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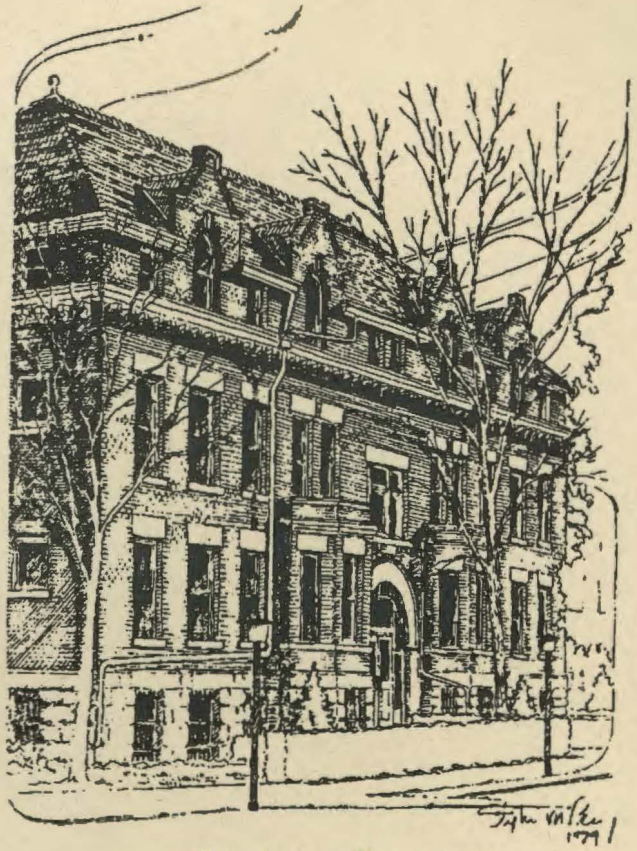

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Editor's Note

When I first embarked upon this editing odyssey in September of 2005, I came across the words of Oscar Wilde: "Any fool can make history, but it takes a genius to write it." Now that my voyage has landed, I can attest to the validity of this "Wilde" belief. It was during this latest printing that *The Fairmount Folio* received more submissions for publication than in any previous year in its existence. I believe this surge in papers is, in part, due to the growing interest Wichita State University students have for the realm of history. Where else can a chemistry student sift through the treasures of King Tut's tomb after deciphering the chemical formula for table salt? And in what other scholarly field can men and women respectably keep their mentors alive, such as Pope John Paul II or Martin Luther King Jr., while simultaneously enabling throngs of fresh, young minds to absorb their social impact and perhaps inspire them to better this world? Simply put, history is the story of our past and the material with which we mold our future, and I am honored to be a part of this eighth volume of the historical journal known as *The Fairmount Folio*.

In this edition, we have an exceptional range of analytical documents examined: from the educational systems of ancient Greece, to the transplantation of white colonists into Indian societies, to students' political protests in the contemporary world--surely there is a text written that stirs your curiosity.

As for the process of compiling, choosing, and editing these papers, I must bestow a humbled thank you to Dr. Helen Hundley for her unremitting patience with my relative inexperience as an editor and her vast knowledge of not only history, but of this process as a whole. Her exceptional talent for coordinating the production of the *Folio* and the meetings of those involved was instrumental in the success of the journal. Her explanation of the process were very appreciated, welcomed, and calming during those hectic days at Wichita State where midterms unfortunately seem to coincide with publishing deadlines.

A second thank you must be sent to those on the *Folio's* editorial board—Dr. George Dehner, Dr. Robert Owens, Angela Gumm and, of course, Dr. Helen Hundley. To be honest, I was ecstatic over the care and attention to minute detail each member spent on all eligible papers given the fact that there were so many submissions, no paper clip, rubber band, or extra-extra-large yellow envelope could house a member's copies to be reviewed.

In addition, I express gratitude towards Wichita State's Department of History and their College of Liberal Arts and Sciences for tirelessly supporting this journal and funding its publication.

Finally, I must give recognition to Chuck Crandall and Troy Lister from ADR Publishing for his expertise in printing scholarly material and, more importantly, conveying that knowledge to this year's editor of the *Folio*. In short: God Bless e-mail. Now please enjoy the treasures we have acquired on our nine-month journey through history...

Athena Stephanopoulos
May 2006

The March of the Muses: The Development of Higher Education in Athens from Pericles to the *Paripatos*

James Regier

Western society has been greatly influenced in numerous ways by ancient Greek society and culture, not the least of which was the Greek educational system. Alexander the Great's conquests relied in many ways upon technology, philosophy, and mathematics taught in Greek institutions of higher learning. How ironic then, that even two centuries prior to Alexander the Great, in the fifth century BC, a clear concept of higher education had yet to be developed. The development in Greek and Hellenistic education from the fifth to the third centuries BC bordered on the miraculous: from having no higher education whatsoever, Greek society developed and built a fairly complex system. This essay will attempt to take a closer look into the development of Greek education itself, focusing on several key movements and characters.

Before going much further, it seems necessary to define the scope of education with which this essay will be dealing. Homeric writings trace education back to the gods. Artemis, for example, taught hunting to Scamandum, Apollo taught Calchas to prophesy, and Athena taught Phereclus the art of shipbuilding. Other examples of skill-related education are well established in Homer's writings as well.[1] However, the Athenian education that emerged during the sixth century BC was considerably different from previous forms. Earlier, education was largely based on the model of a master with only one or two apprentices, to whom he taught the skills of his trade. Usually, he would teach his apprentices at his place of business, which could be located anywhere throughout the city. The education that emerged in the sixth century, on the other hand, was based on the model of a full time, professional teacher with a class of several students in a centralized location that was usually devoted to education. This newer education focused much more on a cultural training that was designed to strengthen citizenship, character, and virtue, rather than trade skills.[2] It is this newer cultural education upon which this essay will focus.

At its origin during the sixth century BC, Athenian education was primarily designed to teach leisure-time activities to the children of the wealthy aristocracy. Athenian aristocrats devoted their days to athletic contests and their evenings to entertaining each other with songs and recitations at drinking parties, or *symposia*. Schools were designed to educate privileged children, usually boys, in the necessary music and literature, or *mousike*, as well as the necessary physical contest skills, or *gymnastika*, aiming not only to achieve excellence in these fields, but also to attain moral excellence. The end goal was to form the child into a good person, a useful

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[1] Frederick A. G. Beck, *Greek Education 450-350 BC*, (New York: Barnes and Noble, 1964), 49.
[2] Beck, 72.

citizen, and a good conversationalist.[3] Perhaps Xenophon sums up the need and purpose for education among the aristocracy best in his *Memorabilia.*

> Nor does it satisfy the parents merely to feed their offspring, but as soon as the children appear capable of learning anything, they teach them whatever they know that they may be of use for their conduct in life; and whatever they consider another more capable of communicating than themselves, they send their sons to him at their own expense, and take care to adopt every possible course that their children may be as much improved as possible.[4]

The first of the two major subject areas of old Athenian education, *Gymnastike*, consisted largely of physical training and wrestling, which were necessary military skills, but also skills necessary for aristocratic contest. The students would receive physical instruction from their *paidiotribes* and be expected to practice their skills on their own. Ironically, *gymnastike* instruction did not necessarily require the use of a gymnasium. Instead, they took place in *palaestra*, or sport halls, which were located all over Athens, including within the three gymnasia. Although often the terms *gymnasia* and *palaestra* are used interchangeably, it is important to note several important differences. Whereas *palaestra* were sport halls dedicated purely to physical activities, gymnasia held a much broader use. Additionally, while gymnasia were publicly owned and open to all Athenian citizens, *palaestra* were mostly privately owned, with the exception of those located within *gymnasia.*[5]

The second major portion of the "old education" was *mousike*, which consisted of the areas of education inspired by the muses. These included music, prose and poetry, largely from the works of Homer, and occasionally painting and sculpture. Additionally, children had to learn their language and learn it well, which may not have been such an easy task, as word forms and conjugations were even more numerous then than they are now.[6] Any structure or open space served well for the study of music and letters, but there were also *didaskaleia* built as classrooms.[7] Such structures were not necessary, though, particularly in the Mediterranean climate. Classes could be held in the country, without even the minimal protection provided by the colonnades of city streets.[8]

School was never compulsory, and a child's eligibility to participate in a school depended entirely on his parents' ability and willingness to pay for it. Therefore, much of Athens' old education was a decidedly private matter, and beyond that was considered a luxury, rather than a necessity. In short, education was seen, at its root, as a toy for the rich.[9] Elementary education was completed was completed upon a boy's passage to manhood at puberty, which was officially

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[3] John Patrick Lynch, *Aristotle's School: A Study of a Greek Educational Institute*, (University of California Press, 1972) 33.
[4] Beck, 84.
[5] Lynch, 34.
[6] Martin P. Nilsson, *Die Hellenistische Schule*, (Munich: Verlag C.H. Beck, 1955) 14.
[7] Lynch, , 34.
[8] Raffaella Cribiore, *Gymnastics of the mind* (Princeton University Press, 2001), 27.
[9] Nilsson, 42.

recognized during his fourteenth year. Upon completion of their formal education in schools, children were expected to continue informally in the city.[10]

A clear need was developing for higher education in Athens, fed in part by the social trends and developments of the time. Greece of the fifth century BC surpassed all previous periods in agriculture, industry, and trade. Public building programs restored temples destroyed by the Persians on a tremendous scale. All of these developments were paralleled by increases in elegance, comfort, and luxury for Athenian citizens, and private affluence was much greater than for prior generations of Athenians. This is not to say that poverty was eliminated at any given point, but Athens was transitioning from a local economy to an imperial one, meaning that poverty was certainly on the decline.[11]

The democratization of Athens with the constitutional reforms of 462/461 further increased the need for higher education. Instead of only a privileged few holding power, the entire citizenry of Athens had a say, meaning much more widespread literacy became necessary. The bureaucracy of democratic government also meant increased opportunity for common people to hold paid positions of authority where they could advise and act on the behalf of the people. Such offices could only be entrusted to those qualified to handle their responsibilities.[12] With increasing numbers of students, the necessity for a democratized elementary education that would serve needs beyond those of the aristocracy also became apparent, leading to many significant changes during the fifth and fourth centuries. Education grew to encompass not only the aristocratic elements of *gymnastika* and *mousike*, but also more practical elements such as mathematics.[13] Advances in technology made papyrus more widely available, and thus increased the accessibility of literature. With the decreased reliance on stone tablets, the writing style also changed and simplified, which democratized writing.[14]

This greater emphasis on academics had the effect of shifting the balance between *mousike* and *gymnastike* to bring intellectual development to the forefront, while at the same time deemphasizing physical training. Around 450 BC, for example, physical education played a central role in Athenian education. A mere century later, around 350, physical education had been relegated almost completely to the peripheral, a secondary function merely for the purpose of keeping the body fit enough to profit from intellectual stimulation and culture. Again, this trend was largely due to democratization. Because sporting was open to all classes, and no longer simply to the nobility, a new class of professional athletes developed. Xenophanes, for example, in about 530 BC, noted that a successful Olympic athlete could expect to live out his days in luxury at public expense, which, considering the athlete's overall impact on the Athenian standard of living was miniscule compared to that of an intellectual.[15] These sentiments were echoed by Isocrates in his *Antidosis*.

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[10] G. B. Kerferd, *The Sophistic Movement* (New York: Cambridge University Press, 1981), 17.
[11] Ibid., 15.
[12] Ibid., 16.
[13] Randall R. Curren, *Aristotle on the Necessity of Public Education*, (Rowman and Littlefield Publishers, Inc., 2000) 12.
[14] Nilsson, 13.
[15] Beck, 141, 137

> Worst of all, although they assume the soul is more important than the body, despite knowing this, they welcome those who engage in gymnastics more than those who engage in philosophy. Surely it is irrational to praise those who engage in a lesser activity rather than a higher activity. Everyone knows that Athens never accomplished the remarkable deeds for which it is renowned through physical training, but that it became the most blessed and greatest of all the Hellenic city states through man's intellect.[16]

The general attitude toward professional athletes gradually began to shift as well as people came to the realization that a finely trained athlete was as good as useless in war due to his excessive muscle specialization and sensitive dietary needs. Athletic training came to be seen as a counterproductive endeavor to the city. Furthermore, as Aristotle explained in his *Politics VII*, intellectual and physical development were in direct competition with one another and therefore wholly incompatible.

> For it is impossible for the mind and body both to labor at the same time, as they are productive of contrary evils to each other; the labor of the body preventing the progress of the mind, and the mind of the body...
>
> ...Now, there is no occasion that anyone should have the habit of body of a wrestler to be either a good citizen or to enjoy a good constitution, or to be the father of healthy children; neither should he be infirm or too much dispirited by misfortunes, but between both these. He ought to have a habit of labor, but not of too violent labor, nor should that be confined to one object only, as the wrestler's is; but to such things as are proper for freemen.[17]

In other words, Aristotle argued that while physical fitness was indeed important for one's wellbeing and intellectual performance, gearing physical training toward athletics would actually harm academics. Moreover, he argued that physical contests such as wrestling held no place in society. Records indicate that not everyone agreed with Aristotle's assessment. Writers of the late fifth century, for example, complained that their traditional places of exercise had been "emptied" or "spoiled."[18] Nevertheless, the educational philosophy had definitely changed.

Higher education emerged in the latter half of the fifth century BC thanks largely to the efforts of Pericles, a wealthy intellectual whose closest associates and only friends were artists, intellectuals, and philosophers.[19] He had himself received an education from two Sophists, Claomenae and Damon.[20] Pericles, greatly influenced by Sophist ideas, used his wealth to attract many Sophists, including Protagoras, to Athens to teach. The Sophists brought with them the

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[16] Isocrates, *Antidosis*, 25, in translation from David C. Mirhady and Yun Lee Too, *Isocrates I*, (Austin: University of Texas Press, 2000) 251.
[17] Beck, 140.
[18] Lynch, 38
[19] Kerferd, 18.
[20] Isocrates, *Antidosis*, 248.

initial elements of higher education. They revolutionized and professionalized the education system, bringing the general old education terms of *schole* and *diatribe* to mean places of higher education.[21] These developments helped put Athens on the fast track to becoming the intellectual and artistic hub for Greece, which served to attract even more Sophists and intellectuals.[22]

The term *Sophist*, at its root, referred to the wise. Homer and Hesiod, for example, were referred to as Sophists, along with musicians, diviners and seers, and the Seven Wise Men. Not limited to wise men, the term *Sophist* was also applied to Prometheus, the Titan who brought fire and invention to humanity. The Sophists from the latter half of the fifth century likely labeled themselves to capitalize on the title's then overwhelmingly positive connotations.[23]

Sophists specialized largely in teaching communication, rhetoric, and argumentation skills, which were certain to bring their users significant political power through their ability to speak authoritatively about just about anything. According to Plato's *Gorgias*, for example, the Sophist Gorgias explained quite clearly the power of rhetoric to Socrates.

> I have often in the past gone with my brother and the other doctors to some sick man refusing to drink a medicine or let the doctor cut or burn him; when the doctor couldn't persuade him, I persuaded him, by no other craft than rhetoric. And I tell you, if a rhetor and a doctor went into any city you like and had to compete in speeches in the Assembly or in any other gathering about which of them should be chosen a doctor, the doctor would end up nowhere, but the man powerful at speaking would be chosen if he wanted it.[24]

In short, through skills in argument and rhetoric, one could expect to obtain a higher position in the bureaucracy of the Athenian democracy. Beyond that, though, during a city meeting, one could expect to be treated as an authority on virtually any subject, even if his actual practical experience was next to nil. This posed some problems to Socrates, as he noted that there was absolutely no guarantee that a rhetor would use his skills justly and virtuously.[25] In another conversation from another Platonic work, *Protagoras*, Socrates discussed his views on the importance of qualification for responsible positions with Protagoras, another Sophist. In Athenian meetings, Socrates noted when issues such as shipbuilding were discussed, a shipbuilder's experiences were taken seriously. If a layperson were to act as an expert in shipbuilding, he would be jeered out of the meeting. In discussions of political issues, on the other hand, almost all Athenians felt qualified to speak out, even before the emergence of the Sophists. In short, Socrates according to Plato, felt that while at worst, the Sophists' product was dangerous, at best, it was merely superfluous.[26]

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[21] Lynch, 39.
[22] Kerferd, 19.
[23] Ibid., 24.
[24] Plato, *Gorgias*, 456 b-c, in translation from Terence Irwin, (Oxford: Clarendon Press, 1979), 23-24.
[25] Ibid., 461a.
[26] Plato, *Protagoras*, 319 a-e, in translation from C.C.W. Taylor, (Oxford: Clarendon Press, 1976) 11-12.

Another major objection that Plato and Socrates held against the Sophists was that they charged money for their services. For the valuable skill of rhetoric, the Sophists, starting with Protagoras, expected quite a price. Higher education under the Sophists, although certainly fed by the functions of Athenian democracy, was itself far from democratic, and proved to be a way for the wealthy and powerful to secure and enhance their positions. Nevertheless, the Sophists found that there was a great deal of money to be made in Athens.[27] In Plato's *Protagoras*, for example, the young Hippocrates lamented to Socrates that to take classes from the Sophist Protagoras, it would cost him not only every cent he had, but anything his friends had as well, and in addition would need a strong recommendation.[28]

Because they were selling a service, Sophists had to recruit their own students. This meant that they were often to be seen in public places, advertising and recruiting. Once they had found their students, they would recede to private places to conduct their classes.[29] According to Isocrates, some of the methods Sophists used to attract students were less than honest.

> It is not only these teachers who deserve criticism, but also those who offer skills in political speeches. They have no concern for the truth but think that their art consists of attracting as many students as possible by the smallness of their fees and the grandness of their instruction and of being able to learn something from them. They themselves are so senseless—and they assume others are as well—that they write speeches that are worse than private citizens might improvise, and they promise to make their students such good orators that they will miss none of the possibilities in their cases.[30]

Twenty-six or more Sophists are known to have taught in Athens from the period from about 460-380 BC, which marked the height of their activity and importance.[31] Quite probably, that meant that there were also 26 different curriculums and disciplines. Sophistic higher education was disorganized almost to the point of dysfunction. Each Sophist had his own area of interest and focus, which was often quite limited. The system was further complicated by a lack of any sort of method for teacher certification. Essentially, this meant that a uniform structure was out of the question, and also that anyone who wanted to become a teacher had only to recruit willing students.[32] In his *Panathenaicus*, Isocrates confirms the low standards that some of the Sophists held, saying that they gather with their pupils in the Gymnasium, "discussing the poets, especially Hesiod and Homer, saying nothing original about them, but merely reciting their verses and repeating from memory the cleverest things that others have said about them in the past."[33]

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[27] Kerferd, 19.
[28] Plato, *Protagoras*, 310 e.
[29] Lynch, *Aristotle's School*, 39.
[30] Isocrates, *Against the Sophists*, 9, in translation from David C. Mirhady and Yun Lee Too, *Isocrates I*, (Austin: University of Texas Press, 2000) 63.
[31] Kerferd, 42.
[32] Beck, 142.
[33] Cribiore, 34.

Also influential during the Sophist Movement was Socrates. Clearly, Socrates was an opponent of quite a few Sophistic ideals. However, it is also important to note that he was, in many ways, a part of the movement in spite of himself. Much of Socrates' methodology, for example, was borrowed from the Sophistic Movement, including his dialectical approach. The balance between Socrates' originality and the degree to which he was influenced by the other Sophists is unanswerable.[34] Nevertheless, Socrates differed from the Sophists in several key areas.

Whereas the Sophists tended to advertise and promote themselves to excess in order to gain more pupils, Socrates tended to take a much more humble approach. Under no circumstances was one to boast about his own intelligence. For example, Socrates contended that the Spartans were truly wise, because despite their possessing the best education and greatest wisdom in Greece, they went out of their way to keep it secret.[35] The idea that one could teach someone something new was, to Socrates, rubbish. From his dialogue with Meno, as recorded by Plato, Socrates' role was not so much that of a teacher, but as a midwife assisting in the recollection and rebirth of forgotten knowledge.

> These opinions have now just been stirred up like a dream, but if he were repeatedly asked these same questions in various ways, you know that in the end his knowledge about these things would be as accurate as anyone's. —It is Likely.
> And he will know it without having been taught but only questioned, and find the knowledge within himself? —Yes.
> And is not finding knowledge within oneself recollection? –Certainly.[36]

Socrates believed that one can embark on a journey to find truth only by first acknowledging his own ignorance. In conversation with Gorgias, for example, Socrates notes the importance of arguments in beating out the truth rather than beating up each other. He points out the danger of allowing an argument to become personal as opposed to factual.

> If they dispute about anything, and one says that the other is speaking wrongly or obscurely, they are annoyed, and think he is speaking from jealousy towards them, competing for victory, not inquiring into what is proposed in the discussion; and some end up by parting in the most shameful way, covered in insults, when they have said and heard such abuse of each other that the people present are annoyed for themselves that they have seen fit to give a hearing to characters like these.[37]

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[34] Kerferd, 34
[35] Plato, *Protagoras*, 342b.
[36] Plato, *Meno*, 85 b-d, in translation from G.M.A. Grube, *Plato: Five Dialogues* (Indianapolis: Hackett Publishing Company, Inc. 1981), 75.
[37] Plato, *Gorgias*, 457d.

Along with Socrates' disdain for Sophistic pride and vanity, he also had issues with their formality. While Socrates did support the idea of higher education, he also supported the tradition of Athenians educating themselves in public places around town. He would spend his days in the public walks of the gymnasia, where he would be likely to find as much company as possible. Plato, for example, writes that the Lyceum gymnasium was one of his favorite haunts.[38] Anyone who was willing to submit to his questioning could be his student, regardless of age or social status. Particularly the young were attracted to him. The city of Athens, however, was not. He was sentenced to death for corrupting the youth.[39]

At the end of the Sophistic Movement, higher education in Athens had indeed come a long way. However, a complete and total lack of coordination between the Sophists as well as a general lack of organization kept the movement from reaching its full potential. There was no governmental regulation whatsoever, and even consistency within the Sophists themselves was impossible, as their schools were far from permanent.[40] A turning point in Athenian education came with Isocrates, who became the first known well-known teacher to establish a permanent institution of higher learning in Athens in about 390 BC.

Isocrates was a student of rhetoric under Gorgias of Thessaly. Isocrates saw the disorganization within Athenian higher education as quite problematic. He held great disdain for the Sophists, whom he believed to be self-serving and capable of great dishonesty in order to recruit students to their schools, most notably with their false guarantees for their students' mastery of rhetoric. In his *Against the Sophists*, Isocrates noted that those "who dare to make boasts with too little caution have made it appear that those who choose to take it easy are better advised than those who apply themselves to philosophy." He also complained about the Sophists' hypocrisy, claiming that while they preached against the value of money, they still felt no shame in charging their students money, while at the same time all but promising them immortality to attract them.[41] Indications are that Isocrates' problem was more with the Sophists' dishonesty than their rate schedule: like the Sophists, he charged fees for his education.[42]

However, Isocrates' school was far more successful financially and in other ways than any school extant in Athens to that point. His improvements resulted from basic philosophical changes within his higher education structure. Firmly a student of rhetoric, Isocrates liked presenting examples and having his students practice them. He used many Sophistic methods to teach, but unlike the Sophists, he dealt far more with actual practice than with theory.[43] Practicality dictated much of Isocrates' work as a teacher, as well as his recruitment of students. Isocrates refused to rush things or set unrealistic expectations. Instead of providing "jiffy" courses as the Sophists did to students who wanted the skills, but not the time commitment,

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[38] Plato, *Euthyphro*, 2, in translation from G.M.A. Grube, *Plato: Five Dialogues* (Indianapolis: Hackett Publishing Company, Inc. 1981), 6.
[39] M.L. Clarke, *Higher Education in the Ancient World*, (Albuquerque: University of New Mexico Press, 1971), 58.
[40] Lynch, 42.
[41] Isocrates, *Against the Sophists*, 1, 9.
[42] John W.H. Walden, *The Universities of Ancient Greece*, (Freeport, NY: Books for Libraries Press, 1909), 32.
[43] Horst-Theodor Johann, *Erziehung und Bildung in der heidnischen und christlichen Antike*, (Darmstadt: Wissenschaftliche Buchgesellschaft, 1976), 237.

Isocrates insisted on a longer terms of commitment from his students, even three or four years. Furthermore, he made no great promises, as the Sophists did, or making outstanding rhetors of anyone who came to him. He recognized that not everyone was born with the same level of talent. While everyone could improve and benefit from education, not everyone could expect to achieve greatness.[44] Isocrates did not teach a canned course as he accused the Sophists of doing, but instead taught a philosophy that could be adapted to the aptitudes and abilities of his individual students.[45]

Further, Isocrates successfully combined the effective use of rhetoric, as extolled by the Sophists, with a moral conscience for their correct use, as demanded by Socrates. Whereas the Sophists had promised to arm interested citizens with the rhetorical skill and equipment necessary to achieve powerful positions in the city, Isocrates promised to turn his students into insightful governors and responsible citizens. Takis Poulakos and David J. Depew eloquently illustrated the need for such reform.

> In an age of intense individualism, the command of logos was often put in the service of reprehensible ends. The failings of the city-state were reinforcing the perception that the happiness of the individual was at odds with that of the state; it soon became apparent that being a good citizen did not amount to being a successful or happy person. Isocrates tried to reverse this perception by positioning a fundamental interdependence between personal and public well-being. This reversal turned into a powerful argument for his school, which needed a raison d'etre.[46]

Isocrates emphasized the necessity for a leader to simultaneously be a normal citizen. The leader's wealth, status, and oratory are sufficient to draw suspicion from his constituents if he does not exercise his authority with justice and temperance.[47] When Isocrates died at 98 years of age, his school died with him. He had neither chosen a successor nor was the education he offered designed to produce one. Nevertheless, his methods survived and strongly influenced all rhetorical teaching thereafter.[48]

When Plato returned to Athens in 387 BC, he began teaching in the gymnasium known as the Academy, which was located about three quarters of a mile from the Dipylon gate.[49] Plato's school, which took the name of the Academy gymnasium in which it was located, proved to be quite innovative. The Academy was much more complex than any previous school, including a community of advanced members as well as younger students. Instead of the typical Sophist structure with one expert and many pupils attempting to research his teachings, the more

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[44] Isocrates, *Against the Sophists*, 14-15.
[45] Walden, 32.
[46] Takis Poulakos and David J. Depew, *Isocrates and Civic Education*, (Austin: University of Texas Press, 2004), 7, 76.
[47] Takis Poulakos, *Speaking for the Polis: Isocrates' Rhetorical Education*. (Columbia: University of South Carolina Press, 1997), 27.
[48] Walden, 34.
[49] Clarke, 59.

advanced students would also be able to lead studies. Plato, as a teacher, tended to favor informality. He took a role as director of studies for his Academy rather than a lecturer. Instead of reading lessons to his students, he would set problems for them and offer advice and criticism for their solution. Students were expected to look into the problems themselves and come up with their own ideas, using their own thoughts. Historians speculate that Plato's *Republic* and his *Laws* were products of the Academy, rather than texts taught there.[50]

Little is known about the teaching philosophy Plato actually used at the academy, as there is no written record of it. In general, Plato viewed writing as an inadequate compensation for a poor memory.[51] It is known, however, that Plato's public speaking skills left much to be desired. The one lecture of which any definite trace is left, was a complete flop. Plato announced that he would be speaking on "The Good." He had a large audience, expecting to hear about health, wealth, and friendship, which they considered to be the good. Instead, Plato talked about arithmetic and geometry and astronomy, discussing the One as the Good. The lecture itself was so enigmatic that the majority of the audience left in disappointment and confusion. The only records from this lecture come form some of Plato's more advanced students who tried to take notes.[52]

Much of the Academy's focus was dedicated to finding the good, which was a fairly complex task, as evidenced by the numerous fields of study available at the Academy, and proved a major dividing point from the Sophists. Sophist discussions held "the good" as a weapon of persuasion in discussion and debates. Plato, on the other hand viewed the good as the method of highest wisdom, the basic principle of all value. Finding the good would make the achievement of ultimate truth possible.[53] In the effort to find "the good," the academy focused on mathematics, numbers, geometry, and astronomy. Although there was no tuition required of the Academy's students, Plato would not accept students who did not have a general background in these areas.[54]

Like Isocrates, Plato intended for his institution to be a permanent establishment. As a citizen of Athens, he was able to own property within the city, so he bought a small tract of land close to the Academy for 34000 drachmae.[55] Like some other teachers before him, Plato used a public gymnasium for many of his classes, which allowed for public recruitment and maintenance of a fairly large academic body. On the other hand, the gymnasium's public status meant that anyone could use it for other activities and purposes at any given time. Plato's private property, however, meant a permanent base of operations near the gymnasium, and thus a permanent presence. When Plato died, he left the Academy along with his house and garden to his nephew, Speusippius, who in turn left it to his pupils, or in a trust under his successor Xenocrates.[56] Plato's Academy continued as an institution for nearly 900 years.[57]

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[50] Lynch, 55.
[51] Clarke, 66.
[52] Kenneth J. Freeman, *Schools of Hellas*, (New York: Teacher's College Press, 1969), 197-198.
[53] Johann, 162.
[54] Freeman, 196.
[55] Clarke, 59.
[56] Walden, 27.
[57] Clarke, 60.

