14 years Transportation	14 years Transportation	None	No outcome on petition recorded but transported 27th March 1827 for 14 years (HO11/6, page 135).
Wright, Mary (49)	October 1836	Larceny (3 indictments)	Guilty	7 years Transportation	7 years Transportation	Gaoler's report on petition "convicted before."	No – Transported 28th December 1836 (HO11/10, page 443/224).

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The Enigmatic Amyntas and His Tomb

*By Paavo Roos**

Among the rock-cut tombs in Fethiye, the ancient Telmessus in western Lycia, there are three with temple façade fronts among numerous of other types. The most famous of them is the one called the Amyntas tomb after the short inscription cut on the left anta. The tomb has been mentioned by several travellers and scholars for centuries but never given a thorough description. Also, the inscription has been mentioned by several persons but has got much less interest than it deserves– although it only consists of the name Amyntas and a patronymic there is a lot to discuss about it. In fact, the defective dealing with the inscription is as enigmatic as the existence of it and its connection with the tomb. Although many questions can easily be posed concerning the tomb the answers to give to them are difficult to find.

Introduction

Among the many rock-cut tombs in Fethiye (Telmessus) in western Lycia there are three chamber-tombs with temple façades overlooking the town and the harbour (Figure 1). The most famous is the first from the right (Figure 2) which is called the tomb of Amyntas after a short inscription on the left anta.[1] Several mysteries are connected with the tomb however, not only with the tomb itself and its owner but also with the handling of it by the scholars and with each others' observations, as we shall see.

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1. Ilhan Akşit, *Treasures of Turkey* (Istanbul: Akşit culture and tourism publications, 1992), 103.

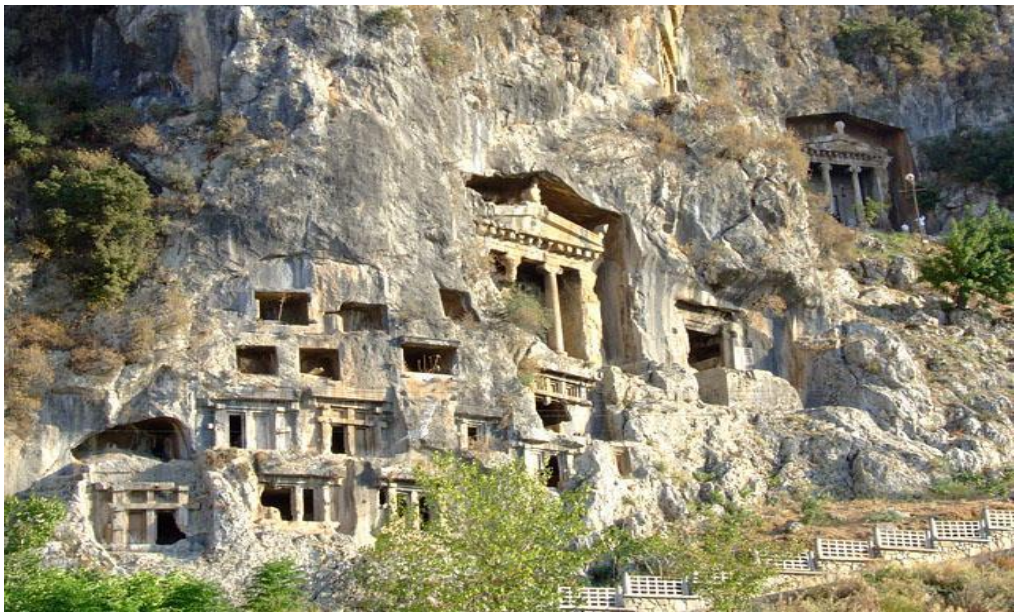

Figure 1. *The three temple façade tombs among the Lycian tombs in Fethiye, tomb A right and tomb C left. Tomb B higher up between them is barely visible in this angle.*
Source: Author.

Figure 2. *The Tomb of Amyntas*
Source: Author.

Research History

Fethiye has attracted many visitors during the centuries, as has the Amyntas tomb. The French traveller Charles Texier who visited the site in the 1840ies noticed like many later travellers that several of the predecessors had left their names cut in the rock and also on the tombs. Differently from other travellers he listed the signatures and made an account of them in his travel report[2] and wrote that almost all of them were French and a couple of them were English and that the oldest were not from before 1780. The number of signatures has of course increased considerably after that, and a fact that Texier does not tell is that he himself has left his signature on the tomb, on the pronaos wall itself above the lintel. He must have had the aid of a ladder–the tomb is high and the site of his inscription is several metres above the pronaos floor.[3]

Of course, Texier has also studied and described the tomb itself. He mentions in short, the Ionic order with columns with volutes, the antae with the paterae, the entablement with the dentils and the acroteria and also the interior; he shows much interest in the door with panels and frame with knobs and also the consoles.[4] Unfortunately everything that Texier has written cannot be trusted. The Austrian expedition that described and illustrated a large part of the western part of the south coast pointed out a couple of mistakes made by Texier and also gave the tomb a description and illustrations.[5]

But Texier is not the first person to show interest in the Amyntas tomb. Already in 1780, his fellowcountryman Choiseul-Gouffier spent much time on measuring and illustrating a tomb[6] (and complained among other things of suffering caused by heat and mosquitos). He published an exact drawing of the façade with all measurements inserted, correctly as far as can be judged. This is,

2. Charles Texier and Richard Popplewell Pullan, *Description de l'Asie Mineure* III (*Description of Asia Minor* III) (Paris, 1849), 189.

3. Otto Benndorf and Georg Niemann, *Reisen im südwestlichen Kleinasien 1, Reisen in Lykien und Karien* (*Travels in southwestern Asia Minor 1, travels in Lycia and Karia*) (Wien: Carl Gerold's Sohn, 1884), 40; Lord Kinross, *Europa Minor. Journeys in coastal Turkey* (London: John Murray, 1956), 56.

4. Texier and Pullan, *Description de l'Asie Mineure III*; Texier, *Asie Mineure. Description géographique, historique et archéologique des provinces et des villes de la chersonese d'Asie* (*Asia Minor. Geographical, historical and archaeological description of Provinces and cities of the Asian chersonese*) (Paris, 1882), 668.

5. Benndorf and Niemann, *Reisen im südwestlichen Kleinasien 1*, 40.

6. Marie-Gabriel-Florent-Auguste de Choiseul-Gouffier, *Voyage pittoresque dans l'empire ottoman, en Grèce, dans la Troade, les iles de l'archipel et sur les cotes de l'Asie Mineure* (*Picturesque trip in the Ottoman Empire, in Greece, in the Troad, the islands of the archipelago and on the coasts of Asia Minor*) (Paris, 1782), 197, pl. 68.

however, not the Amyntas tomb but the tomb further to the left,[7] which displays a more normal height with the anta capitals located only slightly higher than the lintel (Figure 3). This tomb, which I will call tomb C is often illustrated but not commented, and no later author has reproduced Choiseul-Gouffier's drawing or even mentioned it. In 1801 Walsh made an excursion from the peace negotiations after the Napoleonic war in Egypt and visited the town and made some illustrations, among them a not altogether correct drawing of a tomb.[8] The dentil is wrong like the sides of the tympanon, the fascias of the architrave which usually are two in rock-tombs have become three like in normal architecture, and the antae look as if they are regarded as half-columns. That it is the Amyntas tomb that is meant and not tomb C is shown by the height–the Amyntas tomb has several metres between the lintel and the pronaos ceiling, which is indeed remarkable.[9]

On the other hand, there is a well-executed and seemingly correct illustration of the Amyntas tomb in Fellows,[10] where the height of the tomb is additionally accentuated by the small man placed in front of the door and not higher than the door opening.

During the 20th century the Amyntas tomb has both been mentioned and illustrated several times but has never been given a thorough description, not even so much as has been given by the earlier travellers. In connection with the rebuilding of Fethiye after an earthquake in 1957 the tomb was furnished with a long cement staircase leading up to it and headlights for illuminating the façade; however, the lights have in fact seldom been turned on.

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7. Benndorf and Niemann, *Reisen im südwestlichen Kleinasien 1*, 40 mention all three of them and refer to the difficulties of climbing the others but do not give any information concerning them: "Die mittlere ist unzugänglich, zu derjenigen linkerhand kann man zur Noth noch emporklimmen, in der Nähe betrachten lässt sich nur die dritte höchstgelegene, welche als Grab des Amyntas bekannt ist." The denomination Amyntas tomb could of course not appear before Texier published the inscription (see below). De Choiseul-Gouffier, *Voyage pittoresque dans l'empire ottoman*, does not mention the Amyntas tomb but it is visible to the right on his pl. 67, p. 193.

8. Thomas Walsh, *Journal of the late campaign in Egypt. Including descriptions of that country, and on Gibraltar, Minorca, Malta, Marmorice, and Macri* (London, 1803), pl. 16.

9. There is also the middle tomb which I will call tomb B, but it is unfinished and gives thus a few interesting details concerning the process of work.

10. Charles Fellows, *A journal written during an excursion in Asia Minor* (London, 1839), pl. 17, drawn by Scharf and also reproduced in Enid Slatter, *Xanthus. Travels of discovery in Turkey* (London: Rubicon Press, 1994), pl. 55. The journey of Fellows was in fact made after that of Texier, although it was published earlier.

