The evolution of shame as a prosocial emotion.

A cross-cultural study on conflict and cooperation in historical societies

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Introduction

Shame has recently come into the focus of evolutionary line of reasoning about the origins of cooperation. There is a series of papers published in 2007 and 2008 on the evolution of cooperation using game theory modelling (at least ten papers with evolution AND cooperation in their titles – www.sciencedirect.com / 27-02-08). In evolutionary anthropology shame has been treated in the last decade as a prosocial emotion with important impact on conflict and cooperation in smaller groups (e.g. Fessler 1999, Fessler & Haley 2004). In this paper I review the actual debate in this discipline about the evolution of shame and compare the existing model with evidence as found in medieval and early modern Europe and Asia.

Before doing so, I like to explain my understanding of the emotion "shame": Shame is elicited by behaviour inappropriate in terms of in-group norms. It is the representation of the internalized control over behaviour and the "punishment" one might feel for not respecting these internalized rules. Therefore, shame may be defined as the feeling that is elicited by a failure in appropriate control of body or mind, following specific cultural norms or rules in the presence of others, as trained in infancy and childhood. This implicates that shame affects a person's identity at a very basic level – the level of social competence. The feeling of guilt is – in this perspective – the feeling of responsibility for a (negative) event or behaviour that concerns the individual at the more conscious level.

When experiencing shame, people often lower their faces avert their gaze and slump their shoulders (Gilbert 1997). Today there is no doubt that shame is a panhuman emotion and cross-culturally related to blushing (Casimir & Schnegg 2002). There is nowadays also a better understanding of the sympathetic nervous regulation of blushing itself (Mariauzouls 1996) but so far little is known as to how the limbic system interacts with the orbitofrontal cortex to produce the "shame reaction" (Beer et. al. 2006, c.f. Jones 2004, Jones & Goldsmith 2005). How the feeling of shame is perpetuated after blushing through what is called "bad conscious" (Voland & Voland 1993) and lowered self-esteem (Gruenewald et al. 2004) is not yet known.

At the beginning of the research on the evolution of emotions (including shame), there is, of course, Darwin. In his book dating back to 1872 on „The Expression of Emotion in Man and Animals", he tried to establish a phylogeny of emotional expression of man and animals based

on mimics and cross-cultural material. In the middle of the 20th century anthropologists like Ruth Benedict (1946) and Margaret Mead (1937) were among the first to explore shame in a comparative manner. The dichotomical concept of cultures as shame- or guilt-oriented persists until today and inspired several publications in the field of history, although the concept itself has proven too simplistic (e.g. Szövérffy 1976; Cairns 1993; Eaton 2000). In classical anthropology the topic gradually fell out of favour. Over the last two decades, evolutionary psychologists have refocused the interest on emotions including shame (Alexander 1987; Nesse, 1990; Cosmides & Tooby, 1990).

In evolutionary anthropology, the emotion shame has been the subject of several comparative studies. In 1999, Daniel M.T. Fessler published a paper on the Malay emotion "malu" which appears to be at least partially synonymous with the English word "shame". This paper was the starting point for a series of publications of Fessler and others about the evolution of shame and shame-like emotions (Fessler & Haley 2004, Fessler 2004). For the following argumentation, the focus will be on a recent paper by Daniel Fessler that is titled "From appeasement to conformity. Evolutionary and cultural perspectives on shame, competition and cooperation." Fessler here distinguishes between conformist shame, a unique human adaptation, and the so-called "protoshame or subordinance shame". "Protoshame" operates in hierarchical social relationships and can be found in other non-human primates as well. It has been proposed before that self-conscious emotions in general and shame in particular have evolutionary origins in status and appeasement-related behaviour of mammals (e.g. de Waal 1996; Gilbert 1989; Gilbert 2003; Keltner & Buswell, 1997) but Fessler suggests a development from appeasement shame to conformity shame in human cultural history. Comparing a study on Californian students' concept of shame with that of the Sumatran fishing village, he observes an absence of "subordinance shame" in California (Fessler 2007).

This paper will tackle two particular questions that rise in the context of the social function of shame and Fessler's research on the possible evolution of shame:

1. In how far is cooperation linked to shame in historical societies?
2. What variation in the nuances of emotion terms denoting shame occurs over time?

The first question examines the usage of shaming punishments as punishments for defection in cooperative behaviour. The second question investigates the semantic field of shame-words in historical societies and how far these words include different aspects of the emotion shame.

Furthermore, this study presents first results of a cross-cultural analysis of shaming in the context of norm violation, as represented in the material of the Human Relation Area Files

(HRAF) and other ethnographic resources. This study is part of an interdisciplinary project on the social functions of shame in historical societies (www.shamestudies.de) with a focus on legal texts and the purpose of punishment (deterrence and/or reformation).

