

Climate, Race Science and the Age of Consent in the League of Nations

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Abstract

In this article I explore how, in the League of Nations' emerging anti-trafficking regime of the 1920s and 1930s, one category of race science – climate – played a prominent role in positing natural hierarchies between nations. My purpose is twofold: (1) to explain the currency of climate at this moment and to examine the trajectory of climate as an explanatory device in the intellectual history of 'race'; and (2) to reflect on the biopolitical implications of explanations rooted in climate. The article begins with a description of how League of Nations delegates used climate as shorthand to refer to differences between the sexual mores of various nations. I then reflect more broadly on the emergence, submergence, and reemergence of climate in the history of race science, and its effects in practical settings. I move to a discussion of the significance of the age of consent as a category, and analyse the League of Nations-sponsored efforts to track ages of consent across countries as a biopolitical project. My overarching argument is that references to climate performed important ideological work in naturalizing hierarchical relations between nations. In arenas where diplomats sought to arrive at a consensus, such references rendered them more palatable and less disputable.

Key words

biopolitics ■ colonialism ■ history ■ imperial governmentality ■ science studies ■ sex ■ trafficking

A CENTRAL problematic of liberalism is the relationship between politically equal human subjects and hierarchically marked social bodies. The liberal conceptualization of the universal political subject posits a formal political equality, but this equality remains, as Marx

(1977 [1843]) viewed it, an unreal universality assailed by social hierarchies. Although political theorists have most commonly explored this problematic in the context of relations between subgroups of democratic polities, another compelling site where this can also be done is international governance, given the dominance of liberalism in framing the institutional relationship between nations. The League of Nations, the inter-governmental organization formed in the wake of the First World War that helped set up the infrastructure of contemporary international law, exhibited all the contradictions of a liberal political universalism purveyed by imperial agents. The League of Nations was premised on a formal equivalence between states, but it nonetheless naturalized the tutelary role that imperial powers purportedly played in their colonies through its two-fold structure: an executive council composed of Britain, France, Italy and Japan that set the agenda for an Assembly of all member states. The liberal internationalism that pervaded this enterprise in coordination between states required a particular modality of discussing differences: one that downplayed 'power over' relations, and instead relegated hierarchies to the realm of the natural – in much the same foundational gesture as liberalism's social contract.

The realm of the 'natural' has served as a placeholder for describing human variation of various kinds, race- and sex-based differences being among the most prominent. In many cases, the classification of variation as 'natural' has implied its exemption from careful investigation. The vocabulary and conceptual constellations used to explain supposedly natural differences have also shifted in the course of recent history. The science of race, in particular, has a two-and-a-half-centuries old history of advancing, as well as dethroning, a succession of explanations for natural differences between peoples. Many of its explanations circulated in practical as well as scholarly settings, often taking on a new life independent of scientific authorization. Race science both fuelled and benefited from imperial political narratives that entrenched differences between rulers and those over whom they ruled.

In this article I focus on a specific historical moment, the inception of a regime of anti-trafficking in the League of Nations in the 1920s and 1930s, where one category of race science, climate, played a role in positing natural hierarchies between nations. I explore why climatology, a system of explaining differences between people based on physical landscape and temperature, carried the weight it did in this setting. I focus on League of Nations conferences about trafficking in women and children, where delegates made frequent and unreserved references to climate differences between countries as the reason for differences in their sexual mores. Their use of climate as a shorthand for discussing racial distinctions raises interesting questions about the modalities of framing cultural difference in liberal internationalist settings: why did climate become a means to refute social reformist efforts at equalizing laws? What explains its currency at the time? And, what is the trajectory of climate as an explanatory device in the intellectual history of 'race'?

I explore these questions by first describing the efforts of the League of Nations to raise the age of consent across countries. Although the League of Nations was principally charged with resolving territorial disputes and preventing a second world war, it was especially prolific in setting up organizations to address key social questions of the time. Anti-trafficking was one among an array of causes such as labour rights, refugee rehabilitation and public health. I focus specifically on debates at anti-trafficking conferences about passing a universal age of consent for prostitution, which many delegates resisted using the argument that countries varied in their sexual practices because of climate. The popularity of climate-based explanations in that moment prompts my broader exploration in the second section of the article of the emergence of climate in the history of scientific racism, and the multiple arenas in which it circulated. I examine the relationship between ideas about climate's centrality and political projects of imperial expansionism. In the third and fourth sections of the article, I turn to the biopolitical implications of League of Nations' efforts to track ages of consent across nations. I reflect on the age of consent as a category of governance – why states sought to mark out this age standard, why it fitted with the goal of shaping demographic futures and the role that this age standard played in indexing imperial hierarchies between nations. Given that the age of consent for sex was rapidly becoming a highly charged political issue in the 1920s, I argue that references to climatic differences deflected attention away from religion and cultural difference, for which diplomats were required to provide greater explanation. In arenas where diplomats sought to arrive at a consensus, references to naturalized hierarchies between nations rendered them indisputable. I close by reflecting on how the language of climate presented a palatable means to index differences in sexual practices.

The League of Nations and Anti-Trafficking Campaigns

Trafficking in women and children was not an unlikely topic for the League of Nations to have taken on, even though the organization was founded as an inter-governmental initiative to prevent war. The moral legitimacy of the League of Nations was vastly enhanced by its ventures into social terrains, such as its conventions and organizations on labour rights, refugees and public health. It took on the issue of trafficking at the urging of several private organizations, particularly those of British origin such as the Jewish Association for the Protection of Girls and Women, the feminist abolitionist Association for Moral and Social Hygiene and the International Abolitionist Federation (Gorman, 2008; Metzger, 2007). It set up a Committee on Traffic in Women and Children, which focused on formulating a policy for dealing with cross-border transportation for the purposes of prostitution, discouraging tolerated brothels and coordinating laws pertaining to the age of consent for prostitution. Through the 1920s, this committee met in a series of international conferences, calling on member

countries to respond to regular questionnaires, submit annual reports, send delegates to conferences and, ultimately, pursue the legislative changes that would harmonize laws across countries.