Aristotle attended Plato's Academy from the age of 17 until he was 37, first as a student and then as a teacher. When Plato died, he left Athens with Xenocrates in about 348 BC for Atarneus, where he and some other Academics, as Academy members and alumni were known, formed a circle centered around the tyrant Hermeias of Assos. After three years there, Hermais was killed by the Persians and Aristotle accepted an invitation from Theophrastus to go to Mitylene, where he formed another philosophical circle that also had close ties to the Academy. In 343 BC, when Aristotle was 42 years old, he went off to Philip's court in Macedonia to tutor the young Alexander the Great. During the latter part of this time, Aristotle went with Alexander to Stagira, a town that Philip had destroyed. With Philip's permission, Aristotle regrouped the population, rebuilt the town, and drew up laws for it. Close by, in Mieza, Aristotle founded the Nympheum, a school patterned after the Academy, where he continued to teach Alexander along with other students including the young Theophrastus. In all, by the time Aristotle arrived back in Athens in 335 BC, he had spent 23 or more years in the company of Academics, and had a great deal of teaching experience. This, no doubt, held an enormous influence on his thinking about how an institution of higher learning ought to be.[58]

Even after Aristotle left the Academy, he was still considered to be an Academic, and was therefore eligible to teach or even to serve as *Scholarch* if so elected. However, Aristotle chose to form his own school instead. There are two very different traditions concerning why Aristotle formed his own school, the *Paripatos*, at the Lyceum upon his return to Athens. One, according to Diogenes Laertius, was that he formed the school as a protest against the leadership under Xenocrates, and in the other, according to Cicero, he built his school as a kind of branch of the academy, in a spirit of friendship with Xenocrates. In all likelihood, the real answer lay somewhere in the middle: Aristotle had simply developed different interests than the ones served by the Academy. As a member of the Academy and not a *Scholarch*, Aristotle would have been in no position or authority to change the Academy's academic pursuits.[59]

Certainly, though, Aristotle's *Paripatos* was vastly different from the Academy. Like the Academy, the Lyceum was organized as a complex and diverse community, rather than a simple group of master and pupils, but unlike the Academy, the Lyceum included other philosophers, such as Theophrastus, who were Aristotle's contemporaries and colleagues. The Lyceum had several levels of faculty besides the *Scholarch*. Faculty concerned with teaching and research formed the *presbuteroi*, and faculty concerned with learning constituted the *neaniskoi*. Additionally, as students progressed through their studies, gained confidence and achieved intellectual independence, they were encouraged to become teachers themselves, as Aristotle had previously done at the Academy in his 20s. There was no contractual obligation for anyone, and the philosophers of the school commonly referred to one another as "friends."[60]

Aristotle was a strong proponent for public education. He believed that education was absolutely necessary for the survival and wellbeing of a democracy and indeed the state. In Book V of his *Politics*, Aristotle describes education as "the one good thing" or "sufficient" to achieve the city's ends, in that education would create well-informed, reasonable citizens who

[58] Thomas Davidson, *Aristotle and Ancient Educational Ideals*, (New York: Burt Franklin 1892), 156.
[59] Lynch, 72.
[60] Ibid., 78.

could plainly see what laws are necessary for a city and how that city can be most successfully run.[61] Thus, the *Paripatos* did not charge tuition. Further aiding students were job opportunities around the *Paripatos* to help pay their living expenses while they were in attendance. The famous Stoic Kleanthes, for example, was a former boxer from Assos who arrived in Athens with only four drachmas, but was able to support himself by working in Zeno's Stoa by watering gardens and crushing meal at night.[62] Public education, Aristitotle believed, was a public matter, and one that the city, as an institution, ought to concern itself with.

> And since the whole city has one end, it is manifest that education should be one and the same for all, and its care public and not private—not as at present, when everyone looks after his own children privately, and gives them private instruction of the sort which he thinks best. The training in things which are common interest should be made common.[63]

For the curriculum, Aristotle made great strides in making his *Paripatos* considerably more scientific than anything previously known in Athenian education. He developed systematic methods for collecting and analyzing literature, which enabled surveys of entire fields of knowledge. Furthermore, the *Paripatos* was instrumental in developing a scientific method for analysis and data gathering. Whereas previous scientific efforts had relied upon testing a hypothesis with logic and theory in a method similar to a geometric proof, Aristotle used scientific experimentation. In doing so, he appealed to a historic consciousness and endeavored to find truth through harmonizing and complementing data with a further appeal to the outer world.[64] In his work *On Coming into being and Passing Away*, Aristotle offered analysis into the contrast between the two methods.

> The reason for our inability to comprehend admitted facts is simple lack of experience. For that reason those who have lived in close contact with natural phenomena are better equipped to formulate broad generalizations, but those who debate at great length and are blind to the facts are easily shown to have very limited views. Witness the difference between those who do research empirically and those who do it dialectically.[65]

Much of Aristotle's scientific findings were recorded in his numerous works and treatises, which included *Logic*, *Metaphysics*, *Ethics*, and *Politics*, among others. Most of these works were written during his time at the *Paripatos* in Athens, at a time when Aristotle had gathered enough data to feel confident about coming to conclusions and writing them.[66] As

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[61] Curren, 49.
[62] Lynch, 79.
[63] Curren, 126.
[64] Davidson, 162.
[65] Lynch, 86.
[66] Davidson, 158.

recorded in his *Ethics*, Aristotle believed that true scientific knowledge had to have its roots well known as well as its results.

> Scientific knowledge is, then, a state of capacity to demonstrate, and has the other limiting characteristics which we specify in the *Analytics*; for it is when a man believes in a certain way and the starting-points are known to him that he has scientific knowledge, since if they are not better known to him than the conclusion, he will have his knowledge only incidentally.[67]

Aristotle's institution required far more structural facilities than any previously established school because of the large quantities of data stored there. Aristotle's *Paripatos* was the first school to require such a library of data. Aristotle was the first to recognize the value and importance of organizing a library for a philosophical school.[68]

Despite its fantastic achievements, Aristotle's *Paripatos* at the Lyceum was, nevertheless, in a constant state of political uncertainty. Aristotle was born in Strageira in Macedonia. He did not even venture to Athens until he began his studies in Plato's Academy at the age of 18.[69] He was not an Athenian, and therefore held no rights to land ownership as Plato did. Furthermore, he was closely connected with Alexander the Great, which made him quite unpopular in Athens. Particularly after Alexander smashed Thebes in 35, there was great suspicion surrounding Aristotle and his school, which had been established only shortly thereafter. He was treated respectfully, however, if only to avoid incurring the wrath and punishment of Alexander and Macedonia. When word of Alexander the Great's death reached Athens in 323, Aristotle became an obvious target. He was arrested for trumped-up charges of impiety, which were sure to raise high emotions and even louder cries from the populace for his blood. Aristotle fled to Chalkis, which was protected by a Macedonian garrison, proclaiming that the Athenians should not be allowed to "sin against philosophy a second time." He died shortly thereafter.[70]

Although Aristotle's work was abruptly brought to an end, his school at the Lyceum continued; he left it in the hands of Theophrastus. Despite its precarious nature as a wholly public institution, according to Theophrastus' will, the *Paripatos* was a well-organized body with considerable property, despite the fact that neither Theophrastus nor Aristotle had Athenian citizenship.[71] This citizenship issue, however, continued to plague the *Paripatos* throughout its existence, as did the Lyceum's precarious location, which was outside the Athenian city wall. During times of war and invasion, all education suffered, but the *Paripatos* was particularly badly hit. Nevertheless, the school continued in existence until AD 529, when the emperor Justinian closed all philosophical schools in Athens.[72]

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[67] Aristotle, *Ethics*, VI.3, in translation from David Ross, *The Nicomachean Ethics*, (Oxford University Press, 1980), 141.
[68] Lynch, 97.
[69] Davidson, 155.
[70] Lynch, 94-95.
[71] Clark, 61.
[72] Morison, William, "The Lyceum," *The Internet Encyclopedia of Philosophy*, (http://www.iep.utm.edu/l/lyceum.htm 2001) Accessed 24 April 2005.

With the conquests of Alexander, the Greek educational system spread throughout the entire Hellenistic Empire. Schools were the grounds on which Greek culture was built. Throughout the empire, wherever Greeks had a sufficient population to support them, gymnasia were built, particularly in the Seleukian and Ptolemaian areas.[73] Although certainly there was wide variation in teaching methods and structures, higher education had progressed to the point that students from around the empire could effectively compare their work with one another.[74]

The developments in Athenian higher education from the sixth to fourth centuries BC were certainly striking, especially considering that before the sixth century, there was none whatsoever. The successive changes and developments arose from need for the support of democracy and the betterment of society, but also through the influences of key figures and movements. The educational systems, largely established at Athens, became a model for the rest of the Hellenistic world, and even today, nearly two and a half millennia later, the thought generated there continues to be influential.

[73] Nilsson, 82.
[74] Cribiore, 37.

Fiske Hall Graduate Seminar Paper Award*

Sympathy for the Devil: Simon Girty, the Frontier Captive Experience, Loyalty and American Memory

Mark P. Schock

He was fifteen. In those fifteen years he had witnessed and experienced things which only those growing up on the fringes of a frontier society could. He had been raised at a place known as Chambers's Mill in what is now south central Pennsylvania, a settlement rough even by frontier standards. Nineteenth-century historian Consul Willshire Butterfield tells us, "Indeed, it had few, if any, rivals, for its wickedness, in the province."[1]

As a child he had been evicted from his home. The rude cabin burned, not by Indians, but by an under-sheriff of Cumberland County.[2] His father had died violently. Traditional histories suggest that he was killed in a drunken brawl with an Indian named The Fish. His future stepfather then killed The Fish and married the widow.[3] The modern historian Colin Calloway, however, has uncovered Pennsylvania Supreme Court records that show his father died in a duel with a man named Samuel Saunders.[4] Nothing in his experience, however, could have prepared him for the events of these past few days.

War had once again returned to the frontier. After Braddock's defeat in July 1755 the English settlers of western Pennsylvania erected small forts, including Fort Granville in Cumberland County. The boy's family removed there in July 1756 for protection. On 30 July a force of 23 Frenchmen and about 100 Delaware, Shawnee and Seneca Indians under Neyon de Villiers attacked the small fort. After withstanding the assault in the daylight the defenders surrendered that night when Villiers offered quarter.[5]

The prisoners from Granville were force marched to the Delaware village of Kittanning on the east bank of the Alleghany River. There the boy watched as his stepfather was stripped and tied to a black pole. A fire was built under him and heated gun barrels were thrust into his naked body. After three hours of torture the suffering was finally terminated with a scalping and a tomahawk stroke.[6] This was not to be the last such death the boy would witness.

The events of that summer of 1756 would go a long way toward shaping the man the boy would become. He now entered into contact with the Indian peoples who would forever be linked with his name and reputation. Though he would move back and forth between their world

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* Each year, the Fiske Hall Graduate Seminar Paper is given to the best graduate paper written in the previous semester's seminar.

[1] Consul Willshire Butterfield, *History of the Girtys* (Cincinnati: Robert Clarke & Co., 1890; reprint, Columbus, OH: Long's College Book Co., 1950), 1-2 (page citations are to the reprint edition).

[2] Ibid., 3.

[3] Ibid., 5.

[4] Colin G. Calloway, "Simon Girty: Interpreter and Intermediary," in James A. Clifton, ed., *Being and Becoming Indian* (Chicago: The Dorsey Press, 1989), 39.

[5] Butterfield, 6-9.

[6] Ibid., 11.

and the white world of his birth he would come to be labeled a "white savage."[7] The boy's name was Simon Girty.

The white boy who had already lost two white fathers would grow to adulthood with an Indian father. As an adult Simon Girty moved freely between the white world of those loyal to the British crown and the Indian world in which he had reached maturity. He would struggle to decide on his own loyalty and in the end allowed others and events beyond his control to determine his allegiance for him. His enemies blamed him for depredations he didn't commit and credited him with leadership he never possessed. This led to a reputation so great that while private citizens did indeed offer rewards in the neighborhood of $100 for Indian scalps, rumor held that Girty's scalp was worth $1,000.[8]

Tens of thousands of American colonists remained loyal to the British Empire during the Revolution. Their exact numbers are unknown, but the best estimates range from 75,000 to 100,000. Thousands bore arms against their Patriot neighbors. Many served in the twenty-one loyalist regiments which complimented the British Army in America. Thousands fled to British Canada after the Revolution and continued in their loyalty to the British crown.[9] Yet Simon Girty's infamy would prove unique. While all Tories are viewed negatively in American memory, Girty's legacy is darker not only because of his service alongside Indians, but primarily because he practiced and was exceedingly successful in their way of war. More than a hundred years after his death, a 1920s Hollywood serial painted the picture of the white demon renegade, Simon Girty, leading "war-painted, tomahawk-wielding Indian savages upon innocent white settlers."[10]

Girty owes his place in history to that Indian way of war. It was the Indian way of war that first led to his presence in Indian society. The taking of captives was an integral aspect of Indian warfare. European armies rarely seized noncombatants and combatants were usually paroled after agreeing to abandon the fight.[11]

> But according to Indian rules, captives of all ages and of either sex could—indeed must—be taken, either to be adopted into the families of the victorious nation or, if less fortunate, to be tortured, killed, and (occasionally) eaten. These practices, which American colonists too readily dismissed as evidence of the Indian's savage nature, were embedded in complex cultural ideas about warfare and the possibility of 'requickening' (physically and spiritually replacing) deceased relatives.[12]

Upon capture, the captive's fate depended on a number of factors. Between 1675 and 1763 French, Indian, or combined parties of French and Indians captured 771 males and 270 females from the New England settlements.[13] The Abenaki and other Canadian mission Indians

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[7] Daniel P. Barr, "A Monster So Brutal:," *Essays in History* 40 (1998): 1.
[8] Alan D. Gaff, *Bayonets in the Wilderness: Anthony Wayne's Legion in the Old Northwest*, Campaigns and Commanders Series (Norman, OK: University of Oklahoma Press, 2004), 228-229.
[9] Thomas Fleming, *Liberty, The American Revolution* (New York: Viking, 1997), 348.
[10] Wilbur Edel, *Kekionga: The Worst Defeat in the History of the U.S. Army* (Westport, CT: Praeger, 1997), 29.
[11] Alden T. Vaughan and Daniel K. Richter, "Crossing the Cultural Divide: Indians and New Englanders, 1605-1763." *The Proceedings of the American Antiquarian Society*, 90 part 1 (April 1980): 73.
[12] Ibid.
[13] June Namias, *White Captives: Gender and Ethnicity on the American Frontier* (Chapel Hill & London: The University of North Carolina Press, 1993), 50.

were usually disposed to give their captives over for French bounties or English ransom. Only a few were kept for adoption into the tribes.[14]

The situation in Pennsylvania by the time of Simon Girty's capture was very different from that in New England. As historian James Axtell points out, "... the Indians of Pennsylvania, southern New York, and the Ohio country had no Quebec or Montreal in which to sell their human chattels to compassionate French families or anxious English relatives. For this and other reasons they captured English settlers largely to replace members of their own families who had died, often from English musketballs or imported diseases."[15]

Whether adoption or ransom was the motive for capture the captive had first to survive the journey back to the Indians' villages. Captivity narratives scandalized white audiences with the tales of those who did not survive these arduous treks. On the retreat back to Canada after the 1704 Deerfield raid, the Reverend John Williams became separated from his wife Eunice (Mather) Williams who was weak from recent childbirth. Frantically he asked fellow captives if they had seen her and learned the worst. After falling while crossing a freezing river she was killed by one stroke of a tomahawk by one of the Indian raiders. He consoled himself and the couple's five children with the hope that she had died instantly and her suffering was past.[16]

Mrs. Williams' death and the similar deaths of others; infants, the old, the weak and the sick, appears heartless and savage to the modern reader, but it must be remembered that raids such as these are examples of extreme guerilla warfare. The weak and infirm posed a great risk to the successful escape of the raiders. While modern lawyers would decry such acts, some modern military commandos would describe such acts as military necessity.[17] Brutality was a common feature of frontier warfare. The English colonists themselves were not above killing prisoners. During a scouting expedition against Fort Ticonderoga in January 1757 English colonial rangers under Robert Rogers killed seven prisoners to prevent their escape during a firefight.[18] In the Revolutionary War George Rogers Clark ordered the scalping of Indian prisoners in sight of an enemy force at Vincennes to hasten their surrender.[19]

If a prisoner had been selected for adoption he or she could expect protection on the trail. John Tanner was nine years old when he was captured at his home on the Kentucky River by the Shawnees. On the journey back to Shawnee country Tanner struggled against his captors and one warrior raised his tomahawk to strike the boy. Another warrior by the name of Kish-kau-ko prevented the act and warned the offender to leave his "little brother" alone. Kish-kau-ko and an older warrior stayed by Tanner's side for the remainder of the journey.[20]

Arrival at the Indians' villages did not guarantee survival. Adult captives faced a gauntlet run where they were struck with, "ax handles, tomahawks, hoop poles, clubs and switches."[21] Some captives received serious injury by the gauntlet and were taken from village to village to repeat the run. Such was the case with the renowned frontiersman Simon Kenton. Kenton was

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[14] Vaughan and Richter, 84.
[15] James Axtell, "The White Indians of Colonial America." *The William and Mary Quarterly: Magazine of Early American History* 3d ser., 32, no. 1 (January 1975): 59.
[16] John Demos, *The Unredeemed Captive* (New York: Alfred A. Knopf, 1994), 28-29.
[17] Armstrong Starkey, *European and Native American Warfare: 1675-1815* (Norman, OK: University of Oklahoma Press, 1998), 26-27.
[18] Ibid., 27.
[19] Ibid., 12.
[20] John Tanner, *The Falcon*, with an introduction by Louise Erdrich, Penguin Nature Classics, ed. Edward Hoagland. (USA: G. & C. & H. Carvill, 1830. Reprint, New York: Penguin Books, 1994), 5.
[21] Axtell, 70.

captured on the Ohio and forced to run the gauntlet at the villages of Chillicothe, Piqua, and Wapatomica.[22] He would eventually be saved from further torment by an old acquaintance among his captors.

Even worse treatment awaited a few, such as Simon Girty's stepfather, John Turner. Often a fate such as Turner's was an act of revenge or mourning. Families who had lost kin to the enemy could demand such a death as revenge or to assuage their grief.[23] At least one historian suggested that Turner had bragged of killing The Fish, the Indian who had supposedly killed his wife's first husband, and his own death was in revenge for that death.[24] If that entire incident was indeed fiction, as Calloway contends, then Turner's repetition of the fiction may have cost him his own life.

After Turner's horrendous torture, Simon, his mother, his brothers, Thomas, James and George, and two-year-old half-brother John Turner, Jr. were spared. The family was quickly divided however. The mother and baby were claimed by the Delawares and departed for the French post at Fort Duquesne where the baby was given Catholic baptism.[25]

The brothers Girty were soon separated also. A provincial force under Lieutenant Colonel John Armstrong attacked Kittanning early on the morning of August 8, 1756. Thomas Girty was one of eleven white captives rescued during the assault. Simon, George and James along with several other prisoners were herded out of the village by their captors until Armstrong withdrew.

One unfortunate woman who had attempted to flee during the attack was recaptured and suffered an even more terrible death by fire and torture than had John Turner. There is no reason to believe that the remaining prisoners including the Girty brothers were not forced to witness this spectacle, especially since Thomas had made good his escape. The Indians abandoned Kittanning shortly after Armstrong's assault and Simon, George and James were themselves separated. James was claimed by the Shawnees, George by the Delawares and Simon by the Senecas, or Mingoes as the colonists referred to the Ohio Iroqouis.[26] Each was adopted into families of their respective tribes.[27]

James Axtell has identified three "initiation rites" by which many captives were adopted into their new Indian families. As the motive for adopting captives was often to replace family members who had been lost, the first rite was purgative in nature. Here the Indians could relieve their desire for revenge and also cover their grief. This was accomplished by the gauntlet or other initial rough treatment. The second ceremony was a ritual washing, usually in a river. This was a way of cleansing the captives of their very whiteness. The final rite was a formal welcome given at the village council fire by one of the chiefs.[28]

The words of one such speech have been preserved for us. The speech leaves no doubt as to a captive's new status as a member of the tribe:

> My son, you are now flesh of our flesh and bone of our bone. By the ceremony that was performed this day, every drop of white blood was washed from your veins. ... After what has passed this day you are now one of us by an old strong law and custom. My son,

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[22] Butterfield, 76-77.
[23] Vaughan and Richter, 75-76.
[24] Butterfield, 11.
[25] Ibid., 12.
[26] Barbara Alice Mann, *George Washington's War on Native America* (Westport, CT: Praeger, 2005), 41-42. Mingo was a slur term taken from the Lenape word *mengwe* meaning "the sneaky people."
[27] Ibid., 12-15.
[28] Axtell, 69-72.

> you have now nothing to fear. We are now under the same obligation to love, support and defend you that we are to love and defend one another. Therefore you are to consider yourself as one of our people.[29]

The captives were then introduced to their new family members, given new clothes and showered with gifts. In a very real sense, the captive was reborn into a new family and a new society. Axtell states that, "Treatment such as this—and it was almost universal—left an indelible mark on every captive, whether or not they eventually returned to English society."[30]

The transformation from Euro-American to American Indian was still not complete. The Indians would attempt to complete that transformation through example and teaching. But complete transformation required a reciprocal commitment on the part of the former captive. Those who exhibited that level of commitment found that every possibility in the Indians' world was open to them.[31]

Years after his own capture Simon Girty himself would tell ten-year-old O.M. Spencer, a captive of the Shawnee, that he would never see home again, but that if he became a good warrior he could one day become a chief. Such a future was indeed possible for a captive.[32] Captives John Tarbell and Timothy Rice became clan chiefs of the Caughnawagas. A Pennsylvania boy, whose white name has never been learned, who was captured at the age of four became Old White Chief of the Iroquois. His sons also became chiefs.[33] At Odanak, in Quebec, Joseph Louis Gill, the son of adopted white New England captives became "the White Chief of the Saint Francis Abenakis."[34]

The Ohio tribes signed a treaty in Easton, Pennsylvania in 1758 after their French allies had abandoned Fort Duquesne. The English demanded the return of all captives as a condition of the peace. The demand ignored the emotional bonds that had developed between the Indians and their new relations, and the fact that there was no existing framework by which the chiefs could force their people to comply with such a demand. The Delaware chief Tamaqua, in an attempt to lead by example, returned two captives he referred to as "my Mother" and "my Sister." By 1759 the Indians returned most of their living captives to Pittsburgh.[35] After three years with the Indians, Simon, as well as his mother and brothers, were back in the white man's world.

By 1767 Simon, George and James Girty were among the thirteen traders employed at Fort Pitt by the firm of Baynton, Wharton, and Morgan. Although he had lived with the Mingo Senecas, Simon was apparently fluent in the Delaware tongue as this was the tribe he now traded with for the firm. His fluency in different Indian tongues would not have been surprising. White encroachment had pushed numerous Indian peoples, including the Senecas and Delawares into multi-ethnic villages in the Ohio country.[36] The British Indian Department also employed Simon as an interpreter at a private conference with the Six Nations in 1769.[37]

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[29] Howard Peckham, ed., *Narratives of Colonial America, 1704-1765* (Chicago, 1971), 91-92; quoted in Axtell, 72.
[30] Axtell, 74.
[31] Ibid., 75-76.
[32] Ibid., 80.
[33] Ibid.
[34] Colin G. Calloway, *The American Revolution in Indian Country* (Cambridge: Cambridge University Press, 1995), 72.
[35] Michael N. McConnell, *A Country Between* (Lincoln, NE: University of Nebraska Press, 1992), 143-144.
[36] Calloway, 8.
[37] Calloway, "Simon Girty: Interpreter and Intermediary," 42. The practice of name adoption has led to some confusion. In Mann, *George Washington's War on Native America* Mann refers to the Wyandot War Chief Katepakomen ("Simon Girty") on page 120. She never states whether she is referring to the white Simon Girty or

Girty appears to have earned a good deal of respect among the Delaware, as a Delaware warrior by the name of Katepakomin adopted the name Simon Girty as a result of his wish to acquire some of Simon's prestige and power.[38]

In the early 1770s a dispute over jurisdiction over the forks of the Ohio River between Pennsylvania and Virginia divided the residents of the Fort Pitt area. Simon took the side of Virginia in the dispute and allied himself with Governor Dunmore of Virginia and his agent at Fort Pitt, Dr. John Connolly, both of whom would side with the Loyalists in the Revolution.[39]

Tensions and skirmishes along the Ohio, including the murder of Mingo chief Logan's family,[40] in the fall of 1773 threatened renewed hostilities. Simon Girty and Alexander McKee, deputy Indian agent for Sir William Johnson, made numerous journeys to the Indian villages to forestall full-scale war. Their efforts were successful in persuading most of the tribes to refrain from pursuing retaliation for their injuries.[41]

The Shawnees and Mingoes, however, could not be placated and the resulting conflict erupted into "Lord Dunmore's War" in 1774. Girty served as a scout and interpreter in the conflict. Girty's comrades in this conflict included future American Revolution Patriots George Rogers Clark and the aforementioned Simon Kenton. The Indians were finally defeated in the Battle of Point Pleasant on October 10, 1774. In serving the whites Girty helped to defeat the very people who had adopted him just a few years earlier.[42]

On February 22, 1775, Girty took the oath of allegiance to King George III and was appointed a lieutenant of militia for the Pittsburgh region.[43] The Indians subdued for the moment, the frontier turned its attention in another direction. Revolution was in the air, and Simon Girty was about to change allegiance once again.

On May 1, 1776, just over a year after pledging allegiance to the English monarch, Girty aligned himself with the Patriot cause and was appointed interpreter to the Six Nations for the Americans. But Girty did not get along with Congress's Indian agent, George Morgan, and was discharged after only three months. He subsequently enlisted in the Patriot army as a second lieutenant.[44]

Although his skills as an interpreter were well known, Girty was also acquiring a reputation for drunkenness and combativeness. His personal battles with Morgan and others, coupled with his erratic behavior led those in positions of authority to lose confidence in his ability to serve the Patriot cause. He was now an angry young man with scores to settle.[45] He resigned his lieutenant's commission in August 1777.[46]

Rumors of a Tory conspiracy led to the arrest of Girty, Morgan, McKee and Colonel John Campbell in December 1777. The men were acquitted but remained under suspicion. In February

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the Delaware warrior who adopted his name. It is only by comparing Girty's activities with her references to Katepakomen that the informed reader is able to determine that her Katepakomen is indeed the white Simon Girty.

[38] Ibid.

[39] Ibid., 42-43.

[40] Butterfield, 25.

[41] Calloway, 43.

[42] Butterfield, 25-28.

[43] Calloway, 44.

[44] Ibid., 45.

[45] Larry L. Nelson, *A Man of Distinction Among Them: Alexander McKee and the Ohio Country Frontier, 1754-1799* (Kent, OH: The Kent State University Press, 1999), 107.

[46] Calloway, 45.

1778 Girty served as a scout in American General Edward Hand's inglorious "Squaw Campaign."[47] The expedition was Girty's last service in the Patriot cause.