Results

Although the project has not finished data collection yet, I can present a few preliminary results for historical Western Europe in comparison to historical Asian and traditional societies as represented in the Human Relation Area Files (HRAF).[1] The sample of source material (court-rolls, laws and "punishment registers") of higher and lesser jurisdiction in Western Europe with a focus on German-speaking areas from 1200-1650 consists of 74 examples of punishments (including known delinquency and year). The sample is taken from a database that aims to collect European and non-European historical cases of shaming punishments ranging from about 1000 to 1850.

The source material is coded in an online-database for different categories, i.e. offence, punishment, execution/executioner of the punishment, source type ("Urfehde"/oath, court-rolls etc.), date, place, country and reference in literature. It should be noted, though, that the material does not come from a single source type and that it combines normative and practical jurisdiction. The following figure shows the distribution of the offences entailing shaming punishments.

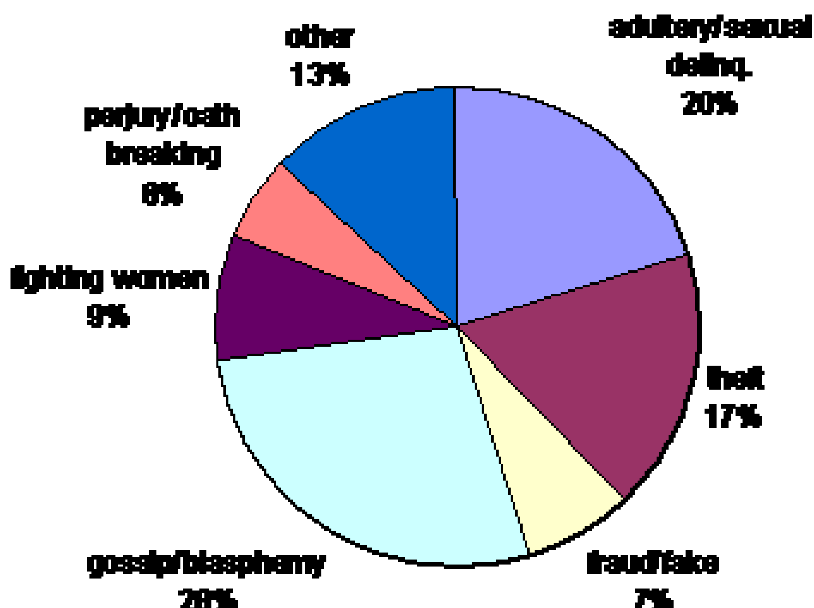

Fig. 1: Offences entailing shaming punishments

[1] For a detailed cross-cultural comparison of medieval and early modern Western Europe and East-Asia a Chinese of Japanese cooperation partner is needed and searched for.

Although crime is always perceived as defection against a community, it is interesting that perjury/oath breaking, fraud, fake, adultery, scolding, gossip and theft add up to almost 90 % of the offences. These are failures that either disturb peaceful coexistence or disappoint mutual trust and are therefore relevant for cooperative behaviour!

Figure 2 illustrates the different proportions of shaming punishments that have been applied for the misdemeanours mentioned above. The “simple” pillory prevails on the first place and makes up to almost 60%, mutilations and corporal punishments included. In addition, there was the iron collar, a device that was attached to the pillory and was used more often in the lesser jurisdiction (Preu 1949). Another important punishment – exclusively for women – was the burden of carrying a heavy stone through the town or village, a so-called stone of shame (Künssberg 1907). Banishment and fines are no particular shaming punishments but have been mentioned in the context of the sample cases.