Figure 3. *Tomb C*
Source: Author

Rock-Tombs in Anatolia

Concerning rock-cut chamber-tombs in general they are very common in Anatolia–like in many other countries around the Mediterranean. They are far from being uniform but have a different execution in different provinces. Lycia has its characteristic woodwork-imitating façades whereas the neighbour province Caria in the south-west corner of the peninsula is hardly characterized by any original tomb façades. Sometime–evidently in the 4th century BC–tomb façades executed like in Greek temples turn up in both Lycia and Caria but not in the whole provinces but in their frontier area, i.e., western Lycia and eastern Caria.[11] Travellers of past centuries first encountered them in Lycia, and when they then saw them in Caria got the impression that the Carians copied them from the Lycians, whereas it for this type of rock-cut tombs as well could be the other way round. As copies of Lycian tombs, they were seen by Freya Stark,[12] and we can still meet with formulations that the tombs in Caunus are Lycian (e.g., we can encounter touristic signboards saying "Visit the tombs of Lykia at Caunus").

11. Paavo Roos, "Rock-tombs in Hecatomnid Caria and Greek architecture," *Architecture and Society in Hecatomnid Caria* (Boreas, 17), (Uppsala, 1989), 64, fig. 1.

12. Freya Stark, *The Lycian shore* (London: John Murray, 1956), 111.

A normal temple façade tomb from the Lyco-Carian border area has as a rule two columns in antis and a start of a corridor, sometimes in fact an entire corridor so that you can walk around the block. The columns are almost always Ionic with varying bases, with or without plinths. The capitals have volutes and sometimes a carved egg-and-dart, and under the anta capitals sometimes a line of rosettes or phialae is found. The epistyle has two fascias, not three as normal Greek architecture, and is crowned by a dentil with outsize teeth. The tympanon is seldom ornamented with reliefs. The roof is often crowned by acroteria that are sometimes decorated with reliefs–the central acroterion with a palmette and the lateral acroteria with a half-palmette or a sphinx. Sometimes the reliefs can be substituted by a painted decoration like in other parts of the tomb, but never relief and paint on the same detail. Behind the columns is a pronaos with a door leading to a chamber. It is often executed as an imitation of a double-door with lists, panels and sometimes knobs, all cut out from the rock and surrounded by an enframement crowned by a lintel flanked by consoles. The lintel has sometimes a painted or carved decoration in the form of an egg-and-dart or lotus-and-palmette frieze. A part of the imitated door has an opening that has been closed with a door slab, in Lycia a sliding-door, in Caria a pivot-door. The opening leads to a rectangular chamber that has a bench around it on three sides. It may be quite smooth or have shallow or deep cuttings in the form of coffins. Sometimes the bench is provided with pillows cut out in the stone, and such may also exist in the coffins.

The Amyntas tomb has only shallow starts of a corridor. Among its characteristic treats is its conspicuous height. The Ionic column bases have the Attic variety and have plinths. The anta capitals have three rosettes, the only carved decoration on the tomb. The lintel has a painted decoration in three rows, something that the Austrian expedition criticizes Texier for having neglected. If any other painted decoration exists on capitals, acroteria or other parts with elevated location is not clear–anyhow it is not visible from below, and we have no information that anybody after Texier has climbed the tomb. Texier must have had a ladder for cutting or letting cut his name, but he reports nothing about more elevated details. Generally, it is often difficult to realize what Texier has in fact seen and what is hypothetical in his reconstructions. The imitated decoration of the door is magnificent; the right-hand lower fourth part is open, and beyond the wall there is a groove for a sliding-door both in the floor and in the upper edge of the opening. The bench inside the chamber is provided with pillows, which makes it improbable that there have been coffins on it, as it has sometimes been suggested.[13]

13. Benndorf and Niemann, *Reisen im südwestlichen Kleinasien* 1, 41; Roos, *The rock-tombs of Caunus* 1. *The architecture* (SIMA 34: 1) (Göteborg: Paul Åströms förlag, 1972), IV 155.

Whose Tomb?

Whom a rock-tomb has been intended for is often not known. It is true that names are sometimes cut on or around tombs–in many cases certainly later additions–but the persons are usually unknown. Rock-tombs are seldom mentioned in ancient literature like the Mausoleum of Halicarnassus. Concerning the rock-tombs that are cut above Amasya in northern Anatolia they are mentioned by the geographer Strabo who was born in the city and told to be the monuments of the kings of Pontus.[14] In Lycia inscriptions on tombs are much more common than in Caria which leads to the fact that the Lycian language is much more known than the Carian. But inscriptions do not only tell the name of the owner but can deal with other things like prohibition for non-authorized persons to reuse the tomb. Considering that there is often room for three persons in a chamber it is unsatisfactory that only one name occurs–is it the original burial that has been documented, and are the other burials in connection with that or are they much later? From literature we have many examples that the preparation of a tomb has started during the lifetime of the owner, above all when rulers are concerned, both in Egypt and in Persia, and of course also in Halicarnassus.[15]

In fact, the tomb of Amyntas has a very short inscription that in spite of its shortness should have caused many comments but that in reality seldom has led to more than references. It is a well-known fact that the inscription exists and that the tomb normally is called the tomb of Amyntas. The inscription is cut on the left anta and has the laconic formulation ΑΜΥΝΤΟΥΤΟΥΕΡΜΑΠΙΟΥ, i.e. belonging to Amyntas with a patronymic.[16] Texier has copied the inscription and executed it on his drawing of the tomb on his pl. 169, but it seems as if he has copied it on the spot and made the note "on the left anta" and then departed and executed the plate. The inscription that in reality is situated on the inner side of the anta (Figure 4) has been executed on the front in his plate and just below the rosettes

14. Strabo XII 3.39.

15. A good example is provided by Joseph from Arimatea in the *NT*. In Matth. 27.57-60; Mark 15.43-46; Luke 23.50-53; John 19.38-42 the evangelists are rather unanimous in their reports. According to Matthew and John he was a disciple of Jesus and according to Mark and Luke he was one who looked forward to the kingdom of God. Concerning the tomb Mark says that the body of Jesus was laid in a tomb cut out of the rock and Luke also says that no one had been laid in it before, and John says that it was a new tomb, not yet used for burial. Matthew points out that it was Joseph who laid the body in his own unused tomb, which he had cut out of the rock. Joseph had thus provided a tomb for himself during his lifetime, but that is mentioned only by Matthew.

16. We shall return to the complicated question of the patronymic later.

instead of two metres further down.[17] Moreover the inscription has in his version become slightly mutilated since the article has been cut away; instead of AMYNTOYTOY in the first line AMYNTOY is given, in fact a fine example of a haplography.

Figure 4. *The tomb of Amyntas-Part of the inner side of the left anta-A few letters may be seen to the left*
Source: Author.

But Texier is not the first one who has copied the inscription. J. von Hammer-Purgstall has among the inscriptions that he collected during his voyage in the Ottoman empire in 1811 rendered it and made the same mistake as Texier did later and missed a syllable and moreover read *jota* as *rho* and thus gave the name

17. See Benndorf and Niemann, *Reisen im südwestlichen Kleinasien* 1, 40. But the formulation "Sur l᾽ante à gauche on lit l᾽inscription…" followed by "La face des antes est ornée de trois patères" might indicate that Texier was conscious of the fact that the inscription was not on the front.

as Hermagrou.[18] The omission of the article has the result that it is not shown that it is a patronymic, and Hammer-Purgstall can interpret the name as Amyntas Hermagros. Texier could have made the same mistake, but since he does not render the name in the nominative it cannot be decided how he has interpreted it.

Before we enter the question of the identity of Amyntas some words about how the inscription has been dealt with after Texier may be appropriate. The Austrian expedition in the 1880ies includes in its criticism of Texier's description of the tomb a correction of the reading of the inscription and the location of it and gives a drawing of the inscription.[19] This is later reproduced in the subsequent inscription publication.[20] That the inscription is situated on the left anta is mentioned by most of those who deal with it at all, that it should be much further down than Texier's location is mentioned by few persons,[21] and that location on the anta means the inner side of the anta and not on the front is not mentioned by anybody. In fact, the inscription should have been not only photographed but the exact measurements should have been given for the size of the letters, the width of the inscription and its exact location etc. Those who mention the inscription after the Austrian expedition give the reference to it in a way that they might have obtained by reading, and in fact nobody asserts having seen the inscription himself, still less devoted it a study.[22] Now it is impossible to do it since the side of the anta is covered with calcareous deposits from water streaming down, and although it is a thin layer it is difficult to identify more than a few letters of the inscription (Figure 4). How long has it been like that? Were all letters quite legible in the 1880ies? Which is the last scholar that has been able to see the inscription in a good condition?

The Problem of Amyntas

18. Johannes von Hammer, *Topographische Ansichten, gesammelt auf einer Reise in die Levante* (*Topographic views collected on a trip to the Levant*) (Wien, 1811), No. 28; for the form of the name see more below.

19. Benndorf and Niemann, *Reisen im südwestlichen Kleinasien* 1, 40, No. 9. The rendering of their fellow-countryman is not mentioned.