In adopting anti-trafficking as a cause, the League of Nations legitimated an inter-governmental initiative that had already been under way since the turn of the century. Voluntary anti-trafficking organizations and European government officials had put in place an international bureau consisting of representatives of voluntary organizations (Berkovitch, 1999; Metzger, 2007). Two agreements, the 1904 and 1910 International Convention for the Suppression of White Slave Traffic, had been signed, that incidentally remained the blueprint for several generations of anti-trafficking protocols. The League of Nations very quickly incorporated the issue of anti-trafficking building on this infrastructure, and took over the 'supervision of the execution of these agreements' (Covenant of the League of Nations, Article 23c).

When the first League of Nations Convention on Trafficking met in six public sessions in Geneva in the summer of 1921, it was attended by delegates of 34 states and 14 organizations, and they set about ratifying the 1910 convention. The conference featured a stand-off between those who sought to abolish prostitution and those who sought to preserve its licensed forms. The former included representatives of the International Association for Social and Moral Hygiene and the Dutch delegate, and among the latter were France, Greece, Italy, Rumania and Panama.¹ The topic that galvanized the discussion of national differences was the proposal to standardize a high age of consent for prostitution across countries. Anti-trafficking activists sought to raise the age of sexual consent for girls in an effort to establish an age below which entering prostitution² would be illegal. Their goal was to prosecute as many traffickers as possible, and raising the age of consent allowed them to bring forward a larger number of cases.³ The 1910 anti-white slavery convention had set the age of consent for prostitution at 20 years; during the 1921 League of Nations conference, some representatives, such as those of the voluntary organization International Union for the Protection of Girls, proposed raising it to 21 years. This proposal, which implied that a woman below 21 was incapable of maturely giving consent to work in prostitution, gave rise to vexed debates between representatives about how age standards for sexual maturity differed across nations.

The most striking proposal of this debate was to exempt 'Eastern countries' and 'tropical colonies' from the age standards of the Convention. This position was initiated and most strongly advocated by the delegate sent by the British imperial government to represent India, Stephen Meredyth Edwardes. Edwardes was the retired Police Commissioner of Bombay and had demonstrated an abiding interest in surveying the sex trade in the city – he devoted sections of his books on Bombay to detailing the forms of prostitution in the city (Edwardes, 1923, 1983 [1924]). As Police Commissioner, he oversaw European brothels in Bombay and the registration of brothel workers (Tambe, 2009a). Edwardes approached the

discussion of age of consent at the 1921 meeting with a clear goal: to exempt India from any compulsion to raise its age of marriage and prostitution. Arrogating an authority to speak about the 'peculiar conditions of Indian life', he warned the conference of the dangers of changing laws in India. He spoke authoritatively and conspiratorially about varieties of prostitution rooted in religious practice – 'the cult of Jagannath, Khandoba, and the various Matris or fertility goddesses of Southern India', and urged the conference to not intrude upon such 'ancient rites and ceremonials'.⁴ His approach was a textbook example of what Partha Chatterjee (1993) has termed the rule of colonial difference – the presentation of colonies as exceptions to liberal political universals. Edwardes presented three arguments against raising the age of consent in India to 21: that it would offend the general body of conservative Indian opinion; that it would be an 'impolitic interference' by the state with religious and social customs of certain communities of India; and finally that it would be in conflict with 'established physical facts, it being well known that the climatic conditions of India result in maturity being reached at an earlier age than in Europe'.⁵ He went on to argue that 'Eastern countries' in general be exempted from the age standards of the Convention, 'owing to [their] climatic conditions and social and religious customs'.⁶ His formulation was accepted by other countries at the convention, such as Japan and Siam, and particularly France, which also decided to make an exception for 'its tropical colonies'. As a result, the League of Nations refrained from setting 21 years as a single age standard, leaving it to be negotiated instead by individual countries at the time of signing the convention.

This debate continued to haunt the deliberations of the Trafficking Committee throughout the 1920s and early 1930s. Even after the Advisory Committee on Traffic in Women and Children was divided into two separate committees in 1925 – the Committee on Traffic in Women and Children and the Child Welfare Committee – the age of consent remained an issue discussed at their joint meetings. Edwardes' reference to climate as a key explanation for differences in the age of consent across countries was picked up consistently at these successive conferences on the issue. At the 1926 conference of the Advisory Committee for the Protection of the Welfare of Children and Young People, when the representative of the Social Section of the League Secretariat opened the meeting with a report on an enquiry into the legal age of marriage and age of consent across countries, the first response from the floor was the emphatic declaration of the Polish delegate that the age of marriage varied according to 'local custom and climate', and that countries that were 'widely separated by climate and custom' could not be compared.⁷ When the League Secretary noted in response that the legal age of marriage was much lower in certain cold countries than had been supposed, and, conversely, was higher in certain warm countries, the French delegate also responded that the legal age of marriage depended on 'climate, habits and customs which were thousands of years old'.⁸ At the 1927 Joint Meeting of the Committees on Traffic and

on Child Welfare, the Belgian delegate reasserted the view that the age of marriage 'had to be determined by considerations of local interest i.e., principally by climatic and physiological conditions'.⁹ The French delegate again reiterated the qualification that 'climatic and physiological differences need[ed] consideration'¹⁰ when fixing a high age of consent. The 1928 Joint Meeting of the Committees on Traffic and on Child Welfare opened with the declaration that countries could determine the age of marriage 'as seemed best to them, in accordance with the prevailing climate or moral conditions'.¹¹ In 1930, the Italian delegate echoed the same view, noting that it was 'unjust to fix an international age for minors, since social and climatic conditions tended to alter this age in different countries'.¹² It is noteworthy that in each of these cases, the ideas of climate and custom were yoked together, as if to suggest that climate affected custom. It was insufficient to simply claim that countries differed in their sexual practices; 'climate' lent a certitude to these justifications. These repeated invocations of climate as an explanation for variation in the age of puberty successfully thwarted other delegates' attempts to decree a universal age of consent for sexual relations.

