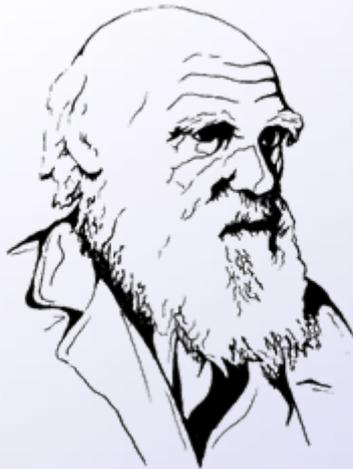




Prosocial emotions, conflict and cooperation:

a cross-cultural study on shaming-punishments
in historical societies



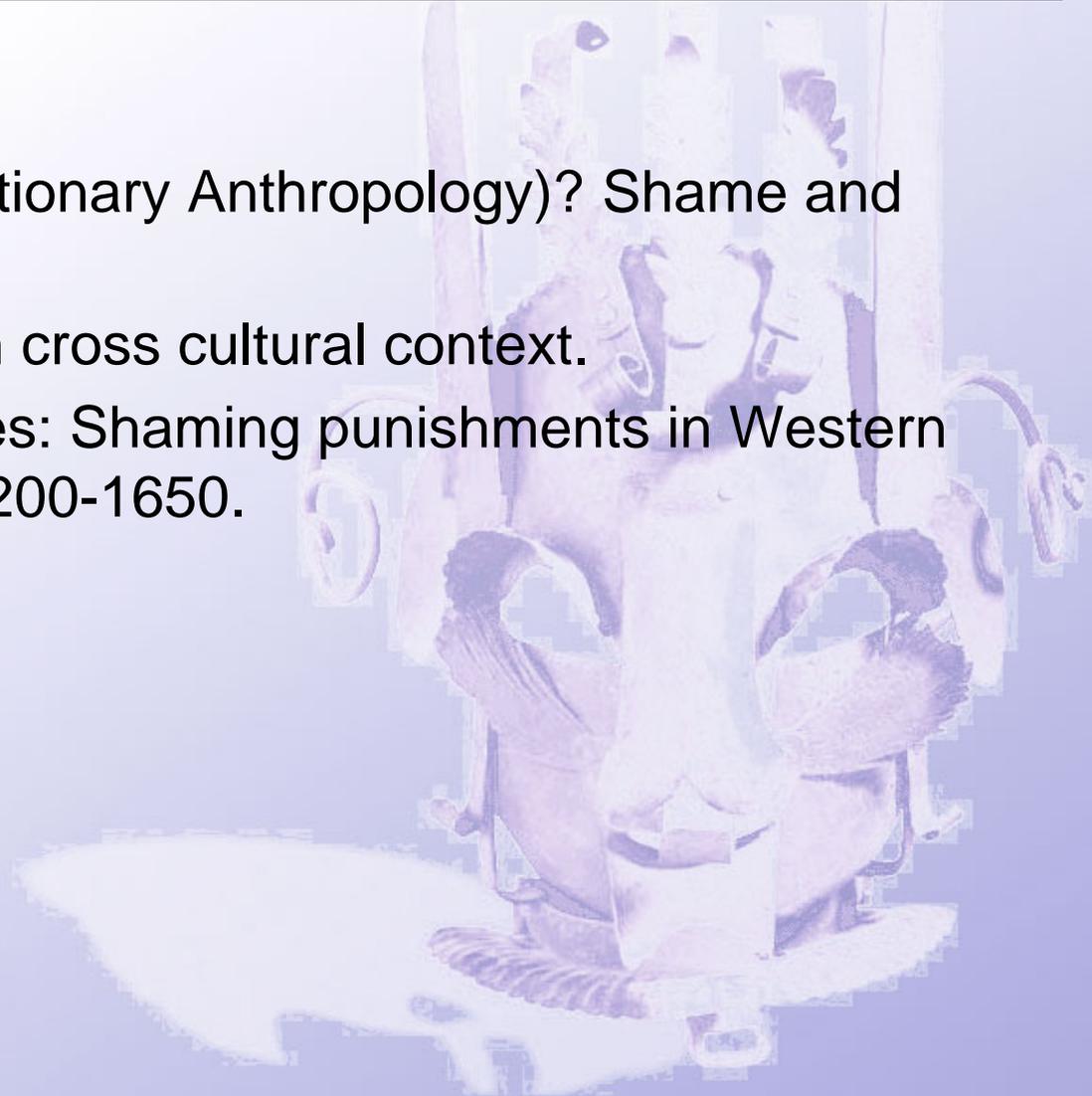
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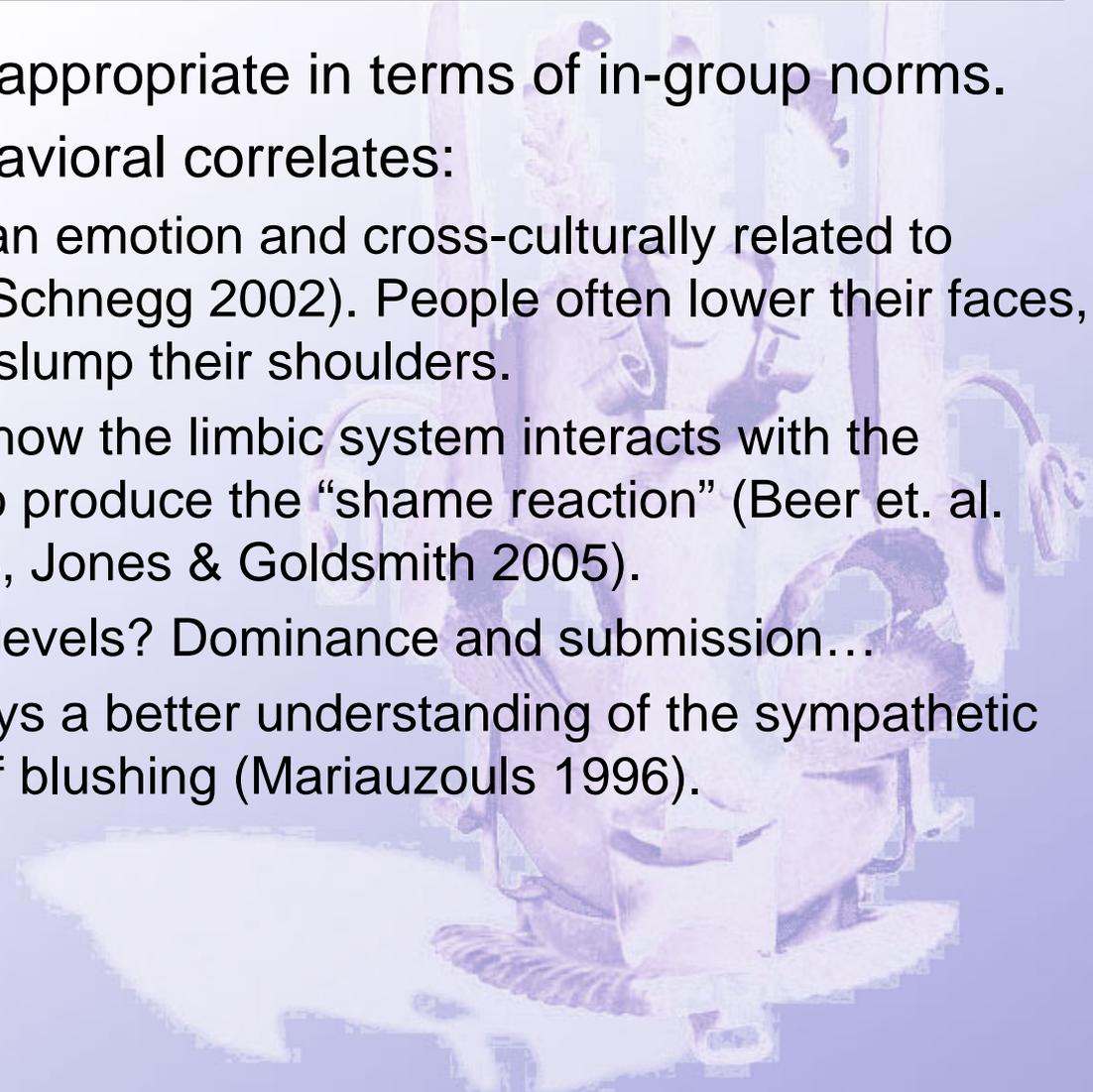
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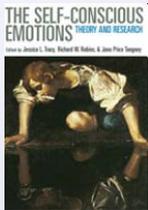
- What is shame (in Evolutionary Anthropology)? Shame and cooperation.
- Shaming punishments in cross cultural context.
- Comparative case studies: Shaming punishments in Western Europe and East-Asia 1200-1650.
- Discussion.