On the night of March 28, 1778, Girty changed loyalties for the last time. Girty, Alexander McKee, McKee's cousin Robert Surphit and a man by the name of Higgins, and two of McKee's black servants left from McKee's home outside Pittsburgh for the English fortress at Detroit. McKee had long been under suspicion as the former English deputy Indian agent and had been ordered to appear before the American Congress at York to answer questions about his loyalty.[48] Matthew Elliott was a trader from the Pittsburgh area who had lost an entire year's worth of trade goods to a party of Mingoes the previous fall. The Indians had told Elliott they were acting under orders of the English at Detroit.[49]

While we can not state with absolute certainty, the motives of McKee and Elliott appear fairly easy to ascertain. McKee was probably a Tory from the start and Elliott's only chance of recovering his financial loss was through the English at Detroit. Girty's motives are harder to determine. The future of the Patriot cause was far from certain and the Ohio Indians appeared to be on the brink of joining the war on the English side. That Girty was disgruntled with his prospects in Pittsburgh is certain. His future service under both McKee and Elliott would also suggest that they held a great deal of influence over him.

Given Girty's lack of education and contact with the white world outside the Pennsylvania and Ohio frontier it is doubtful that he looked upon the Revolution in the same terms as Emerson's, "the shot heard 'round the world." To Simon Girty this was just another in the long series of bloody conflicts that had served as a constant backdrop to his young life. An educated man like Alexander McKee would not have faced much of a challenge in convincing his young friend, already embittered towards Patriot officials, that his talents would be greatly valued by the British at Detroit. In his biography of Alexander McKee, historian Larry Nelson stated:

> McKee coupled his sense of place within the lower Great Lakes Region with a wider appreciation of the frontier's place within the British realm. Neither Simon Girty nor Matthew Elliott, ... took much interest in the world beyond the Ohio Country, and both conducted their dealings ... with indifference to events that transpired beyond their immediate experience.[50]

Whatever their true motives, the news that these particular three men had fled to the English sent shock waves through the American frontier settlements. All three were vigorously denounced as traitors to the Commonwealth of Pennsylvania.[51]

Girty and his friends did not travel directly to Detroit. They went first to the Delaware village at Goschochking and counseled the Indians to war against the Americans as the Americans were intent on destroying all the Ohio Indians. McKee wrote to the English Lieutenant Governor at Detroit, Henry Hamilton, sharing the situation at Fort Pitt and offering

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[47] Ibid.

[48] Reginald Horsman, *Matthew Elliott, British Indian Agent* (Detroit: Wayne State University Press, 1964), 19-20. Elliott had already made one trip to Detroit to attempt compensation and had been arrested there as a suspected American spy. He had been sent to Quebec where he was paroled back to Pittsburgh due to lack of evidence.

[49] Ibid., 15-16.

[50] Nelson, 22-23.

[51] Calloway, 45-46.

his and his companions' service to the Crown. The group traveled next to visit the Shawnees along the Scioto.[52]

Hamilton was delighted with McKee's offer and sent a man to guide the party on to Detroit. McKee and Girty were promptly given positions in the British Indian Department, McKee as a captain and Girty as an interpreter to the Mingoes.[53] Elliott would need to prove his loyalty before gaining a position, but by 1782 he too would hold a captain's grade in the department.[54] Even though his reputation would surpass both McKee's and Elliott's, Simon Girty would never hold any position in the department above that of interpreter, and would thus never obtain the respectability that McKee and Elliott garnered with their commissions.

Historian Colin Calloway depicts the British Indian Department as "a multicultural institution. Prominent members were of Scots and Irish ancestry; agents wore a mixture of Indian and European clothing and frequently developed extensive kinship ties by marrying Indian women; and business was conducted at frontier posts where Redcoats, French Canadian traders, Indian, and Metis families, together with delegates from tribes far and near, rubbed elbows in fluid and heterogenous communities."[55] With Girty's knowledge of various Indian languages and his ties to the Mingoes he was indeed a very valuable asset for the department.

In June 1778 Girty acted as an interpreter in a council held at Detroit between Hamilton and representatives of the Ottawas, Chippewas, Hurons, Wyandots, Potawatomis, Shawnees, Delawares, Miamis, Mingoes, Mohawks, and Senecas. Girty's services were deemed so valuable that while most interpreters were paid eight shillings a day, Simon was paid ten.[56]

Simon's brothers James and George followed him to Detroit, but Thomas and John Turner stayed in Pennsylvania.[57] Simon and James joined the Shawnees on a foray to Kentucky. On their return they visited the Shawnee town of Wapatomica. Here Simon encountered his comrade from "Dunmore's War," Simon Kenton. As previously related Wapatomica was the third town in which Kenton had been forced to run the gauntlet after his capture. Kenton's face had been painted black, a sure sign that he was condemned to be burned to death. Girty addressed the Shawnee and persuaded them to spare Kenton's life.[58]

That Girty spoke with his old friend from his days at Pittsburgh is certain. There are at least two different versions of their conversation, and though these versions differ somewhat, they both speak to Girty's struggle with his own loyalties. Modern historian Calloway relates that Girty asked Kenton how he reconciled his current Patriot allegiance given that he too had sworn loyalty to King George.[59] Nineteenth-century historian Consul Willshire Butterfield recounts that Girty told Kenton that he regretted having allied himself with the English and that he had acted too hastily.[60]

Whatever his level of regret, Girty now served the British cause unfailingly. In January 1779 he was involved in the ambush of an American supply column on the trail to Fort Laurens.[61] On October 4 of that same year, Simon, his brother George, and Elliott accompanied by a

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[52] Horsman, 23.
[53] Ibid., 24.
[54] Ibid., 37.
[55] Calloway, 46.
[56] Ibid., 46-47.
[57] Calloway, 46.
[58] Butterfield, 74-79.
[59] Calloway, 46.
[60] Butterfield, 80.
[61] Calloway, 47.

force of Mingoes, Delawares, Shawnees and Wyandots clashed with an American force under Captain David Rogers at the mouth of the Licking River in Kentucky. In the ensuing battle forty-two Americans were killed and five taken prisoner.[62] When not engaged in actual combat, Girty was busy scouting American movements and relaying information between the British and their Indian allies.

In 1780 the Girtys, McKee and Elliott with their Indian charges joined British Captain Henry Bird's expedition against George Rogers Clark at the falls of the Ohio. The Indians convinced Bird to alter his plans and the contingent turned instead against the Kentucky settlements. As Girty's reputation grew the Americans posted an $800 bounty for his scalp.[63]

Lieutenant Governor Hamilton had been captured by George Rogers Clark at Vincennes on March 5, 1779.[64] He had been replaced at Detroit by Major Arent Shuyler De Peyster. De Peyster transferred Simon from the Mingoes to the Wyandots at Upper Sandusky early in 1781 and by March Girty had completed his first raid as Wyandot interpreter.[65]

In the spring of 1781 ten prisoners were brought into Upper Sandusky. Nine were from Kentucky and after running the gauntlet were burned at the stake. The tenth prisoner was an eighteen-year-old boy from present West Virginia by the name of Henry Baker. He too endured the gauntlet and was the last slated for death. Girty had been absent at the time of the Kentuckians' deaths and returned just as Baker was being tied to the stake. Girty queried the young man and then interceded on his behalf. The boy's life was spared and he was sent on to Detroit.[66]

In May 1781 Mohawks under Thayendanegea, more commonly known as Joseph Brant, arrived at Upper Sandusky to join forces with the Ohio Indians against the Americans. Many years of intertribal warfare between the Mohawks and Ohio Indians had left bitter memories. Many of the Ohio Indians also detested the Mohawks as arrogant braggarts. For now, old grievances would be veiled but relations would remain tense as they prepared to strike a common foe.[67]

On August 24, 1781, the combined Mohawk and Ohio Indian force surprised Colonel Archibald Lochry's flotilla on a creek just below the Great Miami River. Lochry was among the thirty-seven Americans killed. All the surviving Americans were taken prisoner while the Indians suffered not a single casualty.[68]

That night the Indians celebrated their victory. An intoxicated Brant bragged to the assembled warriors as if he had single-handedly won the victory. Exactly what happened next is unclear, but what is certain is that Girty vociferously challenged Brant's braggadocio. An enraged Brant drew his sword and struck Girty across the forehead.[69] The presence of the corresponding scar is historical fact.

We can only guess at Girty's motives for challenging Brant. Perhaps he felt a slight against himself or his brother George who was said to have exhibited personal bravery during the battle.[70] An equally valid supposition would be that he was standing up for the prestige of his

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[62] Butterfield, 110.
[63] Calloway, 47.
[64] Mann, 115.
[65] Calloway, 47-48.
[66] Butterfield, 127.
[67] Isabel Thompson Kelsay, *Joseph Brant* (Syracuse: Syracuse University Press, 1984), 310-311.
[68] Ibid., 313.
[69] Ibid., 314.
[70] Ibid.

Wyandot warriors in the face of Mohawk arrogance. Such an act would have earned him great respect among his new comrades. As soon as Girty had recovered enough to travel De Peyster sent him and his Wyandots on yet another mission.

The Moravian missionary at Salem, John Heckewelder, proclaimed pacifism and therefore neutrality, but had long been relaying intelligence of Indian movements to the Americans. Heckewelder had already been to Detroit once on espionage charges but had been released back to Salem at the behest of the Delaware chief Hopocan ("Captain Pipe"). On his return Heckewelder had immediately resumed his activities. De Peyster, tired of the duplicity dispatched Girty and his Wyandots to bring all the Moravian Indians at Salem to Upper Sandusky and their white missionaries to Detroit.[71]

The remaining Moravian mission villages were in an impossible situation. Just days after Girty's Wyandots had closed the Salem mission Colonel David Williamson and the Pennsylvania Third Militia regiment slaughtered 126 Delaware and Mahican Moravian converts at the missions at Gnadenhutten and Killbuck's Island.[72] Word of these massacres infuriated all the Ohio Indians but above all the Delawares.

On May 25, 1782, another American force under Colonel William Crawford of Virginia, a respected veteran of the Indian wars and personal friend of George Washington, left Fort Pitt for the Ohio country.[73] Delaware chief Captain Pipe, the same man who had vouched for Heckewelder's behavior to De Peyster, led a force of Delawares, Shawnees, Mingoes and Wyandots with Girty present to meet the new American threat.[74]

On 5 June the Indians smashed into the American force which disintegrated into small groups in an attempt to facilitate escape. The next morning Crawford's small band was captured and presented to Captain Pipe.[75] Captain Pipe and another Delaware chief, Wingenund, decided that Crawford should die as revenge for the massacre of the Moravian Delawares. This in spite of the fact that Crawford had himself condemned the massacre. Crawford and his men were taken to the Delaware town of Tymochetee.[76] Dr. John Knight and John Slover two of Crawford's fellow captives managed to escape but not before witnessing Crawford's cruel fate. These two fortunate men related their version of this tragic story to a Pittsburgh lawyer named Hugh Brackenridge who published their account in 1783.[77]

Crawford was stripped, shackled and tied to a tree before the council fire. The helpless colonel was beaten with fists and tree limbs. But this was only a preliminary to torture. His ears were cut off and presented to the assembled Indians and at least two white onlookers, Matthew Elliott and Simon Girty. Muskets loaded with powder but no ball were repeatedly pressed to his body and discharged. Next flaming brands from the fire were thrust to every area of his body. When the tormented captive finally lost consciousness his scalp was cut and torn from his battered head. His mutilated body was then thrown into the bonfire.[78]

According to Knight and Slover, Crawford had pleaded with Girty to shoot him to put an end to his suffering. Girty replied that he had no gun and turning to the Indian onlookers

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[71] Mann, 150-151.
[72] Ibid, 151.
[73] Dr. John Knight, "That Is Your Great Captain," in *Scalps and Tomahawks,* ed., with an introduction by Frederick Drimmer (New York: Coward-McCann, Inc., 1961), 119-121.
[74] Calloway, 49.
[75] Knight, 124-125.
[76] Horsman, 39.
[77] Ibid., 120.
[78] Barr, 1.

"laughed heartily."[79] With the publication of Knight and Slover's account, both the heroic reputation of Crawford and the infamous reputation of Girty were sealed for generations to come. Girty would later claim that he had done everything he could to save Crawford but that he had no influence with the Delawares who were not to be denied their revenge. He even stated that he would have shared in Crawford's fate if he had interfered. If Girty did indeed make an attempt on Crawford's behalf, no record of such appears in the records of the British Indian Department.[80]

Girty would continue to fight alongside his Wyandots until the end of the war. After the war he made his home in British Canada at Malden Township beside Matthew Elliott, Alexander McKee, other veterans of the Indian Department and many of the Indians they had long associated with. In 1784 he married Catherine Malott, a white woman who had herself been a captive of the Indians during the Revolution.[81]

He continued to serve as an interpreter for the British Indian Department after the war and his prestige among the Indians continued to grow. When hostilities again erupted, he fought beside the Wyandots at the defeat of St. Clair's army in November 1791, and the Indians rewarded his bravery with three captured cannon.[82] When representatives of numerous Indian nations as disparate as the Ottawas and Creeks met at the Glaize in 1792 to discuss a pan-Indian confederacy to combat the continuing encroachment of the Americans[83] only one white man was allowed to attend, Simon Girty.[84]

British military presence and Indian sovereignty were both doomed in the Old Northwest. Simon Girty would fight for both to the very end. A story persists of one last act of defiance in the flamboyant style of a living legend. American troops arrived by boat to garrison the abandoned British fortress of Detroit in 1796. In full view of the Americans, the aging warrior Simon Girty plunged his horse into the Detroit River shouting obscenities at his old enemies until he reached the Ontario shore and the safety of Canada.[85]

The rest of Girty's life was spent on his farm. He suffered from rheumatism and turned increasingly to drink. His wife left him and he went totally blind. Shortly before his death he quit drinking and begged forgiveness from his wife. He died at his farm on February 18, 1818. British soldiers from Malden attended his funeral wherein he was provided full military honors by the nation of his final loyalty.[86]

To most of his white contemporaries, be they American Patriots or Loyalists, or King George's military or civil servants, Simon Girty appeared to be a man of questionable character. But the Indian warriors he served alongside honored him with a seat at their councils. He did not disdain either their bravery or their ferocity in the practice of war as did so many of his fellow whites of British or American loyalty. His rank of interpreter bore no pretense of superiority over his Indian comrades.

Where Simon Girty's true loyalties lie is impossible for us to state at this late date. He served the British cause by serving alongside Indian warriors. Was it the British cause or the

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[79] Knight, 127.
[80] Calloway, 49.
[81] Ibid., 50-51.
[82] Ibid., 52.
[83] Gregory Evans Dowd, *A Spirited Resistance*, The Johns Hopkins University Studies in Historical and Political Science (Baltimore and London: The Johns Hopkins University Press, 1992), 103.
[84] Calloway, 52.
[85] Butterfield, 300.
[86] Calloway, 55.

Indian warriors who held his heart's allegiance? An early childhood spent in Chambers's Mill was not likely to instill a strong sense of patriotism to any nation or nationality. The horrors that the fifteen-year-old Simon experienced that July and August of 1756 could not but scar him for the remainder of his days.

In what has come to be called the "Stockholm Syndrome," the captive is the victim of a shocking capture. He or she believes that their death is imminent. The captive is at the total mercy of the captors. Every movement; talking, eating, sleeping, even urinating is dictated by the captors. Any act of kindness on the part of the captors is magnified. The captive reverts to a childlike state wherein he becomes grateful to his captors for life itself. If the captor shows affection for the captive, feelings of genuine attachment develop beyond conscious control.[87] If the "Stockholm Syndrome" exists today, surely it existed in 1756, and surely Simon, George and James Girty experienced it.

Simon Kenton, Simon Girty's old comrade from Lord Dunmore's war who was himself a captive for a short time before securing his release with the help of Girty, acknowledged the psychological effects of such captivity. "They say when a man comes among a parcel of people that are harsh to him, and they moderate towards him, he will be more attached to them, and I believe it."[88] Kenton was aware that Girty had been captured not as a man, but as a boy, and while Girty was universally despised on the frontier, Kenton always spoke well of his old friend.[89]

Who were Simon Girty's people? In his fifteenth year he acquired his third father, his second mother, his second family, and his second cultural loyalty. Regrettably the nineteenth-century American historians who supplied us with the basics of Girty's biography tell us nothing of his Seneca Mingo family. Their interest was directed towards vilifying both Girty and his Indian friends and family. Without this knowledge we have no way to determine how strong his feelings were for his Indian parents and siblings. It is worth noting that Thomas Girty, who escaped from Kittanning, and Simon's half-brother John, who was only a baby when captured in 1756 and not separated from his mother, remained loyal to the Patriot cause throughout the Revolution.[90]

Simon Girty's people had once been the English colonists among whom he was born. Then in the critical years in which he reached adulthood, his people, his family, were the Mingoes. After living as a member of a Mingo family for three years he was once again torn from his family. He was now an English colonist again. Then after pledging his allegiance to this society, that society went to war with itself.

Is it surprising that his loyalties were confused? Would it be surprising that he would be swayed by others, or that he could regret a hasty decision? Once reunited with the Mingoes in the service of the Crown he was now once again among people who acknowledged and respected him as a warrior and a man. It was these people who had instructed him in the ways of both as he grew to maturity. He had reached adulthood as a Seneca Mingo and as a member of that society there was no greater role to aspire to than that of warrior.

Girty immersed himself once again into the Indian world. Historian Isabel Thompson Kelsay gives us this vivid picture of his outward appearance. "Girty with his shaggy hair, dark

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[87] *Gift From Within-"Q & A with Dr. Ochberg" Gift From Within*, http://www.giftfromwithin.org/html/qna.html, accessed 2 Dec. 2005 .

[88] Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*, Cambridge Studies in North American Indian History (Cambridge: Cambridge University Press, 1991), 393.

[89] Butterfield, 80.

[90] Butterfield, 330-333.

visage, and short, flat nose, the great scar on his forehead only partially hidden by the handkerchief he wore as a hat, and indulging, as he often did, in the more grotesque forms of Indian ornamentation, cut a shocking figure."[91]

He could not recant his allegiance once again. Girty would live among white people again, but always with white people who had also lived and fought beside the Indian. His legacy was now that of a "white Indian," or worse, a "white savage."

There was no going back. His place in America's memory would lie alongside that of his Indian comrades. Generations of Americans would grow up hearing lurid tales of Indian atrocities on the frontier and of the white devil Simon Girty who led and fought alongside the stereotypical painted savage fiends.

Late twentieth and early twenty-first century Americans have come to define "Indians" as Native Americans and to acknowledge their resistance as a valiant and desperate exercise in patriotism. Perhaps it is also time to recognize Simon Girty not as a "savage" or "devil," but rather as a man who once he chose his final loyalty, or had it chosen for him, committed his best talents to that same valiant and desperate exercise in patriotism.

[91] Kelsay, 501.

Fiske Hall Graduate Seminar Paper Award

Henry James Sr.: Nineteenth Century Theologian

Luke Norman

> *I have often tried to imagine what sort of figure my father might have made, had he been born in a genuinely theological age, ... for he was a religious prophet and genius, if ever prophet and genius there were. He published an intensely positive, radical, and fresh conception of God, and an intensely vital view of our connection with Him.*
>
> —— William James[1]

High praise for Henry James Sr. came only from the few that understood his philosophy and theology. James was more often described as an undisciplined, radical, iconoclastic, new age nabob, or as the poet Ellery Channing imparted, "a little fat, rosy Swedenborgian amateur with the look of a broker, & the brains & heart of a Pascal." Thoreau, although a visitor to James's home, barely elevated the discussion, chronicling James as a man who "utters *quasi* philanthropic dogmas in metaphysical dress." Looking through the inerrant eyes of history, and understanding the enormous social and religious changes that James participated in during the 1830-50s, it is easier to recognize James as the enigmatic genius worthy of his small renaissance. Once credited only for being the father of two of America's great minds at the turn of the twentieth century, there is now an effort among scholarly circles to reassess James's work as a theologian and writer. James the theologian was prototypical of much religious thought in America today, as his son's work as a philosopher was prototypical of much philosophical thought in America today.[2]

William James is recognized as an accomplished philosopher, becoming the central figure of the American Classical Pragmatism movement. His father, although inspirational of William's quintessential works, such as *The Varieties of Religious Experience* and *Pragmatism*, is greatly ignored by history, just as he was by many of the intellectual elite of New York and New England during his own time.

Henry James Sr. (1811 – 1882), a theologian, was most known for experimenting with several religious movements of his day. To further befuddle his personal theology, he was a harsh critic of those chosen religions. He was arguably an iconoclast, but was more anti-

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1. William James, introduction to *The Literary Remains of the Late Henry James*, (Upper Saddle River: Literature House, 1885; Gregg Press, 1970), 12.
2. Ellery Channing, to Henry David Thoreau, March 5, 1845, *The Correspondence of Hendry David Thoreau*, ed. Walker Harding and Carl Bode (New York: NYUP, 1958); Henry David Thoreau to H.G.O. Blake, January 1, 1859, *The Correspondence of Hendry David Thoreau*, 537, cited in *The Metaphysical Club*, Louis Menand, *The Metaphysical Club: A Story of Ideas in America*, (New York: Farrar, Straus, 2001), 83.

ecclesiastic, anti-dogmatic and pragmatic, believing a personal relationship with God was often limited by church teachings and politics. T. S. Elliott exemplifies those who looked past James's perceived imperspicuousness to describe his work as "indifference to religious dogma" along with an "exceptional awareness of spiritual reality."[3]

His religious experimentation was in fact somewhat typical for his time, and his contribution to theology and American religion arose from his discussions of the *varieties of religious experiences* people dared during the 1820-50s. James lived in the Northeastern United States during a period when many people were leaving the Calvinism of their fathers and looking for a more spiritual religious experience. James's life story is interwovenly connected to the religious transformation that took place in the Northeast during that time. James's religious search also extended to Europe where he explored the frenetic religious experimentation taking place over there during this same period. This afforded James twice the opportunities to dissert theology with the intellectual elite who participated in the latest spiritual-religious trends.

James was from the Erie Canal region, which saw a multitude of religious movements from James's earliest youth through his days as a controversial inter-continental theologian. To further complete his diverse exploration of Protestant American theology, James was also briefly involved in a religious movement more connected with the Southern United States. This completes James's manifold exposure to nineteenth century religious experimentation that was driven by a genuine heartfelt interest in religion and spirituality. From there consider James's public debates with several key figures in American religion, his fourteen books and numerous articles in magazines like *Nation, The Atlantic* and *The Dial*, his self-made millionaire father and his famous sons, and you have the life of Henry James Sr. and the career of a theologian that transcended many future varieties of Protestant and New Age worship, and even Secular-Humanist thought, in America today.

This examination of a unique and diverse theological figure requires a lot of backgrounding on the state of religion during his time period. Some of the religions still exist, and others declined to extinction or were debunked. By defining the religious movements James was directly connected with into five umbrella categories this examination of a "religious profit and genius" in nineteenth century America ties together well.

These five categories are: Calvinism, Evangelicalism & New Light, the Restoration Movement, Transcendentalism and the Harmonian-Utopian Movement. Four of these categories emanated from the Northeast, contemporary to James, with origins only somewhat antecedent to him. The middle category consists of a collection of movements that have deeper historical roots, going back to the early Scottish Enlightenment, or even to the first century Christians to the true believer.

There was so much religious experimentation during James's time that these five categories, though helpful in understanding religion in America in the nineteenth century, do blur together. People were inspired by more than one religious movement at a time, so there are plenty of examples of figures even more historically significant than James that fit into more than one of these categories, concurrently or over time. James worshipped within three of these

3. James G. Mosley, *A Complex Inheritance: The Idea of Self-Transcendence in the Theology of Henry James, Sr., and the Novels of Henry James*, (Sarasota: American Academy of Religion and Scholars Press), 1975.

categories; rejected one when it was forced upon him during a polemical battle in his church; and, had a strong intellectual affection for the other category, despite strong opposition to some of its philosophical ideals.

These five categories are groupings made through an historical lens: in Antebellum America things were more dynamic. Some people moved freely between groups, while others resented such promiscuous affiliations and lack of commitment to a movement they believed in. Sometimes the tendencies to mix or move from one movement to another were *en mass*, other times it was chosen more individually.

Looking at this view of American religious history – at these five categories – there are not only individuals, but also entire groups that fit into more than one category. The Free Will Baptists, for example, were both from the Evangelical tradition and the Harmonian or Utopian tradition, and the Universalists or Unitarians (completely separate religions at that time) both fit in the Harmonian and the New Light traditions, yet many became Transcendentalists. This inter-tradition commonality does not diminish the five-category model, but furthers the legitimacy of James's experimentation between groups during the early nineteenth century.

The foremost religious presence in Northeastern Antebellum America was Calvinism, and this was the first and foremost religion in James's life. Calvinists first arrived as Puritans, who became Congregationalist. Calvinists were so historically rooted in the area that Congregationalism was established as the "mandatory" Church at the state level in New York, Connecticut and Massachusetts. Then came Presbyterian immigrants, also Calvinist: First the Dutch, the earliest immigrants of New York, and then the English and Ulster Scots who arrived late in the eighteenth century. This Calvinist stronghold survived the Constitutional Convention and the First Amendment, but around the time of James's birth, the "mandatory" status stronghold was phasing out. Throughout the nineteenth century, Calvinism saw many changes: from within, and through a generation leaving Calvinism for a variety of reasons, mostly approximating wanting a more spiritual experience from religion.[4]

It was during the Ulster Scot (or Scots-Irish) diaspora that the James family first arrived in America. The James's, like most Scots-Irish, were Presbyterians – the Presbyterianism of Jonathan Edwards and John Witherspoon. The First Presbyterian Church of Albany was James family church. Calvinism defined James's theology, despite a lifetime, like many of his generation, spent searching for a greater spiritual connection with God.

There are many reasons why James's story began one generation prior to the open and experimental nineteenth century, when a stricter Calvinism was the common religious practice to follow. James's father, William (1771 – 1832), was from this Calvinist mold, and was a shining example of why one practiced a strict religion. An immigrant from the Ulster Scot region of Northern Ireland, he was the son of another William James (1736 – 1822), born of Welsh, not Scottish, lineage, despite adopting the Scots-Irish residence, common sense philosophy and Presbyterian faith. He became a dry goods mogul and successful real estate speculator, and a central figure in the development and completion of the Erie Canal.[5]

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4. Email from Sharon Yusba Steinberg, Research and Reference Librarian, Connecticut Historical Society Museum: Congregationalist was the mandatory Church in Connecticut until 1818; Received March 18. 2005.
5. There were 200 years of consecutive generations of "Williams" & "Henrys" in the James family.

James's father was the only one in his family to come to America, arriving in New York in 1789, at the age of 18. William James settled in Albany, New York at the earliest stages of the Erie Canal project. A young clerk in a dry goods store just after Robert Fulton's first letter to George Washington supporting the canal, few predicted his success as a wealthy merchant, banker, civil leader, and major canal supporter. The canal doubled the population of Albany between 1820-30, and spawned Rochester, Utica and "the Village of Syracuse," and William James played a part in all of this growth, becoming the second richest man in New York in the process.[6]

On November 2, 1825, the day William James was introduced by his close friend and political ally, Governor DeWitt Clinton, as the keynote speaker at the opening ceremonies of the Erie Canal, his young son Henry James, the fifth of eleven children, was not in attendance. A reckless prep school game left James severely burnt, causing a double amputation above the knee of his right leg. The healing process required four years of bed-rest. The intense pain and extended bed rest from this accident surely played a part in James's deeply theological and philosophical temperament. Both amputation procedures came prior to the days of anesthesia; even with morphine to kill the pain the pubescent James experienced burning, sawing, bleeding and skin pulling. He received the best care possible, and his cork (wooden) leg was crafted by a master craftsman, but nothing would erase the trauma or replace the leg.[7]

However, even prior to the accident, James's philosophical and theological leanings were apparent. His autobiography discussed how introspective he was from his earliest memories. He could "give ecstatic hours to worship or meditation but moments spent in original deed, such as putting a button upon [his] coat or cleansing [his] garden walk of weeds, weigh[ed] very heavily upon [his] shoulders."[8]

No one from William James's family, however, was *just* born into their capacities, for they were developed, by their enterprising, common sense, strict Calvinist father. Prior to the accident, James spent his Sundays in the "family pew," at the First Presbyterian Church, and his weekdays at the Albany Academy. Albany was the seventh or eighth largest city in America during Henry's school years, and the Albany Academy he attended was one of America's top preparatory schools. Joseph Henry (1797 – 1878), one of America's early preeminent physicists, was a tutor and friend to James, despite being fourteen years older. Herman Melville (1819 – 1891) was another famous Albany Academy graduate. Oddly, there is no evidence that James

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6. During the period when James arrived in America, about 5,000 Irish immigrants were Arriving per year, about two-thirds of which were Ulster Scots; Albany was the center of the trade route for upstate New York and Vermont from NYC; In 1791, the first survey related to the Erie Canal was done, and in that same year Robert Fulton completed his Treatise on the canal and wrote President Washington in support of the project; William James was the majority partner in a partnership that owned and developed the Village of Syracuse.

