Cover

Ray Muncy Clock

Art by Laura King
The senior editorial staff of Tenor of Our Times would like to thank those who made this publication possible. Their work and support have helped make this venture a success. We are grateful to our contributors, editors, readers, and friends and look forward to a bright future for Tenor of Our Times.

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Introduction

This inaugural issue of 2012 of Tenor of Our Time presents the work of current and past Harding students on historical and social science topics. The title of our journal originates from Dr. Raymond Muncy, the former chairman of the History and Social Science Department, who often said, “Historians reflect the tenor of their times.” This journal endeavors to allow students to share work that reflect the tenor of our time here at Harding. Tenor of Our Times is a student-managed publication, supported by a faculty editorial board, and guided by our faculty advisor, Dr. Julie Harris. It is designed to encourage undergraduate scholarship in understanding the past and present. It will include the winners of the previous academic year for the Raymond L. Muncy scholarship along with other noteworthy papers.

This year, we were very excited by the number of submissions for our first volume. We received several entries, which made the process of selection more difficult than we had foreseen. The papers were submitted to our student and faculty review boards, who gave their suggestions to the editors to make the final decision. We were privileged to read a number of quality submissions, and this volume contains the best research we received.

We encourage you to consider submitting your own research for Volume II of Tenor of Our Times, published Spring 2013.

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CHARLOTTE BRONTE'S TIMLINESS IN JANE EYRE  
by Mallory Sharp Baskett

In 1847 Smith, Elder & Company published Jane Eyre, the coming of age tale of a young woman who finds her own sense of personal identity and love in the end. Instant attention and mostly favorable reviews made the novel popular from the beginning. The curiosity surrounding the secretive author, Currer Bell, and his “brothers” Ellis and Acton, who published Wuthering Heights and Agnes Grey the same year, was rampant. Eventually, misunderstandings surrounding the mysterious authorship of Jane Eyre prompted Charlotte Brontë to lift her pseudonym and reveal herself as the author. Many English speaking high schools and universities require their students to study Jane Eyre because of its literary significance. The book was popular in its own time and has gained fresh views through the series of literary analyses it has undergone in the years since it was published. To fully understand the impact of Jane Eyre, it must first be understood in its own time. While the impact is primarily related to literary themes, the work's authorship and historical context highlight its importance in the canon of British literature. While today Jane Eyre is often viewed in light of its pre-feminist elements, Brontë's straightforward prose and strong characters aptly demonstrated contemporary English society at the time of its publication.

Charlotte Brontë completed the Jane Eyre manuscript in 1847, and by October of the same year it was available for purchase. Queen Victoria had become the new English monarch ten years prior in 1837, and so began the Victorian Era. Victoria's rise to the throne marked the end of an age, and the beginning of a new one. King George III, who reigned for a lengthy fifty-nine years, passed away after suffering from bouts of insanity in the latter part of his life. The war with the American colonies, the French Revolution and the Napoleonic Wars characterized George III's reign. Mental and physical illness tainted the latter years of his rule and allowed his sons to intrude in his affairs. This interference created a great distrust surrounding the monarchy in the years leading to Queen Victoria's ascent to the throne. Because of these concerns, Victoria's early years as queen were difficult. The previous century's revolutions in France and England were fresh on the minds of the English. As a result, the concept of equality, at least among males, became increasingly popular. Middle class voters often switched parties because they feared political unrest. In May of 1838, only eleven months after Victoria claimed the throne, a group of working-class leaders gave birth to the Chartist Movement. Their publication of the People’s Charter was a petition for universal male suffrage, the removal of the property requirement for Parliament's members, and annual meetings of Parliament. The significance of the Chartist Movement as one of the first working-class social reform movements in England was more important than the particulars the Chartists wished to exact.1 Seemingly all of the political changes taking place related to the rigid order of the social classes.

During the 19th century, the Industrial Revolution brought change to the English social structure. The traditional social order had placed nobles—aристocracy and gentry—at the top and everyone else at the bottom. But during the 1850s, a new middle class developed from members of the lower class who became involved in manufacturing and commerce. Every class had a wide variety of social standings: the lower classes ranged from skilled workingmen to those so poor they lived in poorhouses. At the top of the lower classes, the working class comprised the majority of the English population. Brontë’s depiction of Jane Eyre as a domestic servant places Eyre in this emerging lower class group.2

Women were second to men in every social class. Women were unable to vote and did not share equal legal status with men. Family values and proper behavior became important, particularly in the aristocracy, following Queen Victoria's marriage to Prince Albert in 1840 and their subsequent family. These values gave rise to the Victorian belief that the proper female

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who was a “sexually naïve, idle, self-indulgent female devoted to home and family.” ³ The ideal Victorian woman was little more than a pretty object, completely void of passion and feeling and wholly subservient to her husband and other male figures. The poorest of women often worked in factories or other more detestable situations, but if a woman wanted to be “proper” and still have a job, her only options were to be a teacher or a governess. It was very rare, almost unthinkable, for a woman to achieve success as a writer as Charlotte Brontë did.⁴ This was why before revealing their true identities, the Brontë sisters chose pseudonyms for themselves. Feminine existence during Charlotte Brontë’s time was marked by these strict observances and vocational difficulties.

Romanticism began in the 18th century, when artists, poets, writers, and theologians grew weary of the increasingly industrial age that characterized the years following the Enlightenment. Science brought medical and transportation advancements, but it also attacked religious notions such as the traditional age of the earth and destroyed serene and natural landscapes in favor of mines and factories. Romanticism was a reactionary movement against Industrialism and science. As a part of Romanticism, Gothic elements became increasingly popular in literature, as well as in architecture and art. The Gothic style was a more specific field of Romantic literature that fixated on the past before the Enlightenment, particularly the medieval period. In literature, feelings and sensibility were valued above reason and detachment. Common elements included spiritual subjects, passionate romance, horror, violent weather, and dark mysterious settings.⁵ While the movement had already reached its peak by the time Queen Victoria took the throne, Romanticism was still highly influential and writers of the period, like Brontë, employed romantic elements in their writings.⁶

Charlotte Brontë was born in Yorkshire, England, in 1816 to the Reverend Patrick Brontë and his wife Maria. Charlotte Brontë was the third of six children, and the oldest of the four children who survived to adulthood. When Charlotte was five years old, her mother died, leaving Reverend Brontë to raise six small children on his own. In 1820, Reverend Patrick Brontë received a new curate in the rural village of Haworth. This move to the moorland setting of Haworth was extremely seminal in the shaping of Brontë’s childhood. The Reverend encouraged his children to spend time outdoors exploring the natural world and applying it to their studies in natural history. These experiences instilled a strong connection to nature and personal independence in Charlotte, which are evident in her novels.⁷

The Reverend Brontë also encouraged his children to read; he loved poetry and the classics. Charlotte Brontë happily indulged herself in such readings and took great care to study the works. Throughout her life Charlotte was able to read whatever she liked, which was uncommon in most Victorian era homes. This undoubtedly contributed to Charlotte’s knowledge. In September 1824, Charlotte and her younger sister Emily left home to study at the Cowan Bridge Clergy Daughters’ School in Lancashire, following in the footsteps of their two older sisters Maria and Elizabeth. Due to meager sustenance and strict routines, in 1825 many of the students became very ill, among them were Maria and Elizabeth Brontë. Upon the eldest daughters’ sickness, Reverend Brontë brought all of his daughters home. Both Maria and Elizabeth passed away as a result of the tuberculosis they contracted at school. Charlotte openly hated the Cowan Bridge School, and she used her own experiences here as inspiration for Lowood School in Jane Eyre. For the next five years the Reverend Brontë and his wife’s sister educated Charlotte, Emily, and the two younger siblings, Branwell and Anne, at home. They received a good education and were thoroughly educated in literature.⁸ Charlotte and her younger siblings began writing during their home education years. Their stories were influenced by the Romantic poetry of Byron and classic tales like The Arabian Nights. When Charlotte and her brother, Branwell, were older they created an imaginary world

³ Reiff, 47.
⁴ Reiff, 48-9.
called Angria and used this locale as the setting for the fictional stories they wrote together based on their interest in politics and romance. Brontë continued to write in this vein throughout her adult life.

Charlotte went away to school at Roe Head when she was 14 in 1830. She was the leading pupil in the school, and she worked hard to learn new things so that she could teach her younger sisters. Unlike her first experience away at school, Charlotte’s experience at Roe Head was a pleasant one, and the other students admired her for her knowledge. In July of 1835, Charlotte returned to the school to work as a teacher. She chose this line of work so that the family could afford to send her younger sisters to the school. Charlotte disliked teaching at Roe Head because of her lack of personal freedom and independence, but she was so dedicated to her sisters’ education that she remained a teacher there for three years.

Charlotte greatly desired to become a paid writer and wrote to Robert Southey, England’s poet laureate, for advice. To Charlotte’s dismay, Southey responded, “Literature cannot be the business of a woman’s life: and it ought not to be.” Charlotte was disheartened by this response, but valued the advice and discontinued writing for a few years. However, the years that Charlotte abstained from writing proved extremely influential to her future works.

In 1839, Charlotte refused two marriage proposals: one from the Reverend James Bryce, with whom she was not well enough acquainted to accept, and the other from the Reverend Henry Nussey, who was the brother of a good friend. Charlotte refused Nussey because she did not love him, an act which was extremely brave, considering the difficulties a woman had in securing her own way of making a living. Charlotte recognized this bravery when she wrote to her friend Margaret Wooler in 1846 saying, “There is no more respectable character on this earth than an unmarried woman who makes her own way through life quietly perseveringly.” These experiences inspired the similar events in Jane Eyre where Jane refuses to marry St. John only because she does not love him. After voluntarily choosing to remain single, Brontë began the life of a single working woman again, this time as a governess. After a miserable two years in this field of work, however, she was eager for a new adventure.

Charlotte and her two sisters longed to start their own school at Haworth, but first needed to improve their own credentials. In pursuit of this, Charlotte, Emily, and Anne left England to study in Brussels, Belgium at Madame Claire Zoë Heger’s School in 1842. The death of the girls’ Aunt Branwell called them home that fall, but Charlotte returned to Brussels alone to teach English and continue her lessons with the Hegers. Charlotte fell in love with Monsieur Heger, but he was married, so their union could never be legitimate. His encouragement of her writing and thinking was unlike any man she had encountered, but the relationship was terminated when Madame Heger became uncomfortable with Charlotte and Monsieur Heger’s friendship. As a result, Charlotte left Belgium for home with a heavy heart. Her friendship with Monsieur Heger, however, had given her the tools to become a better writer, as well as inspiration for many of her writings.

After leaving Belgium, Charlotte returned to Haworth where she lived for the remainder of her life. She wrote all of her novels and all of her poems from her home here. Charlotte’s first published work was Poems, which she wrote together with her sisters. The publication of this book in May of 1846 marked the birth of Charlotte’s pseudonym: Currer Bell. The sisters decided to use these “genderless” names because they believed their audience would be biased if they knew the authors were women. Poems was not a success, but it gave Charlotte the courage to continue writing and the valuable knowledge that novel writing would be more financially successful. Charlotte completed her first novel, The Professor, in July of 1846. Publisher after publisher rejected this first manuscript, and it was ultimately published

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9 Reiff, 20-25.
10 Margaret Smith, ed., Charlotte Brontë: Selected Letters (Oxford: Oxford University Press, 2007), 10, note 2. This collection of letters contains Brontë’s writings to Southey, but does not include Southey’s response. The footnote cited includes the editor’s reflections on Southey’s response.

*Jane Eyre* is Charlotte Brontë’s most significant and best-known work. The original title of publication was *Jane Eyre: An Autobiography*, edited by Currer Bell. Portraying the novel as an autobiography lent Brontë the freedom of having Jane Eyre narrate in first person to uniquely and directly address the reader. The novel is the story of the titular Jane Eyre’s coming of age and it is all the more authentic because it reflects events in Brontë’s own life, such as her education and work as both a teacher and governess. The novel reflects its historical period through its portrayal of the social hierarchy of the time, gender inequality, and the use of gothic imagery.

The story begins when Jane is ten years old and living under the care of her aunt, the cold-hearted Mrs. Reed. Mrs. Reed is the widow of Jane’s Uncle Reed who took custody of Jane after her parents’ death, but he died shortly after receiving Jane into his home. Mrs. Reed selfishly feels burdened at the prospect of raising Jane alongside her own three children, despite the wealth her husband left to her. Jane’s childhood experiences in the Reed home are demonstrative of the order of the social hierarchy of the day. Even from her infancy Jane’s aunt discriminates against her because of Jane’s status as an orphan and Jane’s father’s low standing in society. Jane suffers from neglect and even abuse at the hands of Mrs. Reed and her children, Jane’s cousins. In their final conflict, Mrs. Reed locks Jane in the Red Room, the room where Mr. Reed died, and Jane suffers some sort of fit because she is so frightened.

Jane’s experience in the Red Room is indicative of the gothic, with Jane’s sensing the presence of her deceased uncle. This final conflict was so troublesome to both Jane and Mrs. Reed that Mrs. Reed allows Jane to leave her life with the Reed family and attend Lowood School.

At Lowood School Jane truly begins to understand the meaning of friendship and loving relationships. At first the prejudices of Mrs. Reed follow Jane to the school and Jane, along with the pupils, suffer from malnourishment at the hand of the mean-spirited school treasurer. Eventually, the loving school superintendent, Miss Temple, corrects these issues. Through Jane’s friendships and careful education, Jane grows from a lonely child to a learned, independent woman during her time at Lowood. Jane serves as a teacher at Lowood for two years after completing her own education, but she hungers for different scenery and advertises herself in the newspaper as a governess. Mrs. Fairfax, the housekeeper of Thornfield Hall, quickly accepts Jane’s advertisement and offers her the position of governess for the estate’s ward, Adèle. Jane’s fateful decision to accept the position at Thornfield forever changes the course of Jane’s life.

Through Jane’s arrival at Thornfield, Brontë strongly emphasizes gothic elements. At this point Brontë utilizes the weather to convey a sense of foreboding and to add to the rich emotional tone of the work. Brontë depicts Thornfield Hall as a semi-haunted setting, full of shadow and mystery, with strange noises and dark secrets. As Jane grows accustomed to her home, she becomes better acquainted with her new master. Strange events happen from the very beginning of Jane’s arrival at Thornfield, but these events strengthen Jane and Mr. Rochester’s attachment to one another. Jane Eyre proves herself to be a dependable friend to Mr. Rochester when one eerie night she discovers him asleep in his bed engulfed in flames. After this incident, Jane and Mr. Rochester spend more time together, becoming better acquainted. Mr. Rochester treats Jane as an equal, going so far as to tell her that he wishes her to freely speak her mind, despite her inferiority of class, her gender and her youth.

Through her interactions with Mr. Rochester, Jane becomes more independent and confident. Because Mr. Rochester is a wealthy man, the company he receives are other wealthy visitors who stay in his home for an extended period. During the stay of his guests, the rigidity of the English social hierarchy is a constant theme. Mr. Rochester invites Jane to his dinner parties, but his guests ignore her or treat her in a servile manner. The cruelest of Mr. Rochester’s guests is Miss Ingram: a haughty, beautiful woman. Jane notices that Mr. Rochester has a particular regard for Miss Ingram and the other guests also suspect an imminent marriage proposal. Though she does not recognize it as such at first, Jane experiences the pangs of jealousy when she observes Mr. Rochester’s interactions with Miss Ingram. Jane realizes that she is in love with Mr. Rochester when she becomes aware of her
jealousy. The thought of being torn away from Mr. Rochester when he marries another woman is painful to Jane, but she does not yet know how to handle her emotions.

Jane’s former benefactress, Mrs. Reed, becomes ill and requests to see Jane Eyre. Jane plays the role of dutiful niece and leaves Thornfield Hall to visit the dying woman she despised in her youth. Jane expects she has been called to her aunt’s bedside to be asked for forgiveness for the dreadful way she was treated as a child. But when this does not happen, Jane realizes that she does not need apologies. She can accept the past and move on. While her discussion with her aunt is not a successful one, Jane’s interactions with her cousins are more successful, furthering the notion that respect and admiration can cross the boundaries of class.

Shortly after Jane’s return to Thornfield Hall, she expects to learn of Mr. Rochester’s engagement to Miss Ingram. Instead, Mr. Rochester declares unconditional love for Jane Eyre. While at first distrustful of this, Jane eventually happily, openly and fearlessly reciprocates Mr. Rochester’s feelings and the two decide to get married within the month. In addition to being in love with Mr. Rochester, Jane looks forward to the union with her future husband, because his finances will allow her to travel with him and his generous spirit will allow her expressions of independence and freedom of opinion.

Unfortunately, Jane’s happy life is not to be. In the middle of the wedding, a stranger arrives to report the news that Mr. Rochester already has a wife and therefore cannot legally be married to Jane. Mr. Rochester confirms this news to be true. In fact, Mr. Rochester’s insane wife Bertha Mason who had caused all of the strange noises Jane had been hearing, and even started the fire in Mr. Rochester’s bed. Mr. Rochester is deeply apologetic and desires to flee to another country with Jane where he will treat her as his wife, but Jane does not want to attach herself to a man to whom she would merely be a mistress. While Jane does forgive Mr. Rochester for his deceit, she knows if she does not want to be his mistress she must leave Thornfield Hall.

After several days of traveling, a sickly Jane arrives at Marsh End. It is here that Jane is taken care of by the Rivers family who help her regain her strength until she can find some form of employment. While teaching at a school for girls in the town where Rivers family lives, Jane receives a letter explaining than an uncle she has never known has passed away and left all of his fortune to her. From this letter Jane also learns the Rivers are her cousins. Jane graciously divides the inheritance between her cousins and herself and continues living with them at Marsh End. St. John Rivers, Jane’s male cousin, does not love Jane but finds her hardworking and determined spirit suitable for the mission work he desires to do and so proposes to Jane. St. John is Mr. Rochester’s perfect foil; he is more handsome and more restrained, but Jane feels pressure to please the judgmental St. John. Aside from this major concern, Jane does not love St. John and even though she cannot marry Mr. Rochester, she does not desire to marry another man. Jane’s new wealth also gives her the confidence to be able to refuse the proposal because her survival does not depend on the marriage.

Not long after Jane’s refusal to marry St. John Rivers, Jane has a supernatural experience in which she thinks she can hear Mr. Rochester cry out to her in the night. Jane determines that the time is right for her to visit Mr. Rochester and see how he has fared after their year apart. She travels to Thornfield Hall to find that only a burnt ruin remains. After discovering that Bertha Mason perished in the fire and that Mr. Rochester is now blinded from the fire and living at his country estate, Jane is more determined to visit than ever.