- Elicited by behavior inappropriate in terms of in-group norms.
- Physiological and behavioral correlates:
 - Shame is a panhuman emotion and cross-culturally related to blushing (Casimir & Schnegg 2002). People often lower their faces, avert their gaze and slump their shoulders.
 - Little is known as to how the limbic system interacts with the orbitofrontal cortex to produce the “shame reaction” (Beer et. al. 2006, cf. Jones 2004, Jones & Goldsmith 2005).
 - Shame and hormon levels? Dominance and submission...
 - But: there is nowadays a better understanding of the sympathetic nervous regulation of blushing (Mariauzouls 1996).



- Functions:
 - Internalized control over behavior.
 - Shame = failure in control of body and/or mind in the (virtual or real) presence of others as trained in infancy and childhood => affecting a person's identity.
 - Enhances cooperative behavior.
- Two sides of a coin:
 - Shame is a panhuman physiological adaptation (emotion), but it also heavily relies on cultural input.
- Current research
 - "... human shame is a bipartite emotion consisting of an ancient, or ancestral, component that is shared with nonhuman primates, and a novel, or derived, component that is likely unique to our species." (Fessler 2007: 176).=> Panprimate substrate of "protoshame" which operates in hierarchical social relationships and uniquely human "conformist shame".



= From appeasement to conformity



European shaming punishments include:

- pillory / iron collar



cucking-stool / ducking stool



riding backwards /
(parading) on a
donkey /
„skimmington“

Shrew's fiddle (17th century and onwards)



The „stone of shame“ for quarrelsome women (heavy stones worn at the neck and had to be carried through the city)

Shaming masks / branks



➔ Culture-dependent use of the emotion shame to promote conformist behavior in norm-violators.

- Interdisciplinary study (History of Law, Evolutionary Anthropology, Criminology) on the social functions of shame in historical societies with a focus on the purpose of punishment (deterrence or reformation) [work in progress].
- # 1: How were shaming punishments used cross-culturally?
- Human Relation Area Files (HRAF) + scientific literature.
- # 2: How is failure in cooperation linked to shaming punishments in historical societies?
- Analysis of historical source material (court-rolls, laws and “punishment registers”) of “lesser jurisdiction” in Western Europe (focus on German-speaking areas) and East Asia (focus on Japan) from 1200 to 1650
- (# 3) Excursus: Which word(s) have been used in historical societies to express shame (*pudor/verecundia*) and how are these words related to reverence (*reverentia*)? (Semantic fields of emotion terms)

- Shaming punishment cross-culturally

- Literature: (Haid 2002)
- Method: Analysis of shaming punishments mentioned in the HRAF database (Cross-Cultural CD 1990)
- Results: 86 hits for shame AND punishment in 6 out of 8 databases. Most hits for Asian and native American societies. Some evidence from literature for African societies.
- Discussion: Shaming in less stratified societies takes the form of public reprobation, reprimand or ridiculing (e.g. Bororo of South America, Tarahumara in North America or the Kapauku in Oceania). In complex societies we can find more sophisticated shaming punishments in the form of humiliating rituals and use of pillories etc (e.g. Korea, 17th century).



- For this talk (German sample):
 - sub-sample of 74 / 127 entries of shaming punishments (all including known delinquency and year): 1200-1650
- Source material is coded in an online-database for:
 - Offence
 - Punishment
 - Execution / executioner
 - Source type
 - Date / place / country / reference in literature

Shame - History, Law and Evolution

Research Project Dr. Joerg Wettlaufer
Christian-Albrechts-University, Kiel
Academy of Science, Goettingen

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15. Jahrhundert
vorleust sein hartwerc domate, und man sal zu ym richten, als recht ist, ut
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becker die brot zu oltene backen, die sal man schupen, das ist auch genodt
zu hant und fuhr, ut C. De pistoribus l. Quicumque.

1495
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zu den branger zu hefften, und da lassen zu stend bill er sich davon zert und
lediget, und darnach über Rin zu gehnd und 10 jar ewendlich davoz zu sin
und widerumb zikt neher ze komen, umb das er schwer gten hat in die
hailigen dryabak, die vormalz nie gehort sind.

1497
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oder gesten so sul er in alle gessalt an dem pranger gestrichen werden

1498
welcher ... boell swer kus, den wil man strafen ... an quill, tum, halzyen
oder an sinen eren

1499
ab indert wann zwo die da mit einander kriegten, so sollen dieseligen den
wagtm tragen der da hat ein halben zent, wie das furgenomen wort auf
dem grunt und die verschuldung.

From an inquiry to the jury court of Dresden City (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 eldersmen of the town said that there was a rumor 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...

Verdict: ... permission not granted because he has been touched by the executioner and a stain (of infamy) clings on him.”