7. The game was almost too ridiculous to describe: A ball was attached to a balloon, with the string attaching these objects soaked in turpentine. The string was then lit on fire. The balloon raised the object up, and as the string and/or balloon caught on fire, causing the ball to fall to be kicked by the boys. On the day of the accident, the ball, with flaming string attached, was kicked into a barn. James, who had some turpentine on his pants, ran in to put out the small fire in the barn, and his pants caught fire burning his legs.

8. Henry James, Sr. "An autobiography," in *The James Family: Including Selections from the Writings of Henry James, Senior, William, Henry & Alice James*, (New York: Alfred A. Knopf, 1947), 22.

and Melville ever met, despite their being closer in age then James and Henry, and despite James's and Melville's fathers being business associates in Albany.

James went on to Union College, a proper Presbyterian institution in near-by Schenectady, New York. James's father was a major benefactor of Union College, which had mixed consequences for the collegiate James. He lived with the College president during his time there, and was able to graduate in two years despite some academic setbacks; but it also kept James under his father's watchful Calvinist eye, which became a disapproving eye towards the "free-thinking" son. James also briefly attended Princeton Theological Seminary, like his older half-brother William; however, a lot transpired in James's life between graduating from Union College in 1830 and beginning Princeton in 1835.

William James died only two years after his son Henry graduated from Union College. The death of the patriarch had many consequences. His children had a lot of unresolved feelings about their father who loved them and provided for them, but who was also so strict that resentment arose toward the deceased father and his religion. The Calvinistic control of the father over his children's virtue extended beyond his death through a will so controlling that it was disputed by seven of his children. Henry and his oldest brother William were given the least amounts due to their heretical thoughts and their more open resistance to strict Calvinism, with young Henry receiving the smallest inheritance.[9]

Other consequences of the father's death were even more personal and emotional for the empathic and theological Henry James, and right after his father's death he had the first of two (major adult) spiritual crises. This crisis led to three years of despair in upstate New York, during what James called the "Dark Years." The Dark Years saw James drinking and gambling in the "Burned-Over District" ("BOD"), during peak of the "Second Great Awakening" ("Awakening"). This period, and the BOD in particular, were known for evangelical style religion, religious conversion, as well as many other aspects of spirituality and religious experimentation.

James ended the Dark Years, befitting to being in the BOD during the Awakening, by having a conversion. Many people, famous and anonymous, illiterate and highly educated alike, were apart of the Awakening; James's conversion came through spending some time with some of the more upscale people involved in the temperance movement in Buffalo, New York. "This gave me a casual respite to some extent from my vice, and the shame and horror it breeds got such a chance to come out and take hold of my conscience, that after much struggle and vicissitudes, I was cured," James said as he converted back to the Presbyterianism of his father, which brought him to the Princeton Theological Seminary. Princeton did not escape the evangelicalism of the Awakening; it was, in fact, divided by it.[10]

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9. Ironically, since Henry was given such a small stipend, the morality clauses did not apply to him, which allowed him to drink and gamble during the dark years and receive his $1,250 per year with no possible penalty. Alfred Habegger, *The Father: A Life of Henry James, Sr.* (New York: Farrar Straus, 1994) 137-42.

10. Habegger, 119, citing Letters from James to his Brother, Robert "Bob" James; People of all social and intellectual backgrounds participated in the Second Great Awakening movements, from revivalism to the temperance movement to the even more experimental movements (Noyes, for example, who's Perfectionists experimented with "free-love," was a Yale Divinity School graduate).

The evangelicalism in the South was different than the evangelicalism in the BOD, because the Baptists and Methodists had less established churches, so the "farmer-preacher" played a bigger role in the Cumberland Gap region than it did in the Northeast. However, the promise of a more spiritual connection to God was evocative at any latitude; this same promise was also threatening, especially to an established church that did not promise it. James denies having a connection to evangelicalism, despite having the same announced goal (and despite having his first adult conversion in the arms of the BOD); maybe it was his respect for traditional Calvinism. His aversion to evangelical movements, though puzzling, was consistent. This proved true when he came face-to-face with the "New Light" movement while at Princeton.

The New Light Movement was when members of the established churches wanted the spiritual experience that people worshipping in a more evangelical style were claiming. It was known as the "New School" movement in Presbyterianism. New Light theology virtually split-in-half many religions in America, such as the Presbyterians, Methodists and Baptists, over evangelicalism during the 1830-50s. Evangelicalism existed in America as a popular style of religion since before the Revolution. By the start of the nineteenth century, America was already in its *Second* Great Awakening, and evangelicalism had found its post-Enlightenment home in the American frontier, spilling west out of the BOD through the Erie Canal and South through the Cumberland Gap. The Awakening, frontier pioneering, and evangelicalism, took place from before James's birth, through his time at the Princeton Theological Seminary, and beyond, interrupted only by the Civil War.

The Princeton Theological Seminary, shortly after James's arrival, became embroiled in the New School schism. The James Family's Presbyterianism of the 1810-20s was the Presbyterianism of Jonathan Edwards, who in 1741 delivered "Sinners in the Hands of an Angry God." Edwards was the third president of Princeton briefly in the late 1750s, and his theology still had great influence on the institution during James's brief time there; this represented Old School Presbyterianism. The Presbyterian Church literally split in 1837; however, Princeton was affected a year earlier, in 1836, when the New School faculty left to found the Union Theological Seminary. With all that was happening around him, and with news that his father's will had been overturned and that he would be receiving more money, James took the first of several trips to England, as well as his one trip to Ireland, in the Summer of 1837.[11]

While in England James rested, reposed and read, still grieving his father, contemplating the division at Princeton, and figuring out what to do with his life. His father was so wealthy that he was now "leisured for life," as he put it. Now that he was truly of the leisure class, he knew to continue following his theological pursuits, with the help of first class accommodations, servants and letters of introduction to the intellectual and cultural elite of Europe and New England.

James dropped-out of Princeton and did not face the Old School-New School polemics. When the Presbyterian schism forced him to choose sides, he chose neither. Despite his troubles

11. James spent time with his old friend and tutor, Joseph Henry, while on this trip. He had funded Henry's early departure to Europe on a book buying tour. During this trip, James brought a Negro manservant from Albany to be his aid. This made quite the scene when he visited County, Cavan, Ireland, where many had never seen a black person before. The unpaved roads of Ireland limited James's stay, despite having a servant, due to his cork leg.

with Calvinism, he did believe in evil, and in God the Creator. He showed a Calvinistic fear of a possible "angry God," and a pragmatic skepticism toward evangelicals who promised spiritual connections to God that he had not obtained. Thus he never got caught-up with evangelicalism, including New School Presbyterianism. He believed evangelical spirituality was offered too easily, and that there was an "evasion of the orthodox difficulty attempted by what is called the New-[S]chool Divinity." He had plenty of harsh words for the New School and the BOD evangelicals, calling their work an "ecclesiastical perversion of the gospel [that] debarred inquirers from the help [the gospel] otherwise ... gladly offered." He had those feelings when he left Princeton and the BOD for repose in England, where he more fully developed his adamant anti-ecclesiastical perspective of theology. There he learned about Presbyterian reforms that dated back to the Scottish Enlightenment, when Britain's Protestantism was divided by latitudinarianism in much the same was as Antebellum Protestantism was divided by evangelicalism and New Light theology.[12]

Due to his physical condition, James spent a great deal of time in his room reading and meditating, even when on his grand adventures abroad. His reading during this first trip to London led him to the work of a protestant reformer named Robert Sandeman. This led to a brief but public exploration of "Sandemanianism." Back in America this continued with a short-lived worship under the banner of "Primitive Christianity," for which James was lesser known. Both of these religions merged into the "Restoration Movement" shortly after he moved on to the next stage of his spiritual-theological search.

James's exploration of the earliest stages of the Restoration Movement, or in James's case, an Anglo-American synthesis of that movement, is worthy of examination, not just his Sandemanianism. It began, however, with Sandeman (1718 – 1771), and his former leader John Glas (1695 – 1773). Sandeman, who was a Glassite, believed that Christ's kingdom is completely spiritual. Glas was born around the time the last latitudinarian was hung for heresy in Scotland, so he and his fellow Scots were very serious in their debate over pastoral authority and the separation of church and state. Glas was one of the first "Congregationalists" to leave the official Church of Scotland. The Glassites developed a theology that went deeper than the anti-clerical position: Glas believed that in the Old Testament the Church appeared much like a state, but in the New Testament the Church was a purely spiritual entity.[13]

It took going to Europe and learning about anti-clerical reform within the Presbyterian Church that dated back over 100 years for James to recognize that he did in fact seek a religion more spiritual than he experienced through filling a "family pew" at the First Presbyterian church, like his father intended. James was well known as a Sandemanian, and explored Sandeman's theology throughout his several trips to England. The historical anti-clerical foundation of Sandemanianism set the stage for James's theology, which was anti-ecclesiastical by the time of his first writings in 1846, and rabidly anti-ecclesiastical by the mid-1850s. This

12. Henry James, Sr., *The Nature of Evil*, (New York: D. Appleton & Co., 1855), 249, 251.
13. Michael Haykin, "Andrew Miller and the Sandemanians" available from <http://www.the-highway.com/sandeman_Haykin.html>, accessed 31 Mar. 2005 citing: December 1967, address of Dr Martyn Lloyd-Jones.

anti-ecclesiasticism would coalesce with Calvinistic dualism and the search for non-evangelical spirituality to become the foundation of his theology.

Sandemanianism revealed the meaning of James's anti-ecclesiasticism: that the Church is a purely spiritual entity. His initial espial into Sandemanianism sheds a lot of light on how James attempted to discover true Christianity, through means other than creating and serving a church. This, like many other aspects of Protestant Christianity, was paradoxical. This was not the only paradox this *religious prophet and genius* encountered during his lifelong theological peregrination.

James returned to America to formally dropout of Princeton and immediately plan his next trip to England. On his second trip James brought with him a letter of introduction from his old Albany Academy friend, Joseph Henry, to Henry 's friend and associate Michael Faraday, a celebrated electromagnetic physicists. Faraday was a brilliant and important physicist, and noted Sandemanian; James too was noted for his Sandemanianism. As such, history tried to say that Faraday played a major role in James's life. They actually had just brief but cordial visits. The story is important, however, to show the amount of effort James put into exploring his religious quests. It also shows that this leisure class seeker was the same precocious James that had a tutor fourteen years his senior as a child, and that even though that tutor went on to become famous, was still a friend who helped James on his search.[14]

James still considered himself a Sandemanian Calvinist when he returned to Albany on his maiden steamship voyage, speeding home from England to further his religious quest. Back in Albany James worshipped with the Scottish Baptists, under the banner of Primitive Christianity. This was a key but strangely shrouded stage in his continued exploration of anti-ecclesiastical religious worship.

The Restoration Movement was contemporary with the Awakening, and became one of the most successful movements of the period. The Restoration Movement, known mostly for its founding faiths, the Church of Christ and the Disciples of Christ, was significant in the history of Protestantism in America. The Restoration Movement did not believe in naming a Church after its human leader, and accordingly, churches within this movement came to be known independently as "Christian Churches." At that time it was common to be a "Calvinist," "Lutheran" or "Wesleyan," so Church of Christ and Disciple of Christ members fought being known as "Stonians" and "Campbellites," respectively. Believing the Apostles started their church, not Barton Stone or Alexander Campbell, Restoration Movement members believed they should be called "Christians." Members of the Restoration faiths believe that through a literal reading of the Bible they worship the way the Apostles worshipped. Glassites, Sandemanians and Scottish Baptists all folded into the Restoration Movement not long after James drifted from Sandemanianism, which was about the same time he left the Scottish Baptist Church in Albany.[15]

In addition to the theological connection to Sandemanianism and the Scottish Baptists sect in Albany, James was also connected to the greater Restoration Movement through his Scots-Irish heritage. Glas and Sandeman were Scots, and the Southern-based American Restoration

14. For more on the brief relationship between James and Faraday, see Habegger, *The Father,* 176-78.
15. Michael Hines, "Theological Underpinnings" available from < http://www.christianchronicler.com/History2/theological_underpinnings.html>, accessed 29 Mar. 2005.

Movement was also started by Scottish immigrants who rejected Presbyterian. They based their theology in the Scottish common sense principals espoused by John Witherspoon, a staple of Northeastern Presbyterians. The common sense philosophy would greatly influence Pragmatism. James's son is credited for defining Pragmatism, but James's generation played a large role in developing it; the religious change that James's generation was known for, too, was a source of pragmatic thought.[16]

James's involvement in the Restoration Movement, like New School-Evangelicalism discussed above, is enigmatic apropos James's continued search for a more spiritual and authentic religion. This question may never be answered, because James, mysteriously, did not discuss this stage of his religiosity in his scant autobiographical effort. Based on future events, one might conclude that James just needed to be in a more stimulating intellectual environment than Albany provided, with any religion. Based on his writings, and the actions of other ex-Calvinists of his generation, the Restoration Movement was in the direction James was searching. James's anti-ecclesiastical doctrines, like those of the Sandemanians, matched that of the Primitive Christianity he explored in Albany. For whatever reasons, James put Albany, the Scottish Baptists, and his tangential connection to the Restoration Movement behind him, and moved to New York City, where many exciting, life-changing things happened in just a brief time.

It was in New York that James became intimately acquainted with a movement more associated with New England: "Transcendentalism." This movement is closely associated with Ralph Waldo Emerson, and James's association with this movement came through meeting Emerson in New York. James was neither a New Englander nor a Transcendentalist, but through a fondness for Emerson and other Transcendentalists, James subtly emulated the Transcendentalists and the "Brahmin-caste," all the way to his Concord retirement home next door to Dr. Agassiz, at the time his son's celebrated chair at Harvard.

Oliver Wendell Holmes Sr. coined the term Brahmin-caste for those who, like himself, Emerson, Bronson Alcott and Margaret Fuller, were descended from a line of New England Congregationalist ministers. James would never be a New Englander like a Holmes, Emerson or Henry Adams, but as en elite theological thinker from the leisure class seen as an immigrant's son by the New England elite, an argument can be made that James harbored a secret desire to be thought of like a Boston Brahmin. James and Holmes led somewhat parallel lives through leaving their fathers' Calvinism and exploring new theologies. Oliver Wendell Holmes became a freethinking Unitarian, poet, and medical doctor instead of following the Edwardsian Congregationalism of his father, Abiel Holmes. Their eldest sons also led somewhat parallel lives, defining American Pragmatism together in the late-nineteenth century.[17]

Transcendentalism was a New England movement made-up of mostly former-Unitarians; these Unitarians were mostly former-Calvinists. James had a lot in common with the Transcendentalists, and nothing in common; sort of like his thirty-year relationship with Emerson, where they had a lot in common and nothing in common. For example, the final

16. Peter W. Williams, *America's Religions: From Their Origins to the Twenty-First Century*, (Urbana: University of Illinois Press, 2002), 228; Emerson's *Self-Reliance* is often cited as an example of pre-William Jamesian American Pragmatism.
17. F.O. Mattehiessen. *The James Family*, (New York: Alfred A. Knopf, 1947). 3.

category, Harmonianism, shows James's desire for community while Emerson was known for his radical individualism. They would never agree on communitarianism versus individualism, but they shared an intellectual kinship and a love between two great men.

James wed in New York City while he still lived in Albany. His new bride, Mary Robertson Walsh, who was from the City, followed him to Albany then back to New York City. They stayed married until 1882, the year they both died, and Mary followed James on dozens of moves and expeditions during their forty-two years together.

Shortly after moving to New York City, James and Mary had their first son, William, in 1842, and Henry Jr. in 1843. Shortly after Williams birth, James went to the New York Hall Society Library and saw William Green, a mystic, and Emerson, engaged in a discussion on the socialist utopian theories of Charles Fourier. Emerson made quite an impression on James at this first meeting, and James went straight home and penned a letter to Emerson that evening that showed his admiration and respect: "I listened to your address this evening, and as my bosom glowed with many a true word that fell from your lips & felt ere longed fully assured that before me I behold man who in very truth was seeking the realities of things." The affectionate letter had the desired effect, and the two men met the next day, where they talked for hours. During that stay in New York, Emerson visited James's Washington Square home when William James was just two-months-old, and in a famous scene from the intellectual history of Antebellum America, Emerson gave his blessing to the future philosopher.[18]

Charles Fourier, the utopian socialist Emerson had discussed that first meeting had an even greater effect on James, despite their never meeting. Followers of Fourier were Fourierist or Associationist. Fourierism was a major movement, and though many today have not heard of Associationism, there were Fourierist communities all over the Northeast, especially in the BOD. James, however, typical of his style, learned of Fourierism in New York City, France and England, despite the plethora of Fourierist in the BOD of his native Western New York.

Communitarianism in the BOD goes back to the 1680s with groups like the Shakers. During the Age of Fourier, the 1830-40s, the BOD was home to several radical Christian sects that experimented with "Utopian" or "Harmonian" communitarian living: The Rappites settled in the BOD in 1805; Mormonism found its birth there in 1828; John Humphrey Noyes (1811 – 1886) started the Perfectionist movement in Oneida, New York, in 1837; and many Fourierist communities thrived there as well.

There are many sects in the Communitarian Movement that James did not associate with, for James was a Fourierist. Like many Fourierist, he combined Fourier's social theories with the spiritual religious theories of Emmanuel Swedenborg. This marriage of thought enticed a lot of

18. They actually entered into a civil union, in New York City, on July 28, 1840, performed by Mayor Isaac L. Varian. James was a big name, especially in New York, so the society pages covered the newlyweds' arrival at the Astor House. He understood, and even exerted, his social and economic class throughout all of his travels, traveling with servants and staying at the nicest residences (e.g. He summered next door to one of Queen Victoria's garden homes); The James newlyweds departed from a brief residency at the Astor House, and this may explain Henry James, Jr.'s misreporting of living at the Astor House when he and older brother William were born; Emerson had lost his 5-year old child just one month before visiting the baby William James; Habegger, p 184.

intellectuals to the Swedenborg-Fourier branch of the Harmonian movement, and it is this movement – the Swedenborgian-Fourierism – that James was most strongly associated with.[19]

Emerson studied the theology of Swedenborg; however, there is no indication that James and Emerson spoke of Swedenborg during that first meeting in New York. James, on the other hand, began his study of Swedenborg during his stay in New York, through reading an article written by Dr. James Garth Wilkinson in a British publication James came across in the City. Shortly after the birth of his second son, James moved the family back to England, late in 1843, where he met Wilkinson, as well as others who shared an interest in Swedenborgianism.

James, who showed a propensity for continental travel, introduced his family to the concept: He sold the house in Washington Square, gathered the family and staff, and headed back to England. In England, James was once again equipped with a letter of introduction, but this time from Emerson to Thomas Carlyle, a celebrated intellectual and historian known for his German Idealism expertise. Carlyle introduced Kant and Fichte to the best and brightest of both Britain and America. It was at Carlyle's home that James met Wilkinson; there he also met the likes of John Stuart Mill, Arthur Helps and Alfred Tennyson. He said "Mr. Mill was the most sincere man I ever met," but it was Wilkinson and Carlyle with whom James became lifelong friends.[20]

James's, introduction to Swedenborg was particularly timely because at that same time, during the stay in England, James underwent another spiritual crisis; this time it was explained to him in Swedenborgian terms as a "vastation." This was the other major spiritual crisis of James adult life. This time, as a father, husband and a more advanced Christian, he did not fall into any *Dark Years*, instead he just fell into a trance-like depression while sitting at dinner with his family. Considering what James went through as a child, and how much time he spent in meditation, and considering that he experienced depression before during the Dark Years, this vastation must have truly been a deep, shamanic, spiritual experience. Shortly afterwards James was introduced to the concept of a vastation, which pointed him once again to Swedenborg's spiritualist theories.

In the process of coming out of this vastation, James reflected on Sandeman and Swedenborg and developed a personal theology based in Christian selflessness. Swedenborgian spiritual selflessness was a leading topic of conversation among spiritual seekers, and it was from this conversation that Swedenborg became associated with the doctrines of Fourier. "In his earlier years, ... when Mr. James's ideas were being settled by the reading of Swedenborg, he also became interested in the socialistic fermentations then so rife, and in particular the writings of Fourier," is how William James described this period; it also described the melding of Fourier and Swedenborg that was going on throughout the modern liberal circles of Europe and America in the early 1840s. It was this Fourierism and Swedenborgianism pairing that defined James's theology well past the decline in Fourierism seen by the end of that same decade.[21]

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19. Other prominent Swedenborgians include William Blake, Robert and Elisabeth Barrett Browning, Andrew Carnegie, Benjamin Franklin, Carl Jung, Immanuel Kant, Henry Thoreau and Ezra Pound.
20. Dr. Wilkinson would have such an influence on James that he named his third son Wilkinson (commonly known as "Wilkie").
21. William James, *Literary Remains*, 26.

Charles Fourier (1772 – 1837), created a socialist movement years before Marx. No one, including Fourier, predicted the scope of his social reform. As a commercial businessman in Paris, surviving after the French Revolution, Fourier had a revelation. Aghast at the cost of an apple at a restaurant in Paris, Fourier felt there had to be a better economic and social system, so he fashioned a unique scheme of communal living, and, surprisingly, almost started an intercontinental economic and cultural revolution in the process.

Fourier was not quite correct, however, in asserting that his apple was one of the four most famous apples in the course of history: "Two both famous because of the disasters they caused, those of Adam and of Paris, and two by services rendered to mankind, Newton's and my own." Despite not living up this his self-proclaimed historical equivalency to Adam or Sir Isaac Newton, Fourier started a phenomenon. Utopian societies took off in France, England and America. Emerson remarked to Carlyle in an 1840 letter: "We are all a little wild here with number-less projects of social reform. Not a reading man that has a draft of a new community in his waistcoat pocket."[22]

In America, Associationist surrounded James: America's biggest Phalanx (the term for a planned Fourierist-socialist community) was nearby in western New York, and the BOD was filled with them (See Appendix). James also knew George Ripley, a Transcendentalist friend of Emerson and Carlyle, who started *Brook Farm*, out side of Boston, first as an educational commune in 1841, then affiliating with Fourier in 1844.[23]

James returned to Albany in 1845. By mid-1846, James was so deeply immersed in Fourierism that he explored the possibility of starting an Associationist journal with the Reverend George Bush. He chose instead to stay with the mix of Swedenborg with Fourier, and to bring his version of this synthesis to a wider audience through a Fourierist periodical called *The Harbinger.* The editor, Parke Godwin, was a friend of James from Princeton; a fellow Seminary dropout. [24]

Godwin was not James's only contact at *The Harbinger.* Also involved was Horace Greeley, a popularizer of the communitarian ideas of Fourier; also famous for coining the phrase "Go West Young Man;" and a well known, and prosperous newspaper publisher. His *New York Tribune* was the flagship of a print-media empire, and that is what brought *The Harbinger* from

22. Carl Guarneri. *The Utopian Alternative: Fourierism in Nineteenth-Century America,* (Ithaca: Cornell UP, 1991), 15-16; 13.

23. Appendix, Mark Holloway, *Utopian Communities In America, 1680 – 1880,* (Mineola: Dover Publications, 1966), 14-15; Brook Farm residents included many of the big names in the Concord scene: Fuller, Hawthorne and Alcott to name a few. This lists of guests is more extensive, including Emerson, Thoreau and Theodore Parker. Henry Sr. and Greeley were both brought to Brook Farm by Wm. Howard Channing, a Unitarian Preacher from Boston who preached for a time in New York. In 1847 Channing 's work lead to the founding of The Religious Union of Associationists in Boston, after the dissolution of Brook Farm. Channing was a Swedenborgian.

24. He was not, however, the first to merge Fourier and Swedenborg – though he the leading American advocate of the late 1840s. As early as 1839, French Swedenborgians expressed cautious interest in Fourier, and in the early 1840s, the *London Phalanx* had praised Swedenborg. New Churchmen most stressed the differences; Wilkinson, complained that no provision had been made for the New Church in Harmony; This esoteric battle between the rival camps of disciples spilled over into America – James's writings cannot be understood unless looked at in this context." Brock, PhD dissertation, (Loyola University Chicago,1996), www.billbrock.net, accessed 17 Mar. 2005.

Brook Farm, outside of Boston, to New York City. James was added to *The Harbinger's* editorial board at the time of the move in late 1846, and he began actively writing in 1847.[25]

Demonstrating his Awakening-Evangelical roots (that he never claimed), he was quite the zealot for the spiritual wonders of his blend of Swedenborg and Fourier:

> The purpose of the work is to show the accord of Swedenborg and Fourier in respect to the great hope of social regeneration. ... It will do immense service, if we mistake not, to both the classes of readers to whom [our previous column] especially addressed, Swedenborgians and Associationists, by exhibiting to the one the scientific basis of their faith, and to the other the spiritual grounds of their science. ... If I address you ... it is with a view of giving you the outlines of the social system, which the genius of Fourier has discovered and constituted, and showing you that this system alone furnishes a clear and positive method of realizing the kingdom of God upon earth, or that new church which Swedenborg has proclaimed, and which is indicated in the revelation of John.[26]

All of his writings in *The Harbinger* had this tone, largely because this is how people wrote in newspapers in the 1840s. It also, however, showed the evangelical side of James. The Swedenborg-Fourierists felt like they were discovering a new age of consciousness, coining the phrase in the process.

Despite the collective enthusiasm, Fourierism only lasted about a decade in America. There were several factors that worked to the detriment of the Associationist movement. One was the growth of mysticism. The mystical tendencies of some Fourierists later in the movement divided the membership. Mysticism came from two sources, generally. First, was Europe, where much of America's religious and spiritual experimentation came from. Contributing early on were William Blake (1757 – 1827) and Frans Mesmer (1734 – 1815), both Swedenborgians who directly contributed to the mystical practices of Swedenborg-Fourierists. The other big source of mysticism was the BOD itself, with its spiritualists and mystical tradition. The Shakers, the BOD's first residents, were "Shaking Quakers," who had spiritualist practices. Just after the Age of Fourier came the Fox Sisters, better known as the "Rochester Rappers," who in 1855 had a paranormal religious experience and caused a rash of mysticism that, along with the Civil War, put an end to the Awakening right on the heels of Fourierism's cessation.

Another problem Fourierism faced was a free love scandal. Fourier was French, and his societal master plan included considerations for consortium in the Phalanx-based communities. Fourierism expressly allowed promiscuous sexual behavior, and other groups, like Noyes's Perfectionist, mandated polyamory, including group sexual activities. James jumped into this issue early with his Swedenborg-Fourierist writings: advocating these practices in 1847 in *The*

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25. *The Harbinger* was an established paper, which had been contributed to by some of the leading intellectuals of New England. It was founded by George Ripley, a famous transcendentalist, who left the comforts of Concord and started Brook Farm in 1841; *The Harbinger* went from being published by Brook Farm, to being published by the National Association of Associationists. *The Harbinger's* credo was: "All Things, At the Present Day, Stand Provided and Prepared, and Await the Light."
26. Henry James Sr. "Fourier and Swedenborg." *Harbinger* 6.17 (26 Feb. 1848): 132.

Harbinger, then translating and publishing a pro-free love book entitled *Love in the Phalanstery,* in 1848. He later reversed his pro-free-love position, in his 1852 *Lectures & Miscellanies,* and his 1853 *Love, Marriage & Divorce.* This position was more in line with his Christian beliefs, and offered a modicum of respect for his wife, Mary.[27]

The third major struggle of the Associationists was the financial hardships of various communities. Fourierist and other communitarian efforts of the 1840s required a lot of work: People had to work hard regardless of the type of community they joined. Maybe there were inflated expectations in the Harmonian communities: James's tone in *The Harbinger* displayed the potential for hyperbole, imbuing members with high expectation. These communities were the equivalent of small businesses, where failures are common. The typical Phalanxes only lasted a span of a few years. Regular commercial towns and cities were the alternative living choice, which was the final factor in the demise of Communitarianism. James, Greeley and their cronies had the best of intentions in community building through Fourierism; however William James, the Father, DeWitt Clinton and their cronies offered a better plan for community building. America chose its path by the late 1840s, and America chose to build communities and towns, not communes.