20. TAM II. *Tituli Asiae Minoris collecti et editi auspiciis academiae litterarum Vindobonensis.* II. *Tituli Lyciae linguis graeca et Latina conscripti.* 1. *Pars Lyciae occidentalis cum Xantho oppido enarravit Ernestus Kalinka* (Vindobonae, 1920) 12, no. 30.

21. George E. Bean, *Lycian Turkey* (London: Ernest Benn, 1978), 40; Bernhard Schmaltz, "Klassische Leitkultur und karische Provinz" (Classic leading culture and Carian province), *Die Karer und die anderen, Kolloquium 2005* (Bonn: Habelt, 2009), 199 n. 188, 202 n. 35.

22. I do not exclude myself. I saw the tomb for the first time in 1965 and made some notes concerning the superstructure with dentil and acroteria, columns, door with lintel and rosettes and interior but did not note anything about the inscription, the existence of which I of course knew; thus I cannot tell what it looked like then.

Now who is Amyntas? In itself it is not an uncommon name; it occurs in the Macedonian royal dynasty in the Classical period and also among important persons in the army of Alexander the Great and the following generations and also later in Asia Minor. It occurs e.g. among the Galatian tetrarchs during the last century BC. Naturally it has been suggested that he was a Macedonian participant in Alexander's army who died in Telmessus which the army passed during its march, even though he is not mentioned in the literary sources.[23] That would be a case with a parallel narrated by Xenophon about the commander Abradatas in the Persian army who was killed when Cyrus beleaguered Sardis and got a monumental tomb erected to him, a tomb that might be the so-called Pyramid tomb found above the river Pactolus.[24]

But how would that tally with the patronymic that is definitively not Macedonian? That is an intriguing case, and seemingly it is not even clear what the name is. As we have learnt a capital *pi* in Greek has two vertical stems and a horizontal one on top of them, but in fact the right vertical stem is often shorter and does not reach down to the bottom line. If it is short enough the letter may be mistaken for a *gamma* instead. It seems as there is no photo of the letter on the Amyntas tomb, but the drawing in Benndorf & Niemann shows the right stem as exactly 50% of the left one. That would be enough for being interpreted as a *pi*, but since we have no exact information many scholars have regarded it as a *gamma* and thus given the genitive form as Hermagiou.[25] If it is a *pi* instead the genitive would be Hermapiou, but what is then the nominative? It could of course be Hermapios, and so it has been read by Texier and others have repeated it.[26] But the nominative could also have been Hermapias, and so it has been read

23. Among those who are mentioned in the sources we often know the patronymic, and moreover they usually lack a connection with Lycia.

24. Xenoph. *Cyrop*. VII 3.16; George M. A. Hanfmann, *Letters from Sardis* (Cambridge MA: Harvard University Press, 1972), 92, fig. 62; Christopher Ratté, "The 'Pyramid tomb' at Sardis," *IstMitt* 42 (1992): 160.

25. Sybille Haynes, *Land of the Chimaera. An archaeological excursion in the South-West of Turkey* (London: Chatto & Windus, 1974), 54; Bernard Mc Donagh, *Blue Guide, Turkey, the Aegean and Mediterranean coasts* (London: A & C Black Publishers, 1989), 401; Janos Fedak, *Monumental tombs of the Hellenistic age* (Toronto: University of Toronto Press, 1990), 142; Fedak, "Tombs and commemorative monuments," in *Studies in Hellenistic architecture*, ed. Frederick E. Winter (Toronto: University of Toronto Press, 2006), 86; Lucia Nováková, *Tombs and burial customs in the Hellenistic Karia* (Bonn: Rudolf Habelt, 2016), 64; and with an additional misreading (see above) Hammer, *Topographische Ansichten*, No. 28. See also Olivier Henry, *Tombes de Carie* (Bordeaux: Presses universitaires de Rennes, 2009), 161f, n. 60.

26. Texier and Pullan, *Description de l'Asie Mineure* III, 188; Texier, *Asie Mineure,* 668; Roos, *The rock-tombs of Caunus* 1, 110 n. 14; Roos, "Rock-tombs in Hecatomnid Caria," 65; Jane Laroche, *Fethiye* (Izmir: Türkiye turing ve otomobil kurumu, 1977), 15.

by Bean, followed by others.[27] Henry observes that neither Hermagios nor Hermapias occurs in *Lexicon of Greek personal names*, nor does in fact Hermapios. The search should instead be made in *Kleinasiatische Personennamen* by Zgusta. Hermagios is not found there either but the genitive Hermapiou is, in a number of cases both in Lycia and further to the east, in Cilicia and Pamphylia. [28] In the nominative only Hermapias occurs, only in a few cases just in Lycia.[29] So it seems certain that the father's name was Hermapias.

Thus, the man in question had a Macedonian name whereas that of his father was a typical Anatolian name. If the separate names are interesting the combination is more so. Somebody in Alexander's army would hardly have a father with a typical indigenous Anatolian name, and if it is the question of a local dignitary who has given his son a Macedonian name that would in all probability mean a date after the conquest by Alexander.[30] Could that fit? With that we have reached the question of the dating of the Amyntas tomb and other similar tombs.

The Date of the Tomb

Even if there have been suggestions of ascribing to the Amyntas tomb and other similar tombs a high age[31] it has usually been agreed that the date should be the 4th century BC,[32] even though there has normally been nothing that supports it. The suggestions have been the middle or end of the century.[33] An argument for the date has seldom been given, but Bean says that the inscription has letters of

27. Bean, *Lycian Turkey*, 40; Cevdet Bayburtluoğlu, *Lykia* (Ankara: Ankara turismi, eskieserleri ve müzeleri sevenler derneği yayınları, n.d.), 70.

28. Ladislav Zgusta, *Kleinasiatische Personennamen* (*Anatolian Person Names*) (Prag: Československá akademie věd., 1964), 169f, § 355–20.

29. TAM II 1. The name is given as Hermapias already in Johannes Sundwall, *Die einheimischen Namen der Lykier, nebst einem Verzeichnisse kleinasiatischer Namenstämme* (*The indigenous names of the Lycians, along with a list of Anatolian name stems*) (Klio, Beih. 11), (Leipzig: Akademie-Verlag, 1913), 74.

30. We should perhaps not discard a suggested possibility that the man originally had an indigenous name and adapted a Macedonian one after Alexander's conquest.

31. Gottfried Semper, *Der Stil in den technischen und tektonischen Künsten, oder praktische Aesthetik 1-2* (*Style in technical and tectonic arts, or practical aesthetics 1-2*) (München, 1863), 444, 450f.

32. It was already suggested by Fellows, *Coins of ancient Lycia before the reign of Alexander* (London, 1855), 1, 19, although he does not mention the Amyntas tomb especially, see Benndorf and Niemann, *Reisen im südwestlichen Kleinasien* 1, 41.

33. Texier, *Asie Mineure*, 668; Fedak, *Monumental tombs of the Hellenistic age*, 37; Fedak, "Tombs and commemorative monuments," 87; and Werner Tietz, *Der Golf von Fethiye* (*The Gulf of Fethiye*) (Bonn: Rudolf Habelt, 2003), 18 say the end of the 4th century.

the fourth century BC,[34] and Akurgal gives the form of the painted ovolo as base for the dating to about 400 or the 4th century.[35] Scholars have seldom discussed the connection with corresponding tombs in Caria that also lacked a base for dating,[36] and even for those simply the 4th century was given. In no cases were there finds that could have given a dating for tombs in Caria, nor any inscriptions. Then came the excavations of the rock-cut tombs in Caunus in Caria in the 1960ies which gave rich finds of Attic pottery that could be dated to the middle of the 4th century or just after it.[37] That some of the tombs are unfinished has been connected to the arrival of Alexander the Great, i.e., the 330ies,[38] which does not speak against that argument.

But for the Amyntas tomb and other similar tombs in Lycia there are no finds to provide a date, and if there is no cause to judge the Carian tombs as copied after the Lycian ones, can it be the other way round?[39] Can the Amyntas tomb be younger than the tombs at Caunus? What similarities and differences are there in fact? Apart from the small differences that always exist between tombs of the same type and the difference that the Lycian chamber tombs have sliding doors and the Carian ones have pivot doors[40] there is in fact only the tangible difference of the column bases. The larger tombs in Caunus have the Asiatic variety of the Ionic base[41]–unfortunately often unfinished–whereas the smaller tombs sometimes have a simplified variety. The Amyntas tomb has the Attic variety, which is perhaps not unexpected when we regard the existence of contacts

34. Bean, *Lycian Turkey*, 40; Benndorf and Niemann, *Reisen im südwestlichen Kleinasien* 1, 41 and 113 say that the letters cannot be dated before 400.

35. About 400: Ekrem Akurgal, *Die Kunst Anatoliens von Homer bis Alexander* (*The art of Anatolia from Homer to Alexander*) (Berlin: W. de Gruyter, 1961), 129; 4th century: Akurgal, *Ancient civilizations and ruins of Turkey* (Istanbul: Mobil Oil Türk, 1970), 256. Albert Gabriel, *En Turquie* (Paris: Paul Hartmann, 1935), xiii says in the caption to pl. 124 not older than the 4th century in spite of some Archaic treats in profiles and volutes.