Upon Jane’s arrival to the country estate, Mr. Rochester happily receives her at his home and the two quickly reconcile. In spite of his insecurity about his physical defects, he tells Jane how much he has missed her and how he has not stopped loving her. Jane freely accepts Mr. Rochester’s proposal and eagerly returns his love. Her independent experiences and her personal decision to return to Mr. Rochester place their impending marriage on much more equal footing. Jane will have to be Mr. Rochester’s eyes and helpmate because of his handicapped state, therefore rendering him dependent on Jane. Brontë concludes the story of Jane Eyre with a discussion of Jane’s happy marriage to Mr. Rochester and the satisfaction
that the equality of their union has brought to both of them.\textsuperscript{14}

\textit{Jane Eyre} was incredibly popular from the moment it was published. Although it was published in October of 1847, it quickly became one of the best selling novels of that year.\textsuperscript{15} Even Queen Victoria read \textit{Jane Eyre} and enjoyed the novel enough to mention it in her diary.\textsuperscript{16} George Henry Lewes, a notable literary critic, highly praised \textit{Jane Eyre} and its mysterious author: “Reality—deep, significant reality, is the characteristic of this book. It is an autobiography—not perhaps in the naked facts and circumstances, but in the actual suffering and experience. This gives the book its charm.”\textsuperscript{17} While early reviews were mostly positive, the negative critiques are a fine example of how well the book reflected its time. Some of the changes that societal reformers hoped for were some of the very things with which Brontë’s harshest critics took issue. One commonly cited review from the \textit{Quarterly Review} in December of 1848 had strong negative opinions toward \textit{Jane Eyre}. The critic, who strangely like Brontë was a woman writing under a male pseudonym, attributed the novel’s popularity to the fascination with forbidden “illegitimate romance.”\textsuperscript{18} This review of the novel also criticized the main character for being too uncouth.\textsuperscript{19} When compared to the ideal Victorian lady, the view held by some of Jane Eyre as a coarse heroine is comprehensible.

The Victorian lady was expected to be virtually emotionless, unless her emotions related to domestic life. \textit{Jane Eyre} was full of passion and even spoke plainly to Mr. Rochester more times than not. Present day feminists have heralded \textit{Jane Eyre} as one of the earliest pieces of proto-feminist literature. While the term “feminist” is anachronistic—no feminist movements or even women’s suffrage movements began until years later—Brontë’s depiction of Jane Eyre’s relationship with Mr. Rochester was a powerful example for feminist literature in the years to come. In a passionate conversation before Mr. Rochester proposed to Jane she said, “It is my spirit that addresses your spirit; just as if both had passed through the grave, and we stood at God’s feet, equal—as we are!”\textsuperscript{20} This statement was more an assertion of spiritual equality, but it has been used in support of the proto-feminist argument. Jane’s frank declarations of her feelings to Mr. Rochester would have been offensive to some Victorian readers, but to most readers, Jane Eyre was a strong heroine surrounded by gothic elements. \textit{Jane Eyre} was different from other flimsy gothic heroines of the same time period—even Mary Shelley’s \textit{Frankenstein} is completely devoid of strong female characters. The character of Jane Eyre was unique in her time for being both passionate and sensible. Although, Jane did not hesitate to speak passionately to Mr. Rochester and to others, she also does not give herself completely over to these passions. When Mr. Rochester wanted to leave for Europe with Jane as his mistress, she refused to indulge in such sexually scandalous behavior, as a proper Victorian lady should. Brontë’s novel struck the perfect balance with enough passion to tell a bold love story and enough restraint to appease Victorian values.

Charlotte Brontë also elaborated on another Victorian issue in her story: the insane woman. Bertha Mason’s character not only added to the gothic imagery in \textit{Jane Eyre}, but also addressed the Victorian question of how the mentally unstable were diagnosed and how they should be treated. A prevalent belief in the 19\textsuperscript{th} century was that the onset of mental instability began with the female reproductive system. Therefore, the common belief was that the mother typically passed mental illness to the child.\textsuperscript{21} Brontë’s description of Bertha Mason was consistent with this popular theory. She described Mason as “the true daughter of an

\textsuperscript{14} Charlotte Brontë, \textit{Jane Eyre} (London: Smith, Elder and Company, 1847).
\textsuperscript{15} Oxford Dictionary of National Biography, s.v. “Charlotte Brontë.”
\textsuperscript{17} George Henry Lewes, “Recent Novels: English and French,” \textit{Fraser’s Magazine}, December 1847.
\textsuperscript{18} Nineteenth Century Literature Criticism, s.v. “Jane Eyre.” This critic was Elizabeth Rigby, later Lady Eastlake and despite her disgust with Brontë’s \textit{Jane Eyre}, she became a noteworthy female writer in her own right as a pioneer of female journalism.
\textsuperscript{19} Reiff, 49; add the review that says this
\textsuperscript{20} Brontë, \textit{Jane Eyre}, 268.
infamous mother.” Mason’s mental illness was also attributed to her poor moral conduct and her sexual deviancy. This characterization is related to the Victorian theory that unchecked immoral proclivities could affect a person’s mental capacity. Also noteworthy is Brontë’s subtle commentary on mental institutions, which some Victorian people believed to be cruel. At the time Brontë was writing Jane Eyre there were about 30 percent more women than men in asylums. This number does not include the number of insane persons who were cared for in the home, like Bertha Mason was. Mr. Rochester’s decision to care for Bertha Mason at Thornfield rather than place her in an institution was both out of respect to the woman who had lived as his wife for four years and as a kindness to keep her from the often negligent institutions. The unintended consequence of Brontë’s depiction of Bertha Mason was that it influenced psychiatric thinking at the time regarding patients cared for inside the home. Elaine Showalter sees evidence of Bertha Mason in John Connolly’s book Treatment of the Insane Without Mechanical Restraints, written in 1856, when he discussed the need to keep insane persons in institutions and not in the home, where they might be a danger to their caretakers.

Jane Eyre most reflected the time in which it was written by capturing the Romantic and Gothic spirit. Jane’s ghostly encounters in the Red Room, the unearthly laughter of Bertha Mason, and the phenomena of hearing Mr. Rochester’s voice from impossibly far away are examples that easily fit in with the supernatural element of the quintessential Gothic tale. The whole novel is shrouded in mystery, from shadowy Thornfield to Mr. Rochester’s past life. The passionate love between Jane and Mr. Rochester is indicative of the novel’s Romantic and Gothic influence, as well. Charlotte Brontë’s greatest success in terms of the genre was her ability to blend gothic elements into a realistic story without making it nonsensical. These Gothic motifs inspired hundreds of novels for years to come. One of the most successful novels to count Jane Eyre as an influence is Daphne DuMaurier’s Rebecca.

In addition to Brontë’s advancement of the gothic subgenre, her writing style was also extremely unique. Brontë mastered the unusual method of the narrator’s direct address to the reader. One of the most famous quotes from Jane Eyre is demonstrative of this: “Reader, I married him.” The first person style communicated directly to the readers and involved them in the drama. This made a reader have to consider his or her feelings about the oppression Jane suffered because of her inferior birth as well as Brontë’s critiques on marriage, family, education, and society as a whole. This is, no doubt, what has caused some readers to view the novel warily and see it as “dangerously revolutionary.” While Jane Eyre did not evoke a life-changing outcome in English society—Brontë never intended this—it did fit in properly with issues of its time. The Chartist Movement resurfaced in 1848, the year after Jane Eyre was published. Although it is ridiculous to assert that Brontë’s popular novel reintroduced the movement, it is noteworthy that her work accurately portrayed some of the issues of English society at the same time reform movements were beginning. Brontë’s middleclass readers especially connected with Jane Eyre’s struggle.

After writing Jane Eyre, Charlotte Brontë’s life changed dramatically. She achieved incredible fame and garnered generally positive recognition, but her family life turned upside down when her three younger siblings died in quick succession. Despite extreme loneliness, Brontë continued to write and published two more novels before her death: Shirley in 1849 and Villette in 1853. Despite a devoted following, neither work acquired the popularity or critical approval of Jane Eyre. In 1854 Brontë married Arthur Bell Nicholls and the two were extremely happy together during the short duration of their union. Brontë became pregnant soon after the marriage and was physically weakened by her unusually severe bouts of

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22 Brontë, 324.
23 Showalter, 68. The reference to Connolly’s book of 1856 discusses a passage in which Connolly alludes to the keeping of insane persons in hidden rooms in the home and their attraction to fire, both indicative of Bertha Mason.
24 Reiff, 84.
26 Brontë, 517.
28 Churchill, 55.
morning sickness. She died on March 31, 1855, after suffering from a cold.29 Though her life was short, Charlotte Brontë’s legacy reached far into the future.

Charlotte Brontë’s *Jane Eyre* has inspired scores of women writers in the years since its publication. Brontë’s knowledge of her own time period left a clear portrait of English society in the Victorian era that readers today can glean from her works. Her influence in making the gothic subplot more accessible is profound even to this day. *Jane Eyre* was so successful in its own time and in the years following that filmmakers and playwrights have adapted the story dozens of times. It is a rare novel that can tell an effective story in its own time and still address avant-garde issues such as social criticism and feminism. Whether her words are by spoken by a Hollywood actor or her influence is sensed in a 21st century novel, Charlotte Brontë’s legacy is ever continuing.

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For Alfred, the only English monarch ever to own the title “Great,” legends are abundant and to be expected. Tales abound of the king who disguised himself as a traveling minstrel to spy on the enemy camp, accidentally burned the cakes of a simple herdsman’s wife and humbly apologized for his inattention, and built an island fort in the middle of a marsh in which he entertained ghostly saints and planned his assault on the Vikings who had stolen his kingdom. His reign fell during the turbulent Viking Age of the ninth century, was fraught with battle and intrigue, and could, in many ways, be thought of as the first reign of a true King of England – a realm that had previously existed as a collection of minor kingdoms such as Wessex and Mercia rather than a unified whole. Alfred ruled over a time and place about which there is as much mystery as there is factual record, and legend often serves to fill in the gaps left by history. Some stories, such as that of Saint Cuthbert’s miraculous visit, tie Alfred even closer to the otherworldly aura of the time. Others, such as the legend of the cakes, are of the type which inevitably spring up around the founders of nations. To what degree Alfred was the “father of England” is an issue almost as difficult as discerning the fact from the fiction about his reign. Throughout the ages, and especially in the last century, the great task of historians studying King Alfred has been to sort the man from the myth and find the truth of what Alfred accomplished and its significance for the future of the English nation. Through their interpretations of Alfred, “the Man Who Made England,” these scholars have revealed more than just the details of a Saxon king who laid the foundations for a nation. They have reflected the changing values that have shaped England for generations.

Most scholarship agrees that Alfred was born in 849 in the royal village of Wantage, the youngest of the six surviving children (five sons and one daughter) of Ethelwulf, King of Wessex (839-856), the Saxon kingdom located in the southwest of Britain. His was royal blood of the highest caliber, and the title of bretwalda had been in his family since the reign of his grandfather Egbert (802-839). The title denoted an acknowledged hegemony over the other Anglo-Saxon kings throughout England: Essex and East Anglia in the east, Sussex and Kent in the southeast, Mercia in the center, and Northumbria in the north. In 853, four-year-old Alfred went to Rome as part of a delegation from his father. There he became godson to Pope Leo IV, who also, according to record, anointed him future king of Wessex. He travelled again to Rome in 855, this time accompanied by Ethelwulf himself. Ethelwulf died in January of 858, not long after returning to find that his eldest surviving son, Ethelbald, had usurped his kingdom.

Alfred spent the rest of his childhood years in the courts of his eldest brothers Ethelbald (856-860) and Ethelbert (860-865), whose reigns were short and fraught with peril. It was under the reign of his closest sibling Ethelred (865-871) that Alfred came to hold a prominent position of his own, both in court and on the battlefield. He was present at Ethelred’s court almost constantly and cosigned many charters and decrees with his royal brother. Alfred also made a name for himself militarily, most famously in the Battle of Ashdown on January 8, 871. Commanding half of his brother’s army against the Viking warlords Halfdane and Bagsecg, he charged the advancing enemy without hesitation – even as Ethelred piously refused to let his troops enter the fray until they had finished hearing mass – and

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30 There is some confusion about this event – most scholars agree that what actually took place was simply a customary Roman ceremony. In particular, see: Eleanor Shipley Duckett, Alfred the Great (Chicago: University of Chicago Press, 1956), 27-28; and Justin Pollard, Alfred the Great: The Man Who Made England (London: John Murray, 2007).

31 Regarding Alfred’s childhood: Duckett, 20-43; and Pollard, 41-78.
through his courage the Saxons won the battle. Ethelred, possibly wounded in the battle, did not survive long after the victory. He died in April 871, leaving Alfred the last of the sons of Ethelwulf and the sole ruler of Wessex.  

Alfred soon faced a new threat: the Viking warlord Guthrum. He faced this foe in a number of battles in 871, with mixed results. He was eventually able to buy a four-year peace, but Guthrum was again in the field by 876. On January 6, 878 – during the Saxon festival of Twelfth Night – Guthrum’s army broke an uneasy truce, attacking and capturing the royal residence of Chippenham in the middle of the night while the Saxons celebrated. Alfred and his retainers barely escaped with their lives. The exiled king spent several months in hiding while Guthrum effectively assumed control of Wessex. With his supporters, Alfred built a makeshift fortress at a site called Athelney, in the misty marshes of Somerset. From here he waged a guerrilla war, out-raiding the Viking raiders and steadily garnering support until he was able to raise a fyrd (army) strong enough to challenge Guthrum directly. In May 878, Alfred met and defeated Guthrum in the Battle of Edington (alternatively called Ethandune), the “Marathon of England” that determined the fate of a nation. In the Peace of Wedmore that followed, Alfred became one of the first European kings to receive what amounted to an unconditional surrender from a Viking warlord. Most notably, Alfred chose not to slay the adversary who had caused him so much woe, but rather to make an ally of him. Guthrum submitted to baptism as a Christian, and Alfred allowed him to retain his holdings in East Anglia as well as some of the Mercian lands he had conquered. Thus, Guthrum became the first Christian Viking king in Britain. 

Alfred had won back his kingdom; now it was time to rebuild it. Throughout the next years of his reign, Alfred set about restructuring Wessex, laying the foundation for the English state. He commissioned the building of several burhs – fortresses manned by a small community intended to keep watch and provide the first line of defense against future Viking invasions. Recognizing that defeating the Vikings required command of the waterways on which they traveled, Alfred built ships to guard the coasts. This precaution earned him the title of “father of the British navy.” To make the army more efficient, Alfred divided the fyrd into two sections, with half the fighting men in the field and half at home for a season at a time. He also restructured the administrative system of the shires and renovated the old Roman town of Londinium (London), allowing it to grow into the thriving medieval trade center that would one day be the capital of England. To bring order and stability to his kingdom, Alfred created a doom, or law code, incorporating Biblical law, Roman law, and laws established by the great English kings who came before him, such as Offa of Mercia.

Believing that only a learned, literate population would be able to ensure unity, prosperity, defense against the Vikings, and rightness in the sight of God, Alfred took several measures to provide for the education of his people: he summoned educated men from all corners of Britain and even some from the Continent to his court, including, most notably, the bishop Asser of Wales, and created a palace school where all sons of free men (mostly nobles) could come to learn. Alfred himself translated many classical Latin works into Anglo-Saxon, including Gregory’s Book of Pastoral Care and Boethius’s Consolation of Philosophy. Alfred also encouraged the development of the arts and craftsmanship in England. Alfred’s policies enabled him to successfully defend the kingdom against further Viking attacks and create a stable, prosperous England until his death in 899. 

32 Regarding Ethelred’s reign and the Battle of Ashdown: Eleanor Shipley Duckett, Alfred the Great, 44-58; and Justin Pollard, Alfred the Great, 112-128.
33 Frank Herbert Hayward, Alfred the Great (London: Duckworth, 1935), 45.
34 Regarding Alfred’s war with Guthrum: Duckett, 59-86; and Pollard, 129-197.
35 Regarding Alfred’s accomplishments: Duckett, 87-128; and Pollard, 198-268. Alfred’s translations are discussed at length in Duckett, 142-188.
The historiography of Alfred the Great begins with Asser, the Welsh bishop who helped advance culture and learning in Alfred's court. Asser was a prominent member of court and a close friend and advisor to the king, and the author of The Life of King Alfred. Because it is a contemporary account of Alfred’s life, nearly all scholars draw their interpretation of Alfred primarily from this source. The Life of King Alfred provides a wealth of information about Alfred's life and reign, including several anecdotes which provide insight into the mind of Alfred, as well as points of contention for historians debating their authenticity. Asser’s account raises almost as many questions as answers, however. For example, it does not span Alfred’s entire life. It ends abruptly at about 887, roughly twelve years before his death. Also, a fire in 1731 destroyed the original copy of Asser’s Life. Scholars must rely on a copy written by archbishop Matthew Parker in the sixteenth century, which most scholars do not believe is a literal translation. At times, scholars question the authenticity of Asser himself, noting the bishop’s obvious bias toward Alfred. He composed his biography during Alfred’s lifetime, possibly even on Alfred's command, and certainly with Alfred watching over his shoulder. Because of this, some scholars accuse him of obscuring the facts of Alfred’s reign. One of the great debates concerning Alfred is how much – and what – historians can believe in Asser’s account. However, most scholars acknowledge that “with all its defects, the book remains a most important contemporary authority for the history of the ninth century,” and the chief source for interpreting the reign of Alfred the Great.

Another contemporary source is The Anglo-Saxon Chronicle, which Alfred himself commissioned some time during his reign. As in most medieval chronicles, many entries are simply matter-of-fact statements of notable events such as births, deaths, accessions to high offices such as king or archbishop, and the movements of armies. Interspersed are more detailed and colorful accounts of important or interesting occurrences. Like most medieval chronicles, the Anglo-Saxon Chronicle was almost certainly intended as a tool to further legitimize and idealize Alfred’s rule and that of his dynasty. Most entries focus on Alfred’s achievements and rise to power. They describe the Viking conquest of England in great detail, making Alfred’s victory seem all the more heroic. For example, the Chronicle’s description of the surprise attack on Chippenham reads, dramatically,

This year about mid-winter, after twelfth night, the Danish army stole out to Chippenham, and rode over the land of the West-Saxons; where they settled, and drove many of the people over sea; and of the rest the greatest part they rode down, and subdued to their will; - all but King Alfred.

Despite the certain bias, the Chronicle is still a useful and oft-cited resource and one of the earliest historical accounts to discuss the reign of Alfred the Great.

As much fiction as fact concerning Alfred exists in the works of medieval historians in the centuries after the king’s death. Popular traditions arose – promulgated by works such as the twelfth-century Annals of St. Neot’s (the origin of the story of the cakes) and the writings of William of Malmesbury – celebrating Alfred as “the scholar king, the friend of the poor, and the favourite of the saints.” By the fourteenth and fifteenth centuries, the stories told of Alfred had entered the realm of fairy-tale and legend, adding fantastical and romantic elements to the tales. In at least one account, Alfred was even credited with the founding of Oxford University. In the sixteenth century, Matthew Parker wrote an edition of Asser’s Life of King Alfred which, despite several likely alterations, demonstrated in true Renaissance form a desire to return to the sources in the study of Alfred. In the seventeenth century, Sir John Spelman, a

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36 Pollard, 7-18.
38 Anglo-Saxon Chronicle, 878.
39 Lees, 433. Further discussion of medieval historiography of Alfred found in pgs. 433-453.
40 Lees, 451-452.
royalist supporter in the English Civil War, first gave Alfred the formal title of “The Great.”41 Although Spelman’s work was contemporarily criticized as royalist propaganda, the title stuck, reflecting the continuing popularity of Alfred in the modern age.