This successful maneuvering by French, Italian and Polish diplomats raises questions about the political-intellectual milieu of the time: how did climate come to assume so much explanatory plausibility in an international legal setting in the 1920s? What explains the remarkable confidence in and receptivity to such an explanation?¹³ To what degree were the diplomats echoing, or overlooking, the scientific consensus of their time? In addressing these questions, it is useful to keep in mind Ann Stoler's (1997) observation that racial distinctions do not depend on the scientific credibility of understandings of race, and can indeed thrive in the absence of science's authorization. Nonetheless, the authority with which the diplomats equated climates with sexual customs suggests that some forms of climatological science had entered the realm of common sense. Although in many quarters of race science, such as medicine and anthropology, climate had receded as a central category in explaining racial differences (Anderson, 1992), it continued to carry much weight here. Perhaps it is because the idea that climate determined character endured particularly well in colonial settings despite the advent of alternative theories, as Eric Jennings (2006) has shown in an analysis of colonial spas. In the next section, I trace the mercurial status of climate in scientific discussions of racial difference. In trying to understand how climatological ideas carried so much plausibility in an international legal setting in the 1920s, I comment on the relationship between currents of scholarship and imperial expediency.

Climate, Science and Race in Historical Perspective

The use of climate as an explanation for human variation assumed an important role in the work of 17th- and 18th-century French naturalists and political theorists. In a period of increasing European contact with

climatically diverse regions because of imperial expansion, it is not surprising that territorial and human characteristics fused to form a singular axis for categorizing difference. Indeed, David Arnold has argued that the very conceptual space of ‘the tropics’ emerged as a consequence of European voyages of discovery in the 15th and 16th centuries, and was consolidated through processes of ‘observation, mapping and classification’ in the early 19th century (2006: 113). He attributes this rise of scientific tropicalism to the work of European naturalists in this period, who produced a common language of abundance to describe the diverse vegetation, fauna and landscapes they encountered in the Caribbean, Southeast Asia, West Africa, and Northern Australia. Concurrently, a host of physiological, moral and intellectual traits were crystallized and yoked to understandings of temperature zones and vegetation.

Race theorists in the 18th century drew on old and new ideas in formulating their understandings. They drew on the Greek physician Hippocrates’ ideas about how climate determined temperament and, at the same time, transposed on to human realms the growing knowledge base of naturalists who studied plant susceptibility to climate. For instance, Louis Leclerc, Comte de Buffon, the curator of the Jardin du Roi – the principal botanical garden in France – in the 1740s cited Hippocrates in positing that every organism belonged in its proper climate; he was also one of the earliest naturalists to propound a theory of race, arguing in 1749 that climate was the ‘chief cause’ of racial difference (Anderson, 1992; Scheidt, 1950). Montesquieu, Buffon’s contemporary, also emphasized climate’s effect on national character in his *Spirit of the Laws* (1950 [1748]), drawing a direct link between climate and morals, and also citing Hippocrates. Both Buffon and Montesquieu also explicitly focused on the effects on warm weather on sexual activity, arguing that it led to sexual profligacy. When it came to the study of human sexual maturation, Swiss physiologist Albrecht von Haller (1966 [1786]) held that climate affected the age at which humans attained puberty. In his discussion of menstruation in the classic *First Lines of Physiology* he argued that the onset and the quantity of menstrual flow differed from country to country (von Haller, 1966 [1786]: 190). He expounded what came to be termed the latitude theory – the further away from the equator, the higher the age of menarche.

The language of race crystallized many such depictions of human variation in the late 18th and 19th century. The two main visions of racial distinction – monogenist and polygenist – each contained an embedded view of the role of climate. The monogenist consensus, drawing on the work of Buffon and Johann Blumenbach, a German physicist, was that an outward migration of humans occurred from a central node.¹⁴ Polygenists such as Henry Homes (Lord Kames), however, proposed that races had separate origins, with some naturally inferior to others; different races had emerged in different climates, and were uniquely suited to their respective climates. In both monogenist and polygenist understandings of race, climate figured as either an explanatory variable or contextual framing device. The monogenist

understanding featured climate more prominently as an explanation – as the cause of racial degeneration in tropical climates. In the polygenist argument, climate did not modify races; polygenists such as Robert Knox in the 1840s argued that each race was distinctively suited to its own climatic environment (Livingstone, 1984, 1991).

The period 1830–60, with the rise of anthropology's preoccupation with studying the 'races of man' (Smedley, 2007: 2), witnessed a range of somatometric projects that mapped human differences across regions. The age of puberty figured as one among the variety of bodily features that were mapped as indices of racial difference, such as cranial size and facial structure. In particular, one Edinburgh-based medical scholar, John Roberton (1844), surveyed the average age of menarche in varied climatic zones across the 1830s. He approached a number of sources, such as missionaries and doctors, located in British colonies such as India, Jamaica, Antigua, Barbados, Labrador and Corfu, to collect information about the age of menarche. His principal goal in picking regions with tropical, Mediterranean, Arctic climates as a comparison with Britain was to disprove the notion that a warm climate hastened puberty, and instead propound a polygenist vision of immutable differences. The key scaffolding for his argument was the finding that the mean age of menarche was lower in India than in the West Indies, despite being colder than the West Indies. Roberton did not discount the prevalence of differences across regions; he simply argued that it was not climate that caused differences, but rather that 'race', in its polygenist understanding, accounted for them.