36 In Stark, *The Lycian shore*, and other similar references no date is given.

37. Roos, *The rock-tombs of Caunus 2. The finds* (SIMA 34: 2) (Göteborg: Paul Åströms förlag, 1974).

38. Paul Åström, "I de tusen törnrosastädernas land" (In the land of the Thousand sleeping beauties), *Jorden Runt* 29 (1957): 216; Roos, *The rock-tombs of Caunus* 1, 94.

39. Cf. the similar discussion concerning the Nereid monument in Xanthus and the Mausoleum in Halicarnassus, Poul Pedersen, "Architectural relations between Caria and Lycia at the time of the Ionian renaissance," *Euploia. La Lycie et la Carie antiques. Dynamiques de territoires, échanges et identités* (Euploia. Ancient Lycia and Caria. Dynamics of territories, exchanges and identities), Proceedings of the Bordeaux Conference, November 5, 6, and 7, 2009, ed. Patrice Brun, Laurence Cavalier, Koray Konuk, and Francis Prost (Bordeaux: Ausonius, 2013), 132–139.

40. Roos, "The rock-tomb doors of the Lyco-Carian borderland," *Opuscula Atheniensia* 10 (1970): 25-30.

41. Roos, *The rock-tombs of Caunus 1*; Roos, "Rock-tombs in Hecatomnid Caria, 66.

between Lycia and Athens during the 4th century.[42] A chronological difference can hardly lie behind this detail. But it must be noticed that the combination of a plinth with an Attic base is an innovation of which the Amyntas tomb can be regarded as the first example, whatever its date may be.[43] In Caria plinths often occur in smaller rock-tombs, and then combined with column bases with a simplified order.

The Location of the Inscription

To return to the inscription and its connection with the tomb it is in fact not self-evident that they belong together and shall be given the same date, even if most scholars presuppose so when they mention alternative possibilities. It is a common feature with rock-cut tombs that they are not only reused but also provided with new inscriptions, whether there are original ones or not. In fact a coupling between the tomb and the inscription is only made by Benndorf and Niemann[44] who say that nothing says that the inscription is a later addition, and Bean uses just the inscription as foundation for a date.[45] Thus it is a little surprising to be confronted with the opinion of Schmaltz that the inscription cannot be used for dating the tomb since it is probably a later addition.[46] His only argument is the location of the inscription in half-height on the anta. It is true that it is easier for a re-user of a tomb to cut an inscription in half-height on the inner side of an anta than in the place where Texier draws it.[47] But does that make a proof that the inscription is secondary? And where would the inscription be located if it were original? Schmaltz suggests above the door like the Carian

42. Benndorf and Niemann, *Reisen im südwestlichen Kleinasien 1*, 40, Fig. 28, 113.

43. Frederick E. Winter, *Studies in Hellenistic architecture* (Toronto: University of Toronto Press, 2006), 8, 276, n. 24; Roos, "Rock-tombs in Hecatomnid Caria," 66.

44. Benndorf and Niemann, *Reisen im südwestlichen Kleinasien 1*, 41 "...ist die Inschrift nicht etwa eine spätere Zuthat, wofür indessen nichts Triftiges sich anführen lässt..." ("...if the inscription is not a later addition, for which, however, nothing conclusive can be stated").

45. Bean, *Lycian Turkey*, 40 "in letters of the fourth century BC."

46. Schmaltz, "Klassische Leitkultur und karische Provinz," 199 n. 18, "…gibt die Inschrift kaum einen verbindlichen Hinweis, da sie wohl nachträglich an der Ante angebracht worden ist (die Anbringung der Inschrift in halber Höhe der Ante könnte auf sekundäre Nutzung des Grabes deuten)" ["the inscription gives hardly a conclusive indication as it is no doubt applied later on the anta) (the application of the inscription in half-height on the anta could indicate a secondary use of the tomb)]"; 202 n. 35, "…eine griechische Inschrift, wohl nachträglich zugefügt, in halber Höhe auf der linken Ante" ("...a Greek inscription, no doubt added later, in half-height on the left anta)."

47. Cf. the temple of Athena in Priene, Martin Schede, *Die Ruinen von Priene* (*The Ruins of Priene*) (Berlin: Walter de Gruyter, 1964), 30, Abb. 41; Gottfried Gruben, *Die Tempel der Griechen* (*The Temples of the Greeks*), 2nd ed. (München: Hirmer Verlag, 1976), 385.

inscription on tomb E1 in Caunus or the tomb in Mezargediği west of Caunus, but they are hardly comparable with tombs with columns in antis.[48]

Where would the inscription have been located on a temple-tomb if it had been original? We are used to inscriptions on the architrave, but we shall observe that it hardly occurred on tombs from the 4th century. That the Hecatomnid buildings in Labraunda from the middle of the 4th century have inscriptions on the architrave[49] is an innovation, and the only rock-tomb in Caria with an inscription on the architrave is certainly from a later date to judge from the architecture.[50]

But the door-panel is also a common place for the location of inscriptions on rock-tombs, and already Choiseul-Gouffier noticed the existence of an inscription on the tomb that he had reproduced but mentioned also that he found it impossible to decipher in spite of the efforts to wash it (Figure 5).[51] However, a number of later travellers have thought themselves able to read it, even though there are small discrepancies between their readings.[52] Here we even get the measurements for the inscription that are missing for the Amyntas inscription.

It is a very interesting fact that this tomb, apart from the inscription on the door-panel also has an inscription on the inner side of the anta, in this case the right one. It is not mentioned by Choiseul-Gouffier but is rendered by the same

48. Roos, *The rock-tombs of Caunus* 1, 1972, 42, 93, pls. 15, 40; for Mezargediği which is a built tomb see Baki Öğün, Cengiz Işık, Adnan Diler, Oguz Özer, Bernhard Schmaltz, Christian Marek, and Münife Doyran, *Kaunos Kbid [The results of 35 years of research (1966–2001)]* (Izmir: Mopak cultural heritage, 2002), 174, fig. 126.

49. See Pontus Hellström, *Labraunda. A guide to the Karian sanctuary of Zeus Labraundos* (Istanbul: Eğe Yayınları, 2007), 86–128.

50. Tomb 1 in Taşyenice, Roos, *Survey of rock-cut chamber-tombs in Caria* 2. *Central Caria* (SIMA 72: 2) (Göteborg: Paul Åströms förlag, 2006), 36f, pl. 46. Already Benndorf and Niemann, *Reisen im südwestlichen Kleinasien 1*, 41 notice that inscriptions on the architrave do not appear until in Hellenistic time.

51. De Choiseul-Gouffier, *Voyage pittoresque dans l'empire ottoman*, 122 "…si effacée, que malgré toute la peine que nous prîmes pour la laver il nous fut impossible de le dechiffrer ("…so worn that in spite of all the pain we had with washing it, it was impossible for us to decipher it").

52. See TAM II:1, 17 nos. 46-47. *TAM* describes the tomb "sepulcrum e rupe excisum cum porticu" and does not mention Choiseul-Gouffier here since he does not report the inscription, and it is not clear which the tomb in question is; that a picture of tomb B in the same group is placed on the page may give the impression that it is the question of that tomb. However, tomb B is unfinished and lacks inscriptions. Instead the tomb illustrated in William Bell Dinsmoor, *The architecture of ancient Greece*, 3rd ed. (London: B.T. Batsford, 1950), Pl. XIX with an inscription on the door-panel seems to be tomb C. From where Dinsmoor has taken this old picture is not evident–just this illustration lacks the source that is given for the rest of the figures in the introduction. Anyhow, it is not from Choiseul-Gouffier although the outline is very similar–the execution is different.

other travellers and is shown on the same page in TAM.[53] The rendering shows a facsimile and indicates that both inscriptions have the same execution and thus can be regarded as contemporary.

Figure 5. *Tomb C. Inscription on Left Door Panel*
Source: Author

Conclusion

It is not easy to give a conclusion with answers to the questions that can be posed concerning the tomb and its owner. So much is clear that the person has a Macedonian name and his father an indigenous one, which would indicate with probability but not for quite certain that he was born after Alexander's conquest. That would in its turn mean that either the tomb is from the end of the 4th century BC or even later–or that the inscription is a later addition, If the latter is the case, the location on the anta would support the hypothesis, but I would not use it as a proof for it, especially as there is no "natural" location for an original inscription

53. TAM II, loc.cit., no. 47.

on a temple-tomb in that period or area. Also, other possible explanations may be considered, like the one that the person had another name originally and for some reason changed it later. Whereas still other questions can be posed, on the other hand few answers or explanations can be given, Amyntas, son of Hermapias still remains the enigmatic individual and his tomb subject to questions.

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The Latecomers' Early Colonial Experiment- The Uniqueness of the German Case

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Modern Germany (1871), Japan (1868) and Italy (1861) were formed in the same period, the period of the New Imperialism, a time of diplomatic mistrust, protectionism, frenetic colonial and economic rivalry and of militarism, when the Great Powers (British Empire, the French Third Republic and the Russian Empire) had already established their hegemonic position in the world. Germany, Japan and Italy at the end of the 19th century were in need of stability, internal and external security and immediate settlement of the economic and social problems arising from the rapid increase of their population. Furthermore, seeking to compete on an equal footing with the Powers of the era, claiming a "place in the sun", they considered modernization and rapid industrialization as the only way forward. Despite these apparent similarities however, the German case is distinct and unparalleled for a series of reasons.