To Enlightenment thinkers, like Scottish philosopher and historian David Hume, Alfred was a true philosopher king: a shining light of culture and civilization in a barbarous age. Hume published the first volume of his History of England from The Invasion of Julius Caesar to the Abdication of James the Second in 1762. The words Hume uses to describe Alfred read like a checklist of Enlightenment virtues:

“He knew how to reconcile the most enterprising spirit with the coolest moderation; the most obstinate perseverance with the easiest flexibility: the most severe justice with the gentlest lenity; the greatest vigor in commanding with the most perfect affability of deportment; the highest capacity and inclination for science with the most shining talents for action.”42

To Hume, Alfred’s greatest contributions are the advances he made toward securing liberty for the English people. In Alfred’s compilation of the greatest laws of his predecessors, Hume sees the origins of common law, the great safeguard of English liberty.43 By establishing equal wergilds – blood prices that a man paid to the family of someone he had killed – for both Saxon and Dane in his law code, Alfred established himself as a pioneer of equality and equal treatment under the law – an important tenet of eighteenth-century English political thought.44 Hume is also impressed with the king’s advancement of literacy and education, believing that “good morals and knowledge are almost inseparable, in every age.”45 Hume’s Alfred is England’s first champion of liberty, fighting to ensure that “the English should forever remain as free as their own thoughts.”46

The so-called “cult of Alfred” reached its height in the Victorian era, when the people of an empire upon which the sun did not set celebrated the millennial anniversaries of the great events in the life of “England’s darling” who had forged their nation from that small patch of land at Athelney.47 Alfred enjoyed a considerable level of popularity in this period, his achievements exonerated and rarely, if ever, questioned.

As the twentieth century dawned, historians became concerned with finding the truth about Alfred, attempting to discern reality from legend, even in the contemporary accounts of Asser and the Chronicle. This attitude is exemplified by the work of Beatrice A. Lees, who is often more concerned with the setting of events and their existence than in interpreting their causes and effects. In Alfred the Great: The Truth-Teller; Maker of England; 848-899, published in 1919, Lees’s vision of Alfred is of a hard-working king who, through his diligence, not only repelled the Viking invaders but laid the foundations for the English state, society, and literature. Not far removed from the Victorian era, Lees still praises hard work as the noblest of virtues. To Lees, Alfred is key to the development of English statesmanship and the various “organs of government”; she says that “in Alfred’s reign the lines were laid down on which development should proceed, and in the work of political organization the King took the leading part.”48 In an age which was beginning to look at centralization of power with growing

41 Lees, 459.
43 Hume, 73.
44 Hume, 65.
45 Hume, 74.
46 Asser 24, quoted in Hume, 74.
48 Lees, 215-216.
apprehension, Lees wrote that, while Alfred certainly did more than any ruler before him to strengthen the power of the king, he did so not for any self-seeking purpose but because of “his own active and competent intervention in the work of administration,” and that he created the stabilization and security desperately needed in an age of disorder and danger. Lees devotes a lengthy chapter to Alfred’s literary work, believing that “in literature as in politics … King Alfred stands at the opening of a new era in the development of England.”

Alfred played a critical role in the development of English literature and the practice of reading and writing great works in English rather than in Latin, but, as in everything with Lees, statesmanship was at the core of Alfred’s literary achievements – he advanced reading and writing in order to more effectively administer his kingdom. In the final section of her work, Lees examines the historiography of Alfredian scholarship from the Middle Ages to the turn of the twentieth century, exploring the development of the mythical Alfred in her quest to recover the historical Alfred.

Remarkably little seems to have been written about Alfred the Great in the years between the end of World War I and the end of World War II. Robert Hodgkin, writing in the 1930’s, affirms that Alfred’s popularity had declined by that time. Those scholars who did study Alfred in the 1920’s and 30’s continue the trend of exploring the extent to which the information available about Alfred is believable. As F. H. Hayward puts it, “doubtless there was in Alfred the Truthteller – Asser’s own description of him – something that induced truthtelling.” However, scholars of this time often disagreed over such matters. For example, Hayward praises Asser for writing an accurate and factual account of the king’s life despite a tendency of many medieval clergy to overuse miracles and fables in their historical writings. Hodgkin, on the other hand, believes that “this elderly bishop was unfortunately not the man to understand fully the mind of a many-sided layman.” Pressing issues of the day find their way into 1920-1940 Alfredian scholarship, including equity and the “promotion of morality by direct state action” in Alfred’s laws, and the question of dictatorship in the centralization of government and strengthening of the monarchy.

In 1935, F. H. Hayward published a relatively short monograph simply entitled Alfred the Great, as part of a series of brief biographies called “Great Lives,” published by Duckworth Press. Despite its brevity, Hayward’s work displays many of the qualities typical of Alfredian scholarship in this period. Hayward believes that Alfred’s greatest quality was his eagerness – his conviction of “quite uncommon intensity that the world to which he belonged had to be understood, and the best things in it (threatened with destruction) to be saved.” Such sentiments characterized the decades between the World Wars. It is this eagerness – this “indignation at the spoiling and ruining of the civilisation of England” – that compelled Alfred to make his famous charge at Ashdown without waiting for his brother. Hayward also sees in Alfred “not only the greatest constructive educationist England has produced, but almost the only one.” Writing in a time of sweeping educational reform, Hayward saw Alfred’s steps toward creating a literate, educated England as not the politically-charged, organization-centric movements of the day but a “vivid and authentic educational vision followed by inspired and effective educational action.” To Hayward, this is the most exciting moment in all the centuries of England’s educational history. Hayward writes with passion about Alfred’s love of science: of his summoning of great scholars to his court, his desire to listen to the tales of

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49 Lees, 222-223.
50 Lees, 321.
53 Hodgkin, 2:537.
54 Hodgkin, 2:602-603.
55 Hodgkin, 2:607.
56 Hayward, 12.
57 Hayward, 13-14.
58 Hayward, 17.
59 Hayward, 57-58.
world travelers and learn geography, his astronomical asides in his translation of Boethius, and his own inventions of the candle-clock and horn lantern.\textsuperscript{60} Interestingly, Hayward compares Alfred to the Roman philosopher-emperor Marcus Aurelius, speaking of their shared “effect on the world,” “versatility,” and “high and noble character” which earned Alfred the title of “Great.”\textsuperscript{61}

From 1950-1980, historical work concerning Alfred the Great resurfaced. Scholarship reflected a wide variety of viewpoints indicative of the diverse, ever-moving postwar world. Even Eleanor Shipley Duckett, whose work shows considerably less bias than that of many scholars, reflects the progressivism of the time by discussing an oft-overlooked aspect of Alfred’s law: women’s rights.\textsuperscript{62} Published in 1956, Duckett’s Alfred the Great is, in her own words, a “very simple book” with the simple goal of educating interested but casual readers about what is known of the deeds and character of King Alfred.\textsuperscript{63} To Duckett, Alfred was a man who did his duty to the best of his ability and had high expectations for himself as well as his subjects. Though presenting little in terms of new theories or interpretations, Duckett weaves the story of Alfred as well as any writer, and has certainly done her research, a fact to which her extensive bibliography – a useful resource for anyone studying the historiography of Alfred – can attest. Duckett informs her readers of what was known about the subject at the time, including what was known to be more legend than truth,\textsuperscript{64} without using the details to support any particular agenda. This “just-the-facts” approach reflects the continued effort of twentieth-century scholarship to get to the truth of Alfred’s legendary reign.

Of special note in the historiography of Alfred the Great is the work of British Prime Minister and famous twentieth-century personality Winston Churchill. In the first volume of his History of the English Speaking Peoples, published in 1956, Churchill makes a colorful study of the reign of King Alfred. Churchill focuses almost exclusively on Alfred’s military career, undoubtedly viewing the king’s struggle to preserve England against Viking invasion through the window of his own efforts to see Britain endure against the German assault in World War II. In Churchill’s opinion, Alfred’s most important qualities were his strong morality, his comprehension of the greater world, and his devout faith yet willingness to engage in active statesmanship and military force to achieve the greatest good.\textsuperscript{65} Like the Battle of Britain in 1940, Alfred’s victory at Ashdown prevented England from sinking into “heathen anarchy,” giving hope for “a civilised Christian existence in this Island.”\textsuperscript{66}

Churchill considers Alfred’s first peace treaty with his Viking enemies in 871 more of a defeat than other scholars, who saw this as a necessary purchase of much-needed time for his kingdom.\textsuperscript{67} The key to understanding this perspective may lie in Churchill’s negative experience with politicians who sought to forestall war with Nazi Germany through appeasement of Hitler. Like Churchill, Alfred was a shipbuilder, believing the defense of an island nation required a strong navy to defend its coasts, and, like Churchill, Alfred believed in personally overseeing the writing of history to ensure that it paid proper respect to his own achievements, as exemplified by his commission of The Anglo-Saxon Chronicle. In Churchill’s eyes, Alfred was the first of many inspirational English leaders who saw his people through perilous times with his courage, words, and action, in whose company Churchill himself could now claim to sit.

\textsuperscript{60} Hayward, 91-102.
\textsuperscript{61} Hayward, 125-126.
\textsuperscript{62} Duckett, 95-96.
\textsuperscript{63} Duckett, vii-viii.
\textsuperscript{64} Duckett, 74-75.
\textsuperscript{66} Churchill, 106.
\textsuperscript{67} Churchill, 108.
Consistent with the contemporary tone of questioning the traditions of the past, P.J. Helm, writing in 1963, claims that “the ordinary person might be hard put to it to justify the king’s claim to this unique honour [the title of “Great”],” although he ultimately concludes that English history would have taken a much different course had it not been for Alfred’s ability. Helm believes that “a country should, in each generation, reassess its great men,” judging them by new evidence as well as new standards, and he stresses the difficulty in achieving a balance between the legendary and the factual with Alfred which makes it hard to assess the king in this way. By the 1970’s, enough evidence had been collected for David A. Hinton to build an archaeological case for the authenticity of Alfred’s achievements, including the creation of the burhs, church-building, the revival of shipping and trade, and the advancement of the arts and craftsmanship.

Alfredian scholarship since 1990 has produced a number of new ideas and new theories interpreting the life and reign of Alfred the Great. H.R. Loyn’s 1991 monograph The Making of the English Nation: From the Anglo-Saxons to Edward I argues, in unusual single-causation fashion, that Alfred’s most significant contribution was repelling the Danes, and that in fact everything Alfred did – including his efforts toward reforming Saxon law and education, were driven by the necessity to provide for the defense of the country. In August 2010, Stefan Jurasinski published an article in the Journal of Legal History entitled “Sanctuary, House-Peace, and the Traditionalism of Alfred’s Laws,” in which he challenges the traditional scholarly position that Alfred’s sanctuary laws were not innovative or reform-minded but rather continued longstanding Germanic tradition with minor differences. Jurasinski believes that the intent of Alfred’s sanctuary and house-peace laws was to give penance a proper place in English law and move beyond the idea that the right to protection from violence is created by the sanctity of the building but rather by the standards of behavior of those involved. Current studies of Alfred pay special attention is to class distinctions and gender differences. Popular histories about Alfred the Great, such as Alfred the Great: The Man Who Made England by Justin Pollard and The White Horse King: The Life of Alfred the Great by Benjamin Merkle, are another common trend of twenty-first century scholarship. The authors of these works write in sensational, journalistic style, “as a narrative intended for any interested reader and not simply an academic readership.” Many of these do not, at first glance, appear particularly academic (Merkle’s thesis rather simplistically suggests that “Alfred was great because he was a great king”), but they too produce a surprising number of new theories, to varying degrees of credibility.

Most notably, Justin Pollard proposes that the 878 attack at Chippenham – which sent Alfred into hiding in Athelney – was not in fact a surprise Viking invasion but rather a coup instigated by members of Alfred’s own court. Although treason is absent from contemporary or later records, Pollard supports his hypothesis with carefully assembled evidence including holes in Asser’s account and the Chronicle, precedence of similar behavior in other English kingdoms, charters and correspondence regarding bishops and nobles, and Alfred’s behavior after reclaiming his throne. It remains to be seen whether scholarship will accept Pollard’s theory as credible or if he has simply taken evidence that allows for multiple possible scenarios.

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68 Helm, 9.
69 Helm, 191.
73 Pollard, 22-24, 49-52.
74 Pollard, 5.
75 Benjamin Merkle, The White Horse King: The Life of Alfred the Great (Thomas Nelson: Nashville, 2009), xv.
76 Pollard, 159-162.
77 Pollard, 162-169.
and chosen the one which tells the most exciting tale. Like historians for a century before him, however, Pollard is concerned with finding the “true” Alfred, seeking “to peel away the confusion of myths and legends ... and to reveal the man underneath.”\textsuperscript{78} To Pollard, Alfred’s role in the making of England is unmistakable and just as relevant today as it was more than a millennium ago: the influence of Alfred the Great “continues to resonate through the modern world like that of no other mediaeval [sic] king.”\textsuperscript{79} Pollard and other popular historians paint Alfred as a hero and a rallying point for his people, as great national figures often are – not, this time, to pull England through a time of crisis, but rather to reaffirm a fading national identity.

One of the many epithets associated with Alfred is “The Man Who Made England.” Nearly every generation of scholarship acknowledges Alfred’s claim to this achievement, but every generation views Alfred as the man who made a different England. To Alfred and his own generation, he was the king who united England, made it safe and stable, and laid the foundations for a civilization that could stand proudly among those of continental Europe. To medieval writers, Alfred was the king of an England shrouded in myth and legend: a hero in an age of heroes. To Enlightenment scholars, Alfred made the England of education, law, and most importantly, liberty. To Victorians, Alfred made the England that grew from a patch of land in the Somerset marshes to an empire that spanned seven continents. To historians of the early twentieth century, Alfred was a man of truth, hard work, and effective administration – qualities he gave to his kingdom. To writers between the world wars, Alfred was the man who made England with statesmanship and reform. To those who lived in the years following World War II, Alfred was the man who made the England that could face impossible odds against overwhelming enemies and stand victorious. To modern authors, Alfred was the man who first defined a nation with a heroic and storied past: an England that could be proud of its culture and accomplishments. Each of these interpretations reveals the values of its generation. Each of these interpretations also holds truth, as England cannot be defined by any one point in time. England has a continuous and evolving history, and Alfred laid the foundations for many of the qualities which developed in England over time, truly earning him the title “Great.”

\textsuperscript{78} Pollard, 4.  
\textsuperscript{79} Pollard, 304.
TOWARDS AN OPEN GOVERNMENT:  
THE CONFLICT BETWEEN CITIZENS-ONLY PROVISIONS 
AND THE CURRENT TREND OF PUBLIC ACCESS  
by Scott Kimberly

“Public business is the public’s business. The people have the right to know. Freedom of information is their just heritage. Without that the citizens of a democracy have but changed kings.”

The public availability of government information is a fundamental tenet upon which democracy rests. The Founding Fathers recognized the importance of government access, and that right has persistently influenced government operations throughout American history. As American government expanded in the early twentieth century, the public right to government information sparked a demand for government transparency. In 1966, Congress codified that right by enacting the Freedom of Information Act. Following the passage of the Freedom of Information Act, every state that did not already have an open records law adopted its own version of the Act. The congressional effort to promote government access, and the numerous amendments that followed, demonstrate a trend towards open and accessible government that persists in federal, state, and local governments.

The trend towards open government has its genesis in legislative action, both in federal and state governments. At the federal level, Congress passed the Freedom of Information Act in 1966, responding to the increased size and complexity of the administrative state. The Act codified the public’s right to access government records, a right which, at that time, had yet to receive adequate protection under the law. Congress subsequently amended the Freedom of Information Act several times to ensure that the Act functions properly in contemporary society. Every time Congress amended the Act, it reinforced the principle upon which the Act rests: that the public has a right to access information from the government. State legislatures promptly followed Congress’s lead in protecting the public’s right to access government information. Indeed, any state that did not have an open records law prior to the passage of the Freedom of Information Act passed such a law shortly after. In the early twentieth century, the right to access public records received little recognition under the law.

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85 Catherine Cameron, “Fixing FOIA: Pushing Congress to Amend FOIA Section B(3) to Require Congress to Explicitly Indicate an Intent to Exempt Records from FOIA in New Legislation,” Quinnipiac L. Rev. 28 (2010): 856.
86 Prior to enactment of the FOIA, the Administrative Procedure Act claimed to protect the public right to access government records. However, the Administrative Procedure Act insufficiently protected that right, an insufficiency that spurred the enactment of the FOIA.
87 See, e.g., 1974 FOIA Amendments (passed to ensure efficient access to government records in the wake of the Watergate scandal); 1976 FOIA Amendment (passed in conjunction with the Government in Sunshine Act); 1986 FOIA Amendment (passed to address fees charged by different categories of requesters and the scope of access to law enforcement and national security records); 1996 Amendment (passed to modernize the FOIA in regards to disclosure of electronic records).
89 Roger Nowadzky, “A Comparative Analysis of Public Records Statutes,” Urban Lawyer 28 (1996): 65-66 (noting that, following the passage of FOIA, each state that did not already have an open records statute adopted its own version of the FOIA and that the majority of states have adopted an open records approach similar to the FOIA).
90 Ibid.
Following passage of the Freedom of Information Act, that right received increased government protection in both state and federal governments. The increased protection given to the right to access public records, which originated in legislative bodies, demonstrates a trend in favor of open government.

Despite the trend towards open government, some states maintain restrictions on the ability to access state records. The Virginia Freedom of Information Act, for example, provides that, “[e]xcept as otherwise specifically provided by law, all public records shall be open to inspection and copying by any citizens of the Commonwealth,” (emphasis added), effectively allowing the state to limit records access to citizens of Virginia.

The recent case of McBurney v. Young, decided by the Fourth Circuit Court of Appeals in February 2012, brought the constitutionality of citizens-only provisions to the forefront of open government law. In McBurney, the State of Virginia denied records access to a requestor based in part on the fact that the requestor was not a resident of Virginia, and therefore was not entitled to access under the Virginia Freedom of Information Act. The requestor challenged the constitutionality of the citizens-only provision under the Privileges and Immunities Clause of Article IV of the United States Constitution, claiming, among other things, that the provision interfered with his right to participate in a democratic government. The Fourth Circuit upheld the constitutionality of the provision.

The Fourth Circuit’s decision to uphold the citizens-only provision in the Virginia Freedom of Information Act permits the state to deny records access based solely on the residency of the requestor, a decision that seemingly conflicts with the aforementioned trend towards open and accessible government. The advent of open government laws in the middle of the twentieth century codified the right of the people to access government information and the subsequent development of state open government laws evinced a trend in favor of broad disclosure of government records. In order for the United States to advance the public right to government information and continue the trend towards open and accessible government, any states that maintain a citizens-only provision in their open records laws must either abolish or decline to enforce those provisions, thereby promoting effective government and encouraging the free flow of information to the people.

I. The Public Right to Government Information

The public right to government information is a long-recognized principle of American government. The Founding Fathers and early presidents acknowledged the right of the public to know what the government was doing. Numerous presidents subsequently acknowledged and endorsed the right to government information. Scholars debate the source of the right to government information, but agree that its underpinnings trace back to early American history. Regardless of its specific source, the right to government information existed as an invaluable restraint on American government, and, as the size and scope of government expanded in the early twentieth century, the right to government information eventually spurned the enactment of modern open government laws.

The public right to government information is rooted in the early years of American history. James Madison recognized “the right of freely examining public charters and measures, and free communication thereon” as “the only effective guardian of every other right.” Madison further emphasized the importance of government accountability in a representative democracy, stating that “[i]n framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to
control the governed; and in the next place oblige it to control itself.”