In English gynaecological physician Edward Tilt's 1862 classic *On Uterine and Ovarian Inflammation*, one sees the dramatic culmination of scholarship on the relationship between climate and menstruation in a meta-analysis of various surveys of menstruation across world regions. Tilt presented a table listing his results alongside those of other scholars, giving a snapshot of 'the periods of first menstruation of 12,321 women in hot, temperate and cold climates' (Tilt, 1862: 41). He attributed explanatory primacy to climate in producing racial difference, using as key evidence the differences in average age of menstruation across hot, cold and temperate climates. Tilt subdivided his columns along racial lines, noting that 'peculiarities of races' arising from climate crystallized differences in the first age of menstruation. For example, he contrasted the average age of menarche between Mongolian and Swedish people, and also noted that, in his sample, girls overwhelmingly first menstruated in the summer.

With Darwin's elaboration of the concept of natural selection and hereditary adaptation in the 1860s, the relevance of climate to taxonomies of human difference shifted in crucial ways. Darwin's vocabulary of hereditary determinism allowed a more rigid understanding of species distinctions. Whereas climatologists asserted that temperatures produced direct effects on temperament within one or a few generations, the Darwinian view was that racial traits were much more resilient to change, and that, among humans, natural selection could only be observed over millennia.

The idea of hereditary rather than individual adaptation lengthened the time span over which human variations, and, implicitly, racial distinctions, emerged; this time span was considerably longer than that posited by climatic determinists. Although Darwin did make references to climate and civilizational differences in his *Descent of Man*, climate receded from being seen as the primary cause of racial differentiation to serving as one among several environmental features that affected the hereditary adaptation of humans. For instance, by the 1880s, naturalists such as the German Gustav Fritsch (1950 [1881]) argued that human racial differentiation occurred because of adaptations in the deep historical past. The idea of hereditary determinism now insulated the construct of race from the possibility of immediate mutations caused by climate.

This shift in the explanatory apparatus of race had a complex relationship to the changing political and social environment of the North Atlantic world. Intercontinental human movement and relocation was intense in the latter half of the 19th century, because of colonial settlements, pogroms, famines and steamship transportation. The notion that climate could directly alter, and degenerate, European character, served as potential criticism of settler colonialism, migration and imperial expansion. In France, where political thinkers viewed the prospect of racial degeneration in the tropics with great seriousness, a ‘hardened racio-climatic determinism’ emerged (Jennings, 2006: 32) in line with Darwinian thought. Climate remained relevant in that it shaped distinctions between those who peopled the tropics and temperate zones, and even Northern and Southern Europe, but it was seen to cause long-term differences. In this context Darwin’s work cemented the distinctions between tropical and temperate climate (Anderson, 1992). This more resilient notion of race that emerged set to rest any worries that individual members of races would change because of the wide-scale human movement under way.

Climate-based explanations were also challenged from another quarter: those who presented microbes as explanations for disease. Colonizers were centrally concerned with the problem of ill health among their ranks, and studied the causes of disease with increasing closeness. In Britain, the imperative of territorial expansion interacted decisively with the growing confidence of microbiology to produce a more manipulative understanding of how humans related to climate, as geographer David Livingstone (1999) demonstrates. In the final decade of the 19th century, germ theory drew an increasing number of advocates, and the ‘focus on parasitology . . . and the microbic origins of tropical diseases’ shifted the discussion away from ‘older ecological preoccupations’ (Livingstone, 1999: 97). Professionals in the field of tropical medicine began to devalue the role of climate; Livingstone offers as a prime influential figure the decorated Anglo-French medical practitioner Dr Luigi Sambon, who argued in his address to the Royal Geographical Society in London in 1898 that parasitism, rather than climate, stood in the way of European colonization of tropical lands. Corresponding to this shift towards microscopic-level process, scientific

interest shifted from studying the entire organism to its cellular components (Anderson, 1992).

Despite the post-Darwin shift away from climatological effects on individual humans, the idea of climate's relevance to racial difference retained its potency in some quarters. It was particularly influential in French circles, where Lamarck's emphasis on environment was respected (Jennings, 2006; Rabinow, 1989). Jennings observes that practical advice guidebooks and how-to manuals used by French colonizers continued to stress the role climate played in causing disease and degeneration in the tropics (2006: 34). Another key setting in which the climate remained a central category of explanation was human geography. As a science of human–environment relations, geography was foundationally committed to the principle that environmental factors altered human experiences. In the first two decades of the 20th century, leading tracts in the field, such as Ellsworth Huntington's *Civilization and Climate* (1915) and Ellen Semple's *Influences of Geographic Environment* (1911) posited that environment altered human traits as well. Huntington, professor of geography at Yale University and one-time president of the American Association of Geographers, offered parallel maps comparing areas of 'high climatic energy' and 'progress in civilization' (1924: 230–3). Ellen Semple, University of Chicago professor of geography, also mapped the relationship between climate and human character, offering a complex understanding of categories of climate that included proximity to water, high winds and compressed isotherms. Livingstone (1984) attributes this orientation to a revival of Lamarckian doctrines in early Anglo-American 20th-century geography.