Literature Review

International historiography has ignored the phenomenon for decades. Even in Italy, Germany or Japan over the last thirty years and until recently the countries' colonial history was a secondary and forgotten part of the national history. It seems that the Italian, German and Japanese governments and academic circles had no desire to allow or to engage into a systematic study of their colonial presence overseas, an event which would confront them with the mistakes of the past. The ignorance, the disregard for the foreign sources, the ambiguity and the lack of debate perpetuated the study of the events with blinkers on: the inconsistencies, the contradictions, the myths and the stereotypes about a "humanitarian" and "different" colonial administration.

Introduction

The indisputable similarity between Germany, Italy and Japan in the 19th century was the wide spread narrative of the "underprivileged latecomer" utilized by all three sides to justify their intention to upturn the international system's status quo. Historians had argued that Meiji Japan, Liberal Italy and

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Imperial Germany pursued a reactionary, authoritarian modernization that led eventually to totalitarianism. Even though this statement holds some validity for the 20th century, in the end of the 19th their potential, their aspirations and policies were diametrically different. Even if the political elites in these countries vigorously attempted to catch up with the rest of the world their actual differences were chaotic. Militarily and politically Germany was a superpower; economically it was highly industrialized and its banks and merchant class invested and active all over the world. On the other hand, Japan and Italy were feeble militarily, politically insignificant and economically backward.

A Brief Comparison of Italy's and Germany's Initial Colonial Disposition

For many scholars Rome's inclination towards expansionism overseas is reminiscent to the Berlin's late 19th century strive to also gain "a place under the sun". The fact that the two states were formed late in relation to the European powers, the anxiety to catch up with their colonial empires, the overpopulation problem, their conviction to achieve a prominent place in world politics, their later rejection of liberal and pacifist ideas after the first world war, their intertwined political evolution in the first half of the 20th century cannot be a coincidence[1]. Italian and German colonialisms share indubitably some common ground according to the historian Carlo Ghisalberti. According to him both cases arose by private initiatives, missionaries and explorers that gave publicity to the colonial matters among their contemporary compatriots. Moreover, both states, embracing the prevailing militaristic and chauvinistic concepts in the late 19th century, aspired imperial greatness; in this retrospect the inspiring, influential effect of Rome's imperial heritage was matched by Germany's world domination and hegemonic ambitions under Kaiser Wilhelm as a much-needed ideological legitimization of expansion[2]. Furthermore, upon the aftermath of the Italian and German states' formation, the ruling classes and the political leadership, crystallized on Bismarck's and Cavour's figures, appeared disinterested about colonial expansion, having to confront more urgent socio-economic problems. Italian and German governments never seriously undertook the project of

1. These treats are also valid for Meiji Japan (post 1868) as well. For Andrea Boltho Japan's, Germany's and Italy's economic development is strikingly similar. Their rapid reconstruction and subsequent economic miracle after the end of the Second World War attests to this view, see Andrea Boltho, "Italy and the World Economy, 1861-2011," in *2011 Italy, Germany, Japan: From Economic Miracles to Virtual Stagnation*, International conference (Rome, 12-15 October 2011), 4-5.

2. Carlo Ghisalberti, "Due colonialismi a confronto: Italia e Germania nella loro espansione oltremare sino alla prima guerra mondiale," *Clio Rivista Trimestrale di Studi Storici*, 33, no.2 (1997): 329-333.

establishing penitentiary colonies and finally, both states happened to release their dominions abruptly after military defeat (officially in 1919 for Germany, 1947 for Italy), avoiding the decolonization perplex and traumatic period, experienced by other ex-colonial states, a fact that gave the latter the opportunity to acknowledge and reconcile with their oppressing past[3]. For the German Historian Holger Afflerbach, besides the obvious common grounds of overpopulation and the anxiety of being excluded by a British-French dominated setting, early Germany and early Italy demonstrated the same reliance in military means in Africa. In other words, the military was the main factor behind the pursuit of colonial acquisitions and the means of their subsequent administration[4]. However, he observed that the capacity and prestige that the German forces enjoyed in Africa was superior to the Italian, particularly in the aftermath of the Adwa battle[5].

The Nature of Berlin's Early Oversees Expansion

The author's view is that is imperative to re-enact the basic steps of the early German colonialism in order to inquire into its nature and eventually draw some more accurate conclusions in regards to its similarity with the Italian case. The fact that in the late 1890 Imperial Germany launched an aggressive world policy is well known. Political, economic and military predominance led the Wilhelmine period's ruling classes to pursue a European and global superpower status[6]. Before the consolidation of its overwhelming power, how did Germany handled the first challenges concerning the heated and trendy colonial debate? Summarizing initially Bismarckian's era colonial policy, and outlining the leading expansionist ideologies is essential to shed some light on the early German colonial policy. For this reason we will briefly demonstrate the way that Berlin operated in Africa during the acquisition of its first colony, Namimbia, in contrast to the acquisition of Italian Eritrea and Japanese Taiwan.

Typically enough the missionaries were the first to embark in African "moralistic" adventures laying the groundwork for the future German colonial

3. Ibid., 335-340.

4. Holger Afflerbach, "«Duo quum faciunt idem...» Militärische Aspekte der deutschen und italienischen Kolonialgeschichte vor dem Ersten Weltkrieg," in *Annali dell' Istituto Storico Italo-Germanico* (Trento, 1998), 24, 116-117, 130-131.

5. Ibid., 137-139.

6. Roger Fletcher, "Revisionism and Wilhelmine Imperialism", *Journal of Contemporary History*, 23, no. 3 (1988): 349-350.

edifice[7]. In particular the Rhenish missionaries have been an effective and willing instrument of the German government, signing protection treaties, acting as advisors and translators in Africa[8]. However, their propaganda would never have stimulated the government's attention if it were not for the financial and industrial cycles' interests. In the 1870-1880s many of the exploration and scientific missions abroad were subsidized by the Deutsche Bank and the Diskontogesellschaft bank, the latter's chairman Adolph von Hansemann (1826-1903) participating actively in the affirmation of German interests in Samoa in 1880. Explorers Heinrich Barth (1821-1865), Johann Rebmann (1820-1876), Johann Ludwig Krapf (1810-1881), Hermann von Wissmann (1853-1905), Georg August Schweinfurth (1836–1925) and Friedrich Gerhard Rohlfs (1831-1896) penetrated and explored the African interior in the mid-late 19th century[9].

Bismarck until the 1870s was averse to any kind of shady, precarious undertaking that could destabilize Berlin's preponderance in Europe. He did not desire to incite international complications and also believed that the connection between colonies and commerce was illusive. His famous statement on 5 December 1888 that his "map of Africa was in Europe", meant that his priority was the prevention of a hostile coalition to Germany's hegemonial status in Europe by diverting tensions in the colonial periphery[10]. In the 1870-1880s heavy industrialization and capitalism meant the existence of a growing socialist movement in the Reichstag. Bismarck tried to tame it by violence and favourable law reformations such as the 1881 and 1883 social insurance measures. As for Africa Bismarck finally decided to reluctantly back the expansionists' undertakings in order to appease them but left the initiative to the experienced still adventurist entrepreneurs. In 1882 the German Colonial League was founded. The association took on the task of advertising the economic, political and even religious possibilities of colonial expansion to the German bourgeoisie. Among its founders were aristocrats, merchants, royals, bankers and representatives of the shipbuilding, arms and liquor industrial cycles. During the 1882-1885 economic depression in Europe, the national-liberal deputy Hammacher (Friedrich Adolf Hammacher 1824-1904) was claiming in the parliament: "The surplus production crisis could be surpassed by the opening of new trade outlets". Colonial propaganda, influencing the public opinion, stepped in to highlight the

7. Ulrich van der Heyden, "Christian Missionary Societies in the German Colonies, 1884/85-1914/15", in *German Colonialism, Race, the Holocaust, and Postwar Germany*, ed. V. Langbehn, M. Salama (New York, 2011), 216-217.

8. Nils Ole Oermann, Mission, Church and State Relations in South West Africa under German Rule (1884-1915), (Stuttgart, 1999), 54-55.

9. William Otto Henderson, *The German colonial empire* (London, 1993), 17-20.

10. Wolfgang J. Mommsen, "Bismarck, the Concert of Europe, and the Future of West Africa, 1883-1885", in *Bismarck, Europe and Africa. The Berlin Conference 1884-1885 and the onset of Partition* (ed. Stig Forster, Wolfgang J. Mommsen and Ronald Robinson), (New York, 1988), 152-153.

obvious solution: colonization could resolve the social and financial strains deriving from the crisis. Amid this climate, in summer 1883, the merchant Adolf Lüderitz (Franz Adolf Eduard Lüderitz 1834-1886), for a meagre compensation acquired from the local chieftains 900 square kilometres in Angra Pequenha, modern day Namibia. Soon after he stipulated a convention with some prominent bankers and industrialists, merely expecting Berlin's official approval. Bismarck, who in February 1883 appeared confident that his government will stay away from "any colonial intrigue", in November 1883 addressed an official inquiry to London, with the view to clarify if Lüderitz's territory made part of the British colony's of the Cape sphere of influence. When the response came back positive, the Chancellor asked on what grounds the British based their argument; the lack of reply infuriated Bismarck, who took the situation in his own hands[11].

