

## INTRODUCTION

The term American mythology may ring strange to our ears. It might strike some as downright contradictory, an oxymoron. We are used to myths but associate them with the religion and superstitions of ancient pagan civilizations. It was all right for the Greeks to have their myths about the gods of Mount Olympus, about Zeus and Hera, about Hermes and Hercules. It fact is was quite fascinating. Similarly if the Romans wanted to believe all about Romulus and Remus being suckled by a she wolf before they rose up to be the founders of their city, their "eternal city", that was all right but we were above such things. But are we? As we shall see much of accepted American history as believed by the masses is frequently the stuff of popular myths and legends. We will seek to explode some of these and uncover the actual facts that historically transpired.

The United States is not the only country to have generated myths in its history. It seems that nations just naturally develop legends about certain historic occurrences. It seems that people just love to transmute historical fact into cherished myths of heroic proportions. Take the history of France for example. They have a great myth about the storming of the Bastille, an infamous prison in the city of Paris. The myth has a heroic band of citizens, in the revolution of 1789, storming this citadel and symbol of oppression and freeing a host of political prisoners whose only crime was to speak up against the tyranny of the "*ancien regime*". They are so attached to this legend that they still celebrate it today, every July fourteenth, on "Bastille Day". But in fact the prison was no longer in use anymore, it was but lightly guarded, and there were virtually no prisoners left in its infamous dungeons. But it seems to many to be a shame to let the facts interfere with such heroic legends and the myth rules in spite of reality. Similarly in England they celebrate "Guy Fawkes Day" and the overthrow of the "Gunpowder Plot". This was a plot by some disaffected English Catholics to destroy the entire Protestant establishment and restore Catholicism in England. They determined to blow up the Houses of Parliament when the King came with his privy council to open parliament. In the ensuing power vacuum they hoped to seize control. There was little danger of this ever coming to pass. The conspirators were very few, had no army, and had virtually no support among the people. But most significantly the enterprise had been infiltrated by royal spies almost from the beginning and was never in a position to actually carry out anything of danger to the government. Actually the government carefully nurtured the conspiracy to see how many would be caught in its net. At one point the conspirators were on the verge of abandoning the project. The tunnel they were digging from a rented house adjacent to parliament was flooding with water from the nearby Thames River. Gunpowder works best when its dry. So the government conveniently arranged to let them rent rooms in the cellars of the House of Lords to keep the enterprise afloat. When the plot had matured Guy Fawkes, the man who was to actually fire the barrels of gunpowder was arrested and tortured. The rest of the conspirators were then rounded up and those who didn't die resisting arrest were publicly executed. But the myth continues of this great plot that threatened the nation and England's deliverance from this sinister and deadly plot is still celebrated annually. Even so America has her myths and legends and we will be studying some of them in the pages of this book.

This book was written to be interesting. It is intended to make history be a little more fascinating than the dry journals of the scholar and in the process to entertain the reader. I hope that I have succeeded in that. But there is also a more important aspect to this exercise in uncovering the legends of our republic. As the famed historian Santayana once said, "*Those who will not learn the*

*lessons of history are condemned to repeat them".* If we as a people don't get the facts straight we might have to relearn some expensive lessons, lessons that are forebearers have already bought and paid for. The lessons are free so let's enjoy the class.

## CHAPTER ONE

### 1492?

When was America discovered? By whom was America discovered? The answer to most people is intuitively obvious. America was discovered by Christopher Columbus of course and in 1492. After all what schoolchild didn't have the little rhyme drilled into them,

*"In 1492*

*Columbus sailed the ocean blue"*

But things are not always as simple as they appear. First of all we all we have to define what we really mean by the question. At the risk of sounding Clintonesque we have to have to carefully parse the words of the question. We have to know what question we are really asking. First of all what do we mean by America? Do we mean all the Americas? There are three of them: North America, Central America, and South America. Do we mean the entire Western hemisphere which would include all the islands off the coasts of the Americas? Or do we just mean America, that is the territory that now comprises the United States of America? Depending on how we define America the historical answer to our original question will have significantly different answers. Then what do we mean by who. Do we mean anyone? Or do we mean just white men? Do we mean just Europeans? And if so do we mean the first representatives of Western civilization or just anyone from the continent of Europe? Again we need to exactly understand the question that is being asked.

The original discoverers of America, however we define that, were not Europeans. And when they discovered it we can only guess. As men spread out from the cradle of civilization in the Middle East eventually they came to the Americas but when we do not know. It was undoubtedly after the ice age and thousands of years B.C. And now we are really in the realm of myths and legends. Did they cross over on a once existing land bridge from Asia? The existence of such a land bridge is itself mere speculation. Did they cross the Pacific Ocean in boats? Thor Heyerdahl proved that it could be done on his famous balsa wood raft called the Kon-Tiki. However they managed it, come they did, and there were plenty of natives to greet Columbus. These were the descendants of the real discoverers of America. Did these original Americans cross the central Pacific and first populate South and Central America? Or did they cross the Bering Strait and first arrive at Alaska? We don't know; perhaps both occurred. The most mature and developed civilizations of the native Americans were all in South and Central America. The Incas of Peru, the Mayas of the Yucatan, and the Aztecs of the Valley of Mexico were technologically and culturally far advanced over the North American tribes. Does this mean that these were older civilizations and therefore were settled first? Whatever, they had Columbus beat, not by years or decades, but by millennia!

But what do we see if we take the question the way it has generally been understood as the first Europeans to discover America? Again Columbus comes out the loser and this time by centuries, by about half a millennium. The honor of being the first Europeans to discover and settle the Americas belongs to the Northmen, those proud and bold warriors and sailors we know as the Vikings. In the year 874 A.D. they settled Iceland. And a mere two years later an Icelandic Viking named Gunnbjorn was carried by a storm to the coasts of Greenland where he and his crew were forced to spend the winter. They were the first to discover and land on Greenland. Now Greenland

is part of the Americas. A brief look at the globe will confirm that it is clearly part of the North American landmass. So strictly speaking Gunnbjorn is literally the first European to discover one of the Americas. In 876, over six centuries before Columbus, he wintered in North America. But the cold, barren, inhospitable wastes of Greenland were not exactly a winter resort even by Viking standards and Gunnbjorn's accidental discovery was almost forgotten. But a century later another Icelandic Viking, Eric the Red, was outlawed for killing a man in a brawl. Needing a place to spend his exile he determined to search for the land discovered by Gunnbjorn. In 983 he set out with some followers, rediscovered Greenland, explored its coasts for three years and made a settlement there. Somehow he managed to find a long deep fjord with grassy meadows and gave this barren island its name of Greenland. A few years later in 986 Bjarni, the son of Herjulf, one of Eric's original followers, was on his way from Iceland to visit his father in Greenland. He missed Greenland and wound up on a strange coast. Instead of mountains, fjords and glaciers he saw only wooded hills. He had reached the mainland of North America, probably some part of the coast of Labrador. Without anymore caveats America had now definitely been discovered by a European. But this Norse saga of Viking adventurers goes on. Leif Ericson, the son of Eric the Red, heard of Bjarni's voyage. In the year 1000 he sailed west to find this new land and struck the coast of Labrador or Newfoundland and explored it as far south as probably Nova Scotia. Regular voyages were now made to this new land and a permanent settlement established that they called Vinland because of the profusion of wild grapes. This fact and other descriptions of their colony place it at least as far south as the southern portion of Nova Scotia and more likely in Massachusetts Bay. Even the Pilgrims weren't necessarily the first Europeans in Massachusetts it seems!

But let us return to Columbus. Christopher Columbus, sailing in the service of Spain made a total of four voyages to the New World. In the first two, sailing in the years 1492 and again in 1493, he merely explored some of the islands of the Caribbean. He founded a temporary settlement at La Navidad on the island of Hispaniola because after the Pinta deserted and the Santa Maria was shipwrecked he had insufficient room in the Nina to carry everyone home to Spain. When he returned on his second voyage this settlement was in ruins with no survivors and he founded a new one up the coast named Isabella after his patron the Queen of Spain. In 1498 he made a third voyage discovering Trinidad and the mouth of the Orinoco River on the Venezuelan coast of South America. This was Columbus' first view of the mainland of the Americas, but he didn't land there. When he returned to Isabella there had been a rebellion in the settlement and Columbus was falsely accused, arrested, and returned to Spain in chains. There he was finally vindicated and returned to the New World in 1502 on his final voyage. On this voyage he explored the coast of Central America from Honduras to Panama and tried to start a settlement in the latter. This was the first time that Columbus had actually set foot on the mainland of the American continents. He was subsequently shipwrecked on Jamaica, rescued a year later and finally made it back to Spain in 1504. His voyages having turned no immediate profits and his settlements wracked with dissensions and rebellion, and having failed to find any of the fabled riches of the Orient he died in poverty and sickness in 1506.

In the meantime other explorations were also going on fueled by the news of Columbus' discoveries. King Henry VII of England retained a Venetian sailor, John Cabot, to lead an expedition to the New World. He was instructed to sail in the northerly latitudes to avoid conflicts with Spain. Following these instructions he sailed west in 1497 until he arrived on what was probably the coast of Labrador. There he landed on June 24, 1497 and planted the standards of England and Venice, claiming the land for the King of England. He explored the coast southward perhaps as far as present day Nova Scotia. The next year they sailed again. His son Sebastian

Cabot is in charge and John Cabot is never heard of again. Whether he accompanied Sebastian and died on the voyage is uncertain. But again they arrive on the shores of Labrador, further north this time, and explore southward along the American coast as far as Chesapeake Bay. Although little is known of these voyages they are very significant. John Cabot saw the mainland of the Americas before Christopher Columbus did. Him and his son landed on the mainland of the Americas before Columbus did. They explored the coasts and claimed the territory of North America before Columbus even knew it existed. These were significant achievements and became the basis for England's claim to North America, a claim that ultimately prevailed.

What then is the importance of Columbus? If he was not the original discoverer of the Americas, if he was not the first European to discover and settle the Americas, if he was not even the first modern European to set foot on the mainland of the Americas, what did he actually accomplish? It is not what he personally accomplished but in the consequences of his accomplishments that we have to see the greatness of Columbus. The civilizations of the Incas and the Mayas are long gone. The Viking settlements in America are now only a matter of historical and archaeological interest. But Spanish is spoken from Mexico to Tierra Del Fuego because of Columbus' discoveries. His vision and courage changed the whole world. In his day men thought that the earth was flat. They trembled at the thoughts of sailing off the end of the world, at the thought of great sea monsters and other horrors of the great deep. The world abounded in such myths and legends and Columbus' voyages shattered them. He broke the ice and paved the way for those who followed. It is success that is remembered and although he died in poverty and discouragement his voyages led to the successful development of the New World. Columbus is to the exploration of the New World what Luther is to the Great Protestant Reformation. There had been others before Luther who had preached similar doctrines. And there had been many before him who had called for similar reforms in the church. But they had all failed. They had died in obscurity and in hiding from the Inquisition. Some like Wycliffe in England and especially Huss in Bohemia had some success only to see it crushed by persecution. But Luther's message took hold and forever changed Europe. Similarly Columbus was not the first but his discoveries changed the world.

The historic myth, the conventional wisdom of generations, that Columbus discovered America has been crumbling of late. In the past decade we have had public commemorations of the one thousandth anniversary since the landing of the Vikings and the five hundredth year since the sailing of Columbus. These were marked by replicas of Viking ships and of Columbus' ships duplicating their voyages and visiting ports here in America. Columbus was not chronologically first. But he was first in the consequences of his voyages and we can remember him for that.

## CHAPTER TWO

### PLYMOUTH ROCK

Having settled the issue of when and by whom America was discovered we now progress to the question of when was America founded? And then the natural corollary to that question, why was America founded? The traditional answers are again a little shaky. These answers are only too familiar. They conjure up images of stalwart pilgrims stepping ashore at Plymouth Rock in 1620. They have come to found a new settlement in the New World, to found a New England. And the reason that they have come is so that they might have religious liberty. But as with the myth of Columbus as the discoverer of the New World there are a lot of holes in this myth as well. First of all was Plymouth really the first permanent settlement in what is now the United States of America? Secondly was Plymouth even the first English speaking settlement in the United States? And finally did the Pilgrims come to these shores in pursuit of religious liberty? The answer to all these questions is no.

The first European settlement in the territory of what is now the United States was in 1546. A group of Dominican friars tried to found a missionary settlement in Florida but were massacred by Indians in 1549. Another attempt was made but was narrowly rescued from a similar fate in 1561 and the settlement was disbanded. In 1562 a party of French Huguenots (The Huguenots were French Calvinists who were periodically persecuted by the Catholic government because of their faith) founded a settlement at Port Royal on the coast of what is now South Carolina. It too failed due to starvation and the remnants tried to sail back to France in a homemade boat. Out of food and water in the middle of the ocean they were captured by an English ship and taken to London. The next year in 1564 a new Huguenot colony was established at the mouth of the St. John's river in the northern coast of Florida. They called their settlement Fort Caroline. When the Spanish government heard of this they sent a large expedition to destroy this colony and establish a Spanish one. They arrived at Fort Caroline just when a strong French squadron was there to resupply the colony and decided not to attack. Instead the Spaniards went down the coast and founded a settlement at what is now St. Augustine. Thus in 1565 was founded the first permanent European settlement in America and St. Augustine is still proud of the fact that it is the oldest city in the United States. There was not much else to be proud of though. The Spaniards later returned and massacred the all the inhabitants, men, women, and children, at Fort Caroline. This was not only done because the French were considered trespassers on land claimed by Spain but preeminently because they were considered Protestant heretics. The French squadron meanwhile was sailing down the coast in search of the Spanish and was shipwrecked on the coast in a storm. The first group of survivors, several hundred men, ran into the Spanish as they marched up the coast. Being offered generous terms if they surrendered and without ships to return to France they capitulated. When the French prisoners were safely tied up and all secure they were slaughtered in cold blood to the last man. A few days later another French party, the remains of the shipwrecked squadron arrived at the same spot and the same grisly charade was reenacted. Thus the all the Frenchmen, about nine hundred souls, perished by such Spanish treachery. However this tragic tale does not end here. A Gascon nobleman from the south of France, incensed at these Spanish deeds, has vengeance on his mind. He sells his estates and personally raises the funds to equip a squadron of ships with soldiers and sails in August of 1567. Landing north of St. Augustine hundreds of mistreated Indians flock to his aid. Together they surprise the Spanish fort and wipe out the garrison and the settlement is destroyed down to the last beam and brick. A few survivors are taken to the

ruins of Fort Caroline. There on a number of trees the final survivors of the Spanish massacre had been hung with a sign on them "*Not as Frenchmen but as heretics*". On these same trees the Spanish survivors are now hung with a sign, "*Not as Spaniards but as liars and murderers*". His countrymen avenged Dominique DeGourges sails back to France. And two years later, Menendez, the Spanish commander responsible for all these massacres, returns from Spain and rebuilds St. Augustine. Such is the dramatic and poetic history of the first European settlements in America!

But let us advance now to the first English settlements in America. Here again the Pilgrims are found to be latecomers. In July of 1584 two English vessels explore the coast of present day North Carolina, but to the English part of the territory of Virginia, named after their Queen, Elizabeth I, the Virgin Queen. Returning in 1585 with settlers they found a colony on Roanoke Island. Later that year, starving and discouraged, they return to England with Sir Francis Drake, that intrepid explorer, pirate, and freebooter, who had stopped by to visit the colony on his way home from the West Indies. When Sir Richard Grenville shows up with the supply ships for the colony he finds the place deserted. He leaves 15 men to hold the place and maintain England's claim to the territory and sails back to England. When a new colonizing expedition arrives the following year in July of 1587 there is no trace of these men. A new colony is formed at the north end of Roanoke Island and named Raleigh City after their benefactor Sir Walter Raleigh. In this settlement the first English-American is born, the granddaughter of the governor, and appropriately named Virginia Dare.

Governor White of the Roanoke colony returns to England in the fall of 1587 planning to return the following spring with supplies for the settlement. But England is threatened with a Spanish invasion and has no time for colonies. All her naval heroes, Drake, Hawkins, Raleigh, Grenville, and company are busy preparing the defenses of the homeland. In the fall of 1588 the Spanish Armada, the greatest naval undertaking that the world had ever seen, sails to obtain the subjugation of England and the extirpation of Protestantism. By the courage, skill, and tenacity of the British seadogs and the providence of wind, waves, and storm the Armada is defeated and England is delivered from Spain and the Inquisition. Finally in 1590 an expedition arrives to visit the long neglected colony but they find the settlement deserted without a trace of the over one hundred settlers last seen in 1587. That generous and noble soul, Sir Walter Raleigh, sent out up to five subsequent expeditions attempting to discover what happened to his countrymen but to no avail. Their fate remains one of the great mysteries of American history. And on that mysterious note ends the first chapter in England's attempts to colonize North America.

But what of the first permanent English speaking settlement, might the Pilgrims have a claim there? No, even by this standard the Pilgrims remain latecomers. On December 19, 1606, fourteen years before they graced Plymouth Rock with their presence, another expedition sailed from England to establish a colony in Virginia. Again they sail for Roanoke but as they approach it a storm sweeps them north into the sheltering confines of Chesapeake Bay. This expedition has a remarkable young man aboard who is to distinguish himself in the founding of America. His name is Captain John Smith. However he doesn't have an auspicious start as he arrives in chains. During the long voyage a lot of the men proved to be a discontent and mutinous lot. Frequently it was his swift action and forceful presence that kept things from getting out of hand. However this alienated all the malcontents on the one side and all the aristocratic gentlemen on the other. They felt upstaged by this commoner and soon he was arrested and confined on trumped up charges. He was still in chains when they sailed up the Powhatan River and renamed it the James River for their King under whose patent they sailed. After exploring the river for several weeks they found an

ideal site for a settlement and on May 13, 1607 they founded Jamestown, the first permanent English speaking colony in North America. The leaders of the expedition had planned to hold Smith until he could be sent back to England for trial. How he could be tried in England in the absence of any witnesses was never explained. However Smith's patience had run out and demanding his rights as a free Englishman he insisted on an immediate trial. The settlers now realizing the absolute necessity of having a leader with the courage and resourcefulness of Smith speedily acquitted him. His subsequent explorations, adventures with the Indians, and how his life became intertwined with that of the Indian princess Pocahontas is the stuff of which legends are made. For years Smith was the bulwark of the colony from dissension, envy, incompetence, and from mutiny within and from Indian massacre without. But one thing is definite, without Smith's courage and resourcefulness Jamestown would have countless times been included in the long list of failed colonies in the Americas. He can truly be credited for his part in laying the foundations for the great American Republic.

And now we come to the final question before of why was America founded? Was America founded as a refuge from the religious persecution of the Old World? Was America founded in a search for religious liberty? If America was founded on the shores of the James River in Virginia then the answer is clearly no. The colonists there may have been a rude and corrupt lot but they were not dissenters from the Church of England. The party included an Anglican minister and a church was built and services held according to the rules and rituals of the established church. Their motivations were the typical ones of the day; dreams of gold, easy riches, fabulous mines, and the discovery of the long sought passage to the Pacific and the wealth of the Orient. But what of the Pilgrims themselves and of their motivation for journeying to the New World? Were they actually motivated by a quest for religious liberty or did they have other reasons for their trek into the wilds of North America?

Although England was a Protestant nation there was as yet no religious liberty. What latitude of religious belief that was tolerated was confined within the limits of the Church of England. This ran the gamut from high church ritualistic Anglicans with their love of pomp and ceremony to the Puritans so named because of their desire for purity and simplicity of worship. King James I leaned towards the former and harassed the latter. The Puritans are a much maligned and misunderstood group in history. Contrary to popular opinion they were not named Puritans because of any extreme "purity" of life and asceticism nor were they the prudes, like the later Victorians, that they have been pictured as. They smoked their pipes, drank their beer, had a healthy attitude toward sex, within marriage of course, and sought to enjoy life. But they were committed to purity in the church and were disgusted with the Anglican rituals that they considered to be the left over dregs of Romish superstition and idolatry. However they believed in an established church and not in religious liberty and they remained in the Anglican communion hoping to reform it from within. But persecution or not it was only a matter of time until some of these Puritans would give up on the church and leave it so that they could worship God according to their consciences. Such Puritans were termed Separatists.