Climate also figured most prominently in contexts where sexual practices were studied. Iwan Bloch, often termed the father of sexology, posited a direct link between climate and sexual practices, based on investigations into variations in sexual practices across regions. He reasserted the mid-19th-century view that warm climates hastened sexual development and caused sexual profligacy:

Sensuality, polygamy, extravagant deviation, [all] correspond to the earliness of puberty . . . there can be no doubt that that in the hotter regions of the earth, the normal sex impulse and the abnormal expression of it appear earlier and more intensely as well as more extensively than in the colder regions. (Bloch, 1930: 26)

Writing as a medical professional, Bloch lent respectability to the idea of entrenched and naturalizable differences between sexual practices in different regions of the world.

The League of Nations debates on the age of puberty were held in an era where race science travelled widely under the sign of eugenics. Prominent scientists on both sides of the Atlantic concurred on the Europeanness of certain traits and their desirability. It is not surprising, then, that elaborate understandings of how climate played a role in shaping

European gene pools emerged in this time. Raymond H. Wheeler, a climatologist writing in the 1920s and 1930s, focused on fluctuating climatic cycles and argued that they influenced human history. In his 1943 presidential address to the Kansas Academy of Science, he argued that epochs of increased human creativity coincided with cooler temperatures; that ‘in cooler climates, man is more vigorous, more aggressive, more persistent, stronger physically, larger, braver in battle, healthier, and less prone to sexual indulgence’ (Wheeler, 1943: 33). Although his views were widely contested by others in the US scientific establishment, the confidence of his assertions regarding the link between warm climates and ‘indulgent, passionate and sexy behaviors’ (1943: 45) bespeaks their popular appeal.

If Wheeler’s ideas stand as interesting footnotes in the history of scientific racism, the same cannot be said of prominent manuals of obstetrics and gynaecology in the early 20th century that also circulated the notion that warm climates hastened puberty. Crossen and Crossen’s (1907) *Diseases of Women*, which was re-published in seven editions until 1930, presented ‘as a general rule’ that ‘the colder the climate the later the first menstruation’ (1907: 828). It acknowledged research showing that ‘in some of the northerly tribes menstruation appears as early as in the tropics’ (1907: 828), but broadly maintained that ‘the age at which the first menstruations appears varies in different races and under different environments’, and that climate was the central influential factor (1907: 828). The authoritative tenor of such textbooks enabled the articulation of hierarchies in a language that was ostensibly neutral and authoritative. It is clear from these examples that climatological accounts from the 1920s and 1930s were a prominent, if not dominant, current of race science that carried weight in obstetrics and gynecology circles. It was only in the 1950s that climatological arguments about climate and menarche were overturned, giving greatest importance to nutrition as a factor affecting the age of menarche.¹⁵

The notion that menstruation and sexual maturation occurred earlier in warm climates was popular largely because it was consistent with the broader narrative of the greater sensual proclivity of ‘tropical people’. Early sexual maturity itself was a sign of civilizational backwardness, and late menstruation was equated with modernity. Natural fecundity among flora and fauna in warm climates was equated with moral excess – that ‘people were incapable of appreciating the virtues of restraint and the curbing of sexual appetite’ (Levine, 2007: 20). In the League of Nations anti-trafficking debates of the 1920s and 1930s, the notion that warmer climates hastened sexual development carried a specific charge because its attendant assumption was that warm countries were prone to greater sexual licence and would not enforce stringent regimes of state control of prostitution. Anti-trafficking advocates sought to alter practices of states that either tolerated or licensed prostitution, but they had to do so in terms that accounted for differences in state practice without alienating state representatives. In order to avoid the charge that their own standards were Anglocentric – a very real possibility given that many voluntary organizations carrying out

anti-trafficking were based in Britain – anti-trafficking advocates spoke only vaguely about the civilizational hierarchies that their age standards were based on.¹⁶ Even though many of the voluntary organizations carried out their work under the banner of ‘moral hygiene’, they trod carefully when using the word ‘moral’ in their presentations, and many delegates were at pains to resist the notion that differences in the age of consent and marriage implied differences in the level of morality. The idea that differences in the age of consent were attributable to climatic differences was a much less inflammatory stance. Climate, in other words, served as a gentle means to express the rule of colonial difference.

Given the inherent reductionism of the idea that warm climates led to low ages of consent, there were bound to be examples that did not fit. The most glaring counter-example was the low age of marriage in Britain, 12 years. When questioned about this anomaly, British delegates defensively insisted that ‘this age bore no relation to facts or actual practice.’¹⁷ There were also cases of two climatically similar countries (Belgium and France) holding different ages of consent (France’s was much lower). Yet such counter-examples did not dissuade anti-trafficking advocates from upholding differences rooted in climate. Eleanor Rathbone, a prime voice of a New Feminism focused on social reform in the inter-war years in Britain, for instance argued that whereas the low age of marriage in Britain was not ‘a really serious evil’, in India it needed raising because of the ‘deplorable evils’ it produced.¹⁸ She launched a campaign to raise the age of consent across countries, and at the 1928 Joint Meeting she went on to propose one of the most far-reaching efforts by the League of Nations: of measuring the average age of puberty for each nation. Rathbone did so in the context of devising an effective shared minimum age of marriage and consent across nations. She argued that this age that ‘should not be less than the age of puberty’, and proposed that it should be at least ‘two years later than the average age of puberty in [each] country.’¹⁹ Her premise that a common age of consent could be devised was disputed by other delegates, but her idea that differences in the ‘age of puberty’ across countries could be mapped was not. Indeed it was quite consistent with the demographic imagination of the League’s functionaries. In the next part of the article, I reflect on the biopolitical aims of states and the League of Nations in mapping and legislating sexual readiness.