Free translation by JW of the text published in: Sammlung von Schöffenerurtheilen 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.

Coded database entry:

- *Ap eyner vorlugemund sey vnd ap man yn moge von gehegeter bang getedingen der uf den prenger gesessen hat. [...] Ich bin eyn besessin mitburger in dem wigbilde czu dresdin vnde habe mich generd mit vorsprechin ampte vnde habe eyn elich weip Nu wart ich besaget keigin meynen hern den burgn wy daz ich mit eyner frawen czuhilde vnde meyne ee obirtrete sagiten mir meyne heren wurde ich begriffin in den sachin sy welden mich straffen lassen Dornach vorliff es sich daz mich der richter in deme husze da dy frawe mit der ich beruchtig was ynne czu husze was vnde ving mich siczende bey eyne feuere so daz mich der richter nicht and nach begreiff uff eynerleye vntogund nach hanthafftiger tad vnde saczten mich mit gener frawen in gefenkenis darnach lisen mich dy heren mit der frawen siczen uf den prenger unde lissen mich offinberlichen also beschemen und weisten darnach dy frawe usz der stad unde habin mich in der stad gelasin nach also siczende nu wollen mich dy andern vorsprechin meyne genosen vmmb dese sache von meynen vorsprechin ampte vorwerffen und gein mir nicht tedingen vnde sprechin ich sey uffenberlich beschemit an dem prenger vnde der henger habe mich gepalstert (berührt) dorvmmb moge ich numme vorspreche geseyn noch keyns bedermannes wort gefüren vor gerichte meyene ich sint daz ich an hanthafftiger tad nicht begriffin bin [...]*

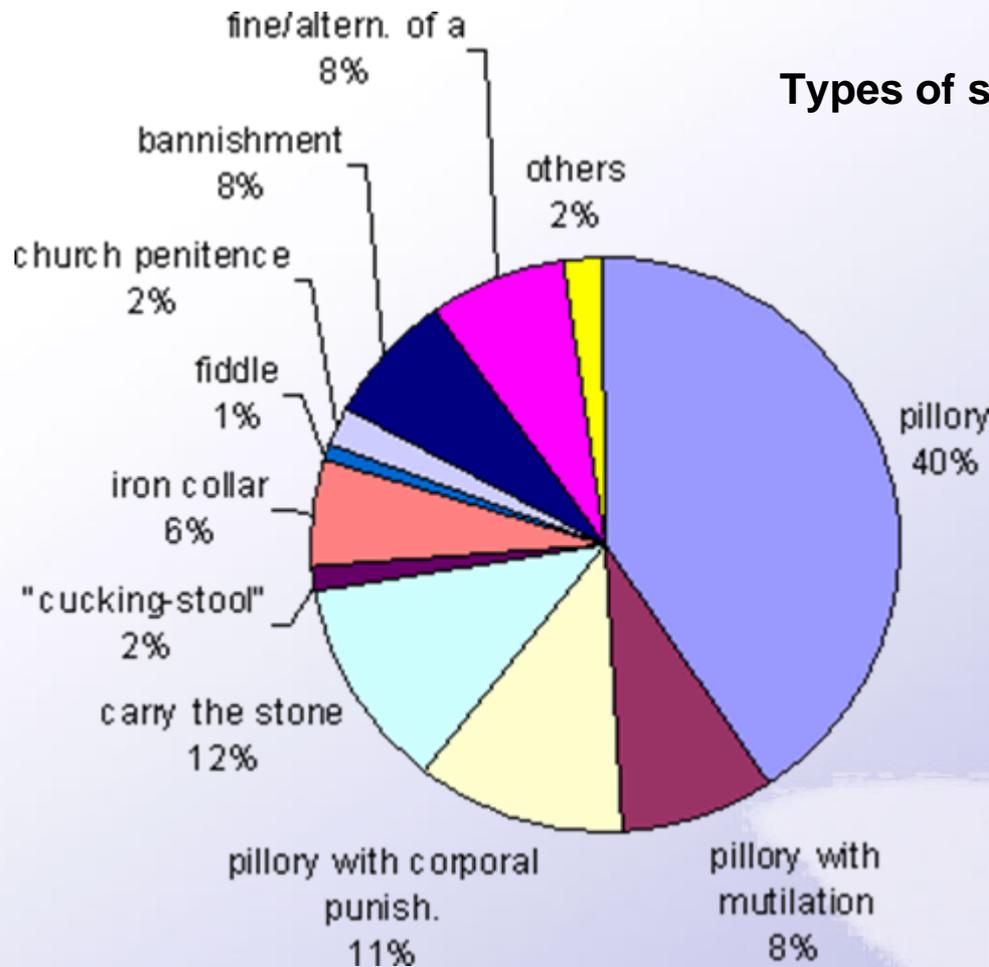
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Wasserschleben, Hermann (Hg.) 1860-1892, in: Sammlung deutscher Rechtsquellen, 2 Bde., Aalen., hier S. 355

