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From pre-history to Dachau—the most complete study ever written about the infliction of pain for punishment or coercion

THE HISTORY OF TORTURE

by Daniel P. Mannix



Plus 8 pages of illustrations

"MORALITY IS NOTHING MORE THAN AN EXPRESSION OF EXPEDIENCY,"

a notorious torturer reportedly once replied to objections about his profession.

The fact that torture, until recently, was an intrinsic part of the legal process in most cultures nearly bears him out. Indeed, the violence we witness daily in our own society seems proof that force as a solution to problems did not, unfortunately, end with the Nazis.

This remarkable work discusses not only the facts about torture but its moral implications as well. Everyone concerned with human dignity and conscience, with political, social and religious freedom will find this book fascinating and enlightening.

THE HISTORY OF TORTURE

Daniel P. Mannix

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CHAPTER 1

ANTIOCHUS EPIPHANES, King of Syria, did not like Jews. They were a stubborn people, always seeking independence, and during Antiochus' recent Egyptian campaign the Jews had openly expressed the hope that he would be killed. When he returned to Palestine, Antiochus decided to stamp out Judaism. He had a statue of Jupiter erected in the Holy of Holies ("The Abomination of Desolation"), turned the temple into a brothel, and forbade circumcision. When two mothers had their newly born baby boys circumcised in defiance of the law, Antiochus ordered the babies killed, their dead bodies hung around their mothers' necks, and the mothers thrown from Jerusalem's city wall. Anyone observing the Sabbath was burned alive and the Jews were forced to take part in the Bacchanalian orgies.

This display of firmness did not have the desired effect. Instead of being cowed, the Jews rose in revolt under their great leader, Judas Maccabaeus (the Hammer). Antiochus was determined to prove that the Jewish spirit could be broken. He decided to begin his demonstration with a mother and her seven sons whom he had captured.

"All I am asking you to do is eat a piece of pork to show the absurdity of these old dietary laws," Antiochus said reasonably. "I've had pork stuffed down the throats of several rabbis and they explained this didn't violate their code as it was done against their will. Very well, you are also doing it under compulsion and your God will understand.

If you agree, I will give you high positions. If not—"

Antiochus waved his hand and his torturers brought out a collection of racks, wheels, manacles, and faggots. To show that he was serious, Antiochus first had an elderly scribe named Eleazar tortured. Eleazar was flogged and then burned upside down on a St. Andrews' cross while the executioners poured boiling oil down his nose. "See what you have to expect," the king pointed out. "If you won't yield for your own good, do so for your mother's sake. Imagine her emotions on watching all her children being slowly tortured to death before her eyes."

The eldest boy called out, "Why pretend that you're interested in what happens to us? Hurry up and get it over with. Death is better than listening to your hyprocrisy."

"You'll have reason to regret that little speech," the king said grimly. "Executioners, do your work."

The executioners stripped the eldest son and then scourged him until they were exhausted. The three official types of scourges used by the Romans during this period (2nd century B.C.) were a flat leather strap called the *ferula,* for mild offenses; the *scutica* made of twisted strips of parchment designed to lacerate the flesh, for more serious crimes; and the death-dealing *flagellum,* a type of bullwhip.

Whatever type of scourge Antiochus' executioners used, they could not break the boy's spirit, so he was stretched on the wheel. This was an early form of the rack. The wheel was mounted vertically to the ground. The prisoner was placed with his back against the rim, his hands were tied to spokes above his head, and his feet were secured to stakes driven into the ground. The wheel was then turned slowly, stretching the man as it revolved.

The young Maccabee shouted, "Do your worst, tyrant. Watch how a Jew can die!" When all his joints had been dislocated, Antiochus ordered his limbs cut off and his still living trunk to be cooked in a large saucepan over a fire. The smell of his frying flesh filled the air, but the other brothers cheered him until he died.

The next oldest boy was then brought forth. The executioners tore off bits of his flesh with pincers. When this

torture produced no result, they skinned first his face, than his head, and finally his body down to the knees so that his entrails were exposed.

It was now the third son's turn. He was brought before Antiochus who asked him to recant. The boy retorted, "Do you not know that I am the son of the same parents as my two brothers?" He was tied on the "engine" and his hands and legs broken. The exact design of this "engine" is not known, but it probably corresponds to the Greek "wooden horse." The horse was a cylindrical framework mounted on four legs. With the victim stretched on the framework and his arms and legs extended, the bones could easily be splintered by blows with an iron bar. It may, however, have been simply a large ball around which the condemned man was tied.

The boy still refused to eat the pork, so the executioners skinned his fingers one by one and then skinned his whole body. Since he was still alive, they then stretched him on the wheel. At last, seeing that he was dying, they disemboweled him.

Antiochus then asked the fourth brother if he had seen enough or did he want to be burned alive. The boy retorted, "Your fire isn't hot enough to break me, monster." In a rage, Antiochus ordered his tongue torn out. The Maccabee stuck it out in defiance to make the executioners' work more simple. Afterwards, they tied the boy to the engine and tore him to pieces with iron hooks before roasting him.

The fifth brother came forward of his own volition remarking, "I look forward to taking part in a rite that means your eternal damnation. No matter what you do, we suffer only briefly. You will burn in hell for all time." He was put on the wheel and all his joints were dislocated. Then he was burned at the stake until only his skeleton remained chained to the post.

There remained two more of the brothers. The bones of the first were broken on the engine and then he was spread-eagled on a grid over a slow fire. The executioners heated their spears in the fire and stuck them into his belly until

his entrails cooked. After that he was put in a giant cauldron and boiled.

The last remaining brother was the youngest of the family, little more than a child. Antiochus begged him, "Don't destroy all your family—leave your mother one son." The boy seemed tempted. "Remove my fetters," he begged. At this show of weakness, Antiochus hastily ordered the executioners to strike off the boy's manacles. At once the boy threw himself into the boiling cauldron and perished with his brother.

The boys' mother had watched the death of her sons without flinching. Several times Antiochus had begged her to plead with the young men to recant but she had refused. "They would be worthless indeed if an old man like Eleazar could endure torture without breaking and they could not," she told the king. Throughout the torture she had encouraged the boys to stand fast, crying, "Never give in! God will save our people and avenge your deaths!"

Antiochus now had the mother flogged and her breasts torn off. When she refused to abandon her faith, he decreed that she was to be burned alive. The executioners prepared the fire and the mother walked into the flames of her own volition.*

We have learned a great deal about the science of torture since Antiochus' time. No modern torturer—not even the comparatively clumsy Inquisitors of the Middle Ages—would have used techniques calculated to cause the death of the victim within an hour or so. Nor would any experienced torturer have allowed the brothers to watch the death of the heroic Eleazar, knowing well that after such an exhibition of courage the young Maccabees would be enormously strengthened in their resolve. But as John Swain points out in his excellent book, *Pleasures of the Torture Chamber,* Antiochus' greatest mistake was in torturing one

***The death of the seven Maccabee brothers is told in II Maccabees, Chapter 7, and also in Flavius Josephus' *On the Martyrdom of the Maccabees,* Chapter 8. I have largely used Josephus' description which is more detailed. The two accounts disagree on some minor details.**

boy after another while allowing the others to shout encouragement to him. Each member of the family should have been tortured separately out of sight and hearing of the others, starting with the youngest as the one most likely to break.

In his introduction to Father Antonio Gallonio's *Torture of the Christian Martyrs* (1591), A. R. Allinson says (writing in 1903), "It is sometimes said that torturing quite as barbarous would take place again today if it were possible. I honestly and absolutely disbelieve in the possibility of this. Men have changed. The old tigerish instinct has been conjured and subdued. The thought of pain and cruelty is abhorrent to all who live in the great centers of Christianity."

Mr. Allinson was completely wrong. The use of torture is a crucial issue in the world today, and the techniques employed have become highly developed. In North Africa, paratroopers tortured Algerian rebels using the devices developed by the Spanish Inquisition plus electricity. During the Mau Mau uprising in Kenya and the rebellion in Angola, both sides developed remarkably effective torture techniques, far superior to anything employed by Antiochus. In Latin America, such men as Commissioner Lombilla, Chief of the Special Section of Police in Argentina under Juan Peron, understood how to employ torture not only to inflict pain but also to undermine the prisoner's reason. In the German concentration camps, the prisoners were submitted to systematic tortures not only for disciplinary reasons but also to study their reaction to pain. After the Communist take-over in Tibet, an international commission was appointed to interview the refugees. They described elaborate methods of tortures involving thousands of victims. But it was the development of "brainwashing" techniques by Russian scientists that lifted modern torture methods to such a degree of refinement that they became a matter of major concern to military planners and opened a whole new field to psychological warfare experts.

There is no precise definition of what constitutes torture. The word is derived from the same root as "distort." Originally it referred to the distortion of the human body on

the rack or some other instrument, but today it is generally considered to include such techniques as keeping the prisoner awake for long hours under strong lights, starvation and even the use of Pentothal (truth serum). But outright corporal punishment is still legal in certain countries. Mutilation is the punishment for theft in Saudi Arabia, and the whipping post is legal in Maryland and Delaware. On August 6, 1961, Judge Wilbur F. Sheffield, Jr., of Frederick, Maryland, ordered Marshall M. Flanary to receive ten lashes for beating his wife. Demands for corporal punishment as a means for handling juvenile delinquency are growing. Although George R. Scott in his *History of Corporal Punishment* mentions with pride that flogging juvenile offenders is now illegal in Great Britain, on April 11, 1961, a bill was introduced in the House of Commons to allow for the caning of young second offenders up to the age of twenty-two. The bill was defeated but according to the *Times*, "the greatest break in Conservative Party solidarity since World War II occurred." Many Englishmen feel that flogging is the only answer to the growing problem of the "teddy boys," while in the United States, with attacks on policemen averaging seven a day in New York City and armed mobs of juveniles beating up police officers in Philadelphia and Newark, many serious criminologists are considering a return to corporal punishment. A police psychologist told me, "I can't say this publicly, but the trouble with these kids is they're convinced that they can get away with anything. The humiliation of a public whipping would be the best thing in the world for them."

Since the last war, our conception of ethical values has undergone an agonizing reappraisal. To many intelligent people, the whole idea of punishment seemed archaic—a residual desire for revenge dating back to the ancient *lex talionis* ("an eye for an eye and a tooth for a tooth") now long discredited. But few persons would claim that the Nazi war criminals who ordered the murder of six million people did not deserve punishment. Sociologists have long been pleading for more lenient treatment of criminals and, to a large extent, their arguments have been accepted by the

public. (For example, nine states have abolished the death penalty.) But with the steadily increasing crime rate no less an authority than J. Edgar Hoover is convinced that "soft" tactics are ineffective. Mass retaliation is recognized as unavoidable in modern warfare. Yet although the destruction of Lidice by the Germans in the last war was considered an unparalleled crime against humanity, were we justified in dropping the atomic bomb on Hiroshima? And leaving out the moral issue, did either Lidice or Hiroshima accomplish the desired result?

The conception of punishment as an effective means of curbing antisocial behavior is an inherent belief, not only among human beings, but also among most of the higher animals. In his *The Ten Commandments in the Animal World,* Ernest Thompson Seton points out that animals maintain certain ethical standards designed to preserve the group, protect the young, and control mating that roughly correspond to the last six Commandments. Young animals must obey their parents. Few animals will commit murder by killing a member of their own species. Although many of the larger animals are polygamous, none is promiscuous and the law against adultery is strictly observed. Some species have higher standards than do humans. Fur farmers have discovered to their chagrin that a male fox will mate with only one female, and among wild geese, if one of a pair dies, the other frequently will not mate again. Animals also recognize the law against stealing. A squirrel will not take another squirrel's store of nuts, the musk of weasels (which reaches its greatest potency in the skunk) is used by an individual to mark his cache of food so other members of the tribe will not disturb it. As most animals have only rudimentary forms of communication, the question of bearing false witness seldom occurs, but any huntsman knows that hounds quickly ostracize a hound that gives tongue consistently on a wrong trail.

It is worth noting that in most cases, retribution for an offense among animals is automatic and comes about through the operation of natural laws rather than through punishment inflicted by the group. A mother pheasant sees

a hawk and calls her brood to her. One refuses to obey. He dies. The punishment comes not from the mother but from the nature of his act. A furious buffalo bull breaks the code against murder by following a defeated rival with intent to kill. The rival, now fighting for his life, inflicts such injuries on his murderer before he dies that the victor either succumbs to his wounds or later is pulled down by wolves. A male wolf deserts his female when she is suckling. His tainted line stops there for without his help the litter cannot survive. Retribution, then, is not an arbitrary code but inherent in the nature of things and tends to operate so that the punishment fits the crime. The chick that refuses to accept parental authority is allowed to find out what happens to him without his mother's protection. This is the law of nature or "the will of God."

But among the more intelligent animals, deliberate punishment for offenses does occur. A mother bear, if her cub disobeys her, will spank it as would a human mother. A black bear in the Cincinnati Zoo had two cubs. One cub insisted on leaving the den to follow the mother when she went looking for food—a fatal act in the wild state. Superintendent F. J. Thompson reported, "The first time, she drove it gently back but on the second attempt she cuffed it soundly which put a stop to its wandering propensity." There are also examples of mass punishments. Mrs. Dorothy Richards, who maintains a beaver sanctuary near Dolgeville, New York, had a smart beaver named Pook. When Mrs. Richards fed her pets, Pook went down to the pond and slapped the water with his tail—the traditional beaver danger signal. All the others raced for the pond and dived in. Pook hurried back to Mrs. Richards and stuffed himself before the others discovered the deception. Bearing false witness would be highly dangerous in the wild, so the other beavers descended on Pook and gave him a thrashing that effectively prevented him from ever repeating the trick. Crows and even prairie dogs apparently have regular trials for offenders. The entire community surrounds the accused, and then, after considerable discussion, the criminal is either acquitted, punished, or driven into exile.

Exile is the standard punishment for malefactors among gregarious animals. The criminal is seldom killed; he is simply cut off from the group. This is the fate of rogue elephants, old rhinos that have grown too irritable for their associates, and even gorillas. Colonel C. R. S. Pitman, for many years in charge of the gorilla reserve in Uganda, told me of a female gorilla condemned to exile among the barren lava beds of the Mikeno volcano for some crime he could never determine.

Many eminent historians—including H. G. Wells in his *Outline of History*—have attempted to trace humanity's conception of justice to the authority of the "Old Man," the leader of a group of subhuman primates. Much as a baboon group is dominated by one old male or a herd of wild horses is controlled by the most powerful stallion, so, Wells argued, the Old Man ruled his tribe, his word being law until he was overthrown by some younger male. From the authority of the Old Man came the conception of God. But man's belief in an inherent law of nature that differentiates between right and wrong probably goes back to his animal origin, and is as instinctive as his gregarious nature, his sense of ownership, and his conviction that the group must stand together against adversaries.

"All morality," claims Nietzsche, "is nothing more than an expression of expediency." Basically, this is true. If murder is permitted by the members of a community, the community will soon cease to exist. Therefore, murder must be wrong whether or not the murderer is punished by the community. A woman with a newborn baby cannot survive without the help of her husband. Therefore, adultery is wrong, even though the community may have no law against it. A simple example is the taboos of primitive peoples. A certain bay is taboo because it is infested with sharks. A man breaks the taboo by diving in the bay for pearls. He is punished not by the community but by the nature of his act. If a man persists in imperiling the community by continued violations of the code—for example, bearing false witness by constantly crying "wolf" when there are no wolves—he is not killed but driven into exile.

There he will die. This is not revenge, or the outgrowth of a desire to make the criminal a "scapegoat" for the sins of the community, or a means of satisfying some latent sadistic instinct in the group as some sociologists have claimed. It is merely necessary for survival. Animals follow the same patterns.

The earliest account of punishment in the Bible occurs in Genesis, Chapter 3. Because he ate the forbidden fruit, man is condemned to hard labor for life ("in the sweat of thy face shalt thou eat bread"), and for the woman who tempted him, torture is prescribed ("in sorrow that shalt bring forth children"). Ultimately, capital punishment is to be inflicted ("dust thou art and unto dust shalt thou return"). Both are driven into exile. These sentences are passed by God on man for the sin of disobedience.

When the first murder is committed, the murderer is again punished not by the community but by God. The punishment is once more exile, plus branding ("And the Lord set a mark upon Cain lest any finding him should kill him"). Nowhere in Genesis is the conception of communal punishment expressed.

But as the communities grew in size and became better organized, it was impossible to leave the operations of justice to the laws of nature. Punishments had to be man-made, and a code of laws, relating not necessarily to natural laws but to human conventions, had to be formed. The five basic "natural" laws (against murder, stealing, adultery, lying, and disobedience) remain the core of any legal code, but the intricate system of civilized relationships require special regulations.

One of the earliest and by far the best known of these codes was the Law of Hammurabi, composed nearly 2,000 years before Christ. Although the code of Hammurabi was a compendium of earlier codes, it was considered to have divine authority—the stela on which the code is inscribed shows the god Marduk presenting the code to the king. The purpose of the code is "to make manifest justice in the land, to destroy the wicked and the evildoers that the strong harm not the weak." The basis of the code is the *lex talionis*. This

law of retaliation was carried to such extremes that if a house fell and killed the son of the owner, the son of the guilty builder was killed rather than the builder himself. There was also a system of graduated punishments depending on the seriousness of the offense and the position of the criminal. A woman wine seller who cheated on weights was merely thrown into the river, but if she allowed her inn to become a resort for robbers, she was killed. An ordinary woman could go to a wineshop, but a priestess who did was burned. A woman who murdered her husband was impaled. If she merely neglected him, she was ducked in a river—a punishment that still remains legal in Pennsylvania today although it has not been enforced for over a hundred years.

The oldest known written death sentence is Egyptian, part of the Amherst papers, written in 1500 B.C. The criminal was condemned to death for magical practices and ordered to commit suicide. The most common Egyptian punishment was flogging.

Mutilation was the punishment for more serious crimes. A murderer was beheaded. The most serious of all crimes (as it was among most ancient peoples) was parricide. The parricide was rolled naked in thorns and then burned. If a mother killed her child, the child's corpse was hung around her neck and left there until it rotted away. Other criminals were hanged (or crucified) and left to be devoured by kites and vultures. This was the fate of Pharoah's chief baker (Gen. 40:19).

The Mosaic Code, probably composed about 1,000 B.C., lists thirty-three capital crimes ranging from eating meat with blood in it or leavened bread during Passover (Exod. 12:15; Lev. 7:27) to sacrficing children to Moloch (Lev. 20:2). It also provides for an elaborate system of punishments, covering almost the whole known range of tortures for the period. A disobedient son is to be stoned to death (Deut. 21:18–21) and also a woman taken in adultery (John 8:5). This stoning was a highly ceremonial affair. The condemned was taken to a place outside the city walls especially reserved for this punishment, its location marked by many heaps of stones. The accuser, clad in a white robe

with a colored fringe, threw the first stone. If the crime was adultery, the girl's father was required to throw the first stone. After the first stone had been thrown, everyone in the crowd began to pelt the victim until the corpse was completely covered. Not only people were stoned; an ox that had killed a man was punished by the same fate.

Hanging was also prescribed for many offenses although according to some authorities, the method used was actually crucifixion. In any case, the body was not allowed to be exposed after dark but had to be buried the same day (Deut. 21:22–23). However, not all Middle Eastern people observed this rule. When David delivered the seven sons of Saul to the Gibeonites, the young men were hanged together on the hill of Gibeon. Rizpah, the concubine of Saul and the mother of two of the boys, kept watch under the gallows day and night, driving away birds and beasts from the corpses, until David was so moved by her devotion that he had the bones collected and given decent burial (II Sam. 21). Leon Gerome in *Die Bibel in der Kunst* and Smith in *Dictionary of the Bible* believed that the young men were exposed on crosses but hanging by the neck was practiced in the ancient world, the best known example being the fate of Haman, who was hanged on a gallows fifty cubits high (Esther 7:9).

Burning alive was also prescribed for prostitutes (Gen. 38:24) and a priest's daughter who had committed adultery (Lev. 21:9). Flogging was a standard punishment but the number of blows could not exceed forty (Deut. 25:3). In addition to the ordinary whips, there was also a sort of cat-o'-nine-tails, with sharp pieces of metal or steel hooks tied along the lashes, called a "scorpion." Rehoboam, Solomon's son, had this device in mind when he told the people, "My father chastised you with whips but I will chastise you with scorpions." (I Kings 12:11). Other punishments included beheading and throwing the condemned from a cliff.

The most elaborate and terrible use of torture recounted in the Bible is the punishment inflicted on the people of Rabbah after the city had been taken by David and his able

general, Joab. The prisoners were sawed apart between planks or buried up to their necks. Plows and harrows were driven over some of them, while others were put into brick kilns and roasted (II Sam. 12:31). The most grotesque Biblical punishment was that of Menelaus, the renegade high priest who had gone over to the Syrians during the Maccabaean Revolt but having offended the king, was sent to Berea and thrown into a tower of ashes fifty cubits high to suffocate slowly (II Maccabees 13:5). These towers were a favorite device for executing prisoners in Persia, and the populace would sit around the edge and watch the prisoner's dying struggles as he sank deeper and deeper into the soft ashes.

Obviously, these macabre tortures were not intended merely to dispose of dangerous individuals. Stoning, crucifixion, and burning were designed to make the criminal's death so dramatic and painful that others would be deterred from committing the same offense. These methods of execution lent themselves to public display and in the first (stoning) the whole community took part. How effective spectacular methods of execution are as a deterrent will be discussed later; here it is enough to say that such elaborate devices mark the beginning of true torture as a legal technique in distinction to methods designed either simply to punish the wrongdoer (as a whipping) or to eliminate him as a menace to the community (by exile or death). But the tortures prescribed by the Mosaic Code were standardized and, it may be supposed, were administered with no more malice than the fines or jail terms of a modern court. They were considered necessary for the enforcement of law. The tower of ashes was so elaborate and bizarre a device that it may be considered not fundamentally a means of punishment but a form of sadism. The same amount of suffering could easily have been inflicted on the prisoner by less costly means than building a tower and filling it with ashes. David's punishment of the people of Rabbah was clearly due to a blind fury: he wished to make them suffer as much as possible. As the very idea of torture is repugnant to the average person, all tortures are generally lumped together

as "sadistic" or "senseless cruelty," but this is not necessarily so. A mother who slaps a baby's hands to teach him not to grab objects from a table is using punishment to accomplish a definite end. If she slaps the child in a blind rage, she is behaving as did David toward the people of Rabbah. If she ties the child down and amuses herself burning him with a lighted cigarette, she is a sadist. The three acts, although all involve the use of pain, are quite differently motivated.

CHAPTER 2

THE FIRST PEOPLE TO use not only torture but mass extermination as a definite military policy were the Assyrians. Although other peoples had frequently massacred their defeated adversaries, the massacre was usually performed in the heat of combat or done as a sacrifice to the tribal god (as was, apparently, the extermination of the inhabitants of Jericho by the Jews). The Assyrians went about the business systematically, using torture and wholesale massacre to frighten other nations into surrendering. Judging from their bas reliefs, they were extremely proud of the methods used and portrayed them in great detail.

The simplest method was simply to brain the prisoner with a mace. The prisoner was forced to kneel with his hands placed before him on a block. One executioner held him by a cord around the neck while the other seized his back hair in one hand and struck him with the iron-headed club. Decapitation of living men was less common, although the warriors collected as many heads from corpses as possible after a battle (a soldier's pay seemingly depended on the number of heads he was able to produce). Severed heads were also used as lawn ornaments. A relief from Nineveh shows King Assurbanipal dining in the garden with his queen while the heads of defeated monarchs dangle from the trees. When a living man was to be decapitated, he stood upright and the executioner, holding him by the hair with one hand, struck off his head with a short sword.

Mutilation was also practiced. Assurnazirpal boasted in his inscriptions of cutting off the noses and ears of prisoners and blinding them with red-hot irons. A relief of Assurbanipal's shows a prisoner being held by one executioner while another tears out his tongue.

Flaying was also used. The victim was spread-eagled between four stakes driven into the ground. Apparently the skin was used either as a trophy or made into coverings for chairs, somewhat like the human skin lamp shades of Buchenwald.

The most dramatic form of torture—and, judging from the reliefs, the one most commonly used—was impalement. A sharpened stake was fixed into the ground and the victim impaled on it with the point entering his body just below the breastbone. When attacking a city, the Assyrians would impale their prisoners within sight of the city walls so the besieged would know what fate awaited them if they refused to surrender. Later, the Romans employed crucifixion for the same purpose.

The effectiveness of wholesale "terror tactics" has never been determined. They are intended to frighten the enemy into surrender but, on the other hand, they may stimulate a desperate last-ditch resistance either because the enemy is infuriated by the sight of such horrors and wishes to retaliate or because he knows what his own fate will be. During the last war, Germany distributed thousands of feet of film showing the destruction of Warsaw, Antwerp, and Brussels as a warning to other nations contemplating resistance. Our Information Service used footage from these same films to stiffen Allied resistance, arguing that people would rather die than yield to such monsters. Who was right?

There have been a number of historical cases when massive retaliation was admittedly disastrous. One outstanding example was the Athenian destruction of Melos in 416 B.C. The island of Melos had refused to join the Delian League so Athens sent her fleet to force obedience. After a desperate resistance, the island was taken. The Athenians killed all the men, sold the women and children as slaves,

and resettled the island with Athenian colonists. But the other Greek city states never forgave Athens this act of tyranny. From then on, the once proud city of Pericles, instead of being the leader of a group of loyal supporters, was forced to operate as an empire ruling reluctant colonies. On the other hand, eighty years later Alexander the Great successfully crushed all opposition in Greece by totally destroying Thebes and selling the inhabitants into slavery. From the point of view of Alexander, this ruthlessness was highly effective. Even when Alexander and his army were in India, no Greek city dared to rise against him.

Terror tactics are still employed and their effectiveness still remains in doubt. On June 10, 1942, the Germans, in reprisal for the murder of Reinhard Heydrich, killed every adult male in Lidice and deported all women and children. The town was then razed and the ground plowed up, as Rome destroyed Carthage 3,402 years before. After the invasion of Tibet by the Chinese, thousands of men, women, and children were murdered in an attempt to stamp out resistance. The Israelis have launched frequent reprisal raids into Arab territory, one of the most outstanding being the attack on Qibya on October 14, 1953, in retaliation for the killing of an Israeli woman and her two children in Tirat Yehuda two days before. The Israeli troops destroyed Qibya, killing sixty-six people, two-thirds of whom were women and children. The American use of the atomic bomb against Japan during the last war is regarded by many as a "terror tactic."

There would seem to be no general rule that can be universally applied to all terror tactics. The massacre of Lidice apparently served no useful purpose: the underground continued to operate unaffected. But Rome's destruction of Carthage eliminated a dangerous commercial and military rival and established Rome as the greatest power in the western Mediterranean world. China's ruthless treatment of the Tibetans would seem to have been highly successful, and surprisingly enough other Asian nations apparently do not resent this holocaust. Unquestionably Israel's policy of reprisals has discouraged Arab raid-

ing, and our use of the atomic bomb did hasten the surrender of Japan. But there have been many cases when ruthlessness caused nothing but undying hatreds—the Massacre of St. Bartholomew, for example. During the Indian Mutiny of 1857, the massacre at Cawnpore of several hundred English men, women, and children by the orders of the Nana Sahib accomplished nothing except to provoke the English to far more extensive atrocities at Allahabad when, as T. R. Homes says, "old men who had done us no harm and helpless women with suckling infants at their breasts felt the weight of our vengeance."

In general, however, it may be said that if the purpose of massacre is simply to clear an area of a certain group, it can be done successfully. When the Iroquois were virtually exterminated by Morgan's Rifles after the American Revolution because they supported the British, this act unquestionably laid open all northern New York State to white settlement and protected us from Indian raids during the War of 1812. When the Israelis speeded the flight of over a million Arabs from Israel, they rid themselves of a possible subversive group and at the same time confiscated much valuable farmland for Jewish settlers. But when the purpose of terror tactics is merely to intimidate a group the better to exploit them, such methods are more doubtful. Algerian *colons* often quote our treatment of the Indians or the Israelis' handling of the Arabs to justify a policy of relentless suppression toward the Algerians, but they ignore the fact that they need the Arabs as a source of cheap labor. Neither the American colonists nor the Israelis were attempting to create a peon class to do manual labor for them. When such a group greatly outnumbers the ruling class (as is typically the case in most European colonies), a policy of brutal repression usually becomes impractical.

The Assyrians seemingly introduced the custom of transplanting conquered peoples from one area to another to prevent uprisings, and this technique was continued by the Babylonians. The Babylonians also introduced the custom of throwing prisoners into a fiery furnace (Daniel 3) and exposing them to wild beasts (Daniel 6:16). Apparently the

Babylonians were not so systematically ruthless as the Assyrians but they could be vindictively cruel on occasion. Prisoners were castrated to serve as eunuchs (II Kings 20:18), the children of King Zedekiah were killed before his eyes and the king then blinded (II Kings 25:7), while even officials of the court lived in terror (Daniel 1:10).

In theory, the Persians maintained a comparatively lenient legal code. No one could be put to death for a single crime and the rights of the individual were guaranteed. But in practice, as the king was an absolute monarch, the law was frequently ignored. According to one story, a Persian monarch asked a favorite courtier to taste a special stew. When the courtier praised the dish, the king asked him if he would like to see what animal composed it. The courtier expressed polite interest, whereupon a silver salver was brought in and when the cover was removed, the head and crossed hands of the courtier's son were revealed. "What do you think of the stew now?" asked the monarch. The well-trained courtier replied, "I think whatever it pleases my lord the king to have me think."

In addition to the other tortures previously mentioned, the Persians had their prisoners flayed alive, crucified, buried up to the neck, and slowly crushed between stones. They were also sometimes burned alive. Croesus, King of Lydia, had once boasted to the philosopher Solon of his great wealth, but Solon had replied, "No man can be truly happy." Later, Lydia was conquered by Cyrus the Great, who ordered Croesus burned at the stake. While the executioners were lighting the faggots, Croesus cried out, "Solon, how right you were!" Cyrus became curious and asked the doomed man what he meant. When Cyrus heard the story, he remarked, "I am a man too and your fate today may be mine tomorrow." He made the deposed monarch an official at his court.

The most elaborate of the Persian punishments was known as "the boat." Plutarch gives a detailed account of this terrible death. Artaxerxes II was engaged in a battle with his brother Cyrus for the Persian throne. A young Persian named Mithridates struck Cyrus with a javelin and

inflicted a mortal wound, but it flattered Artaxerxes' vanity to think that he had killed Cyrus single-handed. Unfortunately for Mithridates, he got drunk at a feast and boasted of his deed. When his boast was repeated to the king, Mithridates was sentenced to die by "the boat." Plutarch says:

"The execution is performed like this: two boats are used that exactly fit. The prisoner is put on his back in one of them and the other is laid on top of it but with the man's arms and feet outside while the rest of his body is inside the two boats. They then offer him food and if he refuses it, they force him to eat by pricking his eyes. Then they drench him with a mixture of milk and honey, pouring it not only in his mouth but all over his face. They keep his face constantly turned toward the sun and it becomes completely covered by the swarms of flies that settle on it. And as within the boats he does that which all who eat and drink must do, creeping things and vermin spring out of the corruption and rottenness of the excrement and these enter into his bowels and slowly eat him away. When he is dead, and the upper boat removed, his body is a mass of maggots and swarms of insects are preying on him, growing in his innards. In this way Mithridates, after suffering for seventeen days, at last expired."

Ordinarily Artaxerxes was not so fiendishly vindictive. He condemned one man who had run away during the battle to carry a prostitute around the market square on his back (one of the most curious punishments on record). Another man, who had falsely boasted of having killed two of Cyrus' soldiers, was punished by having two needles thrust through his tongue. As Oriental tortures went, this was hardly more than horseplay.

The ancient Greeks were not an inherently cruel people and, although given to occasional outbreaks of mob hysteria, they took no delight in inflicting pain. The concept of retribution made a strong appeal to them, and Theseus' deeds on the famous journey from the Peloponnesus to Athens are simply acts of justice according to the *lex talionis*. His two most famous encounters were with Sinnis and Pro-

crustes. Sinnis, also known as The Bender, used to bend down two young pine trees, fasten his victims between them and then let the pines spring back into position. Theseus forced him to suffer the same fate. Procrustes had a bed that perfectly fitted all comers. If the man was too short, Procrustes had him stretched out as though on a rack; if too long, his limbs were cut off until he was the right size. Theseus forced Procrustes to fit his own bed. Theseus claimed he was merely following the example of Hercules, who also specialized in making the punishment fit the crime.

The Greeks used the wheel as a rack. Aristophanes in *Lysistrata* says, "What a convulsion and a straining of every limb I feel! All the world as though I were being racked on the wheel," and flogging was employed. Such punishments were usually limited to slaves. The ancient Greeks, at least, did not employ elaborate or grotesque punishments. A man condemned to death was usually allowed to commit suicide by drinking hemlock, and executions of criminals were not public displays as with the Romans. But during the Age of Tyrants (roughly the 6th century B.C.) there were occasional sadists. The man whose name has come down to us as a personification of cruelty was Phalaris, the tyrant of Agrigentum in Sicily. An Athenian named Perillus invented a brass bull, so constructed that when a man was put inside and a fire lighted under the image, the man's cries came from the mouth of the bull and gave the impression that the statue was roaring. Perillus presented his bull to Phalaris expecting a rich reward but the tyrant responded by ordering Perillus put inside to test the invention. It worked perfectly. Perillus was the first of numerous inventors of torture devices who, according to tradition, died by their own invention although possibly the popular delight in poetic justice and the *lex talionis* have colored the accounts. Legend says that the people of Agrigentum later revolted and roasted the tyrant in the same device.

Another outstanding Greek sadist was Nabis of Sparta (207 B.C.), who conceived an idea so grotesque that it has fascinated sadists ever since. According to Polybius:

"He made a statue, magnificently dressed, in the image

of his beautiful wife, Apega. When he wished to extract money from anyone, he would invite the man to have dinner at his home and ask him for the money, explaining the number of mercenaries he was forced to retain and so on. If the man refused, Nabis would say, 'Then perhaps Apega can persuade you.' Nabis then would push the man toward the image whose breasts, hands, and arms were full of spikes concealed under her clothes. Nabis, by pressing a secret spring, caused the statue to open her arms and seize the man. He was then squeezed until he promised to pay or died."

This statue was doubtless the origin of the famous Iron Maiden of the Middle Ages.

Although the Greeks in general did not delight in cruelty, they were subject—especially the Athenians—to outbreaks of mass hysteria, much like modern lynch mobs. Two outstanding examples were the destruction of Melos in 416 B.C. and the legal murder of Socrates.

CHAPTER 3

THE EARLY ROMAN law, as represented by the Twelve Tables, was severe but, for the times, reasonably fair. Among the capital crimes were libel, allowing cattle to injure growing crops, arson, perjury, murder, and making a disturbance in the city at night—from our point of view, a strangely mixed bag. Criminals were usually executed by throwing them from the Tarpeian rock. There were a few spectacular methods of execution. Vestal virgins who committed adultery were buried alive and parricides were put in a sack together with a dog, a cock, a viper, and a monkey and thrown into the Tiber. This punishment was continued into the Middle Ages. A traitor was executed by having his neck fixed in a forked stick and being flogged to death. It was the threat of this punishment that made Nero commit suicide—or rather allow one of his slaves to stab him.

The Roman military code was more drastic than the civil. A defaulter could be exiled, forced to run the gantlet between two rows of men armed with clubs, or beheaded. Officers were not exempt. A tribune who deserted his post in time of danger was dragged to death behind a chariot. If an entire legion showed cowardice, it was decimated—that is, every tenth man was called out and killed. The best known case of this punishment came after the 7th Legion of Mummius ran away from the slave army of Spartacus, dropping their arms, which were later seized by the slaves.

As a punishment, Crassus had Mummius' troops decimated —out of 5,000 men, 500 were beheaded.

Flogging was always a common punishment in Rome. The lictors who walked before each magistrate carried bundles of rods tied with an axe in the middle so that they could whenever necessary untie the bundles and either flog the accused or behead him. Centurions carried a short cane, rather like an English officer's swagger stick, which they used for driving the men. Pliny remarks "the centurion's vine staff is an excellent medicine for sluggish troops who don't want to advance." As usual where corporal punishment is permitted, certain individuals became famous for their wanton cruelty. A centurion named Lucillus was nicknamed old "Give me another" because, after breaking his staff over a soldier's back, he would shout for another one. Not surprisingly, Lucillus was eventually murdered by his men. Deserters were tied down and beaten to death with clubs. Sometimes the soldiers themselves were allowed to punish a felon by flogging him with the metal buckles of their belts.

The Romans spent quite some time and trouble deciding which woods made the best scourges. Elm was considered the best material for making rods, being limber and long lasting. For minor offenses, or to punish children, a bundle of light, pliant sticks was used. Unlike a rod, such a bundle did not cut through the flesh, bruise the bones, or leave the culprit stiff and sore the next day. At first, willow wands were used, but later it was discovered that birch twigs made the best instrument. As a result, the "birch" remained the standard instrument of chastisement in European schools until recent times.

The early Romans prided themselves on being stern but just, never indulging in needless cruelty while at the same time never flinching from any act of necessary severity. Julius Caesar is an excellent example of this tradition. As a young man, he was captured by pirates. While waiting for his ransom, he frankly told his captors that when he was released he would return and have them crucified. He kept

his promise but was benevolent enough to have the men killed before nailing them to the crosses. When, during his Gallic Wars, the Arverni revolted under their great leader Vercingetorix, Caesar cut off the right hands of the rebels. Vercingetorix was taken to Rome and, after being thrown into a dungeon partly full of water (which caused him to remark, "By the Gods but your Roman baths are cold!"), was beheaded. However, Caesar made a point of being merciful to the tribes submitting to Roman rule. He subsidized the first really big gladiatorial games, rebuilding the Circus Maximus to do it, but he staged the game simply to obtain political support from the mob, not because he himself took any real interest in them.

Augustus Caesar, like Julius, was rarely pointlessly cruel but there appears to have been a streak of hereditary insanity among the Caesars that became increasingly more noticeable. This insanity first appeared in Tiberius but not until late in life. According to Suetonius, "he would induce his victims to drink long and heavily and then suddenly have their privates tied up so that they suffered agonies both from the constriction of the strings and the distension of their bladders." While he was on Capri, a fisherman ran up to him unexpectedly with an enormous mullet that he had caught. Tiberius, always afraid of assassination and taken by surprise, was so alarmed that he ordered his guards to rub the man's face with the fish until the scales tore off the skin. The poor fisherman exclaimed "Well, thank the Gods I didn't bring that big crab I also caught." Tiberius sent for the crab and had it used in the same way.

Caligula was probably the most sadistic of all the Caesars. Men who criticized his gladiatorial shows were confined in small cages on all fours. He had criminals tied to tables and tortured in his dining room so he could watch them while eating. Once looking from his balcony he saw two bald-headed men in the crowd and ordered, "Kill every one between those two bald men." He loved caressing his mistresses' throats while gloating, "One word from me, and this soft, lovely throat will be cut!" He had the tongues of

criminals condemned to the arena torn out so they could not beg for mercy, and watched the manager of his gladiatorial shows flogged with chains for several days, having him killed only when the smell of his suppurating brains become insupportable.

The development of the Roman games, more than any other event in history, demonstrates the oft repeated claim that a people who practice cruelty demand stronger and stronger doses to gratify their passion, like drug addicts demanding an increasingly powerful stimulant. Gladiators were first matched in 264 B.C., three pairs being pitted against each other as part of the funeral rites for a dead patrician. But by the time of Claudius there were often 500 pairs of gladiators in the arena at the same time, sometimes naked and blindfolded so that the men simply laid about them blindly without any skill or purpose. Augustus had a bandit named Selurus dropped into a cage of wild beasts as an extreme form of punishment. A few years later, Nero had five thousand men, women, and children killed by wild animals in one series of games lasting thirty days. Gradually the games became nothing but pointless exhibitions of grotesque cruelty.

Claudius used to order a wounded gladiator's helmet removed so he could watch the expression on the man's face while his throat was cut. Men were tied to rotting corpses and left to die; children were suspended by their legs from the tops of poles for hyenas to pull down. So many victims were tied to stakes and then cut open that doctors used to attend the games in order to study anatomy.

Elaborate legendary pageants were introduced. A man representing Prometheus was chained to a rock and a trained eagle was allowed to pull out his liver. Martial says, "His mangled limbs still lived although all the parts dripped blood and in all his body was nowhere a body's shape." Alys was castrated, Hercules was burned alive on his funeral pyre, Mucius Scaevola's hand was burned off, and a man dressed as Daedalus with wings strapped to his shoulders was thrown from the top of the arena to crash on the sand.

Finding enough criminals to provide entertainment for the mob became a major problem. Fortunately, the outbreak of a new sect called Christianity largely solved the problem. Tacitus says "To stifle the rumour [that he had set fire to Rome himself] Nero brought to trial and subjected to the most exquisite torments those people called Christians. This mischievous superstitution broke out in Judaea but was brought to Rome where everything abominable and disgraceful collects. The Christians were condemned not so much for having set fire to the city but for general malevolence to mankind. Clad in the skins of beasts, they were torn to pieces by dogs, nailed to crosses, or set on fire. Although as Christians they deserved to be punished, still people felt that they were being punished to satisfy the emperor's whim and not for the good of the nation."

Christians were tied to stakes and shot full of arrows, the archers taking care not to inflict a fatal wound. This was the fate of St. Sebastian. Theodoret says in his *Ecclesiastical History* that St. Benjamin "had a sharpened reed pushed into his genital member and then a stick, thick and covered with branches, thrust up his fundament until he died." St. Catherine was tied to a revolving wheel, thus giving her name to the popular firework. St. Apollonia had her teeth pulled out and became the patron saint of dentistry.