The Politics of Marking an Age of Consent

Modern states have generated a widespread reliance on legal age markers as a means to organize social and political lives. Age-based markers have defined crucial forms of access and obligations, such as voting, schooling, military service and retirement, apart from sexual relations and marriage. Such age standards have emerged in complex ways – at times forged under pressure from social movements, or decreed by reformist legislators, or in conversation with international conventions. Several age markers for

distinguishing childhood from adulthood were formulated in inter-governmental arenas. A recent legislative history of the Convention on the Rights of the Child (2007) notes that some of the earliest work on defining childhood at an international legal level was carried out by anti-trafficking organizations and the League of Nations. In compiling and discussing the differences between the age of consent in various countries, the organization contributed to the formalization of legal standards for sexual maturation and transitions from childhood.

The modern age of consent typically connotes the age at which a society deems sexual relations acceptable, rather than the age at which a young person has the capacity to have sexual relations. Although puberty – the physiological transition that signals the maturation of reproductive organs – has historically served as a crucial social transition marker, its meaning underwent a significant shift in the early 20th century. Puberty no longer implied readiness for marriage with increased access to post-secondary education and formal work. In many parts of the world in this period, medical authorities pronounced that physiological maturity did not signal intellectual and emotional maturity.²⁰ The age of consent, then, symbolized the threshold marking emotional readiness for marriage. It nonetheless remained tethered to a physiological baseline, an age of puberty.

Age of consent standards were formulated in starkly gender differentiated terms. The age of consent for girls was a far more politically volatile issue than that for boys; the adolescent girl who had passed menarche and was physiologically capable of childbearing, but who was not considered legally an adult, was a source of public anxiety. States, parents and voluntary organizations concertedly depicted the adolescent girl as vulnerable to sexual enticement. Anti-trafficking advocates of the early 20th century were especially alarmist in their narratives of traffickers luring young women/girls. In the anti-trafficking campaigners' view, societies that maintained a high age of consent were more committed to ensuring that young women/girls did not fall prey to traffickers, and were hence more 'morally healthy' societies. Paradoxically, the personal sovereignty of girls had an inverse relationship to the sovereignty of nations, particularly colonized nations (Levine, 2007). Many colonies had lower ages of consent than imperial centres. A low age of consent hastened the sovereignty of girls over their own bodies: girls could exercise legitimate sexual judgement earlier (Tambe, 2009b).

States turned to delineating an age for legitimate sexual activity also because of its biopolitical²¹ implications; calibrating the age of consent could potentially affect birth rate. This goal is consistent with what Foucault (2004) termed the security-oriented apparatus of modern states: states increasingly focused on shaping demographic futures. In colonies such as India, many age of consent campaigns in the 1920s were propelled by imperatives of controlling the quality and quantity of the population by preventing procreation by those who were deemed too young to parent effectively (Whitehead, 1996). Although the League of Nations-sponsored effort

to formulate a unified age of consent was never justified in such explicitly eugenicist terms, several facets of the League's approach were consistent with the demographic imagination of modern states. I turn to this point next.

The League of Nations as a Biopolitical Enterprise

In a review of recent histories of the League of Nations, Susan Pedersen (2007) frames the organization as a harbinger of global governance. She argues that in stabilizing an inter-state system and in inaugurating regimes of cooperation on social and medical problems, the League played an innovative role. This role is receiving a very belated recognition, in her view, because of the post-Second World War tendency to frame the League as a straightforward failure. The League's reach in social arenas such as anti-trafficking, child welfare, obscene publications, was underscored by the array of actors who influenced its measures – actors from women's organizations, public health, moral vigilance and anti-trafficking organizations (Legg, 2009). It is precisely via its engagement with these multiple actors that it inaugurated a biopolitical project that crossed state boundaries: of conceiving populations across the globe as knowable and governable. Anthony Anghie, in a study of the workings of the mandate system, argues that the League of Nations 'collected massive amounts of information from the peripheries, analysing and processing this information' in an effort to construct 'a science by which all societies may be assessed' (2004: 264). Anghie's understanding of how these microprocesses facilitated a networked global dominance is especially relevant when one examines the League of Nations anti-trafficking conventions.

Right from its inception, the anti-trafficking efforts of the League of Nations were also exercises in information collection. Even prior to the 1921 conference, the League sent out a questionnaire to all governments about their measures focused on trafficking, and received 90 replies. In 1923 its expert committee (Special Body of Experts on Traffic in Women and Children) compiled information from 28 countries, drawing on 5000 informants (Berkovitch, 1999: 75–6). For the next decade or so, member countries such as India submitted annual reports which detailed the number of cases of trafficking that police investigated, as well as those encountered by voluntary organizations. In 1929, the League of Nations Assembly directed a more focused enquiry into trafficking in the 'East', which required governments from the Near East, Far East and Middle East (as constituted in that time) to respond to questionnaires enumerating laws, cases of trafficking and broad patterns of recruitment of prostitutes. In 1934, the Advisory Committee undertook an enquiry into the rehabilitation of prostitutes, which involved asking 15 governments and six voluntary associations to 'fill in answers for 50 or more prostitutes...[who were] adult women and nationals of that country'.²² They received 2659 replies

from women in 20 countries, and many of the respondents' narratives formed the text of the 1938 report.

Such surveillance exercises were justified as information-sharing, with the goal of influencing policy changes in various states. They were designed to induce shame in those countries where the age of consent was deemed too low, and instruct them in details of how to raise the age. For instance, in 1923, the expert committee tabulated the changes in laws carried out by a list of countries and then circulated it among all member countries. It was an effective approach: as a consequence of such public shaming through information-sharing, measures to raise the age of consent and marriage were initiated in Italy, France, Estonia and Britain.²³ A slow consensus formed about the principle of raising the age of consent, rather than an imposition of a universalist age standard. The goal of harmonizing a universal age of consent became legitimate in this environment where imperial powers were expected to speak in a tutelary voice. After all, the League did not simply sediment an imperial order; it also reflected a genuine internal contestation of the principles of colonial rule. In its formulation of a mandate system we see a retreat from forms of overt colonial domination towards a relationship focused on protective trusteeship (Callahan, 2004).