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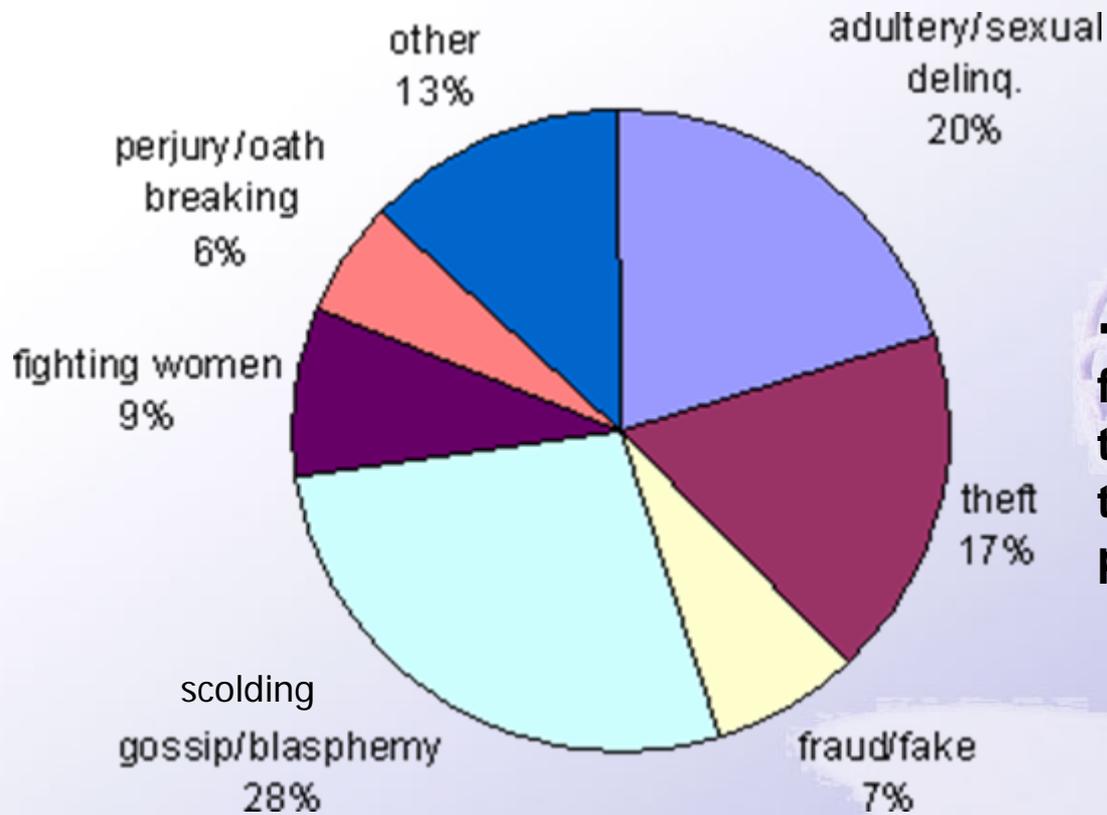
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• Altogether, pillory and iron collar add up to 65% of the punishments.

Source: Database of shaming punishments on www.shamestudies.de / subsample of 74 / 127 entries of punishments (including known delinquency and year): 1200-1650 [December 2007].

Offences / misdemeanours entailing shaming punishments



→ failure in domains relevant for cooperative behavior add up to approx. 90 % of the offences that entailed shaming punishments!

Source: Database of shaming punishments on www.shamestudies.de / subsample of 74 / 127 entries of punishments (including known delinquency and year): 1200-1650 [December 2007].