As the more standard methods of inflicting torture began to pall, new, more involved techniques had to be invented. A common torture was suspension, and this permitted an almost unlimited series of variations. Prisoners were hung by one arm, a leg, by the genitals, by their hair, or by their thumbs. Sometimes their wrists were tied to their ankles, a bar passed between their forearms and their knees, and they were swung from the bar. This was to hold them in a convenient position for further tortures. Once the person was suspended, he could be beaten, weights could be attached to various parts of his body, which was then spun around and around, or he could be swung back and forth

over a fire while being basted with oil. This same technique has since been used by the French police against the Algerian rebels.

Executioners devised scourges such as bullwhips, cat-o'-nine-tails, scorpions, clubs, paddles, straps, hooks to tear out flesh, rakes to rip open the body, currycombs to remove the skin, and metal bars studded with spikes or three-cornered so they would cut into the flesh. Loaded scourges were introduced: a cat-o'-nine-tails with lead balls fastened to the ends. A particularly terrible whip made of a bull's pizzle was developed. Some of the martyrs who died under the floggings were St. Laurence, St. Artemis, St. Erasmus, a Roman senator named Julius, and many others "known only to God" as the old accounts say.

Fire was a favorite method of torture. Martyrs were dressed in shirts impregnated with tar, which was lighted as they entered the arena. Others were turned on spits or roasted on gridirons. St. Lawrence, who died on a gridiron, was even able to joke about it. At one point he remarked to his torturers, "Turn me over, boys I'm done on this side." The gridiron on which the saint died is preserved in the Church of St. Lawrence in Lucina. It is composed of three iron bars set lengthwise and seven shorter bars crosswise.

Other martyrs were cooked in pots, cauldrons, and frying pans. Some of the pots had detachable handles so the executioners could insert the handles after the victim had been immersed for some time in boiling oil or water and carry the pot around the arena without having the handles become too hot to hold. St. Boniface died in this manner, his knees having first been doubled up and his head tied to them so he would fit in the pot. The cauldrons were much bigger and could hold several Christians at the same time. The victims were tied together—one man's ankle to the next man's wrist—and put in the cauldron while the water was still cold. Then the fire was lighted and the struggles of the prisoners to escape while roped together afforded much amusement. Unlike the frying pan used by Antiochus, the pans in the arenas were large enough to hold an entire man.

The victim had his feet and hands tied together and was fried in oil or butter. Sometimes the prisoner was given a choice whether he wished to be boiled, grilled, or fried.

Other martyrs were burned at the stake, like St. Polycarp, while some were forced to walk on red-hot coals until they collapsed, like St. Pontianus. Scores were hearded into boats that were set on fire before being set adrift. St. Clement of Ancyra, a Roman soldier, was martyred by having a red-hot helmet forced over his head and turned loose to run about the arena. Others were dressed in red-hot suits of armor or shod with red-hot shoes and forced to walk until they dropped, like St. Basiliscus who expired outside the city of Comana, where a chapel still stands to his memory. Others were ground between millstones, like St. Artemius whose "bones broke asunder with a sound of splitting and cracking that could be heard by the crowd." Others were buried up to their necks and their fellow Christians were forced to stone them to death. Still others were dragged along with iron hooks until they died. This was also the end of the Emperor Vitellius, who was first tortured by having thin slices of his flesh cut off and then was dragged with hooks up and down the marble staircase of the palace until he died.

Other martyrs were torn limb from limb, had their feet fixed in hollowed stones with molten lead, were hung up by their entrails, branded, their limbs broken, or flayed alive and then dragged over broken pottery. Several martyrs died by a combination of these methods. In Cyzicus, a virgin martyr named Fausta was hung up by her wrists and nails were driven into her body. Afterwards she was fried in a frying pan, and finally killed by an auger being screwed through her skull. Marcus Aurelius, who violently disliked Christians, prescribed an elaborate series of tortures for St. Blandina, according to Eusebius' *Historia Ecclesiastica*. Eusebius gives an eyewitness' account of the performance:

"Blandina was tortured from dawn until evening and the torturers at last confessed that they were defeated and could think of nothing more to do to her. They marveled at her

endurance for her whole body was mangled and broken; they said any one of the tortures they had used should have been enough to kill her but she still lived. She was told to confess her crimes but she only said, 'I am a Christian. Nothing wrong is done to us.'

"But a certain Biblias had recanted and this encouraged the torturers so, being feeble and weak, she was led out to the agony of the red-hot brass plates. At first she seemed to have reached the breaking point but then she recovered herself and said, 'How can you expect me to confess that we Christians eat children when it isn't even lawful for us to eat irrational animals?' (Many of the early Christians were vegetarians). After the torture, she was put in a cell five levels underground and confined in stocks for several days, the jailors amusing themselves by torturing her by any method that occurred to them. She was finally brought back to the arena and tied to a stake so she could watch the martyrdom of her friends, Maturus, Sanctus, and Stalus, who were forced to run the gauntlet and then cooked in an iron chair over a fire so they were strangled with the odor of their own bodies roasting. Then, while still alive, they were thrown out for wild beasts to devour. It was supposed that the beasts would also tear Blandina down from the stake but they ignored her so she was returned to prison.

"On the last day of the games, Blandina was again brought to the arena with her little brother Ponticus, fifteen years old. He was tortured in front of her, hoping that the sight of his sufferings would make her recant but she only encouraged him to stand fast. After Ponticus died, Blandina was scourged, mangled by wild beasts, roasted, and, at last, wrapped in a net and tossed by a wild bull."

Although from the days of Daniel, criminals were occasionally executed by being thrown to wild animals, the Romans developed this spectacle to a degree never equalled. For some of the games, more than 5,000 wild animals were employed including elephants, rhinos, hippos, bulls, lions, leopards, tigers, bears, hyenas, wild dogs, crocodies, and even porcupines. In the case of the porcupines, the con-

demned were forced to catch the animals with their bare hands. Training man-eaters become a highly skilled profession because most carnivore will not willingly attack humans, even in the last throes of starvation. Actually, starving the animals did little good; it only made them weak and nervous. Three martyrs named Tharacus, Probus, and Andronicus were exposed to starved lionesses and bears by the Emperor Fabius Maximus in 290 A.D. The animals, terrified by the noise of the crowd and the glare of the arena, simply lay down and had to be killed by gladiators. Polycarp tells of one lion so starved that he dropped dead on entering the arena. Usually animals were trained by being fed corpses, then given crippled slaves who could not resist, and finally put in the arena with "make-lions" already used to the business. The martyrs had to cooperate in making the animals attack. Eusebius says, "The martyrs standing naked and defenceless incite the beasts to attack them by moving their hands for they were ordered so to do." Death by wild beasts was merciful in comparison with the other means of torture available to the manager of the circus.

A male animal that would rape a woman was considered especially valuable. Large dogs, jackasses, pony stallions, and apes can sometimes be trained to perform this act. Apuleius in *The Golden Ass* describes this spectacle. The woman was tied down and the animal's trainer assisted him.

A curious but apparently common means of execution was known as *cyphonismus*. The victim was coated with some sweet substance, bound, and tortured to death by the insects that covered him. St. Marcus, bishop of Arethusa, was covered with honey and hoisted in a basket to the top of a pole, where he was stung to death by bees. Usually, the condemned was merely put in a pillory. If he did not die from the effects of the swarming insects, he was dressed in woman's clothes and thrown from a cliff.

Crucifixion, the best known of all Roman forms of execution, was not Roman in origin. There is no word in classical Latin for it. It was probably invented by the Phoenicians,

who introduced it to their colony of Carthage. It may originally have been a ceremonial form of death related to human sacrifice. The executition of Saul's seven sons by the Gibeonites was probably by crucifixion (although the King James Version uses the word "hanging") and was clearly intended as a human sacrifice to stop the famine. The Carthaginian general, Malcus, dressed his son Cartalo in royal robes, put a crown on his head, and then had him crucified as a sacrifice to Baal.

The Romans used four varieties of crosses: the *crux immissa* with four arms, the *crux commissa* with three, the *crux decussata* or St. Andrew's cross (X-shaped), and the conventional cross displayed in Christian churches. The victim was either tied or nailed to the cross. If nailed, his feet rested on a small block of wood called the suppedaneum (otherwise the weight of his body would cause the nails to tear out of his palms). To avoid this, some victims were nailed through the wrists. The Holy Shroud of Turin, Italy, thought by many to have been the sheet used to cover Christ when He was taken down from the cross, and certainly used to wrap some crucified man, still shows the imprint of the human figure and the marks of the nails. They were driven through the wrists and the ankles rather than through the palms and feet.

Crucifixion could be a comparatively easy death or an extremely painful one. The most painless form was to have the executioners drive spikes through the wrists in such a way as to cut a main artery, in which case the victim bled to death quickly. The most terrible was simply to be tied to the cross. In this case, the victim lived for days and died of slow starvation made worse by the swarms of flies that settled on him. In the circuses, scores of men and women were often crucified at the same time until the arena looked like a forest. The crowds would place bets on who would die first.

On at least two occasions, the Romans used crucifixion on an even grander scale. After the defeat of Spartacus, 6,472 of the slaves and gladiators were crucified along the

Appian Way. Another holocaust occurred during the siege of Jerusalem in 70 A.D. The Roman legions under Titus beseiged the city, and as the inhabitants began to starve, frantic men, women, and children came to give themselves up. The rumor was current that many of these fugitives had swallowed gold or jewels and the Romans cut them open to examine their stomach contents. Two thousand were said to have been killed in this fashion in one night. Others of the beseiged would leave the walls at night, hoping to gather roots or berries in the fields. All whom the Romans caught they crucified, often five hundred in a night. As the seige continued, the demand for wood to make crosses became so great that the countryside was deforested for fifty miles in every direction.

Inside the city, the Jews also used torture not only on any Romans whom they captured but also on each other. The Jews were split into three factions, and each faction fought to control the temple area where the remaining food was stored. One of the factions, known as the Sicarii, was led by Archelaus ben Maggadata, who had an agent, named Simon ben Bioras, famous for his ability to extract hidden food from the starving people. Simon had an iron chair that he took about with him, and anyone who showed indications of being well-fed was strapped naked in the chair. A tray full of hot coals was then slid under the seat and fanned by bellows until the victim revealed his hidden source of food.

When the city was finally taken, the Romans killed until they were too exhausted to move their swords, and so much blood poured out of the drainpipes on the roof of the temple where the beseiged made their last stand that it put out the fires started in the Holy of Holies. The survivors were taken to Rome where, after being used as slaves to complete the building of the Colosseum, they were sent to the arena.

The Romans invented an almost endless variation in the techniques of crucifixion. Stometimes the victim was nailed by one arm and one leg on an L-shaped pole, sometimes he

was crucifixed head downward. (According to tradition, this was the fate of St. Peter when he said that he was unworthy to die in the same manner as his Lord.) Nero soaked Christians with tar before having them crucified and used them as human torches around his garden at night—according to Oscar Wilde "the only time in history when Christians have been known to give off any light." Obviously, none of these variations served any intelligent purpose and most of them actually reduced the victim's suffering by causing a speedy death.

The Romans invented a few tortures that, as far as I know, have never been duplicated. During a particularly severe winter at Sebasté, Armenia, forty soldiers who had been converted to Christianity were submersed in a pond until they froze and their arms and legs could be shattered by blows. Lucian and Apuleius describe another unique torture (this account is from Apuleius): "Let us kill an ass, remove the entrails, and sew the girl naked into its belly with only her head protruding while all the rest of her is within the animal. Then we'll expose the ass to the rays of the hot sun until it rots." Lucian adds, "By reason of the heat generated by the rotting animal, she will be nearly roasted. Also, she'll be tormented with hunger and thirst but be entirely unable to kill herself. The other features of the torture—such as the stench of the rotting body and the swarms of maggots crawling over her naked body—I won't bother to mention. Finally, the vultures feeding on the carcass will tear pieces out of the dying girl at the same time."

Another unique Roman torture was described by St. Gregory: "The people of Heliopolis took young girls and after stripping them naked cut open their bellies and then, while the inwards were yet quivering, they stuffed them with barley, sewed them up, and allowed wild hogs to tear them open." Some of the martyrs who died in this fashion were St. Prisca, St. Agnes, and St. Euphemia of Aquileia. Since it was against Roman law to execute a virgin, the girls were first raped by gladiators.

In theory, all these tortures were intended as a warning to evildoers. Seneca was a devoted believer in capital punishment and his famous remark to a man condemned to be hanged, "We do not hang you because you stole a horse but that horses may not be stolen," has often been quoted. But Seneca was one of the few Romans who dared to protest against the games. He records a conversation he had with a man sitting beside him in the stands while watching a crucifixion in the arena. The man protested:

"That criminal you're feeling sorry for is a bandit."

"Then hang him but why nail him to a cross and have wild animals tear him to pieces?"

"You don't understand; he killed a man."

"Then let him be killed; he deserves it. But what crime have you and I committed that we have to watch a disgusting sight like this?"

Seneca clearly saw that the prisoners in the arena were being tortured to death not as a punishment or to deter others but to gratify the mob's passion for cruelty.

The games acted as a narcotic on the Roman mob. There were five circuses in Rome, and at least one of them was always in session. People went from one series of games to the next, living on horror and the free bread passed out by the state. Juvenal wrote bitterly, "The people who have conquered the world now have only two interests—bread and circuses." Eventually, the games came to absorb one third of the total income of the empire, but even when the barbarian hordes were breaking through the passes in the Alps, the people insisted on the games. They watched the spectacles with hypnotized fascination.

Not even Christians were immune to the terrible charm of these holocausts. St. Augustine tells of a young man named Alypius who was studying to be a monk and was dragged by some friends to the arena against his will. Alypius sat with his eyes closed and his fingers in his ears until an especially loud shout made him look up. A few minutes later, he was on his feet cheering with the rest. He became an habitué of the games and abandoned the church.

The games had such a terrible fascination for St. Hilarion that he had to retreat to the Sahara Desert as a hermit to avoid attending them. Even so, in his dreams he saw gladiators fighting at the foot of his bed.

There can of course be no doubt that the games completely failed to prevent crime or stamp out Christianity. In fact, the sight of thousands of men, women, and children going bravely to their deaths because of their faith merely served to spread the new religion—"the blood of martyrs is the seed of the church." Gloating over scenes of pointless cruelty from the safety of the stands weakened Roman manhood, and the circuses actually encouraged crime. In their drives to collect "arena fodder," the procurers for the circuses took the weak and helpless. They seldom wasted time trying to capture bands of determined outlaws. Knowing this, threatened individuals joined powerful gangs of criminals.

The Romans argued that the circuses hardened young men to sights of blood and suffering, thus making them better warriors—somewhat on the same principle as the Duke of Wellington's famous comment that the battle of Waterloo was won on the playing fields of Eton. The difference, of course, lies in the fact that the Romans themselves were not taking part in the circus combats and it is extremely easy to harden one's self to the suffering of others. True, a virile people generally enjoy virile sports that often include cruelty. When the Romans were a nation of fighting men, they took a professional interest in the gladiatorial combats. Cowboys enjoy a rodeo even if both men and animals suffer and fighting men enjoy watching a prizefight more than a ballet. However, there is a world of difference between experienced cowboys taking an interest in the skill of professionals and the crowds at a Spanish bullfight who have never experienced danger themselves. By the same token, men accustomed to using their fists regard a boxing match with an attitude quite different from that of a futile little individual who goes to scream, "Yah yellow bastard, murder da bum. I want to see blood!" In one case, cruelty is incidental to a spectacle of skill and courage. In the

other, the element of "sport" is merely an excuse for a weakling to revel in vicarious triumphs or sadistic ecstasy. As the Romans degenerated, the gladitorial contests—which were long-drawn-out affairs often ending in a draw—grew fewer while spectacles of pointless cruelty increased.

The Christian church finally stopped the games. Constantine passed laws against them and Valentinian forbade sacrificing victims to wild beasts. In 404 A.D., a monk named Telemachus leaped into the arena and appealed to the people to stop the exhibition. He was killed by the furious mob but the Emperor Honorius closed the arenas for good.

Although the games were supposedly a means of punishing condemned criminals, they were in reality nothing but sadistic spectacles designed to gratify the Roman mob. A thousand years later, the mass hangings on Tyburn Hill or the Spanish autos-de-fé came to fulfill a similar purpose. A far more lasting influence on our whole conception of jurisprudence was the fact that the Romans instituted the use of torture as an intrinsic part of the legal procedure for questioning suspects. Since Roman law was to form the bases for all European legal codes, this had far-reaching results.

The Roman law courts clearly realized the dangers involved in using torture, decreeing that it could be employed only on slaves or "infamous persons" and then only when there was clear evidence of lying and no other means of discovering the truth. If an accuser demanded torture and was later proven to be in the wrong, he then received the same torture as had the accused. A prisoner who had been unjustly tortured could sue the judge. If a prisoner died under torture, the judge was executed, for the torture could not be allowed to endanger life or limb. Tortures in the courts were limited to the rack, hot plates, cords twisted around the prisoner's limbs, and flogging.

Judges put great emphasis on the importance of a confession. A confession was considered infinitely superior to any evidence and removed all doubt. In theory, the accused could not simply be tortured until he confessed, but if the

evidence seemed overwhelming and the confession still was not forthcoming, there was a strong temptation to force the accused "to tell the truth." As a confession cleared up the whole case and finished any arguments, even a forced confession was considered better than none.

CHAPTER 4

THE CHRISTIAN CHURCH not only abolished the games; it also condemned the use of torture in law courts. St. Augustine thought the idea of obtaining a true confession from a felon by torture was "absurd." In 384, a synod in Rome denounced the use of torture in civil courts. In the 6th century, Pope Gregory I ordered judges not to accept any statement made under torture. As a result, torture as a legal device to obtain information or a confession virtually disappeared in Europe for nearly a thousand years.

However, torture as a means of punishment or as a method of dramatic execution is found among all primitive societies and the European tribes were no exception. The early English executed criminals by throwing them into a quagmire. The Saxon and Danish kings executed criminals by hanging, beheading, and drowning. Drowning seemed to be a favorite method. Many kings maintained a special drowning pit, and as late as the reign of King John, the owner of Baynard's Castle, London, had the right to drown criminals in the Thames. John himself used to extract money from wealthy Jews by having their teeth pulled. William the Conqueror forbade all capital punishments, although he permitted mutilations. Trials were usually of a very simple nature. During the Middle Ages plaintiff and defendant generally appeared together before the king, or the feudal lord, and presented their case. The lord decided

the case according to his own conceptions of right and wrong. The old *lex talionis* reappeared as the principle of "tit for tat"; a man could not claim a greater compensation for an injury than the circumstances warranted. Private justice was often administered by the vendetta, although even here there was generally a feeling that a life must atone for a life—the feud could not be continued indefinitely.

It is one of the bitter ironies of history that the Church, which had abolished torture as a legal device, was the institution to revive it. For nearly a thousand years, although the Church regarded heresy as the most terrible of crimes —"treason against God"—it doubted that force was the best way to deal with it. When the Spanish heretic Priscillian was sentenced to death in 385 A.D. by the Emperor Maximus, St. Martin, St. Ambrose, and St. Leo protested. St. John Chrysostom felt that "to put a heretic to death would be to introduce upon earth an inexpiable crime."

In the 13th century, heresies began to spring up all over Europe like mushrooms in a dung heap. The most prominent of these sects was the Albigenses in the south of France, who attempted to return to what they considered to be the purity of early Christian doctrines. Innocent III ordered a crusade against them. How to tell the heretics from the devout presented a considerable difficulty but, according to a popular legend, the problem was solved by Arnaud, the papal legate, who told the crusaders, "Kill everyone—God will recognize his own." Although the crusaders did their best to follow instructions, this sort of wholesale butchery was plainly impractical, and so St. Dominic, the founder of the Dominican Order and an expert theologian, was sent to France to examine prisoners and determine their religious beliefs.

From a strictly theological point of view, Dominic was not unreasonable. He first made sure that the individual being questioned was really a heretic—many of Albigenses were really protesting more against the corruption of the local clergy than against the basic doctrines of the Church.

But if the prisoner was definitely denying basic Catholic doctrines, Dominic would spend days if necessary arguing obscure theological points in an effort to convert the sinner. If the person remained obdurate—well, as Dominic himself said, "When kind words fail, blows may avail." Dominic argued that one heretic would corrupt others. Such a man could not, therefore, be allowed to adhere to his false doctrines any more than a man inflicted with the plague could be allowed to infect others. Torture, until the heretic recanted or died, was the only solution. St. Dominic is often said to have been the first Inquisitor, although the organization was not officially founded until later. Although some historians deny that Dominic ever actually ordered the use of torture, he certainly did nothing to prevent it.

The Albigenses were soon virtually exterminated, 200 being burned at Montségur in one day. But other sects continued to appear, and so in 1233 a perpetual board of inquiry was established to investigate cases of suspected heresy. As heresy was considered the most terrible of all crimes, this board was permitted to use torture as a standard procedure to discover the truth, a custom that was gradually adopted by the secular courts as well. This Church court became known as The Inquisition and was put under the supervision of the Dominicans, or the "Hounds of God" as they came to be called.

The Inquisition made torture more than merely a method of inflicting pain; they transformed it into an art and science. Great emphasis was put on the psychological approach preceding the actual torture. The accused was arrested at night, pulled out of bed by the black-robed, masked familiars, and taken to the dungeons in utter silence. Here he was left for several days in solitary confinement and complete darkness. When he was judged to have reached the breaking point, the same masked figures suddenly seized him and dragged him to the torture chamber.

Here, behind a long table, sat other mysterious figures with the accused's records spread out before them. The floor of the room was covered with sand or sawdust to soak

up the blood and along the wall were arranged the torture instruments, painted red or black. The torturers, naked to the waist and wearing black masks, stood among the terrible tools of their trade with folded hands. The only light came from flickering candles. On the walls were inscribed mottoes such as *"De Mortuis nil nisi bonum"* (Say nothing but good of the dead) or *"Ad mala patrata haec sunt atra theatra parata"* (Dark theaters are suitable for dark deeds).

The prisoner was not told what charges were laid against him; he was told only to confess. If he did not or could not, the Inquisitor-General warned him, "Remember that you do not pass into our hands for an hour or a week or even a year but until the day you die and even then you spend eternity suffering the pains of hell." If the prisoner still proved obdurate, he was handed over to the executioners, who usually began by telling him, "We will torture you until you are so thin that the light will shine through you." Then the torture commenced.

The first torture was the garrote. The prisoner was stripped naked, for the executioners required access to every portion of the body. A belt was then fastened around his waist and he was suspended from the ceiling. Cords were twisted around various parts of his body and slowly tightened in the manner of a tourniquet. As one part of his body began to grow numb, he was turned by means of the belt into another position so new cords could be applied.

If the garrote failed, the Inquisitors then had recourse to the strappado. The victim's hands were tied behind him and he was then hoisted up by his wrists to a pulley on the ceiling. For maximum effect, the prisoner was raised slowly and allowed to stand on tiptoe for the length of time it required to say a psalm Miserere three times slowly. He was then lowered, circulation allowed to return, and hoisted up again with weights attached to his feet for two Misereres. If this failed, he was raised almost to the ceiling and suddenly allowed to drop but brought up with a sharp jerk that dislocated his arms at the shoulders. Should he still refuse to confess, weights were tied to his legs and he was pulled up to be dropped again.

The water torture was considered the most terrible and used when other means had failed. The prisoner was tied to a ladder (the *escalera*) with his head lower than his feet. An iron prong (the *bostezo*, yawn) was used to force his mouth open and a strip of linen (the *toca*) pushed down his throat. Water was slowly dropped on the linen until the prisoner, in his efforts to avoid being strangled, swallowed the strip. The strip was gradually withdrawn, covered with blood and mucus. The process was then repeated. The amount of water used was carefully measured and could never exceed eight quarts at any one time; otherwise the prisoner might suffocate.

The Inquisitors were ruthless as they were convinced that they were fighting with the powers of darkness for the prisoner's soul. For the victim to die unrepentant was a victory for the devil. One of the most terrible of them was Conrad of Marburg who from 1227 until 1233 created a reign of terror in Germany unequalled until the advent of Hitler.

Conrad was born in the little German town of Marburg in 1180. He became a secular priest and begged in rags while practicing the most savage penitences on himself. He was regarded as a saint and could have reached any position in the Church, but Conrad refused all offers and continued his life of extreme austerity and self-imposed punishments.

In 1225, Conrad witnessed the execution of Henry Minneke at Goslar, Germany. Minneke had been the provost of a Cistercian convent, but had preached the doctrine that Christ was really the son of the Holy Ghost rather than of God the Father. He was burned at the stake for heresy. The sight of the dying man's agonies awakened some deep passion in the fanatical priest. "Salvation can come only from pain," he decided, and devoted his life to that doctrine.

Elizabeth of Thuringia, who had been married at thirteen to the Langrave but was widowed, became so impressed by Conrad that she put herself completely into his hands. Elizabeth was eighteen at the time and the mother of three

children, but Conrad ordered her to abandon all worldly possessions, to leave her children and her home and live among beggars and lepers. She obeyed him but continued to visit Conrad in his private quarters. The rumor went about that during these meetings, Conrad had ordered the young girl to strip herself naked. Elizabeth proudly admitted the charge. "And here is the reason!" she said triumphantly, exhibiting a cat-o'-nine-tail, still dripping blood, with which Conrad had scourged her nude body. Later she said anxiously, "If I fear a man like this, what must God be like?"

In 1227, Gregory IX ordered Conrad to investigate a sect in Germany known as the Luciferans. This group considered that everything worldly was evil and as God could not have created evil, it followed that the devil must have made the world. Conrad departed on his mission but received word en route that Elizabeth had died as a result of her life of exaggerated asceticism. Conrad suffered a complete collapse at the news. He was unable to continue with his crusade and could do nothing but send letters to the Pope imploring him to have Elizabeth made a saint.

Another Inquisitor, Conrad Tors, had to be sent to investigate the Luciferans. Tors adopted as his motto, "It is fitting to burn a hundred innocent in order to destroy one heretic among them." When accounts of Tors' exploits reached Conrad, he was galvanized into activity. He displaced Tors and assumed command of the investigation.

Almost at once, Conrad had a great stroke of luck. A twenty-year-old girl who'd had a quarrel with her family told Conrad that they were Luciferans. Under torture, the family confessed and then, under the threat of additional tortures, implicated others. The accused were instantly arrested and tortured until they named still others and soon half the population of Germany was accusing the other half.

These confessions made under the most hideous tortures sound, not surprisingly, like the ravings of a lunatic. One woman described a Luciferan ceremony by saying that she was first forced to kiss a toad, which then turned into a duck "the size of an oven." A black cat jumped out of the

inside of a statue crying, "What does this teach?" A voice replied, "The highest peace." Then the lights went out.

Conrad sent these confessions to Gregory, who exclaimed in horror, "Such people should be wiped from the earth, sparing neither age nor sex."

Conrad tried to comply, while at the same time mourning for the tragic death of Elizabeth. In Strasburg alone he burned eighty men, women, and children. In his fury he spared no one—not even nobles or prominent church dignitaries. At last the Archbishops of Cologne, Trèves, and Mayence appealed to the Pope, writing:

> Whoever falls into his hands has only the choice between a ready confession and a denial, whereupon he is speedily burned. Every false witness is accepted but no defense granted. Many devout Catholics have suffered themselves to be burned rather than confess to vicious crimes of which they were innocent. The weak ones lie about themselves and others. Brothers accuse brothers, wives their husbands, servants their masters. Many give money to the clergy for advice on how to protect themselves and everything is in confusion.

Then Conrad went too far. He accused Henry, count of Sayn, of heresy. Henry was one of the most powerful nobles in Germany, and, supported by both the king and the German bishops, he demanded a public trial. The trial was held at Mainz in 1233. Conrad produced witnesses who had sworn to seeing Henry at Luciferan ceremonies, but when guaranteed protection from the Inquisitor's tortures, the witnesses recanted, admitting that they had accused Henry only to save themselves.

The court ruled in favor of Henry. Conrad went mad with rage. He swore to have the entire court condemned as heretics and set off for Rome to appeal directly to the Pope. On the way, he was murdered by the nobles whom he had denounced. He died without knowing that two years

later the Pope would answer his constant desperate pleas and canonize poor little Saint Elizabeth.

In the National Museum of Munich are torture devices of the type used by Conrad to secure confessions. The instruments are not shown to the general public, but through the courtesy of the director, I was able to examine them. Among them was the German Chair, a chair covered with spikes on which the accused sat naked. During the first stages of the torture, he was allowed to support himself by holding onto the arms (although these were also studded with spikes) so that the full weight of body did not rest on the bristly seat. Later, a heavy lead collar and, still later, lead weights were hung about his neck. I also saw an improved version of the rack in which the bed of the machine was lined with spiked rollers so, while the accused was being stretched, he was also pulled back and forth over the rollers. There was also a cross with an adjustable crossbar for the strappado. This device was portable so that the examiner could take it about with him as few rural communities possessed dungeons where such apparatus was permanently installed. I also saw a number of branding irons, one of Conrad's favorite methods for determining guilt. Before being branded, the accused was asked to pray that the iron would not sear his flesh. If the iron burned him, it was considered proof of his guilt. So many heretics were discovered by such methods that in 1369 the famous Paris Bastille had to be reconstructed to hold them. The builder, Hugh Aubriot, was himself the first prisoner to be inured in the fortress.

It is astonishing that the Inquisitors, many of whom were sincere and intelligent men, never seemed to realize that the accused would usually admit to anything under torture. As the accused had no conception of what crime he was supposed to have committed, he would often beg the Inquisitors to tell him so he could confess. This was never done because the Inquisitors wished the confession to be "voluntary." A clerk was always employed to take down a transcript of the accused's testimony during the torture, and here is part of such a transcript, describing the torture

of a woman in Toledo during the 16th century. The women was accused of having worn clean underwear on a Saturday. This day being the Jewish Sabbath, it was charged that she was a secret Jew.

"She was carried to the torture chamber and stripped. She screamed 'Señores, I have done all that was said of me. What do you want me to do—lie?' She was told not to lie but to admit the truth. She was put to the garrote and the cords tightened. She begged, 'Loosen me, Señores, and tell me what I have to say. I don't know what I've done. Oh, Lord have mercy on me!' The cords were tightened again. 'Loosen me a little so I can remember what I have to tell. I will tell you everything—only loosen me a little for the sake of God. I did it, I did it. My arms are breaking. If I only knew what you wanted, I'd tell you. I'm going mad with pain.' "

She was subjected to the rack and the water torture, then allowed four days to stiffen up. She was tortured again but "her replies were so incoherent as to be useless." A witness was brought in who accused her of observing the Law (meaning the Mosaic Law). The women screamed, "Yes, yes, that's it—I was observing the Law." When asked what law, she cried, "The Law that woman says—I don't know what Law it was—oh, have mercy." Finally she gathered from the Inquisitors' question that she was suspected of having been secretly converted to Judaism. She hastily confessed.

Such techniques were acceptable because the Inquisitors began with a strong supposition of the accused's guilt. As they were constantly moving from one district to another, they knew nothing about the local people as individuals. They knew only that the Inquisitor-General had received supposedly reliable information that a certain community was riddled with heresy. Only by extracting confessions from a number of the suspects could the Inquisitors determine the extent and nature of this heresy. Also, the various Inquisitorial groups were in competition with each other to produce the greatest number of heretics and, lastly, one-third of a convicted heretic's possessions went to the ac-

cuser, one-third to the state, and one-third to the Inquisitor. Under such circumstances, there was strong temptation to consider anyone accused as being guilty.

The Inquisitors failed to realize that the very ferocity of their methods drove people to such a state of desperation that they would commit any crime in an effort to strike back at their persecutors. During the 16th-century persecutions in the Netherlands, a half crazed fanatic named Bertrand le Blas attacked a religious procession and, seizing the Pyx, flung it on the ground while screaming blasphemies. With an iron gag thrust in his mouth, Le Blas was dragged to the market place on a hurdle. His tongue was torn out, his right hand and foot were twisted off with red-hot tongs, a hook was run through his body, and then he was swung back and forth over a fire until he roasted to death. As a result, the Dutch insurgents used to cut out the heart of any priest they captured and eat it. On one occasion, a group of captured Spaniards were tied together, locked in a cell, and told to use each other for food. Six months later, one survivor was released. The "Sea Beggars," as the Dutch sailors called themselves, used to strip their prisoners naked, force them to straddle a tightly stretched tarred rope, and then pull them back and forth until they were cut in two. When the beggars captured monks, they used them as living bumpers for the sides of their ships.

A curious phenomenon—difficult enough for us to understand today and completely bewildering to a medieval religious fanatic—is that many people will confess to crimes merely to be public figures. The 17th-century Inquisitor, De L'Ancre, after burning several lunatics who had killed and eaten children, found himself swamped by crazed individuals who insisted that they also were cannibals and child murderers. De L'Ancre obligingly burned as many of these applicants as possible, until he was finally forced to give up in despair. During the famous Würzburg witchcraft persecutions of 1629, the Inquisitors were beseiged by scores of persons confessing to all sorts of weird crimes. When a prostitute was burned for claiming that she could summon

Satin by crying "King! King!," naturally half the little boys in the community ran about shouting "King!" Three of them were burned alive by the Inquisitors, but this only encouraged the others to fresh efforts.

The Inquisitors frequently claimed that the confessions extracted by torture must be genuine because the prisoners seldom retracted afterwards and, legally, torture could not be repeated, so the prisoner had nothing more to fear. They neglected to point out that torture could be "interrupted" and then "renewed." The torture was never officially ended even when a confession had been secured. It was merely interrupted and, in case of a retraction, could be continued. The Inquisition was full of legal quibbles of this nature, such as the claim that "the Inquisition never executed anyone" (the actual execution was technically done by the civil authorities) and the plea that "the church abhors the shedding of blood" (which meant burning at the stake). As Dr. Bohenzan of Erfurt put it in explaining why he refused to retract a false confession, "I was racked for six hours and another time slowly burned for eight. If I retracted, I shall be exposed to these torments again. I'd rather die." A young girl, Maria de Coceicao of Lisbon, was racked until she confessed heresy, but on being released she recanted. She was racked again, and again she confessed, then recanted, saying "Every time you release me, I'll deny what was extorted from me by pain." On the third racking, she refused to say anything and was finally scourged and banished.

On July 24, 1628, Burgomaster Junius, accused of witchcraft and tortured, sent the following letter to his daughter:

"Many hundred thousand good-nights, dearly beloved. Innocent have I come to prison, innocent tortured and innocent I must die. For whoever comes to the witch prison (at Bamberg) must become a witch or be tortured until he invents something. The executioner put the thumbscrews on me until blood ran out from my nails. Then the strappado until I thought heaven and earth were at an end. Eight times they drew me up and let me fall. The executioner said, 'Sir, for God's sake confess something whether it be

true or not for you cannot endure the torture to which you'll be put to and even if you do you cannot escape.' I have made up lies and make-believe things. Keep this letter secret or I shall be tortured again and even the executioner."

On the margin is written, "Dear child, six others have confessed against me under torture. They have begged my forgiveness as they went to the stake."

CHAPTER 5

BY NO MEANS ALL INquisitors were hopeless fanatics or incapable of reasoning. Some of them were brilliant men who tried hopelessly to reconcile the teachings of their organization with common sense.

Such a man was Jacob Sprenger, whose famous work, the *Malleus Malaficarum* (Hammer of Witches), is said to have caused the death of more human beings than any other book. As a young man, Sprenger distinguished himself at the University of Cologne and later became Prior of the Dominican Order in that city. In 1479, he witnessed the trial of John of Wesel, who had protested against the sale of Indulgences, an abuse that thirty-eight years later was to cause the Protestant Reformation. John, however, recanted under torture, and Sprenger felt that only by such stringent methods had the German Church been saved from lapsing into heresy.

In 1488, Innocent VIII issued his famous bull against witchcraft, ordering Inquisitors to stamp it out at all costs. Sprenger was appointed Inquisitor-General of Germany. He accepted the appointment eagerly. Most of the accused were women and Sprenger hated women.

Sprenger considered women as "a foe to friendship, a domestic danger, a delectable deterrent and an evil of nature painted in fair colors. I would rather have a lion or a dragon loose in my house than a woman. Either a man must sin by divorcing his wife or must endure her constant

quarreling. When a woman thinks, which fortunately isn't often, she thinks evil. They are unable to conceal from other women all they know which causes most of the trouble in the world. Feeble in mind and body, it's not surprising that they so often become witches. The first woman must have been made from a bent rib, bent in a contrary direction from the others, and they've been contrary ever since. If you marry, you'll suffer perpetual anxiety, constant querulous complaints, a talkative mother-in-law, and then your wife will probably betray you with your best friend. If you hand over everything to her, she'll still complain if you reserve even some minute rights for yourself. A woman is carnal lust personified. She spends more time trying to attract men than the holiest saint ever spent trying to please God. Even the way they walk is designed to fill a man's mind with sinful thoughts. Therefore we speak of 'witch-hunting' not 'wizard-hunting' for if a woman can't get a man, she'll consort with the devil himself."

Sprenger felt that in dealing with such creatures any legalistic tricks that could insure a conviction were justified. "Tell the accused that if she confesses, you will not condemn her," he recommends. "Then when she confesses, get another judge to send her to the stake, so you don't break your oath." Another useful device, "Ask the accused if she believes in witches. If she says no, that's heresy and enough to have her condemned instantly. If she says yes, ask her how she knows, unless she's a witch herself and torture her until she confesses." An infallible method: "Ask the accused if she'll consent to the branding iron test. If she says no, she lacks faith. If she says yes, she must be a witch who is confident that the devil will protect her." Very few witches got past Sprenger.

But in other respects, Sprenger was an extremely discerning observer. The Council of Inquiry had said that witches could fly through the air, either riding on a broomstick or by means of a magical unguent. Bolts and bars could not restrain them; they passed straight through solid walls. But in that case, Sprenger argued, why didn't witches fly off instead of remaining in dungeons awaiting execution?

This problem had never bothered other Inquisitioners, but it did bother Sprenger. At last he was able to solve the mystery.

A woman appeared before the Inquisition and in an agony of remorse knelt before Sprenger. "Save my soul, holy father!" she entreated. "I'm a witch. Every night I fly off to attend the Sabbat. Together with other witches I dance naked in a ring until finally a demon in the form of a handsome young man makes passionate love to me. Then I fly back to my room. Torture me, burn me at the stake, do anything, but save my soul."

Sprenger saw here the chance of a lifetime. "You do this every night?" he asked eagerly.

"Every night, father. I lock the door, plug up the chimney, seal the windows, but it does no good. Off I go anyhow."

"Very well," announced the Inquisitor-General. "Tonight I will keep watch over you, together with several eminent doctors. I've always wanted to see a flying witch."

The woman was locked in a dungeon without windows or chimney and the door was bolted shut. However, a little loophole was made in the door so Sprenger could watch what happened.

He hadn't long to wait. The woman threw herself on the bed where she tossed for a few minutes and then became perfectly rigid. Sprenger and the doctors entered the cell. They shook her but she did not wake. They pinched and slapped her but she slept on.

"Light a candle and hold it under her foot," ordered Sprenger.

The woman's foot was scorched until the cell was filled with the odor of burning flesh. Still she slept on.

Sprenger sat down to wait. After an hour or so, the woman began to moan and twist. She made motions with her arms as though flying. Then she awoke with a start.

"What a Sabbat that was!" she exclaimed. "I flew for miles and saw all my friends. But during the dancing, I stepped on a sharp stone and hurt my foot."

"Daughter, you are under an illusion," Sprenger ex-

plained. "You never left this room. You are not a witch at all and your foot was scorched by this very candle."

The woman was dumbfounded but her burned foot convinced her. Sprenger told her to perform a mild penance and avoid such dreams in the future.

Sprenger came to the conclusion that witches could not fly; it was merely an illusion inflicted on them by the devil. But this theory was promptly denounced as dangerously close to heresy. Sprenger, in an agony of remorse, decided that the woman must have actually flown to the Sabbat and a demon had assumed her shape in the bed, cleverly transferring the burn to the witch's body on her return.

As did most men of his time, Sprenger considered virtually all mental aberrations as being the work of the devil or of his agents, the witches. Dr. Gregory Zilboorg of Johns Hopkins remarked, after reading the *Malleus Malaficarum*, "Sprenger describes literally every single type of neurosis or psychosis which we find today in our daily psychiatric work." People suffering from compulsion neuroses and schizophrenic psychoses typically rebel against authority and frequently launched wild attacks against God. To Sprenger such people were clearly witches. He describes how the "witches" hear voices, have dreams and illusions, and how some were actually cured by torture. Hysterical anesthesias and pathological mutism can be cured by "shock treatment" and the witches who responded to Sprenger's drastic methods were clearly of these types.

Sprenger's famous *Hammer of Witches* was used for centuries after his death as the definitive text on witchcraft and how to secure confessions. As it provided unshakable legal grounds for convicting anyone arrested, it was invaluable to a witch-hunter.

The Inquisitors had scriptual authority for their actions. The order "Thou shalt not suffer a witch to live" (Ex. 22:18) has probably been responsible for the death of more persons than any other eight words in history. W. F. Poole in *Salem Witchcraft* believes that 200,000 people were killed for this crime during the 16th and 17th centuries. Witchcraft execu-

tions continued into the 18th century. In January, 1929, two men killed Nelson Rehmeyer, a witch, near York, Pennsylvania, to obtain a lock of his hair so they could remove a curse he had put on them.

The greatest of all Inquisitors—the man whose name has become virtually synonymous with torture as a fine art—was Frey Tomás de Torquemada. Torquemada created the Spanish Inquisition and made it the most terrible organization of medieval times. In doing so, he virtually exterminated the Spanish middle class and so crippled Spanish trade that it never completely recovered. He burned 10,220 and tortured 97,321 during his eighteen years of office, yet this fearful man lived a life of self-sacrifice and humility. He never ate meat, wore only his monk's robe of coarse cloth, and slept on a plank. Later, when he was offered the high position of archbishop of Seville for his work in suppressing heresy, he refused, saying, "I prefer the simple title of 'friar'." As Inquisitor-General, he acquired great wealth but used it only to establish churches and convents.