This stewardship of many by a few great powers was premised on a naturalization of their authority. Naturalization functioned in two ways in liberal internationalist culture: first, imperial powers were portrayed as natural leaders, but, second, colonies were entitled to not be dominated as a natural right. In this way, imperial authority became more legitimate. In *Birth of Biopolitics*, Foucault (2008 [2004]) unfolds the argument that the category of the 'natural' is a major discursive element of modern governmentality. He notes that political economists from the middle of the 18th century onwards have drawn on the notion of 'laws of nature' to depict ideas about economic phenomena such as labour and capital mobility, and political phenomena such as rights. The market, formerly a site of distributive justice, now 'obeyed and had to obey "natural" that is to say, spontaneous mechanisms' (2008 [2004]: 31). Because markets were now purportedly moored in natural laws, rather than, say, dependent on human wilfulness, construction and contingency, they could become a site of 'veridiction' (2008 [2004]: 32). The state was expected to accede to the power of markets thus naturalized. Individuals and states were also characterized as being endowed with natural traits and rights. The individual was seen to be born with natural rights, and states were presumed to bear a natural sovereignty and right to self-determination.

The League of Nations debates and proposals were based on the principle of this latter understanding of states: they inaugurate a modality of inter-government relations based not on the principle of the absolute power of the imperial powers, but on a mutual respect for the natural sovereignty of nations. The mandate and protectorate system mark a shift from treating colonies as subjugated possessions. Colonies and former colonies, in turn, had to earn this newly bestowed sovereignty through a display of

civilizational adequacy. Enlightened laws on sexual consent were an index of this adequacy. Most imperial countries upheld their own high age of consent, while denigrating low ages of consent in colonies. At a time when colonies were calling for greater sovereignty through new kinds of relationships to imperial centres (such as mandates and protectorates), campaigns focused on the status of women reasserted the moral authority of imperial centres.

Hierarchies between nations were thus rendered in naturalized terms. The category of climate played a key role in naturalizing national differences, as has been argued throughout this article. Climatology rendered hierarchies between nations to be inevitable truths. This regime of truth was further elaborated through the language of demography. The Trafficking Committee's information collection reflected a certain awe about the promise of demographic sciences. Eleanor Rathbone, for example, proposed to arrive at a minimum age of marriage and consent through a process of calculation. She suggested that states could take on the goal of recording the age at which puberty occurred across their respective populations, and then compute an average that served as an unvarying national index upon which a law could be formulated. This proposal of course presumed a high degree of medical surveillance of populations, in expecting that the sexual maturation of every body could be recorded. Variations in sexual maturation that were a consequence of other factors, such as nutrition and genetic predispositions, were now mappable, and contained, through the language of national differences, using the single parsimonious axis of climate. Climate thus provided the unproblematic grid upon which hierarchies were mapped, and then social reformist projects were mounted.

Conclusion

A considerable corpus of scholarship on gender, empire and nationalism demonstrates that matters related to sexuality have played a crucial role in articulating power hierarchies between groups (Levine, 2002; Parker et al., 1992; Stoler, 2002). In the 1920s, the approach of countries to prostitution, and specifically the minimum age for prostitution and marriage, became a criterion for ascertaining their relative moral health and, implicitly, their civilizational adequacy. Although the League of Nations' anti-trafficking efforts set out to coordinate policies across countries, its proceedings staged contests between competing imperialist nationalisms. Its infrastructure also developed across the inter-war years as a concerted biopolitical project, seeking to map the age of marriage, consent and even puberty in the name of ameliorating moral health. This new enterprise, premised on a liberal gesture towards the equivalence of nations, was nonetheless rife with attempts to establish tacit hierarchies between nations. In this setting, climate emerged as a common way to index national differences in sexual practices. The use of climate drew on a scientifically dubious mode of articulating human variation in the race sciences. Even if dominant

understandings of race in the 1920s did not centre upon climate, in circles such as obstetrics and gynaecology, much importance was still attributed to variations in temperature as an explanation for the timing of menarche. My recounting of this history of the category of climate in race science illustrates the uneven commerce between natural science, and practitioners' and folk conceptions. The reference to climate at the League of Nations, although somewhat anachronistic, was useful because it reduced the potency of the charge that a society was itself immoral by offering an uncomplicated explanation that absolved state representatives. Because of climate's moorings in the realm of the irrefutably natural, it rendered hierarchies between nations more explicable. Finally, climate was a category that could be readily mapped and deployed for demographic ends in the incipient biopolitical projects of the League of Nations.

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Notes

1. Home Department 1922 Judicial 58/22, 'League of Nations: International Conference on Traffic in Women and Children', 11. See also Home Department 1922 Judicial 58/22, 'Report on the International Conference on the Traffic in Women and Children, by Edwardes, ICS (retired) and Delegate for the Government of India.' National Archives of India, New Delhi.
2. I use the term 'prostitution' rather than the more contemporary terms 'sex work' or 'commercial sex' in order to remain faithful to 1920s discourses.
3. The broader goal of anti-trafficking activists was to nullify the notion of women/girls consenting to prostitution. For a detailed exploration of this point, see Haag (1999).
4. Home Department 1922 Judicial 58/22, 'Report on the International Conference on the Traffic in Women and Children, by Edwardes, ICS (retired) and Delegate for the Government of India.' National Archives of India, New Delhi.
5. Home Department 1922, Judicial 58/22, Office Memo No. 1144-A.C., 19. National Archives of India, New Delhi.
6. Home Department 1922, Judicial 58/22, Office Memo No. 1144-A.C., 19. National Archives of India, New Delhi.
7. See remarks of Mr Posner (Poland), in Advisory Committee for the Protection of the Welfare of Children and Young People, Third Meeting, 26 March 1926 (C.264.M.103, p. 12). UN Documents Archive, Robarts Library, University of Toronto.