East-Asian sample

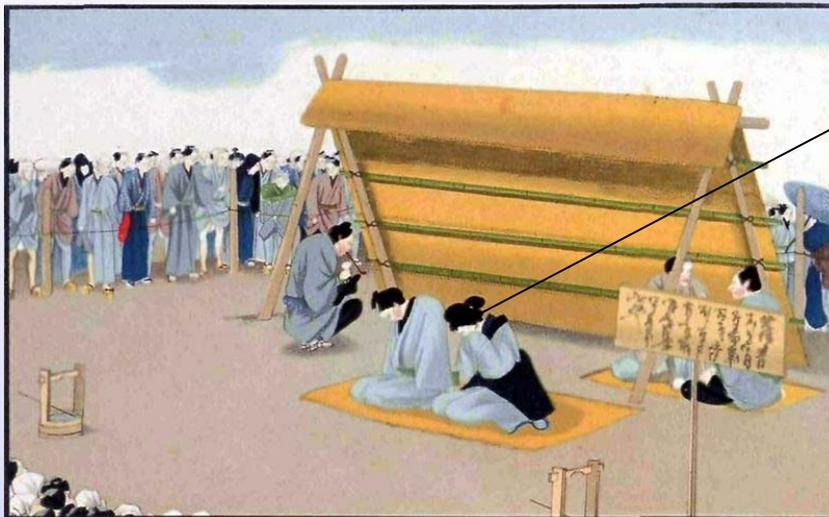
- so far only anecdotal material from translated sources from 17th to 19th century available.
- account of a “shaming procession” in Korea from the middle of the 17th century:
 - “If a single Man is found abed with a marry'd Woman, he is stripped naked to a little pair of Drawers; then daubing his face 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/HRAF).
- in the law of Edo-Bakufu (Japan 1603-1868), it was ruled as that if a unmarried couple attempted to commit suicide together, but they failed to complete, both of them should be exposed to public ridicule and demoted to Hinin-teka (low social standing). They had a possibility to recover their status that they had before after some time of probation (p.c. Prof. Nishimura)

Asian shaming punishments include:

- cangue 木枷 "mu jia"