By 1581 the first separatist congregations had been formed. Information is necessarily sketchy because these churches were illegal and constituted an "underground" church. In 1592 a separatist congregation in London was founded. It was broken up by the authorities and the minister arrested but most of the congregation escaped to the Amsterdam in the Netherlands where there was religious liberty. A few years later in 1595 another separatist congregation was formed in the home

of elder William Brewster who came to fame later in the Plymouth colony. In the general persecution of all non-conformists with the established church they decided to flee to the Netherlands. This was not as easy as it sounds. It was just as illegal to leave the country as it was to worship outside the established church and it took them three tries before they escaped. On the first attempt in 1607 they were betrayed, arrested, all their goods confiscated, and themselves imprisoned. After their release another attempt was made in March of 1608. A few succeeded but the greater part were attacked on the beach while awaiting their turn to embark. Most of the men managed to escape but the poor women and children were harassed and persecuted to no end until they were finally released. Ultimately on the third try they were successful and arrived safely in Amsterdam in August of 1608. Here they lived in peace and prosperity for almost ten years the church relocating to Leyden in 1609. But after a decade in the Netherlands they grew discontent. They were Englishmen and missed their homeland. Their children were being assimilated into the Dutch culture and would soon cease to remember their heritage as Englishmen. And the truce with Spain in the Netherlands' "Eighty Year War" of independence was running out and they feared a renewal of war and the threat of Spanish invasion with its attendant horrors including the Inquisition. They determined to leave the Netherlands and entered into negotiations with the Virginia Company to volunteer as settlers in the New World. It was a good marriage for a marriage of convenience. The Company needed settlers, but who would leave kith and kin with the comforts of England to go and live in a strange wilderness? The Pilgrims would make excellent settlers and were far superior to the rabble that had been the curse of the settlement at Jamestown. The settlers wanted to remain Englishmen but remain outside the Church of England. They strove hard to win acceptance of this point from the Company and to obtain assurances of religious liberty. It is important to note that such assurances were denied them. The King explicitly refused to grant them any leave to depart from the law of the realm in matters of religion. The best they were able to obtain is that if they outwardly conformed and conducted themselves as good Englishmen and good Anglicans they would not be molested. In other words they had a wink and a nod to be Puritans but not to be Separatists. When they left the Netherlands to return to England and sail on the Mayflower to the New World they were leaving religious liberty behind. Ahead of them lay not only the terrors and privations of the North American wilderness but the threat that at anytime a fickle king and the harsh authorities could renew their persecutions for their faith. Indeed it took a lot of faith and hope in God's good providence for them to step onto the decks of the Mayflower in 1620.

And there is more to this story. The Dutch government already had a colony at New Amsterdam on the island of Manhattan and were not particularly pleased at the thought of a new English colony being established nearby. They made an offer to the Pilgrims. If they would go to America and settle there under the sponsorship of the Dutch government they would be granted full religious liberty. And not only that but all their needs would be supplied and all their expenses paid by the Dutch government. By contrast the Pilgrims were required to pay all their own expenses for the voyage and the settlement according to their agreement with the Virginia Company. Having sold all their possessions and raised all the money they could the Pilgrims were still far short of the required funds. The merchants then drove an onerous bargain and compelled them to sell themselves for seven years as indentured servants and to surrender title to their lands and homes at the end of that time. After much prayer and fasting, the Pilgrims, between a rock and a hard place, already back in England and subject to renewed arrest and persecution at anytime, and pressed for a decision or the agreement would be forfeit, submitted to these new demands. Again it is important to note that the Pilgrims turned down an offer of religious liberty and full financial support to go to the New World as poverty stricken indentured servants with neither civil nor religious liberty. Why did they not accept the Dutch offer? Because they wanted to remain Englishmen. They wanted to

preserve their heritage and tradition, their language and culture as Englishmen. And they were willing to pay a high price to do so. They obtained what they most desired, to live again as Englishmen. They trusted to God and to their distance of three thousand miles from the authorities in England to work out the rest.

None of this is intended in the slightest to disparage the Pilgrims or their unique contribution to the founding of America. As a band of godly men and women their stature rises far above the motley band assembled in Jamestown. And the quiet fortitude of plain people living out their convictions in incredible adversity overshadows even the heroism of an adventurer like Captain John Smith. But the impartial verdict of history is that they were not first. Virginia is not called the "*Old Dominion*" for nothing. A century and a half later both were prominent in the founding of the United States of America. And the "*Old Dominion*" was not just first but it was also foremost in the early life of the new nation. The revolutionary armies were led by a Virginian, George Washington, who went on to become the first President of the young republic. The final victory of that war was won in Yorktown, on Virginian soil. In fact four of the first five Presidents; Washington, Jefferson, Madison, and Monroe, were all Virginians. We can admire the Pilgrims for what they were and for what they did. But our respect for them should not be based on popular myths but should be founded on an accurate understanding of when and why they came these shores.

## CHAPTER THREE

### AMERICAN MASSACRES?

The word "massacre" evokes very specific images. One brings to mind scenes of crowds of innocent people being wantonly butchered. One thinks of cruel and despotic commanders instructing vicious soldiers to spare none but to exterminate their helpless victims. This is supported by the dictionary definition of the word which defines massacre as "*1. the unnecessary, indiscriminate killing of a large number of human beings... 2. a general slaughter of persons...*". The natural response of a just and compassionate human heart to tales of massacre is extreme outrage, an outrage that will not rest until recompense and justice have been done. The following are three tales of "massacre" in American history. We will review the facts and see how well the shoe fits.

#### **The Massacre At Fort William Henry:**

Of the three examples we have culled from the American experience this is the one that most closely qualifies as an actual massacre. But because of the misconceptions and exaggerations that have traditionally been associated with it I have chosen it along with the others. There were actually three separate "massacres" that occurred with the fall of the fort to the French and their Indian allies. We will look at all three although it is the third one that generally in view in the historical record.

Fort William Henry stood the southern end of Lake George in what is now upstate New York. It was a key for guarding the traditional invasion route from Canada by way of Lake Champlain. As the northernmost English fort on this frontier it was the most exposed and would be the first to be attacked in case of war. In 1757, during the French and Indian Wars, it was awaiting just that eventuality. In August of that year the French General, Marquis de Montcalm, arrived before the fort with an army of about eight thousand men including almost two thousand Indian allies. These Indians were from over thirty different tribes. They came from Maine and Nova Scotia in the East, from Ontario and Quebec the heartland of French Canada, and from as far away as Michigan, Illinois, Wisconsin, and Iowa in the West. They ranged from "Christian" Indians led by Roman Catholic priests to uninhibited savages who killed and ate their victims in cannibalistic orgies that shocked their French comrades in arms. And they all came with a lust for plunder, scalps, and firewater that even Montcalm acknowledged would be nigh impossible to restrain in the heat of battle.

The siege was brief and lasted only six days. Montcalm had a superior train of artillery and he soon silenced the main guns of the fort and proceeded to systematically reduce its defenses to rubble. His entrenchments crept closer and closer and at the reduced ranges his heavy guns made further resistance futile. Colonel Munro, the commanding officer, had a total of twenty-two hundred men. He had already lost three hundred men in the siege and small-pox was raging in the fort and the hospital was overflowing with the sick. The walls had been breached and an assault was imminent. When Montcalm offered him generous terms he agreed to surrender.

The siege, the artillery bombardment, and the epidemic of smallpox had been horror enough but now the real terror was to start. The afternoon of the capitulation of the fort the garrison marched out the gates to the nearby entrenched encampment East of the fort. There they would spend the night before marching in the morning to Fort Edward, the nearest English fort about fifteen miles away on the Hudson River. In the fort they left those in the sick bay who were too sick and weak to make the trip to Fort Edward. No sooner had they evacuated the fort than Indians slipped into the breaches of the walls and started looting. They appear to have gotten into the fort's remaining stores of rum and in a demonic, alcoholic frenzy they quickly slaughtered all the sick and wounded before anyone really knew what was happening. How many died in this first "massacre" is not known but it may have been as high as several dozen. The tragedy of Fort William Henry was starting to unfold.

During the night the French Canadian militias detailed to secure the English camp failed, either out of fear or indifference, to restrain the Indians who individually wandered in and out of the camp looking for loot. The English spent a terrible and fearful night in awe of Indian terror but nothing happened. Then early in the morning as they and the French sentries prepared to march out tragedy struck again. There were seventeen men being left behind as too sick to move. They too were promptly slaughtered by the Indians.

Now we come to the third and final act of this sorry episode. As they were marching out away from the fort individual Indians began seizing items of clothing, looting whatever they could, and taking prisoners. Then all of a sudden the war whoop sounded and the savage onslaught became general. By the time Montcalm and his officers restored order many had been slain and hundreds taken captive. This is the "massacre" that has come down to us as the infamous "massacre of Fort William Henry". We now need to examine the actual proportions of this "massacre" and see if it lives up its reputation. There were originally twenty-two hundred men in the fort. If we include soldier's wives and other camp followers the population of the fort and the encampment was probably over twenty-five hundred. At the time of the surrender there were over three hundred dead and wounded plus those who had died of the smallpox. That still leaves well over two thousand persons. Only the extreme cases of sickness and injury would have been left to the French. These probably were less than fifty and the first ones to be slaughtered by the Indians. Another seventeen sick and wounded were slaughtered in the encampment. The number of persons who perished in the main "massacre" is not accurately known. Estimates have ranged from fifty to as high as fifteen hundred. The latter figure is absurd and the result of the gross exaggerations that these deeds tend to undergo. Indeed from the start the word raced through the colonies of a huge French army that had captured the fort and then after the surrender slaughtered the prisoners. The former figure is more realistic. French sources on the scene estimated the dead from the column at about forty to fifty. English scouts who subsequently examined the site estimated the dead at over one hundred but they probably included the bodies of all three "massacres". It thus appears that the persons killed in the main episode were likely less than one hundred. One reason that it may have appeared to be much higher was that the Indians took a high number of captives. This was their custom as they could take English prisoners to Montreal and obtain a bounty for them from the French. They took between six and seven hundred captives. But over four hundred of these were liberated by Montcalm and his officers. Those not liberated were about two hundred who were brought to Montreal and were there ransomed from the Indians. Unfortunately some of the ransom paid was in the form of rum and the alcohol crazed Indians murdered some more of their captives in Montreal in plain view of the shocked French. But almost all of them were returned. So of the over two thousand persons surrendered less than one hundred were killed in what became known as the

massacre of Fort William Henry. Had Montcalm taken them prisoner probably many more hundreds would have died. The odds of surviving very long in an eighteenth century prisoner of war camp were not very high. Rather than his malice consigning hundreds to a merciless death as the legend goes his generosity actually kept most of them alive.

Not only has this "massacre" thus been greatly exaggerated but the French in general and the Marquis de Montcalm have been accused of complicity in these crimes. While it is true that some of the French, particularly the French Canadian militias, seemed indifferent to the plight of the English, the record of Montcalm and his staff to prevent these outrages seems impeccable. A recent movie, "The Last Of The Mohicans", based on a historical novel of those times, perpetuates this charge by insinuating that Montcalm gave a wink and a nod to his Indian allies to destroy his English enemies after the surrender. To clear up these allegations I submit the following evidence.

Montcalm took the following actions to attempt to avert this tragedy. As the fort was doomed from the beginning he earnestly urged Colonel Munro to surrender immediately before the blood lust of the Indians was ignited by battle. Before the surrender was consummated with Colonel Munro he gathered all the Indian chiefs. He gained their consent to accept the English surrender, their consent to the specific terms of the surrender, and their pledged word to restrain their young warriors from violating its accords. He advised Colonel Munro to destroy all the stores of rum in the fort before evacuating as he knew the effects that liquor had on the Indians, advice that was not properly acted on. It seems that he himself strictly enforced the rule in his own camp that the Indians not be permitted to have any liquor in an attempt to keep the Indians under control. When they started looting the entrenched camp he personally came and used all his influence to restrain the Indians. Afraid for what might ensue on the next day when the English would leave the entrenched camp and march to Fort Edward under his protection he arranged for two chiefs from each tribe to accompany the procession and ensure that order was maintained. He posted a guard around the entrenched camp to protect them until the next day when they were to be escorted safely to Fort Edward. When the attack on the column started the next day as soon as he heard the Indian war whoops in his camp he quickly gathered his officers and as many men as he could and immediately ran to the site of the depredations. There he and his officers personally interposed themselves, attempting by threats and promises, to restrain the Indians in their frenzy. That this was not all that effectual does not deny the sincerity of the effort. Many of the Indians were taking prisoners which they hoped to sell for ransom in Montreal. When they saw Montcalm using his authority to release the prisoners many of them tomahawked their prisoners so they wouldn't have to yield them up. He did recover over four hundred such captives and then saw that all were conducted to Fort Edward by his regulars protected by a wall of bayonets from any further Indian depredations. His main failing was to trust the French Canadian militias for the task of protecting the English. It was a task they carried out with callous indifference and at which they failed miserably. Montcalm made a serious mistake in judgment and perhaps he should have known better. But he did correct that mistake by using his French regulars to shepherd the survivors to Fort Edward, or a general massacre might still have taken place.

So the myth of a great massacre of defenseless prisoners carried out by the French through their Indian allies is just that, a myth. The fall of the fort and the terror and horrors that followed are tragic enough without elevating them to mythic proportions. The courage of Colonel Munro who was deserted by General Webb at Fort Edward who refused to come to his aid; the generosity and chivalry of the Marquis de Montcalm and the humanity of his terms of surrender; the heroism of the

men who fought there and defended their hearth and homes ought not to be overshadowed by the barbarity of some of Montcalm's Indian allies. Even in the darkest hours of mans history we ought to be thankful that there are still things of which we can justly be proud. And as a final note in God's providence justice was done on the Indians who were guilty of these barbarous crimes. The ones who invaded the fort and "massacred" the sick, and the ones who dug up the fresh graves in the fort's cemetary to obtain more scalps, became infected with the smallpox. They carried this infection back with them to their villages and in the resulting ravages of that plague they paid a dear price for their violation of the laws of God and man.

## **2. The Boston Massacre**

When I first heard of the "Boston Massacre" my imagination painted a vivid scene of British redcoats indiscriminately slaughtering a gathering of colonial citizens that refused to disperse by repeated volleys of musket fire. When I read the actual historical account I found it such an anticlimax I couldn't believe that that was all there was to it. The facts are basically as follows.

In 1768 because of the constant conflict between the royal governor and the Massachusetts assembly, and because violence was threatened and had been carried out against those who would implement and enforce the hated tax laws, the governor requested British troops to control the city of Boston. Some of these were, contrary to law and in spite of repeated protests, quartered in the city. This began a long and enduring conflict between the soldiers and the citizens. The citizens had a great advantage in their absolute mastery of the law from which they knew how to wring every advantage to the detriment of the soldiers. When they originally occupied the town the soldiers carried sword and musket but no shot and powder was issued. The citizens therefore considered them harmless and baited them ceaselessly. The soldiers, especially of the twenty-ninth regiment, were a licentious, rude, and arrogant lot. The citizens made complaints to the local magistrates for their tiniest infractions of the law and the magistrates were only too happy to respond. The soldiers were disgusted and frustrated and their officers had a hard time keeping their men out of jail. As conditions worsened the soldiers were issued shot and powder against the possibility of further extremities. But the citizens, knowing that an order from a magistrate was required to authorize their firing on the people, continued to provoke and taunt them to their limits.

After two years of this confrontation one can only begin to imagine the situation in Boston. A modern day equivalent that we have had regularly displayed on our television screens would be the Palestinian "intifada". The citizens of Boston were reacting to the British army of occupation in much the same way as the Palestinian people reacted to the Israeli army of occupation. Soldiers were insulted, taunted, challenged, and on occasion pelted with stones and engaged with fists and clubs. The slightest incident would bring a militant crowd to assist their fellow citizens and taunt the soldiers with their legal restraint and impotence. The soldiers longed to exact a bloody vengeance on the citizens. The town was a tinder box and in March of 1770 the spark was applied. On Friday, March 2, 1770 a soldier asked for work at Gray's rope walk. In coarse language he was scornfully rejected. He challenged them to a fight and one of them accepted and beat him up. He returned with several companions and they were beaten up. He then returned with a larger group of soldiers with clubs and cutlasses and they were driven off. Cooler heads prevailed and that ended it. The soldiers returned to their barracks to lick their wounds and plan their revenge. On Saturday, the use of firearms being denied them, they prepared clubs etc. for a renewed confrontation on Monday. And on Monday night they went out prowling for citizens on whom to exact their revenge. But as

they sought confrontations things escalated out of control as other bands of soldiers were roused out to help them and these were armed with firearms. As the citizens taunted them, pressed them, and dared them to fire they lost control. As the crowd pressed in and hit one of the soldiers with a stick, Preston, the officer in charge lost his head and ordered the eight armed soldiers with him to fire. Two men were killed immediately. And as the crowd attempted to disperse the firing continued until seven of the eight had discharged their weapons. By then a total of three were dead and eight were wounded. Such was the "Boston Massacre".

At the sound of the firing men ran from all quarters to the scene and seeing the bodies were ready to exact a bloody retribution on the soldiers then and there. The soldiers whose pent up fury had finally been unleashed were more than ready to continue the fighting. But fortunately wiser heads prevailed and the rule of law was invoked. As the soldiers had fired unlawfully the citizens repaired to the magistrates and Preston and his men were placed under arrest. In the ensuing trial, out of respect for the rule of law, the defenders were represented by some of the best lawyers in Boston: John Adams and Josiah Quincy. Preston was acquitted because in the dark and confusion it could not be proven beyond a doubt that he had been the one to give the order to fire. Two of the soldiers were convicted of manslaughter by convincing eyewitness testimony. Of the remaining six it was known that all but one had fired. But since it could not be proven which ones had fired all six were acquitted rather than convict one innocent man. And so the saga, which had started with reckless street violence, ended lawfully and judiciously in a court of law to the credit of the city of Boston.

Now whatever we may think of this unfortunate and tragic incident it hardly qualifies as a "massacre". None of this is to belittle the citizen's righteous anger at having British soldiers quartered among them. But the soldiers were surrounded by a menacing and angry crowd. They were surrounded by the very people who had taunted and provoked them to the legal limit day after day. This was not a premeditated massacre in cold blood. Neither was it an uncontrolled massacre by soldiers run amuck. Rather the situation was a tinder box requiring only a spark to set things off. The citizens of Boston were playing brinkmanship with the king's soldiers and deliberately pushing them right up to the limit. They were counting on the soldiers or at least their officers to clearly recognize and enforce those limits. They miscalculated and the results were the "Boston Massacre".

### **3. Custer's Last Stand**

One of the most famous battles fought on American soil is the Battle of the Little Bighorn fought on June 25, 1876. It is also known as Custer's last stand as he and the portion of his command that was with him all died in a desperate stand against an overwhelming force of Sioux and Cheyenne warriors. George Armstrong Custer was already a national hero before he led the United States Seventh Cavalry in the Indian wars of the west. He had been the youngest general in the War Between the States and a favorite commander of General Sheridan. But now in the reduced peace time army he was only a lieutenant colonel and opportunities for military glory and quick promotion in rank were fast disappearing, facts that give the only explanation for his reckless actions on that fateful day. The historical events unfolded as follows.