In support of open government operations, Patrick Henry stated: “The liberties of people never were, nor ever will be, secure, when the transactions of their rulers may be concealed from them.” Similarly, John Adams, in 1765, offered the following:

[L]iberty cannot be preserved without a general knowledge among the people, who have a right ... and a desire to know; but besides this, they have a right, an indisputable, unalienable, indefeasible, divine right to that most dreaded and envied kind of knowledge, I mean, of the characters and conduct of their rulers.

President Thomas Jefferson stated: “What I deem the essential principles of our government, and consequently those which ought to shape its administration ... include the diffusion of information.” Woodrow Wilson emphasized the importance of government transparency, stating that “[l]ight is the only thing that can sweeten our political atmosphere—light thrown upon every detail of administration in the departments ... light that will open to view the innermost chambers of government.” Perhaps the most forceful, albeit tongue in cheek, support for government transparency came from President Harry Truman, who flatly declared: “I don’t care what branch of the government is involved ... if you can’t do any housecleaning because everything that goes on is a damn secret, why, then we’re on our way to something the Founding Fathers didn’t have in mind. Secrecy and a free, democratic government don’t mix.”

Though the public right to government information can be traced to early American history, scholars disagree over its precise source. Some submit that the right to government information is inherent in the principles of a representative democracy. In his groundbreaking book, The People’s Right to Know, published in 1953, Harold Cross concluded that “citizens of a self-governing society must have the legal right to examine and investigate the conduct of its affairs, subject only to those limitations imposed by the most urgent public necessity.” Cross argued that, in order for a representative government to function, the citizens of that government must be inherently entitled to knowledge of government conduct. Senator Thomas Hennings also endorsed the inherent nature of the public right to know when he declared: “Self-government can work effectively only where the people have full access to information about what their government is doing.” According to Hennings, the Constitution did not include an explicit provision concerning the public right to government information because the founders took that right for granted, thereby concluding that it was unnecessary to include such a provision. Hennings observed that, at the time the United States Constitution was written, England had developed a right of the people to access government information. According to Hennings, the framers of the Constitution were aware of the right of the people to know what the government was doing and were strongly influenced by that right in writing both the original Constitution and the Bill of Rights.

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102 Cross, The People’s Right to Know, xiii.
103 See Ibid. at xiii-xiv.
105 Ibid.
106 Ibid.
107 Ibid.
Another theory is that the right to government information is indeed found in the United States Constitution. Article I of the Constitution requires that “[e]ach House shall keep a journal of its proceedings, and from time to time publish the same.” The United States Supreme Court has observed that the clear purpose of this constitutional provision is “to insure publicity to the proceedings of the legislature, and a correspondent responsibility of the members to their respective constituents.” The First Amendment also lends support to the argument for a constitutional right to government information. Cross believed that the First Amendment was broad enough to include, and possibly require, the right to access government information. First Amendment scholar Alexander Meiklejohn went one step further, asserting that the right of the citizen to access information was the exclusive justification for providing freedom of speech and other First Amendment rights to United States citizens. As these scholars undoubtedly believed, freedom of speech, the right to petition the government, and other rights guaranteed by the First Amendment are ineffective rights if the government can withhold information necessary for citizens to understand the issue in controversy.

Regardless of the source of the public right to government information, the purposes behind such a right are both clear and abundant. First, the public availability of government information is necessary to the maintenance of a democratic government. Without the public availability of government information, it is impossible to maintain an effective democratic government. Accordingly, Hennings concluded that “freedom of information about governmental affairs is an inherent and necessary part of our political system.” Former Representative William Dawson recognized as much when, in a letter to Representative John Moss, he concluded: “An informed public makes the difference between mob rule and democratic government. If the pertinent and necessary information on governmental activities is denied the public, the result is a weakening of the democratic process and the ultimate atrophy of our form of government.” Third, an informed democratic society maintains a critical check on government conduct. Without access to government information, the public may never know whether the government is serving its best interest. The Supreme Court has observed: “It is not the function of our Government to keep the citizen from falling into error, it is the function of the citizen to keep the Government from falling into error.” The Court has also concluded that “an informed public opinion is the most potent of all restraints upon misgovernment.” As President Harry Truman keenly observed, secrecy is dangerous in a democratic government because it robs the people of the right to monitor their own government.

Despite the historical recognition of the public right to government information, and its recognized necessity in a democratic government, the public has not always enjoyed access to government records. Federal and state governments have not afforded the same protection of

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108 U.S. Const. art.1, § 3.
110 Cross, The People’s Right to Know, 131.
114 See Cross, The People’s Right to Know, xiii (arguing that, without freedom of government information, a democracy effectively reverts to a monarchy).
120 See Miller, Plain Speaking, 392.
the availability of government information to the public that has been given to the right to life, liberty, the pursuit of happiness, or any other entitlement enumerated in the Bill of Rights. In fact, legislatures did not enact the Freedom of Information Act and, for the most part, corresponding state open records acts until the middle of the twentieth century. These laws, which created an affirmative right of the citizen to access government information, followed decades of government secrecy, as described below, and initiated a trend towards open government in the United States, both in the federal and state governments.

II. Federal Open Government Law
A. The Administrative Procedure Act

The legal demand for government information is a product of the bureaucratic complexities of early twentieth century government. With the expansion of government in the New Deal, the public recognized the importance of open access to government records for the purpose of government regulation. Congress enacted the Administrative Procedure Act (APA) in 1946 to provide greater accessibility to the public in the rule-making process. Specifically, Congress enacted Section 3 of the APA, which governed disclosure of government records, based upon the theory that administrative operations and procedures were public property that the general public had a right to know. The APA required government agencies to make records public, but also contained several unrestrained exceptions, which invited government abuse.

The APA never fully lived up to its intended purpose. Congress described the APA’s disclosure rule as “full of loopholes which allow agencies to deny legitimate information to the public,” and noted that “improper denials occur again and again.” In assessing the APA, Congress found several deficiencies and concluded that Section 3 was “of little or no value to the public in gaining access to records of the Federal Government.” In theory, Congress intended the APA to limit government secrecy and provide access to government information. In practice, however, the APA became known more as a withholding statute, through which government agencies maintained secrecy, than a disclosure statute, through which the public received government information.

The Administrative Procedure Act failed to provide the public with adequate access to government information. Cross’s The People’s Right to Know, published in 1953, sparked a movement in Congress to create effective statutory remedies that enabled public access to government information. Abuse of the APA had become so commonplace that in April 1956, the American Society of Newspaper Editors declared that “[i]t has become apparent that so far as federal secrecy is concerned, it is entrenched behind a host of statutes and regulations and the only real and lasting remedy is new legislation.” Demand for efficient access to government information fueled a Congressional inquiry that lasted over a decade and culminated in the enactment of a new law governing access to government information, aptly titled the Freedom of Information Act.

B. The Freedom of Information Act

125 Ibid.
126 See Fuchs, “Judging Secrets,” 143.
131 Foerstel, Freedom of Information and the Right to Know, 28 (quoting "Editorial: ASNE's Unanswered Question," Editor and Publisher, April 28, 1956, p.6).
In 1966, Congress passed the Freedom of Information Act ("FOIA"), which provided that any person had a right, enforceable in court, to obtain access to federal agency records, to the extent that such records were not protected from public disclosure by statutory exemptions. The purpose of the FOIA was "to ensure an informed citizenry, vital to the functioning of a democratic society, needed to check against corruption and to hold the governors accountable to the governed." As Congress eloquently stated, "[a] government by secrecy benefits no one. It injures the people it seeks to serve; it injures its own integrity and operation. It breeds mistrust, dampens the fervor of its citizens, and mocks their loyalty." Upon signing the FOIA into law, President Lyndon Johnson decreed:

This legislation springs from one of our most essential principles: A democracy works best when the people have all the information that the security of the Nation permits. No one should be able to pull curtains of secrecy around decisions which can be revealed without injury to the public interest . . . I signed this measure with a deep sense of pride that the United States is an open society in which the people's right to know is cherished and protected.

The FOIA revised the public disclosure section of the APA, which Congress and the courts recognized as an inadequate means of obtaining access to government information. The Act sought to balance the competing interests involved in public records access: society's strong interest in an open government and the public's interest in efficient government operations. Interpretation of the FOIA remained consistent with the goals of an open government. Courts interpreted the FOIA as implementing a strong presumption in favor of disclosure, which placed the burden on the government to justify withholding the requested documents. Consistent with the Act's goal of broad disclosure, courts construed exemptions narrowly, to encourage open access to government records.

Despite improvement over the APA, the initial FOIA contained several loopholes that allowed government agencies to circumvent compliance. As one commentator bluntly concluded, the law did not work. The initial FOIA contained no deadlines for compliance and no limitations on fees, which allowed agencies to take extremely long periods of time to respond and to charge unreasonably high fees. Shortly after the Act's passage, one commentator concluded that "government at all levels in many of these agencies has systematically and routinely violated both the purpose and specific provisions of the law. These violations have become so regular and cynical that they seriously block citizens understanding and participation in government." Noncompliance was so widespread that the Chairman of the House Subcommittee responsible for monitoring administration of the Act admitted: "Many government agencies seem to be doing everything possible to ignore the Freedom of Information Act."

In an effort to extend the FOIA disclosure requirements, and possibly in reaction to the abuses of the contemporary Watergate investigation, Congress substantially amended the Act in 1974. The proposed amendments were not a direct response to the growing Watergate inquiry, but they gained extensive support as Congressional investigators revealed the details of the scandal. The 1974 amendments narrowed the overall scope of the Act's exemptions,
most notably the law enforcement and national security exemptions, and reinforced the commitment to the principle of open government.\footnote{Mark Bridges and Tiffany Villager, Justice Department Guide to the Freedom of Information Act (Buffalo, New York: William S. Hein & Co., Inc., 1992): 5.} The amendments resulted in several improvements to the FOIA, including: (1) agencies could now provide documents to requesters without charge or at reduced cost if the material was in the public interest; (2) courts were allowed to conduct in camera review of contested materials to determine whether they were properly withheld; (3) a judge could award attorney fees and litigation costs when a complainant had “substantially prevailed” in seeking records; (4) a court could take notice of “arbitrary and capricious” withholding of documents and require an investigation to determine whether disciplinary action against agency officials was warranted; (5) any record containing segregable portions of exempted material must be released after the necessary deletions; (6) exemptions pertaining to classified information and law enforcement materials were narrowed; (7) the definition of agencies covered by FOIA was expanded and clarified; and (8) specific response times were established for agency action on initial requests, appeals, and lawsuits.\footnote{Foerstel, Freedom of Information and the Right to Know, 48.}

The FOIA has undergone several amendments since 1974, but the primary structure of the Act remains the same. With each amendment, Congress and the president repeatedly reinforce the purpose and benefits of the FOIA. Upon signing the 1976 amendment into law, President Gerald Ford explicitly stated support for “the concept which underlies this legislation, that the decision-making process and the decision-making business of regulatory agencies must be open to the public.”\footnote{Statement by President Gerald Ford upon Signing the 1976 Amendment to the Freedom of Information Act (September 13, 1976).} Twenty years later, upon signing the 1996 amendment into law, President Bill Clinton reinforced “the crucial need in a democracy for open access to government information by citizens.”\footnote{Statement by President Bill Clinton upon Signing the 1996 Amendment to the Freedom of Information Act (October 2, 1996).}

The FOIA and its subsequent amendments established a policy of broad disclosure of government information. Ineffective access to public records under the APA prompted Congress to pass the FOIA. Continuing ineffective access under the initial FOIA prompted Congress to pass subsequent amendments, each of which promoted increased access to federal government information. By expanding availability of federal government information, Congress initiated a national trend towards open and accessible government. As this trend gained momentum, the individual states followed suit, enacting state open records acts that encouraged public access to information held by state and local agencies.

III. State Open Government Law

Following the passage of the FOIA, each state that did not already have an open records act passed such an act to provide access to government information.\footnote{See Nowadzky, “A Comparative Analysis of Public Records Statutes”; see, e.g., O.R.S. § 192.420 (Oregon Public Records Law, enacted in 1973); 1 M.R.S.A. § 408 (Maine Freedom of Access Act, enacted in 1975); 29 Del.C. § 10003 (Delaware Freedom of Information Act, enacted in 1976).} Where the FOIA applied to information held by federal agencies, state open records acts applied to information held by state and local government agencies. In this sense, state open records acts were a logical extension of the trend towards open and accessible government, recognizing the demand that FOIA created for broad disclosure of federal government information, and imposing an equal demand for access to government information in state and local governments.

State open records acts unanimously endorse a policy of free and open access to government information. The Kansas Open Records Act, for example, states: “It is declared to be the public policy of the state that public records shall be open for inspection by any person unless otherwise provided by this act.”\footnote{K.S.A. § 45-216.} The New Mexico Inspection of Public Records Act similarly provides, in verbose fashion:

Recognizing that a representative government is dependent upon an informed electorate, the intent of the legislature in enacting the Inspection of Public Records Act is to ensure, and it is declared to be the public policy of this state,
that all persons are entitled to the greatest possible information regarding the affairs of government and the official acts of public officers and employees. ¹⁴⁹

Though the language of each state open records act is not identical to the federal FOIA, state courts often look to on-point FOIA jurisprudence for guidance in interpreting state open records acts. ¹⁵⁰ For example, in Trahan v. Larivee, the Louisiana Court of Appeals, after finding no state cases on point, turned to federal case law to determine whether certain personnel records should be disclosed under the Louisiana Public Records Act.¹⁵¹ Similarly, in Board of Trustees of Woodstock Academy v. Freedom of Information Commission, the Supreme Court of Connecticut observed that the purposes of the FOIA and corresponding state open records acts were virtually identical, and that it was therefore appropriate for state courts to look to the FOIA for guidance in interpreting state open records acts.¹⁵²

A notable consequence of using federal jurisprudence for construction of state open records acts is the consistent recognition in state open records acts of both a broad presumption in favor of disclosure and a narrow construction of statutory exemptions.¹⁵³ Federal courts interpreting the FOIA recognize a broad presumption in favor of disclosure, subject only to narrowly construed exceptions.¹⁵⁴ Following federal FOIA jurisprudence, nearly every state has either statutory language or case law, sometimes both, which requires this liberal construction of open records acts.¹⁵⁵ In adopting this construction, individual states have either expressly or impliedly accepted the FOIA broad mandate of government disclosure.

By adopting the FOIA broad presumption in favor of disclosure, state open records laws have enforced, if not championed, the modern trend towards open and accessible government. Indeed, at least one commentator observed that the passage of state open records acts was part of an international trend towards access to information, a trend which has gained momentum since the passage of the FOIA nearly fifty years ago.¹⁵⁶

Although state open records acts explicitly provide for open access to government information, the statutory right of access, in some states, is sharply limited.¹⁵⁷ Several impediments to public access remain in state open records acts, including explicit restrictions on who may request state records and the specific limitations on the purpose for which records may be requested.¹⁵⁸ The most prominent method by which states continue to restrict access to public records is through so-called “citizens-only” provisions, i.e., provisions that grant access to state records only to state citizens.

The recent case of McBurney v. Young brought the continued enforcement of citizens-only provisions to the forefront of open government law.¹⁵⁹ At issue in McBurney was whether a state open records act could deny access to non-citizens based solely on that citizen’s residence. In April 2008, Mark McBurney, a citizen of Rhode Island, made a request under the Virginia Freedom of Information Act (“VFOIA”) for all information related to a child support application that he had filed with the Virginia Department of Social Services. The Department

¹⁴⁹ N.M.S.A. § 14-2-5.
¹⁵² Board of Trustees of Woodstock Academy v. Freedom of Information Commission, 181 Conn. 544, 553, 436 A.2d 266 (Conn. 1980).
¹⁵⁴ See e.g. Trentadue v. Integrity Committee, 501 F.3d 1215 (10th Cir. 2007) (“In considering whether information should be disclosed under the Freedom of Information Act (FOIA), two guiding principles apply: first, FOIA is to be broadly construed in favor of disclosure, and second, its exemptions are to be narrowly circumscribed.”).
¹⁵⁵ Ibid.; see e.g. N.R.S. § 239.001 (“The provisions of this chapter must be construed liberally . . . Any exemption . . . must be construed narrowly.”).
¹⁵⁹ See McBurney, 2012 WL 286915.
of Social Services denied his request, in part because he was not a Virginia citizen. In May 2008, McBurney filed a second request under the VFOIA, but the Department of Social Services again denied his request because he was not a Virginia citizen.

McBurney filed a lawsuit challenging the validity of the citizens-only provision of the VFOIA. The VFOIA states, in relevant part, “[a]ll public records shall be open to inspection and copying by any citizens of the Commonwealth during the regular office hours of the custodian of such records” (emphasis added). McBurney claimed that the citizens-only provision violated the Privileges and Immunities Clause, Article IV, Section 2, of the United States Constitution, which provides that “[t]he Citizens of each State shall be entitled to the all the Privileges and Immunities in the several states.”

The Fourth Circuit Court of Appeals upheld the citizens-only provision of the Virginia Freedom of Information. In response to McBurney’s argument that the citizens-only provision violated his right to access government records, the Fourth Circuit concluded:

To the extent Appellants urge us to adopt the position that there is a ‘broad right of access to information’ stemming from the policy of open government undergirding freedom of information acts generally and grounded in ‘the First Amendment's guarantees of free speech and free press,’ we are similarly not persuaded.

IV. Citizens-Only Provisions and the Trend Towards Open Government

There are currently eight states with citizens-only provisions in their open records act: Alabama; Arkansas; Delaware; Georgia; New Hampshire; New Jersey; Tennessee; and Virginia. Citizens-only provisions stand in direct conflict with the trend towards open and accessible government, a conflict that can be resolved favorably towards open government in one of three ways: (1) courts can hold a citizens-only provision unconstitutional; (2) the state can decline to enforce the language of its citizens-only provision; or (3) the state can amend its open records act to remove its citizens-only provision.


The first way that states can resolve citizens-only provisions in favor of access to government information is through judicial review—courts holding that a citizens-only provision is unconstitutional. In McBurney, the Fourth Circuit Court of Appeals refused to invalidate the citizens-only provision of the VFOIA. However, McBurney was not the first case in which an out-of-state citizen challenged a citizens-only provision of a state open records act. In fact, in upholding the citizens-only provision of the VFOIA, the McBurney Court explicitly declined to follow a previous decision in which the Third Circuit had invalidated a similar provision.

In Lee v. Minner, the Third Circuit Court of Appeals invalidated the citizens-only provision of the Delaware Freedom of Information Act (“DFOIA”) as an unconstitutional violation of the Article IV Privileges and Immunities Clause. Matthew Lee, a citizen of New York, filed multiple record requests under the DFOIA. The Delaware State Solicitor repeatedly denied Lee’s requests on the grounds that Lee was not a citizen of Delaware. The DFOIA provided, in relevant part: “All public records shall be open to inspection and copying by any citizen of the State” (emphasis added). Lee challenged the constitutionality of the citizens-only provision of the DFOIA, claiming, among other things, that the law infringed upon his right to access public records and engage in the democratic process. The Third Circuit invalidated the citizens-only provision, holding, in part, that every citizen has a fundamental

161 U.S. Const. art. IV § 2.
162 McBurney, 2012 WL 286915 at 8.
166 29 Del C. § 10003.
right to engage in political advocacy with regard to matters of both national political and economic importance, and that the DFOIA unconstitutionally violated that right. As demonstrated by McBurney and Lee, The Third Circuit and Fourth Circuit have reached different conclusions on the issue of whether citizens-only provisions are unconstitutional under the Article IV Privileges and Immunities Clause. Of the eight states who maintain citizens-only provisions in their open records laws, only two, Delaware and New Jersey, are within the jurisdiction of the Third Circuit, and only one, Virginia, is within the jurisdiction of the Fourth Circuit. As a result, the citizens-only provisions in the DFOIA and New Jersey Open Public Records Act are invalid, while the citizens-only provision of the VFOIA, for the time being, has been upheld. The remaining five citizens-only provisions, however, remain in their respective open records laws, and, so long as the federal circuit courts are split on the issue, judicial review remains a viable tool to challenge these provisions.