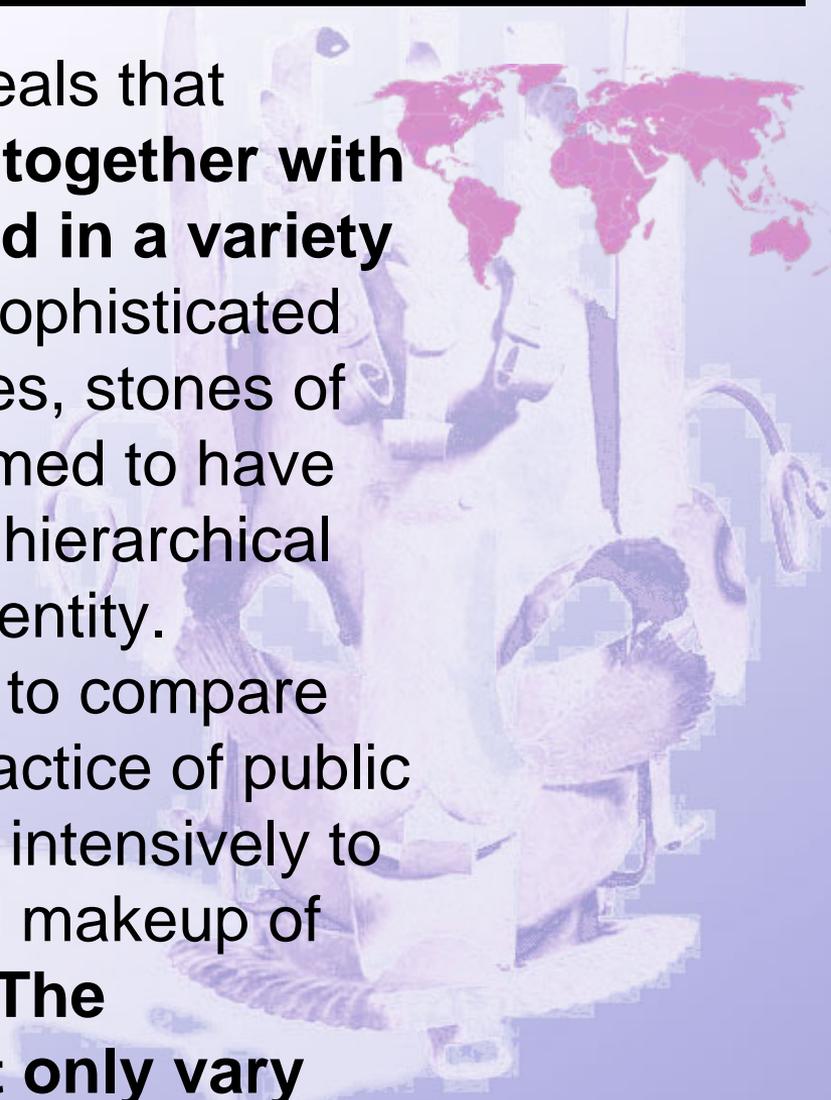


- public exposure

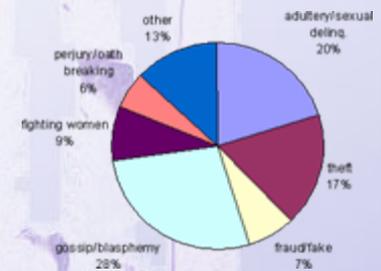


Man and woman undergoing public exposure for adultery in Edo Japan

- The cross-cultural analysis reveals that disciplinary and **penal shaming together with public humiliation can be found in a variety of cultures** (cf. Haidt 2002) but sophisticated shaming punishments like pillories, stones of shame and public exposure seemed to have emerged only in societies with a hierarchical organization and strong group identity.
- Therefore it appears promising to compare the European and East Asian practice of public shaming in historical times more intensively to gain new insights into the cultural makeup of these societies (cf. Haidt 2003). **The importance of shame does not only vary from culture to culture, but also over time!**



- Medieval cities heavily relied on cooperative behavior. **Loyalty** to the community had to be promised by oath, and **mutual trust** was a core element of daily life.
- To an significant amount **shaming punishments** were used to punish defection, free-riding and misdemeanour which were relevant for **cooperation**, especially for the time before 1500. This is consistent with results from History of Law (De Win 1991, Schwerhoff 1996).
- We have to keep in mind the **intrinsic costs of** shaming punishments in the context of re-integrative **shaming** as an alternative to imprisonment (Braithwaite 1989). **Stigmatization** and shaming punishments go hand in hand!



verecundia est custos omnium virtutum

Thank you for your attention !

More information at:

www.shamestudies.de

I would like to thank Prof. Yasuhiro Nishimura (Doshisha University, Kyoto) for valuable comments, Jerome Bourgon (Lyon) for access to an unpublished manuscript, Anja Steinlen (Kiel) for helpful comments and Rudolph Sohn (Kiel) for entering database material.