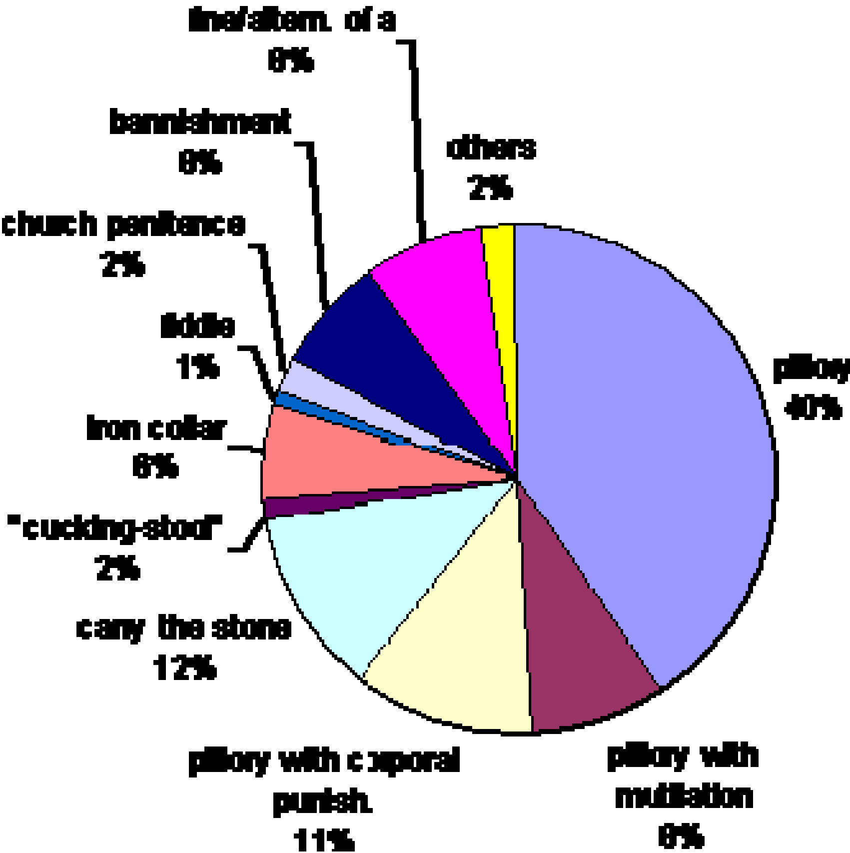

Fig. 2: Types of shaming punishments

The following example sheds some light on the perception of the punished person in a late medieval German town and illustrates the usage of shaming punishments in Western Europe. The text stems from a petition to the jury court of the city of Dresden (Saxony, 15th century):

"I am a burgher from Dresden and I have worked as a lawyer and I have a wife. Some time ago the councillors of the town said that there was a rumour about me having a relation with another women and that they would punish me if that was found to be true. One day when I was sitting with the said women at a fire in her house they came into the house, accusing me having committed adultery. And they brought me and the women to prison and after that to the pillory and so they shamed me. The women was banished from town and I could stay, but afterwards, when I wanted to go to work my colleagues refused to accept me at court as a lawyer and said that I had been shamed at the pillory and was touched by the executioner and therefore should not speak for other people at court anymore. But I insist that I had not been arrested in flagrante and asking the court to allow that I may continue to work…"
The verdict was not favourable for the shamed lawyer: "… permission not granted because he has been touched by the executioner and a stain (of infamy) clings on him."[2]

In this text shame is perceived as the main consequence of the punishment at the pillory. Although the purpose of punishment in this case seems to be reformation, the absolute reintegration is not possible because of the touch of the executioner. It is therefore important to code the data with respect to the executioner of the punishment.

The evidence for shaming punishment in historical China and Japan in the accessible Western literature is (still) limited and allows no quantification yet. So far, I have only knowledge of two particular types of shaming punishments that seem to be rooted in the tradition of Chinese punishments in medieval and early modern times: The "cangue", a portable stocking device similar to the European shrews' fiddle, was also used to shame delinquents. It is mentioned in historical texts as early as the first half of the fourth century A.D. The later usage was often as a supplemental punishment (Bodde & Morris 1967). A second punishment is the public exposure of adulterous couples as reported from Japan in the 19th century (Silver 1867). This has to be understood in the context of the importance of shame and honour in Tokugawa society (Ikegami 2003). Slapping with the lesser bamboo, a very common punishment for minor offences, was also related to shame and reformation of the offender, whereas tattooing and mutilations were used for social exclusion in Japan (Botsman 2005).

At a larger scale, interesting material on shaming punishments in traditional societies can be found in the HRAF (Cross-Cultural CD ed. 1991), including an account of a "shaming procession" in the Kingdom of Korea from the middle of the 17th century:

"If a single Man is found abed with a marry'd Woman, he is stripped naked to a little pair of Drawers; then daubing his face with lime, they run an Arrow through each Ear, and fasten a little Drum on his Back, which they beat at all the Cross-streets to expose him to Shame. This Punishment ends in 40 or 50 strokes of a Cudgel on the Man's bare buttocks, but the woman receives them with Drawers on." (Hamel 1994).

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[2] Free translation of the text published in: Sammlung von Schöffenurtheilen aus der Handschrift der Leipziger Universitäts-Bibliothek Nr. 953. Kap. 1. (Bl. 29. a. R. LXVIII.) / in: Wasschersleben, Sammlung Deutscher Rechtsquellen, Vol. 1, 1869, p. 355-356.