The second way that states can resolve citizens-only provisions in favor of access to government information is through individual states declining to enforce their respective citizens-only provisions. Of the six states with valid citizens-only provisions following Lee v. Minner, at least three (Alabama, Arkansas, and Georgia) have explicitly declined to enforce their citizens-only provisions. Despite the presence of a citizens-only provision in their respective open records acts, these states require agencies to disclose records to all requestors, regardless of residency.

The Alabama Public Records Law provides, “every citizen has a right to inspect and take a copy of any public writing of this state, except as otherwise expressly provided by statute.” Despite this language, which limits disclosure to citizens, the Alabama Attorney General has stated: “Neither this Office nor the courts have restricted citizens who have access to public records to mean only in-state citizens.”

The Arkansas Freedom of Information Act provides, “all public records shall be open to inspection and copying by any citizen of the State of Arkansas.” The Arkansas Attorney General initially maintained the position that the Act only required access to public records for Arkansas citizens. Accordingly, state agencies were advised that if the requester was not a citizen of Arkansas, then that was a legitimate basis for denying an open records request. However, following Lee v. Minner, the Arkansas Attorney General observed:

The Third Circuit Court of Appeals has issued a decision that— while not binding in Arkansas— used the Privileges and Immunities Clause of the U.S. Constitution to hold that the citizen restriction in Delaware’s FOIA was unconstitutional. Additionally, given that the FOIA does not prohibit the release of public records to non-citizens of Arkansas, a custodian might reasonably decide to grant the FOIA request in light of the Third Circuit decision.

The Georgia Open Records Act provides: “All public records of an agency... shall be open for a personal inspection by any citizen of this state.” Despite this language, which limits disclosure to citizens, the Georgia Attorney General stated that government records should also be made available for inspection upon request by any non-citizen. As Alabama, Arkansas, and Georgia have demonstrated, even if state open records acts have citizens-only provisions, state agencies may decline to enforce those provisions, thereby promoting open government access.


167 Lee, 458 F.3d at 198.
170 A.C.A. § 25-19-105
The third way that states can resolve citizens-only provisions in favor of access to
government information is through state legislatures amending open records acts to remove
citizens-only provisions. The events surrounding passage of the FOIA provide guidance on how
citizens can persuade state legislatures to remove citizens-only provisions. In the middle of the
twentieth century, the American media, concerned about the increasing size of the federal
government, advocated for the enactment of open records laws.\textsuperscript{176} Citing the increased size of
the federal bureaucracy and the dangers of state secrecy, the American media appealed to
Congress to protect the public’s right to government information. Congress responded by
passing the FOIA, which codified the public’s right to access government records.

Citizens-only provisions are a continuing infringement of the public’s right to
government information. If citizens appeal to the states that maintain citizens-only provisions,
the respective state legislatures may abolish those provisions in an effort to encourage public
availability of government information. Just as Congress recognized the importance of
government access by passing the FOIA, state legislatures may choose to emphasize the
importance of government access by removing citizens-only provisions from state open records
acts.

As the above solutions demonstrate, citizens-only provisions are susceptible to attack
through all three branches of government. The judicial branch can declare the citizens-only
provision invalid, the executive branch can decline to enforce the citizens-only provision, or the
legislative branch can remove the citizens-only provision from its respective open records act.

V. Conclusion

Federal, state, and local laws that regulate access to government records demonstrate a
trend towards open government. Even the McBurney Court, while refusing to recognize the
right to access government records as a protected constitutional privilege, observed that access
to public records is of “increasing importance . . . in the information age.”\textsuperscript{177} As the size and
scope of federal government grew in the early twentieth century, citizens demanded access to
government records. When the early federal statutes addressing access to government records
proved unproductive and prone to abuse, Congress quickly amended those statutes to provide
effective access to government information. In light of the efficiency and desirability of the
FOIA, every state that did not already possess an open records law subsequently passed its
own, and these open records laws unanimously stood for the proposition that a functioning
democratic society requires an informed citizenry.

Citizens-only provisions for state open records acts stand in direct conflict with this
marked trend towards open and accessible government law. Where open government laws
maintain a presumption of government access, citizens-only provisions allow states to
arbitrarily deny access based on the requestor’s residency. Where open government laws
demand an informed citizenry, citizens-only provisions deny knowledge to the same citizenry
that open records laws purport to protect. If laws promoting open government are to succeed
in state governments, they must do so once citizens-only provisions have been abolished.

Reflecting on the initial FOIA and the future of open government law, Representative
John Moss, a noted champion of open government legislation, observed:

At the time the [FOIA] was debated on the House floor, I characterized it as a timid first
step. The fact is, more must be done on a continuing basis if we are to truly ensure
that information is available to the people of this nation and that no withholding will be
tolerated except that small part that truly touches upon the real security of the
nation.”\textsuperscript{178}

The current trend towards open and accessible government reflects the “continuing
basis” that Representative Moss advocated. One notable impediment to that trend, which

\textsuperscript{176} H.R. Rep. No. 89-1497 (1966), reprinted in Freedom of Information Act Source Book, 23 (noting the
contribution by Harold Cross and the American Society of Newspapers Editors in advocating for open government
laws).

\textsuperscript{177} McBurney, 2012 WL 286915 at 8.

\textsuperscript{178} Forstel, Freedom of Information and the Right to Know, 163 (quoting Statement by John E. Moss, Access
Reports, December 17, 1997, 4-5).
attracted national attention in McBurney v. Young, is the continuing enforcement of citizens-only provisions in open records laws. In order for the United States to advance the public right to government information and continue the trend towards open and accessible government, any states that maintain a citizens-only provision in their open records laws must either abolish or decline to enforce those provisions, thereby promoting effective government and encouraging the free flow of information to the people.
On January 26, 1885, Khartoum fell. The fortress-city which had withstood an onslaught by Mahdist forces for ten months had become the last bastion of Anglo-Egyptian rule in the Sudan, represented in the person of Charles George Gordon. His death at the hands of the Mahdi transformed what had been a simple evacuation into a latter-day crusade, and caused the British people to re-evaluate their view of their empire. Gordon’s death became a matter of national honor, and it would not go un-avenged. The Sudan had previously existed in the British consciousness as a vast, useless expanse of desert, and Egypt as an unfortunate financial drain upon the Empire, but no longer. Images of Gordon defiantly facing his attackers on the ramparts of Khartoum stirred up in the British consciousness pride at the man’s accomplishments and a resolute determination that his death would not be in vain. In death, Gordon represented to the British the best qualities of an Englishman: His life had been continual service to Queen and Country, promoting the ideals of Christianity and civilization to peoples yet living in darkness. They saw him as the ambassador of the values of the British Empire: Civilization, Christianity, and good government. As a popular music hall song stated, “His life was England’s glory, his death was England’s pride.”

Gordon was a hero because he embodied the tenets of Victorian values and religion. Thomas Carlyle in his seminal work on Victorian heroism, *On Heroes and Hero Worship*, defines religion as, “The thing a man does practically believe…the thing a man does practically lay to heart concerning his vital relations to this mysterious Universe, and his duty and destiny there.”

Gordon was a devout Christian, so he embodied the spirit of Victorian missionary evangelism. Gordon fought against rebellions and upheld order, so he embodied civilization. Gordon sought to end corruption in the Sudan and restore proper self-rule to the region, so he embodied good government. He was a martyr to these three tenets of the Victorian imperial religion.

Almost immediately after Gordon’s death, the British public viewed intervention in the Sudan as necessary. However, they did not think of the war in terms of national conquest, which was its final result. Gordon’s death made the war a reluctant crusade, a necessary interference in African affairs forced

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179 *Dictionary of National Biography*, s.v. “Gordon, Charles George.”


upon the British by a religious revolt. The British, as a rule, did not see
themselves as warmongering imperialists, preferring to think of their rule and
interference in other nation’s affairs as a paternalistic necessity; in their view
annexation was “forced” upon the Empire.\(^\text{182}\) Britons saw themselves as the
most enlightened society in the world, with a mission to spread this
enlightenment to other peoples.\(^\text{183}\)

The Sudan is a vast region south of Egypt, watered by the Blue and
White Nile Rivers.\(^\text{184}\) It stretches for nearly a million square miles: one quarter
the size of Europe. Deriving its name from the Arabic \textit{bilad al-Sudan}, or “The
Land of the Blacks,” the Sudan was host to numerous ethnic groups and
tribes, all dominated by their Arab rulers in the north.\(^\text{185}\) Before the Anglo-
Egyptian War of 1882, Sudan was governed by Egypt. The Egyptians burdened
Sudan with heavy taxes and stripped it of its natural resources. Egyptian
garrisons served as the only law and order in the province, and they were only
concerned with collection of taxes.\(^\text{186}\) Sudan acted as a backwater region
where Egyptian administrators sent second-rate officers as punishment either
for crimes or for incompetence.\(^\text{187}\)

While Sudan remained an Egyptian dominion, Egypt itself became a
dependency of the British Empire. Subtle manipulations of economic policy
allowed Britain to gain a foothold in Egypt without violating Ottoman
sovereignty. From 1838-1841, Foreign Secretary Lord Palmerston established
free trade with the Ottoman Empire. The British hoped that the free market
would liberalize the Turkish people, and allow it to become a modernized state
under the influence and guidance of Great Britain. This policy was part of
Palmerston’s larger policy of attempting to secure freedom of action, in which
Britain deployed her “moral weight” behind peoples struggling for political

\(^{182}\) Bernard Porter, \textit{The Absent-Minded Imperialists: What the British Really Thought

\(^{183}\) Ibid., 78.

\(^{184}\) At present (2012), this region is divided into two sovereign states, the Republic of
Sudan in the north and the Republic of South Sudan in the south. I will use the term “Sudan”
to refer to the entire region, as it was politically unified in 1884-1898.

\(^{185}\) Donald Featherstone, \textit{Khartoum 1885: General Gordon’s Last Stand} (London: Osprey

\(^{186}\) Winston S. Churchill, \textit{The River War} (1899; reprint, New York: Aegypan Press,

\(^{187}\) Mekki Abbas, \textit{The Sudan Question: The Dispute Over the Anglo-Egyptian
liberty. Palmerston stated his mission was to “extend, as far as possible, civilization,” although without military force or expense.\textsuperscript{188}

The Sultan became increasingly dependent upon foreign loans in order to maintain his empire. Heavy taxes caused revolt in Bosnia and Herzegovina, and the Ottoman Empire finally went bankrupt in 1876.\textsuperscript{189} A similar situation happened with the Khedive of Egypt, who had an outstanding debt of £90 million to British and French creditors. Nevertheless, the Disraeli government rejected outright any partition of the Ottoman Empire or occupation of Egypt, even though Egypt and the Suez could secure passage to India. In rejecting Egypt, Benjamin Disraeli said, “Constantinople is the key of India, and not Egypt and the Suez Canal."\textsuperscript{190}

The British policy of free trade and non-interventionism ended in 1882, with the Anglo-Egyptian War. In order to restore the pro-British Khedive Tewfik’s rule of Egypt against the rule of nationalistic colonel Arabi Pasha, the Royal Navy bombarded Alexandria and sent an expedition to attack his forces at the Battle of Tel el-Kabir in the Delta. This resulted in \textit{de facto} protectorate status for Egypt. As such, British rule now extended to the Sudan as well. Heavily taxed, burdened with misgovernment, and resentful of foreign and Christian rule, the Sudan was ripe for rebellion.\textsuperscript{191} The revolt which followed centered on the figure of the Mahdi, a promised redeemer of the Islamic faith.\textsuperscript{192}

In Islamic eschatology, the \textit{Mahdi} is a promised redeemer and purifier of the earth, who shall appear in the days before the Second Coming of Jesus and the Last Judgment.\textsuperscript{193} The man who laid claim to this title was named Muhammad Ahmad. He was born around 1846 in Dongola, to an obscure and poor family, but one that claimed \textit{Ashraf}, or descent from the Prophet Muhammad himself. This lineage was the prime criterion he would use to establish his claim. From his early life, Muhammad Ahmad pursued the life of a religious scholar. He first sought religious training under Muhammad el

\begin{footnotesize}
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\item \textsuperscript{188} DNB, s.v. “Temple, Henry John, 3\textsuperscript{rd} Viscount Palmerston.”
\item \textsuperscript{190} Ibid., 82.
\item \textsuperscript{191} Ibid., 4.
\item \textsuperscript{192} Michael Asher, \textit{Khartoum: The Ultimate Imperial Adventure} (London: Penguin Books, 2005), 52.
\item \textsuperscript{193} Islamic eschatology holds that the Prophet Jesus will return and establish an Islamic utopia at the end of time. Lytton Strachey, \textit{Eminent Victorians} (London: G.P. Putnam’s Sons, 1918), 273.
\end{itemize}
\end{footnotesize}
Kheir in Berber, and upon reaching adulthood went to Khartoum to become an apprentice to Sheik Muhammad Sherif. His training consisted of transcribing and reciting verses from the Quran. He quickly became a devoted follower of the Sheik and lived with him on his plantation on the island of Abbas in the White Nile. However, during his apprenticeship, Muhammad Ahmad became disgusted with the revelry and merriment that characterized the Sheik’s court. He took exception to the fact that the Sheik issued dispensations for sins committed during a festival commemorating the circumcision of his sons. Muhammad Ahmad raised his voice in protest, and was banished from Khartoum as punishment.\footnote{Rudolf Carl von Slatin, \textit{Fire and Sword in the Sudan: A Personal Narrative of Fighting and Serving the Dervishes 1879-1895}, trans. F.R. Wingate (London: Edward Arnold, 1896), 122-123.} When Muhammad Ahmad sought his forgiveness, the Sheik called him a “wretched Dongolawi” and “Satan in the skin of man.”\footnote{Churchill, \textit{The River War}, 23; Slatin, \textit{Fire and Sword in the Sudan}, 125.}

Upon his dismissal, he sought the protection of Sherif’s chief rival, Sheikh el Koreishi. Sherif apologized for his insults and offered him forgiveness, but Muhammad Ahmad would have none of it. He insisted that only God could forgive sins, and that Sheik Muhammad Sherif was a heretic. Muhammad Ahmad’s actions sent rumors all over the Sudan that he was the promised redeemer who would throw out the oppressor and restore true Islam.\footnote{Ibid., 24-25.} Muhammad Ahmad did not originate this idea, it was thrust upon him, particularly by his chief lieutenant Abdallahi wad Torshayn.

Born in 1846 in Darfur, a province not yet under Egyptian rule, Abdallahi’s religious background was a form of revivalist Islam that eagerly anticipated the coming of the Mahdi. Indeed, Abdallahi sought the manifestation of the Mahdi wherever he could. In 1873, when his tribe raided a slave caravan run by the powerful trader and warlord Zubehr Pasha, the pasha defeated them but spared Abdallahi’s life. Some time later, he experienced an intense vision in which Zubehr appeared to him as the promised redeemer. Both Zubehr’s magnanimity and his prowess upon the battlefield inspired this dream. When Abdallahi asked in a letter if Zubehr was the Mahdi, the very suggestion shocked Zubehr; it amounted to heresy, and, at any rate, Zubehr’s political ambitions lay with the Khedive of Egypt. Within the next year, he would lead an army to invade Darfur and claim the province for Egypt.\footnote{Asher, \textit{Khartoum}, 48-50.}
Abdallahi’s search for the Mahdi continued. He had heard rumors of the brave cleric who defied Sheik Muhammad Sherif, and sought him out. The coming of the Mahdi was expected by year 1300 of the Hijra, the Islamic calendar, or 1880 A.D. In that year, Abdallahi and Muhammad Ahmad met for the first time. He found him in al-Masallamiyya, a village south of Khartoum on the White Nile. Here, Muhammad Ahmad was busy building a tomb for his master Sheik Koreishi, and had become renowned as Zahed, an ascetic who renounced earthly pleasures. Abdallahi was mesmerized by his oratory abilities, and became certain that Muhammad Ahmad was the Mahdi. The two formed a bond over time, and Abdallahi became one of his standard-bearers. Muhammad Ahmad preached that the purification of the faith was nigh, and that the Islam professed by the Egyptians and Turks was a corruption of the true faith. He embarked on a circuit, intent upon converting the Sheiks to his movement. Yet, even in this, Muhammad Ahmad made no claims to be the Mahdi. The first one to proclaim him so was his devoted disciple Abdallahi. In this sense, the Mahdist movement was not the work of a single man, but a cult of personality developed by his followers.

Abdallahi’s motives for publicly proclaiming the Mahdi at first appear religious but, aside from his quest to find a redeemer, Abdallahi was not a particularly religious man. Rudolph Carl Slatin, an Austrian soldier who lived among the Mahdists, reported that as a youth Abdallahi neglected his Quranic studies, and rarely said his private daily prayers. Slatin believed that Abdallahi lacked genuine faith, and at heart, “no man could have been more irreligious.” Apparently, Abdallahi used religion to political ends, transforming Muhammad Ahmad from a reformist preacher into a militant leader of all Islam. He knew that if the rebellion succeeded, he would secure a place of phenomenal power in the new regime.

Upon the proclamation of the Mahdi, his old master Sheik Muhammad Sherif warned the Egyptian government about his plans. While the government dismissed his reports at first, the Governor-General Raouf Pasha resolved to act upon them once it became evident that the Mahdi intended to abolish Egyptian rule over the Sudan. He sent a messenger to Muhammad Ahmad

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198 Churchill, 25.

199 Asher, 51.

200 Religious leaders were accompanied by standards with verses from the Quran written on them. Slatin, 130.

201 Slatin, 132.

202 Asher, 53.

203 Slatin, 547.
ordering him to come to Khartoum and explain his actions, but this action infuriated the Mahdi. He proclaimed himself rightful ruler of the land and declared that he did not have to justify himself to anyone. The Mahdi was now in open rebellion. His followers organized themselves into an army. They wore loose-fitting white garments and fought only with traditional tribal weapons such as spears and shields. These warriors became known as daraweesh, or holy men. This term was anglicized as “dervishes.”

On January 17, 1883, the Mahdi conquered El Obeid, capital of the Kordofan Province. This prompted an immediate response from the Egyptians. The Governor-General hastily assembled an army and placed it under the command of Colonel William Hicks, but this army was completely unprepared for the battle ahead. The expedition was ill-equipped, demoralized, and, at only eight thousand men, vastly outnumbered by the Mahdists, who numbered over forty thousand. Hick’s native officers discouraged their men from fighting, since their enemies were Muslims like themselves. On November 3, the Mahdist army marched out of El Obeid and engaged the Hicks Expedition in open battle near the Shaykan forest. 7,500 men, including Hicks, were killed. Now only Khartoum and the port of Suakim on the Red Sea remained for the Mahdi to conquer.