www.mve-liste.de

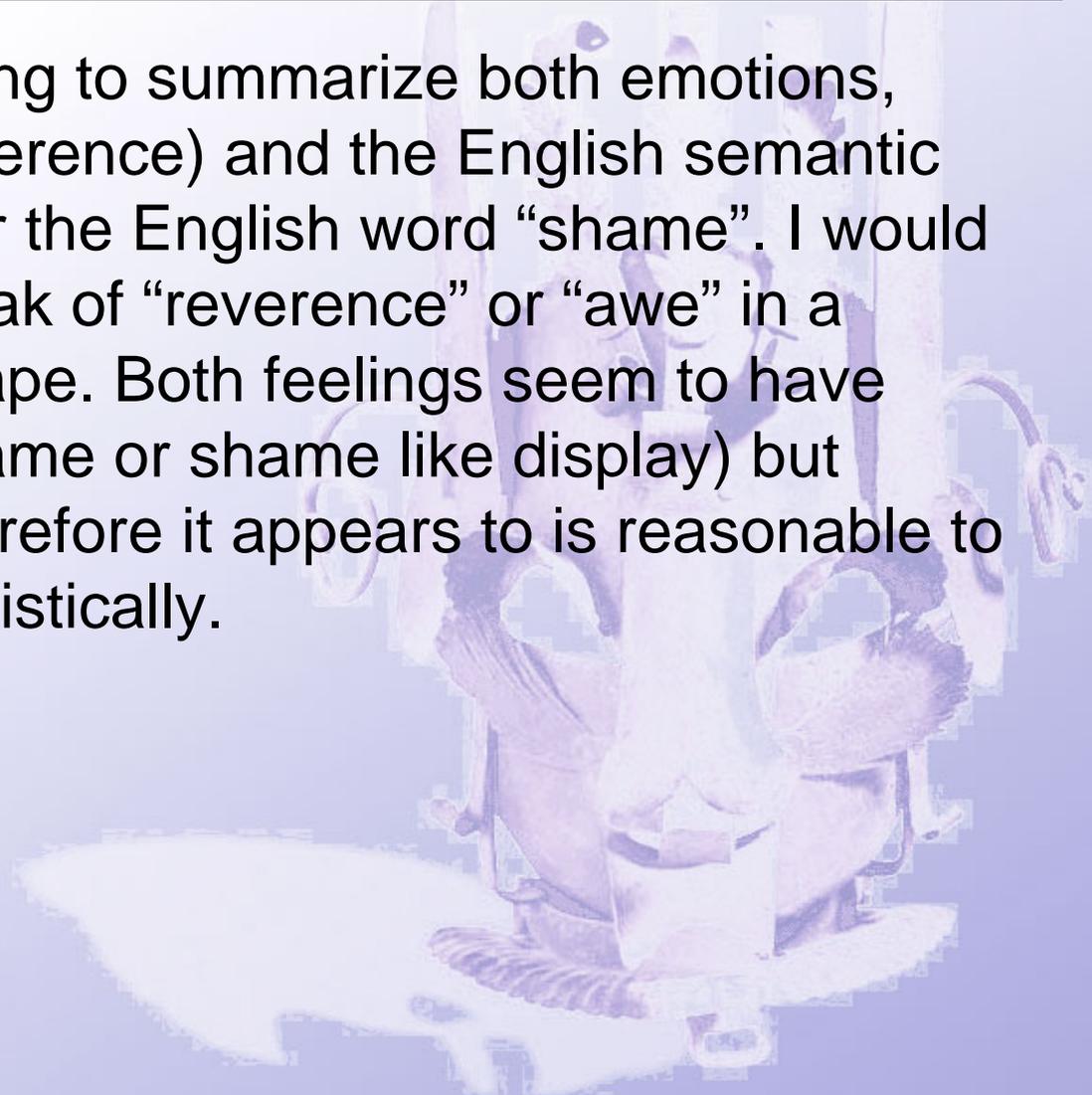


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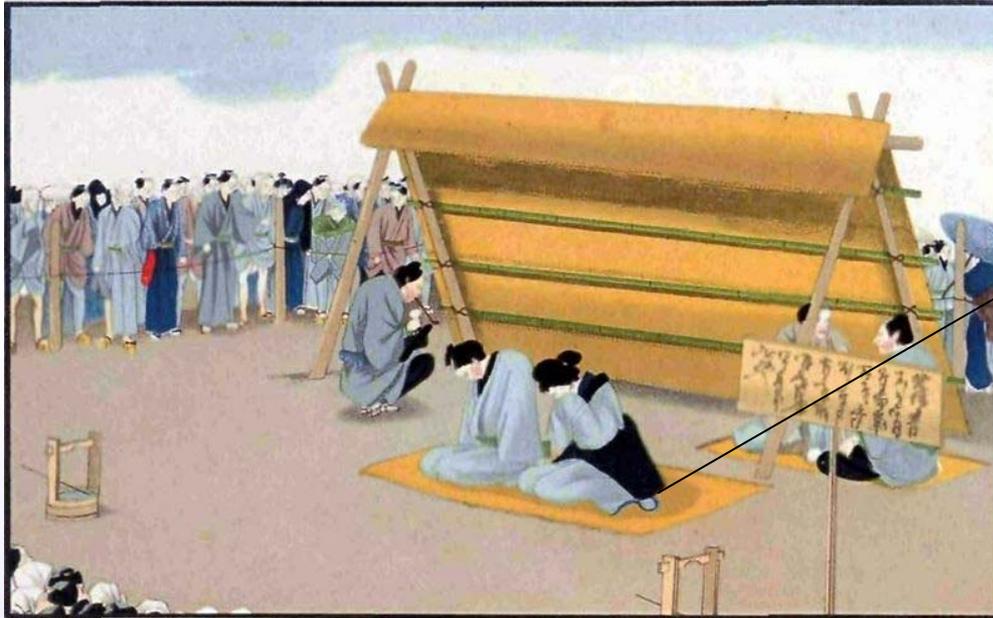


- There is interesting evidence from the classical Roman period for the development of the semantic fields of pudor, verecundia and reverentia. Pudor and verecundia can be both translated as shame and especially verecundia takes aspects of reverence (reverentia) in the works of Livy and Valerius Maximus (Vaubel 1970, cf. Thomas 2007).
- Meaning and Sense of words change constantly over time and there is strong evidence that *verecundia* had a similar semantic field in the period from Livy to Valerius Maximus (around 0 AD) as *malu* has today in the Sumatran fishing village ...

- It is maybe misleading to summarize both emotions, Sumatran “malu” (reverence) and the English semantic field of “shame” under the English word “shame”. I would rather suggest to speak of “reverence” or “awe” in a Sumatran cultural shape. Both feelings seem to have similar outcomes (shame or shame like display) but different elicitors. Therefore it appears to be reasonable to distinguish them linguistically.



public exposure



Man and woman undergoing public exposure for adultery in Japan, 18th century, Edo period (paintings from the beginning of the 19th century)



public exposure



unknown artist, 18th century, Edo period