There is also evidence for penal mutilations that brings permanent infamy to the wrongdoers in Blackfoot Indians who shamed adulterous women by cutting off their nose (McFee 1972). However, there were only few examples for the use of shaming punishments that make use of pillories, stocks or public exposure in traditional societies. Shame is more often used on a less institutionalised level through reprimands and ridiculing. If the use of pillories is reported, they seem to be of European influence, e.g. in the Azande [Africa – 1926] and Tarahumara society [North America – 1953-1954]. Public reprobation or reprimand is a common sanction in societies like the Bororo of South America, the Tarahumara in North America or the Kapauku in Oceania. In his ethnocriminological study of black Africa, Yves Brillon stresses the importance of shaming punishments in traditional societies (Brillon 1980).

Discussion

The evidence from medieval and early modern European legal sources and court records suggests a differential use of public shaming as a means for group stability and adherence to norms. The pillory and similar shaming rituals in Western legal tradition have been applied in higher and lower justice over a period of app. 600 years, sometimes even longer. The loss of honour and the expulsion from the community, which often followed public shaming, had an ostracizing and stigmatizing consequence for delinquents. The degree of infamy, which clings to a person subjected to a shaming punishment, varied according to local customs and time. Nevertheless, the return after a temporal banishment was often possible and reintegration (sometimes at a lower level of society) after punishment was intended. Special rituals (e.g. the German “Urfehde”= reconciliation oath) were established for the reintegration of the offender and also for the restitution of cooperation and the social equilibrium (cf. Boockmann 1980 on “Urfehde”). The purpose of shaming-punishments in Western Europe during the late Middle Ages and Early Modern Times was therefore twofold: deterrence and reformation.

The use of shame as a sanction of social control itself is very old and can be traced back to biblical sources (Daube 1967; Bechtel 1991). Parallel to secular punishment there is public penance in the Church since Carolingian times (Neumann 2002). Medieval European citizens heavily relied on Christian values and cooperative behaviour. Loyalty to the community had to be promised by oath, and mutual trust was a core element of daily life. To a significant degree, shaming punishments were used to punish defection and misdemeanour which were relevant for cooperation, especially in the time before 1500. We can observe an emphasis on perjury, fraud and fake, which is consistent with the findings of other Historians of Law (e.g. DeWin 1991, Schwerhoff 1993). However, in lower justice shaming masks and charivari

(rough music), e.g. the so-called “skimmington” in early modern England, were rituals designed for immediate conflict resolution and reconfiguration of the community (George 2002). It is crucial for the function of shaming punishments that the shamed person identifies himself with the values and norms of the group. In this perspective, the rise of shaming punishments in Western Europe during the Middle-Ages was notably due to the development of the cities as units of identification, where people belonged to most intensively, apart from family ties.

The cross-cultural analysis revealed that disciplinary and penal shaming together with public humiliation can be found in a variety of cultures (Haid 2002) but sophisticated shaming punishments like pillories, stones of shame and public exposure seemed to have emerged only in societies with a hierarchical organisation and strong group identity. Therefore it appears promising to compare the European and Chinese or Japanese practise of public shaming in historical times to gain new insides into the cultural makeup of these societies (cf. Haidt 2003).

The variation in the nuances of emotion terms denoting shame over time seems to be considerable in the cross-cultural perspective. For the Middle Ages, there does not yet exist a special semantic analysis for these terms, but there is interesting evidence from the classical Roman period for the development of the semantic fields of pudor, verecundia and reverentia. Pudor and verecundia can both be translated as shame in English, and especially verecundia obtains aspects of reverence (reverentia) in the works of Livy and Valerius Maximus (Vaubel 1970). Furthermore, we can observe a strong polysemy of verecundia in classical Latin, covering different meanings like respect, shame, honour etc. (Thomas 2007). Semantic fields of emotion words differ not only from culture to culture but also change constantly over time and there is strong evidence that the Latin verecundia had a similar semantic field in the period from Livy to Valerius Maximus, as “malu” has nowadays in the Sumatran fishing village of Dusun Baguk. This raises interesting questions about the moral structure of historical societies.

The data from medieval and early modern Western Europe supports the hypothesis of a nexus between shaming punishments and the need of cooperation in small to middle sized populations. The use of historical material allows us to observe long-term developments in the application of shaming punishments and therefore may help to better understand the functioning of prosocial emotions in penal justice. Although the ethnographic evidence of traditional societies suggests that penal shaming is a widespread and effective cultural trait based on a specific physiological adaptation of the human brain, higher levels of social

organisation and institutionalized use of shaming rituals seem to produce stigmatizing and exclusive effects which may hinder reformation and social reintegration at the same time. This should be taken into account in the actual debate about a reintroduction of shaming punishments in modern societies (c.f. Braithwaite 1989; Münster 2006; Fessler 2007).

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