Bismarck having established a mutual understanding with the French president Ferry, in Madagascar, Tonkin, Tunisia, as already explained, opted for the isolation of London. The Triple alliance, the Russian-British antagonism in Afghanistan and the precarious British position in Egypt gave a clear advantage to the German side. On 24 April 1884 Berlin declared that the German citizens and their properties in Namibia were from then on under the state's protection. The British authorities of the Cape posed obstacles to the German penetration as they were already doing in the Fiji Islands, where German firms had acquired sugar plantations in 1885. The German society for the commerce and the sugar plantations, created by industrialists, would be firmly safeguarded by Bismarck against London's arrogance and avarice. Its ambassador in Berlin, during a meeting with the chancellor was scolded and threatened that if his government continues to ignore the German legitimate rights in New Guinea, he would leave it vulnerable against the other powers in Egypt. Lord Derby, secretary of State for the colonies, asserted in May 1884 that Britain would not allow any foreign installation north of the Cape. German newspapers attacked verbally the greedy British policy and called for the defence of the "honour of the nation" inciting popular chauvinism, a fact that Bismarck turned to his favour.

Upon the Chancellor's orders Gustav Nachtigal, now Tunis' consul, acting as an imperial commissioner, reached Cameroon, Togo and any other region in which German financial interests, especially the shipbuilding-trade company's Woermann, were active and raised the national flag, defying London. Berlin's agents acting resolutely expanded the boundaries of Lüderitz's German South West Africa and founded the colonies of Togoland and Cameroon in July 1884, amidst the exaltation of the bourgeoisie press. Exponents of militarism and social Darwinism operated promptly in South America and Africa to consolidate a chunk of the colonial cake before it was too late. London to hammer the menacing German penetration also in Tanganyika, present day Tanzania, and to settle the

11. Arkadij Erusalimskij Samsonovic, *Bismarck: Diplomazia e Militarismo* (Rome, 1969), 225-229.

Congo's river basin control issue, aligned itself to Portugal, one of the principal contestants. Apropos, the 1884-1885 Berlin Conference was summoned, during which British agents under the pressure of the French-German-Belgian coalition annulled the agreement with Lisbon and recognised Belgium's pretensions in the area, among other issues. The very next day of the conference's closing date, on 26 February 1885, Kaiser Wilhelm I (Wilhelm Friedrich Ludwig, 1797-1888) gave a free hand to Tanganyika's colonization endeavour. A heated rivalry erupted in East Africa amidst the press's battle cries, between the Germans and the British agents for the predominance upon the Zanzibari Sultan's mainland possessions. The Germans, who sent war ships in those waters, proved more successful in patronizing or intimidating the Sultan. Bismarck, authorised his son the foreign secretary to negotiate an agreement concerning East Africa with London, that welcomed the initiative amidst its Central Asian clashes with Saint-Petersburg. The partition and delimitation of the two spheres of influence was agreed on 29 October 1886 and 1 July 1890, known as the Heligoland-Zanzibar treaty. The middle and upper class called for expansion and primacy ideological schemes and the chancellor delivered. Petty bourgeoisie always susceptible to nationalistic demagogy and illusions of splendour backed Bismarck on the 28 October 1884 elections[12]. Historian Hans-Ulrich Wehler identified Bismarck's late bid for colonies as "social imperialism" since its main aim was to "preserve the supremacy of the traditional ruling elites and the authoritarian power structure within the so-called Kaiserreich"[13].

Between the middle of the 19th century and the early 20th two perceptions dominated the German colonial ideology. The "emigrationist" theory dictated the establishment of settlement-farming colonies as the answer to the vast overpopulation problem and the subsequent social issues that derived from it, which led to the massive 19th century emigration flow. That way the cultural and economic loss to Germany would transform in oversees societies whose way of life, culture and economic contribution with the motherland would be protected by the German government[14]. The German population rose from 41 million in 1871 to 50 million in 1890. In the three years 1880-1882 half a million people immigrated to the Americas[15]. The emigrationist colonial advocates set their sights in South America and specifically in Argentina as the most suitable host. Moreover, German commercial influence (informal imperialism) had penetrated the region in a number of ways: capital investments, military presence,

12. Ibid., 235-247

13. John Lowe, The Great Powers and the German Problem (1865-1925) (London, 1994), 78.

14. Woodruff D. Smith, "The Ideology of German Colonialism, 1840-1906", *The Journal of Modern History*, 46, no. 4 (1974): 641-643.

15. William Otto Henderson, *Studies in German colonial history* (London, 1962), 44.

establishment of shipping lines, banks, factories[16]. Despite the fact, when the German Empire was founded the most promising territories for white settlement were already occupied, bankers such as Hansemann, traders such as Woermann, authors Friedrich Fabri (1824-1891) and Heinrich Gotthard von Treitschke (1834 1896) supported firmly the colonial idea. The latter told his students: "Today we see the nations of Europe busily engaged in creating all over the globe a wholesale aristocracy of the white race. That nation which does not take a share in this great rivalry will play a pitiful part at some day later. It is therefore a vital question for a great nation today to display a craving for colonies"[17].

In contrast the economic theory viewed colonies as supplements of Germany's industrial and commercial development. Instead of large-scale settlements, importation of raw materials, agricultural goods and new trade opportunities were envisioned[18]. Amidst the imperialistic struggle the influential economist Georg Friedrich List (1789-1846) proposed the expansion of German industrial potency in a way to check British or other commercial and political control of the mid-19th century world. Eventual economic depressions or overproduction problems would be resolved by an "export offensive" both overseas and in Europe; a relentless, omnipresent economic penetration under the aegis of central interventism and protection against disruptive internal (liberal) social forces or foreign competition was achieved before the turn of the century.

Bismarck, in 1882-1883, now a nominal supporter of the economic-colonial concept understood the popularity of the emigrationist one and allegedly adopted it for electioneering purposes. Accordingly, and ever cunningly exploited both tendencies to impose its authoritarian policies and suppress the left-liberal opposition in the parliament.[19] As some scholars maintain, the domestic policy and not the economic factor was German colonialism's driving force. Furthermore, the industrialists and capitalists took advantage of the popular agitation concerning the overpopulation's immigration to fertile, suitable settlement-agricultural colonies. Disinterested about the production of agricultural foodstuffs in south America diverted the focus to the tropical colonies, as reservoirs of raw materials such as rubber for their ever-expanding industries. In the same manner the shipping companies exploited the phenomenon of

16 Ian L. D. Forbes, "Social Imperialism and Wilhelmine Germany," *The Historical Journal*, 22, no.2 (1979), 334-335.

17. Henderson, *Colonial Empire*, 27.

18. The chancellor's expectations that colonies could be administered informally, by British type chartered associations, were soon disappointed and resort to Reichstag's contribution was unavoidable. Togo, Cameroon, Kiaochow and the Pacific colonies were acquired and administered as "economic" colonies whereas Southwest Africa was meant to as an agricultural settlement, see Smith, "The Ideology of German Colonialism," 657-658.

19. Ibid., 649-653.

"navalism" to secure government subsidies. It is true that a Hamburg Chamber of Commerce petition on 6 July 1883 requested the occupation of a West Africa anchorage. Nevertheless, for some scholars commercial interests can be seen as a complimentary to internal demand for expansion or ruling classes' resolution to maintain "social order" factor[20].

Others asserted that the economic-industrial component was the most prevalent among others in shaping a pre-colonial atmosphere and an inclination towards commercial and secondly political expansion. German trade volume had been roughly doubling every fifteen years, from 1840s to 1910s and the country had progressively become a leading player on the stage of international trade. The other influential factors were: the immigration problem, the existence of pressure groups-lobbies, the rising colonial propaganda, the growth of missionary mission and of geographical exploration societies outside Europe and in need of government's protection[21]. Ideologically, the proponents of German expansion rarely brought up the justifying schemes regarding the civilization mission upon the unfortunates of the third world, so beloved by the French, British and Italian colonialists. Instead they were prone to enact concepts of work ethics to the colonized and rational exploitation of the natural resources, securing the maximum profitability. When came to colonies business was priority and civilization should wait. For example, for Paris economic activities were not an end in themselves; rather they were part of the civilizing process. Apart this point, the German phenomenon seems to share a certain similarity with the French and not its Italian counterpart. Ruthless oppression, violence, and subjection were similarly employed by both Berlin and Paris in Africa. The French, convinced about their racial superiority and having wed their democratic revolutionary tradition with imperialism aimed to assimilate the local population after its subjection. Berlin, equally militaristic, used violent means in order to rule and extract profits, not concerning itself with the formulation of sweet-sounding theories and pretexts. Bismarck seeking efficiency and profitability gave priority to the business and not to the bureaucratic side of colonial politics[22]. His model was the British informal empire, that was self-administrated, inexpensive to the state's budget. The explorer Carl Peters once wrote: "all colonial establishments are in essence a business for the states". Theodor Gotthilf Leutwein (1849 -1921), Southwest Africa's governor from 1894 to 1904, conformingly stated: "The main

20. Arne Perras, *Carl Peters and German Imperialism 1856–1918 A Political Biography* (New York, 2004), 41-46.

21. Hatmut Pogge von Strandmann, "The Purpose of German Colonialism, or the Long Shadow of Bismarck's Colonial Policy", in German Colonialism, Race, the Holocaust, and Postwar Germany, ed. V. Langbehn, M. Salama (New York, 2011), 195-198.