Darfur remained under Egyptian rule, garrisoned by a force commanded by an Austrian general, Rudolph Carl von Slatin. But after the disastrous defeat of the Hicks Expedition, Darfur fell as well. In order to escape death, and to appease his troops who attributed their defeat to his Christianity, General Slatin publicly embraced Islam and moved into the Mahdi’s camp. His account of life and military service under the Mahdi provide an important written record of Mahdist rule and military campaigns. Slatin was never a true believer in the Mahdi; his conversion was superficial, and the publication of his memoirs served to incite the cause of Sudanese re-conquest by the British in the 1890s.

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204 Churchill, 27.

205 Asher, xxiii.

206 Churchill, 30.

207 “The Terrible Disaster in the Soudan,” North-Eastern Daily Gazette, 23 November 1883, 4d.

208 Featherstone, 9-10.


210 Slatin, 259.
By now, the rumblings war in the Sudan had reached the ears of the British people. Their Egyptian allies lay defeated at the feet of a mystic from Dongola, who had killed white commanders and swayed them to his cause. The story was fantastical; it did not seem possible to Europeans that the Mahdi could be victorious. Indeed, the *Star* newspaper of Saint Peter Port, Guernsey, prematurely published unconfirmed reports that the Hicks Expedition had defeated the Mahdi, describing how modern weapons and tactics cut down the false prophet and his troops with clinical efficiency.\footnote{“Defeat of the Mahdi,” *The Star* (Saint Peter Port), 3 November 1883, 4e.} The willingness of the paper to print a fictional story as fact belies the people’s belief that the British Empire and European supremacy was essentially invincible.

The government of William Gladstone faced a mounting crisis to protect British interests in Sudan that had been all but lost. Evacuation appeared to be the only option. Gladstone was by now in his second administration, and problems closer to home dominated political discourse, such as the Franchise Bill and the question of Irish Home Rule. The government saw the Sudan and Egypt as unfortunate financial drains upon the Empire, and cared more for saving British lives than recovering lost territory.\footnote{Roy Jenkins, *Gladstone: A Biography*, (New York: Random House, 1997), 489.} Gladstone viewed the Empire as over-extended already, and disliked jingoistic adventures in Africa. However, he also had a sense of British dignity, meaning that the withdrawal would be calculated and ordered; a retreat rather than a rout. Khartoum was to be abandoned and its supplies destroyed, but the port of Suakim was to be retained.\footnote{“Egypt and the Soudan: The Evacuation of Khartoum,” *Daily News* (London), 14 January 1884, 1d.} Gladstone’s government had been elected on an anti-imperialist platform, and was now embroiled in an imperialist quagmire.\footnote{Jenkins, *Gladstone*, 500-501.}

Despite the position of the government, the British people were resolute, determined to save face after such an astonishing defeat. Critics of the Gladstone government decried its plans to retreat as weak. An editorial in the Cardiff *Western Mail* said, “There was a time when no thought of retreat before a savage foe would have entered into the mind of any English statesman or soldier...when the civil government of a nation is weak in spirit, great achievements cannot be expected of the army.”\footnote{“The Cut-and-Run Policy and Its Results,” *Western Mail* (Cardiff), 14 January 1884, 2g.} Khartoum and Suakim could still be saved, they argued; to evacuate would be to let the Mahdi win.

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\item \footnote{“Defeat of the Mahdi,” *The Star* (Saint Peter Port), 3 November 1883, 4e.}
\item \footnote{Roy Jenkins, *Gladstone: A Biography*, (New York: Random House, 1997), 489.}
\item \footnote{“Egypt and the Soudan: The Evacuation of Khartoum,” *Daily News* (London), 14 January 1884, 1d.}
\item \footnote{Jenkins, *Gladstone*, 500-501.}
\item \footnote{“The Cut-and-Run Policy and Its Results,” *Western Mail* (Cardiff), 14 January 1884, 2g.}
\end{itemize}
While the government put forth several names in regards to evacuation, the man eventually chosen to oversee it was Charles George Gordon. This man, who would later become the supreme martyr of the British Empire, boasted a long and storied career in service of his country, serving with distinction in Crimea and gaining fame as the commander of the Chinese “Ever-Victorious Army” that crushed the Taiping Rebellion in the 1860s. Yet Gordon was also a man in possession of an erratic and eccentric personality. Although he had been deployed in Sudan, he spoke no Arabic. Although he was a fiercely devout Christian, he did not belong to an established denomination, and often exhibited an unorthodox and unconventional theology. Although he labored to suppress the slave trade, he often compromised and dealt with slave traders during his exploits. He was prone to fits of rage, often striking or cuffing servants and aides for the slightest offenses. His own father described him as a “powder keg.” He was full of energy, but also prone to uncontrollable explosions.

Gordon’s involvement in the Sudan began in 1874, when Khedive Ismail appointed him Governor-General of the province of Equatoria in the far south. This region was remote, far removed from Khartoum and notoriously hard to control, only bound to the north by the slave trade. His duty as Governor-General was to suppress this slave trade, which flourished in the region and provided most of the income for its inhabitants. The Khedive’s motives for suppressing the trade were far from altruistic, however. Khedive Ismail understood that Egypt and the Ottoman Empire were essentially European powers. Indeed, he said of Egypt, “My country is no longer in Africa. We now form part of Europe. We must abandon the old false notions and adopt a new system consonant with our new status.” Ismail understood that all the Great Powers except the Ottomans had abolished slavery and were working to quash it in their African colonies. By financing expeditions to stop the trade of slaves without actually abolishing the institution, Ismail was able to preserve

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216 Asher, 70-71.

217 DNB, s.v. “Gordon, Charles George.”


219 Asher, 69.


slavery while appearing modern and enlightened to outside observers. He was, after all, in debt to European creditors.\textsuperscript{222} 

Gordon spent three years in Equatoria, where he learned that the slave trade was harder to suppress than he or any Western politicians had believed. Gordon entered with a mandate to: enforce a government monopoly on the ivory trade, thus reducing the amount of slaves that would come down the river carrying the ivory; prohibit the formation of armed bands in the province to curb slave raiding; prevent the importation of firearms and gunpowder; and prevent anyone from entering Equatoria without a permit from the Governor-General.\textsuperscript{223} However, because the slave trade was the lifeblood of the province, he encountered people who insisted that their slaves were wives, children, or other family members. There was no way for Gordon to falsify such claims, and all slave owners had to be compensated, making it a costly endeavor.\textsuperscript{224} Moreover, by patrolling the Nile, he merely forced the slavers inland, actually increasing the hardship of slaves who marched northward through dense jungle instead of down the Nile by boat. Gordon was fully aware of such difficulties. He also knew that his suppression of the trade would not be permanent. His administration would have to be followed by a like-minded one, or the slavers would resume sending ivory-laden slave caravans down the Nile to Khartoum.

During his tenure, he faced a rebellion in Darfur, led by notorious slaver Suleiman, son of Zubehr Pasha. In order to reason with Suleiman, Gordon rode alone to his camp on a camel and ordered the rebels to disperse within two days. His imperious bearing awed the rebels, and he was able to put down the rebellion through his sheer audacity with this stroke. However, Suleiman fled Darfur to the province of Bahr-el-Ghazal and amassed forces again. Gordon was able to defeat the rebels once more, however, and ordered a subordinate to execute Suleiman as an example to other rebels. This decision would have far-reaching ramifications for Gordon’s future dealings in the Sudan.\textsuperscript{225} 

Gordon resigned his commission in 1876, after three grueling years in the equatorial jungles. The Khedive, however, would not accept his resignation. Gordon relented, and at last was appointed Governor-General, a post he kept until 1880. His successors did not share his mission to end slavery, and the rebellion of the Mahdi destroyed any semblance of Egyptian authority in the province. Indeed, in 1879, Gordon presciently remarked, “If

\textsuperscript{222} Trench, 70.

\textsuperscript{223} “General Gordon’s Expedition,” \textit{York Herald}, 30 April 1874, 3a.

\textsuperscript{224} Trench, 130.

\textsuperscript{225} Lytton Strachey, \textit{Eminent Victorians}, 267.
the liberation of slaves occurs in 1884 and if the present system of government goes on there cannot fail to be a revolt of the whole country.”

By 1883, Arab and European officials in Cairo called for Gordon’s return to his post. They were convinced that Gordon’s stellar reputation and popularity with both the Arabs and the English could allow him to assume authority and unite the opponents of the Mahdi, crushing the rebellion once and for all. The British government telegraphed Cairo to inquire if Gordon would be of any use to the evacuation effort, and if so, in what capacity. Sir Evelyn Baring, the British representative in Cairo, responded that because the Mahdi’s rebellion was religious in nature, the Egyptians were “very much averse” to the appointment of a devout Christian to high command.

The Egyptian government turned to the very man whose son Gordon had labored to stop in Darfur: Zubehr Pasha. He was a man of considerable power and wealth, and could command enough authority to stop the rebellion. Baring said of him, “Whatever Zubehr’s faults, he is said to be a man of great energy and resolution. The Egyptian government considers that his services may be very useful...Baker Pasha is anxious to avail himself of Zubehr Pasha’s services.” In contrast to the enthusiasm they had for Gordon, the appointment of Zubehr Pasha to a subordinate position of command under Samuel Baker at Suakim provoked reprisals from the British. As a slave dealer, he represented the very problem Gordon had striven so hard to solve. With his appointment, it became apparent that the Egyptian government did not share the British distaste for slavery, and a war against the Mahdi in Sudan would do nothing to end slavery.

A correspondent for the Times in Constantinople suggested that there was no need for the British to defend Khartoum or invade territory already under the Mahdi’s control. Suppression of slavery would best be served by eliminating it in Egypt proper; the ultimate end of the slave caravans was the Nile Delta, so slavery would die out without a market in Cairo. The foremost concern of all Europeans involved in the discourse was suppression of slavery, not imperial expansion into the Sudan.

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228 Churchill, 35.

229 Ibid., 36.

230 “Latest Intelligence from our Correspondents: Egypt and the Soudan,” The Times (London), 6 December 1883, 5a.
The British government would not tolerate Zubehr, though, and so Baring revoked the appointment. Gordon had by then retired on holiday to the Holy Land, dabbling in religious writings and biblical scholarship and pseudo-archeology. His most promising prospect for employment was a post as governor of the Congo Free State under the Belgian King Leopold II. His brief stints as personal secretary to Lord Ripon, Viceroy of India, as commander of artillery in Mauritius, and as commandant-general of the Cape Colony proved his inability to work well with any commanding officer.  

He had angered Khedive Tewfik by publicly referring to him as a “little snake” in a newspaper interview. Almost everyone who knew Gordon described him as irascible, insubordinate, and sanctimonious; a man who treated orders as a basis for discussion. Evelyn Baring described him succinctly as a “queer fellow.” This familiarity with Gordon’s less-agreeable characteristics may have caused Baring’s initial rejection of him for commanding the Sudan.

Nevertheless, pressure from the Cabinet and the Egyptian government forced Baring to consent to Gordon’s appointment. Gordon met with the Cabinet to accept the appointment on January 18, 1884, and left for the Sudan that night, accompanied by Lieutenant Colonel J.D.H. Stewart of the 11th Hussars. He arrived in Cairo on January 24, and met with Horatio Kitchener, the man who would later avenge Gordon’s death in the eyes of the British public. This was their first meeting, and Gordon’s personal gravitas immediately won him over. Gordon would be Kitchener’s personal hero for the rest of his life.

At Cairo, Gordon also met with Lord Garnet Wolseley, a member of the Cabinet who staunchly opposed Gordon’s plans to evacuate the Sudan. Wolseley was a lifelong imperialist, and harbored ambitions to make the Sudan a formal British colony. The Mahdist rebellion provided him the perfect opportunity for such a venture. He also held a high admiration for Gordon, holding him to be the ideal Christian hero, and declaring that he was not fit to “pipe-clay Gordon’s belt.”

Gordon shared Wolseley’s imperialist views,

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232 Asher, 77.

233 Trench, 195.

234 *DNB*, s.v. “Gordon, Charles George.”

235 Churchill, 36.; Featherstone, 11.

236 Asher, 69.

237 Ibid., 81.
believing that the only way to end the misgovernment of the Sudan was to place it under enlightened British rule. Gordon respected and admired the Sudanese people, and he understood that the Mahdist revolt was just as much about ending Egyptian rule as it was a religious rebellion. In an interview with the *Pall Mall Gazette*, Gordon said, “The sole cause of the rebellion was misgovernment by Egypt...the movement is not really religious but an outbreak of despair.”

The two governments charged Gordon with conflicting roles when dispatching him to the Sudan. The British expected him to act as an advisor, playing a passive role to ensure that the evacuation went smoothly. In contrast, the Egyptians appointed him Governor-General and expected him to take an active role in the practical execution of the evacuation. Gordon himself wanted to defend Khartoum at all costs; he was not about to hand a victory to the Mahdi. In his interview with the *Pall Mall Gazette*, he asserted the whole of the eastern Sudan could be saved, and it was in the best interests of the British government to defend it.

Gordon arrived in Khartoum on February 18, to fight for what had become a lost cause. Berber had come under attack on January 1, and the situation in Suakim looked grim. Beja tribesmen defeated Valentine Baker at the First Battle of et-Teb on February 5. Almost immediately after Gordon’s arrival, Khartoum came under siege. He knew that Zubehr Pasha would be an invaluable ally in his endeavor, and telegraphed Cairo to request his aid. Gordon’s execution of his son during his previous tenure as Governor-General, however, did not endear Zubehr to him. Furthermore, the Government in Britain would have none of it. He was a slave trader, and they had fought too hard to end his appointment at Suakim. Thus, Gordon was left without a powerful and beneficial Sudanese ally. His potential allies dwindled in number as the Mahdi took more territory and followers. The government’s refusal of Gordon’s request deepened the separation between them. In his journals, Gordon asserts that if Zubehr had been appointed, there would be a Sudanese government in opposition to the Mahdi, able to sway tribes away from the rebellion.

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238 Trench, 197.

239 Featherstone, 11.


241 Churchill, 42.

242 Asher, 102.

By the March 17th, communication lines between Berber and Khartoum had been cut. There was now no hope of relief by a column or evacuation. Khartoum, and Gordon, would live or die at the Mahdi’s mercy. On September 10th, Gordon sent Stewart down the Nile in order to inform Wolseley about his situation. From that day until his death, he was altogether alone.²⁴⁴ Stewart never reached Wolseley, but was instead killed by the dervishes in a surprise attack when his steamer ran aground.²⁴⁵

On January 6, 1885, in order to relieve the burden on his dwindling food supplies, Gordon allowed most of the civilian population to go over to the Mahdi, provided that he protect and feed the starving population of Khartoum. Such was his concern for the Sudanese people that he strengthened the forces of his enemy in order to see them fed and sheltered where he could not provide for them. Omdurman surrendered on January 12. Now Khartoum was surrounded on all sides by the Mahdi.²⁴⁶

Despite the ominous prospects for Khartoum, the British public remained optimistic about the fate of Gordon. When Lord Wolseley led an expedition up the Nile in late 1884-early 1885 to relieve Gordon, newspaper editors wrote as if its success was a foregone conclusion. “We have, happily, good grounds for hoping that General Gordon, one of the bravest and most masterful soldiers of this age, will gallantly hold his own at Khartoum until the long-beleaguered garrison is relieved by Lord Wolseley’s skillfully-conducted Expedition,” said one paper.²⁴⁷ When the news of the fall of Khartoum reached the British on February 6, they were livid. This disaster was unexplainable. The defeat of the Empire’s great hero was unthinkable. He had superior arms, superior tactics, and a special relationship with God. Government offices overflowed with queries as to whether or not Gordon was still alive and free, taken prisoner, or dead.²⁴⁸

After Gordon’s death, Gladstone’s Sudan policy suffered a major loss in public support. After 1885, virtually no one supported Gladstone. At Haileybury College, Liberal members of the school newspaper were reportedly afraid to show their faces due to the backlash against their party’s leader.²⁴⁹ Queen Victoria herself publicly chastised Gladstone in a telegram which read,

²⁴⁴ Churchill, 47.
²⁴⁵ Strachey, 336.
²⁴⁶ Trench, 285.
²⁴⁷ “Lord Wolseley’s Expedition to Relieve General Gordon,” Penny Illustrated Paper and Illustrated Times (London), 10 January 1885, 22a.
²⁴⁸ “From Our London Correspondent,” York Herald, 6 February 1885, 4f.
²⁴⁹ Porter, 54.
“These news from Khartoum are frightful and to think that all this might have
been prevented and many precious lives saved by earlier action is too
fearful.”

Foreign Secretary Stafford Northcote moved for a vote of censure
against the government. Gladstone’s critics mocked his nickname, “G.O.M.”
for “Grand Old Man,” as “M.O.G.” for “Murderer of Gordon.” Such was the
fallout from the Gordon affair that the Gladstone government collapsed in the
general election of 1885.

In contrast to the demonization of Gladstone, the British public lionized
Gordon. An obituary published in the *Pall Mall Gazette* just as the news broke
of his death called him the quintessential Englishman.

“In him were incarnate the characteristics of the heroes of
our national story. The chivalry of Arthur, of the Table Round, the
indomitable valour and saintly life of the Great Alfred, and the
religious convictions of Oliver the Protector—all were united in that
slight form, now, alas! laid low in death, upon which, with ever
increasing fascination, the eyes of the world have so long been
fixed.”

The postmortem lionization of Gordon reflects the Victorian tendency
toward hero-worship. He was to them a Great Man, a man worthy of adoration
and hero-worship. Thomas Carlyle describes the uncertain and tumultuous
times as “dry dead fuel, waiting for lighting out of heaven which shall kindle it.
The great man, with his free force direct out of God’s own hand, is the
lightning...The History of the World...[is] the biography of Great Men.”
Gordon was the lightning to the fuel of the Sudan, and the war was his fire. He
was what the Victorians of 1885 needed. He was the Great Man for their age.

The Sudan conflict had shifted in the minds of the British from a minor
uprising in darkest Africa to the struggle to preserve national honor, and now a
crusade to avenge the hero of their values and worldview. The British people
added Gordon to their pantheon of heroes; nearly all writings in the half-
century following his death were hagiographic in nature. Paintings and
sculptures of the hero of Khartoum proliferated, celebrating not just his martial

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250 Jenkins, 513.


252 Jenkins, 514.

253 “In Memoriam,” *The Pall Mall Gazette*, 11 February 1885, 1b.


255 Ibid., 16-17.
spirit, but his “strength of mind, love, kindness, and affection.”

Books such as William Frith’s General Gordon; or, the Man of Faith, written just before his death, portrayed Gordon as a Christian hero with perfect confidence of his eternal destiny whose religion guided every aspect of his life. Stephen Albert Swaine’s biography of Gordon states, “He did not live in vain. He did not die in vain. Englishmen are, and will be through generations to come, the richer and nobler for such a life and death...Not undeservedly might he be called, not only the Hero, but the Martyr of Khartoum.”