The reservation Sioux had left the reserves and joined their untamed brethren further west. They were incensed at the efforts of the United States government to break a prior treaty and dispossess them of the Black Hills which they considered sacred. The United States Army was sent out to

locate them and seek to return them to the Indian reservations. There was no state of war with these tribes and it was the United States Government that had precipitated the breach. The master plan of the army was to have a three columns converge on where the Indians were suspected to be. Custer was to come up from the South, avoid the Indians, and swing around and past them so as to inhibit their fleeing from the army as the other columns arrived. But it would not be as simple as the army planned. The threat from the whites had produced some rare unity among the western tribes and a super encampment consisting not only of several clans of the Sioux but also of Cheyennes, Blackfeet, etc. was forming. Unknown to the Americans a nest of angry Indians with a force of almost two thousand warriors was now gathering on the plains of Wyoming and Montana.

The late morning of June 25th Custer's scouts discovered the Indian encampment on the Little Bighorn. Fearful that he had been discovered and of the Indians getting away he abandoned his instructions and recklessly ordered an immediate attack. Now the army had already divided its forces into three columns and was risking being defeated in detail hence the order for Custer to avoid the Indians and communicate with his superior before engaging the "enemy". Now Custer compounded that error and divided his command, the Seventh Cavalry consisting of about 700 troopers, into three parties. Captain Benteen was sent South to scout upstream. Major Reno was sent West across the Little Bighorn to attack the encampment directly. And Custer himself with 5 companies totalling 210 troopers rode North to attack the rear of the mega-village. Reno attacked but soon encountered overwhelming opposition and retreated back across the river with heavy losses. As he was retreating Custer attacked further downstream. He never made it across the river. Foolishly he had again divided his command just as he came under attack from the warriors freed up by Reno's retreat. Custer sent for Benteen to join him but the latter never came. The two disparate portions of his command fought their way north until they were united again on the final battlefield where they were all to die. There on the bluffs overlooking the river they were being cut down left and right. Crazy Horse the famed Sioux war chief led a charge that again split Custer's command in two. There on those bluffs they made their land stand and were cut down to the last man except for those who fled to the river and died in hopeless flight. And so ended the epic of the Little Bighorn. Reno and Benteen reunited and held on for another day until the approach of another army column caused the Indians to melt away again into the vast western wilderness.

Because Custer's portion of his divided command was killed to the last man this battle has been called a "massacre". But is this justified? This was not an indiscriminate slaughter of helpless men. This was a battle. These men were soldiers. They were soldiers engaged in an attack. They were a military force engaged in the act of attacking a peaceful village. They were slaughtered to the last man because they fought to the last man. We have other examples in history of men who fought to the last man and sold their lives dearly. But these heroic battles are not generally termed "massacres". The Battle of Thermopylae comes to mind. Here Leonidas and his three hundred Spartans stood alone against the hordes of Persia. They held on as long as they could and bought time for the Greek City States to prepare their defenses. They died to the last man. But this has never been termed a massacre. They slew many more of the enemy and compelled the Persians to pay a high price for their death. Even so there was no "massacre" on the Little Bighorn that day.

But could there have been a true massacre on the Little Bighorn that fateful day. The answer is definitely yes. Custer had planned to employ his usual tactic of a dawn attack as soon as he discovered the whereabouts of Sitting Bull's encampment. The troopers would gallop into the sleeping village with sabres drawn and carbines cocked. Catching the sleeping village by surprise

they would pour a heavy fire into the tipis, knock them over, and shoot down or hack to death the fleeing women and children and the unarmed warriors. This standard tactic would result in what could be genuinely termed a massacre. Only because he feared that his presence had been discovered and that the Indians would flee did Custer forego this strategy and instead opt for an immediate attack by daylight. And for that reason alone the confrontation on the Little Bighorn became a battle instead of a massacre. As it was Major Reno's scouts and troopers initial attack on the Hunkpapa village had all the makings of the beginnings of a massacre. They fired indiscriminately into the tipis killing women and children. Gall, one of the Hunkpapa Sioux chiefs and a close associate of Sitting Bull, had both his wives and his three children killed in the initial volleys of the troopers. It is important to understand this. The soldiers were on the offensive. The Indians were on the defensive. The soldiers were attacking and attempting to carry out a massacre of the Indians. The Indians were counterattacking in defense of their families. In this light we can see that the idea of the Indians "massacring" Custer and his troops is totally absurd. The soldiers with Custer were all killed. But they died fighting; they died with their boots on. They died as professional soldiers carrying out their orders and not as helpless victims of cruel savages. They were not massacred!

After the battle Custer became more of a national hero than ever. He was lionized as the heroic Indian fighter protecting the nation from the hordes of savages still loose on the western plains. The army was immediately increased in size to deal with the perceived threat to the nation's security. Political pressure to deal with the Indian menace once and for all rose to a crescendo. By his death Custer had dealt a blow to the Indian tribes of the western plains that he never could have in life. The Sioux were to learn, as other tribes had before, that the killing of a prominent white leader, no matter how justified, spelled doom for their people. Actually had he survived the battle Custer might well have been court martialed for his reckless actions and his disregard of the specific orders of his commanding officers. Today with the advent of multiculturalism there has been a lot of revisionism in American history and the treatment of the Indians in the historical record has vastly improved. But for almost a century the myth of the heroic Custer and his last stand at the Little Bighorn dominated the folklore of the old west. Hopefully it can now finally be laid to rest.

## CHAPTER FOUR

### REMEMBER THE ALAMO

"Remember the Alamo" became a battle cry in American history. It was on the lips of the Sam Houston's army when they defeated the Mexican's under Santa Anna at the Battle of San Jacinto winning independence for Texas. A decade later it was on the lips of the American army during the Mexican War. What was there about the battle of the Alamo that inspired it's use as a battle cry? Considered in the scope of history it would seem but a minor action involving less than two hundred Texan and American volunteers. The answer is in that there were no survivors. This was not only because the garrison chose to fight to the last man with no thought of surrender. It was also because Santa Anna, the Mexican commander at the scene decreed that it should be so. He had issued orders of no quarter to his troops before the battle. It is this issue that has made him infamous in history and has inspired "Remember the Alamo" as a battle cry for all those who would avenge the brave garrison of that beleaguered fort. But things are rarely as simple as they seem and justification for such use of this historic and dramatic phrase is debatable. Let us review some fascinating history to get to the bottom of this issue.

Texas was a large but scarcely populated state of the nation of Mexico. The Mexican government was nervous about its right to all this desirable but unused land being challenged by its aggressive and expanding neighbor on the north, the United States. In the 1820's they decided to promote the population of this territory so it would be less attractive to covetous eyes. But the only source of a quick influx of settlers was unfortunately for Mexico, also from the United States. To attract these settlers the Mexican government offered very generous terms. For only thirty dollars a family could obtain over four thousand acres of prime land. The conditions were simple and reasonable. The settlers had to swear allegiance as Mexican citizens, they had to commit to being at least nominally Catholics, and they were exempt from taxes for ten years. Attracted by such a great deal and by promoters such as Stephen Austin they swarmed into Texas by the thousands. Things seemed great but this honeymoon period didn't last.

By 1830 the Mexican government was becoming concerned. Americans made up the bulk of the population of Texas and they were proving to be a poor lot as citizens. They were engaged in wholesale smuggling in violation of the Mexican customs laws and depriving the government of almost the only source of income from the state during the tax free period. They were introducing their slaves into the territory although slavery was illegal in Mexico, and they openly flaunted the religious requirements. To add to the government's concern the American government was talking about purchasing Texas and hinting that if it wasn't for sale they just might take it anyhow. The government stopped all American immigration and started to enforce the laws with respect to slavery and the import duties. The settlers were enraged.

Then in 1832 things changed again. There was a revolution in Mexico bringing a military dictator, Santa Anna to power. At first his hold on power was somewhat tenuous so he appeased the settlers granting them a two year moratorium on import duties and leaving them pretty much alone. But after two years when he had consolidated his power he started to enforce the laws on the settlers. Again the settlers were enraged. By this time they seemed to view smuggling as a constitutionally protected activity. But the settlers now had an additional grievance that totally

changed the equation. They had entered Mexico under the republican constitution of 1824. Mexico was a federal republic and each state had its own state representative assembly as they were used to in the United States. Texas, as undeveloped territory, was not a state as yet. They were represented through the assembly in Monclova in the state of Coahuila. They had long wanted to acquire statehood and have their own state legislature. They had always assumed when the population grew enough that that would be granted them. But in 1834 Santa Anna scrapped the constitution, dissolved all the state assemblies, and centralized all the power in Mexico city. Now the Texans were doubly enraged, especially when Santa Anna threw Stephen Austin in jail for petitioning on their behalf. Texans, Anglos and Mexican alike, began to rise in defense of their constitutional rights as Mexican citizens. So far they were still within the terms of the oath that they had so recently sworn but soon the more radical of the settlers began to call for total independence from Mexico.

The Texans seized most of the more prominent towns including San Antonio de Bexar where they drove out the Mexican General Cos. This was a disgrace that Santa Anna was determined to personally avenge and he marched on San Antonio with an army. He arrived there on February 23, 1836 with 2400 men. The settlers had fortified an old mission across the river from the town called the Alamo. It was garrisoned mostly by some of the hundreds of American volunteers that had come flocking to assist their brethren in Texas. The siege of the Alamo lasted less than two weeks and the garrison of 183 died to the last man. It is this fact that has made the Alamo the epic and the historical drama that it has become. It is this fact that made "Remember the Alamo" such an effective battle cry. Why were there no survivors among the combatants at the Alamo?

Santa Anna had put down resistance to his rule in some of the other Mexican states. But these were foreigners and their defiance galled him. To him Mexican sovereignty was at stake. He had determined to take a hard line. When his army entered the town they immediately ran a blood red flag from the tower of the San Fernando church in the town. The message was clear, there would be no quarter. The Alamo answered with a cannon shot. There was however some parleying. Both Bowie and Travis, the dual commanders in the fort, sent their own envoys to negotiate with the Mexicans. Bowie's arrived first. He was told that if they surrendered their lives would be spared. Travis's spoke to a different Mexican General and obtained a slightly better offer; their lives and their property would be spared if they surrendered. But the fort had no intention of surrendering and the die was cast. There was no surrender and there were no survivors.

The key to understanding all this is to understand Santa Anna himself as well as the legal implications of the military situation. Under the laws of war as they applied in Mexico Santa Anna had some justification for his position. The laws of warfare stated that if a castle or fort was in a hopeless position it had to surrender. If it refused to do so the garrison would be put to the sword. In practice what this meant is that if the place was taken by storm then the garrison could be executed to the last man. This sounds barbaric to us but there was a very practical reason for it and that reason was to save lives. Without such a rule every fort, no matter how hopeless its situation, would force a storm. They would sell the place dearly and when they had exacted a heavy price in blood from the attackers would surrender as soon as the walls were breached. The attacking force would lose hundreds or maybe even thousands of soldiers and the besieged almost none as they had conveniently surrendered as soon as they became vulnerable. But under this law the besieged had to carefully weigh the odds and if they were against them they would be well advised to surrender. Surrender would bring the same result but avoid a lot of mutual bloodshed. This law was not

changed until late in the Napoleonic Wars during the peninsular campaign in Spain. The British commander at the time, The Duke of Wellington, bitterly protested the change. He stated that it would cause the unnecessary death of at least ten thousand of his men. But Mexico was not a signatory to this convention revising the rules of war. And we have to understand Santa Anna himself. He was thoroughly Napoleonic. He styled himself the Napoleon of the West. His army was outfitted in uniforms that mimicked Napoleon's legions. His soldiers were armed with ancient smooth-bore muskets of Waterloo vintage purchased as French Army surplus. (The riflemen in the Alamo by contrast were armed with Kentucky rifles that were accurate and deadly at two hundred yards to the amazement of the Mexicans.) Everything about Santa Anna and his army was old fashioned and Napoleonic including its laws of warfare. Santa Anna's flag was a warning to the garrison of the Alamo that further resistance would mean their annihilation.

There are a lot of what ifs with respect to the Alamo. What if later in the siege they had surrendered? Strictly speaking if they had, anytime before the place was stormed, they should have been granted their lives. But they never surrendered and we will never know for sure what Santa Anna would have done. The die was cast and the defenders hopeless as their situation was exacted a terrible price from Santa Anna for his victory. Of his army of 2400 he considered only 1800 fit for service. With these on March 6, 1836 the Alamo was stormed. The storming of the Alamo lasted only one and a half hours but it was a terrible and desperate struggle. Of these 1800 men he lost 600 men killed (200) and wounded (400). And of course there were no survivors on the other side. But neither is there any record that any of the garrison tried to surrender. So actually the whole issue of the garrison being put to the sword became academic. They all chose to fight to the death. If no quarter was given neither was any quarter asked. The men of the Alamo fought with incredible bravery. They believed in their cause, Texas independence, and died for it. The Mexicans also fought with great bravery and determination. Any army that takes a thirty-three percent casualty rate in a little over an hour and is still on the field desperately fighting is not made of cowards.

What can we say in conclusion except that a lot of brave men died. Did they die in vain? The men in the Alamo were buying time for their compatriots to organize an effective army to liberate Texas. They bought thirteen days and at the Battle of San Jacinto it proved to be enough. Even more so in that the way they died they gave their compatriots a rallying cry, a battle cry, that carried them to victory. Had they surrendered on the twelfth day and saved their lives would Texas still have won its independence? We will never know. On the Mexican side the soldiers of Santa Anna's army were fighting for their national honor. To have bands of foreigners (Remember the garrison of the Alamo was chiefly American volunteers and not Texan settlers) take over parts of their country was intolerable. This is what sustained them as they came under the murderous fire of those Kentucky rifles. They seemed to have died in vain. This is not because of their later disastrous defeat by Sam Houston at San Jacinto. But rather this was because of the perception that later swept through the United States that Santa Anna was a barbaric dictator. That he was a murderous man who had denied the garrison any quarter and had consigned them all to death. And thus "Remember the Alamo" became a national cry as Mexican honor and esteem sunk to a new low. But as we have seen it is not that simple. The demonizing myths about Santa Anna don't always fit. It is true that there is little to admire in the man. But at the Alamo everybody understood the rules and everybody accepted it that way.

## CHAPTER FIVE

### THE GREAT WESTERN MYTH

The enduring great myth of the old west is the myth of the fast draw. This is the myth that time and time again the good guys and the bad guys, the outlaws and the lawmen, settled their differences by facing off and seeing who had the fastest draw. This alleged practice of the old west is memorialized almost everywhere. Hollywood has seized upon it and it has provided the climax of many a western movie. It has provided high drama in such epic films as Gray Cooper in "*High Noon*" and Glenn Ford in "*The Fastest Gun Alive*". And in one of the most enduring television western programs, James Arness as Marshall Matt Dillon in "*Gunsmoke*" routinely maintained law and order by outdrawing the villain and thus maintaining law, order, and justice. Marty Robbins, a star of country and western music, sang about it in his album "*Gunfighter Ballads and Trail Songs*" with such hits as "*Big Iron*" where the Texas Ranger outdraws Outlaw Red in a dramatic duel in the street. No matter where we turn we are confronted with this image as the classic icon of the wild west. And today we still see little children and even their parents awed by wild west shows where fast draw artists blaze away at speeds that would have awed Hickok, Hardin, and company. This is potent stuff and has provided gripping entertainment for generations of Americans. The problem is it is all a myth. It never happened in real life!

This fast draw legend is intimately associated with the concept of dueling. In fact the fast draw is just that, the western version of the duel. It is the western version of the ancient concept of trial by combat. Like Ivanhoe of old the western hero goes out with his colt Peacemaker on his hip and openly challenges the villain to draw. Let the best man win and of course as the legend plays out on the screen the righteous always prevail over the wicked in these western morality plays. The legend also implies that there is an understood and accepted code that governs exactly how this duel is to be carried out. It is considered bad form to get the drop on someone unawares. It's just not sporting. And it is the height of depravity to gun someone down in ambush or forbid the thought shoot someone in the back. What is required is to boldly and bravely confront him in broad daylight and to issue the challenge. Both parties are to have every opportunity to standup and face off. Bystanders are to have an opportunity to run for cover. Ideally they walk out into the street and settle it all there as men, indeed as men of honor. And even the reprobate villains are expected to comply with this code. And all are expected to accept the challenge or be branded as infamous cowards. Such is the popular conception of the fast draw duel of the old west. We shall see it never really happened that way, even once!

Let us examine the lives of some of the most notorious desperadoes and gunslingers of the old west. Let us see if we can find any evidence of their having ever engaged in such a duel. I will start with the life of William Bonney better known as "Billy the Kid". Like most of the lives of such dubious "heroes" of the old west it is hard to separate fact from fiction, truth from legend. But we will grant the benefit of the doubt and examine all his alleged kills. In the first killing attributed to him he is said to have knifed a man in the back in a barroom brawl, hardly the stuff of the noble legends that the west abounds with. During the Lincoln County, New Mexico, cattle wars Tunstall his benefactor was arrested and murdered by a posse. When an opposing posse captured some of the murderers Billy is said to have shot the unarmed prisoners in cold blood. Next Billy set up an ambush in town and gunned down the Sheriff and one of his deputies. They never knew what hit them. Again hardly what we would call a duel according to the mythical code of honor of the old

west. Subsequently there was a three day gun battle between the opposing parties with both holed up in houses across the street from each other. Billy's side was burned out and he is credited for gunning down a man in the dark as they fled the burning building. Fleeing this defeat he is said to have killed the government clerk at the Mescalero Indian Reservation who caught him stealing some horses. Much later we find Billy in a saloon. He meets Joe Grant who has been drinking too much and brags that he has come up from Texas to rid the town of Billy the Kid. Billy pretends to admire Grant's 45 and asks to examine it. He cunningly spins it to an empty chamber and returns it. Later when the shooting starts Joe's gun misfires and Billy's does not and Joe is killed. Finally Billy is cornered and compelled to surrender. He is under constant watch by two deputies in the courthouse in Lincoln. Somehow Billy gets hold of a gun and kills the deputy on watch. When the other deputy comes running across the street Billy cuts him down with a double barreled shotgun. These were his last killings before he himself was finally gunned down by Sheriff Pat Garrett. Those who live by the sword die by the sword and Billy died as he himself had dealt death to others. He was shot in the dark by a man he never saw until it was too late. Now some of these killings are well documented and some are rather dubious. But in either case there is never the slightest evidence that Billy the Kid, one of the most famous gunfighters of the old west, ever engaged in the mythical fast draw duel that we have been so indoctrinated in. Billy the Kid was a cold blooded killer who would have scorned such notions of an honorable duel and a fair fight. And even the lawman Pat Garrett didn't hesitate to pull the trigger when he finally had Billy in his sights. He had two deputies to avenge and besides Billy had a pistol in his hand and cutting him some slack in the name of some mythical concept of fairness was probably a synonym for suicide.

The most famous and the most dangerous and skillful gunfighter Texas ever produced was John Wesley Hardin. His parents must have had better hopes for him naming him after the great Methodist evangelist but all Wes was ever good at was gambling and killing. The first killing attributed to him was of a big negro bully who attacked him with a club. Either he didn't know Wes was armed or he must have thought that he could intimidate a mere boy for Wes shot him dead when he was only fifteen. Wes considered it self defense but it was during reconstruction and mistrusting Yankee justice he fled and began a long career of crime. There follows a long record, dubiously documented, of Yankee soldiers and deputy sheriffs that Wes allegedly killed when they sought to bring him in. He winds up in Abilene, Kansas when Wild Bill Hickok was town Marshall. He flees town after killing a man in a saloon fight for saying he doesn't like Texans. Later he flees Abilene a second time after killing a prowler in his hotel room. Back in Texas he kills a Negro policeman and wounds another who were attempting to collect the bounty that was on his head by now. After recovering from wounds sustained in a gambling argument he shows up in DeWitt County, Texas and gets involved in the famous Sutton-Taylor feud. A sheriff's deputy harassing Wes in a saloon tries to pull a gun on him. Wes draws his own pistol and kills him. Wes then kills the Sheriff with a shotgun during some supposed peace negotiations. A more interesting account, and more typical of gunplay in the old west, occurred when Sheriff Charlie Webb of Brown County, Texas tried to bring Hardin in. When Webb came to town Wes heard about it and went to confront him to see if he was after him. Webb denied that he was and when Hardin was turning away started to draw on him. A friend warned Wes who quickly side stepped out of the line of fire, drew his own gun, and fired killing the sheriff. This was alleged as Hardin's fortieth career kill in the exaggerated accounts of the day. Lieutenant John B. Armstrong of the Texas Rangers finally tracked Hardin down in Florida and arrested him. He was seized by surprise on a train. There is no record that Lieutenant Armstrong was foolish enough to offer to settle their respective fates by a fast draw duel. Hardin was convicted of second degree murder and spent sixteen years in Huntsville prison. He studied law in prison and on his release set up a law practice in El Paso.