As a young man, Torquemada was subjected to two psychological blows. Although he came of noble birth and his family were lords of the town of Torquemada in Castile, his grandfather had married a wealthy Jewess to recoup the dwindling family fortunes. As a child, Torquemada was taunted by his schoolmates with not having "clean" blood, and though as the only son he would someday inherit the title and estates, even the meanest of his companions felt himself to be superior to the polluted boy. Torquemada grew up with a pathological hatred for the Jews who had brought this disgrace upon him.

When he was a young man, he fell in love with a beautiful girl named Cazilda. Cazilda was of pure Spanish ancestry, and the brilliant student was able for a time to forget the shame of his mixed blood. Then Cazilda ran away with a handsome Moor, a descendant of one of the ancient Moorish families who had been in Spain since the 8th century.

Torquemada never recovered from this second shock. Twice he had been disgraced; first by the Jews, and then

by the Moors. Half mad, he went to his confessor, Father Lopez, a Dominican. Father Lopez urged the distracted young man to enter the Church.

"There alone can you find solace, my son," he advised, rightly suspecting that the young man was on the verge of insanity. "Retreat from a world full of unreason and carnal desires, devoting your great talents to God."

Such a step meant the extinction of the noble house of Torquemada, for as a monk the young man could never have an heir. But Torquemada did not hesitate.

"I will do as you say, Father, and dedicate myself to the abolition of heresy," he promised.

Through his devotion and ability, Torquemada became prior of the Convent of Santa Cruz in Segovia and later confessor to the young princess Isabella, who was one day to pawn her jewels to subsidize Columbus' voyage to the west. He obtained from the princess an oath that when she reached the throne she would do all in her power to stamp out heresy in Spain.

Isabella married Ferdinand, thus joining the two independent states of Castile and Aragon. The royal couple launched a war against the Moors in southern Spain, and in 1481 the fall of Granada established them as monarchs of the whole country. Isabella remembered her promise to Torquemada and appointed him Inquisitor-General of the new nation.

Hitherto, the Inquisition in Spain had been merely an investigating group, but in 1481 Torquemada burned 800 heretics—mainly Moors and Jews. At the gates of Seville, he had a huge stone scaffold called the Quemadero erected, its platform supported by giant images of the Hebrew prophets. These statues were hollow and it is said that during the great autos-da-fé (acts of faith) the pillars were filled with victims and then fires lighted around them. Torquemada traveled about the land, protected by a bodyguard of forty armed familiars on horseback and 200 on foot. These familiars were secular monks, usually the younger sons of noble families, who by joining the Inquisi-

tion became exempt from all taxes and were given almost unlimited powers.

On arriving in a community, Torquemada would invite the populace to report anyone suspected of being a heretic. Suspects could be identified if there was no smoke rising from their chimneys on a Saturday (thus implying that they were observing the Jewish Sabbath), if they ate meat in Lent, gave a party before leaving on a long journey (the Jewish Ruega), changed their sheets or underwear on a Saturday, cut the fat off meat, or if any of their relations when dying had turned their faces to the wall. Informers were reminded that they received one-third of the accused's estate. The accused were tortured until they confessed and gave the names of other heretics. It was admitted that this method involved the danger of convicting a few innocent people, but as Friar Francesco Pegna, a noted Inquisitor, pointed out, "After all, should an innocent person be unjustly condemned he should not complain of the sentence which was founded on sufficient proof and we cannot judge on what is hidden. He should receive the sentence with resignation and rejoice in dying for the truth."

It has been claimed that the Spanish people would have stopped this reign of horror had it not been for the murder of Pedro Arbués de Epila, chief Inquisitor of Aragon, while in the act of taking Holy Communion in the Saragossa cathedral. Arbués was second only to Torquemada in the zeal with which he persecuted Jews and heretics. He had conducted two great autos-da-fé and a group of five Jews, banded together in 1485 to assassinate the fanatic, hoping thereby to save their people. As Arbués always traveled surrounded by armed guards, the conspirators bribed his servant to tell them when the Inquisitor would be most vulnerable to attack. While Arbués was kneeling at the altar rail, he was attacked by two of the assassins. One tried to stab him through the chest but Arbués was wearing a coat of chain mail under his robes. The second man struck for his head, only to find that Arbués had on a steel headpiece under his ecclesiastical cap. But as the assassin's dagger

glanced off the steel, it inflicted a fatal wound. Both men escaped but the Inquisition tortured everyone connected with Arbués, and the servant confessed after first being promised "grace." Later, he discovered this "grace" consisted in not having his hands cut off before being drawn and quartered, as was done with the other conspirators.

The murder of a priest while in the act of receiving Communion aroused all Spain against the Jews. The Pope proclaimed Arbués a martyr and beatified (he was canonized later by Pope Pius IX). For many years, no one dared to criticize anything the Inquisition might do in dealing with such monsters.

Naturally, all Jews and Moors who could escape fled the country. Some 1,700,000 Jews left Spain and an indeterminate number of Moors. As the Jews formed the commercial class in Spain and the Moors the trained artisans, this double blow to Spanish economy was fatal.

Not only Ferdinand and Isabella but also the Pope became alarmed at Torquemada's methods. Sextus IV tried to interfere but Torquemada ignored his orders and the mad monk had grown so powerful that the Pope was afraid to use the only weapon he possessed against the fanatic—excommunication. In 1492, the monarchs issued a decree that if the Jews paid a ransom of 300,000 ducats, their lives would be spared. In a cold fury, Torquemada burst into the royal presence and hurled a crucifix on the table. "Judas sold his Lord for thirty pieces of silver but you would sell him again for 300,000," he shouted. The monarchs hastily capitulated.

But popular feeling everywhere was rising against the grim old man. The familiars were constantly attacked by mobs and many governors refused to allow the Inquisitors to enter their provinces. The Pope appointed a new Inquisitional council superseding Torquemada. The fierce friar's end seemed certain.

Then in La Guardia in southern Spain, the Inquisitors announced that a group of Jews had employed a magician to put a curse on the country. The magician required the heart of a Christian boy so the Jews had kidnapped a beggar

boy and crucified him, afterwards cutting out his heart. The next ingredient necessary was a Host. One of the conspirators obtained a Host during Communion and tried to smuggle it out of the church, but the wafer cast such a radiant light that he was detected and turned over to the Inquisition. Under torture, he confessed the whole story and told the Inquisitors that the dead boy's heart was in a box in his room and the body was buried in a cave in the mountains. The Inquisitors found the box but it was empty and no body could be located in the cave. This was considered conclusive proof that the boy had been miraculously transported to heaven.

The Miracle of the Holy Child of La Guardia aroused all Europe. The Pope withdrew his order for a new council and governors begged Torquemada to bring his Inquisitors to their districts to save Spain from other Jewish magicians. Torquemada continued his crusade and died in office in 1498. Aside from his work as Inquisitor-General, he is described as a kindly, warmhearted man, modest and retiring.

Torquemada was not a sadist. He seldom watched the torturing of his victims and attended the autos-da-fé only as a matter of duty. He seems to have been dedicated to one driving passion: the extermination of the Jews and Moors. He cared little about witches or other forms of heresy.

The Inquisition became so powerful that no one dared to question its authority. Jane Bohorquia, a noblewoman living in Seville, was arrested for discussing Protestantism with a group of friends. Being pregnant, she died under the torture. Shortly afterward, the Holy Office (as the Inquisition was known) issued a statement reading: "The Inquisition has discovered that Jane Bohorquia was innocent. Be it therefore known, that no further prosecutions shall be carried on against her." Not even members of the royal family were safe. Don Carlos, the son of Philip II and heir to the crown, dared to criticize the Inquisition and was promptly arrested. He was condemned to death, the only

concession allowed him was to commit suicide instead of being burned.

There are a few eyewitness accounts of the Inquisitions by people who miraculously survived. One of these lucky individuals was William Lithgow, a Scot, who was in Málaga in 1620 on business and seized by the Inquisition as a Protestant spy. Lithgow gives the following account:

> I was stripped to the skin and mounted on the rack (this was a vertical rack upright against the wall) where I was hung with two small cords. Thus being hoisted to the appointed height, my tormentor drew my legs through the two sides of the three-planked rack, tied a cord about each of my ankles and then drew the cords upwards, bending forward my two knees against the two planks until the sinews of my hams burst asunder. So I hung for a large hour.
>
> Then the tormentor laying my right arm above the left, wrapped a cord over both arms seven times and then lying down on his back and bracing his feet in my belly, pulled until the seven several cords combined in one place on my arm cutting the sinews and flesh to the bare bones which has lamed me so still and will be forever.
>
> Now my eyes began to start, my mouth to foam and froth, and my teeth to chatter like a drummer's sticks. But notwithstanding my shivering lips, my groaning, the blood springing from my arms, broken sinews, hams and knees, still they struck me in the face with cudgels to stop my screams.
>
> This their incessant imploration: "Confess, confess, confess in time for thine inevitable torments ensue." But all I could say was "I am innocent, O Jesus, have mercy on me!"
>
> Then my trembling body was laid upon the face of a flat rack with my head downward, inclosed within a circled hole, my belly upmost, my arms and feet pinioned, for I was to receive my main torments. Now ropes were passed over the calf of my leg, the middle

of my thigh, and the great of my arm, and these ropes fastened to pins. I received seven tortures, each torture consisting of three complete windings of the pins.

Then the tormentor got a pot full of water in the bottom of which was small hole through which he poured the water into my mouth. At first I gladly re-received it, such was the scorching drought of my tormenting pain and likewise I had drunk nothing for three days before. But when I saw he was trying to force the water down me, I closed my lips. Then my teeth were set asunder with a pair of iron cadges. Soon my belly began waxing great like a drum, a suffocating pain as my head was hanging downwards and the water reingorging itself in my throat, it strangled and swallowed up my breath.

I was six hours upon this rack and between each set of tortures I was questioned for half an hour, each half-hour a hell. By ten o'clock that night, they had inflicted sixty several torments but still continued for another half-hour although my body was begored with blood, cut through every part, my bones crushed or bruised and I was roaring, howling, foaming, bellowing, and gnashing my teeth. True it is, it passeth the capacity of man to conceive the pain I experienced or my anxiety of mind.

When they took me from the rack, the water gushed from my mouth. They put irons on my broken legs and I was carried back to my dungeon. Every day I was threatened with fresh tortures if I did not confess and the Governor ordered that all the vermin in the cell be swept up and piled on my naked body which tormented me almost to death but the turnkey (a converted Moor) used to come secretly, remove the vermin and burn them in heaps with oil or doubtless I had been miserably eaten up and devoured by them.

Finally, the Inquisitor, despairing of getting any statement from the tough Scot, let him go.

An auto-da-fé was an impressive sight. Voltaire remarked

"An Asiatic arriving in Madrid on the day of an auto-da-fé would doubt whether here was a festival, a religious celebration, a sacrifice, or a massacre. It is all of these." Dr. Geddes witnessed an auto-da-fé in Madrid in 1682. He says:

> There had not been a spectacle of this kind at Madrid for several years before, for which reason it was expected by the inhabitants with as much impatience as a day of the greatest festivity and triumph. When the day appointed arrived, a prodigious number of people appeared, dressed as splendid as their respective circumstances would admit. In the great square was raised a high scaffold, and thither from seven in the morning till the evening, were brought criminals of both sexes; all the Inquisitions in the kingdom sending their prisoners to Madrid. Twenty men and women out of these prisoners, with one renegrade Mohometan, were ordered to be burned; fifty Jews and Jewesses, having repented of their crime, were sentenced to a long confinement and to wear a yellow cap: and ten others, indicted for witchcraft and other crimes, were sentenced to be whipped and then sent to the galleys: these last wore large pasteboard caps, with inscriptions on them, having a halter about their necks, and torches in their hands. On this solemn occasion the whole court of Spain was present. The grand inquisitor's chair was placed in a sort of tribunal far above that of the king.
>
> At the place of execution there are so many stakes set as there are prisoners to be burned, a large quantity of dry tinder being set about them. The stakes of the Protestants are about four yards high and have each a small board, whereon the prisoner is seated within half a yard of the top. The condemned then go up a ladder between two priests, who attend them the whole day of execution. When they come even with the board, they turn about to the people and the priests spend near a quarter of an hour in exhorting them to be reconciled to the church of Rome. On their refusing, the priests come down and the executioner ascending,

chains the condemned close to the stakes and leaves them. Then the priests go up a second time to renew their exhortations; and if they find them ineffectual, usually tell them at parting that "they leave them to the Devil." A general shout is then raised and when the priests get off the ladder, the universal cry is "Let the dogs' beards be singed!" This is done by torches mounted on poles thrust against their faces. This is kept up until all the hair is burned off their heads. Fire is then set to the tinder and the condemned are consumed.

The intrepidity of the twenty-one men and women in suffering the horrid death was truly astonishing: some thrust their hands and feet into the flames with the greatest fortitude, and all of them yielded to their fate with such resolution that many of the amazed spectators lamented that such heroic souls had not been more enlightened.

CHAPTER 6

THE INQUISITION became such a symbol for organized cruelty that the name was used as a catchall for every bizarre type of torture ever conceived by the mind of man. Henry Charles Lea in his *A History of the Inquisition of the Middle Ages* doubts if the inquisitors ever used any tortures but the garrote, the strappado, and the water torture. The other tortures attributed to it were often only suggestions written by sadistic monks who took pleasure in imagining fantastic devices. Many ancient tortures, such as the spiked statue of Nabis of Sparta, were attributed to the Inquisition although it is highly doubtful if they were ever used. Writers such as H. G. Wells, Edgar Allan Poe, Charles Kingsley, and Captain Marryat invented inquisitional tortures for dramatic purposes. Another problem is that after torture fell into disrepute, both Catholics and Protestants accused each other of using tortures while their own group was completely innocent. The Reverend Father Gallonio in his *Tortures of the Christian Martyrs* recounts many cases of the cruelties practiced on Catholics by Protestants but never mentions the Inquisition. On the other hand, Fox's famous *Book of Martyrs* is nothing but a list of Catholic atrocities. It is easy to suspect that many learned gentlemen writing exposés were willing to believe any rumor about the opposition, especially when the titles of their volumes are something like "Proving That Protestants Are Devil Worshipers" or "Horrors of Popery Exposed."

At the same time, it must be remembered that virtually any accusation made against any organization was probably true at one time or another. The Inquisition varied from country to country, from period to period, and as the torture in the dungeons was kept secret, no one can definitely say what took place.

There are three famous tortures attributed to the Inquisition that I personally doubt ever occurred. One is the iron maiden. The iron maiden was supposedly the image of a woman large enough to hold a man and lined with spikes. The front of the image opened on hinges, the victim was put inside, and the door closed impaling the prisoner on the spikes. R. L. Pearsall describes such a device in *Archaeologia,* Vol. 27, 1838. The most famous iron maiden was in the old Nuremberg torture chamber under the Burg (castle). Both the castle and the image were destroyed during the 1945 bombings but the director of Nuremberg's Germanic National Museum told me that he had carefully examined the maiden and she was undoubtedly a 19th-century fake. There was a great fad at the end of the century, following the publication of Walpole's *Castle of Otronto* and other Gothic romances of the school-of-horror type, for torture chambers equipped with all sorts of macabre devices, and many fakes were created during this period. The director claims that the spikes in the image were screwed into place and obviously were machine-made. He doubts if it were more than 150 years old.

According to the Reverend Dr. Wylie in his *History of Protestantism,* the Nuremberg maiden was a highly complicated apparatus. Touching one button caused the image to open her arms and seize her victim, drawing him into her innards. A second button closed the image and started a system of whirling knives inside her that cut the victim to shreds. Then a third button opened a trap door in the bottom of the image and dropped the remains into the River Pegnitz. As the Pegnitz doesn't flow under the castle, I don't see how this could have been arranged; nothing short of the International Business Machines Corporation could manufacture such a complicated apparatus. I'm inclined to

doubt the story especially because the Reverend Wylie claims the instrument was used by the Inquisition. None of the Nuremberg torture devices was; they were employed by the civil courts. Frederic Shoberl in his *Persecutions of Popery* quotes a French officer as saying that when Napoleon's troops entered Toledo, one of the familiars of the Inquisition took them on a guided tour of the torture chambers and showed them a statue of the Virgin Mary that operated exactly like that of Nabis of Sparta. It is difficult to believe that devout Catholics would use an image of the Virgin for such a purpose and even more difficult to believe that such an elaborate apparatus would add anything to the standard devices—if you wish to kill a man by driving spikes through him, you don't need to manufacture a statue with movable arms to do it unless, like Nabis, you have a curious sense of humor, which few Inquisitioners seemed to possess. Dr. Mayer, writing in 1838, describes still another iron maiden in Germany operated like Mr. Pearsall's maiden except that the spiked corpse dropped through a trapdoor onto a mincing machine that disposed of it. Dr. Mayer didn't see the mincing machine; he was told about it. There was said to have been the statue of a beautiful woman at Baden-Baden whom prisoners were told to kiss; as they approached the statue, they fell through a trapdoor onto a spiked wheel. Personally, I think the iron virgin was created by some gentleman in the 19th century who had read about Nabis and had a castle with a cellar that could double as a torture chamber but needed some dramatic devices to attract the tourist trade. He had an iron maiden made that proved to be a sensation and was widely copied.

Another famous method, usually described as "the Inquisition's most terrible torture" supposedly consisted of tying the victim down on his back, putting his head in a vise, and then dropping water—one drop at a time—on his forehead. It was claimed the monotonous drip—drip—drip finally drove him crazy. I have been unable to find any historical references to this torture. The Inquisition did use a torture of pouring water on a tied victim in a steady

stream from a height, but here the force of water pounding on the skull produces the effect. A variation of this was used in American prisons when it was important not to leave any marks on the victim: he was put under a powerful shower. Simon Moore was killed by this method in 1858. It is still used in psychiatric "shock treatment," and the accusation has frequently been made that it is effective for exactly the same reason that the old technique of lowering the patient into a snake pit or Sprenger's method were effective: the patient decides that rather than endure such treatment, he'd better be cured—and hurriedly cures himself.

In his excellent book, *The History of Torture through the Ages,* George Ryley Scott claims that the Inquisition used the pendulum torture. Mr. Scott says, "The victim was placed upon a table top and tied securely so that it was impossible for him to move anything but his eyes. Above him was a large heavy pendulum, the bottommost part of which had a curved cutting edge. The shaft of this pendulum, as it swung to and fro, gradually but surely lengthened and the prisoner, gazing upwards with a dread that compelled him, even against his will, to watch the movements of the hanging knife, endured the horror and agony of seeing the edge approach nearer and nearer."

Although Mr. Scott is usually very careful to give his references, he omits his source here. He mentions, instead, Edgar Allan Poe's *"The Pit and the Pendulum,"* recently made into a film. It's a good story but I doubt if the Inquisition ever used such a method.

Probably the greatest curse that the Inquisition visited on humanity was that it established the use of torture as part of any legal procedure, whether religious or secular. The civil courts not unnaturally reasoned that whatever the Church considered justifiable was certainly legitimate, and also, it was generally necessary for the civil courts to carry out the Inquisitioners' verdicts. Both ecclesiastical and secular courts based their legal techniques on the old Roman law.

The use of torture enormously simplified legal procedures. It made confessions almost automatic and saved consid-

erable police and judicial labor. With its introduction was created the position of the professional torturer. The professional was a very important man. He had to know (1) how to produce a maximum amount of pain, (2) how to continue to produce pain over a long period of time without causing death or causing the individual to become numb (for example, too much use of the garotte paralyzed the nerves so the victim could feel nothing), and (3) the psychological aspects (members of conspiracy are far more apt to confess if they believe that one member of the group has already cracked and told all). In addition, he had to be a reliable man who would repeat none of the secrets he had heard in the torture chambers. A good torturer knew his instruments as a mechanic knows his tools; he could gauge human suffering as an engineer gauges the stresses and strains on a bridge. He never applied it when not necessary, never hesitated to use the most terrible methods if circumstances warranted.

One of the most outstanding torturers of all times was Franz Schmidt, torturer at Nuremberg from 1578 until 1617. Schmidt's old house on the bridge over the Pegnitz is still standing, and the bridge is known as "Hangman's Bridge." Schmidt left a diary. I obtained a copy of it from the library of Nuremberg while I was there. It is a remarkable document.

Schmidt came from a family of hereditary torturers. His father was torturer to the Bishop of Bamberg and his mother was connected to the famous Deibler family of Paris, who continued to function as official executioners into the 19th century. Having served an apprenticeship under his father, Schmidt went to Nuremberg when the local torturer retired. As his diary shows, he was an educated man and conscientious, dissecting the corpses of his victims to improve his technique. He was something of a scientist, carefully reporting the actions of the human head after decapitation, and a strict teetotaler, because he feared that alcohol might impair his judgment.

Schmidt was also a humanitarian. After torturing several women accused of witchcraft, Schmidt became convinced

that the women were confessing to crimes they had never committed through fear of pain. Although he was risking death by defying the ecclesiastic authorities, he appealed to the town council to stop the trials. The council was astonished because the execution of witches was a torturer's most remunerative business—he provided the rope, brimstone, faggots, stake, etc., at a profit to himself and also did a sideline by selling the charred glands of the dead women to alchemists. But the council listened to Schmidt, and as a result Nuremberg was almost the only city in Europe spared the terrible effects of the witch mania. Schmidt also requested the council to stop the custom of putting a woman who had killed her newborn infant (a common crime of the period) into a sack and then throwing her into the Pegnitz.

"Your worships do this because you feel that it is not respectable to hang women—their skirts might fly exposing their legs," Schmidt pointed out. "But there is no reason why they shouldn't be beheaded."

The burgomaster shook his head. "You're making a mistake, Schmidt," he pointed out. "Although you're an excellent torturer, you're rather clumsy with the beheading sword and women are likely to faint and make you miss. You know how furious the mob becomes at the sight of a bungled job."

"I'll take the risk," said Schmidt firmly. "I'm sick of seeing those miserable creatures drowning by inches in an air-filled sack."

The burgomaster proved to be right, although Schmidt took every precaution for his first beheading of a woman. The execution took place on the great gallows outside the city gates. It had required the timber from forty-two oak trees and the labor of twenty-five skilled carpenters and 335 helpers to construct this great edifice, which was equipped with all modern conveniences—even a separate beam for the hanging of Jews so they would not pollute the Christian criminals by their presence. Schmidt ordered his apprentice to hold the woman's head steady while he swung the great, two-handled sword around his head. But the woman flinched

at the last moment and Schmidt not only cut off her head but also his apprentice's hands. The mob, howling with rage pelted Schmidt with garbage, and his apprentice wasn't any too pleased either. Schmidt refused to be discouraged. Getting another apprentice, he continued practicing with the sword until he could cut off a head no matter how the victim ducked and established beheading as the standard Nuremberg punishment for infanticide.

Although Schmidt never practiced unnecessary cruelty, he performed his tasks with close attention to duty. When breaking a victim on the wheel, he was careful not to kill the person until the final, or fortieth stroke. In the case of Mary Kurssnerin, a prostitute, Schmidt did a good job of nailing her ears to the pillory and then flogging her until she tore loose. When Nicklauss Stuller in 1577 killed three pregnant woman to obtain the fingers of their unborn babies for magical purposes, Schmidt won universal acclaim for the masterly way in which he dissected the murderer with red-hot pincers. However, when Schmidt was ordered to torture his brother-in-law in 1585, he tried to beg off. The council insisted that the execution take place, but as a tribute to Schmidt's feelings, they ruled that he need only tweak the prisoner twice with hot tongs on the way to the gallows and kill him quickly with thirty-one strokes when breaking him on the wheel. Schmidt thanked the council for their thoughtfulness and spent the evening before the execution arguing philosophical problems with his friend.

As a merciful man, Schmidt disliked keeping prisoners in the stocks during the night before their execution. By morning the rats in the dungeon had generally eaten off the prisoners' fingers and toes, but unless they were restrained, the condemned men often committed suicide by biting through the artery in their wrists. At last Schmidt solved this problem by locking an iron mask on a condemned prisoner's head.

In his diary, Schmidt records 361 executions and 345 men and women who were tortured, but this is unquestionably only a small percentage of the total. Schmidt's diary covers only a few years of his term of office and he mentions

only particularly interesting cases. He retired on a pension provided by the grateful municipality and died in 1634.

There is nothing in Schmidt's diary to suggest sadism or even brutality. He was simply a "conscientious craftsman" going about his work in a highly efficient manner—as did Adolph Eichmann four hundred years later.

CHAPTER 7

THE MOST FAMOUS TORture chamber in Europe was the dungeon under the old castle in Nuremberg, the site of many of Franz Schmidt's exploits. During the 12th century, Nuremberg was one of the principal communities in central Europe, and even after the town lost its eminence, it was preserved as an authentic remnant from the Middle Ages in the modern world. During the last war, Nuremberg was almost completely destroyed by the bombings and the castle went also. However, most of the torture instruments have been saved.

While I was in Germany last winter, the director of Nuremberg's Germanic National Museum was kind enough to show me the instruments. "We do not have them on exhibition for the general public," the director explained as he unlocked a heavy oak door and disclosed a flight of stone steps leading to the underground vaults. "Germany has had enough of horrors. But since you've come so far to see them, an exception can be made in your case."

The museum was formerly a Carthusian monastery built in the early 14th century, and its walls are eroded like butter that has run on a hot day. We descended the steps and walked through a labyrinth of corridors, the director's flashlight as inadequate as a firefly in Carlsbad Cavern. Consulting a guide in his hand, the director stopped by a certain door set into the wall, turned a key in the lock, and swung it open.

I stepped inside and nearly cried out. I had expected to see mechanical devices; instead I was surrounded by demons out of a madman's deliriums. Grotesque iron faces leered down from the walls. Monsters carved in stones lay writhing on the floor. Grim judges who had presided over the sufferings of countless human beings stared disapprovingly at me from painted canvases.

"Yes, the old executioners well understood the importance of psychology," said the director seeing me start. "You have just experienced what was known as the Second Degree. The First Degree was the questioning of a prisoner. The Second consisted of showing him the instruments. In the last, or Third Degree, he was put to the actual torture."

We still use this phrase to describe excessive brutality. We get other expressions from this 900-year-old town. On the walls of the room were hanging ancient yokes in which an adulterous man and woman were fastened together and then ordered to carry buckets of water up the steep hill in the center of town to the castle. Staggering under the weight of the heavy yoke, it was no wonder that Jack and Jill often fell down and cracked their crowns as the salacious old jingle, now a children's nursery rhyme, describes.

I saw the wheel that had been used to break a victim's bones one after another—the famous "breaking on a wheel" so often mentioned in old chronicles—the pot used for melting lead that was then poured into the victim's opened veins, the *Fass* (a cradle lined with spikes in which the victim was rolled), and the skullcrusher, an iron mask equipped with a screw and plates on the top and bottom. The victim's head was put in the mask and the screw tightened until his eyes popped into special openings inserted to receive them. At this point, even a light tap on the screw with a hammer was said to cause more agony than the clamp itself.

"Yet even in such horrible matters as this, the Nurembergers were craftsmen," said the director with a touch of pride in his voice for the city famous for mechanical toys, watches and, during the war, as the center for constructing the delicate timers for bombs. "See here!"

He showed me a handful of tiny pulleys, scarcely an inch long, precision-built and still working perfectly.

"These were used for dislocating the small bones in the fingers and toes or for putting additional strain on some particular nerve, tendon or muscle. The torturer, you know, had to be a trained anatomist. Some of our most important medical discoveries were the products of the torture chamber."

I saw the hare (a cylinder studded with spikes that was rolled back and forth over the victim), thin tongs for inserting hot coals into the orifices of the body, spoons for scooping out eyes, and long spikes that were driven up the nose or in the ears.

The stone images I had seen when I first came in were used in connection with the strappado. They were the weights attached to the victim's legs when he was hoisted by the pulley. Round and weighing some thirty pounds, they were carved to represent the heads of fiends or, ironically, cherubim.

A professional torturer's reputation often depended on what new and ingenious methods he had invented and on how complete was his stock of weird, complicated instruments—regardless of whether these devices served any really useful purpose. It is incredible that human beings ever survived many of the elaborate tortures to which they were subjected. Here is a description of what was done to a woman accused of witchcraft by the hangman of Dreissigacker in 1631:

> (1) The hangman binds the woman, who was pregnant, and places her on the rack. Then he racks her till her heart would fain break. (2) When she did not confess, he poured oil over her head and burned it. (3) He placed sulphur in her armpits and burned it. (4) Her hands were tied behind her and she was hauled up to the ceiling and suddenly dropped. (5) The hangman and his helpers went to lunch. (6) On returning, the master hangman placed a spiked board

on her back, pulled her to the ceiling again, then dropped her on the floor. (7) Her toes were put in a thumbscrew and the screw tightened until blood squirted out of her toes. (8) She was pinched with red-hot irons. (9) As she would not confess, the hangman proceeded to an advanced grade of torture. She was whipped and then put in a vise which was gradually closed on her for the next six hours. (10) She was hung up by her thumbs and flogged. This was all that was done on the first day.

These were professionals earning a living. But soon men appeared who developed a mania for torture as others develop a mania for drink or sex. Louis XI of France had his enemies put in iron cages and hung up on the walls of his castle like birds in a cage. Occasionally he would order them to sing to him and if any refused, he would have a brace of wildcats put in the cage and then light a fire under it. A model of one of his cages is now in the Musée Gravan in Paris. Ferdinand VII, King of Naples, had a Spanish chair (made of iron with a box for hot coals that could be slid under the seat) that he used to carry around with him on his travels. He would beg neighboring monarchs to let him torture their prisoners for them. Later, Ferdinand got an improved model of the Spanish chair that had a second pan that fitted under the prisoner's feet and a device for basting them while they cooked.

There was almost no limit to the ingenuity of the torturers or to the grotesque devices they conceived. Jews were hung by their feet from gallows between two vicious dogs who tore and snapped at them. Men were tied by hands and feet to the top of four poles and a sharpened stake put under them in case they allowed their bodies to sag. Prisoners were put into the stocks, the soles of their bare feet coated with brine, and goats allowed to lick them until they went insane. In Sweden there was the Cave of Roses—a pit full of poisonous snakes, toads, and lizards—which continued until it was closed by Gustavus III in 1772.

Men were hung on hooks and left to die (the origin of the expression, "on tenterhooks"). Others were made to straddle a sharpened beam and then weights hung on their legs, the weights being gradually increased. For women, there was the spider: bars protruding from the wall with claws on the ends. The woman was pulled along them until her breasts were torn off. In the cauldron, the victim was put under a huge cauldron with a tin box full of mice strapped on her belly. The cauldron was then heated and the mice, in their agony, ate their way into the victim's body to escape. The sachentage was a collar lined with spikes so the victim would not lie down to sleep. Boiling to death, either in oil or water, is said to have originated with Henry VIII of England, who had a cook boiled alive for having poisoned two nobles. Later the same punishment was used for counterfeiters and for treason. The prisoner was often dunked up and down in the pot several times by means of a pulley to prolong the agony. In the "dance of death," men were chained by one foot near a roaring fire so they were forced to turn and twist constantly to avoid being roasted. The "dice" were two square pieces of iron that fitted together over the victim's heel and could be squeezed together with a clamp.

Some of the ancient tortures were revived. In 1366, the Count de Rouci was flayed alive for betraying Laon to the English. Paolo Garnier of Roras was first castrated and then skinned. Crucifixion was used occasionally although this form of torture was generally considered blasphemous because of Christ's death. Still, Bertholde, the murderer of Charles the Righteous of France, was crucified in 1127. Even the serfs devised their own special forms of punishment for each other. Each serf was allowed a number of fields in the fief called "perches" and these perches were generally widely scattered with the bounderies poorly marked. If a serf sought to increase his own holdings by moving the boundary markers a few feet, he was buried up to his neck by his fellows and plows were driven back and forth over him. During hard winters, some men would

strip fruit trees of their bark to boil for food. A man detected in this act had his intestines nailed to the tree and he was whipped around it until disemboweled.

The ancient punishment of being buried alive appeared in several guises. In France, women were occasionally buried alive for very serious offenses, usually under the gallows. This punishment was known as *la fosse*. In the Scandinavian countries especially, criminals were often set in wet cement, which cracked their bones as it hardened, or put under the foundation stones of new buildings. This was probably not done as a form of torture but in the nature of a human sacrifice to sanctify the building. There is a persistent legend that adulterous nuns were walled up alive in the cellars of their convents (in the manner of Vestal Virgins who committed the same offense) as graphically described in Walter Scott's *Marmion*. Scott says the skeleton of a woman was found enclosed in a niche under the old convent of Coldingham but gives no other details. A similar story claims that the children of nuns were buried alive in the cellars to hide their mothers' sin. A Mexican assured me that in 1926 when the government closed the convents, he himself while in charge of a gang of workmen dismantling a convent in Puebla found dozens of tiny skeletons interred in the cellar wall, but inasmuch as the gentleman was an ardent supporter of the government's anti-Catholic policy, I'd like additional proof of his claim. I have been unable to find any definite historical instance to support either story. The vaults of old convents and monasteries were occasionally used to inter the bodies of the devout and possibly the discovery of such remains gave rise to the legend.

There would, however, seem to be at least one historic case of a monk's being walled up alive. In December, 1564, Cardinal Carlo Borromeo is said to have ordered Fra Tommaco di Mileton, a Franciscan, immured alive for doubting if it were sinful to eat meat on Friday. The death sentence ran: "I condemn you to be walled up in a place enclosed by four walls where with anguish of heart and abundance of tears you shall bewail your sins and

grievous offenses committed against the majesty of God and the Holy Mother Church."

Burning alive was the most common form of torturous death employed in the Middle Ages. One method used by the Spanish Inquisition has already been described. The most common technique was simply to tie the victim to a stake and surround her (the victims were usually women) with faggots, but sometimes the stake was surrounded by a circular wall of faggots, an opening being left in the wall so the condemned could be led through it and tied to the stake. The gap was then filled in. This is how Joan of Arc died, although for artistic purposes she is usually shown tied on top of a heap of faggots. The faggot wall was so high that after her death, the executioners had to pull it down with billhooks so the crowd could see her charred remains and be convinced that the "witch" hadn't escaped by art magic.

Another dramatic and occasionally used form of execution was being dragged apart by four horses. A horse was fastened to each limb and the animals driven in opposite directions. The torture could be prolonged almost indefinitely, the horses being forced to pull in quick jerks and then stopped. The process often took five to six hours. At last, the horses were whipped up and all four limbs came off leaving the still-living trunk. As the tendons of the human body are astonishingly strong, the executioners were often forced to help the horses by cutting the muscles.

Breaking on the wheel, especially on the continent, was so common that it almost became the standard manner of executing criminals. A large wheel like a cart wheel was mounted vertically on a scaffold. The condemned was tied spread-eagled on the wheel, his arms and legs extended as far as possible and fastened to the rim so they were approximately at right angles to the spokes. The executioner then broke each bone separately with an iron bar, finally killing the prisoner with a blow across the chest. In certain cases, the final blow was not given. The executioner broke the man's ribs and the wheel was then mounted on a pole

set through the hub, the condemned being left to die slowly. A variation of this torture consisted of putting each of the condemned's limbs, one after the other, in a wooden trough with vertical slits cut in the sides. The executioner then used a small but very heavy wheel with an iron rim that he dropped through the slits in succession, crushing the limb by degrees—starting at the extremity and working up to the body. This device was usually used in torture chambers because it was not so suitable for public display as breaking on the wheel.

France devised the technique of burning out the victim's eyes with a basin of hot coals (the *bassin ardent),* soaking the victim's fingers in tallow and then burning them like candles, or putting hot stones under the armpits and lashing the hands to the sides. Prisoners were beaten with the *battoir* or battledore, an instrument like the paddle used in ping-pong but studded with nails. Blasphemers had their tongues fastened to their cheeks with an iron pin. But France was particularly famous for her oubliettes (from the word meaning "to forget"). These were dungeons shaped like an inverted funnel with trapdoor at the top. When the victim stepped on the door, it opened under him and he fell into the cell from which there was no escape. Louis XI is said to have killed 4,000 victims in oubliettes. It was considered a courteous gesture to open the trapdoor afterwards and call down it, *"Vade in pace"* (Go in peace). Some of these old oubliettes can still be seen at Chateau Toufou near Veriennes. They are now used to store grain.

The climax of French torture came with the public execution of Damien, who tried to assassinate Louis XV. Louis sent to neighboring monarchs to get ideas for Damien's manner of death. Everyone submitted suggestions. Meanwhile Damien was kept strapped to an iron bed to prevent him from committing suicide but he managed to bite off his tongue, hoping to bleed to death. Future antics of this nature were prevented by pulling his teeth.

Finally a procedure for his execution was arranged. Damien was drawn on a hurdle to the scaffold, torn with

red-hot pincers, broken on the wheel (but not killed), his fingers and toes crushed, and then four horses were tied to his arms and feet and driven in opposite directions while the executioner dropped sealing wax on his body. Damien was shouting at the top of his lungs and La Condamine, who was deaf, asked a friend what Damien was saying. They friend replied, "I can't repeat it; he's using horrible language."

"Well, he has reason to," remarked La Condamine. As the horses were unable to pull him apart, the drivers laid on their whips. A pretty girl in the grandstand burst into tears. "Oh those brutes, they're hurting the poor horse!" she wept. Finally the executioner had to use a knife to quarter Damien while still alive. George Selwyn, an English dandy who never missed an execution, hurried to France solely to watch the fun. He was late in arriving and the crowd was so great he couldn't get a front-row seat. But the executioner, recognizing him, shouted, "Let the gentleman through, friends. He's a noted English amateur." The crowd obligingly parted and let George up close. Casanova, the famous lover, attended the execution and the sight made him sick, although the two girls he had with him loved every second of it.

The Russians, although famous throughout Europe for their cruelty, seemed to have displayed little originality—with one notable exception. The favorite courtier of Czarina Anna Ivanova in the 18th century married against her will, and to punish him she had a palace built of solid ice, including a wedding chamber with an ice bed. She then forced the man to marry the ugliest woman in the kingdom—a deformed Kalmuk girl—and the couple were put to bed surrounded by a retinue of freaks and cripples. The entrance to the "palace" was sealed with cakes of ice and the couple were left alone over night in below zero temperature. They not only survived but the bride gave birth to twin boys. Seemingly by divine judgment, the czarina died the same day that the twins were born.

The Russians' principal torture instrument was the knout;

a form of the ancient scorpion supposedly invented by Ivan III. It was a cat-o'-nine-tails with hooks, barbs, and sometimes even lead balls fastened to the lashes. Some knouts had detachable sets of lashes so when the barbs became too coated with flesh to be effective, new lashes could be fixed to the handle. Ivan the Terrible is said to have flogged his own son to death with such an instrument.

There were a number of curious forms of execution that, while not strictly tortures, deserve mention. In France, Francis I had prisoners executed by throwing them from a tower. This method could also be used as a torture, for, by throwing the victims from a lower level, his limbs could be broken without killing him. In the Papal States, criminals were dispatched by the *mazzatello,* which was simply a poleaxe. The executioner hit the man over the head with a heavy mallet and then cut his throat. This method of execution was continued until the 19th century, when it was abolished by Garibaldi. In Spain, the garotte was used. The original garotte was a stake with a hole drilled through it. The loop of a rope was passed through the hole with the two ends on the other side. The prisoner was tied to the stake and the loop was passed around his throat. From behind the stake, the executioner tied the two ends of the rope together, passed a stick through them, and turned the stick until the condemned strangled to death.

An improved version of the garrote consisted of an iron collar in two parts, an upper and lower ring. A screw passed through the stake and, when twisted, the upper ring was pulled toward the stake and the lower ring away from it. This device broke the prisoner's neck and produced almost instant death.

Here is the descripton of four filibusters executed by the garotte in Cuba during the early part of the last century:

> In the center of the plaza a large platform had been erected and on it were four upright posts. Around this platform was a regiment of soldiers drawn up in the

form of a square and facing the crowd with muskets loaded and fixed bayonets.

A second regiment entered the plaza escorting four prisoners who were pinioned and guarded by double lines of soldiers on each side. Near each of the unfortunate filibusters walked bareheaded priests who were endeavoring to administer the last rites of their religious creed.

"Death to the filibusters—death!" roared the mighty crowd as it swayed to and fro. The leader of the four men cast looks of the deepest contempt upon the rabble and his three companions also showed their fearlessness by walking without faltering.

The leader tried to speak but the drums drowned out the sound of his voice. The leader made a sign of resignation and seated himself with his back against the stake. His companions did the same. The iron bands were adjusted around their necks and the executioners stood awaiting the signal, each behind a stake. The crowd became as silent as death, anxious to feast their eyes upon the dying struggles of the prisoners. A mother held her child aloft so that its young eyes could witness the spectacle. There is the signal. The executioners turned their levers. The chief and his comrades were dead.

The garotte was used in most Spanish colonies and after the Spanish-American War, it was continued in Puerto Rico under American auspices. The executions had always been regarded as gala events, but the American authorities would only allow twenty witnesses. This took the fun out of business, and the last execution took place in 1902.

A method of killing that comes more under the heading of murder than execution is passing a red-hot poker up the rectum of the victim. This method leaves no marks and was the technique used by Isabella, the "she-wolf of France," to dispose of her husband, Edward II of England. A friend,

who has spent considerable time in the Orient, tells me that political prisoners were frequently killed in China by having a hollow bamboo inserted in their bodies and a red-hot wire run through it, puncturing their stomachs and producting death without any external marks.

CHAPTER 8

AN INTERESTING SIDE-light on the medieval attitude toward punishment was the execution of animals. The courts had Biblical authority for these remarkable trials. According to the Mosaic code, if an ox killed a man, the animal was to be stoned to death; if a man committed bestiality, both man and beast were killed; God cursed the serpent in the Garden of Eden and Christ cursed the fig tree.