The perception of Gordon as a saintly martyr heavily influenced depictions of his death. One depiction, The Death of Gordon by George William Joy, shows him standing stoically upon the ramparts, saber and pistol sheathed, while fanatical dervishes prepare to impale him with a spear. This picture of Gordon as a Christ-like martyr who raised not a hand against his foes was based little in reality, but it comforted the British in a dark hour. The reality of Gordon’s death was much less romantic.

The image of Gordon’s death as heroic and self-sacrificing came from early accounts of the Fall of Khartoum, which could not be corroborated by eyewitnesses. This account was propagated by most contemporary literature, such as Ten Years’ Captivity in the Mahdi’s Camp by Joseph Ohrwalder, a Roman Catholic priest who was captured by the dervishes and escaped in 1892. His account of Gordon’s death is as follows:

“The surging mass threw itself upon the palace, overflowed into the lovely garden, and burst through the doors in wild search of their prey; but Gordon went alone to meet them. As they rushed up the stairs, he came towards them and tried to speak with them; but they would not or could not listen and the first Arab plunged his huge spear into his body. He fell forward on his face, was dragged down the stairs, many stabbed him with their spears, and his head was cut off and sent to the Mahdi. Such was the end of the brave defender of Khartum. When I came from El Obeid to Omdurman I visited Khartum, and went to the palace, where I was shown some

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257 William Frith, General Gordon; or, the Man of Faith (London: S.W. Partridge & Co., 1884), 55.


259 Featherstone, 72.

260 Asher, 263.
black spots on the stairs which they told me were traces of Gordon’s blood.”

This account portrays Gordon as rational and peaceful in the face of fanaticism. He goes to the grave unarmed and alone, his final cries for peace ignored by the devilish savages. He acts as a representative of how the British viewed their Empire: peaceful, civilized, and rational, forced into conflict only to better inferior races and free them from misgovernment and fanaticism. His blood also gains a mystical quality, still staining the ground months after his death, as if no earthly power could wash it away. In this sense, the lionization of Gordon draws interesting parallels with medieval martyr cults. Just like saints could produce springs that never ran dry or lights that never grew dim, Gordon’s blood would never evaporate or be washed away. This image of Gordon’s martyrdom persisted well into the twentieth century. The 1966 film Khartoum even has the Arabs back away from Gordon and stand in awed silence before killing him. The film also contains a fictionalized scene in which Gordon tells the Mahdi that he will work a miracle after his death, implying that Gordon’s supernatural powers were at work in causing the Mahdi’s death.

There is no first-hand account of Gordon’s death, but accounts based on those present at the battle portray it differently from the popular martyrdom account. An account by Gordon’s aide-de-camp, Orfali, describes him not as a passive martyr but as a defiant soldier, fighting to the end. Orfali was present during the fighting, although not at the moment of Gordon’s death. According to this account, Gordon organized a defense force as soon as he learned that the dervishes had breached the walls. He stationed fifty men on the ramparts, armed with Remingtons and 120 rounds of ammunition. They shot and killed about seventy dervishes as they swarmed into the gardens. The dervishes swarmed the palace and killed the guards, only to meet Gordon facing them with a loaded revolver in one hand and his saber in the other. He shot two dervishes and killed another with his sword before taking a glancing spear wound. He and Orfali retreated in order to reload their weapons before being overrun. Gordon collapsed from his wounds and Orfali was knocked


262 Encyclopædia of Religion and Ethics, s.v. “Relics (Primitive and Western).”

263 Asher, 263.

unconscious by a club wound. When Orfali awoke, Gordon’s head had already been cut off.\textsuperscript{265}

Still other accounts maintain that the fatal blow to Gordon came unawares, from a sniper’s bullet, and that he was not identified until the bodies were counted after the battle. His head was removed and his body unceremoniously dumped into the Blue Nile. This view was not propagated among the Victorian newspaper-reading public, as such a death of their hero would have been nothing short of ignominious. To die like common cannon fodder was not the death of an imperial martyr.\textsuperscript{266}

Early reports of the fall of Khartoum likewise asserted that Gordon had only been defeated because of a treacherous Arab ally. Implicit in this assertion is that, given a fair fight, Gordon would have triumphed.\textsuperscript{267} The \textit{Pall Mall Gazette} decried the “treacherous Pashas” who had caused Gordon’s death, saying, “doubts were entertained about the fidelity of Abdul Ahmed, the second-in-command, and he justified these by deserting.” Additionally, it reported that the defeat was entirely due to “the treachery of Faragh Pasha, who commanded General Gordon’s Soudani troops.”\textsuperscript{268} Despite these cries, no treachery had actually occurred during the fall of Khartoum. The city fell by force of arms, not intrigue. And Faragh Pasha, the supposed arch-traitor, died at the hands of the Mahdi on the streets of Khartoum.\textsuperscript{269} Clearly these “treacherous Pashas” were nothing but scapegoats created by the press in order to explain Gordon’s shocking defeat.

The war in the Sudan became the war to avenge Gordon. Whereas before Gordon’s death the Sudan had been an encumbrance, now it was a prize to be won in a high-stakes game of national honor. Six months following the fall of Khartoum, the Mahdi died. Eleven years after Gordon’s death, in 1896, the British sent Horatio Kitchener, the man who Gordon had inspired during their brief encounter, up the Nile to recapture the Sudan. He fought the Mahdists for two years, until he crushed resistance at the Battle of Omdurman and desecrated the tomb of the Mahdi. Gordon had at last been avenged.\textsuperscript{270} After the battle, the soldiers held a memorial service for Gordon, where Sudanese

\textsuperscript{265} Asher, 264-65.

\textsuperscript{266} Ibid., 265.

\textsuperscript{267} “Fall of Khartoum through Treachery,” \textit{The Manchester Guardian}, 6 February 1885, 6a.

\textsuperscript{268} “The Death of General Gordon,” \textit{The Pall Mall Gazette} (London), 11 February 1885, 8a.

\textsuperscript{269} Swaine, \textit{General Gordon}, 123.

\textsuperscript{270} Trench, 293.
buglers played “Abide With Me,” Gordon’s favorite hymn. Thirteen years after his death, the British had not forgotten their hero.\textsuperscript{271}

\textsuperscript{271} Strachey, 349.
RAYMOND L. MUNCY SCHOLARSHIP

An Academic Scholarship for Undergraduate Students in History

The Raymond L. Muncy Scholarship is a one-time financial award for undergraduate students at Harding University majoring in history who demonstrate exceptional scholarship, research, and Christian character. The scholarship was created to honor the late Raymond L. Muncy, who was the Chairman in the Department of History and Social Sciences from 1965-1963. His teaching, mentoring, and scholarship modeled the best in Christian education. The award is applied toward tuition, and is granted over the span of a single academic year. The award is presented annually at the Department of History and Social Sciences Banquet.
The year was AD 476. Barbarian hordes had ransacked the countryside and cities of the Roman Empire for a century, and Goths had lived alongside Romans in their empire for more than a century before that. On September 4th, the barbarian chieftain Odoacer deposed the last emperor in the western part of the empire, Romulus Augustulus. The Roman rule of the western half of the empire had come to an end. For years, historians declared 476 as the year in which the Roman Empire fell. In recent decades, however, historians have recognized that 476 and its events were largely symbolic and symptomatic of a decline in the western half of the empire that was happening long before Odoacer seized power. The events of 1054 in Rome and Constantinople are much the same. The mutual excommunication of Michael Cerularius and Humbert of Mourmoutiers gained a prominent status as a watershed date in the schism between the Roman Catholic and Orthodox churches. While this event certainly increased the bitterness between East and West that had been growing since the sixth century, most scholars of the twentieth century agree that 1054 was neither the beginning nor the sealing of the Great Schism; it was a conflict between two inflated, belligerent personalities that tore a hole in a garment that had been showing wear for centuries already.

The events of 1054 and the schism between the churches as a whole did not happen in a vacuum; they had their roots in the cultural differences that arose between Rome and Constantinople. While the Greek church allied itself firmly with the emperor in Constantinople and secular authority, the Roman church became a secular authority all its own. The Greek church rooted itself in the east, and the Roman church began looking north and west to the Franks and other Germanic kingdoms for military aid and secular alliances. While the increasingly western orientation of the Roman church was technically acceptable, it created a political wedge in between the two branches of the church and, when the Western emperors dared to refer to themselves with imperial language and don imperial symbols, provoked the wrath of the emperors in Constantinople. During Late Antiquity, Latin faded in the East and the West largely lost its knowledge of Greek, creating a language barrier that fueled theological controversies and misunderstandings.

The most ominous divergence that developed during Late Antiquity, however, was the difference in theories of religious authority between the churches. Because of increased secular authority and the perceived authority of the Saint Peter, the bishop of Rome began to view his position as the sole authority for the entire church. The Greek church, in contrast, saw the ecumenical, or church-wide, councils as the unique and authoritative
communicator of God’s truth for the church. These different views of church authority formed the basis of the first cracks that shook the foundation of the united church in the Middle Ages. The Iconoclast controversy created animosity and tension, with Byzantine Emperors destroying icons and Popes holding to a strong Iconodule position. In the sixth century, the Spanish added a phrase to the Nicene Creed that became a theological and linguistic wound, festering and churning the church into controversy for several centuries afterward. In Spain and Gaul, Christians influenced by Augustinian theology and fighting the still-potent forces of Arianism added the phrase “and the Son” to the Nicene Creed’s pronouncement of faith that we believe “in the Holy Ghost, the Lord and Giver of Life, who proceedeth from the Father”. While the Filioque addition spread throughout Spain and the Frankish Empire, Rome did not add the clause to the Creed until 1014. Despite the dogged conservatism of the Roman church, the controversial phrase became a major point of contention between Greeks and Latins. The first major incident of the Filioque being used as a theological weapon against the Roman church arose during the controversy surrounding the Patriarch Photius in the mid-ninth century. Emperor Michael III deposed the Patriarch Ignatius in 858 and hastily appointed Photius who was a highly learned layman. Pope Nicholas I immediately seized the opportunity to assert the authority of Rome over the newly appointed Patriarch, provoking open conflict in which Nicholas refused to view Photius’s appointment as legitimate and attempted to reclaim Western authority over Illyricum. Delegates that Nicholas sent to the territories of Moravia and Bulgaria began demanding that the Filioque be included in the Creed within these territories that had recently converted to Christianity under the influence of Eastern missionaries. Photius considered the Filioque a theological error, unsupported by church tradition, and a blatant sign of Germanic influence upon the church in Rome. He attacked the Roman church in his letters for the addition. Although the conflict between the Papacy and Photius ended in reconciliation of East and West, albeit with a phrase in the Greek acts of the council at Constantinople in 879 anathematizing anyone who added anything to the Nicene Creed, this episode demonstrated the theological divergence and tensions that were beginning to manifest themselves dangerously in relations between the two branches of the church.

Because of secular conflicts between Rome and the German empire to the north and Byzantine wars and inner strife and the mutual ignorance that sometimes resulted from them, during the next century and a half there was little major theological conflict between East and West. By the eleventh century, however, German secular power hung over the head of the Pope in Rome, furthering Greek suspicion that German theology was pervading the thought of the Roman church. The formal addition of the Filioque to the Creed in Rome confirmed this suspicion. Those present at the coronation of Henry II

sang the Creed with the Filioque addition in 1014. At this point, the debate over the addition exploded with polemic literature on from both sides. The basic problem was that neither side understood the other. The Latins focused on the oneness of God because of their long, bitter struggle against the Arian un-deification of Jesus Christ the Son, while the Greeks emphasized the threeness of God because of the careful, intense Christological councils called to combat various heresies concerning the nature of Christ. Furthermore, in 1009 Sergius, the Patriarch in Constantinople, chose not to include the name of the new Pope, Sergius IV, in the diptychs, either because of German influence in his election or the inclusion of the Filioque in the Creed.

Despite tensions brewing beneath the surface, the beginning of the eleventh century showed considerable promise for the relationship of the church of East and West. Pilgrimage was frequent and there was little talk, if any, of a break in the church. In 1024, however, the first rumbles of thunder sounded the approaching theological storm. Patriarch Eustathius wrote Pope John XIX concerning the autonomy of Constantinople. Eustathius apparently upheld the primacy of Rome in his letter and the Pope agreed, but Cluniac reformers quickly rebuked the Pope for conceding the authority of Saint Peter over the universal church. This event set the stage for the political conflicts that would rend the church in two over the next century and a half. Both the Latins and the Greeks began to seek uniformity in the liturgical practices of their congregations, leading to a mutual discovery of how different the liturgies of both truly were from the other.

In the midst of growing tension, one of the two forces behind the events of 1054 entered the scene. In 1043, Emperor Constantine IX appointed Michael Cerularius as Patriarch of Constantinople. Cerularius took office late in life after a life in civil service. He was not as well-versed in theological matters as many of his predecessors, but he was an able administrator and enjoyed widespread popularity among the people of Constantinople, more so than the emperor, in fact. He was a man of personal and ecclesiastical ambition. During the decade after Cerularius’s appointment, tension between the different liturgical usages and ritual practices grew immensely. Rome increasingly insisted that Greek churches within its territory conform to Latin ritual, and Constantinople did the same for the Latin churches within its authority. In 1052, Cerularius began closing Latin churches that refused to conform to Greek usages. At the beginning of the next year, he commissioned a letter to be sent to Pope Leo IX that attacked certain ritual practices of the Roman church, including the use of unleavened bread in the Eucharist. The Pope received this letter while held in captivity by the Norman army which had defeated the papal armies in February. At this point, the second force of 1054 entered the picture. Humbert of Mourmoutiers was the Cardinal of Silva Candida and the chief Papal Secretary to Leo IX. Humbert was a man of piety but short temper and was, if anything, just as ambitious as Cerularius. He held the Greeks in

distaste and was thoroughly Latin in his outlook and approach to religion. Humbert first received Cerularius’s letter, translated it, and brought it to the Pope in his captivity; the Normans having allowed Humbert to be with Leo. Humbert, however, purposely exaggerated the hostility in the letter in his Latin translation. Leo IX was outraged and demanded that Humbert compose two letters, one to Michael Cerularius and the other as an apology of Latin ritual and usage. Although two new letters shortly arrived from Constantinople, one from the Emperor kindly urging political alliance and the other from Cerularius, surprisingly vacant of any of the previous attacks on Latin usage and asking for renewed unity within the church. Unfortunately, Cerularius provoked the Pope’s anger by addressing him as “Brother” rather than “Father” and assuming the title “Ecumenical Patriarch” for himself. This prompted Leo IX to send a delegation to Constantinople headed by Humbert, and thus would the unstoppable force meet the immovable object; Humbert and Cerularius would lock horns like bulls and crack the unity of Christendom in the process.

The Roman delegation left for Constantinople early in 1054, accepting foolish advice along the way to deal mainly with Emperor Constantine IX instead of Cerularius. Humbert took the liberty of composing two letters in the Pope’s name, one to Cerularius and one to the emperor. The latter urged the emperor to control the actions of the Patriarch. The former viciously attacked Greek usage and practice and deplored Cerularius’s language in his previous letters to the Pope. Upon arriving, the delegation visited the Patriarch, delivered the “Papal” letter and refused to give Cerularius the customary courtesies appropriate to his office. The letter infuriated Cerularius and fueled his political suspicions; he suspected that Argyrus, the pro-Latin general assigned to the Roman armies, had opened and tampered with the letter as the delegation came to Constantinople. This suspicion was not farfetched. The emperor treated the delegation hospitably, but Cerularius kept himself at a distance while they were in Constantinople. Humbert engaged in literary battles of theology while there and managed to annoy the populace and prove himself snide and ill-tempered while debating with the theologians of Constantinople. Pope Leo IX died in April, thus removing the delegation’s authority. Cerularius believed that he had won the battle. On July 16, 1054, however, Humbert strode with the delegation into Hagia Sophia during the afternoon liturgy. As the congregation watched, Humbert, head held high, laid a document upon the altar of sacrament, marched back to the entrance, shook the dust from his feet and, with the words “Let God look and judge”, departed. The assembly stood in stunned silence for a few moments before all erupted into confusion. The document that lay upon the altar was a bull of excommunication against Michael Cerularius and his supporters. A deacon ran into the street and begged the delegation to take the bull back, but they

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275 Timothy Ware, The Orthodox Church (New York: Penguin Books, 1993), 43.
refused and the bull lay in the street until it finally made its way into the hands of Cerularius. In the bull, Humbert spewed abuse over Cerularius and, in truth, the practices of the Greeks as a whole. His assumptions were full of error. Most notably, he held the belief that the Filioque clause was something that the Greeks were suppressing and omitting from the Creed instead of a western addition. The emperor had no hint of the hostilities of that afternoon and was appalled by Cerularius’s translation of the bull of excommunication. He called the delegation back after receiving a copy of the Latin text and discovering that the translation was accurate. The emperor had to order those who helped in the translation punished in order to stop rioting among the populace because of the contents of the bull and burned the bull itself. A synod met that formally anathematized Humbert and the delegation. Although the churches only considered the offending individuals in schism, both sides came to consider the events of 1054 as victories for their particular side and debates concerning liturgy and theology became more heated. Both Humbert and Cerularius were dead by 1058, but the animosity which they held for each other was a drop of poison that sickened the whole church. By 1204 with the sacking of Constantinople by western Crusaders, at the latest, the churches in Rome and Constantinople were in formal schism.276

The majority of writers of the twentieth century who chose to study and write about the Great Schism of 1054 were clergymen or influential churchmen, and most of those were of the Orthodox confession. Sergius Bulgakov, author of The Orthodox Church, was an influential and incredibly controversial Russian Orthodox theologian and priest during the 1930s and 1940s. John Meyendorff, a French-born Orthodox priest who committed himself to cooperation and unity between the Orthodox faith and other Christian groups, wrote Byzantine Theology: Historical Trends and Doctrinal Themes. Kallistos Ware, born Timothy Ware, grew up in the Anglican Church but converted to the Orthodox faith, rose to a position of leadership after becoming a monk and a priest, and authored many works, including The Orthodox Church. A trend becomes apparent when examining these authors’ works: many authors who discuss the Great Schism do so within the context of explanations, discussions or apologies of Orthodox theology and thought.277 Within these works, there are many that have as part of their purposes a desire to educate non-Orthodox Christians as a gateway to a formal healing of the schism between the churches and complete unity within the Christian faith once again. Even so, there are a number of Roman Catholics who give attention to 1054 as well, such as Francis Dvornik who penned Byzantium and the


Roman Primacy and Yves Congar, a French Dominican cardinal and theologian who wrote After Nine Hundred Years: The Background of the Schism Between the Eastern and Western Churches. Unlike the date of 476 and the fall of Rome, 1054 and the Great Schism are not topics that consume scholarly debate and warrant many books on their own.