There he got in a feud with a pair of policemen, father and son, both named John Selman. As the threats escalated Hardin started to practice his gunplay again but to no avail. Old John Selman shot him in the back of the head while he was gambling in a saloon. He died like he lived in a scene reminiscent of the killing of Hickok. But nowhere in his long and bloody life is there any hint of his participating in gunplay that remotely resembled the mythical fast draw duel of the old west.

Jesse James is another prime example. Unlike the others we have reviewed Jesse was not just another gambling, drinking, fighting gunslinger. Jesse was a professional bank robber. He and his gang are credited with robbing about seventeen banks and trains. Jesse was never bound by any mythical code of honor. He would shoot a lawman in his way anyday, front, back, or sideways, as long as he killed him. Jesse started off his career riding with the notorious Quantrill in the Missouri border wars. Being young and unbearded he would dress up as a girl and be used as a decoy with a broken down wagon. When some Yankee soldiers came by and stopped to assist a maiden in distress they would be ambushed and killed to a man. Little more needs to be said about Jesse's sense of honor and chivalry. Jesse was nothing more than a career criminal and a cold blooded killer. But he was a wizard with a colt. Once after a robbery when the gang was mounting up outside a cashier ran out of the bank giving the alarm. Jesse is said to have shot him dead, with a single bullet through the heart, cutting down a running man from a rearing horse. These men were gunfighters and gun handlers par excellence. But there is no evidence that any of them were fast draw artists and they certainly never offered to duel it out with the law in the street in an even fight. They would have considered that madness.

And what of the lawmen of the old west, were they any different? We have already seen how Pat Garrett killed Billy the Kid. Let's examine the career of one of the most famous of the lawmen of the old west. Wyatt Earp. Earp was one of the most celebrated town tammers of the west bringing at least some measure of law and order to towns overrun with reckless cowboys, cheating gamblers, robbers, and outlaws. He did stints in Ellsworth, Wichita, and Dodge City, all in Kansas. Mainly he kept the peace without resorting to firearms. In Ellsworth there is no record of any shooting incidents. In Wichita there is only one. Some cowboys got a young eighteen year old cowboy drunk and persuaded him to try to kill Earp. He actually got the drop on Earp but couldn't kill him in cold blood. He offered the Marshall a chance to draw and Earp put a bullet in his arm ending the incident. In Dodge city a wild cowboy rode into town and emptied his pistol at Earp standing on the sidewalk. Firing from a bucking horse he missed but Earp shot him out of the saddle on his third try. The cowboy later died of his wounds, the only man Wyatt ever killed in Dodge City, the wildest of the cowtowns. Earp was also involved in what is probably the most celebrated gunfight in the old west, the gunfight at the O.K. Corral in Tombstone, Arizona. And it probably comes the closest to fitting the bill for a gun duel, close but still no cigar. There had long been bad blood between a group of outlaws protected by John Behan, the county sheriff, and Earp and his brothers who were the law enforcement in town. On October 26, 1881 a group of five outlaws came into town looking for a fight. When the Earps heard of it, Wyatt, his two brothers Morgan and Virgil, and Doc. Holliday, a dentist with a penchant for killing, set out to arrest them. They confronted them at the O.K. Corral and called for the outlaws to put up their hands. Two of them put their hands on their gun butts but didn't draw. A third outlaw jumped behind his horse for cover and pulled his pistol. It was hardly a professional fast draw however. His colt 45 was stuck in the waistband of his pants. But that draw precipitated the most famous head on gun battle of the era. It was over in just thirty seconds with both sides having fired seventeen rounds. By then two outlaws had fled and the other three lay dead or dying with eleven bullets in them. The lawmen sustained only three wounds from the errant marksmanship of the outlaws none of which were life

threatening. And so ended the gunfight at the O.K. Corral. Now whatever we can say about this dramatic gunfight it certainly was not a fast draw duel. It was an attempt to arrest some outlaws that broke out into a general gun fight. And it is indicative of the hype that we had been exposed to for over a hundred years about the old west that this is the best that there is when it comes to a climatic confrontation with six-shooters.

What was gun fighting actually like in the old west? It was a lot different than we have been led to believe by the motion picture industry and not at all like we probably imagined. It abounded in ambushes and shoot-outs. Men were shot in the back. Men were gunned down in a state of surprise. Men shot it out in drunken confrontations in saloons. Men generally tried to gain an advantage by catching their opponents off guard. And it was totally different than gunplay today. Modern police officers have a totally different style. They solidly plant their feet at a 45 degree angle to the body for maximum stability. They grip the pistol with both hands and aim along the barrel using the gunsights. They do their best to make their shots count. When suspecting trouble they have their guns out and ready for use. And that is probably one of the main similarities. Men then too had their Colts out and ready when they suspected gunplay was about to break out. But what made a great gunfighter was his skill with a pistol. Great eyesight, quick reactions, and the ability to snap off quick and accurate shots separated the men from the boys. They snapped off their shots without aiming and the ability to do that with deadly accuracy kept them alive. Speed was important. And if you were jumped by someone trying to kill you obviously the ability to get your pistol out pronto was a life saving talent. Hardin and Hickok are excellent examples of this. And that some of these gunfighters practiced this and developed what we might call a "fast draw" might even be true in some cases. What is never true is that they ever engaged in a duel with another gunfighter based on a fast draw. Many of them paid scant attention to this aspect of gun fighting. The holsters of the period were shabby affairs, crude by today's standards, and not at all designed to facilitate a fast draw. The pictures of these men, taken at the times, show no hints of the low slung, tied down, professional gunbelts so familiar in our western dramas.

Many more examples could be brought up. Wild Bill Hickok for instance who had a great reputation and was called the "*Prince of Pistoleers*". Wild Bill was a fairly reprobate character, a gambler and a killer. He was killed as he himself had killed, being shot in the back in a poker game in Deadwood, South Dakota. But this is not intended to be a survey of the gunfighters and desperadoes of the wild west. That wild and lawless west could never have been bound by such a code of honor as the fast draw duel requires. As Wild Bill Hickok's killer said when asked why he didn't face him in a fair fight, "*I didn't want to commit suicide*". Men fought, and scrapped, and killed, sober or drunk, as best as they knew how. They killed in ambush; they killed in saloon brawls, they killed in surprise confrontations. They killed in all manner of circumstances. What they never did is kill in some kind of prearranged or mutually understood fast draw duel. That simply never happened. That is just part of the mythology of the old west.

## CHAPTER SIX

### "CIVIL WAR" MYTHS

#### 1. "A Civil War?"

There was a conflict in this land settled on the battlefields of this nation between 1861 and 1865. It seems like established history of long ago. However even today, almost a century and a half later, the proper name for this conflict is still at issue. Both sides had more than one name for the conflict and of course both sides had different names for it reflecting their sectional view of the conflict. In fact right to this day you can tell a person's sympathies in this conflict by how they refer to it.

The North called it:

*The Great Rebellion*

*The Civil War*

The South called it:

*The War of Northern Aggression*

*The War Between the States*

Winners write the history books and the name that has generally come down to us for this armed struggle is "*The Civil War*". There is some justification for the use of all these names but the issue is which is the most historically accurate viewing the conflict dispassionately over a century later? And in that regard the biggest issue in determining the proper name is dependent on whether the Southern states are viewed as actually having seceded. The North denies that secession was either constitutional or legal. They viewed the Southern states as remaining as part of the Union but being in a state of treasonous revolt against the federal government of the United States. Therefore they called it "*The Great Rebellion*". And since the Southerners were therefore still citizens of the United States fighting other citizens of the United States they termed it "*The Civil War*". The Southern states on the other hand considered themselves as having actually seceded. They consequently viewed the war as a war of conquest by the North and called it "*The War of Northern Aggression*". And since one group of states was engaged in a war with another group of states they termed it "*The War Between the States*". With all these names who is right or at least more right? Or are all these names incorrect or at least somewhat deficient and is there a better name for this conflict?

The first issue that we have to deal with is the one of the status of the Southern states; did they actually secede? In other words did the Southern states lawfully secede from the union and revert to being sovereign, independent entities. Historians and scholars will probably never agree much less the masses of the people, because the answer is not as simple as is generally imagined. Every President from George Washington up to John Quincy Adams, with the exception of John Adams, openly acknowledged the right of a state to secede. George Washington went even further. The original constitution stated that it would only become binding when nine states had acceded to the Union (Article VII). After all the intent was not to have a few non-contiguous states attempt to

form a new nation but to have a general union of all the thirteen colonies. Washington not only recognized the right to secede but stated that if enough states ever seceded so that the number remaining in the Union fell to below nine then the entire Union would be dissolved and the United States would cease to exist as a nation.

This right to secede was defended by several arguments. The first was from the principles of the Declaration of Independence and the preamble to the United States Constitution. These recognized the right of all peoples to put off a government that they deemed oppressive and to set up such government over themselves as they see fit. The second argument is that the states specifically retained all the rights that they did not specifically grant to the federal government (Amendment X). Since the Constitution is silent on the subject the States never yielded the right to secede and never granted the federal government the power to coerce states to remain in the union. The third argument was that several states when acceding to the Union specifically reserved to themselves the right to secede and they were accepted into the Union on that basis. The fourth as noted above is the historic recognition of this right. A few examples are in order.

When the federalist party under the elder Adams began to question this view of things and treat the states as provinces of the federal government, as mere administrative districts, Thomas Jefferson rose to the issue. He authored the famous Kentucky resolutions, passed by the legislature of that state, defending the principles of state sovereignty. Other states passed similar resolutions and Jefferson was elected President and re-elected on those principles. In 1835 Alexis De Tocqueville, that great student and admirer of the American republic, acknowledged the right of any state to secede in his classic work "*Democracy in America*". He had good reason to come to that conclusion for it was not just the Southern states, or middle states such as Virginia and Kentucky, but even the New England States that claimed this right. The War of 1812 was very unpopular in New England. Their prosperity was in part based on international trade and the shipping industry. However with Britain ruling the seas this came to an end during the war. The resulting depression in these states caused bitter enmity to the federal war policy. They met in a convention in Hartford, Connecticut in December of 1814 and articulated their opposition to the policy of the national government. They then announced their belief in a set of principles of state sovereignty sounding very much like the states of the Confederacy a few decades later and threatened to take what action was necessary to protect their own interests. The word secession was not used but it cast a long shadow by the principles invoked. And they made up for that deficiency in the next crisis. By the 1840's the New England states were strongly abolitionist and unalterably opposed to any extension of slavery in the United States. When the federal government proceeded to accept into the Union the independent Republic of Texas as a slave state Massachusetts acted. Her legislature passed a resolution in 1844 threatening the secession of those states that disagreed with the admission of Texas into the Union. In 1845 she passed another resolution "nullifying" any federal action with respect to admitting Texas as far as the State of Massachusetts was concerned. Massachusetts was sounding strangely like South Carolina, the first state to secede! On January 12, 1848 Abraham Lincoln himself in a speech made in the House of Representatives acknowledged the "*sacred right*" of any group of people to replace their existing government with one more to their liking. I could go on and on because before these principles were tested in the heat of conflict they were almost universally acknowledged. As late as November 1860, Horace Greeley, an abolitionist and the editor of a major New York newspaper, editorializing on the fact that a number of Southern states were contemplating secession acknowledged their right to do so. So where does this leave us?

Well for one thing if the states are viewed as having actually seceded then we did not have a "Civil war". We did not have citizens of the same country fighting each other. And then we did have a "War of Northern Aggression" to force the seceded states back into the Union. But did we actually have a "War Between the States" as the Southerners like to put it? No, because that only fits if you take the Northern interpretation. If the states did not actually secede but rebelled against the federal government as states then you have a war between the rebellious states and the loyal states. This would be a "War Between the States". But the Southern states did not remain as independent states when they seceded. They united to form the Confederate States of America. So if they lawfully seceded then they had the right to form a new nation and then the war was actually a war between two nations. Then it was a war between the United States of America and the Confederate States of America and then perhaps the best name is a lesser used one, "*The War of the Confederacy*". Confusing, Eh! Well whatever conclusion that you come to the next time that you talk about this war you will have to stop and think. For whatever you choose to call this conflict will reveal to your listeners what you think about the constitutional nature of that war.

## **2. A War Over Slavery?**

Having discussed what the war ought to be called we can now proceed to why the war was fought. If the standard answer to the former is "*The Civil War*", conventional wisdom states that the answer to the latter is that it was fought over slavery. However a view of the historical facts will again demonstrate that that is just another myth. The documented facts show that the North fought to preserve the Union and that the South fought to preserve the "*rights of the sovereign states*". A minority of radical abolitionists in the North were fighting over slavery but they lacked the numbers and influence to propel the nation into a war over that issue. We need to examine the statements of the leaders on both sides to determine what they fought for. We will start with Abraham Lincoln and the North.

Lincoln's statements and political positions before the war give no indication that he would be prepared to fight a war over slavery. In the famous Lincoln-Douglas debates of 1858 he disavows the abolitionist platform of the Illinois Republican Party. He was not opposed to the Fugitive Slave Act which required Northern states to return runaway slaves, nor was he pledged to the abolition of slavery in the District of Columbia. His opposition was limited to disallowing any extension of slavery into the federal territories beyond that allowed by the compromise of 1850. These debates were more politics than substance. Both men were remarkably similar in their views and both were moderately opposed to slavery. The only real difference being Douglas wanted each territory to have the right to decide for itself and Lincoln wanted the federal government to decide for them. Neither expressed any intention to interfere with slavery where it was established in an existing state. In practice both positions would have worked out the same in the great issue of the day, slavery in the Kansas-Nebraska territories. In the Republican platform on which he ran for President in 1860 Lincoln took the same moderate position. In the summer of 1862 in response to public criticism about his conduct of the war Lincoln explained his war aims. He said, "*My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slave I would do it, and if I could save it by freeing all the slaves I would do it; and if I could save it by freeing some and leaving others alone I would also do that. What I do about slavery, and the colored race, I do because I believe it helps save the Union; and what I forbear, I forbear because I do not believe it would help to save the Union.*" This reflected the position of a joint resolution of Congress passed in July of 1861 at the beginning of the war which stated, "*...that this war is not prosecuted upon our part in any spirit of oppression, nor for any purpose of conquest or subjugation, nor for the purpose of overthrowing or*

*interfering with the rights or established Institutions* (Ed. note: i.e. slavery) *of those States, but to defend and maintain the supremacy of the Constitution and all laws made in pursuance thereof, and to preserve the Union...*". This position was consistently held throughout the war. At the Hampton Roads Conference in February of 1865 where commissioners from the Confederacy secretly met with Lincoln to discuss potential peace terms Lincoln stated that the restoration of the Union was the one indispensable condition. On that he was inflexible. Slavery was discussed and there Lincoln was willing to negotiate and make concessions to the South. The North was fighting for the Union plain and simple.

South Carolina was the first State to secede. What reasons did she give for her actions? At her secession she published a "*Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina From the Federal Union.*" In this document she states, "...that the frequent violations of the Constitution of the United States, by the Federal Government, and its encroachments upon the reserved rights of the States, fully justified this State in then withdrawing from the Federal Union." The document then proceeds to restate the constitutional rights of the States and the principles of State sovereignty and to enumerate the violation of these by the federal government as she saw it. It is true that some of these violations had to do with the issue of slavery but that was the incident which tested the principle not the principle itself. The principles over which she fought was states rights and not slavery. The fact is that Southerners rarely bothered to defend slavery per se before or during the war. What they constantly defended and ultimately sought to maintain by force of arms were the principles of states rights. Their position was slavery might be right or it might be wrong, but either way it was for them to decide for themselves and the federal government had no constitutional authority to interfere, and for that they were willing to fight. Both the pro and anti-slavery factions in their respective sections of the nation lacked the numbers and influence to precipitate a war on that issue alone.

The most powerful and influential of the Southern states was Virginia, She also bore the brunt of the fighting and was the last to persevere in the struggle. Why did Virginia fight? The State of Virginia acknowledged the right of secession but was opposed to it in practice. Virginia was upset at the rashness of the Southern states that were seceding and was playing for time to work out an acceptable compromise that would preserve the Union. She herself was strongly in favor of remaining in the Union and at the Virginia Secession Convention in April of 1865 the secessionists were in the distinct minority. What happened to cause Virginia to secede and to fight? What she fought over was the Constitution of 1789. To Virginia the Union that she was in favor of was a Union defined by that Constitution; a Union that recognized the Constitutional rights of the States. Lincoln's view was radically different. He felt that anything and everything was justified to preserve the Union. He constantly overruled the Constitution citing the emergency and war powers of the Presidency when he could and pleading practical necessity when he could not. To him it was absurd to follow the letter of the Constitution while the nation was falling apart. To him the Union came above the Constitution. As this became more and more apparent Virginia was inexorably pushed over the brink into secession and war. To her the Constitution defined the Union and there could be no Union without it. She fought for her rights under the Constitution. She fought for states rights. Slavery had nothing to do with it.

One more issue that needs to be discussed with reference to causes of the war are the tariffs. In the last century there was no income tax and the federal government derived practically all its revenue from tariffs. The United States was self-sufficient in agricultural products so most of the

imports were manufactured goods. The North where most of manufacturing took place preferred high tariffs to protect its industries from foreign competition. The South was primarily an agricultural society. She lived by exporting her agricultural products, particularly cotton, overseas and trading them for the manufactured goods that she needed. As a result the South paid most of the taxes to support the national government. With a fraction of the States with about one third of the population paying most of the federal taxes this was a constant source of irritation and complaint in the South. It came to a head with the nullification crisis of 1832 when the State of South Carolina declared the federal tariff statues null and void in its territory. While the right of South Carolina to secede over this matter was generally acknowledged its right to stay in the Union while not submitting to the Tariff Acts of Congress was highly controversial. It was never settled because the federal government backed down and reduced the tariffs to the levels that South Carolina had demanded. Although further crisis was averted the issue never really went away. The South remained bitter about bearing the tax burden of the nation as a whole for the benefit of the economic interests of the North. Lincoln and the Republicans were strongly pro-tariff. When the Virginia Secession Convention met Lincoln was most anxious that they should not secede as most of the border States would probably follow her lead. He sent Seward, his Secretary of State, to arrange a discussion with a representative of the Convention. A certain Colonel Baldwin was selected to go to Washington on behalf of the Convention and negotiate with Lincoln. In his private and unofficial account of his interview with Lincoln some interesting issues came out. Baldwin states that Virginia offered to stay in the Union, keep the border states in the Union by her example, and use all her influence to get the seceded states to return the Union. In return they expected Lincoln to maintain the rights of the seceded States, renounce the use of force to obtain their return, and commit his administration to a peaceful program of healing the breach and restoring the Union. According to Colonel Baldwin negotiations broke down over the tariff. Lincoln stated that his administration could not do without the tariff revenues from the seceded States and that he was committed to restoring them to the Union by force if necessary as soon as possible. There was no discussion of slavery in the meeting. If Colonel Baldwin's account is correct it provides a fascinating insight to the complex issues that plunged the nation into war. In any case the fact remains that the nation did not go to war over slavery.

### **3. A Heroic Crusader?**

If the nation at large did not go to war over slavery there was one individual who certainly did, John Brown. Ever since he has been a controversial figure to say the least. His apologists view him as a heroic moral crusader and his detractors see him as a violent terrorist. The facts will have to speak for themselves.