In 1456, a pig was sentenced to be burned in Rhine for having killed and eaten a small child. Another pig died for the same offense in Amsens in 1463—also at the stake. Sometimes the animals were first put to torture: according to one theory, so their grunts and squeals could be interpreted as a confession, but according to another only because torture had become an intrinsic part of any legal proceeding. The *lex talionis* was strictly observed: if a dog bit a man, the dog was held down and the man allowed to bite it back; if a horse kicked a man and broke his leg, the man was entitled to break the horse's leg. There were a few exceptions. If an animal belonging to a serf committed an offense, the seignior was allowed to confiscate the animal and sell it for his own gain, but if the animal belonged to a free man the offending beast was hanged by the hind legs.

To emphasize the anthropomorphic nature of the offense, the animal was sometimes dressed in clothes and tied in a sitting position during the trial. In 1386, a pig in Falaise,

Normandy, that tore the face and arm of a child was dressed in clothes and sentenced to be maimed in the same manner in which he had maimed the child. In the Church of the Holy Trinity in Falaise there was a fresco depicting this remarkable trial, but it was painted over in 1820 by order of the Church authorities. In 1685, a wolf in Ansbach that had killed several people was dressed in clothes, wig, and beard. His snout was cut off and a human mask was tied over his face during the trial. He was sentenced to be hanged.

If a man committed bestiality, both he and the animal were burned. In 1466, a man and a sow were burned together in Paris. In 1606, in Loens de Chartres, a man was hanged together with his pet bitch, although the dog received the saving grace of being stunned with a hammer. Cotton Mather describes the death of a Mr. Potter in New Haven, Connecticut, who in 1662 kept a harem of a cow, two heifers, three sheep, and two sows. His harem were first hanged before his eyes, a sight that reduced Potter to tears, and then Potter suffered the same fate.

Animals were allowed to have lawyers—even insects. The insects (usually fleas, lice, or locusts) had to be given three days' notice before the trial and some representatives brought into court, duly notified, and then freed so they could warn the others. The main issue during the trial was whether the animals were simply obeying the will of God ("I will send wild beasts among you which shall destroy you and your cattle and make you few in number") or whether they had criminal intent. This was always a difficult matter to prove.

The courts gradually grew more reasonable in their treatment of animals. An Austrian dog that bit a man was only sentenced to a year in jail in 1712. In 1750, Jacques Ferron at Vanvres, France, was arrested for having sexual relations with his she-ass. The court agreed to accept the testimony of character witnesses, and the ass was lucky enough to have the prior of the convent testify in her behalf. The prior pointed out that the ass had "always been virtuous and well-behaved and never given occasion for

scandal. This is clearly a case of rape." The court agreed and only Ferron was hanged.

Some reference should be made to the ordeals of the Middle Ages. In general, the accused was ordered to perform some painful feat under the theory that God would protect him. According to the Mosaic code (Numbers 5), a man who suspects his wife of adultery can go to the priest and demand that she drink a potion of "bitter water." If the woman is innocent, no ill will befall her, but if guilty "her belly will swell and her thighs rot." This is the ordeal by poison well-known in Africa and in some parts of Asia. The efficiency of such a test depends partly on the priest who can make the poisonous draught strong or weak as he sees fit, but also on the woman's mental state—if she is guilty and believes in the power of the sacred potion, even a harmless but bad-tasting draught would cause her to be ill.

A common ordeal was by fire. The accused might have to carry a red-hot piece of iron a certain distance, walk over several red-hot plowshares (usually nine), or dip his hand into a cauldron of boiling water, lead, or oil and pick out some object. A variation of this ordeal was to touch the accused's tongue with a red-hot iron. In all cases, if the accused were not seriously burned, he was considered innocent. Queen Emma, mother of Edward the Confessor, was accused by her husband of adultery with Alwyn, Bishop of Winchester. Both walked barefooted over nine red-hot plowshares and so demonstrated their innocence. They gave the Church of Winchester nine manors in memory of the nine plowshares and the king received nine lashes as punishment for his suspicions.

In all such tests, everything depends on whether the accused's body is damp. When the human body is brought into sudden contact with extreme heat, the moisture on the skin turns to steam. A common example of this phenomenon is dropping a drop of water on a hot flatiron. If the iron is not too hot, the water will spread over the surface and evaporate, but if the iron is red-hot, the drop will keep its shape and roll about on the iron. If the drop is tilted off on

the hand, it will be found to be quite cool. It never actually touches the iron but is supported by a cushion of vapor. This is known as Leiderfrost's phenomenon.

Bechmann in his *History of Inventions,* Vol. II, page 122, says:

"In the month of September 1765 when I visited the copper works at Awested, one of the workmen put his hand under his armpit for a few minutes to make it sweat, as he said, and taking it out again, drew it over a ladle filled with melted copper, some of which he skimmed off."

I have seen steelworkers wash their hands in molten steel as it was poured from a crucible and Dr. Mayne Coe of Riviera Beach, Florida, has heated cast iron to a molten state (2,795 degrees) and handled it with moist hands. He has also walked on red-hot plates of sheet metal. As professional fire-eaters know, a white-hot spoon can be touched to the tongue without burning it (provided the tongue is damp) but if the spoon is only red-hot, it will burn. The theory, then, behind all such ordeals is that the guilty person in agony of fear will have a dry mouth and dry hands, while the innocent who perspires naturally will not be harmed.

The relationship between torture and sadism (sexual gratification from the infliction of pain) has been recognized from almost the earliest times. It was particularly noticeable in ancient Rome when the gladiatorial games degenerated into purely sadistic spectacles, solely intended to gratify the perverted sexual passions of the crowd. Bernard Shaw recognized this fact and in his *Androcles and the Lion* he has the Roman officer attempt to dissuade the young Christian girl from dying as a martyr by telling her, "The men in that audience tomorrow will be the vilest of voluptuaries; men in whom the only passion excited by a beautiful woman is a lust to see her tortured and torn shrieking limb from limb." The Romans themselves understood this interlocking of sex and cruelty. Ovid wrote, "Girls, if you can get a man to fondle you during the games, he's yours." Juvenal sarcastically wrote that "when a husband has been slack or pretends to be asleep, the wife

gets her satisfaction from having the slaves flogged."

Although they would appear mutually contradictory, there is a direct relationship between pain and passion. George Scott in his *History of Corporal Punishment* explains it by saying that pain, unless it is carried to such extremes as to become agony, stimulates the adrenal glands and invigorates weak muscles and tired nerves. Farmers well know that a sluggish bull can often be induced to mount a cow by tickling him with nettles. In the *Satyricon*, Petronius mentions that when Encolpus became impotent, a high priestess of Priapus, who specialized in such matters, was able to cure him by beating him with nettles. In 18th-century England, virtually every madam of a brothel maintained a supply of canes so the customers could be flogged to restore their sexual powers, and flagellation became known on the continent as "the English vice." The process is described in considerable detail in John Cleland's *Fanny Hill*. It still continues today, and there are references to it in many modern novels.

Such cases, however, come more under the heading of masochism (deriving sexual gratification from pain inflicted on one's self) rather than sadism (in which gratification is derived from pain inflicted on others). There is no physical basis for sadism; it is purely a psychological phenomenon. It is, however, far more common than masochism. Psychologists have argued that all interest in cruelty or scenes of violence (including the gun battles in TV Westerns) is basically sadistic. There would, however, seem to be a fairly clear distinction between the torture of Elizabeth by Conrad of Marburg (which unquestionably was a sublimation of a sexual urge) and that of Torquemada toward the Moors and Jews (which was equally clearly an attempt to revenge himself on two groups who, he felt, had injured him). In other words, the motives that cause an individual or a people to use torture cannot be attributed to any single cause. They may be prompted by revenge, fear, sex, a sense of inferiority, or be simply a part of a calculated program intended to accomplish a given end, as were the impalement of prisoners by the Assyrians or the Nuremberg

tortures of Franz Schmidt. Although Ilse Koch, the "Bitch of Buchenwald," was a sadist who delighted in watching sufferings, Adolph Eichmann was an obscure little clerk who suddenly found himself elevated to a high position and went about his assigned task of murdering six million people just as conscientiously as he might have gone about saving the lives of six million had he been so ordered.

There can, however, be no doubt that continued spectacles of death and suffering gratify some deep, emotional desire in many people and, as with the use of any narcotic, the spectacles must increase in intensity to give the desired result. It was so with the Roman games, with the autos-da-fé, and with the public executions of the Middle Ages. In every case the original purpose of the torture is lost and the executions become simply spectacles to amuse the crowd. As such, they can have no deterrent effect on crime, heresy, or anything else. They are merely pageants and are so regarded.

The British like to boast that torture was never permitted by the English common law, and so, by inference, never occurred in Great Britain. Although never as widespread as on the continent, it was frequently ordered by the monarch and often used in criminal procedures, legally or illegally. The notorious Star Chamber, formed by Henry VIII and not abolished until the 17th century, was given extreme powers, especially in treason cases, and was permitted to dispense with the testimony of witnesses, attorneys for the accused, or public hearings. The judges relied largely on torture to secure confessions and the expression "Star Chamber proceedings," meaning that the accused has been deprived of his legal rights, remains to this day.

Torture as a means of securing a confession was introduced in Great Britain in 1310, when Philip IV of France, with the support of the Pope, launched an attack on the Knights Templars. The Templars had become an enormously wealthy order, and both the king and the Pope coveted their vast holdings. Under torture, the Templars admitted to worshipping an idol called "Bahomet," practicing magic,

and indulging in homosexual practices. In England, the Templars were also ordered to be tortured but as no torturers were available, a "crash program" to train torturers had to be started. From then on, torture was frequently used and, although forbidden by the Magna Carta and always illegal, according to the common law, it was often employed. Like the Inquisition, the Star Chamber never technically put anyone to death—the accused was simply tortured until he confessed to some crime and then the regular courts passed the death sentence.

The favorite instrument of the English torturers was the rack. It was first introduced in 1447 by the Duke of Exeter and was known as the "Duke of Exeter's Daughter." The rack was simple to operate, easily transportable, and left no marks on the victim—often an important political consideration.

It took the English a little while to learn to enjoy public exhibitions of torture. During the persecutions of Catholics under Henry VIII, anyone refusing to acknowledge Henry as the supreme head of the church was usually simply beheaded—such as Bishop Fisher and Sir Thomas More, the author of *Utopia*. Wholesale burnings at the stake were instituted by "Bloody Mary." Mary was Henry's daughter by Catherine of Aragon and when Henry decided to marry Anne Boleyn, it was necessary to declare his marriage to Catherine illegal. This, in turn, made Mary a bastard. She was exiled from court, forced to repudiate her Catholic religion, and ordered to act as a servant to Anne Boleyn's baby daughter, Elizabeth. She was forbidden to see her mother, and even when Catherine was on her deathbed, Mary was not allowed to say good-bye to her. Anne Boleyn hated the unhappy child and never lost an opportunity to humiliate her.

When Mary became queen, she married Philip of Spain, a devout Catholic, and resumed her old religion. There was a Protestant revolution and the rebels were not defeated until they had reached the gates of London. By now Mary was not unnaturally convinced that all the evils of the world

stemmed from Protestantism. She became determined to convert England.

In the next four years, some 300 people went to the stake—a pretty poor showing by continental standards but unheard of in England until then. The English executioners were still clumsy at their trade, and even when they tried to lessen the sufferings of the victims, they usually only made matters worse. The most usual trick was to allow the accused to conceal bags of gunpowder under his clothes that would explode when the flames reached him and cut short his sufferings. When Bishop Hooper of Oxford was sent to the stake, he had three bags of gunpowder hidden about him, one under each arm and one between his legs. But the executioner used green wood, which burned slowly. In agony, the bishop screamed, "For God's love, good people, let me have more fire!" Dry fuel was hastily secured and thrown on but when the powder did explode it only mutilated the dying man and added to his sufferings. It took him forty-five minutes to die (the usual time at the stake was fifteen minutes) and during the last throes he could no longer talk, but only beat himself with his clenched fists.

Prolonged agony wasn't always the fault of the executioners. As all the great English executioners were constantly pointing out in indignant letters to the press, a lot of the trouble lay in amateur meddling. The friends of the condemned were constantly interfering and messing up the best laid plans of the professionals. When Bishops Ridley and Latimer went to the stake in 1555, Latimer said to his companion, "We shall this day light such a candle by God's Grace in England as shall never be put out." Several people were being burned that day and the executioner, after lighting the fire around the two bishops, went off to attend to the others. The fire was slow in starting and the bishop's friends threw on more wood. This only served to keep the flames from reaching the men. When Ridley screamed, "I cannot burn—let the fire come to me!" his anxious friend threw on more wood, which only made matters worse. Finally the executioner got back and hurriedly pulled off

the surplus wood with his long-handled hook. The fire shot up but in the wrong place. However, the chain holding the men to the stake was long enough so they could wriggle into the flames and be quickly consumed.

Not all the martyrs met undignified deaths. Archbishop Cranmer, a leading Protestant divine, had recanted under threat of torture but later repented and announced that he stood firm in the new faith. When led to the stake, he put out his right hand, which had signed the recantation, and allowed it to be burned to a crisp before stepping into the flames. He then "received the flame as though embracing it. After he had stroked his face and his hand and bathed them in the fire, he soon died."

Elizabeth became queen in 1558. Elizabeth didn't like Catholics. Mary had had her imprisoned in the Tower of London, declared her a bastard, and probably would have had her murdered if she hadn't been busy arranging for the execution of Lady Jane Grey, who for a brief period of nine days had actually been queen. When Elizabeth ascended the throne, she was determined to settle the religious problem by making all England Protestant—just as Mary had been determined to make it Catholic.

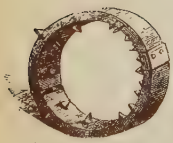
During her reign, Elizabeth had 123 priests hanged, drawn, and quartered, and an indeterminate number of other individuals were tortured. Needles were run under the fingernails of Father Alexander Bryant and he was thrown into the Pit of Rats. This was a cell below the water level of the Thames at high tide. When the tide came in, it drove hordes of famished rats into the cell and the accused had to fight them off until the tide went out again. Father Bryant was racked so much that Norton, the executioner, boasted, "I've made Bryant a foot longer than God made him." Father Robert Southwell, the famous Jesuit poet, was tortured fourteen times in an effort to make him confess treason against the queen. At his trial, Father Southwell said he was not racked but subjected to "new tortures worse than the rack."

Father Southwell was probably referring either to the scavenger's daughter or the gauntlets, both British inven-

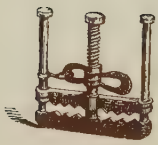
An early medieval torture was to place the victim in a basket filled with wasps, where he was often stung to death.



Instruments of torture used in England and Germany: **(A)** *the necklace,* **(B)** *thumbscrew,* **(C)** *fetters weighing 40 pounds,* **(D)** *the iron maiden, in which a man was slowly crushed to death,* **(E)** *the scavenger's daughter,* **(F)** *skull cap weighing 12 pounds.*



(A)



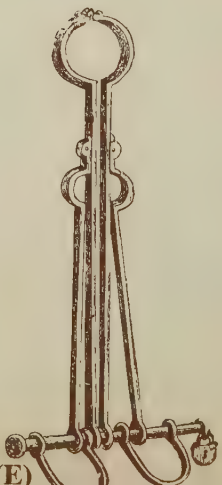
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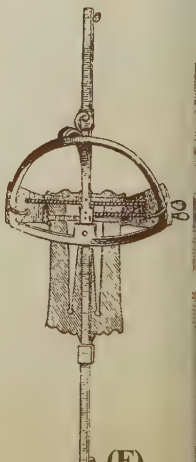
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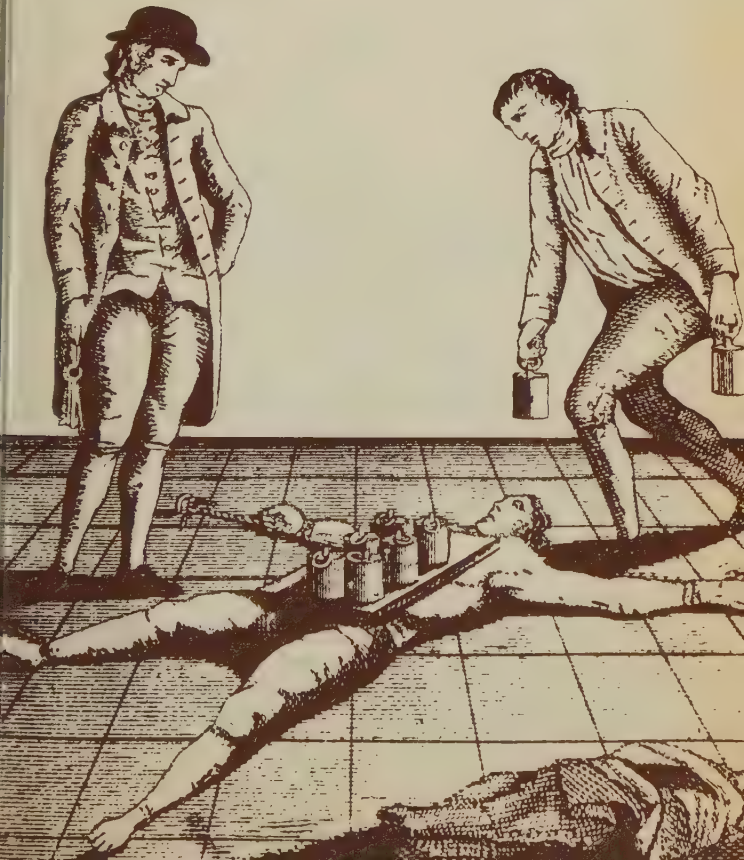


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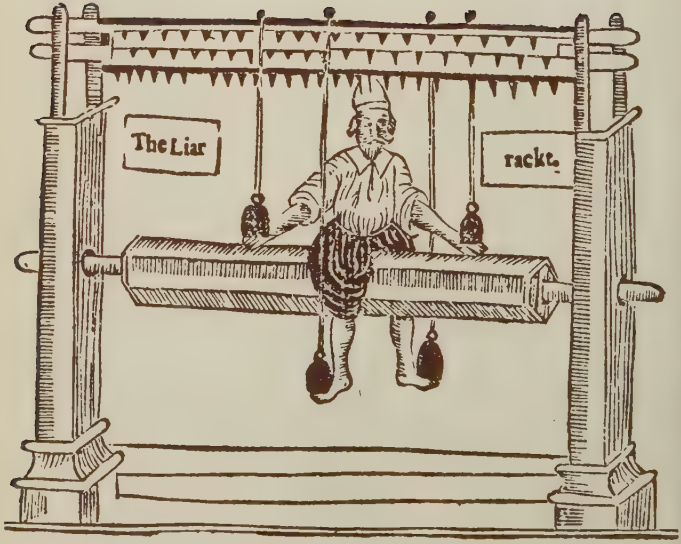


(F)

An 18th-century prisoner being "pressed" for a confession by placing weights across his body.

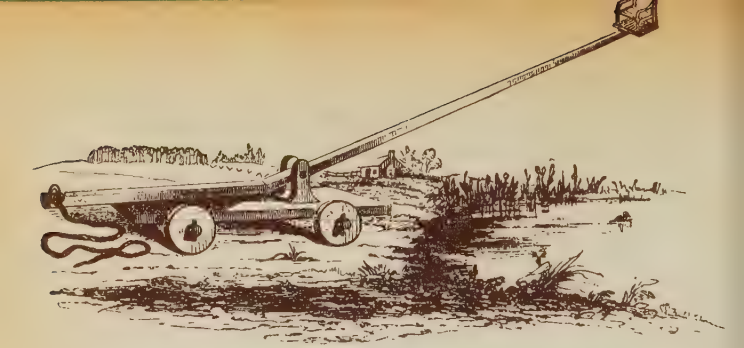


The liar rack, used in 17th-century England to force liars to tell the truth. The victim was placed on a five-sided rail, weights were added to his hands and feet and the rail was turned.



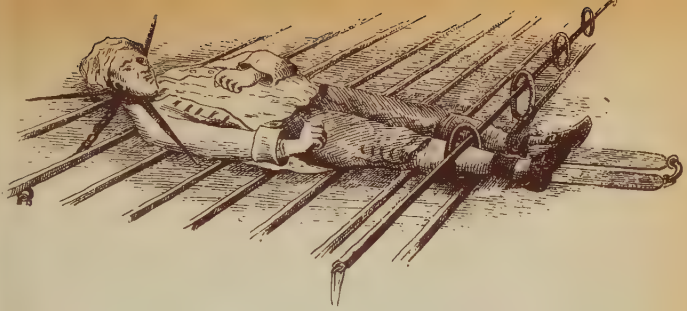
To obtain a confession wedges were hammered into heavy wooden leg presses, fracturing leg and ankle bones: a 16th-century inquisitorial method.





Above, a ducking stool, colonial America's favorite device for punishing minor transgressions, such as lying. Until recently, ducking was a legal punishment in some states. Below, engraving from the Spanish Inquisition in which the water torture is applied while a device is used to break bones. At upper right corner is a pulley from which prisoners hung by their thumbs.





Above, 18th-century English prisoner is stretched on a bed of sharp iron rods, spikes are affixed to a heavy iron collar, chains fasten him to the ground and an iron bar across his legs prevents him from moving. Below, the martyrdom of St. Lawrence, who was condemned to be roasted alive.



The famous Roman General Regulus was tortured by being sealed into a barrel spiked with nails and then rolled down a hill.



tions. The scavenger's daughter was invented by Sir Leonard Skeffington, Lieutenant of the Tower in Henry VIII's time, and the device was originally called by his name but later corrupted to "scavenger." It consisted of a ring of iron shaped somewhat like a keyhole, with handcuffs at one end and a loop at the other for the victim's neck. It could be tightened to bring the prisoner's head between his knees and force him into the shape of a ball—the exact opposite of the rack, which pulled him apart. In 1580, two priests named Father Cottam and Father Kirbye were tortured by the scavenger's daughter. Father Cottam "bled profusely from the nose." In 1584 Father Mutter was tortured twice by the same device.

The gauntlets were metal gloves fixed to the wall. The victim's hands were put inside and he was suspended on tiptoe. Then the gloves could be tightened to crush his hands. One of the best-known Catholic martyrs to endure the gauntlets was Father John Gerard, who was tortured in the White Tower of the Tower of London. Father Gerard reports that when he entered the tower, there were "ranged divers sorts of racks and other instruments of torture. Some of these they displayed before me and they told me that I should have a taste of them." Father Gerard was first subjected to the gauntlets until he fainted and was restored by vinegar poured down his throat. The torture was continued at intervals for two more days but then the Lieutenant of the Tower interfered and Father Gerard was transferred to the Cradle Tower. Twenty days later he recovered the use of his limbs sufficiently to write letters in orange juice, which becomes visible when held to a fire. A few nights later, two Jesuit laybrothers came down the Thames at night in a boat and managed to get a rope to Father Gerard so he could escape.

CHAPTER 9

SOME OF THE MOST authentic British instruments of torture are on exhibition in the Tower of London. However, getting photographs of them is difficult because all the ancient artifacts in the Tower are crown property and protected by copyright. When I requested permission to take photographs, I was courteously but firmly refused, and it was not until the morning of the day I was due to leave the country that I received a message from the Master of the Armouries authorizing me to take the pictures. I was at the Tower fifteen minutes later.

There I met Mr. H. R. Robinson, who had arranged the special permission, and I was given a card with the royal seal permitting me to take the pictures. Mr. Robinson was a quiet, humorous gentleman who had had to go to the Lieutenant of the Tower for the permission. He regarded the whole matter as a considerable joke.

"I can't imagine why you're so keen on the things, but since you've gone to so much trouble, we're glad to co-operate," he assured me. "I'm afraid we haven't too many of them but what we have are definitely authentic. As you may know, most of the ones exhibited to tourists are hopeless fakes. Everyone wants to see torture chambers full of macabre instruments. The supply simply cannot equal the demand so new ones have had to be made or invented. Today it's a poor castle that doesn't advertise a genuine torture chamber with a rack or so lying about—probably

whipped up by the local carpenter on his off day. Personally, I seriously doubt if there ever was a room specifically designed as a torture chamber."

"I thought the dungeons under the White Tower were generally considered to have been the torture chamber," I pointed out.

"Yes, but were they really? After all, can you imagine a group of important officials going down to a cold, damp dungeon merely to watch some poor chap being broken on the wheel? Guy Fawkes was racked in the Lord Lieutenant's private room so the lieutenant could sit by a fire with a glass of port and watch the process at his leisure."

Guy Fawkes was a Catholic soldier of fortune who took part in the famous Gunpowder Plot of 1605. James I had passed stringent anti-Catholic laws, and a group of conspirators decided to blow up the king and his ministers by planting barrels of gunpowder under the House of Parliament. Fawkes was picked to fire the fuse, but he was captured and sent to the tower with the terrible orders on the warrant for his arrest *"Per gradum ad ima"* (by steps to the lowest). The Lieutenant of the Tower followed instructions. Fawkes was racked, thrown into the Pit of Rats, and then confined in the Little Ease, a cell four feet high, sixteen inches wide and two feet long, so designed that a prisoner could not stand up, lie down, or even sit. Fawkes did not crack under the torture until he learned that his fellow conspirators had been captured and were doomed in any case. Then he made a full confession. He has become a sort of traitorous symbol in England, and the date of his arrest, November 5th, is still celebrated by fireworks and the burning of a dummy called a "guy."

Armed with my official permit, I went to the White Tower. There I saw the famous scavenger's daughter, the schentage or Spanish collar (a collar with spikes on the inside, heavily weighted with lead), the catchpole (a long pole with a spiked ring on the end used for capturing criminals), and the famous bilboes, once the terror of the British Navy (a long bar with cuffs at one end and a hasp and lock at the other so the bar could be fastened to any convenient

base). There was also the headman's axe and executioner's block that had been soaked by the blood of innumerable victims. In a glass case was a small model of an improved type of rack introduced about 1657. Instead of having two cranks—one attached to the cylinder that wound up the cord attached to the prisoner's hands and another for the cylinder connected to his feet—this rack was equipped with a single hoop-shaped lever that turned both cylinders simultaneously, in opposite directions—thus allowing one man to operate the machine. This was an important consideration when racking political prisoners as the fewer people to hear their testimony the better.

On the walls of the cells in this 900-year-old fortress are inscriptions scratched by prisoners to encourage themselves or others. One, signed Thomas Miagh, reads, "by torture strange my trouth was tried and oft my liberty denied." Another, by a Robert Rudston, says, "He that endureth to the end shall be saved." While T. Fane in 1553 wrote, "Be faithful unto the death." One man drew a cheerful picture of a skeleton with something written underneath (now illegible) while Philip Howard, Earl of Arundel and one of the Catholic martyrs, inscribed, "The more affliction we endure for Christ in this world, the more glory we shall obtain." The single word "Jane" was carved by the unhappy husband of poor Lady Jane Grey when they were both imprisoned. James Typpinge, imprisoned under suspicion of having taken part in the Babington Plot to murder Elizabeth and put Mary, Queen of Scots, on the throne, wrote:

> Typpinge, stand here and bear thy cross
> For thou are Catholic, but no worse
> And for that cause this three year space
> Thus hast continued in great disgrace.

There were prisons worse than the Tower. A hundred and eighty parliamentary prisoners who had refused to serve in the army under Charles I were imprisoned at Oxford. The Provost-Marshal told them, "I will make you shit as small as a rat" and was as good as his word. The men were

confined in a room so small that they were forced to lie on top of each other and given nothing to eat but a can of small beer and a pennyworth of bread. At the end of a month they were "over their shoes in piss and dung." As they still refused to yield, the provost cut off their beer. The men were reduced to drinking their own urine. When one man went mad and beat on the door, screaming for water, the provost told him, "I'll give you water," had him flogged and then chained face down in the muck. The man died.

There were several methods of torture that, although not invented by the English, were used by them more than other nations. Best known was the *"Peine forte et dure"* or Pressing to Death. According to law, a prisoner had to plead either guilty or not guilty. Sometimes he would refuse to plead at all, either as a matter of principle or because by not pleading he could not be tried, and so, even if he died under torture, his property could not be confiscated by the state and had to go to his family. The penalty for refusing to plead was, "You shall lie upon your back and then shall be laid on your body as much iron, or stone as you can bear—and more. The first day you shall have three morsels of barley bread without any drink and the second you shall be allowed to drink as much as you can but without any bread. And this shall be your diet until you die."

The amount of weight a determined man could endure was often remarkable. A robber named Blueskin protested that when he was arrested, the police had stolen £500 from him. He refused to plead until it was returned. He took 400 pounds on his chest before he cracked and agreed to plead. The Reverend Willette, chaplain of Newgate Prison, tells of another man who took 350 pounds without cracking. However, his expression was so horrible that someone finally covered his face with a handkerchief. At the additional weight of the linen, the man screamed and fainted. Some of the victims never gave up. Margaret Clitheroe, the "Martyr of York," was pressed to death in 1586 for having hidden a priest. If you were determined to die without pleading, you could sometimes bribe the jailor to let your friends jump up and down on you to speed up the process. Of

course, occasionally the officials made mistakes. In 1735, a man refused to plead at the Nottingham Assizes and was pressed to death although he remained "obstinately dumb to the last." Later, it was discovered that he was deaf and dumb. This torture was so common that in the old Newgate Prison there was even a special section called the "Press Yard," which kept its name many years after the punishment had been abolished.

The thumbscrews were especially popular; they were small enough to be carried in the pocket and could at every turn of the screw produce increasing agony. The town council of London used them on William Carstairs, the Scottish divine, who was accused of having taken part in the Rye House Plot of 1682 to assassinate Charles II. Carstairs endured the torture for an hour and a half before cracking and then only with the assurance that his admissions would not be used against his fellow conspirators—which, of course, they were. Carstairs later went to Holland where he served under William of Orange, and the town council gave him the thumbscrews as a going-away present. William wanted to see what they were like and Carstairs put them on him. After a few twists, William gasped, "Stop! One more turn and I'd confess to anything."

Compared to the continental experts, the English hangmen were a pretty poor lot. Most of them didn't even seem to enjoy their work and none showed the careful technique of a Franz Schmidt, to say nothing of the dedicated devotion of a Torquemada or a Jacob Sprenger. A torturer wasn't respected in England as he was in Nuremberg or cannonized as a saint like Arbués de Epila, the Spanish Inquisitor. As a result, the profession didn't attract so high a type of man in England as elsewhere. But one English hangman's name has passed into the language. Under Queen Elizabeth, a man named Derrick was condemned to death but pardoned with the understanding that he would become the hangman. Derrick devised a structure for lifting the condemned clear of the ground that still bears his name.

A few English torturers started out well but were unable to keep up their standard. For example, there was Richard

Brandon. Richard had good blood in him. His father, Gregory Brandon, was a distinguished torturer and the successor to Derrick. Richard was an ambitious boy and even as a child used to torture stray cats and dogs to get himself in training. He became hangman in 1640 and although he was thrown into Newgate Prison the next year on a bigamy charge, he was let out to behead the Earl of Strafford and Archbishop Laud for their support of Charles I. Later, Richard beheaded Charles himself. Richard got £30 for the job, plus the king's handkerchief and "an orange stuck full of cloves," which he sold for ten shillings. But Richard didn't really enjoy decapitating people. He protested that he'd "been dragged out of bed by a troop of horses" to execute the king and had found the whole experience most upsetting. Although he also beheaded the Duke of Hamilton, the Earl of Holland, and Lord Capel, Richard's heart wasn't in his work. He grew increasingly depressed and finally died of extreme melancholia in 1649.

He was followed by the most famous of all English hangmen—a man whose name was to become so well-known that it was used as a generic term for his profession—the great Jack Ketch. After discussing so many mentally and morally confused torturers, it's a pleasure to turn to Jack. Jack was a simple, straightforward scoundrel.

According to Charles Churchill, who claimed to have written Jack's biography, Jack was born in a Newgate slum. His father was a pickpocket and his mother a prostitute described as a "delicate dustheap." When Jack was still a child, his parents were hanged—his father's last act being to thumb his nose at the judges. Jack was raised by an uncle who eventually hanged himself as the only escape from his nagging wife. Jack came in one afternoon to find his uncle swinging from the rafters and was fascinated by the type of knot he'd used. It was not an ordinary hangman's knot but more resembled a "true lover's knot." Jack learned to make it and used the design throughout his career.

Jack became apprentice to Edward Dun, the current hangman. Apparently Dun took his profession more seriously than most. Many 17th-century hangmen didn't

bother to break their victims' necks; they simply hoisted them up and let them strangle. If the condemned's friends wanted to help him, they could hang by his legs to cut short his agony. But Dun kept a collection of ropes and nooses that had been used on famous criminals ornamenting the walls of his room and spent the long winter evenings telling the eager boy their histories. When Dun retired, Jack took over the office in 1663.

Jack threw himself wholeheartedly into his work. It was said that he was never so happy as when standing "knuckle deep in blood" on a gallows and that "he liked no music but the tolling of the death knell." How many people Jack hanged, beheaded, flogged, drew and quartered, or racked is unknown, but on one "killing day" he dispatched a coiner, two forgers, a sheep-stealer, and nine "utterers of bad notes" —in all thirteen people, eight men, two women and three boys.

Jack had his sentimental side. He felt sorry for the children who often gave him a beseeching look and begged, "Pray, sir, don't hurt me!" It reminded Jack of the way a calf will lick the butcher's hand. Jack's standard answer at such times was, "Let each take care of himself as the donkey said when he danced among the chickens." Children as young as seven years were often hanged. In fact as late as 1833, a nine-year-old child was sentenced to be hanged for breaking a windowpane.

Jack didn't think much of the crowd that attended the executions. "Such flashing of eyes and grinding of teeth, such sighs and groans, words of rage and hatred, laughter of an unnatural kind and jests on the dead to turn you sick as a girl's petticoats fly up when she drops." However, it was a living.

Jack really hit the jackpot in the Popish Plot of 1678. A defrocked Baptist minister named Titus Oates had fled to the continent and tried to be ordained as a Catholic priest. He had spent some time in a Jesuit seminary but had been expelled because of his immoral life. Oates had then returned to England where, in an effort to raise money, he offered to expose a Catholic conspiracy to seize the throne

that he claimed to have discovered while at the seminary. His stories were so wild that no one paid the least attention to him but Oates insisted on making a deposition to Justice Edmonds Godfrey. Godfrey accepted the deposition as part of his duties but a few days later he was murdered, conceivably by some Catholic fanatic who hoped in this way to prevent Oates' statement from being known. Godfrey's death alarmed the entire nation and convinced even normally reasonable men that Oates' story was true. In the ensuing panic, two thousand Catholics were imprisoned and many tortured.

The Popish Plot came at a good time for Jack because he was in the Marshalsea prison on some unrecorded charge. He was freed so he could officiate at the executions. One of the first victims was Edward Coleman, secretary to the Duke of York and an ardent Catholic, who had written some letters in which he expressed the hope that England would someday return to the mother church. Coleman was dragged to the gibbet on a hurdle (a sledge) by Jack and his assistant. On the way, Coleman cried out, "I am sick of a dread disease," meaning the popular hysteria. Jack showed him the headman's axe and replied, "Here's your cure, sir," a retort that convulsed the crowd. Jack also executed Viscount Stafford, who went to his death saying, "I cannot believe it to be on any account than my being of the Church of Rome," as well as twenty-four other prominent Catholics, priests, and laymen.

Oates' lies were finally exposed and Jack got him too. Oates was sentenced to be flogged at the cart's tail from Aldgate to Newgate and then, after a two days' rest, to be flogged again from Newgate to Tyburn. This was supposedly a death sentence and Jack had to watch his prisoner's diet carefully to make sure none of his friends smuggled poison in to him. Oates endured the preliminary flogging remarkably well but Jack laid on the lash until "the blood ran down in rivulets." At last Oates could stand no more. He was dragged behind the cart screaming with agony. He fainted but Jack continued the scourging until the cart reached Newgate. During the two days' rest, the king was

implored to omit the rest of the stripes but he only replied grimly, "If he lives, he shall have them." Oates was unable to walk so Jack had to flog him while he was drawn on a hurdle. He was unconscious most of the time and received 1,700 strokes. He was followed by a jeering crowd who cracked, "As his face won't blush for his crimes, at least his back will." Jack thought the man was dead but when he was released from the hurdle Oates was still alive. This was considered a miracle and he was reinstated in the Baptist Church, only to be expelled later for stealing funds. He was involved in two more conspiracies and died in 1705, an outstanding example of the ineffectiveness of corporal punishment.

Public opinion now turned against the Whigs, a Protestant political group. Jack was busy again. He hanged Stephen College, a prominent Whig, and then Jack quartered him under the gibbet. College's corpse was cut into four pieces, which were soaked in tar to preserve them, and the sections were hung up over the city gates as a warning to others. Jack had another rush of business as a result of the Rye House Plot. He beheaded Lord William Russell, who had taken part in the plot—but Jack was as clumsy with the axe as Franz Schmidt was with the sword. He required three blows to hack off Russell's head and the crowd pelted him with garbage. Russell had given Jack ten guineas the night before to do a good job, and the rumor spread that Russell's enemies had heard about this bribe and given Jack twenty to bungle the execution.

Jack was furious. He wrote an indignant letter to the papers saying the trouble had all been Lord Russell's fault. He had refused to "dispose of himself for receiving the fatal stroke in such a position as was most suitable." Also, Lord Russell kept flinching every time Jack hit him with the axe. Besides, Jack claimed, "I received some interruption just as I was taking aim." But the public still regarded him as a butcher.

Business was slack for some time after the Rye House plot and Jack finally went to Sheriff Sir Richard Phillips.

"Jack, the sight of you does me as much good as a dose

of salts," said Sir Richard gaily. "I have a little job for you today—a flogging."

"Flog the bastard yourself," Jack retorted sourly. "Look now, at a hanging I get the man's clothes as well as whatever he wishes to give me to do a clean job. But lately there's been nothing but floggings and what do I get out of them?"

"But Jack, you're paid a guinea a week by the crown whether you work or no," protested the sheriff. "Don't let us quarrel. Here, have a short drink."

Jack moodily poured himself half a pint of straight brandy. "You forget I must keep a helper who receives half a guinea," he pointed out. "No, either I get a guinea and a half or you must do the work yourself."

The sheriff didn't want to be caught without a hangman, so he was forced to accept Jack's terms.

The sheriff had reason to regret his decision; or at least reason to regret not making Jack practice his axemanship. After the disastrous rebellion of the Duke of Monmouth in 1685, the Duke was condemned to death. After mounting the fatal scaffold on Tower Hill the duke handed Jack six guineas. "Don't hack me as you did Lord Russell," he warned. He felt the edge of the blade and shook his head. "Not sharp enough," he muttered. The duke then laid his head on the block.

Jack was completely unnerved by the Duke's remarks. He took a swing at the Duke but only cut him slightly. The Duke stood up, looked reproachfully at Jack, and then put his head on the block again. Jack took two more swings but the head still didn't come off and the duke lay kicking on the block. Jack dropped the axe crying, "I cannot do it." The mob was yelling to have Jack thrown over the rails and the sheriff shouted to him, "Pick up the axe, man!" Jack took two more blows but still kept missing. Finally he had to finish the job with his pocket knife. The furious mob nearly tore Jack to pieces and he had to be taken off under a strong guard.

The next year, Jack got into another argument with the sheriff and was sent to Bridewell Prison. A butcher named

Rose took over the job, but he himself was hanged four months later for some offense. Jack was reinstated, but he only served a short time, dying in November, 1686. Shortly after his death, Samual Johnson, a political divine, was sentenced to receive 317 stripes on the pillory, and his friends congratulated Johnson that Jack didn't have the task of laying them on because the new hangman behaved "very civilly" to the clergyman while flogging him.

Although for many years all English hangmen were called "Jack Ketch," none came up to the standards set by the original Jack. The Jack Ketch of 1736, on his way home after having hanged five felons, robbed a woman of three shillings and was hanged himself. In 1861, Captain Pinkerton of the Royal Navy wrote that as a boy he could recall having seen Thomas Cheshire, or "Old Cheese" as he was affectionately known, in action. "He was an old man then," recalled Captain Pinkerton. "But I distinctly recall how he would paw his victims eagerly, drool running out of his toothless mouth, and then jump on them from behind to fasten the noose. I can never forget the sight."

Until the 19th century, hanging was the standard punishment for even minor offenses. There were 350 offenses punishable by death in Great Britain during the 18th century yet the British code of laws was so lenient compared to the continental that the Reverend Frederick Madan could write in 1786 that "the English are the happiest people under the sun because the laws are so well adopted for the public good." Capital crimes included picking a pocket of over twelve pence, stealing goods worth more than five shillings, or breaking the borders of a fish pond so the fish could escape. The penalty for all these offenses was hanging. In 1783, forty people were hanged in two mass executions. Not only one but five or six gallows stood outside every entrance to London with bodies hanging from them. Lieutenant Heppenstal, an exceptionally tall man, became known as the "Walking Gallows" because he used to twist his scarf around a prisoner's neck, sling the man over his shoulder, and carry him around until the victim strangled. This feat was regarded in the light of an amusing after-

dinner trick. When Lord Ferrers, an insane nobleman who had shot his steward, was hanged, orders were given that the body must remain swinging for at least an hour. The sheriff and the hangmen passed the time having a picnic lunch on the gallows under the swaying corpse. The prisoners seldom got a chance to score off the hangman, but an Irish woman named Eleanor Hussey really outwitted her executioner. As the condemned's clothes went to the hangman, Eleanor started stripping on the way to the gallows throwing her clothes to the delighted crowd. To pay her back, the hangman decided not to use the trap but to hoist her up and let her strangle slowly. Eleanor fooled him by jumping off the edge of the gallows and breaking her neck.