It is hard to say that the Communitarian movement ever completely died out. Greeley Colorado was founded in 1871 as the Union Colony, by Nathan Meeker, one of Horace Greeley's editors at the *New York Tribune.* Utopian communes then saw a renaissance less than one hundred years later during the 1960s. There are communes in existence today.[28]

The story of James the theologian has been told many times in many ways, generally describing a three-pronged theological search involving Sandemanianism, Swedenborgianism and Fourierism. James theological search needed to be defined more broadly than that. James lived in a time of spiritual exploration, and his inquiries had several stops, through at least the five categories discussed, with more than one perlustration into some categories. Further, James's Calvinism should never be ignored, despite his and his entire generation's attempt to find something more fulfilling. The connections to James's Sandemanianism and the independent Christian Churches of today have not been discussed, despite the connection to Sandemanianism and the Scottish Baptists. Also consider the recurring themes of Scottish, Scots-Irish, common sense and Presbyterianism should be examined more fully as well. Similitude with these Scottish rudiments led to the success of generations of Jameses from William of Albany's wealth through the acclaim of Professor William James, and beyond.

James was more than just the middle generation between two more exalted generations of Jameses. James was a prolific writer and lecturer, actively writing in *The Harbinger* for two years, and further contributing to America's new popular intellectual magazines such as *The North American Review* and the *Atlantic Monthly.* James's books were all theological, discussing the wide range of the theological and social issues heretofore discussed. His first book, *What Constitutes the State,* published in 1846, and his last book *Society – the Redeemed*

27. Fourier's writings on sexual reform were subverting the Associationists' movement. James fueled the fire by anonymously translating Victor Hennequin's *Love in the Phalanstery,* which went on sale in the fall of 1848. The book praised and detailed the most liberal free love practices of Fourierism. Greeley denounced it as "promiscuity."
28. "History of Greeley," http://www. greeleycvb.com/history.html, accessed 19 Mar. 2005.

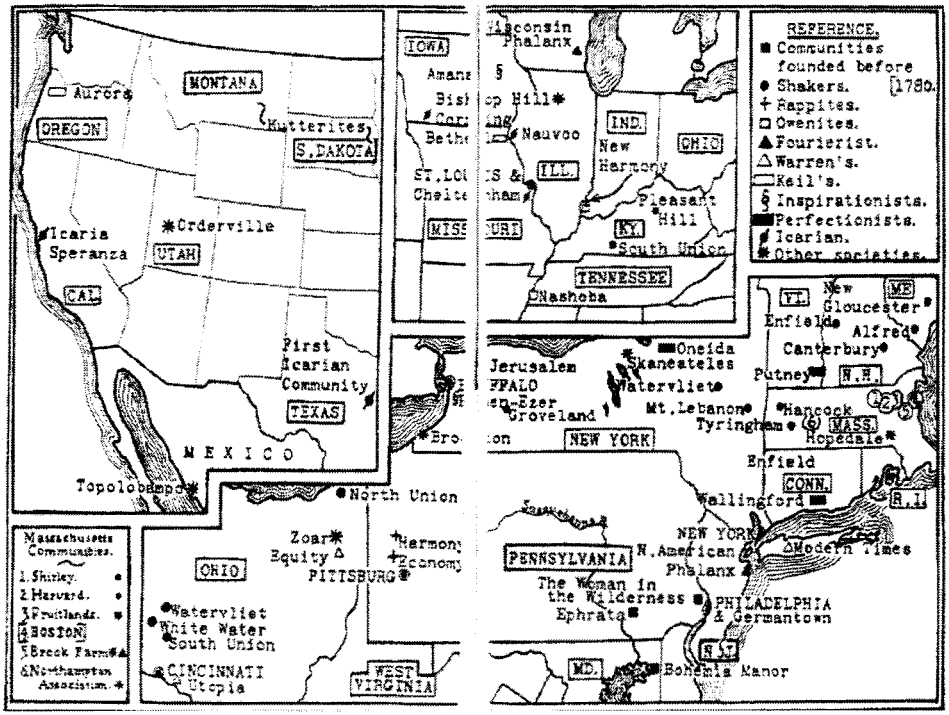
Form of Man, published in 1879 both focused his most central theme – community. Other books, such as the rabble-rousing 1856, *The Church of Christ not an Ecclesiasticism,* was about the need for the Swedenborgian Church to be more spiritual and less ecclesiastical, another core theme – his theology

James was a probing and enthusiastic theologian unafraid of religious exploration. Because of his searching, his relentless survivor's spirit and the wild frontier times he lived in, James prototypically explored the ideals and philosophies behind modern Protestant Christianity, the spiritualist traditions of new age religiosity, as well as fittingly being the father of the father of American Pragmatism. The early nineteenth century was a period of ideas in transition. Henry James Sr. was a religious reformer who was not afraid to see ideas in transition. He was a man of his age in the age of reform, and a prototypical religious figure.

> *A visitor at the home of Tolstoy reports that the Count has one short shelf of precious books, and among them are the volumes of the elder Henry James. With a gesture of pleasure, Tolstoy pointed out the volumes, saying that this Henry James is the most suggestive writer that America has produced.*[29]

29. Frederic Harold Young, The Philosophy of Henry James, Sr. (New York: Bookman Associates, 1951) 1, citing Edwin Markham, "Distinguished American Family," *Cosmopolitan,* Vol. L (Dec. 1910), 145.

Map of these Communities:



A Tale of Two Tribes: A Comparative Analysis of the Removal of the Choctaw and Seminole Indians by the U.S. Government

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She had written to Dr. Smith, Dr. Gwynn, clinics in Baltimore, and the federal government, but no one came to the aid of Amanda Blackwell. She was fighting an infectious battle for months that was impossible to win on her own. Her adversary was smallpox and her allies were sitting in the luxurious chairs during congressional sessions, indifferent to the face of death she saw everyday. As for Congress, its interest with those in Mississippi was of a separate concern. The process of removing the Indians, and their bodies, took longer than expected. Thus, legislatures knew the emigration deadline they debated previously would not be achieved. What was left of the Mississippi tribe that summer in 1832 still held the name "Choctaw" with pride—despite their massive loss of land and life.[1]

But only two states away in the backwoods of Florida were the Seminole people whose experience with Congress and Indian removal was hardly as passive or swift as the Choctaw's. The Seminole's trouble with the government had been brewing for decades by the time President James Madison initiated the third phase of their migration into eastern Florida territory. By the time these Amerindians moved into the wetlands, Congress had already approved Madison's plans to negotiate an incorporation of Florida territory into the Union so that no Seminoles could hold occupy the land with legitimate legal power. Once the Seminoles uncovered this covert operation, they declared intermittent war against the government, spanning from the early seventeenth century into the early 1860s.[2] Arguably this conflict with encroaching Europeans can be traced back even further to the previous hundred years when Seminole people still resided in separate, scattered tribes across the region--then fighting British slave traders before the states of America were ever united.[3]

As for the Choctaw's opposition to the government's need for their land, for the most part, their predicament transpired during their actual removal--from the 1820s to the early 1840s. The Seminole's removal commenced during the same time as the Choctaws, but unlike their relatives, the government was never fully able to relocate them West of the Mississippi.[4] With only five hundred miles separating the Choctaws from the Seminoles, it is remarkable to believe that each tribe's reaction to their removal was so different and their spirit to resist relocation was

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[1] Choctaw Agency, 1832-8, *Letters Received by the Office of Indian Affairs,* 1824-81, microcopy No. 234, Roll 170, National Archives and Records Service (Washington D.C.: GPO, 1959), 4 October 1832, Text-fiche.

[2] James W. Covington, *The Seminoles of Florida* (Jacksonville, FL: University Press of Florida, 1993), 28-30; Ibid., 128-145.

[3] Colin G. Calloway, *The American Revolution in Indian Country: Crisis and Diversity in Native American Communities* (Cambridge: Cambridge University Press 1995), 244-247.

[4] Arthur H. DeRosier, Jr., *The Removal of the Choctaw Indians* (Knoxville: University of Tennessee Press 1970) 38-148; Covington, 28-30, 128-145.

so opposite from one another. What contributed to these contrasting responses is a series of unique factors ranging from history, to geography, to the culture of each tribe.

In part, what led the Choctaws to their harrowing removal was a long history of political and social unrest with foreign powers, to which their peaceful nation was not accustomed. According to Choctaw mythology, these people were originally a serene, complacent band residing in the far West until two brothers, Chahta and Chikasa, determined their nation's citizens would lead more prosperous lives in a different area of North America. After employing the powers of a guide-stick, the brothers agreed that a river along south central Mississippi was the desired location. Upon arrival, the tribe engaged in various forms of agriculture to raise corn, beans, and pumpkins as well as hunting nearby animals in forests and streams for meat or fish. The homes they constructed were designed for single-family use with holes to allow smoke to escape, bed platforms and a central fireplace. In order to retain the tight-knit community they were known for, each dwelling was built immediately next to another, and over one hundred of these communities were created near various rivers in the Mississippi area before the sixteenth century.[5]

Even before the Choctaws reached the 1600s, their trouble with non-natives had begun. Spanish explorers like Hernando de Soto came to the door of the Choctaw's and hinted at overtaking their lands just in time for British eyebrows to be raised at the prospects of creating a new colony in that very region. Though the Choctaws and intermixed Chickasaws tried not to involve themselves in helping colonists find runaway slaves in exchange for material goods and food, their hope of remaining peaceful had ended when colonists began permanent settlement in the area, en masse. After adapting to the Southland, English colonists carefully devised a plan to create inter-tribal warfare between the Choctaws and Chickasaws with a specific purpose. Once engrossed in combat, colonists could capture unguarded land and cultivate it for agriculture/plantation use. One of the few attempts at thwarting these quarrels came from Frenchman Pierre Le Moyne d'Iberville where he also managed to acquire Choctaw support for French causes, though the British were hardly prepared to disband Carolina holdings in the name of equality. [6]

Unfortunately for these Amerindians, the rest of the eighteenth century was filled with faulty alliances and land-hungry Europeans, most of whom were fighting amongst themselves and these Native Americans, simultaneously. As for their bond with the French, Iberville's efforts were forgotten quickly when France signed the 1763 Treaty of Paris that allocated their Mississippi lands to the British.[7] Within minutes, the people the Choctaw had been battling for a century were now their landlords. Thus far in their recorded history, the Choctaw had not raised a weapon to their adversaries unless repeatedly provoked—even by European invaders.

Despite the numerous takeovers the Choctaw experienced during the development of early America, this tribe simply chose not to succumb to the casualties European warfare produced. Likewise, before issues with colonists turned physical, the Choctaw did not actively prevent further encroachment upon their land by engaging in war, as was the case with tribes like

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[5] W. David Baird, *The Choctaw People* (Phoenix: Indian Tribal Series, 1973), 2-10.
[6] Ibid., 11-15.
[7] Ibid., 17-18.

the Creeks or future Seminoles. Even by the time the Choctaws grew to 20,000 and were pitted against the smaller Chickasaw nation due to English manipulation, they again chose not to engage in an easy takeover of northern territories occupied by the Chickasaws since they saw no *legitimate* need for the extra land. Many surrounding tribes needed much more space than the Choctaws to produce food for themselves because of inefficient agricultural practices. Early on, the Choctaws learned to maximize the space they were given so as not to disrupt surrounding communities or cause unnecessary scuffles. [8] Even the diaries of French explorers indicate that "the more numerous Choctaws were afraid of the Chickasaws, 'who are almost all warriors,'...and only had 'to beat drums in our cabins' to make the Choctaws run away.'"[9]

Throughout their history in America, the Choctaws were not a vicious, let alone aggressive, band of people. Conflicts with Chickasaws and unwanted participation in settlers' clashes like the American Revolution created a never ending imbroglio for the Choctaws of being pulled into assaults on their land since the day Columbus sailed the ocean blue. When others intentionally sought to take from them in some fashion, the response was usually nonviolent and submissive--as was the case with their removal from Mississippi in the 1800s.

The Seminoles, on the other hand, were not as passive. As Charles H. Fairbanks explains in his work, *The Florida Seminole People,* "the Florida Seminoles [are] are perhaps the least changed and least known of any American Indian tribe."[10] The reason for these two findings again relates to the history of its people. The latter conclusion can be reached by understanding the novelty of the Seminoles as a distinct band of people when compared to other nations. During the time of early Choctaw development, there was no Seminole tribe maturing in the foothills of Florida and in fact, the word "Seminole" was not even used to identify the tribe until the eighteenth century.[11]

Originally, those tribes which later comprised the Seminoles were scattered across the southern Georgia and Florida regions of America. Timucuas, Tocobagos, Tquestas, Apalacheees, Calusas, Creeks, and other people all assimilated into the Seminole nation after English settlers attempted to make these tribes either participate in their slave trade or annihilate them because of their resistance to succumb to European control. Even before the Seminoles were formally established, the history of each of their distinct tribes did not show obedience, let alone a pattern of nonviolent agreements with other nations. In order to escape further demise, members of these tribes haphazardly migrated into the untamed, unwanted, and unoccupied lands of Florida. When Spaniards started noticing new Indian settlements after 1750, they referred to them as "Cimrrones" or "Seminoles," to mean "Wild Ones" since they inhabited such wild, undomesticated lands.[12] Regardless of the conditions of their new home, the Seminoles were able to escape further persecution by Europeans. By the middle of the eighteenth century the

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[8] Ibid., 11.
[9] Calloway, 216.
[10] Charles H. Fairbanks, *The Florida Seminole People* (Phoenix: Indian Tribal Series, 1973), 1.
[11] Calloway, 246.
[12] Fairbanks, 5-8; Merqyn S. Garbarino, *Big Cypress: A Changing Seminole Community* (Prospect Heights, IL: Waveland Press, 1972), 1.

Seminoles emerged as a loose group of decimated tribes where most members had either been killed or contracted life-threatening diseases.[13]

Arguably the demographics of the Seminoles can serve to explain the different approach they took to European advances than the Choctaws. The Choctaws have historically taken a passive role in European and American advances upon their land, which may be a primary reason for their ability to remain as one of the largest tribes to be removed successfully in the 1830s. Although their legal agreement to be walked through the snow onto unfamiliar territory was an agonizing experience, unlike the various Seminole tribes, it did keep most of them alive.[14]

The tribes creating the Seminole nation were all affected by European desires in a much more serious manner than the Choctaws. By the start of congressional debate over Indian removal, the Choctaw people remained a relatively united community since their trek to Louisiana over three hundred years prior. The Seminoles, on the contrary, came from varying areas of the American South and consisted of whatever was left of each tribe by the time colonists had settled down for plantation farming. In addition to each tribe's anger over their population's merciless slaughter from various battles, each separate nations held separate beliefs as to how to keep their remaining people alive.

Many Creeks, for example, found it best to separate from the Seminoles after banding together with them in an effort to secure their people's survival—a guarantee no Seminole pact or treaty could make. By 1790 the unaffiliated Creeks entered into an agreement with the United States to help find runaway slaves in the area and return them to their respective owners as long as the United States did not invade Creek lands nor destroy their nation. This agreement was possible because slaves had habitually traveled into the backwoods of Florida to escape plantations for hundreds of years. Since the Creeks learned these areas with the help of the Seminoles before their separation, they were able to pull out slave refugees for the Americas. Understandably, the Seminoles were angered by the Creek's cavalier attitude to sell-out this area built on refugees escaping tyrannical power. [15] Since the Seminole's own people were now allied with the United States against them, they were already preparing psychologically for vehement combat. For them, warfare was an effort to save their hidden people, release frustrations over the dictator-like democracy in which they lived, and settle the broken bonds they encountered with a tribe that sold out to save its own skin.

When conflict with Europeans and Americans did heat up for the Seminoles, there were still twenty years until Congress took direct action towards removing this tribe to the West. It was within this waiting period that the Seminoles became acquainted with shady American politics and learned not to negotiate or sign agreements with the United States in order to keep their land. After the Creek's agreement with the United States to hunt runaway slaves, the Seminoles observed the Creek's haughty willingness to then sign the Treaty of New York with America in hopes of gaining a factory to produce goods for them. The catch was that the Creeks

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[13] Calloway, 245-247.
[14] DeRosier, Jr., 129-142.
[15] Minnie Moore-Willson, *The Seminoles of Florida* (New York: Moffat, Yard and Co., 1920), 1-9.

were swindled into giving up twenty-five square miles of their land so that the United States could "help along" this process for them.

Within a year of this deal, the Treaty of San Lorenzo was signed. Now the United States and Spain could draw up Seminole and Creek borders, without the *unnecessary* requirement of Seminole or Creek Indians participating in the survey. It did not take long for the tribes to view government ideas with skepticism. Once the Americans failed to wholly support their treaties in the fair and stated manner all parties signed for, Seminole tempers flared. This bad deal marked the first major time Seminoles openly expressed their opposition to the government in a physical manner.

Though the Seminole negotiators appeared to have friendly relations when conversing with Americans over land, it was hardly the case for the rest of the nation. When Indians discovered that commissioner Andrew Ellicot was not going to adorn them with presents and an open door to United States opportunity as an apology for years of previous of mistreatment, the Seminoles retaliated. Ellicot's horses were all stolen from his visiting residence and the lives of him and his entourage were threatened by angry tribesmen. In response, a Seminole chief and negotiator with Ellicot, Tustenuggee Harjo, ordered the burning of revolt-members' houses and torture for those leading the disorder. The description of one man indicates that "We beat him with sticks until he was on the ground...cut his ears and a part of his cheek [and] broke all the pots, pans, and furniture in his house." In a wise decision, two hundred and fifty loyal warriors were sent to escort the commissioner for the rest of his journey, though the protection could not prevent future and more violent reaction from the Seminoles.[16]

By Thomas Jefferson's presidency it was obvious that the government wanted the lawless Seminoles off of *their* rich soil of Georgia and Northern Florida. In conjunction with Jefferson's plan to increase agricultural output on fertile lands for citizens, the President found no neighborly way to removal the Seminoles from their valued territory in a timely manner. So, as University of Oklahoma Professor Edwin C. McReynolds states, Jefferson "was willing to permit [the Indians] to drift into debt, and...saw no injustice in using the pressure of their unaccustomed financial obligations to bargain with them for their lands." [17]

The key issue for the Seminoles in the early nineteenth century came to head in a series of meetings between the Seminole and Creek's Indian agent, Efa Harjo ("Mad Dog") and Jefferson's Indian spokesman, General James Wilkinson. Since the majority of Seminoles claimed to be under Spanish rule due to the fact that Florida was still owned by Spain, the Creeks appeared before Wilkinson to negotiate Jefferson's unsettled land issues alone. Once again, the Seminoles watched the foolish agreements of their neighbors draw Jefferson one step closer to achieving his economic plan for his Union.

Just as Jefferson had instructed, Wilkinson presented the Creeks with a list of treaty violations and crimes committed by their people. The fastest and most fair means of effacing these problems, the general explained, was by ceding a large piece of there land to the United States. As a thank you for their cooperation, the tribes would receive annuity and two

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[16] Edwin C. McReynolds, *The Seminoles* (Norman, OK: University of Oklahoma Press, 1957), 29-35.
[17] Ibid., 38-39.

blacksmiths—for a limited time. Mad Dog responded with a list of Indian grievances and interest in learning the white man's agricultural techniques, themselves.

In addition to signing over a chunk of their southern soil, a letter was written to the Spanish-protected Seminoles to side with the Creek decisions and accept the government's handling of their land situation. Spanish Seminoles refused, drawing a permanent division between the two intermixed tribes. But alas, ten years after Jefferson's second term the Spanish did cede Florida's territory to the United States. Now Washington D.C. required direct contact and discussion with the Seminoles, though their past experience with America rarely included affable negotiations or fair agreements with their Creek factions, let alone the ability to accept that America had the power to remove these refugees from their sanctuary in the South.[18]

While all of this commotion was taking place with the Seminoles, the Choctaws were experiencing a completely different history. The Choctaw's relationship with the Spanish was not one bent on protection from America like the Seminoles, but of strategic trade agreements. In an effort to expand their reach into American society, the Spanish set up numerous trade alliances with the Choctaws along their southern border. Realizing Spanish intentions, in 1786 the United States made additional trade alliances with the Choctaw and offered a series of benefits to which the Spanish could not propose. Now that Choctaw support was valued among influential nations, they signed onto a number of agreements by the United States that included perpetual peace, a fixed boundary line established since 1765, and, remarkably, that no American citizens could settle on Choctaw lands without their permission.[19]

The reason Spain and America valued the Choctaws to this excess was because of their vital location in the southern United States. Choctaw soil was filled with potent minerals for crops and was near some of the oldest and most critical ports of entry for international trade. There was no better position in the South, other than the Seminoles in Spanish territory, where the Americans could cultivate prosperous fruits and vegetables and export them that same day. But at this time Congress had not formally designed plans to prepare this area for immediate agricultural use or the removal of its Indian tribes, let alone nations numbering into the tensof thousands. Moreover, unlike the Seminoles, the Choctaws had not presented Spain or America countries with a history of violence, so neither of the two nations felt threatened enough by the Choctaws to take more aggressive action to quell their people than work with them in attractive trade agreements.

Unfortunately, while Choctaw relations did not deteriorate as deeply as the Seminoles, they did sign the slick treaties of American politics before they had time to realize that their sycophant of a barter-buddy was nothing more than a land-hungry, two-faced liar. Within a four-year period Congress managed to have the Choctaws sign three treaties and receive the following items: money in cash and merchandise, three sets of blacksmiths tools, and items for saddling horses and using guns. What the United States acquired in return was half of the Choctaw's entire land holdings since their arrival East of the Mississippi in the 1500s. Needless to say the trade was despotic and immoral.

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[18] Ibid., 39-42.

[19] Angie Debo, *The Rise and Fall of the Choctaw Republic* (Norman, OK: University of Oklahoma Press, 1934), 32.

Like the Seminoles, Spain was no longer an ally for the Choctaws since America swallowed up the Louisiana Territory in 1803 which previously had bordered much of the Choctaw's land. To make matters worse, the Louisiana Territorial Act of 1804 authorized the President to "negotiate" the Indians' removal to newly acquired areas West of the Mississippi.[20] Friendly relations ended with the United States in the beginning of the nineteenth century as the Choctaw realized they were one of the closest and easiest tribes to be pushed out of Louisiana, whether they agreed to the move or not.

For the Choctaws more than the Seminoles, the government realized that presenting papers signed by their chiefs with absurd and sweeping agreements meant removal into Oklahoma land without a Choctaw revolt. Regardless of the problems associated with these treaties, the Choctaws had faith in the abilities of their chiefs, even if their decisions did not turn out favorably. By 1820 the amount of land Congress was asking from the Choctaw grew substantially larger. The Treaty of Doak's Stand written in this year was created in part by anti-Indian military leader Andrew Jackson. With the stroke of a few pens it ceded five million acres of the Choctaw's West-central Mississippi land to the government in return for bestowing them with an everlasting title to thirteen million acres near Arkansas.

Initially the Choctaws, now seasoned veterans in the world of territorial negotiations, believed they were pulling wool over the eyes of the Americans. What "Old Hickory" failed to tell the Indian chiefs is that there were *already* white settlers living in their newly-titled land—a violation of the agreement both parties had made fifteen years prior indicating that there were to be no settlers living on *any* Choctaw lands with the government's approval. Despite the headache caused by Jackson's "ephemeral" memory, guidelines were being drawn up to remove the Choctaws from the southeast United States permanently with the Treaty of Dancing Rabbit Creek.[21] Once the stipulations of the agreement were translated to Choctaw chiefs, they refused to sign. Reports later surfaced that when it was apparent that coaxing the Indians to comply was of no use, the Choctaws were forced to sign the document against their will while being threatened by American soldiers.[22]

To support the treaty's unfair conditions, the same year Dancing Rabbit was signed came the Indian Removal Act of 1830, which permitted President Andrew Jackson to transfer his hatred of Native Americans into enforceable legislation. In it, he set into law specifically that the Five Civilized Tribes, Choctaws included, were to be relocated out of their trans-appalachin lands in the name of white settlement. Although he *suggested* that this process could be

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[20] Ibid., 33-36.

[21] Baird, 19-25; U.S. Serial Set, Number 4015, 56th Congress, 1st Session, Pages 708 and 709, 20 Jan. 1820, *Statutes At Large*, vol. 7, p. 234. American State Papers, House of Representatives, 24th Congress, 1st Session Public Lands: Volume 8, Page 563, No. 1479. On a claim for a Choctaw reservation, under the treaty of Dancing Rabbit Creek.

[22] DeRoisier, Jr., 126; American State Papers, House of Representatives, 24th Congress, 1st Session Public Lands: Volume 8, Page 672-673, No. 1523. On claims to reservations under the fourteenth article of the treaty of dancing rabbit creek, with the Choctaw Indians; American State Papers, Senate, 24th Congress, 1st Session Public Lands: Volume 8, Page 564, No. 1480. On claims to reservations of land under the fourteenth article of the treaty of Dancing Rabbit Creek with the Choctaw Indians; American State Papers, Senate, 24th Congress, 1st Session Public Lands: Volume 8, Pages 498-500, No. 1449. Remonstrance of citizens of Mississippi against the manner of executing the fourteenth article of the treaty of dancing rabbit creek with the Choctaw Indians.

voluntary and pleasant, in reality it was neither. Regardless of the mild protests Choctaws enacted to keep their sacred grounds, they were no match for Jackson and his military, which had habitually fought and won Indian objections for decades.[23] These treaties symbolized how Indian policy in America was a disturbing transformation from Jefferson's aspiration to move them West to Jackson's grim policy of removing these people by force.[24] As Jackson indicated in his private papers to James Monroe, "The Indians live within the Territory of the United States...and are subject to its sovereignty and...laws. [Therefore] negotiating with them and concluding treaties, would be right and proper."[25] Perhaps it was unintentional that Jackson did not clarify for Monroe that these "negotiations and treaties" would be deliberately misleading and misunderstood by the Choctaws.

Alas, instead of object to their removal, the Choctaws again decided to accept the consequences of doing politics with foreign people and started moving to Oklahoma settlements that year. They consistently believed that bargaining at the treaty table was the most effective means of keeping their land and their people on it and sadly, every time they went to negotiate, another piece of their home was gone.

Throughout these tribulations spanning over three decades, a common theme prevailed: the government was completely uninterested in the corrupted lives of the Choctaw people, though the Choctaw's had little knowledge of this conclusion. According to American history Professor Jay Price, this lack of concern for native peoples was the norm of nineteenth century government. "Remember that this was the age when presidents still took naps in the middle of the day and the U.S. Postal System was second in size to the Department of War." More importantly, "At this time in history there was a sentiment about the American land where Indians, like the peaceful Choctaws, were the ones intruding upon *white's* property."[26]

Although the Choctaws never responded to their immediate removal with violence, some scholars believe that a passive resistance was almost as effective as the Seminole's retaliation. Delay in negotiations with the Choctaw was due to the government insisting that "revisions" be made to the Choctaw's compensation for moving to the West. Basically, revisions consisted of fewer benefits for the Choctaws in Oklahoma and a faster transfer of lands to the government so that settlement and development of the land could take place instantly.[27] But as the government was caught up in its own greed for the land, it did not realize that many Choctaws were still attempting to extract those benefits before it moved—and not physically moving to Oklahoma until 1845.

Along with this obstacle, Congress realized the err in its removal theory in that it could not relocate a nation of thousands with a few removal soldiers and their muskets. For that reason,

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[23] DeRoisier, Jr., 26-34; Bills and Resolutions, Senate, 21st Congress, 1st Session, Mr. White, from the Committee on Indian Affairs, reported the following bill; which was read, and passed to a second reading: A Bill To provide for an exchange of lands with the Indians residing in any of the States or Territories, and for their removal West of the river Mississippi.

[24] DeRoisier, Jr., 126-128.

[25] Robert V. Remini, *The Legacy of Andrew Jackson: Essays on Democracy, Indian Removal, and Slavery* (Baton Rouge: Louisiana State University Press, 1988) 48-49.