Like most extremists who get disconnected from reality Brown had become pretty much a failure by the time he was middle aged. He then took up the cause of abolitionism with a zeal and a degree of fanaticism that was unparalleled for his day. And like most such people he needed outside financing to enable him to devote himself to "the cause". But by then his radical approach and extreme statements were beginning not only to attract attention but also the necessary support that he needed. He toured his supporters and entertained them with semi-fictional tales of his exploits on behalf of "the cause". His chief supporters were mainly respectable wealthy Massachusetts's citizens who shared his ideals but hesitated to be associated with his radicalism. They gave quietly and became known as the "Secret Six".

Brown has gone down in history chiefly for his involvement in two events. They are the Pottawotamie massacre in the Missouri-Kansas strife and the raid on the federal arsenal in Harper's ferry. We will examine both of these events.

By the mid 1850's Kansas Territory was vying for statehood and the larger question loomed if she would enter the Union as a slave state or as a free state. Since the territory itself would decide in its state constitution and in its state legislature both sides tried to pack the jury. Free-Staters in Northern states raised money for Kansas immigration societies and tried to fill the state with anti-slavery settlers. The adjacent slave state of Missouri did the same. Unfortunately the conflict did long remain a peaceful one to be settled at the ballot box. Whenever there was an election thousands of Missourians would ride over into Kansas and claiming to be residents would stuff the ballot boxes with votes for pro-slavery candidates. Then came midnight raids to intimidate, drive out, or burn out free state settlers. Into this cauldron of conflict, violence, and incipient warfare came Brown with a cadre of followers. He came not as an emissary of peaceful resolution of the conflict, or as an advocate of law and order. He came as an apostle of abolitionist violence. He was in his element.

Up until Brown's contribution to the violence, in spite of all the raids, threats, and violence etc. there had been relatively little bloodshed. In several years of sectional strife there had been only six anti-slavery men killed. Brown determined to even the score in one fell swoop. News had come that the Missourians were attacking Lawrence, a free state stronghold. A local anti-slavery militia, named the Pottawotamie Rifles was marching to its relief. Brown and his little company of six men joined them. As they were en route the word came that United States troops had delivered the town and the crisis was over. Brown was disgusted; he was primed for blood and bitter that he would be denied the opportunity to fight the pro-slavery men. He resolved on a new plan. He himself would strike a blow at them. When the Pottawotamie Rifles left for Lawrence they were leaving their homes and families undefended and at the mercy of their proslavery neighbors. This does not seem to have been of any concern to them. Their neighbors had never participated in any of the violence nor had any of them ever joined any of the pro-slavery militias. Nonetheless it was on these men, his neighbors, that Brown now decided to wreak his vengeance. For all his Bible quoting, the injunction, "*Vengeance is mine saith the Lord, I will repay*", seems to have made little impression on old Brown. On the night of May 24-25, 1856 he carried out his plan. Several of his men including one son wanted nothing to do with Brown's plan. One of the men said that the local pro-slavery men were good neighbors and had been kind to his family. But Brown was implacable. In the dark of night he purposed to go from cabin to cabin of the pro-slavery men and haul them out and hack them to death with cavalry swords. Since the cabins were scattered at some distance along Pottawotamie Creek and in the darkness he only made it to four cabins that night. At the first he was answered with rifle barrel thrust through a loophole and he prudently retreated. At the next two cabins he knocked and pretended to be lost and in need of directions. Once the doors were opened to him all the menfolk were dragged out, torn away from weeping and pleading wives and little children, and hacked to death. At the second cabin only a fourteen year old boy, originally slated for death, was spared at the incessant pleading of his mother. At the third cabin the wife was sick and pleaded for mercy. The husband begged for an opportunity to get someone to look after his wife before being killed. But it was all to no avail as he too was dragged away and executed in the darkness. At the fourth cabin there were a number of male visitors. All were seized and interrogated and only those who appeared to be pro-slavery were killed. All in all Brown executed five men and boys that night. And to what purpose? Statistically he had about evened the score. But these men had not been killed in the heat of sectional strife. They were dragged from their homes and

executed in cold blood. Was there a method to his madness? Brown himself said that part of his purpose was not only to avenge the free-staters but to strike terror into the pro-slavery men and fill them with a "*restraining fear*". Meeting violence with violence is one thing. But random killing of sympathizers with the other side is another. That truly is designed to inspire terror!

Brown's next major exploit was even more fantastic than the above. In Kansas Brown had already long decided that the issue of slavery had to be settled in blood. Brown can be regarded as a religious fanatic and he believed that the nation had to atone for the sin of slavery by an effusion of blood. He now developed a scheme to carry this principle into action. He planned to wage what in modern parlance would be regarded as a guerrilla war of liberation in the slave states. Operating from mountain hideouts, he hoped to stir up slave revolts and insurrection throughout the South. The slaves would flee their bondage, and along with anti-slavery Southerners, join his army of liberation. He would strike fear and terror into the slave owners. The institution of slavery would break down as slaveowners sought to sell their slaves before they lost them and buyers would become non-existent as such purchases became regarded as hopeless investments. Brown had written a constitution for the provisional government that would rule over the areas his army of liberation controlled. He had developed this in Chatham, Ontario, Canada, after attempting with little success to recruit the leaders of the fugitive slave communities there. Like those of most zealots throughout history his constitution was thoroughly communistic. The faithful would live and die for the cause and share everything together with no concept of private property.

To launch this epic crusade Brown determined to raid and temporarily occupy the town of Harper's Ferry, Virginia. This would serve a dual purpose. Virginia was a slave state and the raid would both serve notice on the slave owner's that their slavocracy was under siege and as a call to arms for the slaves to rise up and throw off their servitude. The second purpose was to seize the federal arsenal there and confiscate sufficient weapons to arm the slaves that would flock to his standards. But like most self-appointed "civilian" generals Brown was more proficient at the "ideological" aspects of his crusade than he was at the military. He was able to raise the funds for the raid, recruit committed disciples, write a constitution, and even a detailed defence of his actions in case of capture. However the military aspects of the project loomed with disaster from the beginning. Brown had an agent in the town who had acquired all the intelligence required to hold the town and the arsenal. Unfortunately for Brown that was the extent of his foresight and even this agent's advice was spurned. Brown did nothing to locate and prepare the requisite mountain strongholds that his plan required. Neither did he scout out and plan for alternate escape routes from the town. He made no provision for transporting the stolen firearms to mountain hideouts or secret caches. In short he failed totally as a military staff officer; he failed to plan for success.

Why did Brown fail to develop a thorough plan? Any plan is better than no plan. The answer is probably simple. First of all being extremely "religious" he may have determined to be guided by providence and leave it up to God to guide him to victory. But most likely, like many such men, he was simply a victim of his own propaganda. In his vivid imagination all slaveowners were the epitome of evil, cruelty, and wickedness. In his warped view of reality all the slaves were sighing in despair awaiting the moment when when they could rise up in desperation and throw off their shackles. In spite of the fact that none of the leaders of the free Blacks supported his plan he remained convinced that thousands of slaves would rise up and join his crusade. The slaves however had no intention of jumping from the frying pan of slavery into the fires of insurrection and war. Harper's Ferry had a population of about 2500 and one half of these were freed Blacks, yet

not one of these Blacks chose to join Brown's crusade. The few slaves that he liberated during the raid actually returned to their masters as soon as they could escape Brown's control. Brown's whole plan was based on a gross miscalculation. At no time, even later during the war, or after the Emancipation Proclamation, did Southern Blacks ever rise against their masters. Brown clearly expected to be overtaken by events. He would simply provide the spark that would ignite the tinder. He would start the snowball rolling down the hill. He would trigger the avalanche. He had no plan after that!

The raid itself expectedly failed. Sunday night of October 16, 1859 Brown matched his little cadre of less than twenty men to Harper's Ferry. Less than 36 hours later it was all over. He had seized the bridges into the town and occupied the federal arsenal but could not hold them and the expected reinforcements never arrived. But if the end result was the logical outcome of Brown's mad scheming there was plenty of irony. The first person to be killed by the raiders was a free Negro, Hayward Shepherd, who was the baggage master at the railroad station. He was cut down for attempting to raise the alarm when he discovered that the night watchman, captured by the raiders, was missing. The first casualty of the invading force was Dangerfield Newby, another freed Negro. The first results of this war to free the Blacks was to kill two Blacks. Two of the slaves he had temporarily freed also perished in the ensuing events. All in all a total of seventeen men died in the raid including ten of the raiders. Of these two were Brown's sons. That final night in the armory as one of his sons lay dying nearby and calling out for some comfort Brown ignored him. Except for a curt command to be quiet and die like a man Brown had no time for sentiment. To the end for Brown the cause was everything and even his own son's death could not move him. A thousand deaths, a million deaths, could not have moved him. The cause was all that mattered and he would drown the land in blood to achieve his vision.

Ironically although almost everything he did was a failure he may ultimately have succeeded. His actions at Harper's Ferry and his subsequent acclaim in the North pushed the South over the brink with respect to secession. Union with those who cheered an emissary of war and insurrection, a man who sought to wage a terrorist war of liberation in their midst, no longer seemed possible to the South. And secession led to war and the war eventually led to the general emancipation of the slaves. If so he would not be the first terrorist to have a profound impact on history.

Finally the myth of Brown as a heroic crusader is a dangerous one. Some of the leaders of the pro-life movement have compared their drive for the abolition of abortion to the drive in the last century for the abolition of salvery. They see both as moral crusades in defence of the defenceless. There is nothing wrong with that and to hold such views is their right. But if the extreme fringe of the pro-life movement ever adopts John Brown as a role model then we will have trouble. If men see the events at Pottawatomie and at Harper's Ferry as justifiable violence in a great moral cause then we can expect more abortionists to be murdered and more clinics to be bombed. Myths have their consequences!

#### **4. The Great Emancipator?**

Abraham Lincoln has left quite a legacy. His portrait is on our five dollar bills. He is one of only four Presidents to have his rugged features indelibly etched on the face of Mount Rushmore. And is also one of the select few, along with Washington and Jefferson, to have a public memorial

in Washington D.C. Quite a legacy for a man who was elected by a plurality (less than 40% of the electorate voted for him), whose election precipitated the secession of the States of the deep South, and who plunged the country into its bloodiest and only fratricidal war. How has such a man risen to a place in history of such heroic proportions? The answer is mainly because he is viewed as the man who ended slavery, as the liberator of the slaves; mainly because he is known as the "Great Emancipator". But does he actually deserve that title and is his mythic greatness based on myth or reality? To determine that we need to study his attitudes and actions with respect to slavery throughout his public career.

1. In the Lincoln-Douglas debates he limited his opposition to slavery to prohibiting the expansion of slavery into certain federal territories.

2. In the Republican platform of 1860, on which he ran for the Presidency, he took the same position, acknowledging that the Federal Government had no constitutional authority to interfere with slavery in any established State.

3. In his inaugural address he pledged not to interfere with slavery in the States where it was already established.

4. After the war has begun General Fremont, the Union commander in Missouri, issues a proclamation on August 30, 1861 freeing all the slaves of that State. Lincoln overrules him and rescinds the proclamation.

5. In May of 1862 General David Hunter, the Union Commander in the Southern theatre, issues a declaration that all the slaves in Florida, Georgia, and South Carolina are hereby freed. Again Lincoln rescinds the proclamation of his subordinate.

6. In July of 1862 Congress passes the Confiscation Act which confiscates the property of all rebels and frees their slaves. Lincoln plans to veto it and is only dissuaded from that course when the bill is weakened. Lincoln publicly restates the traditional position that Congress has no authority to interfere with slavery in any state.

7. After Lincoln issued the Emancipation Proclamation he proposed three amendments to the Constitution. The first offered financial subsidies to any State that would voluntarily abolish slavery by January 1, 1900. The second offered financial restitution to any slave owner who was loyal to the Union and whose slaves had been liberated by the terms of the Emancipation Proclamation. The third authorized funds for colonizing the freed blacks.

The above actions and statements by Lincoln with respect to slavery hardly qualify him as an abolitionist or even a consistent opponent of slavery.

And what was the actual effect of the Emancipation Proclamation? Very little as we shall see. First of all it applied only to the States still in "rebellion" against the federal government. This left slavery legal by federal law in the Northern States. So the loyal border states that were still in the

Union such as Missouri, Kentucky, and Maryland, who were slave states, were unaffected. This Proclamation did not therefore end slavery in the North. Secondly it did not effect the Southern States or portions thereof that had already been forcibly reduced into submission to the Union. So slavery continued to be legal under this Proclamation in places like Louisiana, Tennessee etc. The only place it took effect was where Lincoln had no control, in the States still in arms against him. Therefore its immediate effect was nothing. Only as further Southern territory fell under Union control would it start to have a practical effect. It is estimated that close to the end of the war approximately 200,000 slaves had been liberated under it. Of a slave population estimated at three to four million this is only about 6 per cent, hardly a dramatic liberation of historic proportions.

Lincoln was a practical man. Why did he issue the Emancipation Proclamation if it would have such little effect on the institution of slavery? The answer can easily be found in his own words, "*My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery...What I do about slavery, and the colored race, I do because I believe it helps save the Union.*" Lincoln resisted emancipation measures as long as he could because he thought they would hinder the war effort. He was afraid that the loyal Border States would secede and the Western States would become disaffected if he adopted abolition as a war aim. The former were slave states and had already warned him not to mess with their constitutional rights. The latter were opposed to slavery only in their own territories. They didn't want to compete with slave labor or be overrun with freed blacks. But after two years of costly and bloody war with the Union making little progress on the battlefield the war was less than popular with many. The pressure to negotiate a peace settlement with the South was increasing and such sentiments were being suppressed by draconian means. The main support for the war came from the hard core abolitionists, but they required the abolition of slavery as a war aim. Only when the political price of offending them exceeded the price of offending the others did Lincoln act. As always everything that he did was with the aim of winning the war and preserving the Union. This is also clear from the Emancipation Proclamation itself. It was issued in September of 1862 but was not to go into effect until January of 1863 and only in States still at war with the Union. The message was clear, any State that surrenders now will be allowed to keep its slaves. Any State that was overrun before January could also keep its slaves, but those States that were still fighting after January would be putting their slaves at risk. And to sweeten the pot Lincoln kept offering gradual emancipation with financial compensation to the owners and a program of colonization for the freed blacks. The latter was important as the issue of what to do with the freed slaves was one of the main impediments to any progress on gradual emancipation before the war. The entire Proclamation was designed to win the war by encouraging the South to yield and encouraging the North to hang in there a little longer. And if the war was over before January the Proclamation would be null and void! It was hardly the statement of a man ideologically committed to the liberation of the slaves. At the very end of the war when Lincoln met with the Confederate commissioners to discuss potential peace terms he made sure that the Emancipation Proclamation was not a stumbling block to peace. He told the commissioners that the Proclamation was strictly a war measure and solely authorized by the emergency war powers of the Presidency. He told them that as such the Proclamation would no longer be in force the day that the war ended. He told them that in his opinion the status of slaves not already liberated under its terms would remain unchanged by it after the war. Again slavery was not the issue but the South's submission and restoration to the Union was. Whatever he was Lincoln was definitely not "*The Great Emancipator*".

### **Lincoln: Liberator or Tyrant?**

If Lincoln was not the liberator of the slaves where did he stand with respect to other issues of liberty? Did he at least staunchly maintain the historic civil liberties of the American Republic? Was Lincoln a defender or a corrupter of our constitutional liberties? The answer will surprise most people. History reveals that Lincoln has by far and away the worst record of any American President with respect to abuse of civil liberties. And if you ask why the answer is the same as the reason for his record as an "Emancipator". For Lincoln the paramount thing was always the preservation of the union and everything was subjected to that great purpose. To maintain the "Union" he was not only a weathervane on issues of emancipation but he also played fast and loose with the nation's civil liberties. Constitutionally guaranteed liberties such as freedom of speech and of the press, trial by jury, and representative government, were all sacrificed on the altar of the "Union".

### **The Writ of Habeas Corpus:**

The writ of habeas corpus is a legal term with roots that go way back to our rights as free Englishmen under the common law. "Habeas corpus" is a Latin term meaning you have the body. A writ of habeas corpus issued by a court requires the government to bring a prisoner before the court and present sufficient compelling evidence to the court to justify his being held until trial. It prevents the government from arbitrarily arresting people and holding them indefinitely without trial. This historic right is embedded in our Constitution. The VI ammendment declares, "*In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury...and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him...*". And Article I, Section 9 states, "*The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.*"

When the Southern states proceeded to secede in 1861 the United States was in the eighth decade of its national existence and the government had never as yet suspended the writ of habeas corpus. But as Lincoln called for federal troops to reinforce the Capitol in case war broke out with the South they were mobbed enroute through Baltimore. Maryland, although she did not secede, was sympathetic to the South and her neighboring state Virginia and had no use for federal troops either on her soil or to threaten the South. Although the crisis was already peacefully resolved Lincoln decided to suspend the writ of habeas corpus in Maryland. He did this against the advice of his own Attorney General, Edward Bates, who had already reminded him that a former Supreme Court opinion had stated that it could only be suspended by Congress. But now the dam was broken. In swift succession suspensions of the writ expanded to include Delaware, parts of Pennnsylvania, and then all the way up to Maine, and also Florida, although there was not the slightest threat of rebellion or invasion in many of these states. After that the practice became the norm throughout the war. Not just in areas of military occupation, not just in the States that had seceded, but throughout the North this right was suspended during the Lincoln administration.

### **Martial Law:**

Our Constitutional rights are one logical, indivisible whole. Therefore the suspension of any them becomes logically the suspension of all of them. The suspension of the writ of habeas corpus was a necessary step in the next phase of the suppression of civil liberty. And that was the imposition of martial law. His own Attorney General, Edward Bates, had already advised the President that there was no legal precedent for the imposition of martial law. The Constitution was absolutely silent with respect to any Presidential power to impose martial law on civilians no matter

what the emergency. The imposition of martial law followed the same path as the suspension of the writ of habeas corpus had. Originally it was imposed in a restricted area where "insurrection" seemed imminent, the Border State of Missouri. But like a drug that is habit forming before long de facto martial law was everywhere, even in the loyal Northern States. The purpose of the imposition of martial law was so that all persons suspected of disloyalty to the government could be arrested. Having martial law enabled the army to carry out the arrests. Lincoln perceived success in the war as hinging on success in recruitment of the soldiers required for his armies. To that end any and all persons undermining recruitment efforts were arrested by the army. They ranged from ministers who spoke out against the war, to newspaper editors who opposed the administrations policies (hence undermining zeal to enlist), to persons who made disparaging comments at recruitment rallies. These were arrested by scores. William Seward, Lincoln's Secretary of State, justified the arrests on pragmatic grounds. He felt they were an effective deterrent to "treason" and stated that he didn't care if the men arrested were innocent or guilty as long as the deterrent was effective. This was plain intimidation and constituted government inspired terror against freedom of speech and of the press. All in all, over 13,000 civilian citizens were arrested by the Lincoln administration. Freedom of speech and freedom of the press were non-existent even for those who favored the Union but opposed the administration's policies. Military forts became prisons and were augmented by prison camps constituting a gulag totally separate from the prisoner-of-war camps. As is frequently the case in history the war was expedited at the expense of the liberties that were allegedly being fought for. After all, for many the war was still associated with the crusade to bring just such liberties to the slave population of the South.

We have all heard of the infamous \$200 screwdrivers and \$400 toilet seats purchased by the Pentagon to say nothing of multi-billion dollar weapons systems that do not work properly. Well, as the Lincoln administration mobilized for war the army required vast amounts of food, military supplies, transport, weapons and ammunition etc. This resulted in the normal degree of war profiteering. But the United States Army had a novel weapon against such practices. It simply arrested civilian suppliers and contractors suspected of overcharging, of deliberately supplying shoddy goods and equipment, of engaging in fraud and corruption. Under martial law they could be held indefinitely without the intervention of civilian courts or a trial by jury. The Army, the plaintiff in these cases, was also the judge, jury, and executioner. These were United States citizens, living in loyal States, and not involved in any way with any alleged treason or insurrection. They were possibly criminals but it must have been a shock to them to discover that they were no longer United States citizens with Constitutional rights to due process.