As so many hangmen were incompetent, a number of people hanged were not completely dead after being cut down. John Hunter, the famous surgeon, secured the body of a hanged man from Newgate but when he started to dissect it for his anatomy class, the corpse sat up and demanded, "What do you think you're doing?" While in Ireland, I was told a story of a hanged man who found himself being carried to a medical school by two laboratory assistants one evening. He awoke just in time to hear one man say to his friend, "Glory, Pat, doesn't he feel warm to you?" The candidate for the dissecting lab thought quickly and said in a sepulchral voice, "Yes, lads, I am a bit warm but not nearly as warm as the place you're going for this night's work." After the two men had vanished in the distance, touching the ground every twenty yards, the condemned man made his escape.

The Irish seem to have done a particularly bad job of hanging, at least in the early days. They made a great ceremony of it. The hangman was disguised as a monster with a wooden bowl concealed under his coat to give him a hunchbacked effect and he wore a grotesque mask. But because the condemned was simply pulled up the gallows with a rope around his neck, he died of slow strangulation. As soon as the hangman left, his friends were entitled to cut him down and try to revive him. A Mr. Mahoney of Connought could have done without his friends' assistance. They

cut him down and were carrying him off in his coffin when Mr. Mahoney awoke. Realizing the situation, he sat up and gave three cheers. One of his friends hit him over the head to silence him and killed the poor man. There then came the interesting question as to whether the man who had struck the blow could be considered a murderer, for Mahoney had already been pronounced legally dead. The courts decided in the negative.

There's an interesting account by "Half-Hanged Smith" on how it feels to be hanged. Smith was a former soldier who was hanged for burglary in 1705. He had been swinging for fifteen minutes when a reprieve arrived, secured by Smith's friends because of his brilliant military record. Smith was promptly cut down and soon recovered. When asked about his sensations during the hanging, he replied, "At first I was sensible of very great pain due to the weight of my body and felt my spirits in a strange commotion violently pressed upwards. After they reached my head, I saw a bright blaze of light which seemed to go out at my eyes with a flash. Then I lost all sense of pain. But after I was cut down, I felt such an intolerable pain from the pricking and shooting as my blood and spirits returned that I wish those who had cut me down could have been hanged."

Those who are convinced of the efficacy of punishment as a deterrent to crime would have a hard time explaining Smith's reaction to this miraculous escape. He continued his career as a burglar and was arrested again. The judge let him off because of his fame. Smith kept on and was arrested a third time. On this occasion he escaped because the prosecutor dropped dead during the trial. Somebody Up There obviously liked Smith but I can't imagine why.

Although none of the hangmen were Little Lord Fauntleroys, they were rather lovable personalities compared to some of the magistrates of the period. Notable among these was "Bloody" Jeffreys, Lord Chancellor of England. Jeffreys suffered from gallstones and could only endure the agony by anesthetizing himself with constant draughts of brandy. Half drunk and half mad with pain, he turned his fury on

his victims. He was the judge in both the Rye House and the Popish Plots, but did not really hit his stride until he was sent to Exmoor to judge the peasants who had taken part in Monmouth's Rebellion. In the next few weeks he had some 300 men and women executed. Some were hanged, cut down, and then hanged again several times. He had the band strike up during the condemned's convulsive struggles on the gallows so "they would have music for their dancing." Afterwards the bodies were quartered and although the executioner stood ankle deep in blood, the job was too much for him, so Jeffreys was forced to grant one of the rebels his life so the man could help boil the corpses in pitch to preserve them for exhibition. This man was afterwards known as "Tom Boilman" and when, years later, he was struck by lightning, the peasants considered it God's justice. Jeffreys was particularly noted for his ready wit at the trials. When one woman begged him for the life of her sweetheart, Jeffreys' reply was "Hangman, I charge you to pay particular attention to this lady. Scourge her soundly, scourge till her blood runs down. It is Christmas, a cold time for madam to strip. See that you warm her thoroughly."

When James II, Jeffreys' patron, was forced to flee the country, Jeffreys was imprisoned in the Tower of London. Mobs gathered outside the prison daily to taunt the old man, but Jeffreys kept his courage until he received a barrel of Colchester oysters, his favorite delicacy. Jeffreys burst into tears. "Thank God, I still have one friend left!" he sobbed. When he opened the barrel, out poured a heap of oyster shells with a hangman's noose among them. This exquisite refinement of torture was too much for the old man to stand. He collapsed completely and died shortly afterwards.

The most remarkable of all hanging stories is that of John Lee, who was convicted of having murdered an old woman in Babbacombe. According to the story, Lee claimed to be innocent and swore, "God will never let me be hanged." However, he was condemned to be executed at Exeter on February 23, 1895.

The executioner was James Berry, a highly experienced hangman who had finished off some two hundred individuals. Lee was conducted to the scaffold, placed on the trapdoor, the noose adjusted around his neck, and the trap sprung. But it refused to work. Lee was taken away and Berry tried the trap with a bag of sand the same weight as the man. It worked perfectly. Lee was brought on again and again the trap refused to spring. Now the warden stood on the trap to see if the weight of a living man affected it. Berry sprang the trap and the warden fell through and broke a leg. Again Lee was brought out and for the third time the trap refused to operate. The governor, who was one of the witnesses, gave up and ordered Lee to be returned to his cell until he could receive further instructions from the Home Office. The case was debated in Parliament and Lee's sentence was commuted to life imprisonment. A few years later, he was quietly released.

There have been many explanations for the "man they couldn't hang." One of the most ingenious points out that the scaffold was made by convict labor and included a little pulpit to one side of the platform where the minister stood during a hanging. It has been suggested that some convict-carpenter arranged a sliding board under the pulpit so when the minister stood there (which he did only during the actual executions, not during the testing) the weight of his body slid the board under the edge of the trap and held it.

The most famous site of executions, especially hangings, in Great Britain was Tyburn Hill, formerly on the outskirts of London but now at the northeast corner of Hyde Park. From 1200 until 1783, more than 50,000 men, women, and children died at Tyburn—noble lords, child pickpockets, whores, great ladies, and such famous highwaymen as Claude Duval, Jonathan Wild, and Jack Sheppard. The original gallows was merely the branch of an oak growing at the spot. Then a gallows in the form of an inverted L was erected. The first effort to alleviate the condemned's sufferings was to allow him to mount a ladder resting against the crossbar, have the noose put around his neck, and then jump—thus breaking his neck.

At the end of the 16th century, a triangular gallows was erected that became famous as "Tyburn's Triple Tree" and remained in use for two hundred years. Then it was decided to allow the condemned to stand on a cart that was driven away from under him, thus providing a longer drop. Shortly afterwards, the "hangman's knot" was discovered: a knot heavy enough to break the condemned's neck as he fell. The trapdoor drop was not introduced until the beginning of the 19th century and then frequently with disastrous results. If the drop was too great, the man's head was torn off; if too little, he continued to writhe at the end of the rope. Ceaseless experiments had to be conducted to gauge the correct length of drop in relation to the weight of the man. The diameter of the neck also had to be considered. Anyone interested in a detailed description of the problems involved is referred to *A History of Capital Punishment*, by John Laurence.

The gallows at Tyburn was surrounded by a circle of stands, admission ranging from half a crown to five guineas depending on how many and how famous the criminals might be. The houses overlooking the gallows also rented their windows and rooftops to spectators. On a good hanging day, as many as 30,000 people would turn out.

CHAPTER 10

THE ROPE USED BY A hangman has always been regarded as possessing miraculous powers, although no two experts in the occult arts can agree exactly what the powers consist of. At all events, the rope was the most valuable of the hangman's perquisites. Depending on the fame of the person hanged, the rope could be sold for anything from a shilling to a guinea an inch. Usually the hangman was able to sell several ropes; he often kept a spare or two in answer to the demand. Relics of murderers are always eagerly snapped up. When Bruno Hauptmann, the kidnapper of the Lindbergh baby, was in jail in Flemington, New Jersey, the warden, Harry McCrae, sold the paper plates and cups from which the murderer ate to the crowd for considerable sums.

For serious offenses, the condemned was hanged in chains. This sentence meant that he was suspended from the gallows in a sort of iron cage called a gibbet and left there until he starved. One of these gibbets is on exhibition in the Tower of London. It is a fairly simple device, a cage of flat iron bars in the figure of a man. A more elaborate device is described in *Once a Week* (May 26, 1866):

> Round the knees, hips and waist, under the arms and around the neck, iron hoops were riveted close about the different parts of the body. Iron braces crossed these again, from the hips right over the center of the head. Iron bars and plates encircled and sup-

ported the legs and at the lower extremities were fixed plates of iron like old-fashioned stirrups in which the feet might have found rest but had a device, compared to which, crucifixion itself must have been mild. In each stirrup were fixed three sharp-pointed spikes to pierce the soles of the victim's feet. Attached to the circular band under the arms stood out a pair of handcuffs which prevented the slightest motion of the hands. On the crossing of the hoops over the head was a strong hook, by which the whole fabric with the sufferer enclosed was suspended.

In 1777, John Whitfield, a highwayman, was gibbetted alive on a crossroad near Carlisle. After several days, the mail-coachman couldn't stand his screams any longer and shot him.

Later, the sentence was modified to exposing the condemned's corpse in the gibbet after he'd been hanged. As the bodies were soaked in tar to preserve them, it was a great stunt for little boys to sneak up to the gibbets at night and set fire to the corpses, which always burned like fun.

The best-known case of hanging in chains was Eugene Aram, the schoolteacher-murderer who inspired Thomas Hood's famous poem. Aram murdered a shoemaker named Clarke who had boasted of the big dowry his wife had brought him (when Aram found the money, it turned out to be only 150 pounds). Aram threw the corpse in a stream, which went dry that summer. He then tried hiding it in a woods, covering the body with leaves and sticks. A strong wind during the night left it bare. He then buried it in a cave but the cave was in a limestone formation and some lime burners found it while digging. No one connected Aram with the corpse except his wife, who'd heard him talking in his sleep. She turned him in. He was hanged in chains in 1759. His wife went to the gallows daily to collect the bones as they fell out, and she and the children sold them to tourists as souvenirs. Blackstone, the famous jurist, may have been thinking of the Aram family when he justified the practice of hanging in chains by writing, "be-

sides the terror of the example, there is another reason for this practice, namely it is a comfortable sight to the relatives and friends of the deceased."

Although the public grew used to seeing corpses in gibbets hanging at nearly every crossroad, few people could have equalled the cool nerve of a Derby man in the early part of the last century. It was Christmas Eve, a time always associated in England with the supernatural, and a group of the local yokels were sitting around a roasting fire at the Red Lion telling ghost stories. But one hard-headed old farmer refused to join in the fun.

"There's naw sech a thing as ghosts," this worthy proclaimed. "Th' dead be dead and thy's all to be said o' it."

"Now, lad, how about a bit o' a wager?" demanded another. "Ya knew the body o' Matthew Cocktain, the great highwayman, is hangin' in the gibbet at the crossroads. It must be mortal cold in this weather so take the poor fellow a sup o' mulled ale."

The skeptic accepted the bet and set off alone in the darkness with a mug of hot ale. He reached the gallows where the tarred corpse hung, the gibbet groaning and squeaking as it turned in the wind. Climbing up to the corpse, the farmer held out the mug saying, "Sup, Matthew!" To his astonishment, the corpse replied, "Nay, man, it's too hot."

Any ordinary person would have run a mile without stopping to catch his breath, but this farmer was made of sterner stuff. "Blow on it, then," he retorted and threw the ale in the corpse's face. He then climbed down again and returned to the inn. There he found that one of his friends had run ahead of him and had been hiding behind the gallows to make the corpse talk. The company unanimously decided that the crusty old farmer had won his wager.

For really serious offenses, the accused was burned alive. This punishment continued until 1790. Blackstone particularly recommended it for women, pointing out, "For as the decency due to the sex forbids the exposing and publicly

mangling of their bodies, their sentence is to be drawn to the gallows and there be burnt." Being drawn usually meant that the condemned was tied to a horse's tail and dragged to the gallows, but Blackstone added, "The humanity of the English nation has authorized as an almost general mitigation, sledge or hurdle being usually allowed." The English were all heart.

By the 18th century, only individuals guilty of treason could be burned but treason included counterfeiting, heresy, or poisoning your husband (but not your wife). According to law, counterfeiting was a defiance of the king's authority, heresy was a defiance of God, and a wife stood in the same relation to her husband as she did to God.

Usually an effort was made to strangle the woman before the flames actually reached her but not if this inconvenienced the hangman. When Catherine Hayes was burned in 1726, a little slip was made:

> Catherine Hayes was fastened to the stake with a chain running around her waist and under her arms and with a rope around her neck. Then the faggots, light brushwood mixed with straw, being piled around her, the executioner set fire thereto. As soon as the flames reached her, she tried to push away the faggots with her hands but scattered them. The executioner got hold of the rope around her neck and tried to strangle her but the fire reached his hand and burned it so he had to let go. More faggots were immediately thrown on the fire and in three or four hours she was reduced to ashes.

Catherine Hayes' awful death is probably the most quoted example of the horrors of capital punishment. Virtually every book denouncing the death penalty has a reference to Catherine Hayes, but none of them ever say why she was condemned. I had long cherished a vague idea that she was a pure, innocent girl—possibly sent to the stake for stealing sixpence or answering back to her mistress. Then I happened

to find a book by Captain L. Benson, *The Book of Remarkable Trials*, written over a hundred years ago, that told about Mrs. Hayes. The facts are these:

Catherine ran away from home at the age of fifteen. She was picked up by some army officers and lived with them for awhile, but when they were transferred, she got a job as a maid with a respectable family named Hayes. She seduced (I think that's the best way of expressing it) the young son of the family, told him she was pregnant, and induced him to marry her. The young couple were forced to move a number of times because Catherine fought with the neighbors everywhere they went. Her husband lived in terror of her. They took in a boarder named Thomas Wood, with whom Catherine had an affair in order to induce him to murder her husband for the £1500 he'd saved. Wood refused to go on with it. Catherine then got another man named Billings, whom she bullied into taking part in the crime. (There's something strongly suggestive of the Ruth Snyder–Judd Grey murder case in all this.) Catherine's problem was that she needed help in disposing of the body.

Catherine poisoned her young husband and then cut off his head so the body couldn't be identified. Being a tidy person, she held a bucket during the process to catch the blood. She then boiled the head to destroy the features and tossed it into the Thames. She and Billings dismembered the body, wrapped it in a blanket, and threw it into the woods at Marylebone.

Unluckily for Catherine, some bargeman heard the head splash when it landed in the river. They rowed over and fished it out. In spite of the boiling, the features were still recognizable so the head was put on a stick ("a poll on a pole" as the wits remarked) and carried around town to see if anyone recognized it. No one did and as the head was beginning to go bad, it was put in a bottle of alcohol and exhibited at a local inn. Here it was seen and recognized by a Mr. Ashly. He raised the hue and cry on Catherine and she was found in bed with Billings. Billings was hanged for his part in the crime.

It will, of course, be pointed out that no matter what Catherine Hayes' crimes were they did not justify her terrible death. I only find it curious that dozens of writers who have bemoaned her tragic fate never mention the lady's record.

No witch was ever burned in England, although a number were hanged, and the witchcraft persecutions there were comparatively mild. This was largely due to the efforts of one man—Reginald Scot. Scot lived at the time of Queen Elizabeth and was a country squire who amused himself with a number of hobbies, including the cultivation of hops. He started the beer business in England, although he never personally profited from it. As was expected of a gentleman of leisure, he operated as a Justice of Peace and so had an opportunity to observe witchcraft trials.

Scot was a practical, clearheaded man and also had the capacity for taking infinite pains when investigating a subject. After a careful study of the books written by the continental witchhunters, Scot came to the conclusion that the Inquisitors were half mad, obsessed by sex and by a perverted delight in inflicting cruelty. He notes that the majority of them seemed to spend an unconscionable amount of time examining the naked bodies of young girls for witch marks or hidden amulets. Sprenger had reported that until he found a charm that a girl had hidden in a certain part of her anatomy, she had remained fireproof. "One may believe that if he list though indeed it be a verie lie," remarks Scot. Bodin, another Inquisitor, describes how he forced red-hot needles under the fingernails of girls to obtain their confessions. "Yet who indeed would not confess to anything under such like circumstances?" demands Scot. He points out that if the witches really were as malignant and had as much power as the Inquisitors claimed, they'd have exterminated the human race long ago. Also, "Why has not some ambitious general employed a witch to win his wars for him?" Scot wanted to know.

In 1582, Scot attended the trial of the S. Osyth coven of witches. The leader of the coven was supposedly Ursley Gray, a prostitute who doubled as a nurse, midwife and

herbist. She was accused by a Mrs. Grace Thurlour, whose son David had been cured by Ursley. The cure had been so rapid that Grace suspected Ursley of being a witch. Ursley denied it, but when Grace's newborn baby fell out of the cradle and broke her neck, Grace was sure that Ursley had put a curse on her and reported the woman to the authorities. Ursley's eight-year-old bastard son was arrested, and after prolonged questioning admitted that his mother was in league with the devil. Ursley was offered her freedom if she would betray the other witches in the community and she promptly named a number of people, doubtless taking advantage of the situation to pay off a few old scores. Eighteen people were hanged.

As a result of the S. Osyth trial, Scot decided that witches were usually desperately poor women who might, in hopes of frightening people to give them "pitifully small alms," claim to supernatural powers. They might know a few tricks, such as hiding wolf dung in a barn to stampede the cattle or soaping the inside of a churn, which kept the butter from forming, but many were simply mentally afflicted people who, when accused of being witches, were too confused to deny it. One woman exclaimed, "Of course I am a witch but I never knew it until now." A man admitted being a wizard because, "I have often seen little flies dancing around a candle flame, which I know now must have been devils." Scot also noted that once the panic began, discharged servants would denounce their former employers, heirs accuse rich relations, and there was a flood of "postbox" accusations, equivalent to our modern anonymous postcards, obviously inspired solely by spite.

The next year Scot wrote his famous book, *The Discovery of Witchcraft,* which might be called an answer to Sprenger's *Malleus Malaficarum.* Scot had even gone to the trouble of learning how conjurers did their tricks so his book is also the first treatise on sleight of hand in English. Scot described how fire-eaters and snake charmers produce their illusions, the decapitation trick (an early form of sawing a woman in half), and then asks, "Suppose the average witch were as skilful as the meanest conjurer. What miracles would not

be attributed to them?" He points out that witch-hunting had become a racket. "In Wittingberg, Germany, the cattle began to die in great numbers and the cry went up that they had been bewitched. But the magistrates, being sensible folk, looked to see who made a profit by the deaths and found a certain butcher who bought the hides very cheaply. On a little more investigation, it was found that he was poisoning the cattle. Here we would have hanged five poor women before one rich butcher."

Scot's book was the first sensible approach to the subject of witchcraft and it produced a profound effect. But its impact was partially broken by the efforts of James I, who inherited the throne after Elizabeth's death.

James was the son of Mary, Queen of Scots, and he had grown up during the terrible struggle for power between his mother and Elizabeth. He was a weak, sickly young man, a homosexual who lived in perpetual terror of assassination —which under the circumstances was not unnatural. In 1590, a deputy bailiff named David Seaton, who lived near Edinburgh, discovered that his servant girl, Geillis Duncan, was curing people by the use of charms. Seaton put the girl to torture, first by twisting a rope around her head and then by thumbscrews. Geillis refused to confess being a witch, but Seaton, who was an old hand at this sort of thing, allowed the girl a few days to recover and then started again. Torture experts had learned that often a victim who will die without speaking under continuous torture will talk if given a few days in solitary confinement to anticipate more agony. During the second dose, Geillis talked and implicated other women, who, when tortured, also named accomplices until some seventy people were under arrest.

The accused claimed that they had intended to kill James, whom the devil hated because "the king is the greatest enemy he has." This news both flattered and frightened James and he decided to attend the investigations in person. Under torture, the witches confessed that they had raised a storm to drown Anne, princess of Denmark, when she was coming to Scotland to marry James. The witches had put

to sea riding in sieves, drowned a black cat, and played tunes to the devil on a Jew's Harp. At this, James (who was by no means a fool) said that they were "extreme lyars," so one of the witches took him aside and to prove her powers repeated the gist of a conversation between him and Anne on their wedding night. Since James' homosexual tendencies were well known, the nature of the conversation can be guessed, but James was astonished and swore that "the devil himself couldn't have known that." It may be surprising that the women were so eager in incriminating themselves but they had been subjected to such terrible tortures that the executioner claimed, "Here is the best proof that they are witches for any ordinary person must have gone mad with the pain."

To give some idea of what was done to them, the women had implicated a Dr. Fian as part of the coven. Fian denied the charge. First, the rope was twisted around his head until his skull cracked but the doctor still refused to confess. Then he was subjected to the boot. The boot was a metal shoe into which the victim's feet were locked. Wedges were then driven between the feet, crushing the bones. The ordinary torture consists of four wedges; the extraordinary of eight. Afterwards, boiling water or oil could be poured into the boot over the prisoner's mutilated legs.

After three wedges, Fian became delirious and was induced to sign a paper admitting that he was part of the coven. When he recovered, the doctor repudiated the confession. He was put in the boot again and this time took so many wedges that "his legs were crushed and beaten together as small as might be so that blood and marrow spouted forth in great abundance whereby his legs were made unserviceable forever." As the doctor still denied being a warlock, "under every nail there was thrust two needles even up to their heads." Then the nails themselves were torn off with Turkas (special pincers designed for the purpose). But "notwithstanding all these cruel torments he would not confess anything, so deeply had the devil entered into his heart. Whereupon he was put in a cart and put into a great fire readily provided for that purpose on the

Castle Hill of Edinburgh." Death must have come as a blessed relief. Many of the other "witches" were also burned—in Scotland this was the recognized punishment—but the exact number is unknown.

Several of the women claimed that the Earl of Bothwell, a claimant for the throne, had hired them to kill James either by witchcraft or by poison; the earl didn't care which. Some historians believe that in this instance they may have been telling the truth. At all events, James had no doubts. When Scot's book appeared, James was so furious he ordered all copies seized and burned by the hangman. Then he wrote his own book, *Demonology*, "against the damnable opinions of one called Scot, an Englishman not ashamed in public print to deny that there can be such a thing as witchcraft." James managed to get a computed 500 witches burned a year in Scotland during his reign.

The greatest of all English witch-finders was Matthew Hopkins, who flourished during the middle of the 17th century. Hopkins was the son of a fanatical Puritan minister and obviously absorbed some of father's ruthless Calvinism. Hopkins attempted to practice law but, after failing in that, became a witch-finder. He adopted the title of "Witch-finder General" and using King James' *Demonology* as a textbook, he toured the country. Hopkins charged a community twenty shillings a visit whether or not he found any witches there. He also received board and lodging during his stay plus traveling expenses. In addition, he got another twenty shillings per witch discovered.

Until Hopkins got going, no one had had any idea how many witches were about. Hopkins' favorite method of detecting a witch was "swimming" the accused. The woman's hands and feet were tied crossway behind her, the big toe of the right foot being tied to the thumb of the left hand and visa versa. She was then carefully laid on a blanket spread out on a quiet body of water like a mill pond. If she floated, she was a witch and Hopkins hanged her. If she drowned, she was innocent, and Hopkins was always the first to acknowledge that he'd made a mistake.

If the woman kept quiet, she usually floated. If she

struggled, she usually drowned and Hopkins lost his twenty shillings. So the witch-finder was forced to use other methods. The accused was taken to a convenient room, stripped naked, and tied in a sitting position on a stool for twenty-four hours without food or sleep. All witches had a familiar, a sort of pet demon, that visited them at least once a day, and the demon might take any shape. If any living creature, including a fly, was seen in the room during this period, it had to be the witch's familiar and her doom was sealed.

In case no flies showed up, Hopkins still wasn't beaten. Witches fed their familiars from a spot on the body from which the demon sucked a special fluid. This place was insensible to pain. So Hopkins and his assistants stuck needles into the accused until she either confessed to being a witch or they found some numb spot. There are several such spots in the human anatomy and one of Hopkins' helpers, an old woman named Goddy Phillips, knew them all. However, in case Goddy was off testing another witch, Hopkins could usually get a girl to confess by saying, "I have tested you everywhere with this long needle except up the nipples of your breasts. Do you confess or shall I try there next?" Most girls confessed.

There is a story that Hopkins had a needle equipped with a handle. By pressing a spring, the needle could be made to retreat into the handle while apparently sinking into the flesh, thus causing no pain. Reginald Scot describes such a needle as part of the conjuring apparatus of the day. With such a device, a conjurer could seemingly plunge a needle through his hand or into his forehead. But whether or not Hopkins needed such a device is problematical.

No one knows how many witches Hopkins discovered, but he got twenty-nine in one district in Essex alone and fifty at Bedford. At Ipswich he cleared £20, which means he found plenty of witches. It is thought his average profit was £1,000 a year, a considerable sum then. Not that Hopkins didn't run into some opposition. The Reverend Gaul of Houghton protested that Hopkins was a murderous scoundrel who was making huge profits out of torturing

innocent women. Hopkins wrote an angry letter to the Houghton town council asking if they had many witch-lovers ("sticklers for such cattle," he called them) in the community and threatening to pass up Houghton on his tour. The Houghton town council said that they'd survive without him.

Not all clergymen who defied Hopkins got off so easily. The Reverend John Lowes of Bradeston objected to Hopkins' method and Hopkins had him arrested as a warlock. The Reverend Lowes was eighty years old, in feeble health, and after Hopkins worked him over for a few days "till he was weary of life and scarce sensible of what he said or did," he confessed.

Hopkins' end was extraordinarily appropriate—at least according to the popular legend. His success at finding witches was so great that the rumor got around that Hopkins had access to the devil's own witchcraft rolls. As only a warlock could have obtained these lists, the people decided to subject Hopkins to the swimming ordeal. He drowned, thus proving his innocence, and the community was truly sorry. Samuel Butler in *Hudibras* immortalized this incident in the lines:

> Who proved himself at length a witch
> And made a rod for his own breech.

CHAPTER 11

FLOGGING WAS SUCH A standard procedure that unless administered with particular brutality, it was regarded more as a gentle reprimand than as a true punishment. In 1630, there were sixty whipping posts in London alone, the standard rate of pay for the whippers being four pence a job. A contemporary poem by John Taylor pays a tribute to the situation:

> In London and within a mile, I wean,
> Are Jails and Prisons full eighteen,
> and sixty whipping-posts and Stocks and cages.

Watching the women flogged in Bridewells prison was a popular sport. Eighteenth-century debutantes used to make up "flogging parties" to go to Brideswells and watch the whores beaten. The women were usually stripped to the waist and flogged with either the birch (steeped beforehand in vinegar and salt to increase the sting), and sometimes with a bull's pizzle, a really terrible whip that could produce death if the flexible and powerful instrument hit the base of the spinal cord. By tipping the warden, arrangements could be made to have the girls flogged on their bare buttocks. In W. Reinhard's *Nell in Bridewell,* there is a description of a fourteen-year-old girl who was stretched on the whipping bench, her skirts turned up, and beaten on her bare bottom until the blood ran and the child's screams

could be heard throughout the prison. Two birches were broken on her.

Society ladies frequently whipped their maids. Lady Frances Pennoyer, writing in her diary for 1759–60, describes how she punished a maid for not being respectful enough:

> Dearlove, my maid, came to my room as I bade her. I bade her fetch the rod from what was my mother-in-law's rod-closet and kneel, asking pardon which she did with tears. I made her prepare and I whipped her well. The girl's flesh is plump and firm, and she is a cleanly person—such a one, not excepting my own daughters, who are thin, and one of them, Charlotte, rather sallow as I have not whipped for a long time. She hath never been whipped before, she says, since she was a child (what can her mother and her late lady have been about, I wonder) and she cried out a great deal.

As usual where corporal punishment is permitted, there are always some individuals who will carry it to extremes. The most famous case is that of Elizabeth Brownrigg, who was hanged at Tyburn on September 14, 1767, for flogging to death an orphan girl named Mary Clifford. Mrs. Brownrigg, who was incidentally the devoted mother of sixteen children, hired an astonishing number of young girls from the local orphanage as servants. It was known that Mrs. Brownrigg used to be a bit rough on the girls, but it was not until Mary Clifford died in the St. Bartholomew's Hospital that the authorities decided to investigate. They found that Mrs. Brownrigg used to strip the girls stark naked, hang them up by their wrists and then beat them with a horsewhip until she could not longer swing it. She would occasionally vary this routine by having her husband tie the girl on a bench and then lash her naked body with a cane until the blood squirted. The doctor who examined Mary thought she had been slashed to pieces with a knife.

Whipping was such a standard practice in schools that teachers were familiarly known as "bum bruisers." Solomon's famous warning, "He that spareth the rod hateth his son"—usually shortened to "spare the rod and spoil the child"—was accepted as an unanswerable argument to all protests. Dr. Samuel Johnson explained, "My master whipt me very well. Without that, sir, I should have done nothing," and he defended a schoolteacher who was being prosecuted for cruelty by claiming that "no scholar has gone from him either blind or lame." Indeed, not all students were so lucky. Lord Holland when a schoolboy was forced by an older boy to toast bread with his fingers. When his mother heard about it, she sent him a toasting fork. The upperclassman broke it over his head and ordered him to continue using his fingers. As a result, he was permanently crippled. Lawrence, the Governor-General of India, said that when he was in school in 1811 he "was flogged once every day of my life except one and then I was flogged twice."

Some schools owed their reputation mainly to their brutality. Winchester devised the famous "Winton rod," named after its inventor, made of four apple sticks tied together and considered far more punishing than the cane or birch. Dr. Parr of Harrow specialized in flogging all the students in a form rather than bother to find out who had committed an offense. At Eton, there was a regular charge of half a guinea on each boy's bill for the birch switches that had been used up on him. Dr. Keate, the headmaster of Eton in the early part of the last century, was only five feet tall but famous for his floggings. Once he flogged eighty boys in a day; it took him four hours. Schoolboys were, not unnaturally, equally cruel to each other. According to *Tom Brown's Schooldays,* older boys roasted their juniors over fires. In *Stalky & Co.,* Kipling with obvious relish described schoolboy bullying that would have interested Torquemada and so outraged H. G. Wells that he devoted a paragraph of his *Outline of History* to the incident. Several famous men were whipped so hard that it affected their attitude toward life. Rousseau was beaten so

often that he developed a masochistic pleasure from it. Voltaire and Beaumarchais were also flogged, but it merely embittered them.

In spite of the severity of 18th-century punishments, they seemed to have no effect in reversing the crime rate. In fact, the more tortures and executions there were, the more crimes people committed. Opponents of capital punishment never tire of pointing out that when pickpockets were being hanged by the dozen on Tyburn Hill outside of London, all the surviving pickpockets made a point of attending the hangings—in order to pick the pockets of the crowds who came to watch the show. Since our whole criminal code is based on the assumption that punishment acts as a deterrent, this undisputed fact raises some interesting points.

The opponents of capital punishment ignore the fact that most of the condemned were slum dwellers who lived under such desperate conditions that they had to steal or starve. Dickens tells of a woman whose husband was taken by the Navy press gang and left penniless with a baby. She was hanged for stealing a shilling to buy food for the child. Many were children forced to their acts by Fagins who had complete control over their little slaves. In 1777, a fourteen-year-old girl was condemned to the stake for counterfeiting. Her master had sent her out several times to steal for him but the girl had returned empty-handed. She received such murderous beatings that at last, frantic with pain, she had whitewashed some farthings and tried to pass them off as shillings. Another girl was brought to the gallows whose master had beaten her so severely that her slip (her only garment) was embedded in the raw flesh of her back and the hangman couldn't get it loose. Another child was found tied in her master's outhouse with her head so badly swollen from his blows that she was unable to talk.

Yet the medieval man was more consistent in his attitude toward corporal punishment than the modern man. He argued that as punishment acts as a deterrent, it follows that the punishment should be as extreme and dramatic as possible. The autos-da-fé of the Inquisition were as spec-

tacular as a circus parade. Dozens of high church officials took part in the processions, wearing their ecclesiastical robes, carrying colorful banners and waving incense burners. When criminals were broken on the wheel at the scaffold of Orianesberg, Prussia, the troops were turned out in full dress, twelve officials in their gowns of office stood on the platform and two little page boys, also in costume, stood on either side of the condemned blowing trumpets during the torture. The scaffolds were amazingly elaborate. The great Montfaucon scaffold of Paris was a stone platform forty feet by thirty feet supported by ten pillars thirty feet high. On top were a series of iron bars arranged in tiers and equipped with chains for exposing the corpses. How many bodies the scaffold could accommodate is not known, but once fifty-two chains had to be replaced, only part of the total number.

Gradually the authorities, both ecclesiastical and secular, began to realize that such elaborate pageantry only served to make the condemned a public figure; after all, he was unquestionably the center of attraction. When Boeton, a Frenchman who professed a faith much like that of the later Quakers, was being broken on the wheel in 1705, his suffering aroused so much sympathy among the crowd that he had to be killed quickly. Eventually it was found necessary to pull out the condemned prisoners' tongues so they could not appeal to the onlookers or to have drums beaten constantly during the execution to drown out their cries.

The same principle was true even with the most hardened criminals. Henry Fielding, the novelist who also was a magistrate, reported bitterly, "A thief's procession to Tyburn is all triumphant; attended with compassion, applause, admiration and envy of all the bold. His behaviour, not his crimes no matter how atrocious, is the subject of contemplation. And if he has sense enough to exhibit any degree of decency, his death is spoken of with honour and approbation."

A Scotch minister reported, "In my judgment, a great number of the spectators were made worse rather than

better by the awful spectacle. Many expressed their admiration of the fortitude of the sufferers with cries of 'Well done, little coiner!' 'What a brave fellow he is!' and many other expressions of gross perverted applause." The poet Samuel Rogers tells of seeing a bevy of young girls in a cart on their way to the gallows, all dressed in their best clothes and behaving as though they were going to a strawberry festival.

The ecclesiastical authorities were the first to realize that prisoners must be presented in a degraded or ridiculous manner in order to destroy popular sympathy for them. The Inquisition dressed the condemned in "sanbenitos," absurd gowns covered with pictures of grotesque devils and leaping flames. The Nazis used this same principle by gluing false sideburns on Jews when leading them through the streets. Convicted criminals, instead of being tortured or executed, were forced to wear complicated devices intended to arouse public contempt. Prostitutes had to parade the streets with an elaborate headdress intended to caricature their fancy bonnets with long braids made of rough tow hanging down behind. A gambler was forced to wear a heavy necklace composed of huge wooden playing cards and dice. Drunkards were put into the "drunkard's clack," a barrel-like arrangement with an opening at the top for the man's head and no bottom so he could walk the streets. Grotesquely wrought iron masks—some with bells attached, others with huge noses or gigantic ears—were locked on the prisoners' heads. Some of these devices combined torture with ridicule. The "scold's bridle" used on shrewish women was an iron mask that included a gag for the mouth. Sometimes the gag was covered with spikes and some even had a device like a wheel spur. Or the prisoner might be tarred and feathered and ridden on a rail, to the great delight of the whole community.

Mutilations were common. The prisoner's ears or nose might be cut off or he might be branded on the face with any of a number of designs. Sometimes both techniques were combined as in the case of Japhet Cook, convicted of forgery. "The hangman, dressed like a butcher, came

to him and with a knife like a gardener's pruning knife cut off his ears and with a pair of scissors slit off both his nostrils, all of which Cook bore with great patience, but at the searing with a red-hot iron of his right nostril the pain was so violent that he got up from his chair. His left nostril was not seared so he went down from the platform bleeding." Searing a wound tended to make it stop bleeding.

Later, instead of having the authorities punish the criminal, punishment was left to the crowd. The prisoner was exhibited publicly confined by some device that left him helpless to the fury of the mob. In Scotland, the joug—an iron collar attached to a stone pillar—was often used but the most popular devices were the stocks, which held the prisoner by the feet, or the pillory, a wooden frame on the top of a short pole with holes for the prisoner's head and hands.

Depending on the temper of the crowd, the pillory could be either a comparatively mild form of punishment or a death sentence. If an unpopular prisoner was pilloried, a large mob would gather carrying stones, mud pies, rotten eggs, and decayed vegetables. In London, the vegetable stalls at Covent Garden did a brisk trade selling worthless produce for this purpose. After the current "Jack Ketch" had fastened the prisoner in the pillory, he had to run for his life as the shower of rocks and garbage started. As the prisoner could not use his hands, he often suffocated from the sticky mass covering his face. If he had any money, he would bribe Ketch to stand below the pillory's platform and keep wiping his face with a long pole.

Here's a description of two men who were pilloried in the 18th-century England:

> One of them being of short stature could not reach the hole made for the admission of the head. The officers of justice nevertheless forced his head through the hole and the poor wretch hung rather than stood. He soon grew black in the face and blood issued from his nostrils, his eyes and his ears. The mob nevertheless attacked him with great fury. The officers opened

the pillory and the poor wretch fell down dead on the stand of the instrument. The other man was so maimed and hurt by what was thrown at him that he lay there without hope of recovery.

Sometimes the punishment backfired on the authorities. When Daniel Defoe was pilloried for a satire on the unpopular Church of England, the crowd hung flowers around his neck while he led them in his "Hymn to the Pillory," which Defoe had written en route to the scaffold. When Williams, a bookseller, was pilloried in 1765 for publishing *The North Briton,* which attacked George III's favorites, he left his hat by the pillory and when he was liberated it contained 200 guineas.

A common form of punishment for minor offenses was the ducking stool. This was simply a chair on the end of a seesaw. The culprit was tied in the chair and then ducked in a stream. It was often used for men who swore and women who talked too much. The ducking stool is still the legal punishment in New Jersey and Pennsylvania for a "common scold." On March 4, 1961, a woman in Lancaster, Pa., was brought to court by her neighbors on this charge but the county jail warden, Jack Tracy, couldn't find a ducking stool—although he was able to locate an old pair of stocks in the jails. The woman had been arrested a couple of times before on "disorderly conduct" charges and fined without results but Attorney General Anne Alpern ruled against the ducking. "After all, a common braggart—the counterpart of the common scold—can't be ducked and we're not going to have more severe penalties for women than for men," claimed Miss Alpern.

In the Middle Ages, there were few people who dared to object to the use of torture either for witches or criminals. Those who did usually ended in a torture chamber themselves. However, there were always a few courageous individuals who dared to speak out in spite of the risk. A Milanese judge became suspicious of confessions obtained under torture and finally decided on an efficient if rough method of testing their truth. He killed his mule and then

accused one of his servants. The man confessed under torture and refused to retract his statement even on the gallows for fear of new punishments. The judge promptly abolished the use of torture in his court.

In 1562, John Weyer, a German philosopher who was lucky enough to be protected by a powerful prince, published his *De Praestigiis daemonum* (The Prestidigitary Nature of the Devil). He attacked "the silly and often Godless absurdities of Sprenger" and remarked that monks would do better to study the art of healing instead of burning. "I reject the argument by faggots!" he insisted and concluded that "these old women who consider themselves witches are mad and their illness is in itself a sufficient punishment." Weyer's book was suppressed but still created a great impression.

Sometimes even the most fanatic Inquisitors themselves could be persuaded by reason. The Duke of Brunswick in Germany was so shocked by the methods used by the Inquisitors in his duchy that he asked two famous Jesuit scholars to supervise the hearings. After a careful study the Jesuits told the duke "The Inquisitors are doing their duty. They are arresting only people who have been implicated by the confession of other witches."

"Come with me to the torture chamber," suggested the Duke. The priests followed him to where a wretched woman was being stretched on the rack.

"Let me question her," suggested the Duke. "Now woman, you are a confessed witch. I suspect these two men of being warlocks. What do you say? Another turn of the rack, executioners."

"No, no!" screamed the woman. "You are quite right. I have often seen them at the Sabbat. They can turn themselves into goats, wolves and other animals."

"What else do you know about them?" demanded the Duke.

"Several witches have had children by them. One woman even had eight children whom these men fathered. The children had heads like toads and legs like spiders."

The Duke turned to the astonished Jesuits. "Shall I put

you to the torture until you confess, my friends?" he asked.

After a solemn pause, Father Spee, one of the priests said gravely, "I thank God that it was a friend, not an enemy, who put such words into this woman's mouth."

Father Spee was so impressed by this gruesome demonstration that in 1631 he wrote a book entitled *Cautio Criminalis*. As a result of this book, witchcraft persecutions were stopped in many parts of Germany.

CHAPTER 12

IF A SINGLE MAN CAN be said to have started the moral crusade that finally abolished the legal use of torture, that man was Cesare Beccaria. Beccaria was a Milanese lawyer and one of the most brilliant minds of all time. As an economist, he suggested a reorganization of the capitalistic system designed to "produce the greatest good for the greatest number," to use his own famous phrase. He tried to establish a metric system and anticipated Malthus in pointing out the relationship between population growth and the food supply. Then in 1764 he published his great treatise *Crimes and Punishments*. Beccaria recommended the prevention rather than the punishment of crime, denounced the futility of torture, and urged for speedy trials. His book went through six editions in eighteen months and was translated into twenty-two languages. Beccaria lived to see torture abolished, as a result of his book, in France, Germany, and the Netherlands.

Torture to obtain a confession had already been abolished in Great Britain. The last man to be tortured for this purpose in England was Archer in 1640, who took part in the attack on the palace of Archbishop Laud. However, torture as a punishment for crime continued. During the reign of George III, drawing and quartering was forbidden although the prohibition was denounced as "breaking down the bulwarks of the constitution." Even public executions were prohibited in many countries. When peppery old Dr. John-

son heard that the hangings at Tyburn were going to be abolished, he roared to Boswell, "The age is running mad after innovations, even Tyburn is not safe. Executions are intended to draw spectators. If they don't, they don't answer their purpose. The public is gratified by a procession; the criminal is supported by it." But the law went through anyhow and John Austin was the last man to be executed at Tyburn, on Nov. 7, 1783.

The last witches to be hanged in England were Mary Hicks and her ten-year-old daughter in 1716, although a mother and daughter were burned for witchcraft in Scotland six years later. It was such a cold day that the two women eagerly warmed themselves by the fire that was being prepared to burn them.