Scholars and theologians differ on whether 1054 is even a significant date. Some books dealing with the Orthodox Church or even specifically the schism between the churches do not even directly mention the confrontation between Cerularius and Humbert. Edward Gibbon calls the mutual excommunication of 1054 the “thunderbolt” by which “we may date the consummation of the schism” and says that the Crusader fiasco of 1204 deepened the schism that was already there. Scholars of the Middle Ages after Gibbon tended to follow his example through the nineteenth century, but the twentieth century brought about an examination of the accuracy of pinning down the schism to 1054 or to any particular date. Twentieth-century scholars agree that 1054 is neither the beginning nor the climax of the schism. Henry Edward Symonds argues that the fiasco of 1054 was “an event with disastrous consequences, as seen in the subsequent history of the Church, but hardly noticed by [Cerularius’s] contemporaries.” Steven Runciman notes the same attitude of theologians in the East, although he points out that the West took the event very seriously. Meyendorff goes so far as to argue that the schism cannot be dated to any particular date or event. Researchers do disagree, however, on how to date the beginning of the schism. Edward Gibbon gives the Filioque controversy as the beginning, while Symonds claims that the Photian Schism of the ninth century was the beginning point. Several scholars, including J. M. Hussey, Francis Dvornik, and Timothy Ware, agree in dating the formal schism and final break with the Fourth Crusade in 1204. While there are differing interpretations of the importance of 1054, it is difficult to deny that 1054 made a historical impact. The mutual excommunications struck at a time in which the Roman church and the West as a whole was becoming aware of its own identity as a civilization and tradition new and separate from the old empire and was at the dawn of an era of reform for the Papacy. At the very least, the hostility of Humbert and Cerularius created a cause for outright hostility between East and West and deepened bitterness.

278 John Meyendorff, in Byzantine Theology: Historical Trends and Doctrinal Themes, barely makes mention of Michael Cerularius, much less the events of 1054, even in his chapter entitled The Schism.


over theological and political issues that had already existed for a few centuries beforehand.  

Since many scholars agree that the crux of the events of 1054 was the conflict of personality between Humbert and Michael Cerularius, each scholar’s personal interpretation of these two figures provides the primary colors with which he paints the picture of 1054. Both Humbert and Cerularius have occupied positions of disdain and contempt approaching that of antichrist in Orthodox and Catholic thought, respectively. Most contemporary scholars lay the blame upon both Humbert and Cerularius, but characterizations of either figure give clues to the author’s view of the incident. For example, M. J. Le Guillou comments that Humbert’s “tone of voice” greatly offended the Greeks because of his insistence on informing the Greeks of their flagrant errors. Yves Congar writes of Cerularius personally desiring a break with the Papacy and of Humbert as a “combative, stiff-necked Cardinal…whose bull of excommunication is a monument of unbelievable lack of understanding.”

The interpretation that has made 1054 more about Cerularius and Humbert than about the church as a whole has intensified characterizations of both figures. Analyzing trends of historical thought among historians who deal with the Great Schism is difficult for a few reasons. First, many of these writers are not only Christians, but clergymen and leading men among their respective Christian groups, including Orthodox and Roman Catholic priests. The view that God has a hand in human history and that history is moving toward an end with God standing sovereign over history is a vital point in the Christian faith. Therefore, cyclical views of history and secular interpretations of the movements of human history are going to exist minimally, if at all, within the writings of Christian leaders. This is not to say that they will not have any background influence; they will simply not inform the backbone of what these scholars have to say. That being said, there are definite trends that present themselves in the works of twentieth-century writers that contrast with the approach of Edward Gibbon and other early modern scholars. The influence of


the Annales School of historical thought is obvious in the twentieth-century writings. While Gibbon focused mainly on political and diplomatic events such as the formal mutual excommunication of 1054 as definitive markers, twentieth-century authors deal much more with social and cultural conditions and trends while still keeping the political events in mind. *Le longue duree* is evident from the fact that few authors have written monographs about the schism between the churches; most write about broader topics (e.g. the Roman primacy) and include the schism within those topics, and even those who write solely about the schism deal with a period of history of about one thousand years and discuss the social/cultural differences that led to the divergence of the churches. Twentieth-century writers concern themselves with everything that led up to and caused the schism, not simply the political event. Secondly, there is a wide range of agreement among twentieth-century scholars concerning the schism between the churches. Distinguishing schools of thought is difficult because there is so little divergence between these scholars on the mutual responsibility of Humbert and Cerulario, the schism reaching to before and after 1054, the importance of mutual misunderstandings, and other issues relating to the schism.

Edward Gibbon, the great English Enlightenment scholar of the Roman Empire, notes that the immediate cause of the schism was the insistence of both sides on the authority of their respective cities and sees. “The rising majesty of Rome could no longer brook the insolence of a rebel; and Michael Cerulario was excommunicated.”

He gives much credence to the issues that the Greeks themselves cite such as the Roman use of unleavened bread, celibacy of the clergy, and the alleged Jewishness of much of Latin practice. 1054 dates the point at which the formal schism began and the Crusades deepened the schism. Gibbon writes concerning the Crusades, “every tongue was taught to repeat the names of schismatic and heretic, more odious to an orthodox ear than those of pagan and infidel.”

Gibbon focuses on the political issues and events of the times that he studies. His malevolence toward the Christian religion leads him to shine a literary spotlight on the mutual hatred of East and West which was present, according to him, even at the time of the Photian schism. He points to the Filioque controversy as the origin of the schism and, while he does point out the issues of liturgy and ritual practice, he identifies them as serious religious issues rather than cultural misunderstandings. Gibbon worked extensively with primary sources and, since many contemporary Greek writers identified the ritual issues as major reasons for contention between East and West, they influenced his interpretation of the theological tensions present. He writes that political tensions between Constantinople and Rome largely drove the church

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284 Edward Gibbon, *The Decline and Fall of the Roman Empire: Volume II (A. D. 476-1461)*, 1085.

into schism. Ultimately, Gibbon’s interpretation of 1054 is a thoroughly secular one, concentrating on political rivalries and hunger for power on both sides. While he acknowledges that the Filioque issue and the Photian conflict pushed East and West into mutual hatred, he still designates 1054 as the initiation of the formal schism.\footnote{286 Edward Gibbon, \textit{The Decline and Fall of the Roman Empire: Volume II (A. D. 476-1461)}, 1082-1086.}

Henry Edward Symonds, who wrote \textit{The Church Universal and the See of Rome} in 1939, was a member of the Community of Resurrection, an Anglican group who dedicate themselves to a lifestyle reminiscent and influenced by Benedictine monasteries. Symonds places much of the blame for the schism on Humbert, arguing that his violent actions exacerbated anger on both sides. The schism began with the Photian schism and climaxed in 1054. He argues that 1054 was incredibly significant even though the people of the time hardly took notice of it.

Symonds’s writing still heavily carries the influence of Gibbon’s focus on political events. He cites Charlemagne’s empire crumbling and the Frankish influence on the Roman church as vital reasons for Byzantine contempt for the West and the schism. He also focuses on the actual event and the roles of Humbert and Cerularius. Although he emphasizes Humbert, neither does he have much good to say about Cerularius, focusing on the negatives of both of their characters. In regard to Cerularius, he says that efforts for union between East and West “were highly distasteful to Michael, who despised the Latins and their ways, and objected to his own See being regarded as inferior to that of Rome.”\footnote{287 Henry Edward Symonds, \textit{The Church Universal and the See of Rome: A Study of the Relationship Between the Episcopate and the Papacy up to the Schism Between East and West}, 253.} Symonds shows the influence of Gibbon’s style of history; he makes use of definite dates and markers to talk about the schism of the church. The Photian schism was the starting point and 1054 marked the inauguration.\footnote{288 Henry Edward Symonds, \textit{The Church Universal and the See of Rome: A Study of the Relationship Between the Episcopate and the Papacy up to the Schism Between East and West}, 252-270.}

Steven Runciman was a British historian famous for his work on the Middle Ages, especially on the topic of Byzantium and her neighbors. He penned \textit{The Eastern Schism: A Study of the Papacy and the Eastern Churches During the XIth and XIIth Centuries} in 1955. Runciman argues that it is impossible to give a precise date to the schism. He places the causes of the schism into five categories: personal rivalries, nationalistic/social/economic rivalries, rivalry of the great sees, liturgical issues, and problems of discipline. Ultimately, he places blame for the event equally on Humbert and Cerularius. Although the event passed largely unnoticed by people of the time, its largest contribution was the growth of bitterness on both sides.
Runciman demonstrates the beginning of the influence of the Annales School on the study of the relationship between branches of the Christian church. The fact that he includes nationalistic, social, and economic factors in his study speaks volumes. Runciman explains the split in terms of differing concepts of authority. Both sides claimed to have the right idea and application of authority and sought to bring the other into submission. “It is more accurate to date the schism from the moment when rival lines of Patriarchs, Greek and Latin, appeared to contest each of the great sees.”

Runciman seeks to demonstrate the cultural understandings of both sides and to show why both sides misunderstood the other. His position outside the leadership of either church allows him to present the case fairly and understand the issues from an outsider’s perspective.

Yves Congar, a French Dominican cardinal, theologian, and priest who was active in ecumenism, wrote After Nine Hundred Years: The Background of the Schism Between the Eastern and Western Churches in 1959. Congar argues that 1054 is largely a symbolic date. “We could speak of the schism of Photius, the schism of Cerularius, and many others without the use of quotation marks; not so with the ‘Oriental schism.’” Scholars must interpret the schism within the framework of a long period of history. The schism began long before 1054 and did not become complete in a single moment.

Congar, by his own admission, writes from a Catholic perspective in hopes that the two branches of the church may once again achieve unity. He continues the trend of examining not just political history, but cultural and social history as well. He examines the importance of language as a barrier, differences in rituals, and the differences in methods of theology. His last chapter is entitled “Lessons from History.” In this chapter, Congar pushes for a reunion of the churches, even going so far as to say that the churches were never truly in formal schism in the first place. He writes that the reason for the schism is that the churches have accepted the estrangement between them. While his argument is attractive, it grows more out of a desire for reunion than from historical fact. Both sides acknowledge formal schism, even if it is difficult to give a precise date. The churches have diverged theologically and politically, and many have grown to view the teachings of the other as outright heretical. Congar’s assertion is admirable, but historically false.

289 Steven Runciman, The Eastern Schism: A Study of the Papacy and the Eastern Churches During the XIth and XIIth Centuries, 3.

290 Steven Runciman, The Eastern Schism: A Study of the Papacy and the Eastern Churches During the XIth and XIIth Centuries, 1-55.

291 Yves Congar, After Nine Hundred Years: The Background of the Schism Between the Eastern and Western Churches, 2.

292 Yves Congar, After Nine Hundred Years: The Background of the Schism Between the Eastern and Western Churches, 1-6, 75-90.
G. S. M. Walker wrote *The Growing Storm: Sketches of Church History from A.D. 600 to A.D. 1350* in 1961. He argues that the main cause of 1054 was mutual misunderstanding between East and West. “The events of 1054 were not decisive in themselves; but they marked the climax to a long process of estrangement and misunderstanding.” While he acknowledges faults on both sides, Walker paints a highly negative portrayal of Michael Cerularius as arrogant and overly ambitious. He lists a multitude of factors that led to 1054 and holds the date as a significant one.

While some historians from the first half of the twentieth century seek to discredit 1054 as an important date of any sort, Walker represents an attempt at a middle ground: resisting the traditional interpretation of 1054 as a definitive date but denying the idea that 1054 was an insignificant date in human history. He continues the trend of cultural history, although he emphasizes the lives of individuals and their influences on history. Walker discusses mutual misunderstanding brought about and exacerbated by the language barrier, Christological controversies, views on the state’s place in church affairs, and competition among missionaries. A tension is present in Walker’s writing between the influence of individuals and forces. He does not neglect political and cultural forces, but he chooses to emphasize individuals. He openly attacks Cerularius for his role in the schism and, due in part to his focus on Cerularius as a significant figure in history, holds 1054 as a significant date.

M. J. Le Guillou authored *The Spirit of Eastern Orthodoxy* in 1962. Although he openly admits to writing the book in an effort to reconcile the two churches, he places the blame for the schism on the East. Guillou states that the cause of separation was mutual misunderstanding. “The process of separation may be summed up thus: at the level of their ideas about the Church and of how in fact they experienced the Church, Christian east and Christian West developed along different lines, which at length diverged. The result was a very far-reaching failure to understand one another.” While 1054 was not decisive in itself, it did mark a turning point.

Guillou emphasizes the role of mutual misunderstanding in causing the schism. The writers of the late 1950s and early 1960s share mutual misunderstanding as a major theme of their writings on the schism. Guillou, because of the Orthodox focus of his book, does not speak much of Western cultural factors, but his book is full of Eastern culture because of the focus on the Orthodox Church. In fact, the Orthodox Church formed the basis of much


of Eastern culture, which is a major point of divergence between East and West. The church in Rome did influence Western culture heavily, but the Greeks linked church and state so closely that it was difficult to separate them at times. Guillou also represent an attempt at a middle ground, stating 1054 as significant but not decisive.

Francis Dvornik, a Roman Catholic historian, wrote Byzantium and the Roman Primacy in 1966. Dvornik names the issue of Roman primacy as the cause of the events of 1054, although liturgical issues played a lesser role. Oddly, Dvornik downplays the role of the Filioque in the schism. 1054 is relevant because it deepened patriotic sympathies and rivalry between Rome and Constantinople. The events of 1204 completed the schism, not 1054.

Dvornik is an odd bird in the discussion of 1054 because he minimizes the importance of the Filioque and takes great pains to point out when the Filioque is not mentioned. “It is interesting to note that [Leo of Ochrida] made no mention of the Filioque.” As much as he attempts to deny the Filioque, other scholars have demonstrated that the understanding of the Filioque is critical to the events of 1054. The entire correspondence between Leo IX and Cerularius began because of issues of liturgy and the Filioque. His attempt to relegate the Filioque to a secondary importance is puzzling. Dvornik is also a return to a more political focus within the study of the schism, emphasizing moments in history and individual personalities more than cultural trends.

John Meyendorff, a French-born Orthodox priest committed to inter-Orthodox relations, wrote Byzantine Theology: Historical Trends and Doctrinal Themes in 1974. Meyendorff states that scholars cannot give the true schism a precise date. In 1054, the Byzantines considered the Filioque to be the main issue of contention. Neither side fully understood the arguments of the other. The schism of 1054 focused mainly on issues of liturgy and ritual such as unleavened bread in the Sacrament.

Meyendorff does not deal extensively with the events of 1054, so his contribution to the discussion is minimal. He focuses mainly on political and theological issues and sees the essential problem in issues of church authority and ecclesiastical organization. “Neither the schism, not the failure of the attempts at reunion can be explained exclusively by socio-political or cultural factors. The difficulties created by history could have been resolved if there had been a common ecclesiological criterion to settle the... issues.” Strangely, for a historical book written in 1974, there is a notable lack of the power motifs so prevalent in much of the writing of the 1970s. Meyendorff is an example of how

297 Francis Dvornik, Byzantium and the Roman Primacy, 132.
298 Francis Dvornik, Byzantium and the Roman Primacy, 124-147.
299 John Meyendorff, Byzantine Theology: Historical Trends and Doctrinal Themes, 91.
Christian historians often resist the prevailing historical trends of whatever period in which they are writing.\textsuperscript{300}

J. M. Hussey is a British Byzantine historian and scholar who penned \textit{The Orthodox Church in the Byzantine Empire} in 1986. Hussey argues that there was no formal schism in 1054 and contemporaries barely noted the Humbert-Cerularius confrontation. He defines a schism as having the two sides “regarding each other as heretics” which, according to him, the churches failed to do in the aftermath of 1054. The true schism occurred in 1204 during the Fourth Crusade.

Hussey revives the attempt to nullify 1054 as a significant date in history. “Viewed in their historical framework the events of 1054 have in a sense been magnified out of all proportion.”\textsuperscript{301} Hussey provides a definition of schism that, in his mind, nullifies 1054 as a schism at all. While he makes a cogent point, Hussey oversteps by insisting that a schism implies mutual regard of the other side as heretics. This is certainly part of the issue, and Humbert and Cerularius certainly viewed each other as heretics. What of the churches today? Many Christians, Roman Catholic and Orthodox, do not regard the other side as heretical, and yet there is a schism de facto. The line between schism and estrangement is blurry, and Hussey gets caught in the grey area between them. He also does not deal with much socio-cultural history, choosing instead to focus on political events and theological controversies.\textsuperscript{302}

Timothy Ware, an English Orthodox Bishop who grew up Anglican and became an Orthodox monk and priest, wrote \textit{The Orthodox Church} in 1993. Ware recognizes 1054 as an important date even though the schism began long before 1054 and came to completion afterward. The two main issues were the Filioque clause and papal claims to authority over the church at Constantinople. He refers to the events of 1054 as a “severe quarrel”.\textsuperscript{303} He notes the Photian schism and the removal of the Pope’s name from the diptychs in 1009 as important dates leading to the schism and puts the final break at 1204.

For an author focusing on the Orthodox Church as a whole, Ware discusses just as much political history as he does theology and culture. He manages to mix political and cultural history quite well, and he finds a good balance between the conflicting interpretations of the importance of 1054. He represents the pendulum of interpretation beginning to find a balance between extreme interpretations. He notes the important political events such as the Photian schism and discusses the cultural issues such as language barrier and

\textsuperscript{300} John Meyendorff, \textit{Byzantine Theology: Historical Trends and Doctrinal Themes}, 91-101.

\textsuperscript{301} J. M. Hussey, \textit{The Orthodox Church in the Byzantine Empire}, 135.

\textsuperscript{302} J. M. Hussey, \textit{The Orthodox Church in the Byzantine Empire}, 124-140.

\textsuperscript{303} Timothy Ware, \textit{The Orthodox Church}, 58.
mutual disdain as well. Ware is, in a way, a bridge between two worlds; having grown up in the Catholic-influenced Anglican Church and then turned Orthodox, he is almost an insider for both sides. As such, he presents a well-balanced and fair account of 1054, acknowledging the tension between it as a symbolic and significant date.304

Henry Chadwick was a British academic and Anglican clergymen and a leading historian of the early church. He argues that although Humbert’s actions in 1054 did not result in a formal schism, they began an outright enmity within the church that led to formal schism. Chadwick writes that the main issue in the separation of East and West was the authority of the patriarch and the Pope and the dichotomy of doctrinal authority by the Pope or ecumenical councils. While the Humbert and Cerularius merely excommunicated individuals, some contemporaries such as Peter of Antioch recognized the danger of a formal schism.

Chadwick deals mainly with political and theological issues. He extensively discusses the Filioque issue, exploring its origins in Western thought beginning with Augustine while most authors regard the Filioque as an addition of purely Gallic/Spanish origin. Chadwick, like Ware, strikes a good balance between the traditional interpretation and denying any importance to 1054 at all, although he cites primary sources that lean more toward the traditional interpretation. Chadwick argues that, whatever the actual political situation was, the churches were emotionally in schism. While the conflict of Humbert and Cerularius was personal in nature, Chadwick argues that its “historical importance lies rather in what most people assumed to be the case. Churches are out of communion with one another if they come to think and feel that they are.”305 Chadwick comes close to defending the traditional interpretation, although he still maintains that no formal schism occurred in 1054.306

Whether the historical community should regard 1054 as a significant date is still a matter of debate. Some scholars have moved as far from the traditional stance as possible, holding that 1054 had no part in the schism whatsoever. Others seek a middle ground, acknowledging that 1054 was a notable event that deepened the estrangement that had begun to develop during the preceding centuries. Though the schism began before 1054 and came to completion after, there is no doubt that the actions of Humbert of Mourmoutiers, the unstoppable force, and Michael Cerularius, the immovable object, had an impact on the relations between the churches in Rome and Constantinople. The fact remains that the churches did enter into formal

304 Timothy Ware, The Orthodox Church, 43-72.


schism. 1054 was one step along the way to formal schism and a step that holds significance in historical thought to this day.
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In Memoriam:
Raymond L. Muncy