### **Conscription:**

The final liberty to fall under the axe of the Lincoln administration was liberty from involuntary servitude. Article I, Section 8 of the Constitution authorized the Congress of the United States to "*raise and support armies*" and "*to provide for calling forth the Militia...*", but it is silent with respect to any authority to compel citizens to join the army. Congress knew that legally it was on thin ice so when the first conscription act came in July 17, 1862 it was disguised as "The Militia Act". It authorized the Secretary of War to augment the state militias by further levies in those States that had not chosen to do it voluntarily. It was nothing less than a draft. It said if the states did not build up their militias (which were subject to being called up into federal service) the federal government would do it. It was coordinated by another proclamation by the Lincoln administration of a national suspension of the writ of habeas corpus. This was intended to ensure that such writs were not used to impede the conscription process and deliver unwilling inductees from the machinery of the draft. It led to a period of sweeping arrests of all seeking to oppose or evade the

draft. Then on March of 1863 Congress passed a more comprehensive conscription bill again disguised, this time as the "Enrollment Act". It met with even more resistance. It precipitated massive draft riots in New York City. There were days of open insurrection against the government including burning of buildings and open warfare on the police and on the firefighters. Tens of thousands of citizens participated in daily, violent, and bloody resistance to the draft. Conscription officials and provost marshals (military police responsible for enforcing conscription and arresting evaders and deserters) were regularly attacked and in danger of their lives. Federal troops had to be sent in as it was far beyond the power of the local authorities to restore order. It was the worst outbreak of domestic violence in the history of the United States. And the resistance was widespread and not limited to New York City. In many parts of the North, especially Pennsylvania, the State courts were openly flaunting the administration's ban on writs of habeas corpus and issuing them to deliver unwilling inductees from the draft. Many draft evaders were fleeing to Canada and hundreds were arrested near the border. Lincoln was beside himself at such resistance and urged harsh measures. His Secretary of the Treasury, Salmon Chase warned that further confrontation over the issue might precipitate a "civil war" in the North! If this is somewhat reminiscent of the Vietnam War era welcome to history. It does repeat itself!

Lincoln generally did whatever he thought necessary to accomplish his aims, such as maintaining the Union and worried about legal and constitutional issues later. He consistently placed his own perception of his responsibilities as President in this national crisis above his oath to uphold and defend the Constitution of the United States. When Chief Justice Taney of the Supreme Court issued an opinion that the President did not have the authority to unilaterally suspend the writ of habeas corpus he just ignored it. He ignored the other branches of government and did what he thought necessary and risked precipitating violent clashes between the separate branches of government. He got away with it because, like Cromwell, he had the army on his side. The judicial branch simply lacked the machinery of coercion to enforce its edicts. By instituting military law any military officer could enforce Lincoln's edicts on civilians regardless of their constitutionality. In that light it is not hard to see why Lincoln prevailed. And eventually the long, bloody, and unpopular war was won, the Confederacy was defeated, and the Union was preserved. It may have been a shotgun marriage consummated at sword's point but the nation was again undivided. But it all came to pass at a terrible price to the nation's liberties.

## CHAPTER SEVEN

### REMEMBER THE MAINE!

On the night of February 15, 1898 the American battleship, *Maine*, blew up in the harbor of Havana, in the Spanish colony of Cuba. The world has never been the same since as this incident, and the war that it precipitated, changed the maps of the world and profoundly altered the national destinies of both Spain and the United States. There are a number of myths that have evolved out of this tragic incident. One is that the *Maine*, an unwelcome ship representing American gunboat diplomacy, was deliberately blown up by agents of the Spanish government. The second is that the resultant war was a just one, both to avenge the *Maine* and to liberate a suffering Cuba from cruel and despotic Spanish rule. The third is the image of a heroic Teddy Roosevelt leading his conquering Rough Riders up in a charge up San Juan Hill in the major land battle of the war. We will examine the facts in all three cases and let them speak for themselves as we challenge all three myths.

The first issue before us is the cause of the demise of the *Maine*. The *Maine* blew up in February and two months later the United States was at war with Spain over that incident. Nonetheless a full century later we still don't know the cause or causes of the explosion that tore the *Maine* apart that fateful night. The entire bow section of the ship blew apart almost separating from the rest of the ship. The forward deck was rolled up toward the bow like the lid of sardine can being opened. The keel was all that was holding the ship together and was buckled up at the break. Casualties were high as 266 American officers and men perished in the explosion. Initially there were two inquiries one by the United States government and one by the Spanish government. The former came to the conclusion that the *Maine* must have hit a Spanish mine detonating one of her forward magazines where the munitions were stored and destroying the ship. They considered the bent up keel evidence of an external explosion. The Spanish inquiry acknowledged the same secondary explosion but came to the conclusion that it was all caused by internal explosions. They cited the lack of a telltale geyser of water next to the ship that striking a mine would have caused as well as the lack of any dead fish floating in the harbor. Most naval officers interviewed thought that it was probably an accident. The Spanish were very apologetic and helpful but all to no avail as the American press rushed to judgment and whipped public opinion into a war frenzy even before the results of the court of inquiry were published. President McKinley didn't want war but with public opinion, the Congress, the media, and the verdict of the court of inquiry against him he was being inexorably pushed that way. It would have taken a stronger man than him to cling to sanity and reason, accept the apologies and reparations offered by Spain, and maintain the peace. After the war was over American engineers raised the sunken wreck of the *Maine* for further study by a new inquiry. This far more thorough examination and study of the wreck and its causes came to different conclusions. It admitted that all the damage could be accounted for by a massive internal explosion of a magazine. The bent up keel had been caused by the bow section almost blowing off. But it had no evidence of the cause of the magazine explosion and no evidence of an external explosion. So it postulated a small external explosion that did little damage but was sufficient to damage a magazine and set it off. Not only was this a weak argument but it tended to exonerate the Spanish government. A Spanish mine designed to sink a ship would have had a massive and obvious effect on the wreck. A small mine as postulated may have been the homemade affair of some terrorists or of insurgents seeking Cuban independence by embroiling Spain with the United States, but was not likely the work of the Spanish government. And finally over sixty years later

there was a final inquiry initiated by Admiral Hyman Rickover the father of the nuclear navy. The inquiry he commissioned came to a different conclusion again. Ships in those days were fueled by coal stored in huge bunkers below decks. Coal was capable of catching fire in these bunkers by a process known as spontaneous combustion. This was a frequent problem on coal fired ships and for these reasons designers of naval ships usually tried to separate these bunkers from the magazines. However they didn't always succeed and on the *Maine* coal bunkers did abut magazines. This new inquiry came to the conclusion that a fire in coal bunker set off an explosion in a forward magazine filled with shells for the 6 inch guns. They concluded that it was all an internal disaster. This was a plausible theory. In the short war with Spain which only lasted a few months two such incidents occurred in the United States navy. Both the battleship, Oregon and the cruiser Brooklyn had fires break out in their coal bunkers. Fortunately both fires were detected and extinguished before disaster befell the ship. The problem was that if that there was no proof that there ever was a mine neither was there any proof that there had ever been an undetected fire in a coal bunker. Ultimately the inquiries left all concerned exactly where they started, that is with no concrete knowledge or definite conclusions concerning why the *Maine* blew up. But the myth that we knew and could blame Spain, fueled by yellow journalism and political passion, impelled the nation into a regrettable war.

The second myth that we want to deal with is that this was a just war to liberate Cuba from Spanish oppression. The loss of the *Maine* itself could only supply the popular and political support for the war but the United States needed more than that to force war on an apologetic and reluctant Spain. The official diplomatic reasons for forcing the issue to the point of war lay in the Spanish occupation of Cuba. For several years Spain had been at war in Cuba with an insurgent guerrilla army fighting for independence. This armed resistance to the Spanish rule was being harshly suppressed. In an attempt to pacify the countryside the population was being rounded up and compelled to live in secured zones around towns large enough to have a Spanish garrison. In principle this was similar to the strategic hamlet policy of the United States in Viet-Nam when faced with a similar type of armed struggle. This was designed to rob the guerrillas of their support and of their cover among the regular population. This policy was of course extremely unpopular and oppressive and when harshly enforced led to starvation, poverty, and disease, on a large scale. The press with its irresponsible journalism had so demonized the Spanish over these issues that there was tremendous support for going to war with Spain and liberating Cuba. The American government gave an ultimatum to Spain demanding an end to the relocation policy and complete self rule for Cuba. The Spanish government probably should have capitulated to these demands and probably would have given more time. But while Spain was wrestling with how to salvage their national honor while allowing a foreign power to dictate domestic policy in one of their colonies the American government declared war. Now aside from the obvious caveat that under international law the United States had no authority to interfere in Cuba one could conceivably take the view that this was still a noble and altruistic war to liberate Cuba and rescue her from intolerable repression. But was this really the case?

There was significant opposition to war in the nation. To grease the skids towards war the Teller ammendment was added to the war resolutions in the Senate. This ammendment stated that the United States had no interest in acquiring Cuba for herself but solely desired to liberate her from Spanish rule. When the war was over this ammendment became an inconvenience to the administration. For over a half century the United States had been anxious to acquire Cuba and now her best chance to do so was frustrated by this ammendment. In the peace treaty with Spain she had demanded and obtained sovereignty over Cuba, as well being ceded the territory of Puerto

Rico, the Phillipines, and Guam. And during the war against "Spanish colonialism" the United States had herself quickly and quietly annexed the Hawaiian Islands without consulting the natives about it. Attempts were made to bypass the Teller Ammendment mainly by trying to stir up movements in Cuba to demand annexation. However these all failed and after a few years of military occupation elections were held and Cuba became self governing. However, unfortunately, America's committment to independence and justice was not that consistent. There was a similar independence movement in the Phillipines that had been fighting Spanish rule there for years. Now it was fighting the military occupation government of the United States in its struggle for independence. And neither were Peurto Rico or Guam offered their independence although national independence was the principle for which the nation had gone to war. In fact as the United States bogged down in a guerilla war with the Phillipine freedom fighters history came full circle in more ways than one. Soon the very relocation policies that had been so vehemently condemned in Cuba were being practised in the Phillipines by the United States as the only way to end the conflict. Like the war in Cuba that had so incensed the Americans and had been the subject of so many wild tales in the media, the war in the Phillipines soon turned very ugly. Small details of American troops were periodically ambushed or overrun, and then massacred and sometimes even mutilated. In turn the United States armed forces resorted to burning homes, churches, and entire villages, and adopted a no prisoner policy against the insurgents. The Phillipines was turning into another Cuba. And in Cuba things were not all that well either. The freely elected government became very corrupt and oppressive in its own turn and a new Cuban liberation movement was formed to overthrow it. Finally the United States stepped in again, ruling the country again for two more years, and then again supervising new elections. It seems the Cubans were incapable of stable, honest, and just self government. Perhaps the United States had been a bit premature in going to war to demand independence for a nation that seemed incapable of self government. And by now the United States had become so compromised in its positions that the myth that it had fought a war for the principles of national self-determination and independence and for the the liberation of the Spanish Empire was no longer credible. That myth had long gone up in the smoke of the burning villages in the Phillipines.

If this was not a just war was it at least a heroic war? Let us now examine the myth of the heroic armed forces of the United States bravely doing battle with the forces of Spain. There were basically three significant phases to the war with Spain. These are the naval battle for the Phillipines, the naval battle for Cuba, and the land battle for Cuba. Everything else like the occupation of Peurto Rico and of Manila consisted only of minor skirmishes. We will examine all three starting with the naval battle for the Phillipines. The Spanish fleet in the Phillipines was outsized, outnumbered, and outgunned and from the beginning its commander considered it's situation ranging from poor to disastrous. He considered dispersing the fleet and resorting to some kind of naval guerrilla warfare but that would leave the Phillipines basically undefended and was unacceptable to the Spanish governor of the Phillipines. His only other reasonable alternative was to place his fleet directly under the walls of Manila where the shore batterries would support and protect the fleet. But this would make Manila itslef a target of American shelling and was again rejected by the governor. Subic Bay with its narrow entrance would have made an excellent place to palce the fleet. However due to lack of cement the shore implacements had never been constructed and the guns for its shore batterries were laying uselessly on the beach. Also the mines to mine the channel had never arrived from Spain. The place was thus undefensible and had to be abandoned. The fleet wound up stationing itself in the southern part of Manila Bay 5 to 6 miles away from the city and its protective guns. The Spanish fleet was poorly equipped and trained. One of its cruisers still had a wooden hull and had lost its power and had to be towed to the battle scene!

Dewey slipped into Manila Bay after midnight and although discovered drew practically no fire from the shore batteries. At dawn before six o'clock he had found and attacked the helpless Spanish fleet. In a few hours, during which the Americans actually took a timeout for breakfast and a conference, it was all over with the Spanish fleet totally destroyed. The Spanish had fought only for their national honor and because duty demanded it. They knew they were going to doom and destruction. The Americans had easy target practice and virtually no casualties. The Americans were effective and efficient. But when it comes to courage that award has to go to the Spanish who fought their hopeless battle until their last ship went down. Admiral Montojo had been wounded and had fought on until his flagship was totally engulfed in flames. He received a commendation for his valor and then faced a court martial in Spain to answer for the loss of his fleet. Commodore Dewey became an instantaneous national hero which he even parlayed into an abortive run for the presidency of the United States. He has gone down in history as one of the great naval heroes of his nation. I will let the reader decide if he even deserves to be mentioned in the same breath as John Paul Jones or Admiral Spruance.

The story of Spain's Atlantic squadron, sent to the defense of Cuba, is tragically similar. Its commander, Admiral Cervera, warned the Spanish government that if he sailed for Cuba it would probably mean the destruction of his fleet. He was ordered to sail. Being absolutely no match for the United States Atlantic Fleet his only hope was to find a secure place protected by shore batteries. With Havana already blockaded by the Americans he chose Santiago, whose harbor entrance was so narrow and winding that forcing it would be extremely difficult. There he stayed bottled up by the American fleet for weeks. Then he was ordered to try to escape in a vain attempt to save his fleet. After protest he dutifully he executed these suicidal orders and led his fleet into the jaws of the lion. With four pitiful cruisers, one without its main armament, low on ammunition and coal, he went out to face the American battle fleet of double their number with half a dozen battleships. As his ships navigated the tortuous channel out of the harbor they successively came under the fire of the entire American fleet as they emerged. It was a holocaust. Cervera's only hope was to outrun the Americans so his plan was to sacrifice himself by attempting to ram the cruiser Brooklyn, the fastest of the American ships, so the others would have a chance. But he was shot to pieces long before he could accomplish that. Soon all his ships were burning hulks heading for shore so the survivors would have a chance. Survivors from those who didn't make it to shore came under shark attack in the bloody waters. Yet they had come out cheering with grim determination and had fought on until their guns were silenced and their ships burning and sinking. Some American officers had to restrain their gunners from pounding the survivors attempting to flee the burning wrecks and from cheering the death and destruction of the helpless enemy. It was not the most noble moment in American history. But the myth of "*Remember the Maine*" would not die and the Americans wanted vengeance.

And finally we have the land campaign in Cuba. This is the campaign that evokes glorious images of Theodore Roosevelt, the future President, storming up San Juan Hill with his Rough Riders, to liberate Cuba. The Americans sent an expeditionary force of 15,000 men to conquer Cuba. They landed at the little undefended village of Daiquiri which was obliterated by naval shelling before they landed. They marched through the jungle on dirt roads with only one skirmish with the Spanish which was quickly swept aside by the Americans. The only problem they faced was the San Juan heights. When they left the jungle they came out onto grassy plains at the base of the heights and exposed to a murderous fire from the Spanish holding them. The battle for these heights would turn out to be the battle for Cuba. Whoever held them controlled the city for from there artillery could make the city untenable. It was all settled in one day in three separate actions.

The first was by American troops taking a fortified position to the North called El Caney. The second was by Theodore Roosevelt's Rough Riders. This was a regiment that he commanded and had personally raised. They were all cowboys and men from the West and therefore excellent riders and crack shots. The Americans were all pinned down by the Spanish fire. It was a hopeless position and they couldn't stay there. The plan was to wait till the action at El Caney was over and they were reinforced, but that was taking all afternoon and the Americans couldn't last in their present position. So Roosevelt got his men up and going and they charged a up a hill to their right before the main heights. At the same time two other regiments of Buffalo soldiers (i.e. Negro cavalymen) charged the same hill on Roosevelt's left flank. They arrived on the top of the hill about the same time and drove off the Spanish defenders. This hill was called Kettle Hill because there was a huge iron kettle on the summit used for refining sugar. From there the Rough Riders watched and provided a covering fire on the main heights as these were taken. The main heights had seemed impregnable and the Americans in a bad position. However this was all reversed by technology, that ultimate arbiter of the battlefield. The Americans had brought up some Gatling guns and poured about twenty thousand rounds into the Spanish defenders in about eight minutes. That broke the Spanish resistance and when they charged to the top the Spanish were mostly gone except for their dead and wounded. Now we need to correct some misconceptions about this battle. First of all the Buffalo soldiers and the Rough Riders operated as mounted infantry. That is they travelled on horseback but fought on foot. So that famous charge of the Rough Riders that has been memorialized in American history was actually on foot. Only Theodore Roosevelt himself was on horseback and he dismounted at some barbed wire and finished the charge on foot himself. Secondly they never stormed up San Juan Hill at all but only up Kettle Hill. The critical heights were gained by the regular infantry. Thirdly it was not raw courage and valor that saved the day but those Gatling guns. Without them any charge would probably have been a debacle. As it was the Americans sustained heavy losses. Their casualty figures were about 200 killed and 1200 wounded, but these amounted to almost the entire battle casualties of the war. The real casualties, thousands of them, came later as a result of malaria, yellow fever etc. as the rainy season started making life miserable in the American encampments. This was partly self inflicted. The American commander decided had had enough of casualties and uncivilized or not if the city didn't surrender he would order naval bombardments. The civilian population streamed out of the city in fear and as they passed through the American lines infected the soldiers with the highly contagious yellow fever. So the campaign didn't end in glory but in death, disease, and misery, in rain and mud, in fungus and fever.

The war had a profound effect on the nation not the least of which was a new President. When Theodore Roosevelt came home to a hero's welcome for his part in the siege and conquest of Santiago he successfully ran for governor of New York. In the Presidential election of 1900 he was elected as McKinley's running mate. When the latter was assassinated in 1901 at the Pan American Exposition in Buffalo, New York Roosevelt became president. If McKinley had been a reluctant warrior Roosevelt was a triumphant one and the quantum shift in the nation's policies was now cemented. And what exactly was that shift? During the war America had crossed a great divide, she had crossed her Rubicon. Before the war she was a republic. Now she was an empire. In vain the traditionalists, constitutionalists, and isolationists had warned against this. In vain they had pointed out that owning colonies was incompatible with a constitution that stated that, "*government derives its just powers from the consent of the governed*" and that guaranteed a "*republican form of government*" to all its states. The sage advice of Washington's farewell address had gone up in smoke along with the Spanish fleets. The myths of the Maine; of a demonized Spanish rule; of a righteous America waging a just war, had produced not liberty and independence but an imperial

America with a colonial empire. Puerto Rico and Guam, the Phillipines and the Hawaiian Islands would now be occupied by American troops, defended by American fleets, and ruled from Washington. America had entered the twentieth century as an imperial power and spent much of that century engaged in foreign wars to defend her imperial interests. The founding fathers were long forgotten as the twentieth century became the American century. Such is the enduring power of myths!

"Remember the Maine!" Yes, we should remember the Maine for there is a lot to remember. We should remember the folly of rushing to conclusions especially in such critical matters. We should remember the folly of stampeding into war. We should remember the folly of the unintended consequences of ill considered actions. And preeminently we ought to remember the national sins of the past lest we repeat them and have to learn these lessons again in an even harder way. And finally we definitely ought to remember politically explosive nature of ships and shipping.