22. The exploitation of South West Africa and Cameroun in particular were entrusted to concessionary companies right from the start see Robert Converin, "The Germans in Africa before 1918", in *Colonialism in Africa*, 1870-1960, ed. L. H. Gann, P. Duignan, vol. 1, *The History and Politics of Colonialism, 1870-1914* (London, 1969), 387, 401-405.

purpose of all colonization is, if one leaves all made-up idealism and humanitarianism aside, a business. The colonizing race does not want to bring happiness to the indigenous population but looks after its own advantage and profit. So therefore, there is only one guideline for colonization and that is the pursuit of profitable business". Those interested in making Germany a colonial power, bestowed to the pursuit of business the outmost importance[23].

The worldwide financial crisis of 1873-1896 (Great Depression) convinced Germany's trade and industrial elites that an "export offensive" was more than necessary for the wellbeing of the nation but more importantly of their firms. Moreover economists, merchants, bankers and industrialists all agreed that the greater the territory ruled by a state the most substantial the economic and political benefits. Regular invocation for protective tariffs, government intervention and the drive to secure colonies as available markets must be seen under this light. It was this very actively strenuous and antagonistic business environment that brought in the technical innovations, industrial reorganization (conglomeration) and aggressive investment and economic expansion policies that rendered Germany the word's major economic power, overthrowing the British at the end of the century[24]. Even before territorial acquisition in Africa and the Pacific it was mere capitalism and internal political factors that shaped German colonialism[25]. Hamburg's[26] trade houses, profiting from the 1855 commercial treaty with Zanzibar have been extremely active and profitable to that crucial centre of international commerce. Establishing trading connections with Arabs and Indian merchants were competing successfully with their British counterparts in the coast of east Africa. The principal commercial actor there has been William Henry O'Swald's (1832-1923) company since the 1850's; in 1869 the firm ventured successfully in Madagascar. In the same time the famous Woermann trade firm engaged in trading activities in Liberia and up to the 1860's dominated the Gabon-Cameroon trade. In the West African coast, the Jantzen and Thormahlen, Broehm and Wolber enterprises have been engaged to a lucrative transaction with the local tribes. The Bremen house of Vietor Sons and others established themselves in modern day Togo in the 1880's whereas the Goedelt firm penetrated the Dahomey market. Between 1876 and 1879 trading rights were secured by treaties in the south pacific islands. The principal commercial company Godeffroy, established in the region as early as 1857, profitable as may

23. Ibid., 195-209.

24. Woodruff D. Smith, *German Colonial Empire* (Ann Arbor, 1998), 13-17.

25. George Steinmetz, The devil's handwriting. Precoloniality and the German colonial state in Qingdao, Samoa and Southwest Africa (Chicago 2007), 23.

26. In 1866 Hamburg alone maintained a network of 279 consular outposts around the world. The commercial treaties stipulated and the financial activities prepared the ground for the later colonial undertaking. See Sebastian Conrad, *German colonialism, a short history* (Cambridge, 2012), 25.

be there faced bankruptcy in 1879 due to unsuccessful speculation in Europe. A new German firm backed by the bankers Hansemann and Bleichroder intervened and kept Godeffroy's activities and property from falling into British hands demonstrating the ruling elites' chauvinistic sentiment but also a private capital capability for investments[27].

The Uniqueness of Germany's Early Colonialism in Comparison to the Italian and Japanese Cases

This brief outline is enough to help us trace the colossal gasp between the early Italian, early Japanese and Early German colonialisms, three cases that some could argue sprang out from identical ideological frameworks. These states were nurtured in the same 19th century bigoted, militaristic, atavistic, pro-expansionist framework were equally tormented by the population surpass question. Another interesting analogy was the ruling dynasties' inclination towards colonialism and some of their representatives' enthusiastic participation to the endeavour. Beyond these points we notice only striking inconsistencies. The most apparent certainly is the difference of their economic, commercial and mainly industrial capabilities. As far as Germany is concerned the economic explanation of imperialism makes sense. By the 1890's was an "economic giant with the world's most advanced technology and with a more efficient business structure and a higher investment rate than Britain"[28]. Germany had already reached the highest level of capitalism (monopoly capitalism), that justified every economic theory of imperialist expansion. The eventuality of exclusion of the world's markets in a state so interconnected and relying in trade was an actual menace whereas the Italian or Japanese call for raw materials was more elusive than real, a mere justification attempt. Germany actually needed rubber, chemicals, lumber for its industries and markets to export its surplus capital and its manufactured products. German entrepreneurs clashed with their French and British counterparts all over the globe in the race for concessions and privileges and demonstrated a mature capitalistic disposition for investments. When Berlin could not contribute to high risk enterprises or support its colonies' infrastructural development, there were bankers and components of the politico-commerce-industrial complex to step in. As Bismarck wished to involve the government as little as possible economically and administratively in Africa these businessmen invested not heavily but in a consistent way never conceivable in Rome or Tōkyō. In Italy and Japan, as we have seen, the industrial and foodstuff production could not cope with the counties' demands. Indeed, Italy was importing capitals from France and

27. Henderson, *Colonial Empire*, 26-27.

28. Smith, *German Colonial Empire* (Ann Arbor, 1998), 119.

Germany, manufactured and agricultural goods whereas its anaemic economy and the meagre exports weighted upon the state budget. Furthermore, German expansionism was directed where business opportunities arose and established itself in regions that presented some kind of future profitability even if some dominions needed cash influxes from Berlin. In the contrary, the Italian counterpart was directed by others in any available or suggested region, ending up controlling Eritrea and Somalia, maybe the most destitute territories in Africa after failing to acquire more vital regions. Japan, on the other hand after a series of humiliations managed to acquire only Taiwan by 1895 an unhealthy, riotous undesired island in the Far East. No one claims that Namibia and Tanganyika were abundant and rich worldly paradises; financially the majority of the German colonies relied in government support and, despite the investments, have not been particularly profitable[29]. Nor could someone argue that Berlin invested heavily in its colonies; none of the colonial powers did (the bulk of the British investments were not in its colonies but in America). Yet, they have been chosen by Germans, to satisfy German interests, produce profits for Germany based on sound capitalistic-profit making reasoning and contest in equal terms the British and French imperial monopoly. Berlin did not content itself with the colonial leftovers.

As shown the origins of newborn Germany's colonial disposition was very much analogous to the Italian and Japanese ones. The mid-19th century anxiety to catch up with the other powers, the overpopulation pressure, the ideological schemes, the travellers', pro-colonial "geographical" societies' groundwork in Africa and Asia were very much alike. Italy and Japan in this spectre cannot even claim a historical primacy in exploration-expansion or a unique naval tradition as a point of differentiation; the German based Hanseatic League monopolized Baltic Sea's commercial routes from the 14th to the 17th centuries. It is widely unknown but German explorers and sailors participated as crews in Portuguese discovery and trading expeditions around the globe as early as 1480. Three German ships accompanied a Portuguese convoy in India in 1505 and two Germans sailed with Magellan (Ferdinand Magellan 1480-1521) in his trip around the world. In 1528 some German bankers and merchants were allowed by the Spanish authorities to establish trading posts in Venezuela. In modern day Ghana in 1863 the Elector of Brandenburg and Duke of Prussia Friedrich Wilhelm (1620-1688) established the first German colony, Gross Friedrichsburg. Earlier, in March 1862 the Brandenburg Africa company was established with a founding capital of 48.000 thalers and authorised to trade in the Guinea coast. In November 1865 the Elector acquired from the Danes the island of St Thomas in the Caribbean for 30 years. The commercial triangle between Europe, Africa and the Americas was curved and the Brandenburgian ships could finally embark on the lucrative slave

29. L. H. Gann and Peter Duignan, *The rulers of German Africa, 1884-1914* (Stanford, 1997), 56.

trade. Therefore, this brief presentation attests to the fact that Italy and Japan were not distinguished by the others in terms of a distinct colonial tradition to legitimize its late 19th century's expansionist endeavours. The myth of the predestined, chosen, recently united, energetic nation espoused by the pro-imperialistic ruling elites apparently did apply to all of the three cases.

