Excerpt from *Punishment: An Index*

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1 Bells

In 1591, after the apparent murder of 9-year-old Tsarevitch Dimitry, a church bell in Uglich tolled angrily, inciting a riot among the Tsarevitch's supporters. Regent Boris Gudonov silenced the insolent bell by putting it on trial. Found guilty of treason, the bell received the following sentence: flogging by 120 lashes; a notch broken in its ear; the clapper torn out; a lifetime of exile. Oddly, it was not the only bell to be so punished. In Florence, a century earlier, a bell named "la Piagnona," the weeper, was flogged for religious extremism and exiled for 50 years; in La Rochelle, a Protestant bell was whipped, buried—whether dead or alive is unclear—and then reborn with the aid of a Catholic midwife.

The Uglich bell and its co-conspirators were the first exiles to be banished to Siberia. Mounted on a tower in the town of Tobolsk, where it could be seen by arriving prisoners, the bell was a reminder that the tsar's justice applied to all things under his dominion, whether living, dead, or inanimate. Exile quickly grew to encompass a whole world of crimes: copying a dress; salt gathering; begging when not actually in distress.

During the bell's exile, three persons claimed to be a resurrected Tsarevitch Dimitry: each swore he had miraculously survived the assassination. After the first Dimitry was crowned, exposed, and then

executed, the new tsar rushed to canonize Dimitry as a saint so that he could no longer come back to life. This effort, however, did not work. Dimitry's wife Marina recognized the presence of her husband in two more Dimitris, none of whom looked alike, and married each one in succession. Historians refer to the imposters as False Dimitry I, False Dimitry II, and False Dimitry III.

> 'And there was this Marina Mniczek, who denied him in her own way, as it later proved, by believing not in him but in anyone' (Rilke)

In a Russian bell's anatomy, the tongue is attached to the ear, and a frame holds the body in place, so that only the tongue can wag. Tradition holds that a bell maker will start a rumor—the more outlandish, the better—before the consecration of a bell. The farther it spreads, the better the bell will sound. Listening to the Uglich bell as it is struck, carillonists swear they can detect the "silver- tongued" voice that they attribute to silverware thrown in the fires as it was cast.

Three centuries after its bell had been exiled, the citizens of Uglich petitioned for it to be returned, claiming it had suffered enough. Tobolsk lodged a protest: the sentence was for life, and the bell had not yet served its time. A compromise was finally reached, in which Tobolsk would create an exact duplicate before returning it. Because the original bell of Uglich likely melted in a 17th century fire, historians believe that both bells are imposters. Because the physical substance of the bell was not central to its identity in early modern period—they were often melted down and later recast—both bells are arguably also originals.

2 MACHINES

Whether the errant javelin that strikes a man or a statue that falls upon a hated rival, ancient Athenians placed homicidal objects on trial at the Prytaneum, their city hall. A jury's task was a delicate art of sorting a crime scene that would otherwise appear seamless, even indivisible, into guilty and innocent parts. For the Athenians, a guilty object was tainted with an invisible attribute called miasma, which brought pestilence and disease to those near it; it even caused crops to fail.

Variously termed the "unhealthy fog", a "nebula", the "poisonous vapor", "bad air" and "night air," miasma was also associated with poisonous creatures and mandrakes. Miasma theory dominated medical science until a competing idea, germ theory, gradually gained currency; still, entire graveyards in the early 20th century were dug up and moved to avoid "pestilential air".

Juries prised the innocent wheels from a felonious cart, and found the hidden stain of miasma in the broken roofbeam of a falling ceiling. Meting out justice—murdering a murderer, for example— was part of the cosmic sorting of injury:

> 'in the case of grains of seed sifted promiscuously… a whirling motion of the sieve effects a separation so that lentils go to lentils, barleycorn to barleycorn, grains of wheat to grains of wheat' (Demokritos).

Known in common law as *deodand*, "abandoned to God," accursed objects were either banished from the city or, later, forfeited to the medieval king, who claimed any proceeds from sudden violence or unexpected windfall, whether an unlucky shipwreck or a hidden vein of gold. Still later, juries awarded their discoveries—ropes, ladders, knives, casks of ale—to a victim's family, so that they could destroy, bury, or simply sell off the offending object. The eye, literally, for an eye.

In 19th-century Britain, factories maimed; gasworks exploded; railroads derailed. The sight of the death was so frequent that the industrial accident formed a public imagination of the macabre: promoters even began staging railroad collisions as publicity stunts. (In one staged collision from 1896, exploding metal killed two spectators.) Juries began using the deodand law to confiscate locomotives, awarding the cost of each car to the victims' widows. Pressured by the railroad industry, Parliament hastily outlawed deodand, and allowed families to sue for damages instead. Now the norm is for industrial suits to be settled for large sums of money, but the objects themselves have vanished: normally nobody and no thing, not even a broken metal part, is blamed for causing the injury. A wound, disembodied.

In Plato's *Laws*, the banishment of an object applies 'whether a man is killed by lifeless objects falling upon him, or by his falling upon

them'. However, Plato excuses thunderbolts and 'other fatal darts from the gods', since these fatal darts will not stand for trial.

Today's machines, social and physical, are so complex that they have begun to resemble the infinitely ephemeral thunderbolt; one may never know the cause for any given failure. So what do you do when nothing is to blame, when harm is invisible, and still cities are dying? In the 1980s, community groups in Detroit worried that the blight of out-of-town cars cruising for sex workers could spread to neighboring areas. On Eight Mile Road, a john found receiving fellatio in his 1977 Pontiac lost the car to the state's new public nuisance law, but his wife appealed; it was her Pontiac, too. Eventually, the US Supreme Court affirmed the seizure, making the red Pontiac, like pirate ships and Victorian railroads, an accursed object abandoned to God, or in this case, the city of Detroit.