We ought to remember that the American Revolution was partly brought on by the British Navigation Laws and their restriction on shipping and the closing of Boston harbor to all shipping. We ought to remember that the War of 1812 was brought on by the impressment of American merchant seaman on the high seas into the British Navy. We have already seen how the battleship *Maine* was the focal point for precipitating the Spanish American War and in the next chapter we will see how the sinking of the *Lusitania* precipitated our entrance into the First World War. Finally the sinking of our ships at Pearl Harbor ushered a neutral United States into World War II and the "*Gulf of Tonkin Resolution*" after alleged Vietnamese motor torpedo boat attacks on our navy led to our involvement in the Viet-Nam War.

The above is an incredible record and ought to give us plenty of food for thought. It ought to cause us to reconsider the flawed policy of always sending our fleets to the trouble spots of the world unless we are really looking for war. And it ought to cause us to duly deliberate with patience and wisdom whenever our ships are involved in some unfortunate incident. Yes let us "*Remember the Maine*", lest a future generation is compelled to remember some other ship and more fruitless blood that was shed over it.

## CHAPTER EIGHT

### AVENGE THE LUSITANIA

At 3:10 P.M. on May 7, 1915 Captain Schwieger of the German submarine U-20 lined up his ship for a bow shot at the Cunard passenger liner *Lusitania* and fired a torpedo. As he monitored the progress of his torpedo through his periscope little did he realize the impact his shot would have on the world. The torpedo struck the forward part of the starboard side of the *Lusitania's* hull and she went down in a bare eighteen minutes with the loss of 1200 men, women, and children. The world was shocked and then outraged. A media crescendo arose condemning Germany for such barbaric and savage acts. There were over one hundred American citizens aboard and the American government came under intense pressure to deal harshly with Germany for its "murderous" acts. If this was the extreme to which German unrestricted submarine warfare, illegal by international law, was being pushed to then Germany had to be stopped. Within a year the neutral United States entered World War I on the side of the Allies against Germany. Her chief reason for going to war was the *Lusitania*. Today the myth of a cruel and savage Germany heartlessly torpedoing an innocent and unarmed passenger liner is still with us. And this event still forms the justification in the popular mind for our going to war with Germany. After the better part of the century elapsed the facts finally came out and they make grim but fascinating reading.

The story of the *Lusitania* starts on July 30, 1903. On that date Cunard, a large English steamship company, signed an agreement with the British Admiralty for the construction of two large passenger liners the *Lusitania* and the *Mauritania*. According to the agreement the British government would subsidize their construction and grant annual subsidies for their operation. In return they would be constructed according to Admiralty specifications so that they could easily be used as armed auxiliary cruisers in time of war. In the event of war they were to be immediately handed over to the Royal Navy for war duty and even in peace time they would be partly staffed by officers of the Royal Navy. On February 19, 1913, Winston Churchill, then First Lord of the Admiralty, called in Alfred Booth the head of the Cunard Company and called in his chips per the agreement. Booth was told that England would be at war with Germany by September of 1914 and it was time to outfit the *Lusitania* for war. She went into dry-dock and was fitted with 12 revolving gun decks for 6 inch naval guns and the necessary magazines with shell racks etc. The guns were not mounted as yet and the gun decks were camouflaged with teak wood decking. World War I broke out on August 4, 1914 and by August 8 the *Lusitania* was again in dry-dock to be fitted with her guns. It was all complete by September 17 and the *Lusitania* was now officially an armed auxiliary cruiser of the Royal Navy.

The First World War presented a unique problem for the British. England is an island empire and dependent on trade to exist. During times of war her demands for imports substantially increase. However her best source of supply is the United States who is a neutral in the conflict. As a neutral it is illegal under international law for the United States to ship contraband of war, that is war supplies, to any belligerent involved in the conflict. It was also illegal for American Banks to loan money to any belligerent to finance the purchase of war supplies. But American neutrality soon became just another myth. The American government decided that shipments from individual to individual were legitimate. Technically this allowed both German and British citizens to buy anything they wanted in the United States. In practice, because of the total British blockade on Germany, illegal under international law, it benefited only the British. Then the State Department

ruled that the United States Government had no authority to stop any private commercial transactions including bank loans. J.P. Morgan, the famed financier, then set up a massive network of dummy companies, phony bank accounts, false shipping manifests etc. to sustain a gigantic smuggling operation for the British government that shipped hundreds of thousands of tons of contraband of war, most of it high explosives. England was desperate for these war supplies but this material had to somehow be shipped across the Atlantic. The *Lusitania*, *Mauretania*, and company were ideal for this. Large and fast they could cross the Atlantic in less than five days. But the American government had a strict policy of prohibiting shipment of ammunition on passenger liners. And it would be totally illegal for a British war ship to visit the ports of a neutral and pick up contraband of war. So the *Lusitania* had her guns removed and began her career as a phony "passenger" ship. She ran shipments of American made ammunition and high explosives as well as Canadian troops across the Atlantic. With false manifests and the connivance of American authorities she was able to successfully continue this illegal practice. The stage was being set for one of the great maritime tragedies of this century.

At the outbreak of the First World War submarine warfare was bound by the internationally recognized Cruiser Rules. According to these rules a submarine was to surface and confront an unarmed merchantman. If it belonged to a belligerent or was carrying contraband of war it could be seized. If the submarine had insufficient manpower to sail the prize ship home it would be allowed to sink it after giving the crew sufficient time to debark. Sinking an unarmed merchantman without warning was illegal and every effort to save the lives of the crew was expected. Navy ships could of course be sunk without warning but total unrestricted submarine warfare was illegal. The distinction between warships and merchantmen was therefore crucial to conducting submarine warfare according to these rules. And the rules assumed that merchantmen were just that; that they were unarmed freighters with civilian crews.

From the beginning the British Admiralty did its best to blur this distinction. It armed as many merchantmen as it could. This was perfectly legal but obviously posed a significant problem for the German Navy. If a submarine surfaced to confront one of these it could very easily be itself sunk but if it attacked without warning it could be accused of violating the Cruiser Rules. But Churchill went even further. He ordered all British merchantman armed or not to attack German U-boats on sight. If unarmed they were to attempt to ram the submarine. By these actions he was fast rendering the Cruiser Rules meaningless and driving the Germans inexorably to unrestricted submarine warfare on all British vessels. But there is more. The Admiralty ordered all British merchantmen to paint out their names and port of registry and when in home waters to fly a neutral flag preferably the American. The *Lusitania* herself was known to have resorted to this ruse. The Germans were now in an even more difficult position. They were faced with an illegal blockade of their own coast that included even neutral shipping which was causing starvation in Germany due to lack of food imports. They were attempting by submarine warfare to implement an effective but legal blockade of Britain, but now they could not even distinguish between neutral and British shipping. So far Germany's naval warfare had been scrupulously legal including total compliance with the Cruiser Rules. As late as January of 1915 German submarines were foregoing attacks on British merchantmen if they were armed because they would not be able to follow the Cruiser Rules. But under these British provocations and with several U-boats almost lost in ramming attempts how long could this state of affairs last? Not Long!

On February 5, 1915 the German government declared a war zone in the waters around Great Britain in which all Allied ships would be sunk without warning. Unlike the British blockade of Germany however neutral shipping would be left unmolested. Orders were given to make the utmost effort to save the crews of all merchantmen attacked and that no ship flying a neutral flag was to be attacked unless it was positively identified as a British ship resorting to that masquerade. The American response astounded the Germans. The United States warned that in the event of the sinking of an American vessel or even the sinking of an Allied vessel with American citizens aboard the American government would hold Germany strictly accountable. This was a veiled threat of war if the Germans did not allow the British to use American citizens as screens on British ships carrying contraband of war under an American flag! Germany's attempt to conduct a lawful submarine campaign was in shreds because of Britain's illegal actions supported by the connivance of the American government. Germany then offered to return to the Cruiser Rules if the British would open their illegal blockade to allow neutral shipping to bring food into Germany and to stop arming merchantmen. The British refused. The Germans then proceeded with their submarine campaign sinking 25 British merchantmen in February and March of 1915. Sixteen of these were sunk without warning and a total of 52 crew members died, most of them on the *Tangistan* whose cargo of high explosives detonated when they were torpedoed. This was a reasonable record under the circumstances. But then on March 28 a British passenger liner, the *Falaba*, was torpedoed. The German submarine had surfaced and complied with the Cruiser Rules and given the crew time to evacuate with two extensions. But the *Falaba* had continued to radio for help and now an armed trawler was approaching to attack the submarine. The submarine fired her torpedo and the *Falaba's* cargo of high explosive went off killing an American citizen aboard. The American press, intimating that she was attacked without warning and denying the true nature of the cargo, crucified Germany for attacking a passenger liner and demanded government action against Germany. British policy was now inexorably involving the German Navy with American citizens and American shipping setting the stage for the death of the *Lusitania*. A month later the American tanker *Gulflight*, on its way to France with a cargo of oil, was stopped by two British Naval patrol vessels and forced to accompany them into harbor. On the way they were spotted by a German submarine who observed the White ensign, the British naval flag, on the patrol boats and assumed the tanker to be British and under their protection. He fired a torpedo into the American tanker but it did slight damage. However two sailors panicked and jumped overboard and were drowned. Again the German Navy had caused the deaths of American citizens this time by attacking an American vessel. The Admiralty's own internal report exonerating the U-boat under the circumstances was quickly suppressed. Again there was a crescendo of media condemnation based on false suppositions in the American press. And the American government condemned Germany for a wanton and unprovoked attack on neutral shipping. Britain's illegal actions in interfering with neutral shipping was overlooked. The stage was being set for the granddaddy of all such incidents, the sinking of the *Lusitania*.

The *Lusitania* was one of the largest and fastest ships afloat. The ill-fated *Titanic* had been built to try to exceed her. Her value as a munitions carrier and troop ship was enormous. It would seem that the British Admiralty had every reason to protect her from the possibility of submarine attack. And that is why the actions preceding her sinking are so mysterious. The British Admiralty had broken the German naval codes and therefore knew from both sightings and intercepted radio transmissions the approximate location of German U-boats at sea. In the days before the *Lusitania* disaster they knew of the presence of the U-20 off the southwest coast of Ireland. Several naval vessels were rerouted to avoid the danger she represented. And as the *Lusitania* steamed into the danger zone the Admiralty staff, noting that her escort, the armed cruiser *Juno* was not equipped to

deal with a submarine threat, recommended that destroyers be sent out to protect them. Not only was this not done but her only escort, the *Juno*, was withdrawn. The *Lusitania* herself was neither warned about the U-boat's presence nor advised that her escort was being withdrawn. She was sailing into the dragon's teeth alone and in total ignorance of what lay ahead. Not only was her escort removed but her best protection, her speed, was also removed. As an auxiliary cruiser of the Royal Navy she was under direct Admiralty control and she was ordered to steam at half speed in the center of the channel directly into the known path of a submarine! The U-20 to confirm its presence attacked two British merchantmen on May 5 in the very vicinity of where the *Lusitania* was to meet her fate shortly. One was sunk and the other escaped in the fog. Both attacks were reported to the Admiralty but no action was taken to protect or divert the *Lusitania* still steaming into danger unawares. On May 6 two more British ships were attacked by the U-20. Of all these the first three were attacked according the Cruiser Rules. The fourth was sunk without warning probably because she was a sister ship to the third who was found to have been an armed merchantman. The Germans were still doing their best to stick with the rules when at all possible even at this late date. Again the Admiralty took no action with respect to the *Lusitania* after these attacks. The local naval commander in Queenstown did finally on his own warn the captain of the *Lusitania* of the presence of U-boats, but neither of them had any authority to do anything. Only the Admiralty could order either a change of course or an effective escort and the Admiralty continued to do nothing.

The next afternoon the U-20 picks up the *Lusitania* in her periscope. She is correctly identified as either the *Lusitania* or the *Mauritania*, a British armed auxiliary cruiser being used as troopship and therefore fair game. The identification was probably verified from two British naval publications both of which were standard issue on U-boats for that purpose. The one is *Jane's Fighting Ships 1914* and *The Naval Annual 1914*. *Jane's*, the "Who's Who" of naval ships lists her as an armed auxiliary cruiser. The other publication as an armed merchantman. The British are really hoist by their own petard. Their own official naval publications provide the justification for the U-20 forsaking the Cruiser Rules and attacking the *Lusitania* without warning. She is torpedoed and there follows a massive secondary explosion and the ship goes down before effective evacuation is possible. Twelve hundred people are killed and over one hundred are American citizens. The secondary explosion was probably due to an illegal contraband cargo of explosives. However the most significant effect of the U-20's torpedo was that it impelled the United States into the European conflict.

Why did the United States enter the First World War? The media spouting disinformation was demanding it, but the government must have known better. However an election was coming up and the government dare not reveal that its lax interpretation and enforcement of the neutrality statutes had allowed American citizens to embark on an auxiliary cruiser of the Royal Navy illegally loaded with contraband of war in an American harbor. The fiction had to be maintained that the *Lusitania* was an innocent passenger liner doing no wrong. And that interpretation meant war. The State Department's internal report by its own legal department exonerated Germany, but it was quickly buried and the nation went to war after the election. An election in which Woodrow Wilson campaigned for re-election on the slogan, "*He kept us out of war.*" So, in the final analysis, what caused the United States go to war?

The United States went to war because of the following:

American citizens were killed when a British ship was attacked by a German submarine when it entered the war zone.

This British ship was an auxiliary cruiser of the Royal Navy and properly subject to attack by the rules of war.

This British "passenger" ship had been armed and may still have been as there were several accounts by survivors and witnesses of hidden guns on the *Lusitania*.

This ship was loaded with ammunition on its way to the battlefields of France to be fired at German soldiers and therefore a legitimate target of the German Navy.

The ship was partly officered by and under the control of the Royal Navy

The large loss of life was most likely due to the fact that the ship carried an illegal cargo that exploded.

The actions of the British Admiralty with respect to submarine warfare in general, and the *Lusitania* in particular, make little sense. They almost seem designed to compel Germany to abandon the Cruiser Rules and to sacrifice the *Lusitania* to the jaws of the awaiting U-20. None of this makes any sense, unless this policy was designed to in general get the German submarines involved with incidents with neutral shipping, and to sink either neutral ships or ships with neutral citizens aboard. The sinking of the *Lusitania* was the perfect event to bring America into the war, a war that Britain, even with America's vast material support, was not winning. Such thoughts are reinforced by the fact that Churchill himself once referred to the *Lusitania* as 45,000 tons of live bait and American representatives in London were repeatedly queried what America would do if the *Lusitania* were torpedoed. However all this is only circumstantial evidence and without a smoking gun we will never really know. What we do know is that the American victims should not have believed their government. They should have believed the large advertisement placed in the New York Times by the German Consul before the *Lusitania* sailed warning American citizens not to embark on the *Lusitania* as she was subject to attack once she entered the war zone. If they had they would not have died and thousands of American soldiers would not have died on the killing fields of France. They were all victims of the same deadly myths. The myth that the *Lusitania* was what she pretended to be. The myth that Germany was a savage and barbaric country that had to be stopped. Myths that after all this time have finally been exploded.

One more thing that died forever on that fateful May 7, 1915 was the Cruiser Rules. At the outbreak of World War II though they were still on the books no nation seems to have given them any thought. The hopeless position of the German Navy in attempting to comply with them was obvious to all. Both Germany in the Battle of the Atlantic and the United States in the Pacific War immediately went to unrestricted submarine warfare on the enemy's merchant marine. For war propaganda reasons Germany was again condemned for this. But The American Navy pursued a similar and very effective submarine campaign against the Japanese. Japan is an island empire and the loss of her merchant marine to submarine warfare contributed as much to her defeat as Halsey's mighty surface fleets. After the war the Allies were gearing up to put German war criminals on trial at Nuremberg. Among the intended defendants was Admiral Doenitz, who had headed the U-boat arm of the German Navy. It was intended to put him on trial for conducting unrestricted submarine warfare contrary to international law. When an American Admiral heard of it he responded, "*Are you crazy!*" and informed them that that is exactly what the Americans themselves had done in the war with Japan. The charges were quietly dropped. War had become more brutal and the world less civilized.



## CHAPTER NINE

### THE GREAT MACARTHUR

General Douglas MacArthur is one of America's most legendary military heroes. However although he justly holds an important place in history, and although his achievements are significant, his rise to a hero of mythical proportions is mostly due to a carefully crafted public image. Credit should be given when credit is due and there is much in MacArthur deserving of praise. But credit should only be given when it is actually due and not merely the product of an effective public relations campaign. And finally honest biography requires that not only a man's heroics, but also his failings, not only his nobility but also his pettiness be equally reviewed. In short a man ought to be honestly portrayed warts and all without the aid of the makeup artist and the photographer's tricks. This is particularly true of MacArthur, a man who placed more emphasis on polishing press releases than he did battle plans, whose talent for war was surpassed by his talent for public relations. To appreciate the man behind the myth we need to separate fact from fiction.

To appreciate the task before us we need to grasp the scope of the problem. Everybody knows Dwight Eisenhower. He was the supreme allied commander in Europe. The supreme allied commander in the Pacific was Admiral Chester Nimitz. He was CINCPAC for Commander In Chief Pacific, and Eisenhower's equivalent in the War with Japan which was essentially a naval war. Although Nimitz properly deserves the credit for the defeat of Japan the much more widely known MacArthur frequently gets the glory of that achievement. Why is this so? It can be explained very simply. Nimitz was there to fight a war and only one war, the war with Japan. Although he was responsible for the Pacific theater of operations and was in the rear directing the Pacific war from Pearl Harbor he had only two public relations officers attached to his staff. Their function was to meet the public's right to know about military operations, their legitimate access to non-classified information about the war. MacArthur had up to two hundred public relations officers attached to his staff and their job was to polish his public image and make him look good. MacArthur was always fighting two wars. One with the enemy and another with his real or imagined enemies on his own side, with all those who would not recognize his greatness, acknowledge his genius, accept his strategy, and grant him the promotions, the authority, the military resources etc. that he demanded so that he could win the war. It is a tribute to his genius that he was generally successful in both. But all this raises the issue if without the skillfully crafted public image, the public opinion building, and the political pressure it exerted on his superiors he would have gained the promotions and been given the resources by which he earned his place in history.

The first major campaign that MacArthur was responsible for was the defense of the Philippines at the onset of the war with Japan. It was a heroic defense in which the nation can take pride. The troops fought valiantly but without much leadership and support and crippled by the disastrous mistakes of their commander. MacArthur can be shown to have been both militarily incompetent and deficient as a leader in this campaign. It was definitely not his finest hour. The first catastrophe was the loss of all the American air power in the Philippines. The United States had been building up a bomber force in the Philippines as the threat of war increased as a deterrent to Japanese aggression. This strategic force was caught by surprise and destroyed on the ground about nine hours after MacArthur was notified of the attack on Pearl Harbor. This loss of American air power in the Philippines made their defense almost impossible and their fall inevitable. How could this have happened. It is true that the same thing had happened at Pearl Harbor but the situations are not

comparable. The Pearl Harbor attack was a total surprise, we were not at war with Japan, it was early on a Sunday morning, and the local commanders had been given no warnings of an impending attack. By contrast here was MacArthur's situation...

1. On November 24, 1941 he receives a warning from Washington that the Japanese might attack unexpectedly at any time.

2. On November 27, 1941 this warning is repeated. It is also sent to the local Navy commander, Admiral Hart, and the United States Commissioner. They consult with MacArthur and he tells them he does not believe the Japanese will attack until the next spring. Admiral Hart disagrees but MacArthur does nothing.

3. A Japanese air attack was most likely to come from land based bombers in Formosa. General Brereton, head of the Army Air Force in the Philippines requests permission to do photo reconnaissance of Formosa to detect signs of preparations for an attack. MacArthur denies him the permission.

4. Repeatedly the next few days formations of Japanese planes approach the coast and then veer away after being picked up on radar or spotted. It is clear they are practicing approaches and navigation for an impending attack.