This brings us to our next point. Germany after defeating Denmark (1864), Austria (1866) and France (1871) was vested in the prestigious aura of the 19th century rising world power. Energetic and vigorous, after centuries of internal division, launched itself forward. Already dominant in Europe, envisioned for itself the role of a global superpower (weltpolitik) namely after 1891. Militarily superior, politically stable thanks to Bismarck's machinations, industrially thriving soon threatened to overthrow all the other protagonists. Equally important was the consciousness of this power. Imperial Germany even before the Wilhelmine era, still without a formidable fleet, not only spoke on equal terms, in the aftermath of its foundation with the long-standing empires but defied and even menaced and provoked the fear of its interlocutors. The initial concerns about the creation of a rival coalition to supposedly liquidate the newly founded empire were discarded by Bismarck's brilliant divide and rule policy and were rebuffed until the First World War. Despite Germany's aggressive tactics and vulnerable strategic position, the country did not engage in any offensive or defensive European campaigns up to 1914. When it comes to Japan and Italy, we already investigated their inability to carve an autonomous, self interested foreign policy as a part of the 19th international community. Optimism, enthusiasm and the sense of a unique mission for the future were evident after the two states' unification processes, achieved with great sacrifices, national heave and against all odds. Rome, however, had to be attached to the wagon of a greater power for its national security, conceal its real weakness under the shroud of militarism and expansion and affirm itself internationally. In the same way Tōkyō had to confer with the foreign diplomats and gain their approval every time it ventured abroad; its military feebleness, economic dependence and western racism placed the country at an inferior position to any white nation, even the second-rate Italy. However, imperial Germany was at the same time a potent if not the most potent state in the late 19th century. The Italian ruling classes were terrified by a possible French or Austro-Hungarian military intervention in the Pope's favour, considerable adversary for the newborn state. In need of reorganization and modernization, the military forces, having suffered tremendous debacles, such as in Lissa (1866), did not inspire confidence domestically and internationally. Similarly, Japan during the first decades of its unification and probably until the early 20th century was preoccupied with the possibility of a Russian invasion. The appalling display of the nation's newly unified army during the Satsuma rebellion (1877) was a source of anxiety. Besides the facts, the psychological impact has to be taken into consideration. German merchants, politicians, servicemen felt robust and acted decisively, taking what

they thought was rightfully theirs. Their Italian and Japanese counterparts, afraid not to displease even the weakest foreign governments, indecisive, at least, in regards to their colonial policy, sought the collaboration of the great powers often in a demining extent; the Italians were considered subordinates or British agents in Africa and the Japanese in several occasions annulled or postponed their colonial projects in the fear of western reaction. To the author's view when we are dealing with actions and decisions of individuals or groups of people the state of mind, disposition and mentality are crucial. Italy and Japan, insecure, ignored, secondary wished to make their voice heard whereas a dynamic Germany dictated the rules of the international race.

Similarities and Differences between 19th Century German and Japan

Many scholars compare the 19th century Japanese case with the British or German one. Britain even though also an island state was technologically developed, robust, having the most powerful fleet and the most extensive empire in the world. The German Empire although it too was formed late (1871) and bedeviled like Japan by the problem of overpopulation did not share the same concerns about securing its independence as it was the superpower of the era, industrialized and militarily all-powerful the very next day after its unification. The indisputable similarity between the two states in the 19th century was the wide spread scheme of the "underprivileged latecomer" utilized by the states to justify their intention to capsize the international system's status quo.

In the end of the 1870s Germany, military powerful and at the forefront of global trade and industry, appeared attractive to Meiji leaders. Excessive modernisation met conservative reactions. By the 1880s German patterns appeared more adaptable to the Japanese case and German political theory in line with Japanese conservative, nationalistic attitudes as opposed to those, like the Finance Minister Ōkuma Shigenobu, who were advocates of the British-American liberal thought[30] and of a British style constitution.[31] It was not only the

30. In the 1870s the ideas of liberalism, social rights and representative government were well spread thanks to the popular work of the British philosopher Herbert Spencer. See John D. Pierson, "The Early Liberal Thought of Tokutomi Sohō. Some Problems of Western Social Theory in Meiji Japan" in *Monumenta Nipponica,* Vol. 29, No. 2 (Summer, 1974), 199-201, 199-224. Spencer is considered the founder of the Social Darwinism theory, which influenced greatly the Japanese intelligentsia and ruling classes alike. Accelerated economic development would allow Japan to eventually obtain its place among the "civilized" nations. See Sherrie Cross, "Prestige and Comfort: The development of Social Darwinism in early Meiji Japan, and the role of Edward Sylvester Morse" in *Annals of Science*,. 53, no4: 330-332.

31. Rolf-Harald Wippich, "Infected with German Measles: Meiji Japan Under German Cultural Influence" in *History of European Ideas*, 20, no. 1-3 (1995): 339-402.

educational system or the medical research that was adopted from the prestigious German model but a series of reforms, institutions and ideas all employed in the process of building and modernising the nation.[32] Their implementation was applicable due to the "affinity of the philosophical basis" of Japan's and imperial Germany's political systems and their "ethno-centric nationalism" according to the historian Bernd Martin. Indeed, the national ideology on which post 1871 Germany was founded on was Christian religion and long standing feudal-agrarian folkloric elements that served as the common origin and culture. As for the education, in the new born German Empire it was revolved around the exaltation of German nationality, moral discipline, obedience to one's superiors and Christian ethics. Indoctrination to patriotic and military duty was analogous to the Japanese practices.[33] German studies, a growing orientation towards German patterns in law, economic and social policy, were promoted in the early 1880s as a conservative response to the Liberal Party and as a legal basis for revising the foreign treaties.[34] German legal and constitutional models appeared to be more suitable and in line with the Japanese norms of sovereign power and the role of the emperor.[35] A centralized, statist type of governance, the existence of noble elites with bureaucratic functions, the preponderant role of the military and the patriotic-nationalistic ideals that seemed to shape the relationship between the people and its leaders were up to a certain degree commonly shared by the two

32. For others Japan had more in common with 19th century Tsarist Russia: reliance on western technology, employment of foreign advisors, adoption of German and Austrian models and the late 19th century modernization reforms were identical elements in both cases. See Cyril Black, *The Modernization of Japan and Russia: A Comparative Study (Perspectives on modernization)* (New York 1975), 126-135.

33. Wippich, "Infected with German Measles", 83-85.

34. The advocate of modernization with less westernization, statesman Inoue Kowashi (1844-1895) favoured the more stable and similar "with regard to the circumstances of its unification" Prussian state model over the French, which had produced three revolutions between 1830 and 1871 and the American one that had led to the Civil War (1861-1865). In 1881 he suggested that if the government desired to make the Japanese more conservative-minded it should encourage the study of the German language. See Sukehiro Hirakawa, *Japan's Love-Hate Relationship with the West* (Folkestone 2005), 121-122.

35. Legal thinking of jurists such as Heinrich Rudolf Hermann Friedrich von Gneist (1816-1895) and sociologists like Lorenz von Stein (1815-1890), whom Itō Hirobumi met in his 1882-1883 visit while searching for suggestions for the future Japanese constitution, were transplanted in law schools, universities and legislative committees by the advisor Carl Friedrich Hermann Roesler (1834-1894). The model to be followed was the Prussian bureaucratic state, which had successfully reformed its economic, social and military institutions in the first half of the 19th century without representative institutions. See Erik Grimmer-Solem, "German Social Science, Meiji Conservatism, and the Peculiarities of Japanese History" in *Journal of World History*, Vol. 16, No. 2 (2005), 197-202, 187-222.

societies.[36] The modern German state, constructed around the figure of the monarch, was established through "iron and blood" not vote and parliaments just as the Japanese state was in 1868.[37] Nevertheless by the end of the 19th century, besides these apparent similarities the two states had nothing else in common.[38] The chaotic difference between Germany's industrial and military supremacy as a global superpower and an Asian, agrarian island state in the margin of the modernised world shaped their respective relations and attitudes concerning their foreign policy. Japanese economy was far less industrialized than Germany's and its trade largely controlled by foreign merchants enjoying treaty privileges.

Conclusion

It has to be stressed that early Italy and Japan were relegated to secondary international actors whereas Germany was the rising world power of the 19th and early 20th centuries. The fact that all three were formed late, willing to capsize the established unfair state of affairs in world politics and suffered from overpopulation are certainly important but not fundamental for the understanding of their foreign policies and territorial aspirations. Italian and Japanese strategic insecurity, the anxiety and psychological pressure stemming from this insecurity, the underdeveloped economy, their limited military capabilities and marginalized international position in the second half of the 19th century were immensely more influential to their colonial policies as shall be seen. It also means that these two countries were nowhere near on being on par with Germany, France or Britain. Instead they were closer at being "colonized", attacked or economically penetrated by them.

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36. Franco Mazzei, "La Risposta Del Giappone Alla Sfida Modernizzante dell' Occidente" in *1868 Italia-Giappone: Intrecci Culturali*, ed. Rosa Caroli (Venice 2008), 121.

37. Bernd Martin, *Japan and Germany in the Modern World* (Oxford, 1995), 17-35.

38. Similarly, the Meiji Restoration was a typical "revolution from the above" brought about and shaped in their favour, according to their theories, by elements of the upper classes (court members, samurai of any rank). In contrast the Italian unification process (1848-1871) was based on popular support for emancipation and liberal ideals as formulated by Giuseppe Mazzini and despite the central role of Piedmont's dynasty and army, the unification was solidified by a series of local referenda. In late 19th century Germany and Japan, the oligarchic leadership backed or utilized monarchical authority and prestige, retarded democratization and strengthened its position. See Eiko Ikegami, "Citizenship and National Identity in Early Meiji Japan, 1868-1889: A Comparative Assessment" in *International Review of Social History*, 40, noS3 (1995), 218-219.

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