The last woman to be burned at the stake in England was Christian Murphy in 1789 for counterfeiting. The last witch to be burned in Europe was Maria Sanger in Wurzburg in 1749. Torture was legally abolished in Baden in 1831, in Russia in 1847, and in Bruchsal (a small German community) in 1872.

The Inquisition prospered in Spain long after it had been allowed to fall into a decline elsewhere. Many stories are told of its last days that may or may not be true. When French troops captured Almanza in 1706, they claimed to have rescued a number of girls held captive by the Inquisitors. A fifteen-year-old girl told the troops that she had been abducted at midnight by the familiars of Don Francisco Terrejon, the Inquisitor-General, and ordered to become his mistress. If she refused, she was given three choices—to be locked inside a giant frying pan and cooked alive, to be thrown into a revolving drum studded with knives, or be put into a pit full of poisonous snakes. The girl had settled for Don Francisco. When Napoleon took over Spain in 1808, he officially abolished the Inquisition. Colonel Lemanouski, a Polish officer with the French troops, says that when the army entered Madrid the Inquisitors barricaded themselves in their monastery and battering rams had to be used to force the doors. The Inquisitors denied the existence of torture chambers but the soldiers poured

water on the floor and found where it leaked out through a trap door. Under the floor they found dungeons full of prisoners, all nude and many insane. The French blew up the building with kegs of gunpowder.

In 1816, the Pope forbade the Inquisitors to use torture and in 1834 it came to an end. Some of the noblest Spanish families were connected with this great and terrible organization and still display wheels, racks, and other instruments of torture on their coats of arms.

Modified types of torture, however, continued to exist. During the latter part of the 18th century there came into use a curious device that served both as a means of restraint and an instrument of torture—the man-trap. As a result of the industrial revolution, thousands of men were thrown out of work. As many of these displaced workers were starving, they began to trap game on the great estates. This proved to be so easy that the poachers organized themselves into gangs and began to sell the game as a commercial venture. Armed with clubs, knives, and even firearms, these poaching gangs became a menace and the man-trap was invented to deal with them.

The first man-traps that came into use about 1750 were crude affairs. They were simply single-spring traps like big fox traps. A man could escape by pressing down the spring and releasing himself. Then spikes were put in the jaws. The poachers countered this by strapping flat pieces of boards to the sides of their legs. But toward the end of the century, the real man-trap was devised. I saw one of the instruments at the Norwich Museum. It was six feet two inches long and weighed eighty-eight pounds. The jaws were nineteen inches long and the teeth two and a half inches. The guard told me that the former owner had given it to the museum when he stepped in it one dark night by mistake. It took off his leg.

I saw another of these traps at the Oxford Museum. The attendant very kindly allowed me to experiment with it. I used a length of two-by-four for the experiment. Two of the spikes went completely through the wood. A spring

scale attached to the jaws showed that the pressure was over 600 pounds.

A man caught by one of these traps could not possibly free himself without help. They are constructed with a double spring. To open the jaws, a man has to put a foot on each spring and press down with all his weight. If the trap has him by one foot, he cannot get at the springs. They are much too hard to press down by hand.

In Yorkshire, I saw another type of trap that was even tougher. The springs in this device were so strong that they had to be opened by screw clamps. The clamps were fitted over the springs and then screwed down by a lever arrangement. A man couldn't escape from this trap even if he had friends to help him unless the friends were carrying the special clamps needed to open the jaws.

Most of the traps had small metal hooks riveted onto the pans, which is the metal plate on which a man stepped to spring the trap. This puzzled me until the curator of the Salisbury Museum explained that the hooks were used to hold grass and leaves in place to hide the pan. Many of the traps in the Salisbury Museum had curved teeth in the jaws to prevent a man from tearing his foot out by main strength.

An old keeper in Essex told me that as a boy he could remember seeing his father put out a man-trap, although by then they were illegal:

> A gang of poachers had gotten so bold that they'd send father a notice that they were coming into our covers and dare him to do anything about it. Father was a quiet man who never talked much, but after getting one of those messages he got down an old man-trap from the loft of the barn and spent an evening by the fire oiling it. Then he wrapped rags around the teeth so the trap would hold a man without crippling him although the jaws were so powerful that I'm sure they could still break a leg. He went out late that night with the trap and came back without

it. Mother told us not to play in the woods for the next few days and we obeyed her. A week later, I saw a man who had the reputation of being a poacher limping about the village. Later, the man shot at father from behind a hedge and blew the muscles of his arm off. Father fired his shotgun holding it in his hand without taking time to put it to his shoulder. He broke a finger doing it but he killed the poacher.

Later, due notice had to be given that the traps had been put out. Signs had to be put up along the boundaries of the estate reading "Danger! Man-traps have been set on these grounds." (Some of the old signs can still be seen along English roads.) In 1827, traps with teeth or jaws strong enough to crush the legs were made illegal and a new "humane trap" was introduced. These were perfectly square and the jaws composed of two iron bars. The bars did not come completely together when the trap was sprung. They stopped about two inches apart and locked into place. This trap was designed to catch a man around the ankle and hold him.

All mechanical traps of whatever design were prohibited in 1861 but it was still possible to catch trespassers in pits. A Lord Spencer constructed such a pit twelve feet deep and eight feet across in the middle of a path through his woods. The pit was fitted with a pair of doors with spring hinges on the top, which were covered with grass and dirt. If anyone stepped on the doors they instantly opened, dropping the trespasser into the pit, and then flew shut again ready for the next customer. The doors were so nicely balanced that even a rabbit would open them. As Lord Spencer pointed out, the trap was an exceedingly humane one, because he took the precaution of filling the bottom with muddy water so anyone falling in would have a soft landing.

Lord Spencer never did get any poachers because digging such a pit was naturally a big project and the poachers knew all about it. But the path turned out to be a sort of Lover's Lane for the local peasantry and the results were interesting. One couple fell in and later that evening the trap collected

a fox, two rabbits, a pheasant, and a wild boar. That must have been a lively night for all concerned because the keeper didn't come around until the next morning.

The trap's next bag was a family party consisting of a father, mother, and two children who had gone into the woods for a picnic. Spencer later remarked, "I felt inclined to have a certain amount of sympathy for the family, trespassers though they were, as they had spent nearly twelve hours lying in the mud at the bottom of the trap but the shocking language the man employed when my keepers brought him out the next morning caused me the deepest revulsion." However, Lord Spencer decided that the trap was becoming a nuisance and had it filled in.

Man-traps were superseded by the spring gun: a gun fixed in position with a tripwire fastened to the trigger. Colonel George Hanger in his book *To all Sportsmen, Farmers and Gamekeepers* (1814) describes how to set up such a device: "Plant a six-pounder cannon on a platform thus loaded: buy a bushel of marbles, put a double handful in the cannon, and have clay balls, just the size caliber of the gun, made and baked at the brick-kiln first boring three or four holes with an iron nearly as big as your little finger through and trough them. This ball, when fired from a cannon, will make a most terrible whizzing noise and together with the marbles buzzing about a fellow's ears will make him think that the very devil is after him. My motive for firing the cannon with baked clay-ball is that an iron ball would damage the trees; so would iron grapeshot, but marbles will not."

Spring guns are still legal in England if they are set in a house between the hours of sunset and sunrise. On September 20, 1952, a mechanic put up a shotgun spring gun in his home because his tools were being stolen. That night, the thief tried to enter and was killed instantly. The mechanic was adjudged justified by the courts under the grounds that an Englishman's house is his castle and he may do whatever he wishes on his own property. All such devices are illegal in the United States. Our courts argue that such devices condemn the criminal to death without giving him the

benefit of a trial—a nice distinction in ethical values.

The last stand of torture in Great Britain was in the armed services. Great Britain was wholly dependent on her navy, and it was believed with an almost religious conviction that unless the power of a ship's captain was absolute, the navy could not function efficiently. A sentence of five or six dozen with the cat-o'-nine-tails was customary. For striking an officer, a man was "flogged around the fleet"—that is, he was spread-eagled to a crossbar in an open boat and rowed from ship to ship, each boatswain giving him a certain number of strokes. Keelhauling, although illegal, continued to occur. Lines were led around the ship's waist, the man was tied to them and then dragged under the keel. Since the keels were heavily encrusted with barnacles, he was either slashed to ribbons or drowned.

Captain Frederick Marryat describes a flogging in *Frank Mildmay:*

> As I went up the side, I saw a poor fellow spread-eagled up to the grating while the captain, officers, and ship's company stood round witnessing the dexterity of the boatswain's mate who by the even, deep and parallel marks of the cat on the white back and shoulders of the patient seemed to be perfect master of his business. All this did not surprise me—I was used to it.
>
> "Boatswain's mate," roared the captain. "Do your duty or by G—— I will have you up and give you four dozen yourself. One would think, d——n your b——d that you were brushing flies off a sleeping Venus instead of punishing a scoundrel with a hide as thick as a buffalo's, and be d—— to him."
>
> During the address, the unhappy wretch had received four severe dozen which the master-at-arms had counted aloud. "Another boatswain's mate," said the captain. The poor creature turned his head over his shoulders with an imploring look but it was in vain. I watched the countenance of the captain, and the

peculiar expression which I could not decipher at my first interview I now read plainly enough—it was malignant cruelty and delight in torturing his own species; he seemed to take a diabolical pleasure in the hateful operation. The second boatswain's mate commenced with a fresh cat and gave a lash across the back of the prisoner that made me start.

"One," said the master-at-arms, beginning to count.

"One!" roared the captain. "Do you call that one? Not a quarter of a one. That fellow is only fit for fly-flapper at a pork-shop. I'll disrate you, by G——, you d——d molly-mop; is that the way you handle a cat? That's only wiping the dirt off his back. Where's the boatswain?"

"Here," said a stout, gigantic, left-handed fellow stepping forward.

"Give this man a dozen, sir," said Captain G——. "And if you favour him, I'll put you under arrest and stop your liquor."

This last part of the threat had more effect with Mr. Pipes than the first. He seized his cat. The handle was two feet long, one inch and three quarters thick and covered with red baise. The tails of this terrific weapon were three feet long, nine in number, and each of them about the size of that line which covers the springs of a travelling carriage. Mr. Pipes, whose scientific display of this art had no doubt procured for him the warrant of a boatswain, handled his cat like an adept, looked at it from top to bottom, cleared all the tails by the insertion of his fingers, and combing them out, raised the cat high in the air with his left hand, his right still holding the tips of the tails as if to restrain their impatience. Then, giving his arm and body a full swing embracing three-fourths of the circle, he inflicted a tremendous stroke on the back of the unfortunate man. The poor man lost his respiration from the force of the blow and the tails of the cat coming from an opposite direction to the first four dozen, cut the flesh diamond-wise, bringing the blood at every blow.

The last dozen being finished, the sum-total was reported by the master-at-arms: "Five dozen."

"Five dozen!" repeated Captain G. "That will do, cast him off. And now, sir," said he to the fainting wretch, "I hope this will be a warning to you that the next time you wish to empty your beastly mouth, you will not spit on my Quarter-deck."

In every seaport could be seen the veterans of such service—men with eyeballs yellow from fever, backs scarred by the cat, crippled by scurvy, venereal diseases and alcoholism but still capable of laying aloft in a gale and performing feats of dexterity that would have astonished a circus acrobat.

Not all captains relied on the cat for punishment. Dr. Falconbridge, who served on a number of vessels during the 18th Century, gives several accounts of the methods used. He wrote:

An older man, having complained about the water allowance, one of the officers seized him and beat out several of his teeth. Then one of the iron pump-bolts was fixed in his mouth and kept there by a piece of rope-yarn. Being unable to spit out the blood that flowed from the wound, the man almost choked. When the gag was removed, he swore that he would drown himself so he was tied to the rail.

Another man, says Falconbridge, flung himself overboard into shark-infested waters after a severe flogging. When he was picked up, Falconbridge asked him if he wasn't afraid of being eaten by the sharks. The man replied, "I expected to be but I preferred that to life on this ship." Men were not only flogged until their backs were a mass of raw flesh but pepper was often rubbed in the wounds. One captain kept a large dog that he used to set on any seaman who dared to complain. Another amused himself by making the crew eat live cockroaches.

One of the most bloodcurdling accounts of life at sea in

the 18th century was written by a young seaman named James Stanfield. Stanfield was shanghaied onboard a vessel in Liverpool. He wrote: "We were fortunate to be in a leaky vessel as the ship had to put into Lisbon for repairs and the captain, fearful that the crew would desert, did not dare mistreat us until we reached latitude twenty-five degrees. But flogging no sooner made its appearance than it spread like a contagion. Scarcely an hour passed any day without flogging; sometimes three men were tied up together."

The captain's whole delight was in giving pain. He had men flogged for no other reason than to watch their struggles and listen to their screams. He had the steward flogged for giving a sick man a glass of wine. When the steward explained the circumstances, the captain had him flogged a second time for offering excuses. He tore off part of the cabin boy's ears and thrust his finger through the boy's cheek. He died of drink and another captain had to be sent out from England.

This new captain was so sick that he had to be carried around the ship but he amused himself tearing at the men's faces with his long nails or cutting them with a pocket knife he carried for that purpose. When forced to take to his bed, he ordered the men flogged to be tied to his bedstead so he could bring his face close to theirs and watch every detail of the suffering.

The boatswain came down with dysentery and "grew so bad that at last mucus, blood and whole strings of intestines came from him without intermission. In this deplorable condition when he could hardly stand, he was forced to the wheel, to steer the vessel, a task that under ordinary conditions might have required two men. The poor man was placed in one of the mess tubs so that he might not dirty the deck. He died that night and the body was thrown overboard."

The captain kept some hogs for his table and during the night they attacked one seaman who was too weak to move. In the morning, the sailor was still alive "but covered with blood for the hogs had picked his toes to the bone and

his body was otherwise mangled by them in a manner too shocking to relate."

One of the first men to criticize unrestricted flogging was Captain Marryat. In his novel, *Frank Mildmay,* Marryat points out the absurdity of the venerable custom of having the last man aloft and the last down from aloft flogged to make the men move faster. "It is unfair as obviously one man must always be last," argued Marryat. Also, it defeats its own purpose as the bravest and most energetic man aloft will be out on the end of a spar and this means he cannot possibly reach the deck as quickly as a more cowardly and slower man who has remained nearer the mast." As a result of this sensible argument, the custom of flogging "alow and aloft" was abolished.

The army had its own techniques. "Picketing" consisted of hanging a man up by one arm with his bare foot just resting on the sharp point of a tent stake. "The wooden horse" was composed of two planks nailed together to form a sharp-edged ridge. The man was forced to sit astraddle of the horse with weights hung from his feet. It was eventually abolished because "it was found to injure the men materially." Another instrument of military torture was the whirligig, a cage large enough to hold a man and attached to a crank so it could be spun rapidly around. The man inside became "extremely sick and commonly emptied his body through every aperture." In France, a delinquent soldier was subjected to the "puntale"—hung with his arms over horizontal bars to the wall, his wrists being tied to his ankles. In Germany, a soldier who struck a superior was turned loose in a field and the company was allowed to hunt him down with spears.

Flogging was also common in the army. General Sir James Napier reported towards the end of the 18th century that sentences of a thousand lashes were usual and the culprit had to receive them by installments. He adds, "I have often seen victims brought out of the hospital three or four times to receive the remainder of the punishment, too severe to be borne without danger of death at one flogging. It was terrible to see the new, tender skin of the scarcely healed

back laid bare again to receive the lash. I have seen hundreds of men flogged and have always observed that when the skin is thoroughly cut up or flayed off, the great pain subsides. Men are frequently convulsed and screaming during the time they receive from one lash to three hundred and then they bear the remainder, even to 800 or a thousand without a groan. They will often lie as without life and the drummers appear to be flogging a lump of dead, raw flesh."

Sir James was right in his surmise that a flogged man becomes insensible to pain after the surface nerves are destroyed. An American sailor who deserted from the British Navy in 1814 offered to allow himself to be flogged by anyone for sixpence an hour because he could no longer feel anything.

All flogging was abolished in the British Navy in 1881. The famous Execution Dock (actually a small inlet at the end of Old Gravel Lane, Wapping, in London) had disappeared a few years previously. Pirates, mutineers, and other individuals who had committed crimes on the high seas were hanged here so the crews of passing vessels could see their swinging bodies. The gallows were set up at the low tide mark and the bodies left exposed until three tides had covered them. Captain Kidd was hanged here in 1701. Great crowds formed to watch the executions, bargemen doing a brisk business by ferrying the curious close enough to be able to touch the corpses.

CHAPTER 13

EXILE IS THE OLDEST OF all punishments, employed by herds of animals against a transgressor and the sentence pronounced against Adam and Eve. It was widely used by the European nations as a means of disposing of undesirables, especially by the colonial powers. In the 17th century, England began shipping undesirables to the American colonies as indentured servants or outright slaves. In 1652, 270 Scotchmen who had been captured in the battle of Dunbar were sold in Boston, and after Monmouth's Rebellion in 1685, hundreds of the rebels were sold into slavery in America and the West Indies. In 1659, children of the Quakers (then a persecuted sect) were taken from their parents and ordered sold.

The conditions on board the vessels carrying these wretched exiles were incredible. A governor's wife coming to North America in 1639 wrote, "While crossing the Atlantic we have been pestered with people so full of infection that after awhile we saw little but throwing dead bodies overboard." One ship lost 130 out of 150 of these white slaves. Between 1750 and 1755, over 2,000 bodies were tossed into New York harbor alone. Many of these exiles were Irish. Henry Laurens, a Charleston slave dealer, claimed, "I never saw an instance of cruelty to the Negro slaves in ten or twelve years' experience equal to the cruelty exerted upon these poor Irish."

In 1663, there was an uprising of these semi-slaves and as a result, Jamestown, Virginia, tried to prohibit their im-

portation. The House of Burgesses passed a resolution: "Because of the great numbers of felons and other desperate villains being sent over from the prisons of England, the horror yet remaining of the barbarous designs of those villains in September, 1663, we do now prohibit the landing of any more jailbirds." However, the resolution was ignored by the British government and from three to four hundred convicts continued to be landed in the new world every year.

After the American Revolution, Great Britain had to find a new dumping ground for her convicts. She picked Australia. Settlers were offered a bribe of 4,000 acres, forty cows, and forty convicts as slaves if they would settle the new country. The convicts were regarded as scarcely human. Captain Arthur Phillip, the first governor of New South Wales, wrote home to ask "if the convicts commit either murder or sodomy, can I sell them to the natives for meat?" These early settlers with their convict serfs formed the aristocracy of the colony or as Mudie, the New South Wales historian, put it, "a sprinkling of gentry which saved Australia from the rusticity which travelers so much deplore in America." The first shipment of serfs consisted of 552 male and 190 female convicts. Some attempt was made to have the women, at least, give the appearance of going by their own volition. George III offered a free pardon to twenty-three prostitutes if they would go to New South Wales. Six said they preferred to be hanged. These women showed considerable knowledge of life in the colony. After laboring all day in the fields, men and women were locked up together at night in barracks and as they averaged one women for every ten men, the women had an exhausting time of it. If any became pregnant they were thrown into prison as incorrigibles. As one historian remarked, "Delicate English females found these conditions trying."

Flogging was the usual means of punishing infringement of the rules. Charles White in *Convict Life* says, "I saw a man walk across the yard with the blood that had run down from his lacerated flesh squishing out of his shoes at every step. A dog was licking the blood off the [whipping]

triangles and the ants were carrying away great pieces of human flesh that the lash had scattered about the ground. The scourger's feet had worn a deep hole in the ground by the violence with which he whirled himself around on it so as to strike the quivering and wealed back out of which stuck the sinews, white, ragged, and swollen. They had a pair of scourgers who gave each other spell and spell about and they were bespatted with blood like a couple of butchers."

There were several variations to the floggings. In *Adventures of an Outlaw* (1825–44) written under the pseudonym of Ralph Rashleigh, an Australian convict describes one:

> [Of an overseer] scenes and sounds that aroused pity and loathing in the any ordinary man were a source of fiendish delight to him and it was a habit of his suddenly to spring at the scourger and belabour him with his riding-crop in order to make him flog the tied convict with harder blows. His especial pleasure was to select men from the boat-loaders' gang and have them flogged until their backs were raw so that he could enjoy the sight of the writhings and the sounds of the shrieks as he compelled them to place their baskets of lime on their bleeding backs and wade out into the stinging salt water. His eyes would dilate with satisfaction at the pain caused by the lime slaking in the blood of the wounds. Several times Rashleigh saw men drown themselves before the eyes of their torturer whose comment was always to the effect that it would save the government rope and the hangman a job.

Occasionally the convicts escaped. Some tried to walk back to England while the more sophisticated, knowing that Australia was an island, stole a canoe. But some became outlaws, or bushrangers as they were called, and occasionally had a chance to revenge themselves when they captured one of their former torturers:

> Rashleigh was obliged to carry the prisoner to the ant heap. The ants were angered by the thud of the

body and in a few moments had completely covered him. The bushrangers began coolly to tie the wretched man down with cords fastened to stakes. The agony which he was suffering from the myriad bites of the swarming ants set him to struggling like a madman, but the only effects of his struggles were that he still more infuriated the ants." Later, "when the bushrangers noticed how scanty was their larder, the leader swore they would have cut a steak off the dead man's body before giving him to the ants.

It is interesting to note that although thousands of women criminals were shipped both to America and Australia—a contemporary Australian writer describes the Australian women's prisons as "gigantic lying-in wards"—none of the offspring apparently survived. All Australians are descended from the "gentry" and a Virginian historian points out, "There are no records of any indentured servants in Virginia who left descendents." All the First Families of Virginia are descended from the younger sons of the British nobility who came to the colony and seemingly were able to reproduce by fission like amoebas. Transportation for crimes to Australia was stopped in 1839; in America in 1776.

Unquestionably the most terrible of exiles was to the French Guiana penal settlements off the northwestern coast of South America called the *"bagne."* The best known of these was Devil's Island, where Dreyfus was confined, double-ironed at night and in solitary confinement during the day. It is incredible that he did not go insane. These islands were established as off-shore prisons shortly after the American Civil War, and some 58,000 convicts were sent to them. Men who disobeyed the regulations were put in the *Salle de Correction* (Punishment Room) and forced to run around until they dropped from exhaustion. Then they were flogged to their feet again. The worst punishment was to be sent to work in the Cayenne pepper mills where the stinging dust from the pepper got into the open wounds on the men's backs. The *bagne* was abolished in 1946 and

the surviving prisoners were returned to France. One man, Mouchaboeuf, a convict who had accepted the post of executioner and flogger, refused to return for fear of what the vengeful convicts would do to him. He is still there.

Although transportation was undoubtedly a ruthless practice, it would seem to have been a comparatively merciful device—at least compared to the prisons of the period—unless the convict was sold as a slave to a brutal master. If the prisoners were given land and an opportunity to maintain themselves (as was sometimes done), they were no worse off than most settlers and had an opportunity to start life over again. So possibly the oldest method of punishment was also the most enlightened.

CHAPTER 14

ORIENTALS, ESPECIALLY the Chinese, have always been famous for their elaborate and ingenious tortures. Great attention was paid to detail and to elaborate ceremonies. The Chinese equivalent of the thumbscrews was a number of small sticks placed between the fingers and laced together with string. By pulling the string, the executioner could squeeze all the fingers at the same time, thus greatly increasing the torture. A similar device was used on the toes. In addition, there was a frame of three sticks, secured together at the top, that fitted over the ankles. By squeezing the sticks together with a cord twisted in the manner of a tourniquet, the ankles could be gradually crushed.

Many of the tortures had typically picturesque names. The "frame of the flowering eyebrow" is said to derive its name from the struggles of a bird tied by one leg to a frame. The frame consisted of an upright pole with two crosspieces, an upper and a lower. The victim was forced to kneel on the lower crosspiece with his hands tied wide apart to the upper bar. He was left in this position for some hours, in itself painful enough. Then a third crossbar was laid across his calves and fastened to the lower bar with cords, which were slowly tightened. Finally a fourth bar was fastened to the crosspiece holding his hands and then also tightened. Meanwhile, the squeezing sticks mentioned above could be put on his fingers, toes, and genitals.

A "monkey grasping a peach" consisted of a device re-

sembling the horizontal bars used in gymnasiums. The man's arm was passed over one bar so the weight of his body rested on his armpit and his hand was passed under his knees and then secured to the other arm by tying the thumbs together. He could be left in this position for several days, but usually it merely served to hold him in a painful position for more elaborate tortures.

"Smoking in a tube" was done by covering the man's head with a hollow bamboo and burning incense under the bamboo until the victim suffocated. The "hotwater snake" was a flexible tube made in the form of a snake that was wrapped around the man's naked body with the snake's head uppermost. Boiling water was then poured down the snake's mouth.

A standard torture used by jailors to force prisoners to pay for their bed and board (these luxuries were not provided by the government) was the bedstead, a flat board on which the prisoner was laid with wooden clamps locked on his neck, ankles, hands, and body so he could not move. A night on the bedstead, especially if the prison was infested with mosquitoes, fleas, and other insects, was generally enough to force any prisoner to pay what he owed.

A very common punishment was the cage. On top of the cage was a flat board with a round hole in the center that fitted around the prisoner's neck. The board could be raised so the man was standing on tiptoe. Somewhat similar to the cage, but rather more merciful, was the cangue. This was a wooden collar, usually four feet square, which was locked around the criminal's neck. The name of his offense was written on the board and he was then turned loose to wander about the streets. As he could not feed himself, the man would starve unless mercifully disposed people put food and water into his mouth. Some cangues were equipped with double holes so two men could be locked in at the same time. This was the standard punishment for men who got into fights. They were locked together for several days to get them better acquainted.

Henry Norman in *Peoples and Politics of the Far East* describes a unique device:

In one corner a man had been tied hand and foot on a small bench in such a manner that his body was bent as far back as it could possibly be stretched in the form of a circle, his back resting on the flat seat of the bench and his arms and legs tied to the legs. His hands and feet were blue, his eyes protruded, his mouth gasped convulsively like a dying fish. A few boys stood gazing at him open-mouthed but nobody else paid any attention to him.

Some other tortures were putting a man inside a bell and then ringing it rhythmically until he went mad, and flaying a man alive but leaving the skin attached to his shoulders like a cape. Mandarins often had a spiked chair in their gardens to which victims were fastened. One observer told of seeing peacocks picking bits of flesh from the spikes after the victim had been removed.

As in Europe, mutilation was a common punishment but with Oriental refinements. In Canton after a rebellion in 1878, John H. Gray saw soldiers cut the neck sinews of the rebels so their heads hung over one shoulder. After uprisings or refusal to pay taxes, entire communities had their ears cut off.

The bastinado—beating with a bamboo—was carried to a high point of perfection in China. Henry Norman gives a detailed account of its use. The bamboo used was two inches wide, a half inch thick and three feet long. It was employed in a special manner:

Squatting by the side of his victim and holding the bamboo perfectly horizontal and close to the flesh, the executioner began to rain light blows on the man's buttocks. At first the performance looked like a farce, the blows were so light and the receiver of them so indifferent. After a few moments, a deep groan broke from the prisoner's lips. I walked over to look at him and saw that the flesh was blue. Then it became congested with blood and whereas he had at first lain quiet of his own accord, it now required a dozen men to hold him.

The crowd gazed with broad grins, breaking out in "Hi-Yah!" as he writhed in special pain or cried out in agony. All this time the ceaseless shower of blows continued, the man who wielded the bamboo putting not a particle more or less force into the last stroke then into the first. At length the magistrate dropped a word and the prisoner was lifted to his feet and led across the court to lean against a wall.

Gray says that a robber was usually flogged through the streets with the article he had stolen (or a picture of it if the object was too large) hung around his neck. A crier went ahead beating a gong and crying, "This is what happens to a thief." One flogger got tired and the man whose property had been stolen indignantly grabbed the whip and continued flogging the thief himself.

Sometimes a man was suspended by his thumbs with his great toes tied behind him so that his knees were the lowest part of his body. He was then lowered onto broken bits of crockery or a sharp-edged chain for the flogging. Norman saw a man after this ordeal put on his feet by the attendants, after which he collapsed. The attendants rubbed his legs to restore circulation and tried again but the man still could not stand. He finally had to be dragged out and left in the street.

More serious forms of flogging consisted of using a whip made of hemp fibers in which fish hooks had been tied. After every blow, the hooks stuck in the flesh and had to be torn loose. The most terrible whip was a thin, flexible iron bar heated red hot. Octave Mirbeau says, "The switch hissed in the air, penetrating far into the muscles which crackled and a reddish steam arose. Then the executioner let the switch cool in the flesh which bubbled up and closed over it. When it was cold, he tore it loose. He did this fifteen times."

The most terrible and famous of all Chinese tortures was the *Ling-chez* or "death of a thousand cuts." There were several variations of this torture. Sometimes the prisoner was encased in a shirt of iron mesh that, when pulled

tight, caused small portions of his flesh to be squeezed through the weaving. The strips of flesh were then cut off with a sharp knife and the shirt tightened again. A more common form was simply to cut off portions of the body one after another according to a carefully devised plan that would keep the victim alive until the end; however this generally meant that the number of cuts had to be limited to 120, 72, 36, or 24. The death of twenty-four cuts went like this: Cuts 1 and 2, the eyebrows; 3 and 4, shoulders; 5 and 6, breasts; 7 and 8, forearms; 9 and 10, upper arms; 11 and 12, buttocks; 13 and 14, calves; 15 and 16, heels; 17 and 18, hands; 19 and 20, arms; 21 and 22, feet; 23 and 24, legs.

A more sporting manner of performing this execution was to have a collection of knives, each marked with a different part of the body, tossed together in a basket. The executioner drew out a knife at random, used it on the labeled part, and then took another. He usually could be bribed to find the knife marked "heart" among the first.

Gray describes arriving at the execution ground in Canton on December 14, 1864, just too late to watch Tai-Chee-Kwei, a famous bandit, suffer this fate. When he arrived he saw "the fragments of his remains scattered over the execution ground. The hands and feet were among the most conspicuous portions."

In 1894, a woman was executed in this manner for poisoning her husband. He had beaten her for her slovenly manners. The *London Times* (December 29, 1927) reported that Father Wong, a Chinese Catholic priest, was subjected to this death by the Communists.

Beheading was so common in China that until recent years, no tourist returning from that country felt his collection of snapshots complete without a few shots of human heads lying about. The condemned man's crime was written on a short, flat stick about the size of a ruler and tied in an upright position on top of his head by his pigtail. Because he had often been so tortured that he could not walk to the place of execution, he usually was carried in an open box to the killing ground. Nearly everyone who witnesses

these executions—often twenty or thirty men were beheaded on the same occasion—remarked on the courage of the condemned, which often seemed carried to such an extreme that they actually seemed to enjoy the performance. They would watch the executioner's progress with interest, making rude comments when he did a clumsy job and joining in the general applause at a good stroke. Gray heard one man remark to the executioner, "A man who has had his head cut off can only return as the lowest of the low—so I will probably return as an executioner. If so, I'll look forward to beheading you." Another man refused to kneel, arguing "I have such a long neck it should be easy enough for you to decapitate me while I'm standing so why put me to the trouble of kneeling?" His attitude infuriated the executioner, who protested, "If you are going to take that attitude, you'll spoil the whole show." The man finally agreed to kneel.

Norman describes the execution ground: "The place is ankle-deep in blood, the spectators are yelling with delight and frenzy, the heads are like bowling balls on the green, the horrible, headless bodies lie around in grotesque attitudes, the executioner is scarlet to the knees and his hands are dripping."

Terrible as the torture chambers were, the prisons were worse. Gray says of the prison at Chin-kiang, "I entered through a doorway made in the shape of a tiger's open mouth. There was a prisoner hanging by his wrists from the ceiling. There were four men to a cell; no water and the buckets (used as toilets) were never emptied. In summer the air is nothing but a solid stench. The death house was a regular part of all prisons. Kidnappers were starved to death there. Most of the prisoners were fettered but in each cell was one 'trusty' who was free. He was responsible for the others. As the warden and guards were not paid, they had to get what they could from the prisoners or their relatives. The men were charged for food and, in winter, heat."

According to Mirbeau, "going to feed the prisoners" was a favorite sport among the wealthy, much like taking the

children to the park to feed the squirrels. Outside the prisons were lines of vendors selling rotten meat, which could be purchased for a few pennies. Sometimes the visitors amused themselves by putting food on the wooden cangues around the men's necks and watching their futile efforts to reach it. "Looking at it helps them to pass the time," one lady observed. Pieces of meat were thrown into the cells for the inmates to fight over. Terrible as these conditions were, it must be remembered that during the last century, European prisoners were expected to bribe the jailors into giving them lighter fetters, better food, and private rooms.

Although no other Oriental country ever equalled China in the number and ingenuity of its tortures, they did their best. India used several tortures, such as the *kittee,* which operated on the principle of the thumbscrews but resembled a lemon-squeezer. It was applied to any of the external parts: fingers, toes, ears, genitals of a man or breasts of a woman. An extremely simple but effective torture was the *anundal,* which consisted of tying the victim into a painful position, such as tying his head between his knees or one leg around his neck. More unusual devices were to put a boring beetle on the victim's body and then cover the insect with a coconut shell so it could not escape except by boring into the flesh, or to bury a man alive with only his head exposed so the vultures could pick out his eyes.

Rajahs often had a man tied to the foot of an elephant and then allowed the animal to trample him to death. The recognized punishment for treason or mutiny was to blow the criminal from the mouth of a cannon. This was a particularly terrible fate because it was believed that if the victim's body disintegrated, he lost all hope of eternal life. The cannon was loaded only with powder and the condemned man chained across the muzzle, facing forward. The shock of the blast not only tore the victim to pieces but the vacuum sucked back fragments so that the gunners were covered with blood and entrails. The British adopted this method of execution against the rebellious sepoys in the Mutiny of 1857.

The best-known single case of torture in India is the

Black Hole of Calcutta. In 1756, the young nineteen-year-old Rajah Siraj-ud-Doulah marched against the city and had 146 English residents thrown into a cell in the Fort William military jail. The cell was only eighteen feet by fourteen feet by ten feet with two small windows. It was June, just before the rains—the hottest time of the year. For a while the prisoners tried to take turns gasping at the windows but there was not even standing room in the tiny space and they became desperate. They fought for space at the windows, mounting on the bodies of those who had died. The guards amused themselves throwing in jars of water to watch the prisoners fight for them. By dawn, only twenty-three people were left alive. It was the Black Hole that decided Clive with his little army of 900 Europeans and 2,000 sepoys to move against Siraj-ud-Doulah. They met at Plassey. Siraj-ud-Doulah was defeated and India came under British domination.

Some of the English governors were as brutal as the rajahs. In the trial of Warren Hastings, Edmund Burke told Parliament:

> Those who could not raise money were most cruelly tortured; cords were drawn tight round their fingers, till the flesh of the four fingers on each hand was actually incorporated and became one solid mass; the fingers were then separated again by wedges or iron and wood driven in between them. Others were tied two and two by the feet and thrown across a wooden bar upon which they hung with their feet uppermost; they were then beaten on the soles of the feet till their toe-nails dropped off. They were afterwards beaten about the head till the blood gushed out at the mouth, nose, and ears; they were also flogged upon the naked body with bamboo canes and prickly bushes and above all with some poisonous weeds which were of a most caustic nature and burnt at every touch. The cruelty of the monster who had ordered all this, had contrived how to tear the mind as well as the body; he frequently had a father and son tied naked to one another by the

feet and arms and then flogged till the skin was torn from the flesh and he had the devilish satisfaction to know that every blow must hurt, for if one escaped the son, his sensibilities were wounded by the knowledge he had that the blow had fallen upon the father; the same torture was felt by the father, when he knew that every blow that missed him had fallen upon the son.

The treatment of the females could not be described. In the face of the sun, tender and modest virgins were brutally violated. Other females had the nipples of their breasts put in a cleft bamboo and torn off. Nay, some of the monsters had, horrid to tell, carried their unnatural brutality so far as to drink in the source of generation and life.

The Arabs and Turks, although famous among Christian nations for their brutality, do not seem to have invented any startlingly new tortures. Probably the best known and most dramatic was tying the victim to the back of a wild horse. Mazeppa, a young Polish nobleman in the train of Jean Casimir, had an affair with the young wife of a Ukrainian nobleman. He was discovered and the nobleman ordered him tied to the back of a wild horse. The horse ran until it dropped and Mazeppa was left bound to the carcass. He was rescued by some passing Cossacks. The story is told by Voltaire in his *History of Charles XII* and inspired Byron's famous poem.

Supposedly it was a Turk who coined the famous phrase to explain his treatment of his slaves, "I beat them for nothing to give them an idea of what I'd do to them if they ever did commit an offense." The Turks were accused of nailing horseshoes on the feet of Armenian prisoners, beating them to death with hammers, and making them run the gauntlet of men armed with scythes.

Richard Burton says that when a woman was bastinadoed "they leave her some portion of dress and pour over her sundry buckets of water for a 'delicate consideration.' When the hands [of a married woman] are beaten they are passed

through holes in the curtain separating the sufferer from mankind and made fast to a 'falakah' or pole." No such consideration was shown a man. In *"Innocents Abroad"* Mark Twain quotes from the account of a traveler he calls William C. Grimes who was robbed in the Holy Land by a young Arab of ten dollars worth of powder and shot. Grimes ordered him to receive the bastinado.

"He [Mousa] was on his back in a twinkling, howling, shouting, screaming but he was carried out to the piazza before the door where we could see the operation and laid face down. One man sat on his back and one on his legs, the latter holding up his feet while a third laid on the bare soles of rhinoceros-hide koorbash [heavy as lead, flexible as India rubber, usually about forty inches long and tapering gradually from an inch in diameter to a point, it left its mark for life]. Poor Moreright was in agony and Nama and Nama the Second [mother and sister of Mousa] were on their faces begging and wailing, now embracing my knees and now Whitely's while the brother outside made the air ring with cries louder than Mousa's. Even Yusef came and asked me on his knees to relent and last of all Betuni—the rascal had lost a feed-bag in their house and had been loudest in his denunciations that morning—besought the Howajji to have mercy on the fellow." Grimes, however, refused to yield and Mousa received fifteen lashes.

The bey of Algiers had the walls of his castle ornamented with hooks on which he used to impale prisoners. Another device was to skin them from the knees down and turn them loose on the hot desert sands.

CHAPTER 15

THE EARLY AFRICAN monarchs carried human sacrifices to a greater extent than any other people except the Aztecs. Benin, the most outstanding of all the African nations when the Portuguese first sailed along the West Coast in the 15th century, practiced human sacrifice and torture to a fantastic degree. The approaches to the capital city were lined with the dead and dying, sacrifices to the gods. Women were spread-eagled on their backs, their arms and legs tied to stakes and their abdominal walls cut open in the form of a cross. Scores of headless bodies with their hands tied to their feet to hold them in a sitting position lined both sides of the highway. Men were tied between two trees, disemboweled, and left to the thousands of vultures that fought to pull out the exposed intestines. Women were put on stools before crosses and their hands tied to the cross so they could not protect themselves against the hyenas, vultures, and flies. Others were placed on platforms to die by exposure or by the beaks of the hungry birds.

These were merely the routine sacrifices. Four times a year there was a great holocaust of slaves and captives. A Portuguese describes the Feast of the Beads, which took place outside the city near the great juju tree—a big cottonwood trimmed and cut to make the crucifixion of the slaves more easy. It is ironical that the people of Benin first learned the art of crucifixion from the missionaries. They cared little for Christianity but were fascinated by the crucifixes

which the priests carried. It opened up a whole new field to them.

On the morning of the feast, a great procession left the city gates. At the head was a regiment of soldiers in bamboo armor. Then came the king carried in a litter under a canopy with two leopards wearing golden chains walking by his side. The court dwarf followed, cutting capers to amuse the crowd. Then came horsemen in padded armor, followed by the royal harem of a thousand women. Next was the band beating on seven-foot drums and blowing trumpets of carved elephant tusks. Lastly were the slaves who were to be sacrificed, often numbering 300 men and women.

The priests approached the juju tree, carrying ivory canes with carved, hollow heads, each containing a solid ivory ball that rattled inside to awake the spirits of the people's ancestors. They addressed the slaves, giving them messages to take to the king's ancestors. Then the executioners approached, masked and wearing robes that reached the ground. They were selected for their height and wore tall headdresses. The first slaves executed were killed with highly carved canes, two executioners hitting the victim front and back at the same instant. He was not allowed to fall but held over a copper dish to collect his blood, which was later used to anoint the bronze heads in the fetish house.

Other methods were then used. Some were killed by an iron ball to which had been affixed a spike that slid up and down in a long iron tube. The end of the tube was put on top of the victim's head and the ball, with the spike pointing downward, was driven through the tube by the stroke of a mallet. Young girls, especially raised from infancy as sacrifices and until this fateful day given every possible privilege and luxury, were impaled on sharpened stakes greased with fat—the stakes entering their vaginas. Still others had the merciful death of being beheaded with great swords, the blades so elaborately carved that they looked like webbing but capable of taking off a head with a single stroke. Strings of coral and agate beads were dipped in the

blood and brought to the king, who presented them to nobles and others whom he wished to favor.

Benin was not the only African kingdom to practice torture. In Kano, Nigeria, when the British arrived during the early days of this century, they found men with their legs masoned into walls and convicted thieves whose palms had been gashed, their fingers skinned, and then hand-bound into the form of a fist until the fingers grew into the palms. In Calabar, criminals were nailed around hogsheads with wooden pins through their palms and feet, chili peppers forced up their anus, or rods driven up their rectums until the points entered their skulls. Richard Drake, a slave trader in the first part of the last century, describes an Ashantee sacrifice on the Gold Coast:

> Early the next morning we were awakened by the war drum announcing an Ashantee human sacrifice and were told that five hundred men, girls and boys were to be offered. A procession of the victims passed our huts soon after. One poor wretch had a knife passed through both cheeks and his two ears had been cut off and dangled from the knife blade and handle. A long spear was thrust under his shoulder blades, through the tendons, and he was led along by this, bleeding like a bullock. Then followed a young girl, stark naked, with both breasts cut smoothly off and her hips and belly stuck full of arrows. Another girl walked behind with her two breasts skewered by a knife and a cord passed through her nostrils by which to conduct her. There was no end to the horrible ingenuity of torture displayed.