[26] Jay Price, Professor Of the American West and Public history, interview by author, 3 October 2005, Wichita, in person, Wichita State University, Wichita, KS.

[27] DeRosier, Jr., 128.

the Choctaws wisely engaged in more negotiations with the government to offset the cost of moving. Specifically, Congress hypothesized that an initial payment of $26.71 would entice tribesmen enough to leave the land and $20 a month for up to one year, after they departed, would keep them away from their ancient lands indefinitely. [28] While the Choctaw's persistence with negotiation did not return them their land, it did force the government to take more interest in Indian affairs since the Choctaw's removal was one of the first in the 1800s. Attention was raised to improve Native American relocation as well because a removal treaty with the Choctaws, biased on the side of the Americans, was costing them exorbenent amounts of money. Therefore, Congress began to understand, briefly, that presenting more fair agreements would end up saving them the money they lost in the unhurried relocation process. Had the Choctaws finished their removal on time, Indian expenses for the 1833-1834 year probably would have been about $8,000. But because they did not plan to finish moving anytime soon nor promote the relocation of other, smaller tribes, expenses for the upcoming year were now estimated to be more than $150,000—and counting...[29]

As for the Seminoles, their reply to Indian removal was simple: war. The Seminoles did not favor long, drawn out negotiations with a corrupt state in part because they were an assimilation of different cultures with different views as to which territories should be ceded, for what price, and why they were permissible to sell in the first place. Even their ability to communicate with one another was hindered due to the varying tongues each former tribe took with them to the Seminole region. Many Creek refugees, for instance, spoke a foreign Muskogean tongue instead of the traditional Mikasuki of the Seminoles.[30] Furthermore, the Seminoles were created as a band of people removed from their original tribes and lands. So the thought of removal once more was interpreted as a threat to destroy their already limited population and build over the cultures they fought so ardently to preserve. The Choctaws never experienced a past as checkered as the Seminoles, so their amicability with treaty negotiations was based on a totally separate history and experience with Europeans and Americans.

Despite the numerous skirmishes between the Seminoles and foreign powers, the Seminoles were not partial to offensive combat provoked by their own tribe. In fact, their nation was created out of a bank of exiles from the South as discussed previously. One of these tribes, the Creeks, foolishly signed an agreement with the government to permit pioneers to pass through their lands into other counties. When the pioneers decided to settle in Creek lands, the

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[28] U.S. Congress, House, Office of Indian Affairs, Agent F. W. Armstrong speaking on the state of affairs in the Choctaw Nation, 28th Cong., 2nd sess., *Congressional Record* 107, (21 January 1845), micro card, 3.

[29] Office of Indian Affairs, *Commissioners' Report of the Indian Bureau* (Washington, D.C.: GOP, 1832), micro card 171; Bills and Resolutions, Senate, 30th Congress, 1st Session, Mr. Bell, from the Committee on Indian Affairs, reported the following joint resolution: which was read, and passed to a second reading. Joint Resolution For the relief of the attorneys employed by the Choctaw reservees under the treaty of Dancing Rabbit Creek, concluded on 15 Sept. 1830; Bills and Resolutions, Senate, 27th Congress, 1st Session, Mr. Morehead, from the Committee on Indian Affairs, reported the following bill; which was read, and passed to a second reading. A Bill To provide for the satisfaction of the outstanding Choctaw reservations, under the nineteenth article of the treaty of Dancing-rabbit creek, Sept. 1830.

[30] Fairbanks, 16; American State Papers, House of Representatives, 24th Congress, 1st Session
Public Lands: Volume 8, Pages 557-559, No. 1475. Application of Florida for a grant of land to the East Florida railroad company.~No. 1476. On a claim to a Choctaw reservation under the Fourteenth Article of the treaty of Dancing Rabbit Creek.

Creek War of 1814 ensued. Many of the tribesmen fled to Florida to be absorbed by the Seminoles when Andrew Jackson demolished Creek holdings in the area.[31]

Though the Seminoles took a stab at treaty relations in the late 1810s-early 1820s, their bargaining was not prosperous. In the middle of the eighteenth century, American and English tensions heated into a revolution, where unoccupied wilderness, like the lands of Florida, were key areas for conflict. Spain was able to protect them from many battles during this time, but at the beginning of the 1800s, Spanish holdings in the South decayed due to their own economic problems at home. Thus, the Seminole's were left to defend their lands alone. Seeing the unprotected and unaffiliated Indians of Florida as vulnerable targets, Andrew Jackson marched in to takeover Seminole villages on the borderline to the Union. The war was considered somewhat of a wash except for its ability to focus American eyes squarely on the value Florida territory would add to the union. The exploration Jackson's men conducted made their fight for it with the Spanish and Seminoles that much more worth while. In 1819 the Treaty of Adams-Onis transferred Florida to the United States without the permission of the Seminoles, or notification to them that their land was being taken over by their enemies.[32]

By 1820, not only had their protectors, the Spanish, betrayed them, but the Seminoles were now caught in the predicament of trying to retain any land they previously possessed that was now wholly in the hands of the Americans. Grudgingly the Seminole's Chief Neamathla convinced his people to accept a reservation the Americans built for them that was still on a portion of their land. Essentially the Treaty of Moultrie Creek bestowed to the Seminoles money and tools to use on their new reservation in return for a complete session of their lands.

But in the spirit of the Seminole people, the move to a new area, though not West of the Mississippi, was taxing on all parties involved. First, by the time the treaty was signed in 1823, the Seminoles were still a widely scattered bunch in Florida. So congregating them into a small patch of land by St. Augustine was next to impossible, especially when trying to communicate the American's intentions in a foreign and often misinterpreted tongue. Another problem was the Seminole's historic division between leaders in the tribe—many of whom found Neamathla nothing more than a outcast tribesman who spoke for only a small group of individuals.[33] In contrast, much of the Choctaw's negotiations with the government went through Principle Chief Mushulatubbee—a man to whom everyone agreed had the Indians' best interests at heart and had the most inherent knowledge of tribal business based on his bloodline of previous rulers.[34] Since the Seminoles never resolved their leadership issues, the ease of their removal was not practical.

Beyond their lack of knowledge with American agricultural techniques, when Neamathla agreed to move their people to the reservation, he failed to realize that this move did not include runaway slaves, no matter how ingrained they were in the Seminole culture. The act of returning slaves to the government was a serious loss for the disintegrating Seminole tribe.[35] The final straw for the nation came in 1832 with the Payne's Landing Treaty that formally removed all

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[31] Fairbanks, 16-17.
[32] Ibid., 18-26.
[33] Brent Richards Weisman, *Unconquered People: Florida's Seminole and Miccosukee Indians* (Gainesville, FL: University Press of Florida, 1999), 44-47.
[34] DeRoisier, Jr., 79-80.
[35] Weisman, 46-47.

Florida land holdings from them and, like the Treaty of Dancing Rabbit Creek, set up instructions for formal Seminole removal. When another chief, Osceola, discovered these problems and found that the Seminole only had until 1836 to be moved, they sharpened their weapons and engaged in the Second Seminole War. Hearing of the rapidness the Choctaw crosses the Mississippi with, Osceola's followers refused to pack up their belongings and follow in a procession of Indians to the West, as if they were wards of a government that viewed them as chess pieces on the map of America. Combat lingered on until 1842 and cost the United States up to forty million dollars. The war ended as a stalemate for both parties and won many Seminoles the right to stay in their Florida lands to present day.[36]

In essence, the Seminole's encounter with Indian Removal was the product of their inability to agree upon discussion with the Americans, based on the varying views of dissimilar tribesmen and a fervent frustration towards foreign nations that desired to swallow up their refugee lands in the name of political gain. Conversely, the Choctaw's swift departure into reserved western lands was the outcome of a peaceful nation's corollary stating that preserving their culture and keeping their community unified, wherever that may be, was more important than participating in a few unscrupulous, deadly wars for the sake of owning a pile of dirt that was not even theirs a few hundred years before. It is without question that since the Choctaw nation was one of the first to be removed, their compliance affected government relations with the removal of future tribes. For the Seminoles, resistance to relocate resulted not with fair treaties or kinder words, but with war.

Thus, the die was cast for both tribes. White settlers increased on each nation's land regardless of the measures they took—war, living on a reservation, or resigning to a life in the swamplands. As Native American Specialist, Arthur H. DeRosier, Jr., laments, the Seminole and Choctaw Nations "would be proud and powerful no more, except in their hearts." [37]

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[36] Fairbanks, 23-30; Journal of the Senate of the United States of America, 1789-1873 Tuesday, April 30, 1850, p. 313-316.

[37] DeRosier, Jr., 167.

A Voice for Freedom: The Life and Achievements of William Wells Brown

Autumn Lawson

The issue of slavery was a widely debated topic during the antebellum period, which created a division in American society. The partition was quite prominent between those who wanted to continue the "peculiar institution" and the abolitionists who wanted to see an end to slavery. The abolitionist movement grew rapidly in the United States. Many outstanding white Americans and African-Americans, several of whom were former slaves, joined the movement. William Wells Brown was an African-American abolitionist who rose from the chains of slavery to significant status within the abolitionist movement and ultimately in American society. Brown enjoyed a wide-ranging career in the abolitionist movement, more so than many other notable African-American abolitionists. Brown's popular literary works, and the awareness he brought to the capabilities of African-Americans, earned him a well-known spot in history.

William Wells Brown was born in Lexington, Kentucky, the slave of Dr. John Young. The date of Brown's birth is unknown as it was never recorded by his master. It was not uncommon for masters to neglect recording birth dates of their slaves because they wanted to keep their chattel unaware of their ages. Keeping a slave from knowing one's age was for the purpose of making sure that a slave would not learn how to count. Masters feared that slaves would learn basic arithmetic, aiding them in discovering how to calculate odds and averages, which would ultimately help them to escape. Some sources have listed Brown's birth year as 1813, others have said 1814. Brown's daughter, Josephine Brown, in her *Biography of an American Bondman by his Daughter*, lists her father's birth date as March 15, 1815.[1]

Brown was the son of a mulatto slave, Elizabeth, and a relative of Dr. Young, George Higgins. Brown was a light-skinned African-American, a feature that would aid in his acceptance among white abolitionists and plague him among fellow African-Americans who felt he appeared too "white." Brown's mother named her son William. When William became a house servant for the Youngs, Mrs. Young renamed Brown Sanford because the Youngs were raising their nephew who was also named William.[2]

Dr. Young moved to Missouri near the St. Charles River not long after Brown was born. Brown was employed as a house servant and physician hand to Dr. Young, while his mother, Elizabeth, was a field hand. This allowed Brown to be free from Young's oppressive slave

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[1]William Wells Brown, *Narrative of William W. Brown, a Fugitive Slave* 2nd ed. (Boston: Anti-Slavery Office, 1848), 13; Jean Fagan Yellin, *The Intricate Knot: Black Figures in American Literature, 1776-1863* (New York: New York University Press, 1972), 155; L.H. Whelchel Jr., *My Chains Fell Off: William Wells Brown, Fugitive Abolitionist* (Lanham: University Press of America, 1985), 1, ix; William Edward Farrison, *William Wells Brown: Author & Reformer* (Chicago: The University of Chicago Press, 1969), 8; Josephine Brown, *Biography of an American Bondman by his Daughter* (Boston: R.F. Wallcut, 1856), 6 (hereafter J. Brown).

[2] Farrison, 13.

overseer, Grove Cook. Cook armed himself with a "negro whip," a ten-foot long whip with a lead filled end, the lashes made of cowhide and wire attached to the end of the lashes. Cook used any excuse he could find to whip the slaves to keep them in submission. One morning Brown heard his mother being whipped after reporting to her field work fifteen minutes late. He could hear his mother crying from the house and was overcome with feelings of helplessness at not being able to save her. Brown wrote about this experience in his autobiography. "I heard her voice, and knew it, and jumped out of my bunk, and went to the door. Though the field was some distance from the house, I could hear every crack of the whip, and every groan and cry of my poor mother." It was events such as this that angered Brown the most about the institution of slavery. He vowed that he would successfully escape, and devote his life to abolition.[3]

Dr. Young bought a new farm in St. Louis in 1827, and began having political ambitions. In order to afford both his farm and political career, Dr. Young hired Brown out to various businessmen in St. Louis. The first man that Brown was hired out to was Major Freeland, an innkeeper, who had been known to engage in fits of drunken rage, targeting his slaves. Brown was repeatedly whipped and forced to endure what Freeland called "Virginia Play," which consisted of being beaten, tied to a chair in a smoke house and then smoked out with burning tobacco leaves. He complained about his treatment by Freeland to Dr. Young, but was sent back to continue working for Freeland. After six more months with Freeland, Brown made his first unsuccessful attempt to escape. He ran into the woods toward Dr. Young's farm. It was not long before Brown heard the barking of the bloodhounds and climbed a tree to conceal himself from the scent of the dogs. Brown was immediately caught, returned to Freeland and severely punished.[4]

Another job that Brown was given was as a waiter aboard a steamship; a profession that he quite enjoyed and would continue until his involvement in the American Anti-Slavery Society. In 1830, Brown worked for Elijah P. Lovejoy, the editor of the *St. Louis Times*. He operated the printing press, waited on customers, and worked in the printing office. Brown was treated very well by Lovejoy, who later became the editor of the *St. Louis Observer*, a religious newspaper that focused primarily on the issue of slavery. The worst job that Brown endured, was as a "negro speculator" in 1832, in which he had to prepare slaves to be sold. Brown discusses the work that he had to perform as a negro speculator in his autobiography, *Narrative of William W. Brown, a Fugitive Slave*: "I was ordered to have the old men's whiskers shaved off, and the grey hairs plucked out where they were not too numerous, in which case he had a preparation of blacking to color it." It sickened him to see his fellow race being sold into slavery.[5]

After his service in the spring of 1833 with the slave dealer, Brown made his second attempt to escape, this time with his mother. Brown and his mother were captured and returned to St. Louis after eleven days and having traveled one hundred and fifty miles by foot. His repeated escape attempts made Brown a liability to Dr. Young, who made him a field hand until he could determine what to do with him. Masters feared that slaves who attempted to escape

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[3] Brown, *Narrative of William W. Brown, a Fugitive Slave*, 15, 13-15; Whelchel, 4.
[4] Brown, *Narrative of William W. Brown, a Fugitive Slave*, 20, 20-22; Farrison, 17-19.
[5] Brown, *Narrative of William W. Brown, a Fugitive Slave*, 42, 26-42; Brown, 21; Farrison, 20-21.

would incite the same notions in other slaves. Brown was sold for five hundred dollars to a "merchant tailor," Samuel Willi. Willi purchased Brown in the hopes of hiring him out to steamship captains. After only six months, Willi felt that Brown was not a sound investment. On October 2, 1833, Willi sold Brown to a steamship owner, Enoch Price. It is believed that Price paid anywhere from $650 to $700 for Brown. Under the ownership of Price, Brown spent most of his time aboard Price's steamship, the *Chester*.[6]

Brown used his new post as an opportunity to escape. He waited for the *Chester* to sail into free state territory before he made his getaway. The *Chester* docked in Cairo, Illinois, a free state, on December 29, 1833. Fearing that Illinois was still too close to St. Louis, where his master Price was living, Brown decided to wait for a better port. The *Chester* traveled from Illinois to Louisville, Kentucky, finally docking in Cincinnati, Ohio, late at night on December 31. Due to the late hour, none of the freight or passenger cargo would have been unloaded until the next morning. Brown believed that the commotion of unloading passengers and cargo the following morning would serve as the perfect opportunity to escape undetected.[7]

During the disorder of the *Chester* unloading her passengers and cargo, Brown disembarked from the ship and picked up a trunk that was lying near by. He very calmly carried the trunk unnoticed to the edge of the woods. Once there, Brown dropped the trunk and ran into the woods, hiding until nightfall before he continued his escape. Like so many other fugitive slaves, Brown followed the North Star as he slowly made his way to freedom. At first, Brown trusted no one and was determined to make it to freedom without aid. "I had long since made up my mind," Brown stated in his autobiography, "that I would not trust myself in the hands of any man, white or colored. The slave is brought up to look upon every white man as an enemy to him and his race; and twenty-one years in slavery had taught me that there were traitors, even among colored people."[8]

Brown was caught in a storm of freezing rain after five days. He became quite sick and his feet succumbed to frostbite. After two more very painful nights of walking, he knew that he needed help. Brown hid in a ditch alongside a wooded road, until he saw a Quaker by the name of Wells Brown. Wells Brown took him in and cared for him until he was able to continue. Brown stayed with Wells Brown and his wife for fifteen days, during which time they nursed him back to health, made him new clothes, purchased him new boots and gave him food and money that helped him on his journey. Later, when Brown took a new name as a free man, he reclaimed his original name and added the name of Wells Brown to it out of gratitude to the care given by the Quaker and his wife. In the opening of his autobiography, Brown recounts a letter to Wells Brown in which he expresses his gratitude. "Thirteen years ago, I came to your door, a weary fugitive from chains and stripes. . . . Even a name by which to be known among men, slavery had denied me. You bestowed upon me your own. Base, indeed, should I be, if I ever forgot what I owe to you, or do anything to disgrace that honored name!"[9]

Brown reached Cleveland, Ohio at the end of January 1834. Brown hoped that he could

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[6] Brown, Narrative of William W. Brown, a Fugitive Slave, 65-73, 75-77; Farrison, 35-39, 39-42.
[7] Ibid, 46; Brown, 37.
[8] Brown, Narrative of William W. Brown, a Fugitive Slave, 94-95; Farrison, 51.
[9] Brown, William W. Brown, Fugitive Slave, v, 98-100; Farrison, 57-59.

board a steamship on Lake Erie and sail to Canada. Upon reaching Cleveland, he found that the lake was frozen and no ships were running. Brown had two choices, he could either go by foot to Canada through Detroit or Buffalo in the middle of winter or he could wait in Cleveland until the spring. Brown chose the latter. He worked odd jobs through the winter and once the spring came he took a job as a steward aboard the steamer *Detroit.*[10]

While living in Cleveland, Brown advanced what little knowledge of reading and writing he obtained from being a house servant. Brown began reading magazines, books, newspapers; whatever he could get his hands on. Brown also used some of the money he had earned to buy not only a spelling book, but also candy that he used to bribe the children of his employer to teach him how to write his letters. Brown was frequently seen practicing his writing skills on fences before the children, who corrected him when it was needed. Once Brown improved his reading skills, he subscribed to the popular anti-slavery newspaper, *Genius of Universal Emancipation.* The admired newspaper was published by a Quaker named Benjamin Lundy.[11]

Brown risked his new found freedom to aid other slaves to escape the bondage of slavery. He had growing aspirations to be involved in the anti-slavery cause no matter the risk to his own freedom. Given Brown's fugitive slave status, if he had been caught while he helped other slaves, he would have been returned to his master. "It was my great desire," Brown wrote, "being out of slavery myself, to do what I could for the emancipation of my brethren yet in chains, and while on Lake Erie, I found many opportunities of 'helping their cause along.'" Brown used the opportunity of working on the *Detroit* to arrange for fugitive slaves to be taken to Detroit or Buffalo, where they then could cross into Canada to freedom. Between May and December 1842, Brown helped sixty-nine slaves reach Canada, all funded through his own earnings.[12]

In the summer of 1834, Brown met Elizabeth Schooner while the *Detroit* was docked back in Cleveland. Their courtship was rather quick and the two were married by the end of the summer. In late spring 1835, the two had their first child, a daughter. She died within a few months after she was born, which caused much heartache for the couple. The death of the Browns's first child was the beginning of what would be a history of problems in their marriage. In the spring of 1836, Brown's wife gave birth to their second child, Clarissa.[13]

Brown moved his family to Buffalo, New York, a few months after Clarissa's birth. He subscribed to William Lloyd Garrison's abolitionist newspaper, the *Liberator.* Through the *Liberator*, Brown became interested in the work of the American Anti-Slavery Society. Also while in Buffalo, he noticed that many African-Americans had succumbed to alcohol. Brown had become quite repelled with alcohol and drunkenness while working for Freeland. This led him to found, and lead, a temperance movement among the African-American population. Brown had built-up the organization to five hundred African-American members in three years out of a population that was no more than seven hundred. Through the temperance society, Brown was able to practice, and perfect, his public speaking skills.[14]

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[10] Ibid, 57-61; Brown, *Narrative of William W. Brown, a Fugitive Slave*, 102; Whelchel, 16.
[11] Brown, *Narrative of William W. Brown, a Fugitive Slave*, 107-108; Yellin, 156.
[12] Brown, *Narrative of William W. Brown, a Fugitive Slave*, 107, 107-108.
[13] Farrison, 62, 66-68; Brown, 46.
[14] Farrison, 69; Yellin, 156; Brown, Narrative of William W. Brown, a Fugitive Slave, 108.

In the summer of 1839, Brown and his wife had their third daughter, Josephine, who later wrote a biography of her father. Josephine was clearly preferred by her father, as no other child was ever mentioned in his writing. Josephine also favored her relationship with her father as she felt that she was the only one capable of writing a fair biography of him when she took up the task in 1856.[15]

Brown studied the successful revolution of the Haitian negroes in the late-eighteenth and early-nineteenth centuries. What interested him most was that fellow blacks were victorious in their fight against bondage and placed themselves at the head of the government. Fascinated, Brown took a trip to Haiti in 1840. Brown also traveled to Cuba and the West Indies. Haiti most impressed Brown that he later took up the cause of Haitian immigration for a short period in 1861. Brown's trip to Haiti, his leadership in the temperance movement, and his work on the Underground Railroad gave him significant recognition with the American Anti-Slavery Society. His popularity earned him a spot as a lecturer with the New York Anti-Slavery Society in fall 1843. Brown wrote that from the start of his time on the anti-slavery lecture circuit he "ever since devoted [his] time to the cause of [his] enslaved countrymen."[16]

As a lecturer for the New York Anti-Slavery Society, Brown traveled across much of the Northeast and into parts of the West and he made sure never to cross into slave states. The majority of Brown's speeches were about the slave trade and attitudes that whites had toward the "peculiar institution." A recurring theme that Brown used in his lectures was the incorrect notion that was held by many whites that slaves were contented in their bondage regardless of brutal tactics used by masters and overseers. Brown was well received by white audiences due to his mulatto heritage. Many viewed his light skin as being practically white.[17]

In a speech Brown delivered in Pennsylvania, he stated: "They tell us that the slave is contented and happy. . . . Should that fact weigh a single moment upon the minds of intelligent persons in favour of enslaving a race because they happen to have skins not coloured like your own?" Brown regarded himself as a voice for those who could not have spoken for themselves, for the African-Americans that were still in slavery, and for the free blacks who were too afraid to speak for themselves.[18]

Inspired by the favorable reception he received on the lecture circuit, Brown wrote his autobiography, *Narrative of William W. Brown, a Fugitive Slave* in 1847. Four editions of his *Narrative* were published; the second came out only a year after its original publication. Eight thousand copies of the first edition were sold. Brown's autobiography brought him international

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[15] Farrison, 73.

[16] Brown, *Narrative of William W. Brown, a Fugitive Slave*, 108; Farrison, 74.

[17] William Wells Brown, *Speech by William Wells Brown, Delivered at the Horticultural Hall, West Chester, Pennsylvania, 23 October 1854*, vol. IV of *The Black Abolitionist Papers*, ed. C. Peter Ripley (Chapel Hill: The University of North Carolina Press, 1991), 245-255; William Wells Brown, *Speech by William Wells Brown, Delivered at the City Assembly Rooms, New York, New York, 8 May 1856*, vol. IV of *The Black Abolitionist Papers*, ed. C. Peter Ripley (Chapel Hill: The University of North Carolina Press, 1991), 339-345; William Wells Brown, *Speech by William Wells Brown, Delivered at the Cincinnati Anti-Slavery Convention, Cincinnati, Ohio, 25 April 1855*, vol. IV of *The Black Abolitionist Papers*, ed. C. Peter Ripley (Chapel Hill: The University of North Carolina Press, 1991), 287-289.

[18] Brown, *Speech by William Wells Brown, Delivered at the Horticultural Hall, West Chester, Pennsylvania*, 247, 245-255.

popularity as it offered an eerie insight into the life of slavery as Brown detailed, often graphically, the treatment he endured and witnessed. The preface of *Narrative* was written by two fellow white abolitionists, Edmund Quinsy and J.C. Hathaway. The purpose of Brown having Quinsy and Hathaway write his preface was to give validation in the "white" world to Brown's story. He believed that many white Americans would not read his autobiography without including the acceptance that Quinsy and Hathaway had given to Brown. Brown's *Narrative* became the best selling "slave narrative" before the outbreak of the Civil War. What attracted readers to Brown's autobiography were his vivid descriptions of the experiences all slaves had, rather than having simply discussed his own life.[19]

Slave narratives became increasingly popular among abolitionists and abolition supporters. Like Brown's autobiography, slave narratives offered access into the world of slavery that could only be obtained, and uncovered, by a slave. Brown did not write *Narrative* in order to establish himself as an author. He wanted to show a side of slavery that had not been shown before. Brown wanted to make a direct attack on slavery. He believed that the previous slave narratives that had been published did not give an accurate account of the harsh realities of slavery. Brown felt that his speeches only reached those who were able to attend them. Therefore, he wanted to get his abolition message to a wider audience all across the United States. With his autobiography, he was even able to reach his former master, Enoch Price. Price conceded that while the stories that Brown had told of slavery were true, Price still believed in the institution of slavery. Price also offered to sell Brown to the Massachusetts Slavery Society, or Brown could have bought his own freedom, for $325, noting that it was half of what Price had paid for him. However, Brown felt that he had already been a free man and did not need to buy his freedom.[20]

In May 1847, Brown moved his family to Farmington to work with the Massachusetts Anti-Slavery Society. Brown continued the same manner and tone of his speeches as he had in New York. In June 1848, Brown complied popular slave songs and published *The Anti-Slavery Harp, a Collection of Songs for Anti-Slavery Meetings. The Anti-Slavery Harp* was so popular, that Brown published a second edition a year later. While in Farmington, Brown and his wife, Elizabeth, separated. Elizabeth promptly returned to Buffalo, leaving the children with Brown. The couple continually discussed divorce; however, they never followed through.[21]

Due to the growing popularity of Brown's works and speeches he gained status in the abolitionist movement. In May 1849, Brown was appointed as a member of the prestigious "Committee of Conference on the State and Prospects of the Cause," joining Fredrick Douglass, William Lloyd Garrison, and Samuel May, Jr. The purpose of the committee was to determine the logistics and tone of the anti-slavery conferences that were held, as well as what speakers

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[19] Whelchel, 63, x; William L. Andrews, *To Tell a Free Story: The First Century of Afro-American Autobiography, 1760-1865* (Chicago: University of Illinois Press, 1986), 144-145; Rafia Zafar, *We Wear the Mask: African Americans Write American Literature, 1760-1870* (New York: Columbia University Press, 1997), 79-80.

[20] Gilbert Osofsky, ed., *Puttin' On Ole Massa: The Slave Narratives of Henry Bibb, William Wells Brown, and Solomon Northup* (New York: Harper & Row, Publishers, 1969), 9-10; W. Edward Farrison, "William Wells Brown, Social Reformer," *The Journal of Negro Education* 18 (1949): 29-32; Farrison, 120.