8. See remarks of Mr Bourgeois (France) in Advisory Committee for the Protection of the Welfare of Children and Young People, Third Meeting, 26 March 1926 (C.264.M.103, p. 13). UN Documents Archive, Robarts Library, University of Toronto. The French and Polish delegates drew attention to issues of climatic difference for differing reasons. French delegates had, from the start of the conference, articulated the view that age of consent was a delicate matter on which it did not seek to lay down the law in its colonies. The Polish delegate, in turn, sought to distance the context of Poland, where the age of consent was low, from those of countries of the 'East'.

9. See remarks of Count Carton de Wiart (Belgium), Advisory Commission for the Protection and Welfare of Children and Young People: Joint Meeting Traffic in Women and Children Committee and the Child Welfare Committee, 20 April 1927 (C.338.M.113.1927IV, p. 60). UN Documents Archive, Robarts Library, University of Toronto.

10. See remarks of Mr Martin (France), Advisory Commission for the Protection and Welfare of Children and Young People: Joint Meeting Traffic in Women and Children Committee and the Child Welfare Committee, 20 April 1927 (C.338.M.113.1927IV, p. 62). UN Documents Archive, Robarts Library, University of Toronto.

11. See remarks of Mr Rollet, Joint Meeting of the Traffic in Women and Children Committee and Child Welfare Committee, 19 March 1928 (C.195.M.63.1928IV, p. 48). UN Documents Archive, Robarts Library, University of Toronto.

12. See remarks of Professor Conti (Italy), Advisory Commission for the Protection and Welfare of Children and Young People: Joint Meeting Traffic in Women and Children Committee and the Child Welfare Committee, 2–9 April 1930, p. 37. UN Documents Archive, Robarts Library, University of Toronto.

13. I should clarify that this view was not restricted to the 1920s. A recent review of childhood in world history also uncritically states that tropical heat causes 'early' puberty (see Stearns, 2006). At the same time, current work in nutritional studies proposes that the more important factor in explaining age of puberty is nutrition; indeed, in many tropical countries, poor nutrition delays puberty (see Bharati and Bharati, 1997; Goyal, 1994).

14. The work of Buffon contributed vitally to such an understanding of race, with all humans seen a single species that had undergone changes in various regions of the earth through the influence of climate. German physician Johann Blumenbach's division of humankind into five varieties associated with regions of the world (Caucasian, Mongolian, Ethiopian, American and Malay) best expressed this understanding of race; he held that the latter four were degenerated versions of the first, with climate, food and habits accounting for the degeneration.

15. It is a sign of the popularity of such arguments in gynaecology that they were used as a foil by so many researchers in newly independent India. In the 1950s, Indian researchers explicitly sought to refute the link between climate and age of menstruation: Shah (1958) and Peters and Shrikhande (1957) published articles explicitly countering Fluhmann's (1956) published claim that the age of menarche was an index of the degree of civilization of countries. They marshalled data

demonstrating that average age of menarche in Indian contexts approached that generally assumed to be common in Europe, 13 and 14 years. Such research on the age of menarche, part of the incipient current of population and fertility research in the 1950s, was strongly motivated to refute racialized assumptions about early Indian puberty.

16. See remarks of Miss Rathbone, Minutes of Joint Meeting of the Traffic in Women and Children Committee and the Child Welfare Committee, 19 March 1928 (C.195.M.63.1929IV, p. 49). UN Documents Archive, Robarts Library, University of Toronto.

17. See remarks of Mr Maxwell (British Empire), Minutes of Meeting of the Advisory Commission for the Protection and Welfare of Children and Young People, 26 March 1926 (C.264.M.103.19IV, p. 14). UN Documents Archive, Robarts Library, University of Toronto.

18. See remarks of Miss Rathbone, Minutes of Joint Meeting of the Traffic in Women and Children Committee and the Child Welfare Committee, 19 March 1928 (C.195.M.63.1929IV, p. 49). UN Documents Archive, Robarts Library, University of Toronto.

19. See remarks of Miss Rathbone, Minutes of Joint Meeting of the Traffic in Women and Children Committee and the Child Welfare Committee, 19 March 1928 (C.195.M.63.1929IV, p. 50). UN Documents Archive, Robarts Library, University of Toronto.

20. On the broad shifts in the 20th century, see Phil Mizen's *The Changing State of Youth* (2004). For an example of an early 20th-century psychological tract on adolescence, see Hall, *Adolescence: Its Psychology and its Relations to Physiology, Anthropology, Sociology, Sex, Crime, Religion and Education*, vol. 2 (1924 [1904]).

21. By biopolitical states, I mean states that derive power from managing the health and life of their populations. Foucault encapsulated the concept of biopolitics in Part 5 of *History of Sexuality*, vol. 1 (1979); his lectures at the Collège de France (2004, 2007) develop it further.

22. See Enquiry into Measures of Rehabilitation of Prostitutes, Advisory Committee on Social Questions (C.218.M120.1938.IV. p. 7). UN Documents Archive, Robarts Library, University of Toronto.

23. See Minutes of Joint Meeting of the Traffic in Women and Children Committee and the Child Welfare Committee, 19 March 1928 (C.195.M.63.1929IV, p. 50). UN Documents Archive, Robarts Library, University of Toronto.

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