The Ashantee were fairly mild compared to their neighbors, the Dahomians. King Trudo of Dahomey had an English governor named Testesale staked down over hot coals. Slits cut in his arms, back, thighs, and legs were filled with salt, pepper, and lime juice, and then he was roasted alive. The man's struggles distributed the various condiments through his body and rendered the meat more

tender. When some horrified Dutch traders protested, they were told, "This English mutton is good." King Adahoozou had the walls of his capital city of Colmina lined with human heads. When the architects reported that there weren't quite enough heads to finish the decor, the king said grimly, "Get more or I'll use yours." Another 127 heads were promptly secured.

Dahomey was famous for its "customs." On certain days indicated by the priests, the Dahomians would assemble a number of victims dressed in white with high red caps on their heads. Each victim was placed in a white, canoe-shaped basket and carried to the top of the city wall. Below the wall a huge mob assembled, armed with clubs, knives, and sharpened sticks. The king would go down the line of baskets, tipping them up one after another so the victims were shot into the air to fall among the mob. There, amid wild beating of drums and loud shouts, they were cut to pieces and eaten. The blood was collected in two pits. It was universally believed that the king used to paddle a canoe about in these blood-filled pits but the Reverend Bernasko measured the pits in 1860 and reported that they were only two feet deep and four in diameter—too small for any canoe.

The American Indians have acquired an international reputation as ingenious torturers. Colonial literature is full of bloodcurdling accounts of Indian massacres, followed by the torture of helpless prisoners tied to stakes. Modern historians have cast considerable doubt on the Indians' ability along these lines, some even going so far as to suggest that the Indians seldom if ever tortured their prisoners until the white men showed them how to do it and that the institution of burning at the stake was unknown to them until introduced by the Spaniards. The truth would seem to lie somewhere between these two extremes.

Torture apparently was not common among the South American Indians although some of the pottery of the Mochica, who lived on the north coast of Peru, shows mutilated victims tied to stakes and apparently being eaten while still alive by vultures and wild animals. These figurines date

back to the first century B.C. The Antis of Peru sacrificed prisoners to the gods by slashing off portions of their bodies, much like the Chinese death of a thousand cuts. The ceremonies had a religious significance (as did virtually all the tortures of pre-Columbian Indians) rather than a punitive purpose.

The Central American Indians were noted more for the incredible number of their sacrificial victims than for torture. The Mayans threw men, women, and children into the sacred well at Chichén Itzá as an offering to the gods, although it would appear that the number of the victims has been greatly exaggerated. However, it would be difficult to exaggerate the mass human sacrifices of the Aztecs. When the temple of Huitzilipochtli was dedicated in 1486, the Aztec priests sacrificed 70,000 victims to the god. The victim was stretched out on his back over a stone altar. Then black-robed priests held his hands and feet while a priest dressed in red cut open his chest and tore out his still quivering heart, offering it to the sun. The body was then rolled down the steps of the temple where the worshippers cut it to pieces and ate it. The man fortunate enough to obtain the skin paraded through the streets with the grisly emblem and everyone meeting him had to present him with a gift.

There is little doubt that the Spaniards introduced the conception of torture as a means of punishment into the Western world. Pizarro had the Inca and several of his nobles roasted on grills to force them to give him gold. When the nobles screamed to the god-king to save them, the Inca bitterly replied, "Am I lying on a bed of roses?" Bartolomé de Las Casas, a bishop known as the "Apostle of the Indies" who is generally credited with having started the African slave trade in an effort to save the Indians, describes the death of several chiefs at the hands of the Spaniards in Cuba in 1511:

> I saw four or five Indian leaders being roasted alive at a slow fire and the miserable victims screamed so loudly that they woke the commander of the garrison

who gave orders that they were to be strangled. But the officer of the guard refused and instead had them gagged. He stirred up the fire himself and roasted them deliberately to death.

De Soto is generally regarded as having introduced burning at the stake into North America, but even before his arrival it would seem that the Indians had their own version of this terrible death. The first account of torture by North American Indians comes from John Ortis of Marvaey who was captured by them while trying to found a colony in 1527 on Tampa Bay. Twelve years later, he was rescued by De Soto. Ortis said that when he was captured, the Indians had tied him on a platform over a fire. Meanwhile, they forced three other prisoners to run back and forth while they shot them full of arrows. Ortis had survived his ordeal and been adopted into the tribe.

A few years later, Lawson reported that the Indians of North Carolina used to stick lighted pine splinters in the bodies of their captives and then made them dance around a fire until they dropped dead. This torture had a religious significance, being intended to placate the storm god. Dr. Hewit, in 1715, describes the tortures of the Creek tribe:

> Sometimes they would cut their prisoners to pieces joint by joint with tomahawks; at other times bury them up to their necks and then shoot at them with arrows and at still other times bind them to a tree and pierce the tenderest parts of their naked bodies with sharp-pointed sticks of burning wood which last, because it was the most painful, was also the most common.

The early Indians usually tied their prisoners to an upright frame during the torture rather than to a stake. Penicaut says of the Mobile Indians, "They fasten a prisoner alive on a frame, the two hands being bound above and the feet spread below. The poor wretch being completely naked,

the whole village gathers around him. They then lay bare the skin all around his head as far as the ears, fill this with burning coals and then sew back the skin. They put the ends of his fingers into lighted pipes after tearing off his nails."

Le Petit gives a detailed account of the tortures used by the Natchez. "On returning from a raid, they give the warwhoop three times as they approach the village. Then no matter how weary they may be, they get the poles necessary for the 'cadre' or frame. [After the prisoner has been tied to the frame] the man who captured him scalps him, making the death cry while removing the scalp. Everyone in the village has a lighted cane and can burn the man anywhere he chooses. They heat nails and drive them in. The victim as long as strength remains with him sings his death song. Some have been known to sing and suffer continuously for three days."

According to Adair writing in 1736, the Chickasaw made a game of torture:

> Outside the leader's house is a red-painted war-pole. The prisoner is stripped and bearskin moccasins are put on his feet while a burning fire-brand is fastened to the top of the pole. Then he knows his doom. The punishment is always left to the women. The victim's arms are pinioned and a strong grape-vine is tied from his neck to the top of the pole allowing him to move about fifteen yards in any direction. Tough clay is put on his head to protect it. The circle fills with Amazons each armed with a burning torch. The women make a furious onset and the pain is so excruciating that he rushes out from the pole. The circle immediately fills again and they attack him from every side. After some time the fire affects his tenderest parts. Then they pour over him a quantity of cold water, allow him a proper time of respite till his spirits recover and he is capable of going on. When he falls and cannot rise, they scalp him and dismember all the exterior parts of his body.

> This is the most favorable treatment their captives receive—it would be too shocking to give every particular of their conduct.

If the Indians delighted in dispensing torture, they were also prepared to accept it. Adair saw two Mohawk prisoners, an older man and a young warrior, brought in. The young man called to Adair and begged him to help them but the older warrior rebuked him for being a coward and as a result, "he became composed, manifesting an indifference to life or death and his dying behavior did not reflect the least dishonor on his tribe."

One Iroquois warrior, after being tortured at the stake by the Shawnee, contemptuously told them that they didn't know how to do it and if they turned him loose, he'd give them lessons in the art. The Shawnee consented. The Iroquois told them to build a fire and give him a pipe. He then lit the pipe and, while peacefully smoking, crouched over the fire and slowly roasted off his genitals. The Shawnee were so impressed that they debated adopting him into the tribe. Finally they decided that he was now "spoiled," and tomahawked him instead.

Occasionally a resourceful warrior would take advantage of the torture to escape. The Cherokee captured a Seneca chief, and the women skinned the soles of the feet, put kernels of corn into the raw flesh, and sewed the skin back into place. They then ordered him to run the gauntlet between two lines of screaming harpies. The Seneca ran the gauntlet—and kept right on going. He managed to escape.

By far the most detailed account of Indian torture is given by Le Jeune in 1637, describing the torture of an Iroquois warrior taken by the Hurons:

> He was taken into the lodge where there were a number of fires burning and which was crowded with young men, each of whom held a brand ready to be lighted. The chief told them to do their duty as the Sun and the God of War would be watching. He warned them only to burn the victim's legs at first so

he would live until dawn and ordered them not to leave the lodge and go out into the woods with the squaws during the ceremony [an interesting example of cruelty as a sexual stimulant]. Then the victim was let in amid great cheers. I leave you to imagine his terror at the sight of these preparations.

Each man lit his torch at the nearest fire and the prisoner was forced to run around the lodge while singing. Each man burned him as he passed. He shrieked like a lost soul, the whole crowd gleefully imitating his cries. It was a living picture of hell. The whole lodge appeared to be on fire; under the flames and smoke these barbarians, pushing one another, howling with delight, their eyes gleaming with anticipation, seemed like demons.

They often stopped him at the ends of the lodge, breaking first his fingers and then his arms, piercing his ears with sticks, tying his hands and then twisting the cords to cut circulation. If he stopped, he was made to sit on the hot coals. On the seventh round, he collapsed so they dragged him onto the coals and put their torches into his crotch. Then the chief interfered, saying that he'd die before the public entertainment in the morning. He was put on a mat and given water. When he'd recovered a little, he was ordered to sing.

Then the torture began again. The smoke issuing from his roasting flesh was terrible. One thing, in my opinion, greatly increased his suffering—anger did not appear on the faces of those torturing him but rather gentleness and humanity. Their words expressed only good-natured raillery. There was no strife as to whom should burn him next—each one awaited his turn. Most did not withdraw their brands until he had screamed. Then when he ceased shrieking, the next man would apply his torch. Some tied cords around him which they set on fire. Some made him walk on red-hot tomahawks. You could hear the flesh hiss and the smoke went up to the roof each time.

Meanwhile, they teased him by saying, "Here, uncle,

let me keep you warm," "Ah, here comes my canoe. I must pitch its seams [pouring hot pitch on him]," "I'm your friend so you decide for yourself where you want me to burn you," "Don't worry, I'll never burn you [breaking finger]," "Now here comes our guest. I must give him a tomahawk—a nice red-hot one," "Why, your poor feet must hurt. I'll cover them [puts on bark stockings and setting them on fire]," "Have you had enough? You have? Why, what a liar you are and a liar must be punished." Ears of corn were set on fire and forced into his mouth with the remark "It's rude of a guest to refuse food." "Come confess, didn't you enjoy doing these same things to the Hurons you captured? But you never thought you might be captured, did you?"

At dawn, he was taken outside to a platform with a tree trunk laid across it. He was tied to the tree but given enough rope so he could move about. Now he was burned everywhere as he ran back and forth from one man to another. One torch was forced down his throat while at the same time another was stuck up his fundament. His eyes were burned out. Burning torches were hung around his neck which he could not remove as his fingers were gone. If he fell down, men under the platform held up their torches and forced him to his feet. They stopped several times to revive him but at last he could no longer move. They then disemboweled him in an effort to make him sit up. Finally they ate the body.

It has been said that the white man even taught the Indians how to scalp, as Governor Kieft in 1641 offered a bounty for every Indian scalp brought in. During the French and English Wars, both sides offered the Indians a bounty for the scalps of the other. However, there can be no doubt that scalping was an old Indian custom long before the arrival of the white man. The scalps were taken partly as a trophy but also to make possible the scalp dance to appease the spirits of the dead. It is possible that an

element of sympathetic magic was also involved as hair has always been thought to carry strength with it, as the story of Samson shows.

The most famous of the early white martyrs was Frère Jean de Brebeuf, later canonized. De Brebeuf was a Jesuit missionary who went to Canada in 1625 to convert the Indians. He became particularly interested in the Hurons, learned their language, and lived in their villages together with another missionary priest named Lalemant. In 1649, the Hurons were attacked by the Iroquois. The two priests stayed with their friends, helping to evacuate the women and children to the French settlements, tending the wounded, and giving absolution to their converts. On March 16th, the Huron village where the priests were staying was attacked. The Indians begged the missionaries to escape but the priests refused. They, together with about sixty Huron warriors, were captured. The Iroquois tortured all their prisoners but devoted special attention to Frère de Brebeuf.

He was first tied to a stake and his naked body burned all over with torches. As he still insisted on exhorting his Huron followers to keep up their courage, the Iroquois thrust their torches down his throat. Even this did not silence him so red-hot tomahawks were hung around his neck. Then a girdle made of bark soaked in pitch was hung around his waist and set on fire. Kettles of boiling water were poured over his head in a parody of baptism. As he still continued to cry out, "Jesus have mercy on us!" they finally cut off pieces of his flesh, cooked them over the fire, and ate them in front of him. He was scalped just before he died. The torture lasted four hours. Frère Lalemant was subjected to much the same ordeal but it lasted for fifteen hours, probably because his torturers stopped at intervals to revive him so he could be sacrificed at dawn like the Iroquois captive of the Hurons as described by Le Jeune.

A bizarre case of torture was the case of Dr. David Menzies, who was captured by the Cherokees. As the Cherokees were cannibals, an old squaw thrust bacon

wrapped on iron skewers into the doctor's buttocks and then ordered him tied over hot coals until the bacon cooked, the theory being the doctor's struggles would distribute the bacon juices through the flesh and make it more appetizing. During the process, the Indians got drunk and passed out. Dr. Menzies managed to free himself. Before escaping, he took a blazing brand from the burning coals and set the old squaw on fire with it. It took him several days to get back to civilization and he subsisted on the bacon, which he pulled out of his own body.

During the Revolution, there were many stories of Americans tortured by the Indians serving under the British, especially by the Iroquois in New York. A Lieutenant Boyd was captured after the battle of Newtown in 1779 by Colonel John Butler's Senecas and tortured in an effort to make him reveal General Sullivan's plans. The Seneca torturer, named Little Beard, twisted strips of flesh from Boyd's body with wooden tongs, put out his eyes and inserted red-hot coals into the sockets, and finally tied him by his intestines to the stake and built a fire around him.

In the West, the Apache were particularly notable as torturers. They would wrap a man in a green cowhide, put him in the hot sun, and allow the hide to crush him as it dried. They would also tie a prisoner down in the middle of a circle of rattlesnakes fastened to stakes by their tails and wait until one of the reptiles bit the man. The Central American Indians took advantage of the fast growing properties of bamboo. Under suitable conditions, bamboo will grow a foot in twenty-four hours, so the victim was tied across the sharpened tops of bamboo shoots and the plants were kept well watered, Other prisoners were staked out and rotten meat forced up their nostrils so flies would lay eggs in it. The squirming of the maggots eventually drove the victims insane.

CHAPTER 16

THE AMERICAN COLONISTS added no new contributions to the art of torture and confined most of their punishment to the pillory, ducking stool, and flogging, although on occasion a criminal might be branded, have his tongue pierced with a red-hot iron (for blasphemy), be mutilated, or sold as a slave. Jail sentences were few because there were almost no jails and those few were used only to hold prisoners awaiting trial. The colonists were singularly free of witches except for the famous episode in Salem in 1692. A minister named Samuel Parris had a West Indian slave woman named Tituba who made the mistake of telling a group of young girls ghost stories during the long winter evenings. She succeeded in frightening the children into fits, and the horrified community decided that they were bewitched.

The girls were delighted at finding themselves the center of attention and began to throw bigger and better fits, meanwhile denouncing Tituba as a witch. The slave was called before the magistrates. Very shrewdly she admitted her guilt but offered to denounce the other witches in Salem in return for her freedom. The court agreed and Tituba gave them the names of several women prominent in the community. The girls now got the idea and started accusing right and left. Soon the only way to prevent accusations was to become an accuser. Within the next four months, nineteen people were hanged. When Giles Corey, a man eighty-one years old, refused to testify, he was sub-

jected to the *peine forte et dure*. So many weights were piled on his chest that his tongue protruded and the bailiff poked it back into the dying man's mouth with the end of his cane. Although Corey refused to testify, he finally begged for more weights to end his agony. For years afterwards, Salem children sang a nursery rhyme beginning, "More weight, more weight, Giles Corey, he cried."

With 200 people in jail, Sir William Phips, the governor, stepped in and stopped the trials. The children tried denouncing Lady Phips, but by now the panic had run its course and the juries refused to convict any more witches.

America's greatest contribution to the art of torture was the slave trade. The slaves were packed "spoon fashion" in the holds of the ships. Another deck called a "slave deck" was then rigged above them and, if space permitted, still another deck on top of that. The space between the decks was up to the captain. The more merciful allowed for three feet so a slave could sit up but some limited the space to twenty-two inches in order to squeeze in another deck.

Typical of the slavers was the *Brookes*. She was designed to carry 454 slaves, each man allowed a space six feet long by one foot four inches wide; every woman five feet ten inches long by one foot two inches wide; every child four feet six inches long by one foot wide. However, on one voyage the *Brookes* carried 600 slaves and on another 609. Shackled together, breast to back, a man had no choice but to relieve himself over the body of the man in front or behind him. No attempt was made to clean out the hold until the slaves arrived in the West Indies after a voyage of three months or so. This in intense tropical heat.

Newton, a slaver who afterwards became a prominent clergyman, wrote, "They are packed like books on a shelf so close that the shelf would not contain one more. The poor creatures, thus cramped, are likewise in irons which makes it difficult for them to turn or move without hurting themselves or each other. Every morning more instances than one are found of the living and the dead fastened together."

As a result, it was said that you could "smell a slaver

five miles downwind." A doctor on board a slaver describes the slave deck to be "like a slaughter-house, the floor covered with blood and mucus from the flux [dysentery]. Although only among them for a quarter of an hour, I was so overcome with the heat, stench and foul air that I nearly fainted and only with assistance could I get on deck."

The slaves seemed to spend most of their time trying to commit suicide. When brought on deck they had to be kept shackled to a long chain or they would jump overboard. To prevent this, nets were strung along the vessel's gunwales but even so the slaves sometimes managed to circumvent these precautions. On one ship when the nets were lifted long enough to empty some buckets over the side, three slaves who had escaped from their chains dived through the hole and were drowned. So frequently did the slaves attempt to starve themselves to death that an instrument called a *"speculum oris"* or "mouth-opener" was a standard piece of equipment on all slavers. This was a funnel with two movable bars in the narrow end. The *speculum oris* was forced into the slave's mouth, the bars extended, and gruel poured into the funnel.

Without some such device, the slavers had a serious problem. James Morley, a gunner on a slaver in 1776, speaks of a woman who refused to eat in spite of being subjected to the thumbscrews, being suspended from the mizzen rigging, and constant floggings. As she died, she whispered, "I am going to my friends." Isaac Parker, quartermaster of the *Melampus* in 1764, tells of a child nine months old who refused to eat. The captain held the baby by the ankles while he flogged it with the cat, saying, "Damn you, I'll make you eat or I'll kill you." When the child still wouldn't eat, the captain had the baby's feet dipped into boiling water which "brought off the skin and nails." Even this treatment didn't produce the desired results so the captain had a twenty-pound log of wood fastened around the child's neck. He continued flogging the child every mess time for the next four days. Finally, after a flogging, he opened his hand and let the child fall on the deck saying, "I told you that I'd kill you if you

didn't eat." He ordered the mother to throw the corpse overboard and had her flogged until she obeyed. She picked up the little corpse and "holding her head to one side to avoid the sight, she dropped her child overboard after which she cried for many hours."

Even when the slaves reached the plantations, their troubles were not over. Sir Hans Sloane, who visited the West Indies in 1688, says that the slaves were punished by "nailing them down to the ground with crooked sticks on every limb and then applying fire by degrees from the feet and hands, burning them gradually up to the head, whereby their pains are extravagant; for crimes of a lesser nature gelding or chopping off half of the foot with an axe. For running away they put iron rings of great weight on their ankles or pottachs about their necks which are iron rings with two long necks rivetted to them or a spur in the mouth. They are whip'd till they are raw and then pepper and salt rubbed into the wounds to make them smart, at other times their masters will drop melted sealing wax on their skins and use several very exquisite torments." However, Sloane claims the slaves on the English plantations were well treated compared to those in Spanish possessions.

The treatment of slaves in the West Indies was particularly vicious because newly landed slaves were cheap, the weak and sickly selling for as little as a dollar, and the owners' task was to get a maximum amount of work out of them before they died. Slaves often were punished by being chained to the furnaces used to distill rum. Pepper was rubbed into their eyes if they dozed while at work. Fat was smeared over the bodies and dogs set on them. They were forced to wear collars with long spikes protruding from the outside so they could not lie down to sleep. Or if they tried to run away, they were fastened to boards by spikes driven through their feet. Ogle, the mulatto who led the Haitian uprising of 1791, was broken on the wheel.

In the American southern colonies, treatment of the slaves was generally more merciful, if for no other reason than that they were more valuable. The favorite method of chastisement was the cowhide—a strap of untanned

hide about three feet long, an inch thick at the butt and tapering to a point. However, the cowhide left scars for life and lowered the value of the slave. More sophisticated planters used a "flexible stalk" to the end of which was attached "a soft, dry, buckskin cracker about three eights of an inch wide and ten or twelve inches long. When used by an experienced hand it makes a very loud report and stings but does not bruise the flesh." A silk slash will have the same effect and was the weapon used by the Romans on valuable female slaves.

Branding was common. Many of the advertisements for fugitive slaves read "burned on the left side of her face with a hot iron; I tried to make the letter M"; "on the breast something like L blotched"; "marked RS in a diamond between the shoulder blades"; "branded MAC on right shoulder and ears cropped."

Some masters invented their own forms of torture. A Maryland planter forced his slaves to eat any worms they missed when cleaning the tobacco leaves. Mr. Lilburne Lewis of Livingston County, Kentucky, chopped refractory slaves to death with an axe. In 1831, a jailor in Louisiana advertised that he had captured a runaway slave "lately gelded and not yet well." Another Louisianian castrated three of his male slaves.

It has often been said that the West, with its reliance on vigilantes to administer justice, created the great American sport of lynching. Certainly the code of the West was ruthless enough. In 1800, the penalty for horse stealing was to be "branded on one cheek with the letter H and on the other with the letter T, stand in the pillory one hour, receive thirty-nine lashes and then have both ears nailed to the pillory and cut off."

During the California gold rush of '49, the miners themselves dispensed justice according to their own lights. One witness tells of a Mexican who had been seized on the suspicion of horse stealing. The miners were determined to give the man a trial. A jury was hurriedly impaneled and met in the local bar to hear the evidence, which was of the flimsiest kind. They then retired to the poker room to con-

sider their verdict, and after an hour's debate returned with the verdict "Not guilty."

"You'll have to do better than that!" shouted the crowd, firing a few shots over the jurymen's heads. The men hastily retired again and this time brought in a verdict of "Guilty."

"Correct! We hung the bastard an hour ago," the mob shouted.

But sometimes such rough-and-ready methods brought results. At Coloma, California, in 1849, an old miner befriended a young vagrant, staking him to food and clothing and even paying his way across a ferry. After the youngster disappeared, the miner found that his poke of gold dust had vanished. He called on his friends, who followed the young man and searched him without finding the poke. However, they were convinced of his guilt and brought him back to the ferry, where they hung him from a convenient branch until he turned purple. When he was at his last gasp, they cut him down and demanded the gold. The youngster still protested his innocence so he was dragged behind the ferry until nearly drowned. Still he swore that he had not robbed his benefactor.

"We're going to kill you," the mob told him. "This time you'll be towed behind the ferry until you die."

A rope was put around his neck and fastened to the ferry. When the victim realized that the mob was really serious, he broke down and cried, "Don't kill me! I'll tell where I hid the gold." He led them to a flat rock under which he had concealed the poke in case he was pursued and captured. He was sentenced to receive fifty lashes and, when stripped down, the crowd discovered that his back was already scarred from a number of previous whippings, showing that he was an old offender.

Lynchings were so common that the victims took them as casually as the crowd. According to one story, a stranger in a mining camp heard that a lynching was under way and went to see the show. When he arrived he found a crowd putting a rope over a branch while an individual who

seemed to be their leader directed operations. The stranger asked the supposed leader, "Who's to be lynched?"

"Why, mister, I reckon it's me," drawled the man, and subsequent events proved him to be right.

The old West was proud of its "hanging judges." Possibly the most famous was Roy Bean, "The Law West of the Pecos." Bean had spent most of his life in Mexico apparently as a bandit, fought in the Civil War as a guerrilla on the Southern side, and after the war took to following the railroad lines peddling liquor. During his pied, dappled, and checkered career, Bean had spent enough time in jails to qualify as a legal expert, and since he was in his sixties and had an impressive white beard, a little community at a stopover point on the Southern Pacific elected him Justice of the Peace in 1879. Bean named the community Langtry after Lily Langtry, the reigning beauty of the day, and opened a saloon where he dispensed whisky and justice. The court was always opened by him with the words, "This here honorable court is now open and any bastard who wants a snort before we get goin' can step up to the bar and name his poison."

Many stories are told about the judge. He once acquitted a man for shooting a Chinaman on the grounds that "There ain't no law makin' it illegal to shoot a damn Chink." When a Mexican was shot, the judge ruled, "Serves the greaser right fer gettin' in front of a gun." When a dead man was discovered in town with a gun and forty dollars in his pocket, the judge fined the corpse forty dollars for carrying a deadly weapon. The accused was always required to buy drinks for the judge and the jury. One man who refused was instantly found guilty without any more unnecessary investigation. The most famous story about Roy Bean (also attributed to Isaac Parker, another famous hanging judge) concerns his sentencing a Mexican sheep thief to death. In the flowery language for which he was famous, the judge told the condemned man:

> You have been tried by twelve good men and true who are as high above you as heaven is of hell. Time

will pass and seasons will come and go. Spring will come with its wavin' green grass and heaps of sweet-smellin' flowers on every hill. Then sultry Summer with her shimmerin' heat-waves and Fall with her yeller harvest moon and the hills a-growin' brown and golden under a sinkin' sun. And finally Winter with all the land mantled with snow. But you won't be here to see any of 'em; not by a damned sight because it's the order of this court that you be took to the nearest tree and hanged by the neck until you're dead, dead, dead, you olive-colored, chili-eatin', sheep-stealin' son of a bitch.

But before he was dragged off, the Mexican bounded to his feet and replied:

I admit I'm a thief, but so eager was this court to add another to its already long list of slaughtered victims that you remind me more of a lot of buzzards hovering over a carcass then men supposed to dispense justice. You half-starved hyena, you've sat through this trial with devilish glee written all over your hellish face. You talk about Spring with its sweet smelling blossoms and Fall with its yellow moon, you damned offspring of a diseased whore. You say that I'm to be hanged and as I gaze into your bloated, whisky-soaked face, I'm not surprised at the pretended gravity and the evil sarcasm with which you send me to my death. You haven't even the grace to call down the mercy of God on my soul, you dirty-nosed, pot-bellied, dung-eating descendant of an outhouse maggot.

I defy you to the end. You can hang me by the neck until I'm dead, dead, dead and you can also kiss my ass until its red, red, red and God damn your foul old soul.

Bean was officially deposed in 1896 but continued to operate his saloon and go through the form of trying cases until his death in 1903.

The most terrible of the hanging judges was Isaac C. Parker, as different from Roy Bean as any one could possibly be. An ex-judge, former congressman, and religious fanatic, Parker was sent to Fort Smith, Arkansas, by President Grant in 1875 to "straighten things out." Parker had come from Missouri during the reign of the James brothers and had developed a pathological hatred of evildoers. Now he controlled an area stretching to the Colorado line, and during his twenty year tenure of office he ordered the hanging of eighty-eight men, often in batches of three, four, and on one occasion six. In his "court of the damned" he would rail at the prisoners as "brutes," "demons," "the refuse of humanity," and order the juries to find them guilty regardless of the evidence. No appeals were permitted the condemned until 1889, when the Supreme Court interfered, ruling that out of forty-six convicted prisoners, thirty had not received a fair trial. Two years later, the attorney general ordered Parker to stop the public hangings, and in 1896 he was removed from office. The disgrace sickened Parker and he died three months later, protesting to the end that he had only been doing his duty.

Almost as famous as Parker was his hangman, George Maledon. Maledon was a German immigrant, a bearded little man who took great pride in his unique profession. He was very particular about his ropes, refusing to use anything but Kentucky hemp, and spent hours stretching the ropes with sandbags and keeping them well oiled. It was his boast that his customers "never even twitched," and he had one standard joke when asked if the deaths of over sixty men did not bother him. "None of them ever came back to complain," he would say, and then burst into roars of laughter.

Maledon's career ended in tragedy at almost exactly the same time as did Parker's. In 1895, Maledon's beloved eighteen-year-old daughter had an affair with a married adventurer named Frank Carver, who shot and killed her. Carver was taken before Parker and sentenced to death, but through legal technicalities managed to escape. Maledon

never recovered from the blow. Shortly afterward he left Fort Smith a broken man.

In more recent years, the United States has become famous for the judicial use of police torture known as the "third degree." Like the tortures of the Inquisition, the purpose of the third degree is to force a confession. The straitjacket has always been popular with American police as a torture device. It leaves no marks and the police can always argue that the prisoner became so unruly that he had to be restrained. Also, the average person does not regard the jacket as a means of inflicting pain. The classic example of torture by the jacket was Edward Morrell, one of a number of squatter farmers who, during the turn of the century, took part in an uprising against the railroads crossing their land. Morrell was sent to San Quentin, where he earned the reputation of being uncooperative. A group of the prisoners bribed a guard to smuggle in some revolvers but were caught. One of the men tried to save himself from months in solitary by offering to expose a plot to blow up the prison. He claimed that thirty-five pounds of dynamite had been brought in concealed in small bags and showed the warden where the empty bags had been tossed away. The bags had actually contained tobacco, but the frenzied warden believed the story. A number of the convicts were tortured by being strapped in the jacket, among them Morrell.

Morrell says, "The guards laced the jacket as tightly as possible—'cinching' it is called in prison lingo—by bracing their knees against my back. After half an hour I began to cry out, to yell, to scream, to howl in a very madness of dying. The pain had reached my heart. It was a sharp, definite pain, similar to that of pleurisy, except that it stabbed hotly through the heart itself."

Morrell took a hundred hours in the jacket. Then he was put in solitary and allowed a few days to rest. He was then jacketed again. This continued for two years. In his delirium, Morrell had dreams that he believed were visions of past lives he had led. After his discharge, Jack London wrote the story of Morrell's visions in *The Star Rover.*

Either Morrell had an astonishing imagination and a remarkable knowledge of historic events or else he really did go back through various reincarnations.

Although legally a prisoner cannot be forced to testify against himself, many prominent police officials have frankly stated that it would be impossible to carry on a policy of efficient crime detection without "coercive" methods. When he took office, Mayor LaGuardia of New York told the police that he'd fire any man using third-degree methods. Six months later he changed his order to "I'll fire anyone if he uses third-degree methods and the newspapers hear about it." In 1929, District Attorney R. H. Elder said, "The third degree has now become established as a recognized practice in the police department of the city of New York. Every policeman stationed in the city is equipped with the instruments to administer the torture incident to that process." In 1953, North Dakota police officers arrested an Indian accused of murdering a white girl, and tied one of his arms to a fence post and the other to a truck. Then they started the truck, telling the prisoner, "Talk or be torn apart." The prisoner confessed.

The third degree is especially used in cases where there is a great public demand for an arrest, usually in the case of a sex crime. Before the arrest of Loeb and Leopold for the Bobby Frank murder, a schoolteacher was picked up by the Chicago police and tortured until he confessed the murder. The authorities are also under strong pressure during periods of popular hysteria against some secret organization, as they were during the witchcraft panics. During the 1918–20 fury against "Bolsheviks," the Chicago police arrested 20,000 in one day.

Many of the accounts of third-degree tortures could be taken straight out of the annals of the Spanish Inquisition. In 1922, a Negro farmhand in Mississippi was arrested for the murder and robbery of a white storekeeper. Water was poured own his throat until he confessed. When asked where he'd hidden the money, he described a ditch near his farm. When the money wasn't found, he was tortured again and again, each time confessing to new places. Finally, the

police had to let him go. In 1936, a half-witted boy named Emil Reck was picked up in Chicago for shooting a doctor who had answered an emergency call late at night. Reck's hands were tied behind his back and he was suspended from the top of a door (the strappado) to make him confess where he had hidden the gun. Reck screamed "How can I say anything when I don't know anything?" Hot coals were held under his bare feet. Reck pleaded, "I don't have it. I can't think straight any more. How can I tell you where the gun is when I don't know?" Reck never did tell where the gun was but received a prison sentence of 199 years. Although since his conviction, a gang of four hoodlums have confessed to the murder, Reck is still in jail.

The 1931 Wickersham Report on the third degree quotes a New York police officer named Lavine who recommended beating the accused's kidneys with a nightstick from behind, using rhythmical blows gradually increasing in strength. Lavine suggests promising the accused that he'll receive no more sudden blows. Then when he relaxes, hitting him hard. An important psychological touch: "The blows hurt much more if he don't know from who or when he's going to be hit next."

Police officers generally concentrate on tortures that leave no mark—one of the principal reasons that the medieval rack was so popular for political prisoners. The rubber hose, garrote, and squeezing the accused's testicles with pliers are all popular. So also is the sweatbox, a coffin-shaped box in which the prisoner is locked. The box is then leaned against a hot stove. In some cases, a dentist's drill was used on the victim's teeth. The Chicago police have used a telephone book to strike prisoners across the Adam's apple or temples because the book leaves no mark. They also have hanged prisoners by their ankles from a beam and then exploded tear gas under them. A special room was reserved for these punishments and the order "take him to see the goldfish" meant that the prisoner was to be dragged to the torture chamber.

A recent example of police torture occurred in Mississippi when the "Freedom Riders" tried to demonstrate there.

Kenneth Shilman, an eighteen-year-old boy from Oceanside, New York, described their treatment:

> We were thrown in the Mississippi State Penitentiary. From my cell I saw two other Freedom Riders, Felix Singer and Terry Sullivan, being dragged naked along the concrete corridor. Their skin was tearing off their bodies and the extreme pain showed on their faces. Electric shockers such as are used on livestock had first been used on them. I saw the burns on Sullivan's arms and legs. Then 'wrist-breakers' were used on them; clamps with a handle for applying pressure on the wrists [a modern form of the thumbscrews]. Sullivan's wrists were swollen twice their size and twisted about two-thirds out of proportion.

The United States still permits flogging. In two states—Delaware and Maryland—the whipping post, known as "Red Hannah," is still the legal punishment for a number of crimes, especially vagrancy and wife-beating. The last flogging occurred in August, 1961, when Marshall Flanary received ten lashes for beating his wife. A story is told of a Delaware girl who was being shown various bygone instruments of torture in an English town. Her guide remarked, "I could show you the old whipping post but the sight would make your blood run cold." To this the girl replied, "I don't see why. I live across the street from one."

Here's a description of a Delaware flogging in 1935, the last public flogging in that state, as reported in the *Journal Every Evening:*

> Forty men witnessed the two whippings. Thirty-five lashes were applied. The two men whipped were Bernardo Farne and Harry Ward. The former had been sentenced to twenty lashes for breaking and entering and the latter to fifteen lashes for larceny. The lashes were laid on with considerably more force than in past whippings but the spectators admitted they were disappointed, having been under the impression

that the flesh-breaking and blood-letting whippings of forty years ago would be repeated.

Welts were raised on the backs of Farne and Ward and the blood blisters on Farne's back were noticeable where several of the leather thongs on the 'cat' struck the tender flesh on each side of the abdomen.

After the whippings, nearly a score of other persons arrived but were informed they were too late. This was the second time both Farne and Ward had been whipped.

There have been several attempts to reintroduce flogging in Great Britain. In the most recent attempt (April, 1961), Lord Ferrers pointed out that in 1938 (when flogging was still legal) there were 2,721 crimes of violence in Great Britain while in 1949 (after it had been abolished) the figure rose to 13,876. "Terrifying!" said his lordship. Lord Raglan remarked, "My father used to boast about the number of times he was caned at Eton but it obviously had no effect on him as he kept coming back for more." At last the measure was defeated, Lord Stoneham saying, "You can't improve people's minds by banging their bottoms."

CHAPTER 17

UNTIL 1940, THE world's record for mass executions was probably held by Genghis Khan, who killed 1,747,000 people in Herat, Afghanistan during the 13th century. But Genghis' record has been far surpassed by Hitler, who killed over six million people in concentration camps.

The first of the German concentration camps was Dachau, located a few miles outside the quiet little German village of that name. Dachau is about seven miles north of the great rail center of Munich, and Himmler established the camp there on March 22, 1933, for the same reasons that stockyards are located near cities—so the cattle can be brought in by rail but slaughtered outside the city limits where the urban population will not be disturbed by their smell and panic-stricken bawling. At Dachau, as in the other camps, prisoners were not merely massacred but were also tortured for the amusement of the SS guards and their friends.

I went to see the Dachau camp on a cold, wet, dark December afternoon. A fog covered the ground and the taxi bumped and jolted over the rutty road—"the highway to hell"—along which thousands of starving, frostbitten prisoners had been driven by the leather whips of the SS guards. Dachau even under the best conditions will never compete with Disneyland as a place to take the kiddies for a Sunday afternoon, but in the gathering darkness with dirty water squirting from under the car's wheels and a mush of

mixed rain and snow covering the windshield, I remembered the old motto on the medieval torture chambers: "Dark theaters are prepared for dark deeds."

Then through the fog I saw looming the wall, topped with barbed wire once charged with electricity that surrounded the camp. The wall was made of a dirty greenish-colored cement, now much cracked, and was about twenty feet high. In many places the wire had rusted through and was hanging in twisted coils from its broken porcelain insulators. The wall was surrounded by a ten-foot strip called the "neutral zone" and beyond that ran a hurricane fence also topped with barbed wire. Beyond the fence was a moat, about four feet deep and eight feet wide, formerly filled with water from the river Amper, which flows west of the camp.

We drove along the neutral strip for what seemed to me a couple of miles, with the endless wall on our left. At regular intervals stood high watchtowers. Searchlights had been mounted here to illuminate the neutral strip and slits where the muzzles of machine guns had once protruded still showed clearly.

The driver said, "Do you see that field beyond the fence? Late in the war when they could no longer get fuel for the crematorium, they used to drive the prisoners into that field and machine-gun them from the towers. Then bulldozers dug mass graves for them."

The driver spoke matter-of-factly. No one in Dachau seems to have any feeling about the camp one way or the other. When I asked the hotel clerk to direct me to the post office, the bank, and the camp, he produced a map and checked off each point in sequence in exactly the same manner. When asked directly how they feel about the camp, the standard reply is, "Of course we knew the camp was there but we did not know what was going on inside."

At intervals we passed gateways, the wooden gates now mainly rotted away or fallen down. As the car jolted past, I caught glimpses of long lines of wooden barracks in the last stages of disrepair. There were thirty of them, each intended to hold 180 inmates, but toward the end of the

war more than a thousand people were crowded into each barracks—the record being held by Barracks 22, which held 1,446 Russians. An inmate wrote, "We were full of lice and fleas. Many had no longer a mattress and lay on the boards naked. As they could not get up, they were forced to comply with the needs of nature on the spot. From the upper tiers, the excrement fell on those below."

Finally we came to the end of the interminable wall and there was a brick balustrade with wrought-iron gates and a sentry box with a uniformed officer. Beyond the gates were fir and cypress trees, a formal garden, and gravel paths. This section had been the home of the SS guards and was also the site of the gas chamber and the crematorium.

Dachau is being preserved as a national monument to the dead under the motto, "Forgive, but never forget." The guard waved us through to the parking lot and I went on by foot down the trim garden path.

This garden had been laid out by prisoners under the direction of the SS guards and fertilized with the bodies of their friends. About 1,300 prisoners had worked on it ceaselessly, reclaiming the land from the terrible Dachauer marshes, planting the trees, and cultivating the fine flower beds. The prisoners were yoked to plows and harrows, six men to a plow. At the entrance had been a sign, "Work makes you Free."

Here and there among the trees were flat granite slabs with such inscriptions as, "Hereabout approximately 2,000 Jews are thought to have been shot," or, "It is believed that near this spot over 1,000 Poles were executed." The SS guards burned most of their records before the camp was captured by an advance detachment of American troops, so no one knows how many people died at Dachau—it is thought about two hundred thousand. I passed the rifle range, where the prisoners were ordered to run back and forth while the guards practiced firing at them with revolvers, and the hospital, where doctors experimented on human guinea pigs. One doctor was interested in malaria and imported mosquitoes, which he allowed to bite the

patients. More than 1,000 were infected and forced to stagger around the camp with malaria until they died. But the most hated members of the hospital personnel were two sadistic nurses who used to enjoy giving the patients fatal injections. Giggling loudly, these two harpies patroled the wards with syringes poised in their hands, picking their victims while a deathly silence reigned. Prisoners with gold teeth were particularly apprehensive because the doctors and the nurses divided the teeth.

I saw the well where the ashes from the crematorium were thrown, the bronze statue of a starving man erected in memory of the many who died here, and the site of the gallery from which the guards and their girl friends watched prisoners being torn to pieces by savage prison dogs.

Behind the bronze statue stands the only structure in Dachau that offers any degree of permanence—the building housing the crematorium and the gas chamber. The gas chamber was designed to resemble a shower room to avoid trouble when herding the naked prisoners inside. But the shower fixtures were intended to spray cyclone gas rather than water. The gas chamber connected to the crematorium, where two giant furnaces were kept going night and day. Iron stretchers with long handles slide in and out of the furnace doors.

Because of the terrible weather, I hadn't seen anyone else in the camp, but in the crematorium room a dark, serious young man was opening a large cardboard box. Glad of someone to talk to in the uncanny spot, I said, "This place gives me the creeps, doesn't it you?"

He looked mildly surprised. "Oh, the first visit seldom bothers people. It's the accumulative effect that gets you. I've been here fifteen times."