[21] Ibid, 107-108; Vernon Loggins, *The Negro Author: His Development in America to 1900* (New York: Kennikat Press, Inc., 1964), 162.

would have been invited. Brown was also selected as a member to the finance committee for the American Anti-Slavery Society. Two months later, he was chosen to be a delegate at the Peace Congress held in France later in the summer. Brown wanted to travel to Europe not only because of the Congress, but because he felt it was important to follow in the footsteps of Fredrick Douglass and Charles Lenox Redmond. Brown carried his message of the plight of American slavery to the British people, just like his predecessors had done.[22]

Brown sailed aboard the steamship *Canada* on July 18, 1849. When Brown boarded the ship he thought he would return within the year. Unfortunately, while Brown was in Europe the harsh Fugitive Slave Law of 1850 was passed in the United States, making his return a dangerous decision given his fugitive status. Brown arrived in Liverpool on July 28. He toured around Liverpool for three days and then went on to Dublin, Ireland before he continued to Salle de Sainte Cecile for the Congress.[23]

The Peace Congress started on August 22, 1849. Victor Hugo presided as president over eight hundred delegates, with twenty having come from the United States. Brown was widely recognized and received among the attendees, not only because he was a fugitive slave, (he was not the only one) but mainly because he was light skinned. Many felt that he could almost pass for a white man, a feature that quite plagued Brown. Brown addressed the assembly on the final day of the Congress. He spoke out against what he called the "war spirit," discussing what he viewed as a war between the slave and the enslaver in the United States. He called for "abolition of the war" in the United States. Though Brown was happy that the Congress had taken place and allowed for ideas about the abolition of slavery to have been discussed, among other issues, he had little hope for its success.[24]

Brown returned to England after he spent ten days traveling around Paris. With the help of acquaintances that he made while in Paris, Brown began a career on the British and Foreign Anti-Slavery Society lecture circuit. Brown lectured across France and Great Britain on the evils of the "peculiar institution" in the United States. Brown hoped to enlist the British and French abolitionists through his speeches to pressure the United States into ending slavery. Brown compared the plight of slavery in America to the labor class in Britain because he hoped that it would relate more to the British citizens. After the Fugitive Slave Law was passed, Brown used the oppressive law as more ammunition in his speeches.[25]

In 1852, Brown wrote *Three Years in Europe; or, Places I Have Seen and People I Have Met*, a compilation of correspondences from friends in the United States and notes he took on his travels of Europe. He connected his letters and notes with a narrative of his memories and the histories associated with the places he traveled in Britain and France. Brown wanted to give British society a look at the fugitive slave's opinion of the difference of a black man's treatment in Europe versus the United States during the late-nineteenth century. *Three Years in Europe* was the first travel history book of Europe published abroad by an African-American. In the preface, Brown stated; "the fact of [the letters] being the first publication of a Fugitive Slave, as

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[22] Farrison, 147-151; Whelchel, 19.
[23] Whelchel, 145-151; William Wells Brown, *The American Fugitive in Europe. Sketches of People and Places Abroad* (Boston: John P. Jewelt and Company, 1855), 35-42.
[24] Farrison, 147-151; Whelchel, 19.
[25] Ibid, 18-20; Loggins, 162.

a history of travels, may carry with them novelty enough to secure for them . . . the attention of the reading public of Great Britain." *Three Years in Europe* proved to be a huge success for Brown not only in Britain, but also in the United States.[26]

Brown used the success of *Three Years in Europe* to publish another book in London, this time a novel. In November 1853, Brown became the first African-American to publish a novel, *Clotel; or, The President's Daughter*. *Clotel* was the story of a slave girl who was the daughter of former President Thomas Jefferson and one of his slaves. Due to the controversy over the rumors that Thomas Jefferson had fathered a child by a slave, Brown revised his novel several times throughout his life to make it more commercially acceptable to his audience. Brown changed, among other things, the status of Clotel's father. References to Thomas Jefferson were no longer as a President but as a United States Senator. The name Thomas Jefferson was also omitted as well as any reference to alleged descendants of his from an affair Jefferson was alleged to have had with one of his slaves.[27]

Clotel was often autobiographical. He combined stories from other slave narratives, and tied those stories to the lives of the characters in *Clotel*. Brown made the brutal treatment of slaves by their masters and the splitting up of slave families quite apparent. In the preface, Brown made a very poignant statement on the issue of slavery. "On every foot of soil, over which *Stars and Stripes* wave," observes Brown, "the Negro is considered common property, on which any white man may lay his hand with perfect impunity." Brown's statement, along with the situation resulting in Clotel's birth, also emulated his feelings over his own birth.[28]

Clotel began with a brief autobiography of Brown entitled "Narrative of the Life and Escape of William Wells Brown: Memoir of the Author." Brown hoped that by including his autobiography, he had given validation to the novel. He wanted his reading public to know that he had first-hand knowledge of the cruelties of slavery. Brown's struggle with his mulatto status also contributed to his inclusion of an autobiography. He made sure that his readers knew that he was a black man, a fugitive slave, and an abolitionist. Brown believed that he needed to set the stage for his readers who might have been skeptical of his abilities as a fiction writer because he was the first of his race to publish a novel.[29]

The original publication of *Clotel* was not well received in England mainly because of the graphic and often abrasive tone that Brown took in his narrative. British readers were also put off by Brown's often complicated plot and found it hard to keep up with the various characters. In the London reviews of *Clotel* many journalists referred to Brown's novel as "melodramatic, digressive, propagandistic and conventional." Many readers had a problem relating to Brown's use of slang language and southern images of which many Europeans had no first-hand knowledge. Other sources have attributed the lack of *Clotel's* success to the fact that Brown

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[26] William Wells Brown, *Three Years in Europe; or, Places I Have Seen and People I Have Met* (London: Charles Gilpin, 1852), xxxi; Andrews, 171-172; Whelchel, 18.
[27] Ibid, 45; Farrison, 388.
[28] William Wells Brown, *Clotel; or, The President's Daughter: A Narrative of Slave Life in the United States* (London: Partridge & Oakey, 1853), 3; M. Giulia Fabi, "The 'Unguarded Expressions of the Feelings of the Negroes:' Gender, Slave Resistance, and William Wells Brown' Revisions of Clotel," *African American Review* 27 (1993): 639-641; Whelchel, 45; Loggins, 165; Zafar, 86.
[29] Jo Ann Marx, "Use of Language and Narrative Technique in Four Antebellum Black Novels" (PhD diss., The University of Kentucky, 1992), 182-183; Fabi, 641.

published the novel only a year after the popular *Uncle Tom's Cabin*, by Harriet Beecher Stowe. *Uncle Tom's Cabin* was believed to be easier to read and less confrontational than *Clotel.* With the two novels published so closely together, *Clotel* was often compared to Stowe's widely successful work, with Brown's piece coming up short.[30]

Friends of Brown's in England purchased his freedom from his former master, Enoch Price, in April 1854. Previously, Price offered to sell Brown for $325; however, when he was approached by the fugitive slave's British friends, Price raised the amount to $1,844. Brown's friends were not fazed by the amount and they gladly paid Price his fee. Brown believed that he was about forty years old when he finally attained his legal freedom. Now able to return to the United States, Brown boarded the *City of Manchester* in September to sail home after a brief visit with his daughter Clarissa who had moved to London. With his works in high demand, his writings both at home and abroad brought him recognition as an exceptional writer. Brown resumed writing as soon as he returned to the United States. He published *St. Domingo: Its Revolutions and its Patriots* in December, Brown's first attempt at writing history.[31]

Brown was enthralled with the success of the Haitian revolution, which lead him to write a history of the event. It was a short, thirty-eight-page history that was initially a lecture that he delivered in London and Philadelphia. Brown continually celebrated the determination of the slaves to attain their freedom, an act that Brown wished he could have seen in the United States at the time, leading to abolition. In fact, *St. Domingo* was the first time that Brown used history to project his beliefs. In the closing paragraph, Brown stated; "And, should such a contest [for liberty] take place, the God of Justice will be on the side of the oppressed blacks. The exasperated genius of Africa would rise from the depths of the ocean, and show its threatening form; and war against the tyrants would be the rallying cry."[32]

In 1855, Brown published *The American Fugitive in Europe: Sketches of People and Places Abroad.* His book was what Brown called an "American" version of his popular *Three Years in Europe.* Although the two books were principally the same in content, Brown felt that it was necessary to adapt an edition of his popular European book for his American audience. Much like the first version, Brown described his travels in Europe through the eyes of a black man, noting the differences in the treatment that he received. During the time that he toured Ireland before the Peace Congress convened, Brown went to see the home where the famous poet, Thomas Moore, was born. "The following verse from one of his poems was continually in my mind," wrote Brown, ". . . 'Where is the slave so lowly, Condemned to chains unholy, Who could he burst [h]is bonds at first, Would pine beneath them slowly?'"[33]

Brown went back to lecturing for the American Anti-Slavery Society when he returned to the United States. The tone of his speeches and lectures changed from the problems of the institution of slavery to an attack on white Americans and a few white abolitionists who Brown

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[30] Ibid, 647-648; Blyden Jackson, *A History of Afro-American Literature: Volume I: The Long Beginning, 1746-1895* (Baton Rouge: Louisiana State University Press, 1989), 334; Marx, 9-10; Farrison, 228.
[31] Loggins, 162; Farrison, 238-246.
[32] William Wells Brown, *St. Domingo: Its Revolutions and Its Patriots* (Boston: Bela Marsh, 1855), 38, 3-38; Farrison, "William Wells Brown, Social Reformer," 33.
[33] Brown, *The American Fugitive in Europe: Sketches of People and Places Abroad*, 44; Loggins, 162; Farrison, , 238-246; Whelchel, 18-19.

felt were not presenting the issues of slavery accurately. Brown was most critical of the Reverend Dr. Nehemiah Adams from Boston. Adams had published *A South-Side View of Slavery; or, Three Months at the South, in 1854* which detailed Adams's stay in the South. Brown believed that Adams gave an "apologetic" look at slavery, having downplayed the violent and demoralizing aspects of the institution of slavery. In his speeches about *A South-Side View of Slavery*, Brown addressed what he saw as the Reverend's problem which was the fact that Adams only spent three months surrounded by slavery. Brown felt that three months was not enough time for the Reverend to fully understand the problem of slavery. Instead, Brown suggested that the twenty years that he had lived as a slave had made him an expert and qualified to point out the inequities in the Reverend's account.[34]

Brown continued to become enraged by *A South-Side View of Slavery*, which prompted him to make history again in 1858 when he published *The Escape; or, A Leap for Freedom*. He became the first African-American to have a play published. *The Escape*, much like *Clotel*, was autobiographical of Brown's own life. In *The Escape*, Brown depicted slave life as he had known it to be in the 1850s, the height of the tensions between the North and South in the United States. Race identity played a huge role in his play. Brown emphasized the distinct differences between whites and blacks during the nineteenth century which he hoped would shed light on the lack of recognition of the concerns of African-Americans in the United States. No stereotype is free from criticism by Brown in *The Escape*. He even included a character, simply named Mr. White, who represented the Reverend Dr. Adams. Mr. White was a white Northern abolitionist who traveled to the South to study the institution of slavery in the exact same way that Adams had done. Brown portrayed Mr. White as inept and incapable of understanding slavery and had a few of the African-American characters heavily criticize Mr. White for doing nothing to alleviate their situation.[35]

Brown's play also emphasized the issue of male masters who took advantage of their female slaves. The male master in Brown's play, Dr. Gaines, was romantically interested in one of his female slaves, Melinda. However, Dr. Gaines's advances toward Melinda were not reciprocated. In that story line, Brown hoped to show how many male masters attempted take advantage of their female slaves, who were helpless toward their master's desires. Brown felt that type of circumstance led to his own birth, as well as the births of many mulatto slaves. The issue of unwanted sexual advances by male masters on female slaves angered Brown greatly. He believed it was another example of how African-Americans had no freedoms, not even freedom over their own body.[36]

Brown became involved in the Haitian Immigration Bureau in 1861. He changed the tone of his anti-slavery lectures. Although Brown was against colonization, he believed that African-Americans deserved a place to go to escape slavery and racism in the United States. He believed that Haiti was a prefect place for former slaves because it had been a symbol of what

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[34] Farrison, 254-255.

[35] John Ernest, introduction to *The Escape; or, A Leap for Freedom*, by William Wells Brown (Knoxville: The University of Tennessee Press, 2001), x-xli; John Ernest, "The Reconstruction of Whiteness: William Wells Brown's *The Escape; or, A Leap for Freedom*," *Publications of the Modern Language Association of America* 113 (1998): 1109-1110.

[36] Brown, *The Escape; or, A Leap for Freedom*, 10-12

former slaves were able to achieve. The successful Haitian negro revolt in the early part of the nineteenth century, and the subsequent government that was headed by blacks, made Brown believe that those conditions would aid former slaves to assimilate to the change in Haitian society. However, Brown's involvement in Haiti proved to be unsuccessful and he abandoned the movement after only a year.[37]

After the success of his first historical writing, Brown published his second history in 1863. *The Black Man, His Antecedents, His Genius, and His Achievements* was regarded as Brown's best historical work. He attempted to refute nineteenth century claims that African-Americans were a substandard race by arguing for justice, freedom, and an end to slavery. "It does not become the whites," stated Brown, "to point the finger of scorn at the blacks, when they so long been degrading them." The largest section of the book is entitled "The Black Man, His Genius and His Achievements," where Brown detailed the lives and accomplishments of famous African-Americans who made a difference in the fight to end slavery, such as Henry Bibb, Nat Turner, Denmark Vesey and Frederick Douglass. Fifty-seven African-Americans in total were detailed in *The Black Man*. Brown wanted to show his readers that African-Americans were not as inferior as many had believed them to be. He dedicated *The Black Man* "to the advocates and friends of Negro freedom and equality, wherever found." Brown wanted the world to know that African-Americans were better than just slaves and that they were capable of making a difference in American society.[38]

In January 1863, Brown was selected to speak at an Emancipation Proclamation celebration in Boston. One of Brown's tasks was to read again for the audience President Abraham Lincoln's famous address. Brown spent much of the month of January traveling across Massachusetts and New York to attend and lecture at various Emancipation Proclamation celebrations. In his speeches, Brown weighed in on the side of caution toward African-Americans becoming overly excited about the Proclamation. He emphasized to his audience that the promise of an end to slavery in the South would not become a reality until the Confederate Army had been defeated. Brown expressed that the Proclamation would fulfill its pledge and equal citizenship would be granted to all African-Americans. He ended his speeches with a call to all African-Americans to join state and national militias as a way for them to not only fight for their freedom, but to assert their right to citizenship. Under the permission of Edwin M. Stanton, the Secretary of War, on January 28, Brown was asked to become an official recruiting agent for the formation of a Negro regiment for the state of Massachusetts. Due to the small population of African-Americans in the state of Massachusetts in the late 1800s, Brown recruited African-Americans from New York, New Jersey and Pennsylvania. He had an integral part in the formation of the Fifty-Fourth Regiment of Massachusetts Volunteer Infantry. The group of soldiers were given a hero's sendoff at the New England Anti-Slavery Convention that was held in Boston on May 28 where Brown served as the keynote speaker. He gave a short speech in which he praised the men for showing their commitment to the Union and to abolition. Brown

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[37] Farrison, 351-353, 355-356.

[38] William Wells Brown, *The Black Man, His Antecedents, His Genius, and His Achievements* (New York: Thomas Hamilton, 1863), 32, 3, 51-310; Edward M. Coleman, "William Wells Brown as an Historian," *Journal of Negro History* 31 (1946): 54-55.

also noted that the United States had finally realized that African-Americans had "potential" and were capable of defending their nation.[39]

Having been involved in recruiting for an African-American militia inspired Brown to research his third history about the achievements of African-Americans. In 1874, Brown published *The Rising Son; or, The Antecedents and Advancement of the Colored Race*. Much in the same context of Brown's *The Black Man*, *The Rising Son* traces the lives of significant African-Americans. However, what made *The Rising Son* unique was that instead of just focusing on African-Americans, Brown looked at the work of blacks across the globe. *The Rising Son* began in Africa, tracing black Africans through Ethiopia, Egypt and then progressed to Jamaica and on to Santo Domingo. Brown wanted to show readers that there many prominent and intelligent individuals of the African race that dated back to antiquity. He also showed that his race continued to progress and achieved greatness even while enslaved in the United States and Latin America. Brown expanded on some of the African-American biographies he included in *The Black Man*. He hoped to show fellow African-Americans during the late-nineteenth century that they too could achieve success and they needed to have pride in their race and origins.[40]

In *The Rising Son*, Brown also expanded on his first history about the St. Domingo slave revolution of the early-nineteenth century. Clearly, Brown was quite fascinated with the achievements of the slave revolution as he continued to write about the event throughout his life. He dedicated thirteen chapters of *The Rising Son* to the history of Santo Domingo. Brown believed that by expanding on his first history, he would be able to show the reader that there were many analogies between the former institution of slavery in the United States and the experiences that took place in Haiti. He detailed how many mulatto slaves were sent to Paris to be educated and returned to Haiti. With their knowledge, the slaves educated their fellow slaves, which eventually inspired them to rise up against their masters. Brown wanted to press upon the newly freed African-Americans the importance of an education and knowledge in being able to overcome the bondage of slavery. He hoped that African-Americans would learn that they too could achieve success and show the world that they were better than their former status as a slave.[41]

Brown was emboldened by the popularity of *The Black Man* and *The Rising Son*. He believed that the popularity of the two works was a calling for him to focus on educating the United States on the potential of African-Americans. Brown continued to use history to show Americans the achievements of African-Americans until his death. In 1880 he published his last two histories, the first of which was *The Negro in the American Rebellion: His Heroism and His Fidelity*. When Brown began the research for *The Negro in the American Rebellion* he had intended only to highlight the role African-Americans played in the American Civil War. However, he found that in the course of his research that the activities of African-Americans before the Civil War would also be valuable to include. "Feeling anxious to preserve for future

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[39] Farrison, 379-381.
[40] Coleman, 56-57; Whelchel, 27-28.
[41] Ibid, 27-28; William Wells Brown, *The Rising Son; or, The Antecedents and Advancement of the Colored Race* (Boston: A.G. Brown & Co., Publishers, 1874), 262-336.

reference an account of the part which the Negro took in suppressing the Slaveholders' Rebellion," observed Brown, "I have been induced to write this work. In doing so, it occurred to me that a sketch of the condition of the race previous to the commencement of the war would not be uninteresting to the reader."[42]

Brown stated in his preface that he had "waited patiently" for someone else to undertake the writing of African-American involvement in the Civil War, but since no one had before him, Brown felt it was his duty. He began *The Negro in the American Rebellion* with the first ship that carried African slaves to the colonies in 1620 and then moved on to African-American involvement in the American Revolution and the War of 1812, which was all combined in one chapter. Brown then moved on to detail the slave revolts that occurred prior to the outbreak of the Civil War, such as Denmark Vesey in South Carolina, the Nat Turner Rebellion and John Brown's Raid. He also detailed for the reader the history of the cotton gin and the Dred Scott decision and the effects those two important incidents had on the continuation of the institution of slavery in the South. Brown addressed the oppressive Fugitive Slave Law of 1850, which had personally affected him and his exile in Europe, and the controversy over *Uncle Tom's Cabin*, a publication that his own *Clotel* was often compared.[43]

In his sections on the Civil War, Brown felt that it was unnecessary to detail for the reader every armed conflict that an African-American was engaged. Instead, he focused on what he felt was important. The majority of his research for that section of his book came from newspaper accounts, battlefield "correspondents," and officers and enlisted soldiers who served in the war. Brown made sure to include a section that detailed his own work in the formation of the Fifty-Fourth Massachusetts Regiment. Thirty-four of the forty-five chapters of *The Negro in the American Rebellion* were dedicated to African-Americans in the Civil War. Brown concluded his book with a look at the harsh treatment that the newly freed slaves received in the South during Reconstruction. Brown hoped that his book would aid in an understanding of the loyalty that African-Americans had to the United States in its hour of need even though they had been enslaved by some of its countrymen. He also wanted to show that African-Americans were deserving of equal rights and citizenship in the United States because of their service during the Civil War, as well as, the American Revolution and the War of 1812.[44]

In Brown's final history, *My Southern Home; or, The South and Its People*, also published in 1880, he continued the conclusion of his *The Negro in the American Rebellion.* Brown felt it was his final duty to move from abolitionist to crusader for equal rights and citizenship for African-Americans. He believed that the Emancipation Proclamation had only been the beginning for African-Americans and that they needed to remind the United States what had been promised to them by President Lincoln. Brown found that many African-Americans believed all they were entitled to was their freedom, which saddened him greatly. He wanted African-Americans to realize that they deserved equality and citizenship and he hoped that they would continue to fight for their rights.[45]

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[42] William Wells Brown, *The Negro in the American Rebellion: His Heroism and His Fidelity* (Boston: A.G. Brown, 1880), x; Farrison, "William Wells Brown, Social Reformer," 34.
[43] Brown, *The Negro in the American Rebellion: His Heroism and His Fidelity*, vi, vii-viii.
[44] Ibid., x-xvi; Farrison, "William Wells Brown, Social Reformer," 34.
[45] Whelchel, 56-57.

Through *My Southern Home* Brown demonstrated the reasons he believed for why African-Americans had not excelled when they had acquired freedom. He found it was because they had been degraded by the institution of slavery and suggested that slavery caused African-Americans to be inexperienced for many areas of employment. Brown worried that former slaves would believe that they were only capable of being field laborers. He alleged that the conditions of the South during Reconstruction had been proof that slavery was an evil to both former planters and slaves. Brown encouraged African-Americans to become educated and not continue to be complacent toward what had been entitled to them; citizenship and equality. Brown had urged all African-Americans to combine their interests and fight for equality in the conclusion of *My Southern Home*.[46]

Brown died in his home in Chelsea, Massachusetts in 1884. His funeral services were held privately at his home. However, a public service was offered at the Zion Methodist Episcopal Church in Boston, which was packed with friends, relatives, and fans. Brown's varied career had earned him a level of popularity which secured for him a legacy as an impassioned abolitionist, an advocate for equal rights, and a critical historian. William Wells Brown enjoyed a long and successful career in the abolitionist movement. He began in the bondage of slavery and ended his life as renowned writer, historian and successful abolitionist. He was a powerful voice for the advancement of African-Americans, particularly through his vast amount of publications. William Wells Brown should be remembered as one of America's greatest abolitionists.[47]

[46] Ibid, 56-60.
[47] "Obsequies of Dr. Brown," *Boston Globe*, November 10, 1884.

Douglas Bendell Award*

"It is a perfect hell to me": L.R. Webber Experiences Soldiering in Civil War Missouri

Matt Walker

At the close of more than six months of soldiering in Missouri during the opening year of the American Civil War, L. R. Webber, a private in Company D of the First Kansas Volunteer Infantry, wrote to a friend in Lawrence, Kansas, "I almost wish sometimes that I might fall in battle fighting bravely and thus be discharged honorably from farther service in this Regiment." He then elaborated as to why he wished to be separated from the regiment in such a drastic manner: "If what is practiced in this outfit is good soldiering then I never can get to be a good soldier. Getting drunk, stealing, shirking duty, rioting and imposing upon the few who are steady is the prevailing discipline in this Regiment. It is a perfect hell to me."[1]

During the secession crisis preceding the Civil War, Webber had written, "Civil war of the most desperate character seems almost inevitable. Let it come." He continued that he would rather see the government ended than have an "oligarchy of slaveholders . . . rule the nation." Temporarily living in Iowa at the time, Webber wished that state would raise volunteers to send to Washington, D.C. to ensure the inauguration of Abraham Lincoln. "I would enlist," he wrote, "in spite of my anti-war scruples." Webber did not enlist in an Iowa regiment, but returning to Lawrence as short time later, the first one raised by his adopted state of Kansas. It was in this regiment that Webber experienced the life of a soldier first hand and found it was not at all what he naively believed it to be when he enlisted in the spring of 1861. Webber was soon plunged into the horrid guerilla warfare of Civil War Missouri and into the harsh and brutal life of a soldier. His efforts to make sense of this world and adapt to his new environment are revealed in the letters he sent home while in Missouri.[2]

Webber, a thirty-one-year-old schoolteacher who emigrated to Kansas from New England in 1859, was mustered into the First Kansas at Fort Leavenworth on June 3, 1861. Bookish in nature and of Republican, abolitionist, and tee totaling beliefs, Webber soon found that he was ill suited to the life of a private soldier. As he and the First Kansas campaigned in Missouri in the opening months of the Civil War, Webber related his experiences there to the various members of the John Stillman Brown family of Lawrence with whom he had boarded

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* Douglas Bendell is a successful Kansas businessman in the oil industry and believes that the skills he learned from taking History 300: Research and Writing, contributed significantly to his success in the field. Thus, he provides the funding for this award concerning exceptional papers produced by students in History 300.

1. L. R. Webber to Mrs. Brown, January 11, 1862, John Stillman Brown Family Papers, Kansas State Historical Society, Topeka, Kansas.
2. Ibid., emphasis in original.

and worked for as a farmhand in the months leading up to his enlistment. Webber's letters chronicle his initiation to the harsh realities of the life of a soldier in a Civil War army and his growing dissatisfaction with his comrades, the officers who commanded him, and soldiering in general. It is during the period of time that Webber and the First Kansas spent in Missouri, from late June 1861 to late January 1862, that his disillusionment began and reached its apogee. [3]

The First Kansas Volunteer Infantry, in which Webber was a private for the duration of his service in the Civil War, was formed at Fort Leavenworth, Kansas, in late May and early June 1861. The regiment was composed of various companies of men that organized themselves in the northeastern part of Kansas. Many of these companies, particularly those that were the products of communities on or near the Kansas-Missouri border, organized either shortly before or shortly after the outbreak of hostilities at Fort Sumter as militia to defend their homes from the hoards of Missouri Confederates they reasoned would soon swarm into Kansas. Some had been in existence on and off since the border wars of the territorial period. When President Lincoln called for an additional 400,000 volunteers to put down the rebellion in May of 1861, these companies began to rally at Fort Leavenworth and other points to be mustered into the federal service. Ten of these companies formed the First Kansas. [4]

Like other states, the staff officers of regiments raised by Kansas to be tendered to the federal government for service were to be commissioned by the governor. As such, commissions as colonels, lieutenant colonels and majors in these regiments became patronage plums to be distributed among political supporters. The governor of Kansas, Charles Robinson, determined the staff officers of the First Kansas. The three men he commissioned to lead the regiment, George Washington Deitzler, Oscar O. Learnard, and John Adams Halderman, had been lesser luminaries in the Free State movement that Robinson had led during the territorial period.

George Washington Deitzler had been with Robinson among the "treason prisoners" held in Lecompton by the federal government for organizing a rump legislature in response to voting fraud in the first territorial election. Deitzler was active in the Free State movement for its duration, smuggling Sharps rifles into Kansas from the east and serving as adjutant for the Lawrence Committee of Public Safety during the first "invasion" of Lawrence by pro-slavery forces during the "Wakarusa War" in December 1855. [5]

John Adams Halderman came to Kansas in 1854 as the private secretary of the first territorial governor, Andrew Reeder. Though southern in birth and Democratic in his politics, Halderman eventually became a convert to the Free State cause. Halderman was commissioned as a major in the First Kansas. Oscar E. Learnard, a prominent citizen and businessman in

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3. Descriptive Roll of Lieut. Milton Kennedy's Company D of the First Regiment of Kansas Volunteers, Records of the Adjutant General of the State of Kansas, Regimental Records of the First Kansas Volunteer Infantry, 1861-1864, Kansas State Historical Society, Topeka, Kansas.

4. "The Elwood Guards," *Troy (Kansas) Chief*, May 21, 1910.; "Leaves from Memory—No. 6: The Lawrence Stubbs," *Leavenworth (Kansas) Weekly Press*, December 11, 1879.; Martha B. Caldwell, "The Stubbs," *Kansas Historical Quarterly* 6 (1937): 124-31.; *Report of the Adjutant General of the State of Kansas, 1861-'65*, (Topeka: Kansas State Printing Company, 1896), 3.

5. W.H. Isley, "The Sharps Rifle Incident In Kansas History," *American Historical Review* 12 (1907): 546-66.; Phillip R. Rutherford, "The *Arabia* Incident," *Kansas History* 1 (1978): 39-47.; C. Robinson and J. H. Lane, Pass issued to Josiah Miller dated December 4, 1855 and signed by G.W. Deitzler as "Adjutant," Josiah Miller Papers, Kansas Collection, Spencer Research Library, University of Kansas.