5. Part of the bomber force has twice been ordered to the southern Philippines where they will be out of range of Japanese attack but this move is delayed so the crews can attend a big party Sunday (Saturday in Pearl Harbor across the International Date Line) night in Manila.

6. At 3:30 the morning after the party MacArthur receives the news of the attack on Pearl Harbor from Hawaii.

7. At 3:40 that morning he receives a call from Washington confirming the attack on Pearl Harbor and warning him that he could be attacked in the near future.

8. At 5:30 that morning MacArthur is advised by Washington that the United States is now at war with Japan.

9. From 5:00 A.M. on Brereton attempts to get permission to attack the Japanese on Formosa before they attack him. He is consistently put off by MacArthur's chief of staff and denied permission. Finally, over five hours late, he is granted permission to do a photo reconnaissance of the Japanese base on Formosa. Later he is given permission to attack but only in the late afternoon after the results of the photo reconnaissance mission are in.

10. Around 12:30 the Japanese attack Clark AFB and destroy the American air force on the ground.

The incredible thing is that the Hawaiian commanders, General Short and Admiral Kimmel, who had never received any warnings and were the victims of a sneak attack without a declaration of war, were relieved of their commands and subjected to a court martial for dereliction of duty. MacArthur, who had received multiple warnings, and was officially in a state of war with Japan, and still allowed his command to be surprised was later given a medal for his defense of the Philippines. In all justice that should have been reversed. Some people really are more equal than others!

Unfortunately MacArthur's bungling of the defense of the Philippines did not end with the loss of his air force. The army plan for the defense of the Philippines, Plan Orange, called for a strategic retreat to the Bataan Peninsula and the island fortress of Corregidor. There American forces were to

holdout until they could be reinforced. This was the plan that MacArthur was under orders to implement. Instead of executing his orders he attempted to defend the coast against the landings. There were no coastal defenses with artillery in concrete emplacements, pillboxes, barbed wire etc. such as the Germans had along the Atlantic Wall. And without any air power the defense of the coast was hopeless. MacArthur knew this but wanted to make a good show before retreating to Bataan. It was meant to be theatre, with MacArthur playing the part of the hero. Instead it became a disaster. The green, poorly trained Filipino troops broke and ran under fire and the Japanese swept through. MacArthur was so shook by this second debacle that for two days he did nothing before finally ordering the implementation of the original defense plan. Those two precious days had been crucial and by then it was almost too late to salvage the situation. The retreat was a logistical mess and the results were that by the time his forces were in Bataan they only had food for one month. There was plenty of food available but MacArthur never saw to it that it got to where it was needed.

First of all, he had never placed any food dumps in Bataan where according to the defense plan it would be needed. Secondly, he never saw to it that the food was moved there when he finally implemented that plan. Thirdly, he failed to issue the necessary special orders to commandeer civilian stores, commandeer freight trains with food, overrule civilian regulations about transport and storage of food etc. so that emergency shipments of the mountains of food available could be made available to his troops. Fourthly, he interfered with and threatened with court-martial those officers who saw the obvious and were taking emergency measures, in violation of Phillipine civil regulations, to get food into Bataan. The result was that mountains of food were left for the Japanese and his troops starved for most of the siege. From the start they were put on half rations and this was later reduced to three-eighths rations or less. The lack of food became the greatest curse of the entire siege. His men literally starved. They became so weak they couldn't walk, much less fight. Weak and debilitated many more succumbed to disease than to the enemy. Finally MacArthur was ordered to flee to Australia and conduct the Allied defense of that nation. His troops could care less, they already despised him and they made up a song about it (Sung to the tune of the Battle Hymn of the Republic).

*Dugout Doug MacArthur lies a shaking on the Rock  
Safe from all the bombers and from any sudden shock  
Dugout Doug is eating of the best food on Bataan  
And his troops go starving on.*

*Dugout Doug's not timid, he's just cautious, not afraid  
He's protecting carefully the stars that Franklin made  
Four star generals are as rare as good food on Bataan  
And his troops go starving on.*

*Dugout Doug is ready in his Cris Craft for to flee  
Over bounding billows and the wildly raging sea  
For the Japs are pounding on the gates of old Bataan  
And his troops go starving on.*

Refrain:

*Dugout Doug, come out from hiding*  
*Dugout Doug, come out from hiding*  
*Send to Franklin the glad tidings*  
*That his troops go starving on!*

The song may have been somewhat unfair to MacArthur but it made some telling points. MacArthur did not lack personal courage and there is no doubt that he was prepared to stay and to die with his troops. In fact he felt so bad about deserting them that he seriously considered resigning so he could avoid the order to evacuate and stay. But they felt that he had already deserted them. During the siege he stayed in his bunker on the island fortress of Corregidor (the Rock). During the entire three month siege he visited his troops on Bataan just once, and that was very early in the first week of the siege. They justly blamed him for not only for lack of food and material support, but for lack of moral support. MacArthur simply provided no leadership at all during the siege. Not only were the troops starving, but they had the added aggravation that the officers were hogging what food that there was. They were taking care of number one. MacArthur should have put a stop to that and he and his fellow officers should have led by example. The troops simply assumed that MacArthur on Corregidor was doing the same thing. And what was MacArthur doing all this time? He was putting out press releases, more than one a day. Glowing press releases dramatizing his heroic defense of the Philippines. The problem was that although there was plenty of heroism in Bataan and these ragged starving men fought valiantly they were rarely mentioned by name or by unit. Press release after press release was filled with MacArthur's name, talking about MacArthur's men, MacArthur's defense, MacArthur's strategy, ad nauseam. It was good politics and thrilled the American people and made MacArthur a hero back home. But it was poor leadership and his men choked on it. They made jokes about it. To them it was just part of their betrayal by their officers in general and MacArthur in particular.

As the war dragged on after MacArthur's departure from the Philippines his men had even less reason to appreciate him. His first order to them once he was safely in Australia was that they were all to stay, there would be no more evacuations, they were all to fight on to the death. Brave orders if he wanted to turn Bataan into a Philippine Alamo, but then he, like Travis, should have stayed and died with them. Coming from a well fed man who had evacuated to safety the orders didn't carry much moral authority with his starving troops. Later MacArthur ordered the troops to counterattack and die fighting before the food ran out. His successor Jonathan Wainwright actually issued these orders from Corregidor. The starving battalions on Bataan were incapable of any further resistance and mercifully the commander there surrendered to the Japanese rather than witness the total destruction of his command. Travis at least is reported to have drawn a line in the sand and to have given his troops a choice. MacArthur's fanatical orders from Australia are more reminiscent of the Japanese army than anything one expected from an American general.

But the men of Bataan had not seen the last of MacArthur. They were now prisoners of war. On the whole of all the Allied prisoners of war held by the Japanese one in five died in captivity. A full third of those died by friendly fire, not only by the accidental bombing of prison camps, but overwhelmingly by the sinking of Japanese transports that were loaded with P.O.W.s. MacArthur was the only one who was in a position to put a stop to this. His intelligence organization received all the data from Phillipine guerilla groups whose agents were also monitoring the transshipment of the P.O.W.'s and which ships they were being loaded on. However even after some survivors of a

torpedoed prisoner of war transport made it to Australia and MacArthur was personally notified of the situation nothing was done. Many of these transports were leaving the Philippines which he was preparing to invade. These were his men that the Japanese were evacuating and thousands of them perished on the water victims of the American Navy. Other Allied prisoners fared no better. There was a P.O.W. camp on Borneo with over two thousand prisoners mostly Australians. The Japanese started to kill them off in January of 1945 in anticipation of an Allied invasion. The Australians mounted a rescue operation and were ready to go with an advance party actually ashore near the camp. All they needed was a commitment for the planes necessary to evacuate the prisoners from the camp's landing strip. Douglas MacArthur with almost limitless resources at his command and with thousands of planes at his disposal refused to release a few transport planes for this duty. The remaining prisoners, over one thousand, were later slaughtered by the Japanese when the camp was evacuated. And so it went and even after the war his men received no support from the man who had ordered them to die in battle for his glory.

MacArthur was appointed Supreme Allied Commander in the Pacific after the war and in charge of the occupation of Japan. He was also in control of the war crimes trials. Once again he failed his men. At his insistence Hirohito, the Emperor, the man in whose name his troops had been starved, tortured, and murdered in captivity, was exempted from war crimes responsibility. The Australians especially were outraged. Then there was another class of war criminals that were protected by MacArthur. These were the special units that had tortured and killed thousands of P.O.W.s in medical and scientific experiments. MacArthur cut a deal with them that they would be exempted from prosecution if they would turn the results of their research, which included tests in chemical and biological warfare, over to the U.S. Army. The survivors of three and a half years of Japanese hell, who had watched their comrades in arms and companions in suffering die at the hands of these murderers, now had to watch their commander become their protector. This was the final betrayal of the men of Bataan. One has to wonder how many of the cadets at West Point who heard MacArthur's stirring speech at his retirement about "*Duty, Honor, Country*" tried to reconcile the two.

The first three critical battles of the war after Pearl Harbor were the Battle of the Coral Sea, the Battle of Midway, and the Battle of Guadalcanal. The first was a tactical draw but a strategic victory for the Americans as it forced the Japanese gave up their attempt to capture Port Moresby, the final stepping stone before the invasion of Australia. This was a naval battle fought exclusively by the United States Navy. Similarly the great victory at Midway where Japanese naval power received its first crushing defeat was won by the United States Navy. Finally the conquest and holding of Guadalcanal and its crucial airbase at Henderson Field was due to the navy wresting control of the waters around it from the Japanese and the desperate fighting of the Marines to take it from the Japanese and hold it. MacArthur played no part in any of these victories. The hard military facts are that MacArthur's part in the war was originally in some sense a sideshow.

The British complained about this. They wanted more American troops devoted to the European theater of war. They proposed to eliminate separate campaigns in the Pacific, one by Nimitz and another by MacArthur and have one unified thrust aimed at the conquest of Japan. This made good sense militarily, but was not politically possible. MacArthur was extremely popular and had a strong following back home. Time magazine had already complained that MacArthur was operating a sideshow and stated that the American people would not stand for that. MacArthur had to be given a major role and he was not a team player. The logical thing, to have him and Halsey respectively command the land and the naval forces in the Pacific with both reporting to Nimitz, was not feasible to anyone who knew MacArthur. So MacArthur's forces were built up to almost equal those of Nimitz and he was even given his own navy, the Seventh Fleet. So soon there were two separate

campaigns going on in the Pacific. There was the main effort by the Navy and the Marines, island hopping up the central Pacific on their way to Tokyo. This was the campaign that led to the winning of the war. Then there was the campaign led by MacArthur island hopping up the Western Pacific on the way back to the Philippines. This was almost a separate war, MacArthur's personal war, his personal quest to redeem his promises to the Filipino people to return and to liberate them. Ultimately how did this all work out? If MacArthur started off slow he finished with a flourish. While there is much to criticize in his handling of the defense of the Philippines and his campaign in New Guinea once his forces got built up his performance was so skillful and masterful that it has received high praise from many military analysts. This does not however resolve the issue if there should have been two separate campaigns in the Pacific. Neither does it resolve the issue that such questions ought to be determined by sound military thinking and not by political concerns and the pressures of public opinion. Generals are paid to fight and win wars not to run "election" campaigns for high military office.

MacArthur did go on to serve his country well after the war. Under his leadership a prosperous and democratic Japan was reconstructed to serve as an ally in the cold war with the communists. He served with distinction in Korea. Before he died one of the last things he did was to plead with President Kennedy not to involve America in a war in Viet-Nam. He had always counseled that the United States should not get into a land war in Asia. It was the voice of experience. Unfortunately it was advice that was not heeded. In his retirement President Nixon admitted as much. He stated that the biggest regret he had was losing the Viet-Nam War by trying to win it in the jungles of South-East Asia and that instead he should have blockaded and mined Haiphong harbor denying the North-Vietnamese the materials required to fight the war. MacArthur deserves his place in history as one of the great military men of this century. But the judgment of history should not be clouded by the myths and the propaganda that he generated about himself. It should be a balanced picture of a great, but flawed man. It should present him honestly, warts and all, giving equal attention to his vices and his virtues, to his successes and his failings. Only then can we begin to understand who this man MacArthur really was.

## CHAPTER TEN

### ABORTION WARS

One of the great recurring myths is the concept of the good old days. For some strange reason people seem to naturally perceive the past as having been better than the present. As men toil and struggle against the curse and as Murphy's law seems to reinvent itself daily there is a tendency to idealize the past. The world may be going to pot in our day but it was better in the days of our forefathers. The complexity of modern life and the pressures of the current rat race makes men yearn for the simplicity of a bygone age when men lived at slower pace. As we deal with the vices and vanities of the current age we imagine purer, simpler, more nobler times in the past. However the notion that there is some ideal age from which we have declined is generally faulty. There never has been such a golden age when everybody was honest, marriages really lasted till death did them part, and nobody cheated. It is a myth.

Most social ills have been with us almost forever. Ever since Adam and Eve stole the forbidden fruit and Cain slew his brother Abel we have had to live with vice and crime. No generation of men have a patent on this kind of behavior or been exempt from its effects. There may have been brief periods of colonial history where murder and rape were virtually non-existent and theft and adultery were rare such as in Puritan New England, a society where life and property were safe and the latch strings were always out. But for most of our history crime and vice have been well represented.

A brief review of our social history is in order. For most of the last century prostitution was legal on the frontier in the West. In fact in the State of Nevada it has continued so until the very present. Prostitution was also pseudo-legal in the East, that is it was ignored by the authorities as long as it was conducted quietly and out of sight so as to not give public offense. Gambling was rampant in the West and was legal and unregulated everywhere. And except for a brief period of prohibition, earlier in this century, the use and abuse of alcohol was perfectly legal, with thousands of bars and saloons, and public drunkenness a normal occurrence. Those who conjure up an image of a wholesome America without any of these vices are living in their imaginations. Those who are distressed to see the social fabric of our day strained these vices and pine for the good old days are appealing to a non-existent myth. And it is in this light that we have to look at the current abortion wars.

Abortion has been with us since colonial days. By the first half of the last century it was widespread. In fact the astonishing thing is how high the abortion rates were by the middle of the nineteenth century. There are no official records of course but the best estimates are that the abortion rate was as high or even higher than it is today. Abortionists, under thinly veiled euphemisms, were openly advertising and practicing their trade in America's urban centers. Public and medical opinion were, as today, highly divided on the practice of abortion. Most of the contemporary arguments used today in the abortion debate were in vogue already back then. Like Solomon said, there is "*no new thing under the sun*". It is just the egotistic folly of each generation to think that they have invented all this by themselves. Of course there are reasons why it has been assumed that abortion in quantity at least is a modern phenomenon. One is that the high abortion rates of the mid nineteenth century were significantly reduced by the beginning of the twentieth. Secondly, today we have official statistics documenting exactly what the abortion rate is. And

finally because legalization did cause an increase in abortions. But the information that should be of most interest to those engaged in today's abortion wars is how were the high abortion rates of the past significantly reduced?

What was done to reduce these rates? Well one thing was there was a general tightening both of the laws against abortion and of their enforcement. However this by itself had little effect and the abortionists carried on unperturbed as the very nature of the business made evidence and convictions extremely hard to obtain. There were increased efforts to marshal public opinion against the practice but this too was generally ineffective, because all that was really accomplished was to create pressure for legislation, legislation that had little effect. All legislation can do is tell people that there is a general consensus that some activity is immoral. And it can threaten that activity with legal sanctions but only to the extent that the law is credible and enforceable. As we have seen prohibition, which made the consumption of alcoholic beverages illegal, was totally ineffective. It was not known as the "Roaring Twenties" for nothing and the liquor flowed openly everywhere. Similarly today's governmental drug wars have been almost totally impotent to stop epidemics of one designer drug after another, from LSD to crack cocaine, all the legislation in the world notwithstanding. Before the recent nationwide legalization of state lotteries and casinos, gambling was still pervasive and almost everyone knew where to find a bookie. And since the odds of being caught were very minimalistic the courts provided no credible deterrent as those who wanted to drink, do drugs, and lay wagers, scorned both the law and public opinion.

What did reduce the abortion rate was compassion. Compassionate support that was ministered on a one to one basis to those with a crisis pregnancy. There were three groups back then who accounted for most of the abortions. They were unwed mothers, prostitutes, and women who were involved in what today would be called a New Age-Free Love cult. The unwed mothers were frequently young women who had been seduced and abandoned. The prostitutes were also generally women who were down and out and had entered a profession where the life expectancy was about four years. The latter two groups faced abortion without really having viable alternative choices. Loving compassion and generous support gave them a real choice. Compassion gave them a choice, an alternative, a way out of their desperate and seemingly hopeless plight. It gave them a new start and a way to get back into regular society. And many of them thankfully took it as the abortion rate went down.

There are lessons for both sides as a result of reviewing the history of the abortion in America. Abortion has been with us a long time. Abortion in socially significant numbers is not a new phenomenon. The strident proponents of abortion rights need to recognize this. The radical feminists can stop posturing as the modern liberators of womankind. They can stop pretending that this is a modern marvel for which they ought to be credited. One of the dirty little secrets of the contemporary abortion wars is that women are still dying from botched abortions performed by licensed but incompetent abortionists. Women are unbeknownst frequently losing the physical capability of having future children as a result of previous abortions. And many women are emotionally scarred for life as a result of anguishing thoughts about the little ones that might have been and who were sacrificed on the altars of a long forgotten convenience.

Similarly the strident opponents of abortion have a lot to learn from history. Abortion rates were not reduced in the past by strident rhetoric, threats, and even by the force of law. There is a sense in which the old adage, "*You can't legislate morality*" is true. There is also a sense in which it is

patently false. All law, after all, is an attempt to legislate morality. It is because murder, rape, theft, fraud, perjury, etc are immoral that we have laws against such practices. In this sense we are legislating morality. But what is also true that these laws have failed to eliminate such practices. Laws or no laws the City of New York alone continues to have hundreds of murders annually. In that sense, and in that sense alone we cannot legislate morality. That is not an argument in favor of legalizing murder. It is simply an acknowledgment that legislation by itself cannot solve these kind of problems. This should be a warning to the opponents of abortion of the danger of putting all their eggs in one basket. This should alert them that even if they should succeed in overturning "*Roe vs Wade*" abortion will continue to be a common practice in America. That would leave all regulation of this practice to the states none of which are likely to totally prohibit abortion anytime soon. They will have spent a generation of effort to obtain a Pyrrhic victory.

Politics can make strange bedfellows. Both sides should be able to cooperate to reduce abortion rates. They could mutually labor to reduce teen pregnancies. They could cooperate to maximize informed decisions before having abortions. But neither side can budge. They are the captives of their own myths. They could promote informed choices that include adoption and other less grisly alternatives. When all the facts are known there is no reason why pro-choice cannot frequently result in pro-life. But feminists are petrified that any concession will eliminate abortions altogether and mean total defeat. And pro-lifers are determined to accomplish total victory by the force of law. Legislative and judicial victories or defeats for either side notwithstanding, abortion is not going away anytime soon. Radical abortion rights advocates need to lose their paranoia and accept reasonable regulation and control over a practice that millions of their fellow citizens consider nothing less than the murder of unborn children. They need to reconcile themselves to the acceptance of more compassionate alternatives. Similarly the pro life legions need to spend more of their time and resources in providing these alternatives rather than putting their faith in the power of legislation to change society. After all, legal or illegal, an abortion is still an abortion. But the myth that it all hinges on "*Roe vs Wade*" and the legislative climate has made both sides inflexible in their approach. Therefore we will probably not see a reduction in the abortion wars anytime soon.

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<sup>1</sup> This book is a wealth of information about the *Lusitania*. Mr. Simpson, a former Royal Navy officer and a reporter for the London Sunday Times, has done the world a great service in finally documenting the true story of the *Lusitania*. I am indebted to his book for most of the lesser known historical facts brought out in this chapter.