"Why, in heaven's name?"

"I come here every year on what I think is the anniversary of the death of my parents." He finished opening the box and took out a large wreath which he hung on the crematorium door.

Next to the crematorium is a room where pictures of the former inmates, dead and dying, are on exhibition together

with letters written by some of them and glass cases containing the knouts, whips, and irons used by the SS guards. On the wall is scratched, "Father, forgive them."

Punishments at Dachau included the tree, stretching on the trestle, and the standing bunker. The tree was simply our old friend, the strappado. It was a tall pole with an iron ring near the top. The prisoner's hands were tied behind him and he was hoisted up to the ring and left hanging there. According to regulations, the maximum time was an hour but often the prisoner was left there for two or more. Stretching on the trestle meant that the naked prisoner was tied over a trestle and then beaten with leather straps previously soaked in brine. Holes were bored in the leather to let the flesh come through to form blisters. The maximum number of strokes was supposedly twenty-five but the guards made prisoners keep count. If in his agony a prisoner forgot, the guards started over again. The Auxiliary Bishop of Munich, Johann Neuhaeusler, who was an inmate of Dachau for four years, says that many received 100 lashes. He says, "It was a real pleasure for the executioners when the prisoner screamed, cried, sobbed or fainted from pain. I can hear the moans of the prisoners in my ears to this very day."

The standing bunker was the little ease, a room thirty inches by thirty inches in which the man was confined. The prisoner was confined in the bunker for three days and nights, then allowed to sleep one night on a plank, and returned to the cell for another three days. The Reverend Theissing from Aix-la-Chapelle suffered here because he was suspected of secretly keeping records of the number of men killed in the prison hospital.

CHAPTER 18

ELECTRICITY HAS BEEN the 20th century's most outstanding contribution to the science of torture. One of its most expert practitioners was Commissioner Lombilla, Chief of the Special Section of Police in Argentina under Juan Perón. While I was in Argentina, I heard several descriptions of his technique, but the most detailed account has been left by Dr. Alberto Caride. Dr. Caride had had considerable experience with Lombilla's victims; a number of them who survived the questioning had gone to the doctor for treatment. Lombilla was in the habit of wrapping copper wire around the testicles of his captives and then connecting the wires to a battery. This setup was called "the little machine" and, among other things, usually made the victim impotent. Dr. Caride had also operated on several men for mouth tumors because Lombilla occasionally wrapped the wire around his prisoners' tongues. The doctor had, however, never seen the Lombilla in action until he was pulled out of bed in the middle of the night by the Special Police and ordered to accompany them to the police station.

Dr. Caride was needed to revive a prisoner for additional questioning. When the doctor saw the prisoner, he was foaming blood and his eyeballs rolled aimlessly back and forth. He was in a cell six feet by three feet without windows. Dr. Caride found that he was also suffering from concussion. Lombilla explained that he had used the little machine on the prisoner.

"How could he get a concussion from the little machine?" the doctor asked.

"Oh, after the machine we pricked him over with electric needles," explained Lombilla. "But if you overuse the needles, the muscles contract. To soften him up again, we've been beating him with nightsticks. The jaws always stiffen first, so most of the blows hit his head."

Dr. Caride examined the man's mouth and found that the needles had been run through his gums and tongue. He asked for water.

"That fellow can't drink," Lombilla told him. "We used the needle over the mouth of the stomach [the pit] where it hurts most and a man can't swallow or even take an enema for forty-eight hours after that."

"You know more about this than I do," Dr. Caride said frankly. "I can do nothing for this man. Have you anyone else?"

Lombilla's other prisoners were in comparatively good shape, but the Police Chief showed the doctor around his workshop as he was proud of it. The actual torture chamber was a room without windows and with only one strong light in the center of the ceiling like a hospital's operating room. "First, we generally strip a man naked and whip him through the corridors to open his pores," Lombilla explained. "Then we strap him to a table under the light and start with the needles. Afterwards, we wrap him in wet cloths to intensify the effect of the current and use the little machine on various parts of his body, twisting the wires around his members as tightly as possible [the garrote plus electricity]. If that doesn't work, he is taken off the table and his head is stuck into a bucket of water. He is forced to swallow the water and then beaten over the belly with wooden paddles until he vomits it up again. It works best in ice water because the sudden shock causes him to gasp and swallow more water than he would ordinarily. I learned that trick from President Morinigo's police chief in Paraguay. I was sent to Paraguay to take a course in questioning prisoners from him. He's a brilliant man who has devoted his life to this sort of thing."

The prisoners were always kept half starved. The guards had had a big barbecue installed in the center of the cell block so the prisoners could smell them roasting meat for their meals.

As Dr. Caride departed, Lombilla remarked, "I know you won't say anything because otherwise you'd be in here yourself. We'll simply give out a notice to the press that you were hit by a car while crossing the street."

Dr. Caride said nothing until he managed to reach the United States.

Officially, torture is illegal in every civilized country in the world today—although public floggings and mutilations still continue in Saudi Arabia and Yemen. But in practice, torture is more common today everywhere in the world than it has been for over a hundred years. New techniques have been developed and we accept as routine acts which would have shocked Jack Ketch.

CHAPTER 19

ONE FERTILE FIELD FOR torture is the conflict between colonial powers and the native population striving to become independent. This conflict has been especially acute in Africa, where white settlers feel that they are fighting to preserve not only their property but their lives as well. As the natives use torture against the Europeans they retaliate in kind—a process that France's Jean-Paul Sarte has called "involution," in which the colonizers become more savage than the savages.

One of the most terrible examples of this struggle was the Mau Mau uprising in Kenya from 1952 to 1954. Mau Mau caused the death of some 12,000 Africans and eighty-four whites. It cost Great Britain $150,000,000 to suppress.

The most famous of the Mau Mau leaders was Dedan Kimathi. During the three months I spent in Kenya during the Mau Mau uprising, I talked to several men who had been engaged in tracking down this outlaw. The following account is a compilation of their stories.

Like most of the Mau Mau, Kimathi was a member of the Kikuyu tribe and was brought up in the great forests on the slopes of Mount Kenya. Kimathi was an illegitimate child who never recovered from the shame of his birth, the disgrace of illegitimacy being far greater among the Kikiyu than among most white communities. At the age of six, Kimathi went on a hunger strike because the local chief wouldn't give him a shield like the other boys—a shield being the symbol of a young warrior. Discovering that the

hunger strike did him no good, he killed the chief's goats, tried to twist off the penis of a legitimate baby boy with a piece of string, and attempted to murder his younger sister (who was born in wedlock) by shoving her down an ant bear hole. Although his attempt failed, Kimathi developed a passion for ant bears' holes and spent the rest of life shoving rivals down them.

The boy was determined to be accepted by the tribe. Although not allowed to take part in any of the community initiations or religious ceremonies, he memorized them all and practiced them in private. When the time came for the young men to be circumcised by the tribal priest in a mass ceremony, Kimathi was forbidden to attend. He managed to save enough money to pay a doctor to circumcise him on the same day. The other boys jeered at him and Kimathi challenged them to a dance after the operation. On the appointed day, the other boys were too sick even to stand so Kimathi danced by himself, flourishing a shield he had bought in a store and shouting insults. This feat of courage and endurance won the reluctant admiration of the whole community.

The boy's pluck impressed an old man named Mathui, who adopted Kimathi and sent him to school. Kimathi was a brilliant student; no IQ tests were given but his teachers believed the boy would have shown a genius rating. Then one evening Mathui returned unexpectedly to find Kimathi stealing from his little hoard of shillings. Mathui threw the ungrateful boy out. Kimathi never forgot this injury. When he became a Mau Mau leader, Mathui was one of the first people he ordered murdered although Mathui was then over eighty.

In order to pay for his schooling, Kimathi instructed other boys during the evenings in what he himself had learned that day. Graduating with honors, Kimathi got a job as a schoolteacher. He was fired for raping two of his girl students. He then started on a career of robbery, murder, and gangsterism broken only during the war years when he enlisted in the British army and eagerly learned all they could teach him of guerilla tactics.

In 1952, the Mau Mau broke out and Kimathi instantly joined. He soon became a "general" and organized his own unit, who were blindly devoted to him. Kimathi's men specialized in mutilating the settlers' cattle and for five years left behind them a trail of cows with their udders cut off, cats hanging from trees, disemboweled dogs, and sheeps' eyes impaled on thorns.

But the gang did not confine their activities to animals. A pregnant woman was cut open and forced to eat the embryo of her unborn child. The bellies of captives were slit open and their intestinal cavities were filled with live flies. The cut was then sewed up again and the victim turned loose. A missionary doctor who had devoted his life to helping the Kikuyus suffered broken arms and legs and was buried up to his neck. A circle of resin was put around his head so he could watch the ants as they waited for the resin to harden before swarming over him. Kimathi was equally merciless to his own followers. He beat his mistress with a flail made of stinging nettles and had so many of his followers murdered that his army was reduced from fifty men to twelve. The dead men were always put down ant bear holes.

The Mau Mau was officially surpressed in 1956 and the surviving bands gave themselves up. All except Kimathi's group. They hung on, hidden in the bamboo forests. Other Mau Maus betrayed their leaders in hopes of a pardon, but Kimathi's followers never wavered: they believed their leader was God. Kimathi continued to plan his raids on the white settlements, using as a guide Napoleon's Dream Book and the Bible. Often he would see the dead leaders of the other Mau Mau gangs march past him at the head of their phantom armies, whose bones now lay scattered in the forests or whose bodies had swung from the portable gallows that the British set up on the fashionable Nyeri golf course.

But the British forces were closing in. Occasionally they captured "food carriers"—women taking food to the last of the Mau Mau gangs—or picked up men who had known Kimathi in the days of his greatness. Some of the prisoners

would talk if their genitals were slowly beaten over and over again with a flexible rhinoceros-hide cane called a kiboko. Others gave in if their left hands were tied to their right wrists, battery acid was injected into their rectums, and they were left to thrash about for several hours. One British officer brought in his prisoners by running copper wire through their noses and dragging them behind his jeep. This officer had been a Kenya settler and while he and his family were besieged in their farmhouse, the Mau Mau had tried to lure him out by torturing the children's pet pony to death. The family had been forced to listen to the horse's screams all night. By morning, the man developed a facial twitch that he never lost. He was finally invalided out of the army as mentally deranged.

The British learned that Kimathi worshipped fig trees. He had to go to a fig tree every few weeks to pour a sacrifice of wild honey over the roots. Watchers were hidden around every large fig tree in the area where Kimathi was known to be operating. On October 21, 1956, Kimathi was taken. Four months later he was hanged.

The uprising in Angola that began in 1961 had already proven to be far bloodier than the Mau Mau, although because of the strict censorship exerted by the Portuguese authorities no accurate statistics are available. Holden Roberto, the leader of the rebels, claims that 25,000 Africans and 1,000 whites have been killed. Recently the Portuguese exhibited atrocity pictures at the United Nations showing men and women flayed alive by the rebels, others mutilated and with hands and feet cut off, and the disemboweled corpses of children. A team of American photographers entered Angola by way of the Congo and brought back motion pictures, recently shown on TV, of a native whose nose and upper lip had been smashed in by a club with a broad head—the battledore of the Middle Ages, now used by the Portuguese as a punishment device. In the film it was demonstrated that a captured battledore exactly fitted the mark on the man's face.

The French troops in Algeria combined virtually all the ancient and modern torture techniques in their ques-

tioning of captured Algerian rebels. As one French soldier told me while I was in North Africa, "After you come across the bodies of your comrades with their eyelids cut off and then staked out on their backs under the desert sun, you begin to dislike Algerians."

In 1960, the International Red Cross conducted an investigation of the Algerian prison camps and submitted a 300-page report of their findings. They found cases of the water torture and even the *peine forte et dure*. One man was still lying on the floor of his cell with several ribs broken from the weights piled on his chest.

One survivor of the tortures administered by the "Paras" (paratroopers) was Henri Alleg, a French Communist journalist who went to Algiers to write copy and also, probably, to aid the rebels. Alleg was arrested by the Paras and taken to the cellar of a building where they had their headquarters. The cellar was set up as a medieval-modern torture chamber.

Alleg was ordered to give the names of his Algerian rebel friends. He refused. He was then strapped to a plank black with sweat and vomit. Electrodes were clipped to his ears and fingers and he was given a succession of carefully timed, rhythmical shocks. Alleg screamed and struggled until the straps on the plank tore into his flesh. Still he would not talk, so the clips were transferred to his penis. This agony was so intense that Alleg tore himself loose. He was put in a cell to recover and think things over.

The next torture was the water torture, administered almost precisely as the Inquisitioners had learned to do it 500 years before. Alleg was tied to a plank with his head slightly lower than his feet and a rag was thrust down his throat. He was then held under a water tap. Alleg tried to swallow enough water to drown himself (the Inquisitors prevented this by dropping the water on the rag from a jar and using only a specified amount of water), but when he began to lose consciousness his guards beat him on the belly with clubs to force him to vomit.

The next day he was hung up by his penis and burned with torches. He was then rolled on a mattress wrapped

with barbed wire (the Nuremberg cradle). Next electrodes were fastened to his tongue and gums. Then the nipples of his chest and the soles of his feet were burned.

When Alleg began to grow numb with pain, he was put in his cell for a few days to recover. This was a standard practice of the Inquisition as the anticipation of future punishment was often worse than the punishment itself. He was then given the electric shock treatment again, but first he was soaked with water to increase the force of the current. Finally when he was in a sufficiently weakened condition, he was given injections of pentothal (truth serum). Under its influence, he apparently gave the desired information, for he was released.

In another book, *The Gangrene,* Lyle Stuart has collected the accounts of Algerian students in Paris who were tortured by the police to obtain information. The electric shock treatment, the most popular torture device of modern times, is known in France as the *"gégène."*

Several of these students were suspended from an iron spit after first being made to clasp their hands around their bended knees while the spit was passed under their knees and over their forearms. This was a standard means used by Romans for confining Christian martyrs in the arenas. The ends of the spit were supported by two chairs while the prisoner hung head downward from it. The police then attached the electrodes to various parts of the victim's body, sometimes even sending a current through the spit itself to make the man spin around it in his agony. Sometimes they would force the prisoner's head into a basin of water to force him to drink. One man tried to drown himself in the basin but was pulled out with the admonition, "Don't rush matters, my boy." In some cases a fountain pen was put between the prisoner's fingers, the fingers were tied tightly together, and the pen was jerked back and forth. This also is an old torture, reported by Cuthbert Simson, who was tortured in the Tower of London in 1557. Simson says, "They did bind my two forefingers together and put a small arrow betwixt them and drew it through so fast that blood followed."

It has remained, however, for the Russians and their disciples, the Chinese, to remove torture from the field of science and make it an art. The techniques that have been developed along this line—known generally as "brainwashing"—would have bewildered Antiochus and seemed to Torquemada like a revelation from heaven. Here, after a cumulative history of at least 10,000 years, the torturers have accomplished their eternal dream—the ability to distort the human mind and produce a confession under any and all conditions.

Let us trace the amazing development of this ultimate refinement of the age-old art from its earliest beginnings.

After the Russian Revolution of 1918, the Bolsheviks used only the crudest of tortures on their Royalist prisoners. Phonograph needles were run under their nails, their epaulets were nailed to their shoulders, powdered glass was forced up their rectums, and they were tied to boilers. But, as in the Inquisition, the later Communists were interested primarily in converting their prisoners rather than merely inflicting pain on them. However, pain to break down the prisoner's resistance continued to remain their basic technique until comparatively recently.

The classic case was that of Cardinal Mindszenty of Hungary. In 1948, the cardinal was arrested in Budapest by the AVH-Hungarian Communist Security Forces—and taken to 60 Andrassy Street, where the Communists maintained a notorious torture chamber.

The cardinal was stripped naked and forced to parade in the freezing cold before the other prisoners while the jailers ridiculed him. He was then beaten with rubber hoses. He was kept in a cell for twenty-nine days and nights with a single bright light burning constantly in the ceiling. Whenever he dropped off to sleep, the guards shook him awake. At intervals, he was dragged outside to witness the hangings of other prisoners and threatened with the same fate. Finally a "confession" was handed him and he was ordered to sign it. The cardinal signed but added C.F., *contra fidem* (against my will). The guards demanded to know what the letters meant and Mindszenty told them, "It means that I am a

cardinal from the provinces." The guards said nothing and took the confession away. They returned the next day with a new one and demanded that the cardinal sign without the incriminating letters. Mindszenty signed and was released.

Colonel John K. Arnold, Jr. was taken prisoner by the Chinese during the Korean War and held for thirty months. His captors amused themselves by putting adjustable handcuffs on his wrists, tightening them until the circulation was cut off, and then "milking" his fingers. When asked what he did, Colonel Arnold said frankly, "I screamed." His feet were bandaged tight and left that way for half an hour or so, and then the bandages were removed. "I don't know which hurt the worse—the pain in my feet after the circulation stopped or the pain when circulation began again," said the colonel. He was released in 1955.

When thousands of Tibetan fugitives fled to India after the Chinese invasion, an international commission was formed to listen to their stories. The fugitives related that Tsarong Shape, a cabinet minister in Lhasa, was fastened by chains to the rear of a car and dragged to death. Lamas were put in a pit and the Chinese troops urinated on them. The monk, Turuklu-Sungrab, lost an arm when he refused to use the Buddhist scriptures for toilet paper. Others were burned alive, crucified, drowned, and buried alive. One man was boiled for refusing to cooperate.

All these methods were crude, no more imaginative than the tortures used by the Assyrians four thousand years ago. But the Chinese, studying Russian methods, have devised a revolutionary approach to the entire subject. The Western world was first made conscious of what could be accomplished by trained experts when it was discovered that one out of every three American prisoners captured during the Korean War had collaborated to some degree with their captors.

At first, this seemed unbelievable. Then a newspaper man named Edward Hunter, who had worked as a reporter both in China and Japan before the war and had observed the methods used to obtain confessions by the Nazis in Ger-

many and the Italians in Ethiopia, published a book named *Brain-Washing in Red China,* thus adding a new word to the language. Hunter had talked to a number of American POWs, and from what he knew of police state methods he was able to deduce the techniques used to produce confessions that had so alarmed America and discredited our GIs throughout the world.

Largely as a result of Hunter's book, there were a series of congressional investigations from 1956 to 1958 on the subject of "brainwashing." The evidence presented to these committees came largely from the records of a group of twenty civilian and governmental scientists who conducted investigations for the Department of Defense on the subject of brainwashing for two and a half years. These men talked not only to POWs who had been brainwashed, but also to a number of their Chinese "brainwashers" who had defected to the allied side. The result of these investigations was reported to the 1956 committee by Dr. Harold Wolff, professor of medicine at Cornell University, and Dr. Lawrence E. Hinkle, Jr., assistant professor of medicine at Cornell.

The doctors pointed out that the methods used by the brainwashers "are elaborations of police practices, many of which were known and used before the Russian communist revolution—some go back to the 15th and 16th centuries—they were developed by the Russians and refined by the Chinese—the so-called confessions obtained are readily understandable as the result of the methods used."

First of all, let's examine the methods used by the Russian KGB (state police) to secure a confession. Breaking a man down generally took twelve weeks and followed a rigorous schedule. For the first month, the man was never directly approached by the police. Instead, his friends and neighbors were questioned, he was trailed, and his mail was opened. The man knew what was going on and the constant state of apprehension gradually wore him down.

In the fifth week he was arrested—always in his home and always at night. No explanation was ever given. He

was taken at once to the prison and put in a cell six feet by ten feet with no windows. He was allowed to see no one but the guards, and a light was kept burning constantly. Except for the light, this was precisely the technique found so successful by the Inquisition.

The prisoner was permitted to sleep only at certain hours and then always on his back with his hands outside the blankets. He was not allowed to pace his cell. If he sat, he could only sit in a fixed position with his back touching the back of the chair. If he stood, he was required to stand erect without moving. The guards never spoke to him except to give orders. If he resisted, he was punished but only enough to enforce obedience. This program continued for three weeks. During it, the prisoner experienced first terror, then bewilderment, then depression, and finally pain as his feet and legs began to swell because of bodily restrictions and confinement.

During the seventh week, the prisoner was subjected to increasing pressure. Now torture might be used, but only to demonstrate his helplessness and complete isolation rather than for the specific purpose of inflicting pain. A common device was to deprive him of toilet facilities so the man was forced to live in his own excrement. Another standard practice was to subject him to extreme changes of hot and cold—his cell being at one time overheated until he was perspiring and gasping for air, and then all heat shut off in forty-below temperature. He was also given what GIs later called the "Mutt and Jeff routine." First, an aggressive, brutal interrogator would spend a week or more attempting to extract a confession from him by force. At the end of that time, the "friend" would appear. The friend was always a young man between twenty and thirty, pleasant, sympathetic, and authoritative. He would reprimand the interrogator and order him to leave. He would than transfer the prisoner to another, far more comfortable cell, offer him drinks and tobacco, and ask to hear his side of the matter. By now the prisoner was half mad with the desire to talk to someone and explain his position. The friend encouraged him to talk. Since the friend had been

given the prisoner's dossier, he knew a great deal about him and how to draw the man out. This continued for two weeks or more.

Then the friend became more demanding. He began to point out discrepancies in the prisoner's accounts. Such discrepancies always occur when a man is talking from memory without notes or careful preparation, but when the prisoner tried to explain or reconcile these discrepancies, the friend became aggrieved. "You haven't been telling me the truth," he would say sorrowfully. "If you lie to me like this, I can't help you." By now the prisoner was completely dependent on the friend and wanted desperately to please him. But there was no pleasing the friend. He was never satisfied. He wanted more and more information, found more and more discrepancies, and finally withdrew. The prisoner was then returned to his original cell, which was now freezing cold and left there several days.

Then the friend returned. He had decided to forgive the prisoner. He took him to the warm, comfortable quarters again and offered him liquor and tobacco. This was known as the "confabulation" period and generally occurred in the eleventh week. The friend pointed out possible rationalizations to the prisoner (a priest might be told that by signing a confession he would be released to continue his work of saving souls, and that by refusing to sign he was imperiling the welfare of his parishioners for the sake of his own pride). Certain ideas were suggested to him that, in the man's disturbed and weakened state, gradually became real. For example, if the friend knew that the prisoner was jealous of his wife, he suggested that the man should sign a confession because his wife would betray him if he did not return home soon. Or he would tell the prisoner that everyone knew these confessions were obtained fraudulently and no one took them seriously so why not sign? Or he would play on the man's resentment against some individual or group and offer to prepare the confession in such a way as to put the responsibility for any crimes imputed to the prisoner on these scapegoats. If this was not successful, the whole treatment was repeated over again with a new friend

and, if the importance of the prisoner warranted it, continued indefinitely. One priest is said to have resisted for four years before cracking. Another man held out for seven. But the system worked—and still does.

Unlike the interrogator-torturer, the friend must be highly trained for his job. He must obtain a confession from the prisoner, but it must be a reasonable confession (the Russians are far more cautious about the type of confession than are the Chinese). He must take care that the prisoner does not go insane, or commit suicide. (One man even succeeded in drowning himself in his own urine.) Prisoners can display great ingenuity in thinking up ways to commit suicide, as Franz Schmidt of Nuremberg discovered 300 years ago. Although he must be sympathetic with the prisoner and fully understand his point of view to obtain the confession, he cannot carry this to such an extreme that he comes to identify himself with the prisoner and is converted by his victim rather than vice versa. This, incidentally, is by no means uncommon.

If the friend does not secure the desired confession, he is ruined. He is assigned to a minor job with no chance of promotion. Knowing this, friends who fail have frequently deserted to the allied side. It was from them that the Department of Defense obtained information that checked exactly with what former POWs had testified.

After the confabulation comes the trial. This is a time of confession and rationalization on the part of the prisoner. Ninety percent of all prisoners subjected to the treatment will sooner or later confess to something, but only a few—less than one percent—can be trusted to make a confession in a public trial. There is no telling what they may say or do, although each prisoner is warned that if he attempts to retract the confession, he will receive the same treatment —and worse—over again. This was the means by which the Inquisitioners guarded against last-minute recanting. Usually, however, the prisoner receives the judgment of the court with profound relief, even if it is a death sentence. By now, if the friend has done his work properly, the prisoner is deeply convinced of his guilt and eager to expiate it.

The technique of brainwashing POWs follows the same general pattern as the above, although because of the time, expense, and trained personnel necessary to carry out such a program, it cannot be used on a large scale in the average prison camp. With POWs, the friend generally obtains his information about the prisoner from the man's mail, which is confiscated by the authorities. Typically, the man is shown articles in American magazines telling of the profits of businesses making war materials, the high wages of employees working in such industries, stories dealing with corruption in American politics and—if the man belongs to some minority group—of discrimination. Direct physical violence is not generally used but is not uncommon. During the Korean War, men were deliberately starved until they went mad and then turned loose for the amusement of the Chinese troops. An American first lieutenant who refused to sign a confession that he had engaged in germ warfare was first given eight days in a tiny cell—the equivalent of the "little ease"—beaten, forced to stand at attention for twenty-two hours and then beaten again when he collapsed, held under a rainspout all one night during a heavy storm, given no food for three days, and then stood up before a firing squad and told that unless he signed he would be shot. A Captain Harris was confined for nine hours in a box so small that his head was pressed down between his knees for striking a Chinese officer who wiped his feet on the captain's clothes. While he was in the box, soldiers beat on it with clubs. After being released, the captain was given another four-days' punishment with his wrists handcuffed to his ankles.

In the records of the U. S. House Committee on Un-American Activities (1959, Vol. 8, No. 4), there is a detailed account of the treatment given Erica Wallach, a German woman arrested in East Germany and questioned by the Russians. She was forced to stand naked in a cold cell, allowed no sleep, kept in solitary, and, when she became ill, given no medical treatment until she signed a confession. During this period the friend constantly begged her to sign, if not for her own sake, then for the sake of her

mother and children. When she refused, the friend then rejected her, but she was brought in and made to stand before him for hours while he stared silently at her. This treatment continued for two years.

The Russian technique differs hardly at all from the Chinese. It depends on the use of solitary, tiredness (no sleep), exposure to alternating heat and cold, uncertainty, threats to family, starvation, offer of rewards, and hopelessness. Some years ago, other methods were used, such as putting a bucket over the prisoner's head and beating on it with clubs and the use of pentothal. Apparently these techniques have now been abandoned.

CHAPTER 20

WHEN DR. LOREN C. Eiseley of the University of Pennsylvania was awarded the Pierre Lecomte du Nouy Foundation Award in December, 1961 for his book *The Firmament of Time,* Dr. Eiseley expressed his opinion that man can rid himself of the "error of the beast." Dr. Eiseley refused to believe that man cannot shake off the instinct for cruelty that he has inherited from his evolutionary past and "take himself beyond the nature that he knows or seeks to halt within." It is to be hoped that the doctor is right, but to date, mankind has shown no tendency to free himself of his atavistic tendencies. Therefore it might be of interest at this point to weigh the arguments pro and con the use of punishment, especially corporal punishment.

First, it should be said that because torture has been used for nearly a thousand years, principally to extract confessions from accused persons, many authors on the subject devote most of their efforts to proving that confessions made under torture are unreliable. It would seem unnecessary to belabor this point; it is obvious. A confession obtained under these circumstances is clearly worthless unless the accused produces some evidence of his guilt—as did the young vagrant who dug up the old miner's poke that he had stolen. Admittedly, this belief is not shared by many police officials. Monsieur Bertaux, Director of Sûreté Nationale, when accused of allowing his men to beat sus-

pects in connection with the theft of the Begum's jewels in 1949, remarked, "Better to have a tough interrogation than leave crooks at large," and Commissaire Principal Lambert, professor of the French National Police School, wrote frankly in a handbook intended for police officers: "It must be generally admitted that there is a degree of torture which greatly helps the police officer during questioning." The attitude of the American police has already been stated. One great trouble with the third degree is that it is so simple to apply and so sure of producing results that, once it is permitted, few police officers will bother to investigate a crime or check evidence; they are confident that the strappado, the water cure, or the little machine can produce a confession that will satisfy press and public.

This applies only to third-degree methods used to force a confession. Under other circumstances, many people might feel that third-degree methods were justified. Suppose, for example, that a child is kidnapped and the kidnapper demands a ransom, threatening to send the parents one of the child's fingers each day until the ransom is paid. To prove that he is in earnest, a finger is enclosed in the ransom demand. The frantic parents manage to raise the money and put it in an agreed-on spot. The kidnapper takes it but demands more, sending another finger to insure payment. The parents now appeal to the police, who set a trap and catch the man when he comes for the second payment. The man, however, refuses to say where he has hidden the child except that the child is gagged and bound and will die unless he is released. The police use third-degree methods until the man tells them what they want to know, thus enabling them to save the child's life. It is this type of case that the police point to when justifying what Monsieur Bertaux calls "tough interrogation."

It may be said that when a crime of a particularly atrocious nature can only be solved by the use of third-degree methods, the police will use them without fear of criticism from either the public or the courts. But the police often refuse to differentiate between such cases and the use

of torture merely as a convenience to obtain a quick confession or to avoid the hard work of investigation. This is why the power to use the third degree is so frequently misused.

Apart from its use as a means of obtaining information or extracting a confession, let us examine the use of corporal punishment as a means of reformation or as a deterrent. Here are the main arguments against its use:

Opponents of corporal punishment point out that, although corporal punishment has existed from the earliest time, it has never succeeded in stamping out crime. The case of the child pickpockets attending the hangings of other child pickpockets so they could ply their trade amid the crowd is an example. The incredibly drastic laws of two hundred years ago never prevented crime, although men were deported for life for poaching a rabbit, sentenced to five years' penal servitude for stealing a stamp off a letter, or seven years for stealing twopence. As late as 1880 in England, a farmer with a wife and four children was arrested for stealing a pound of butter and given two months in prison. When he returned, he found his family starving and stole a dozen eggs to keep them alive. He was caught and given seven years. Counterfeiting continued to be a common offense, although it was first punished by burning alive and later by hanging. A man in England was hanged for counterfeiting, and the body was sent to his family for burial. Later, the police raided the house and found the family still busily counterfeiting. (They used the dead man's mouth as a hiding place for the bills.) The case of Half-Hanged Smith has already been noted; Smith in spite of his miraculous escape continued as a burglar and was twice more sentenced to be hanged.

If the exponents of corporal punishment really believe that it acts as a deterrent, why do they not demand public hangings, public burning at the stake, or breaking on the wheel? If they were consistent, they would require that all executions be in public to secure the greatest possible effect and also demand the reintroduction of public exhibitions of torture to terrify wrongdoers.

There is a great danger that the criminal will be turned into a hero by the use of corporal punishment. The triumphant processions of famous criminals to Tyburn has already been mentioned. When Bruno Hauptmann was electrocuted for murdering the Lindbergh baby, great crowds collected outside the prison. When the witnesses came out, the crowd shouted eagerly, "Did he die game?" Finally one of the witnesses said, "He died without a cry. I suppose you'd call that dying game." Instantly there was a storm of gratified applause. Caryl Chessman has become a martyr to millions because of his long fight to avoid the gas chamber. The New York *Herald-Tribune* editorialized on May 3, 1960, "Caryl Chessman died well as befitted a man well aware that the world's eyes were on his dying. . . . The struggle to live has universal appeal and Chessman managed to personalize the fight of one man against all."

Corporal punishment serves no useful purpose. It is sadistic; it is an attempt on the part of society to make of one man a scapegoat for our collective social sins.

The solution to crime is not punishment. Crime is due to poverty, ignorance, emotional problems, and similar causes that cannot be reached by punishment. The criminal should be regarded as sick rather than depraved. He is the victim of circumstances—"There but for the grace of God go I." Change a man's circumstances and you change the man.

There have been several famous cases of the rehabilitation of criminals by kindness. One concerns Ira Marlatt, the "demon" of Ohio State Penitentiary at the turn of the century. Marlatt had been flogged for complaining to a guard about prison conditions, and as a result of the flogging became a wild man. Repeated floggings and even the water cure merely made him worse. Finally he was confined in an iron cage as a dangerous lunatic. Several years later, Senator Rose, a new member of the Board of Prison Managers, inspected the prison and asked to see Marlatt. After being shown the "wild man" who clung to the bars of his cage gibbering insanely, Rose asked for the key. There was

a storm of protest, but Rose insisted and the door was opened. Rose entered with his hand extended saying, "Let's be friends." After a moment's hesitation, during which the guards held their breath, Marlatt took the proffered hand. Rose and the prisoner sat down and talked together. Finally Rose left the cage with Marlatt walking quietly beside him. Rose told the warden, "This man wants to go to work." From that time on, Marlatt was a model prisoner. He became a trusty and janitor of the prison hospital.

Another famous case of reformation is that of François Eugène Vidocq, who, during the early part of the 19th century, changed from being the most famous criminal in France to chief of the Brigade of Police in Paris. When he was eighteen he was given a three-month sentence for beating up a rival for his sweetheart's affections. While in jail Vidocq forged a release for a poor farmer who had been imprisoned for stealing a bushel of wheat to save his family from starvation. Vidocq was sent to the galleys for eight years. He escaped, and as an escaped galley slave had no choice but to pursue a life of crime. In 1809, Vidocq offered himself to the police as a detective and soon rose to be chief of the force.

Vidocq's program for the reformation of criminals makes interesting reading even today. He divided criminals into three classes: (1) desperate men who steal from necessity or women who sell themselves only to keep alive; (2) weaklings who will follow any determined leader; (3) hardened professionals who "have fallen into the habit of regarding everyone's property as their own." This last group should be carefully separated from the first two and not allowed to exploit them. Vidocq refused to admit that any criminal could be considered completely incorrigible. He agreed that the old offenders had to be kept under surveillance but he claimed "such men should never be allowed to develop in the first place. Most of them start as youngsters, joining street gangs for prestige and companionship. Such gangs should be broken up at all costs. I suggest sending the youngsters into rural districts, giving them

plenty of hard work and teaching them useful trades. As long as they continue to run loose in the city, nothing can be done with them."

Obviously, Vidocq points out, people who are starving to death will steal in order to live and no amount of punishment will stop them. As long as extreme poverty exists, crime will follow. In any gang, there is always one or possibly two boys who are really "tough"—the leader and his lieutenant. These boys must be put under restraint and then given a careful course in rehabilitation. The others are generally "weaklings" who need only to be removed from their environment and given adequate leadership to improve them.

Now let us examine the arguments for corporal punishment.

The exponent of corporal punishment would argue that it is against all common sense and ordinary experience to claim that pain does not act as a deterrent. If you touch a red-hot stove, you probably will not repeat the experiment. By the same token, anyone watching your reaction will be extremely reluctant to touch the stove himself.

If punishment does not act as a deterrent, why fine income-tax evaders, keep children after school, or take away the license of a speeder? Our whole legal code is based on the supposition that punishment serves as a deterrent, and the greater the punishment the greater the deterrent. That is why a motorist is fined more heavily for a serious offense than for a minor one, and if the offense is repeated, his license will be suspended for three months, three years, or indefinitely.

No one argues that an individual driven to the last stages of desperation will not commit an offense even if he knows that punishment and even death may result. If a man is chained down under a boiling sun with a glass of water before him and ordered not to touch it, he will eventually drink the water even if he knows that he will be shot immediately. Death by a bullet is preferable to the slow torture

of death by thirst. It does not follow, however, that if a tough decides to rape a passing girl he will not be deterred by the presence of a policeman who, he knows well, will not hesitate to put a bullet in him at the girl's first scream.

Opponents of corporal punishment invariably quote such examples as starving children in the 18th century who risked hanging to steal a piece of bread. The modern juvenile delinquent is not stealing food or clothing. The most typical modern juvenile crime is for a group of boys to steal a car and go joyriding at high speeds through the streets until they wreck the car. To say these youngsters are activated by the same motives as the child pickpockets of two hundred years ago is absurd.

Consider two modern cases. In a Southern school, the students put so many slugs in a soft-drink dispensing machine that it was broken. The principal refused to have it replaced, whereupon a group of the students staged a sit-down strike in protest. The principal's reply was to get a paddle and give each of the strikers six of the best. That ended the strike. In a Midwestern school, a teacher ordered a seven-year-old to stop throwing spitballs at the other children. When he refused to obey, the teacher spanked him. The teacher was sued by the boy's parents for $2,500 for assault and battery on their child. Since the teacher didn't have enough money for lawyer's fees, the students took up a collection for her—the spanked child contributing his week's pocket money. Can it honestly be argued that these children were in the same category as Oliver Twist in the clutches of Fagin or Mary Clifford, who was flogged to death by Mrs. Brownrigg? It is fantastic to argue that because the threat of death will not stop a starving man from poaching a hare it therefore follows that a spanking will not stop a small boy from throwing spitballs.

Opponents of corporal punishment put great stress on the rehabilitation of youthful offenders by kindness, psychiatric techniques, and sympathetic understanding. The inference is always made that hardened offenders can be

rehabilitated as easily as Senator Rose apparently rehabilitated Marlatt. They ignore the fantastic expense of such programs. The cost of attempting to rehabilitate a girl at Sleighton Farms, an institution near Philadelphia, Pennsylvania, is about $4,000 a year. The cost at Glen Mills runs about $11 a day; at Morganza $11.50 a day. This is more than the cost of sending a boy or girl through college. And how successful are the results?

Ten years ago, Philadelphia tried a new experiment in the handling of juvenile offenders. At great expense, the Youth Rehabilitation Center was founded with a staff of trained welfare workers, psychologists, and sociologists to help juvenile offenders. In 1961, Henry Beck, chairman of the Crime Prevention Committee, gave his opinion of the Center's results. He wrote, "The truth is that children have taken over the management of a large part of Philadelphia and the police are unable to do anything about it. There is a large portion which because of vandalism is uninsurable. Retail stores in these areas are closed at night because people are afraid to walk the streets. The stores have a daily record of robberies and broken windows. The police make arrests but the youth are turned back on the community."

It is true that punishment never eliminated crime—neither has medicine eliminated disease—but it did hold it in check. Since "sympathetic treatment" of juvenile offenders has been introduced, the FBI in its report for 1959 stated: "Arrests of persons under eighteen have doubled since a post-World War II low in 1948 while the population of young people age ten through seventeen has increased by less than one half." Youngsters under eighteen account for more than half of the arrests for larceny, more than a quarter of the arrests for robbery, and for three out of every five arrests for auto theft. Arrests of youths under eighteen for murder were up fifteen percent over 1958, almost five times as great as the increase in arrests for murder of those over eighteen. Meeting in Washington, D.C., in

1961, the International Association of Police Chiefs named the rise in juvenile delinquency the most serious problem facing law enforcement officials today. It is not a problem confined to the United States. Teddy boys (in Great Britain), *Halbstarke* (in Germany), *blousons noirs* (in France), *raggare* (in Sweden), hooligans (in Russia), Bodgies (in Australia), *Tsotsio* (in South Africa), *vitelloni* (in Italy), *tapkaroschi* (in Yugoslavia), and *Manbo* (in Japan) have become a major problem. J. Edgar Hoover, director of the Federal Bureau of Investigation, says, "We are confronted with the worst year of lawlessness in our nation's history." Mr. Hoover frankly states that he considers the basic cause of the rising rate of crime is the sentimental coddling of criminals.

The belief that crime is a product of slum environment or of poverty is untrue. Our rapidly rising crime rate has taken place at a time of unparalleled prosperity. In November, 1959, three doctors at the Devereux Foundation for children published a report entitled *Anti-Social Behavior of Adolescents from Higher Socio-Economic Groups*. This report, covering a five year study of "problem" children enrolled at Devereux from well-to-do families begins: "Literature on juvenile delinquency is replete with studies of offenders from low income groups who live in blighted areas . . . economic privation, crowded and inadequate living areas, sub-cultural mores, culture conflicts and other environmental factors are the reasons given by some workers for the origin of crime in such areas." However, the doctors came to the conclusion that juvenile delinquency was quite as common among children of the higher income groups—except that the parents could afford to keep their offsprings out of police courts by paying damages or sending them away to "private schools," which were actually private penal institutions. The offenses committed by these "well brought up" boys almost exactly paralleled the offenses committed by boys in slum areas. Auto thefts led both lists, followed by traffic violations, theft, and physical assault. Boys of wealthy families who owned their own cars

would still go out and steal cars exactly as the slum boys did. In neither group were there many cases of psychosis, organic brain disease, or mental deficiency. On the contrary, "There was a low incidence of these types of disorders." The doctors agreed that the true explanation of juvenile crime has not yet been discovered.

Opponents of corporal punishment, it is claimed, are guided entirely by sentimental considerations and are seldom consistent. Thousands of people opposed to capital punishment demonstrated in support of Caryl Chessman, but why did they not demonstrate in support of Adolph Eichmann? Why did they not protest the Nuremberg trials of Nazi war criminals, which ordered the execution of ten men? If the old law of "an eye for an eye and a tooth for a tooth" is outmoded, why was it necessary to kidnap Eichmann and try him? If punishment does not act as a deterrent, why do we hear repeatedly that the Nuremberg trials were needed to warn other genocides from commiting similar atrocities?

The present writer believes with the Devereux doctors that the causes of crime are still unknown. He also believes that no set formula can be used in the treatment of a criminal, and it is impossible to say that corporal punishment is never effective or that it is always effective. Too much depends on the individual's emotional state, the reasons for his acts, the era, and the manner and method of inflicting (or withholding) the punishment. Formerly corporal punishment was regarded as a panacea for all problems; today many people consider it too terrible ever to be used. Yet in certain cases it would seem to be not only effective but justifiable.

No student of the subject, however, should suppose that cruelty and ruthlessness are relics of bygone eras and are gradually disappearing. In the conclusion to his excellent book *Torquemada* (written in 1939), Thomas Hope, after recounting the horrors of the 16th-century Spanish Inquisition, pointed out that we had now entered an enlightened age. He added "There can be no more mass hysteria, no

more tortures, no more persecution." The vast majority of educated people would have agreed with Mr. Hope—yet even as he wrote those lines Hitler and Himmler were preparing for Dachau.

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