Lawrence who played a key role in organizing the Republican Party in Kansas in 1859 was awarded the regiment's lieutenant colonelcy.[6]

The men of the ten companies of the First Kansas themselves decided the captains and lieutenants who were to command them. This practice was standard in the organization of most military units at the company level in the opening period of the Civil War, both North and South.[7]

The junior officers of the First Kansas were of the same political stripe as the staff officers appointed by Robinson to lead the regiment. These men included Bernard Chenoweth, captain of Company A, who published a Union paper in the secessionist town of St. Joseph, Missouri. Chenoweth had been indicted by a grand jury in that town for "uttering and circulating incendiary publications," and forced to move the offices of his paper across the Missouri River to Elwood, Kansas in consequence. Samuel Walker, captain of Company F, was credited with involvement in the killings of five pro-slavery men during the territorial period and was the leader of a company of Free State militia during that time. Walker was familiar with both John Brown and Jim Lane, the violently anti-slavery Free State leader and, at the outbreak of the Civil War, a federal senator representing Kansas. Francis Swift, a lieutenant in Webber's own Company D, was the leader of the "Stubbs," a free state militia unit which participated in several major "battles" of the territorial period. Many of the original members of the Stubbs were among those mustered into Company D.[8]

In a camp south of Fort Leavenworth, the First Kansas began the formidable task of transforming inexperienced and poorly disciplined militiamen into effective soldiers. Webber wrote no letters to the Brown family during the period of the regiment's formation and initial training at Fort Leavenworth. However, Lewis Stafford, a twenty-eight-year-old lieutenant in Company F, wrote to his girlfriend describing the conditions the soldiers of the First Kansas faced in the early period of the regiment's existence. He and the other officers of the First were quartered in a house with no doors, few windows and a roof in such poor condition that, should it rain, Stafford believed he would be "drown . . . out." The men of the regiment were reduced to fashioning utensils to eat their rations from what few shingles remained on the dilapidated roof of the house their officers inhabited.[9]

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6. Biography and Inventory, John A. Halderman Correspondence and Documents, 1854-1894, Kansas Collection, Spencer Research Library, University of Kansas.; Frank W. Blackmar, *Kansas: A Cyclopedia of State History, Embracing Events, Institutions, Industries, Counties, Cities, Towns, Prominent Persons, Etc.*, (Chicago: Standard Printing Company, 1912), 1:801.; Ibid, 2:120.

7. Bell Irvin Wiley, *The Life of Billy Yank, the Common Soldier of the Union*, (Baton Rouge: Louisiana State University Press, 1952), 24.

8. Preston Filbert, *The Half Not Told: The Civil War in a Frontier Town*, (Mechanicsburg, Pennsylvania: Stackpole Books, 2001), 1-3; *History of Buchanan County, Missouri Containing a History of the Country, Its Cities, Towns, etc.*, (St. Joseph, Missouri: Steam Printing Company, 1881), 464.; "The Elwood Guards," *Troy (Kansas) Chief*, May 21, 1910.; Dale E. Watts, "How Bloody Was Bleeding Kansas? Political Killings in Kansas Territory, 1854-1861," *Kansas History* 18 (1995): 116-29; Stephen B. Oates, *To Purge This Land With Blood: A Biography of John Brown*, (Amherst, Massachusetts: University of Massachusetts Press, 1984), 160-2.; "Leaves from Memory—No. 6: The Lawrence Stubbs," *Leavenworth (Kansas) Weekly Press*, December 11, 1879.; Martha B. Caldwell, "The Stubbs," *Kansas Historical Quarterly* 6 (1937): 124-31.

9. Lewis Stafford to Dear Kate, May 27, 1861, Kate Newland Letters, Kansas State Historical Society, Topeka, Kansas.

The routine of camp life in the Civil War consisted primarily of drill. "X," an anonymous correspondent from Company A of the First Kansas, wrote home to the readership of the *Elwood Free Press*, "We spend a great deal of time drilling, and though we spend six hours a day at the work, it will take us a long time to become proficient." It is easy to imagine the members of the First pouring over copies of *Hardee's Tactics* in an attempt to "become proficient" in the bewildering machinations of maneuver by company and regiment and William Hardee's complex "School of the Soldier," stepping upon each others feet all the while. [10]

The members of the First Kansas expected the federal government and the regular army command at Fort Leavenworth to supply them with arms and equipment. They soon learned, however, that both the government and the army had little to give. "X" mentions that only two of the regiment's companies were armed in his June 8, 1861, letter to the *Elwood Free Press*. Uniforms and equipment were, apparently, even harder to come by than arms. As late as the battle of Wilson's Creek in August 1861, one member of the regiment recalled an officer of the First "in rags like the rest," carrying "an old bayonet for a sword and tinfoil shoulder straps sewed on with black thread." Some of the officers of higher rank, said this soldier, had been fortunate enough to have liberated dragoon sabers from the camp of the regulars along with some "disabled gilt braid," and thus felt themselves "elevated to a plane of unapproachable grandeur." The rest of the men "wore government blouses and socks—those who were not barefooted—and a miscellaneous assortment of other clothing such that the country afforded." In other words, apart from issued shirts and socks, the men either wore what they had brought with them from home or appropriated what they could from the civilian population." [11]

The regiment was shortly ordered to Wyandotte, Kansas, and then to Kansas City, Missouri. The First and Second Kansas, now under the command of regular army officer Samuel Sturgis, were then ordered south to rendezvous with the forces of General Nathaniel Lyon, currently pushing Confederate forces into southern Missouri. [12]

The period of the march to Clinton, Missouri, where the two Kansas regiments were to join the larger force under the command of Lyon was a harsh introduction to military life and, especially, military discipline for the Kansas men. The march in the heat of the summer took its toll on them and upon arriving at Clinton they immediately began to supplement their wardrobes and diets from the surrounding countryside. According to the grandfather of one Clinton resident who witnessed the appropriations of the Kansas regiments, the men "literally stripped this county of everything they could use." It did not help matters that the county in which Clinton was located was heavily secessionist in sentiment. [13]

In addition to food and equipment, on July 4, 1861, the men of the First Kansas appropriated the press of the secessionist *Clinton Journal* and issued a one-page paper. Boasting "Secession in Missouri, like a scorpion engit[ed] with fire, will soon sting itself to death," the

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10. "From Camp Lincoln," *Elwood (Kansas) Free Press*, June 8, 1861.
11. Ibid.; James A. McGonigle, "First Kansas Infantry and the Battle of Wilson's Creek," *Collections of the Kansas State Historical Society* 12 (1911-12): 292-5.
12. *Report of the Adjutant General of the State of Kansas, 1861-'65*, (Topeka: Kansas State Printing Company, 1896), 4.
13. Haysler A. Pogue, "When the War came to Henry County, Missouri," *Clinton (Missouri) Daily Democrat*, November 9, 1970.

new editors of the *Journal* apologized if "any of our city subscribers fail to receive their paper this week."[14]

Some members of the regiment, apparently bolder than others in their acquisition of supplies from the Clinton area, were caught by regular army soldiers in the process of taking items not deemed of military necessity and placed under arrest by Major Sturgis. Sturgis then had the offenders tied to wagon wheels and whipped. Recalling the event in a later letter to the Brown family, Webber remarked that the men were "cruelly flogged, contrary to all decent law, human and Divine." Webber claimed in this letter, dated December 6, that he spoke to one of the men flogged and the man told him he "felt the effects of that whipping to this day."[15]

Tension already existed between the regular army soldiers and the volunteers and this incident did much more to alienate them further from one another. In addition to this, many of the men (and, once word reached the communities from which the regiment was raised) several Kansas newspaper editors held Colonel Deitzler responsible for not preventing the whippings. Webber also joined in the condemnation of Deitzler when discussing the incident several months later.[16]

Several days later two privates from one of the companies raised in Leavenworth got into a fight that resulted in the death of one of them. The man responsible for the killing, Joseph Cole, was knelt next to his grave and shot on July 17, 1861. The Kansas regiments were formed into a hollow square surrounding him and forced to watch the military execution, which was the first of the Civil War.[17]

The regiment had an extended stay in Clinton while waiting for Lyon and his troops to arrive. The Grand River immediately south of the town was at flood level due to recent heavy rains. Further time was spent waiting for its waters to subside to the point that the men could cross safely and resume the march south to the Springfield area where Confederate forces under the command of Generals Sterling Price and Ben McCulloch were massing. It would seem that in this time lay the seed of the regiment's later jayhawking proclivities of which Webber complains so adamantly when his letters resume after the fight at Wilson's Creek. Though the Kansas troops appear to have been wanton in their appropriation of civilian property, Lewis Stafford claimed, "It is gratifying to see how glad the people are, when troops pass through their country with the greatest order that can be maintained. They supposed their country was to be laid ruin as we passed." Perhaps Stafford, writing to his future fiancé, was hesitant to relate the thievery of the soldiers of the regiment to her. Some companies in the regiment were better officered and disciplined than others. It is possible the men under Stafford's command were among these and did not participate in the thievery in and around Clinton.[18]

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14. *Clinton (Missouri) Journal*, July 4, 1861.
15. Robert Tracy, "Story of a Regiment," *St. Joseph (Missouri) News-Press*, January 10, 1913.; L.R. Webber to Esteemed Friend, December 6, 1861, John Stillman Brown Family Papers, Kansas State Historical Society, Topeka, Kansas.
16. William Garrett Piston and Richard W. Hatcher, *Wilson's Creek: The Second Battle of the Civil War and the Men Who Fought It*, (Chapel Hill, North Carolina: University of North Carolina Press, 2000), 70-71.; L.R. Webber to Esteemed Friend, December 6, 1861, John Stillman Brown Family Papers, Kansas State Historical Society, Topeka, Kansas.
17. William Garrett Piston and Richard W. Hatcher, 71-72.
18. Lewis Stafford to Dear Kate, July 6, 1861.

When Lyon arrived, he assumed overall command of the First and Second Kansas who were then placed into a brigade under the command of Deitzler. Lyon, a redheaded native of Connecticut and an even harsher disciplinarian than Sturgis, marched his combined forces to the outskirts of Springfield, Missouri, to confront the growing Confederate army there. The march in the July heat was rigorous and took an especially hard toll on the volunteers, not used to such forced and rapid movement. Stafford reported that on July 20, 1861, "In the Mo. Regt. there were two soldiers killed from sunstrok[e]—and one in the Iowa Regt." Elaborating, Stafford wrote that in fifteen miles of marching on that day they stopped for water only one time and assumed "it was the ignorance of the commanding officer to march so far without giving the soldiers a rest."[19]

Springfield reached, there were a series of small skirmishes with the Confederate forces there and one of these, at Dug Springs, was quite sharp. Lyon elected to make a surprise attack on the opposing force, camped in a valley along Wilson's Creek southwest of Springfield approximately ten miles. Lyon, outnumbered two to one, attacked on the morning of August 10, 1861. This battle, later to be known as Wilson's Creek, was a defeat for the Union. Lyon himself was killed and his army suffered very high casualties. The Colonel of the First Kansas, George Washington Deitzler, was seriously wounded in the right leg and, in consequence, unfit for duty for a portion of the time the First Kansas was to later spend in Missouri.[20]

The First suffered particularly high casualties at Wilson's Creek. Initially held in reserve, but quickly moved into the thick of the fighting on Lyon's right flank, the regiment suffered 284 casualties, 35.5 percent of its strength. Throughout the course of the entire Civil War, only six more Union regiments suffered a higher rate of casualties in a single battle than the First Kansas did at Wilson's Creek. Stafford remarked in a letter home "it [was] horrible to think of all that one saw, the dead and dying. The wounded calling for help." The battle was so fierce, Stafford wrote, that, "Our company had 74 men when we went into battle and 47 were killed or wounded. Howe [sic] any of us ever got out alive is a miracle."[21]

Among the First's casualties was L. R. Webber who suffered a minor wound in the battle. He, with what was left of Lyon's Army of the West, retreated from Springfield to Rolla, Missouri, the nearest railhead. Those most seriously wounded were left in Springfield. From Rolla the regiment was sent to St. Louis by railroad where many of the wounded recuperated in military hospitals.[22]

Their period of recuperation and rest over, the First Kansas was ordered to Hannibal, Missouri, from which they were to guard the initial section of the Hannibal and St. Joseph railway and garrison the town. It was at this post that Webber resumed his letters to the Brown family. Garrison duty left Civil War soldiers with an unusually large amount of free time on

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19. Louis Stafford to Dear Kate, July 21, 1861.
20. Jack D. Welsh, "George Washington Deitzler," *Medical Histories of Union Generals*, (Kent, Ohio: Kent State University Press, 1996).
21. William Garrett Piston and Richard W. Hatcher, 287-88; Lewis Stafford to Dear Kate, August 17, 1861.
22. Descriptive Roll of Lieut. Milton Kennedy's Company D of the First Regiment of Kansas Volunteers, Records of the Adjutant General of the State of Kansas, Regimental Records of the First Kansas Volunteer Infantry, 1861-1864, Kansas State Historical Society, Topeka, Kansas.; *Report of the Adjutant General of the State of Kansas, 1861-'65*, (Topeka: Kansas State Printing Company, 1896), 6-7.

their hands. Webber's comrades in the First, apparently, utilized their spare time engaging in the sort of miscreant behavior that was to supply Webber with material to send home for the duration of the regiment's stay in Missouri.[23]

The bulk of Webber's first letter home was reserved for a fusillade against the army and the government. By the time of his duty at Hannibal, Webber was well on his way toward becoming a disillusioned, cynical soldier. "Yesterday," Webber wrote to Sarah Brown, the daughter of John Stillman Brown, "one man was stretched [at] length by the thumb and another was 'bucked' that is, had his hands tied together and slipped over his knees and a stick placed in the angle of the elbows and knees. Thus skewered up he was to remain 8 hours. The first man was to remain stretched up for 2 hours in the fore noon and 2 in the afternoon." This sort of discipline, common in the military of the Civil War era, "galled [Webber] dreadfully," but what bothered him most was the fact that the man bucked had been so punished for "stealing a little butter at Rolla." In his defense of this man, Webber reveals the motivation for the First's plundering of the countryside in and around Clinton on the march to Springfield. "Our men were taught to steal by being half fed, half clothed . . . and to punish them now for doing what they had to do at first is to me sheer cruelty." Webber then takes aim at the federal government and the army: "I can't help but thinking why I should [next few words illegible due to tear in paper] for a Government that allows its soldiers, white men, to be treated as they say slaveholders treat their niggers and as no brute ought ever to be treated." The federal government, said Webber to Miss Brown, allowed the army to inflict the "the cruelties of the dark ages" upon its soldiers. Webber may have had abolitionist tendencies and he may have believed in the Union cause but, to him, for free, white men to be treated like "niggers" was beyond the pale.[24]

As if the army's discipline was not bad enough, Webber reported, "We have not yet been paid a cent." It was not as if the army didn't have the money, as "other regiments and even our own officers have been paid but we have not. We who have done the hardest marching and the hardest fighting have had the least to do it with." But, said Webber, "We are now pretty comfortable in the way of clothing. Each has a double blanket and a large overcoat." Equipment was finally starting to be issued as well: "We are all well supplied with canteens and haversacks but many of our dippers, plates, spoons, bake ovens and the like have got lost." Not only this, but thievery within the regiment began to take its toll on Webber's kit as, "The gourd dipper which I bought at Leavenworth was stolen from me the day we left Rolla. Since then it is difficult for me to get my share of coffee and soup."[25]

This letter, Webber's first to the Brown family since leaving Leavenworth in June 1861, set the tone for the remainder of his communications to them for the course of the First's service in Missouri. For the next several months a rapid decline in Webber's morale is chronicled in his

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23. *Report of the Adjutant General of the State of Kansas, 1861-'65*, (Topeka: Kansas State Printing Company, 1896), 8.

24. L.R. Webber to Miss Brown, John Stillman Brown Family Papers, Kansas State Historical Society, Topeka, Kansas.; Michael Fellman, *Inside War: The Guerilla Conflict in Missouri During the American Civil War*, (New York: Oxford University Press, 1989), 204; L.R. Webber to Miss Brown, John Stillman Brown Family Papers, Kansas State Historical Society, Topeka, Kansas.

25. L.R. Webber to Miss Brown, John Stillman Brown Family Papers, Kansas State Historical Society, Topeka, Kansas.

missives. The misbehavior of his comrades began to be the prevalent tone upon which Webber harped in his letters to the Browns while he was stationed at various railroad towns in Missouri, though the army (particularly his own officers) and the federal government still received their share of denunciation.

It was in Hannibal that, according to Webber and Stafford both, the men of the regiment began their habit of drinking in earnest at any available opportunity. The officer in charge of the regiment in Deitzler's absence, Lieutenant Colonel Learnard, was forced to issue an order banning the sale to his men of "spirituous liquors."[26]

The First was next ordered to Chillicothe, Missouri, to perform more garrison duty along the Hannibal and St. Joseph railroad. Chillicothe, described by Stafford as a "forsaken place," from which "two thirds of the men were in the Secesh army," is located along the Missouri River. The counties along the river held some of Missouri's highest concentrations of slaves and, as a result, were extremely secessionist. Stafford writes of constant rumors of attack from various unknown rebel forces in the area. As nearly all of the regular Confederate forces were concentrated in the southern portion of the state at this time, it may well be that these phantom forces were guerilla bands, though Stafford does not specify them as such.[27]

As for L. R. Webber, he apparently was given a furlough to return to Lawrence for a time. He rejoined the regiment on September 18, 1861. For some reason there is a dearth of letters from Webber to the Brown family while the regiment was stationed in Chillicothe. The members of the First Kansas, however, again availed themselves of the opportunity to commandeer the printing press of a secessionist newspaper and issued volume one, number one of a regimental paper, *The First Kansas*, on October 1, 1861.

It was at Chillicothe that Colonel Deitzler rejoined the regiment after a period of convalescence in Lawrence to recover from the wound he received at Wilson's Creek. Deitzler's actions upon his arrival at Chillicothe lend credence to Webber's tales of rampant drunkenness and knavery among his comrades. Deitzler immediately issued "General Order No. 2," banning the sale of liquor to the men under his command, closing the saloons in Chillicothe, and promising the "swift destruction" of any vessels containing liquor found in the camp of the First Kansas. The officers of the regiment proposed that an "Army Temperance Union" be organized among the men and each member pledge to forego the use of alcohol. "Special Order No. 69" announced that, henceforth, the chaplain would be conducting church services each Sunday at three in the afternoon. "Special Order No. 70" forbade gambling by the men under Deitzler's command. Each of these orders was published in *The First Kansas*.[28]

The First Kansas is also instructive as to the nature of the fighting now being done by the men of the paper's namesake. A local man presented himself at a store in a small town a few miles from Chillicothe and represented himself as an officer of the First Kansas. This man, probably a guerilla operating in the area, then robbed the store's safe of over six hundred dollars. Upon hearing of the act, a detail of First Kansas men set out to capture the man, known as "Jeff Davis No. 2," and his accomplices. The detachment located the men three days later some

26. *First Kansas*, October 1, 1861.
27. Lewis Stafford to Dear Kate, September 28, 1861; Lewis Stafford to Dear Kate, October 10, 1861.
28. *First Kansas*, October 1, 1861.

fifteen miles south of Chillicothe and wounded several of them in the process of bringing them into custody. Though the punishments of the men apprehended is not stated in the paper, its account of the incident ended with "The First Kansas has no mercy on thieves." This account and the fact, also mentioned in the paper, that Colonel Deitzler took pains to reassure the population of the area that "he wages no war upon unarmed men or upon the peace and security of the homes of this people . . . no matter what may be [their] political belief," leaves little doubt that the First Kansas, in addition to garrisoning the town and protecting a section of the Hannibal and Missouri railway, was conducting anti-guerilla operations in the Chillicothe area.[29]

The First was next stationed at Tipton, Missouri, another town along the Hannibal and St. Joseph. According to Lewis Stafford, Deitzler's orders issued at Chillicothe were quite ineffective at preventing disorder among the men. In a letter home to his girlfriend, Stafford recalled the trip from Chillicothe to the regiment's new post. "Whiskey played the duce with some of the men, causing not a few to step behind as we arrived at the different towns through which we passed." Drunkenness and straggling were not the only offences the men were guilty of during the march as, "others became verry belligerent and from the great number of black eyes they carry, one would feel constrained to believe they gave vent to their feelings without regard to the feelings of others." Whether the men fought with each other or the locals, Stafford does not say, but he later arrives at the conclusion that "Our men are verry rough customers," and the officers of the regiment were sometimes required to "resort to extreme measures in order to secure that respect due them and the Regt."[30]

According to Webber, whose letters to the Brown family resumed in earnest upon reaching Tipton, the regiment's primary duty there was "fitting out trains to send to Grant's army." Webber said that although "the men behave better than they ever have before," several of them were disciplined for drunkenness. "Since we have been here 3 men have had half their heads shaven on one side and drummed out of the service for drunkenness and staying back at Hannibal," he wrote, adding "they were a good riddance."[31]

Webber reported to the Brown family that his personal situation was improved. He was now "in a better mess than before, only 2 or 3 of the men get drunk very often," and mentioned that the regiment had received new uniforms and knapsacks, though he remarked in a later letter that these were "of an inferior quality in both appearance and serviceability."[32]

The members of the Brown family were not Webber's only correspondents during this period of time, as Webber wrote two letters to the Lawrence *State Journal* detailing not only the mistreatment of the First Kansas by the federal government but also the unsoldierly behavior of some of its members. The letters were published and, when copies of the editions of *State Journal* in which they were printed inevitably made their way to the men at Tipton, Webber found himself, as he should have known he would, in much trouble with certain of his comrades. Though Webber intimated that he wrote the letters to the *State Journal* either anonymously or under a pseudonym, it did not take long for the offended parties within the regiment to identify

29. Ibid.
30. Ibid.; Lewis Stafford to Dear Kate, October 28, 1861, Kate Newland Letters, Kansas State Historical Society, Topeka, Kansas.
31. L.R. Webber to Friend Charley, October 31, 1861.
32. Ibid.; L.R. Webber to Miss Brown, November 11, 1861.

him as their author. One of these, Captain Ketner of Company G, appeared at Webber's post, sans shoulder straps, and according to Webber "almost crazy . . . showed himself a jackass by abusing me with . . . the most degrading epithets." Though only orally abused by Ketner, more serious action was foreshadowed. "He threatened to whip me within an inch of my life if I ever wrote such letters again," Webber told the "Esteemed" member of the Brown family to which the letter recounting the event was addressed. Though Webber boasted that Ketner's abuse "passed by me like the idle winds," it is quite likely that it did much to further the resentment he felt toward many of the officers and the other members of the regiment that he considered unworthy of wearing the same uniform as he did, tattered and poorly made as it may have been.[33]

In late November 1861 a camp rumor at Tipton came close to inciting the First Kansas to mutiny. The regiment, though furloughs had been granted piecemeal to individual soldiers, had yet to return to Kansas and anxiously awaited any news and entertained any rumor of orders home. Word came that, indeed, the regiment was to be ordered back to Kansas but that it was to be quartered at the desolate town of Burlington in a sparsely populated area in the southeastern portion of the state. As if this was not bad enough, it was soon learned that the regiment's lieutenant colonel at the time, Oscar Learnard, was a major holder of town shares in Burlington and, when in St. Louis, had engineered the regiment's posting there.

Both Webber and Stafford were vehement in their denunciations of both the plan to send the First Kansas to Burlington and Learnard. Stafford devotes almost an entire letter to his girlfriend in discussion of the matter. As an officer, Stafford was in a better position to be privy to the actual state of affairs than was Webber, a private. Judging by the seriousness in which Stafford regards the rumor and the specific details he mentions regarding other officer's efforts to have it countermanded, it is safe to assume it had a modicum of truth attached to it. "It is highly insulting to the Regt., having seen as much service as we have, now to make us a means of advertising this town, which but few ever heard of before," stated Stafford. "We might as well be buried for all the good we can do the Government in that place." Stafford believed that if the First was, in fact, sent to Burlington, it would be better that it be "disbanded at once and let us go back to our shops and Farms."[34]

Webber went even further in his denunciation of the possible posting in Burlington, going so far as to accuse Learnard of "pocket[ing] our payrolls," in an attempt to assure that the men would not have money to spend until they reached "his town of Burlington." Webber maintained that hatred of Learnard was now widespread in the regiment and "curses loud and deep are muttered against him by the boys."[35]

The order to winter quarters in Burlington, if Stafford is to be believed, was eventually rescinded through the efforts of Colonel Deitzler and "all the officers," who, "joined with the Col. to have the order countermanded."[36]

Now on duty in the cookhouse, Webber was somewhat happy because the head cook he worked for there was "a first-rate fellow . . . and don't use tobacco or get drunk." Elements of

33. L.R. Webber to Esteemed Friend, December 6, 1861.
34. Lewis Stafford to Dear Kate, November 21, 1861, Kate Newland Letters
35. L.R. Webber to Esteemed Friend, December 6, 1861.
36. Lewis Stafford to Dear Kate, December 8, 1861, Kate Newland Letters.

the regiment had been mounted while at Tipton and Webber had given up his position among them in order to work in the cookhouse when the cook requested him for duty there. Webber offers no explanation for his apparent demotion from mounted trooper to cook. There is no doubt, though, that cooking in camp presented a soldier with considerably less dangerous circumstances than mounted patrol in a hostile countryside. This, coupled with the fact he was no longer witness to the misbehavior of his comrades on these expeditions, could explain Webber's satisfaction with duty in the cookhouse at Tipton.[37]

Though happy in his assignment, Webber continued to recount the lurid misdeeds of his comrades to the Browns. While posted in the cookhouse, what Webber termed the "most shocking affair that has yet occurred in the Regiment," took place. According to Webber, a soldier from Company C returned home from a night of drinking and "loaded his gun swearing that he would kill some man before he slept." A scuffle ensued between the drunken man and the provost guard who attempted to arrest him. The guard shot the drunken man in the arm with a pistol. The drunken soldier returned fire with his rifle, missing him but striking and killing another soldier sleeping in a nearby tent.[38]

Webber cited this event as proof of the charges he had made against his fellow soldiers in his letters to the *State Journal*, calling it "an illustration of the terrible evil of the use of 'Decayed Bowels' (rot gut) as our men like to call whiskey." Stafford makes no mention of the incident in his letters but does comment, "it seems as if the Kansas men would take the town [Tipton] every day," and the men have "such an exciting time" with the provost guard "it is a great wonder some of them do not get hurt." That Stafford did not mention the accidental death Webber wrote of is surprising. Both Webber and Stafford imply in their letters that the regiment was stationed piecemeal in the smaller towns surrounding Tipton. It is possible that Stafford was not at Tipton, but stationed at one of these smaller communities at the time of the incident and did not witness or hear of it.[39]

The long awaited order for the First Kansas to return home arrived while the regiment was posted at Tipton. The regiment was to march by way of Kansas City to Fort Leavenworth and receive orders there for its next assignment. The First departed Tipton on New Years Day of 1862, but not before, as Webber dutifully reported, "most of the men and officers [got] drunk" on Christmas Eve and day.[40]

Plagued by miserable weather that, according to Stafford, consisted of "sleet and mud, snow and frozen ground," on the march to Kansas City, the regiment laid over in Lexington, Missouri, for a period of two weeks. Webber reported that the misery of the march left him nearly "'played out'" and that he and the other men were made to "sleep out on the ground in the snow," but that he was so cold and wet he could not get to sleep.[41]

Cold, tired and anxious to get home, Webber complained, "I have grown poor and lank," and the other men in the regiment were "used up pretty badly" after the march to Lexington. Not

37. L.R. Webber to Esteemed Friend, December 6, 1861.
38. Ibid.
39. Ibid.; Lewis Stafford to Dear Kate, December 8, 1861, Kate Newland Letters.
40. L. R. Webber to Mrs. Brown, January 11, 1862.
41. Lewis Stafford to Dear Kate, January 17, 1862, Kate Newland Letters. L. R. Webber to Mrs. Brown, January 11, 1862.

too "used up," though, to return to their familiar habit of jayhawking and Webber noted that they had "stolen and plundered considerably from the rebels" in the Lexington area.[42]

A letter, dated January 11, 1861, written by Webber to Mrs. Brown and another to her husband following it on the twenty-third mark the lowest points of his disillusionment while in the army. It was in the January 11 letter that he wished that he would be killed in combat rather than continue to serve in the regiment, remarking that membership in it was "a perfect hell" to him. In his letter to John Stillman Brown, Webber wrote he received word from his family that his father had died on the fifteenth of that month after a short illness. His father's death, he told the Reverend Brown, brought to mind memories of his mother's death that had occurred sixteen years before on January 14. Webber related his sadness that his siblings were now "scattered to all parts of the country" and the fact that, because his father had died in debt, the family home would pass out of their possession soon. Though Webber was fond of grousing endlessly about his mistreatment by comrades, officers, the government, and others, it is very hard not to feel sympathy for him now sick, tired, cold and hurting from the loss of his last parent and childhood home in these two melancholy letters to the Browns. As Webber's disillusionment with his circumstances reached to the furthest depths they would during the war, the attitude of the regiment in general toward the civilians of Missouri and the guerillas they were trying to ferret out of the countryside became more severe.[43]

While on the march to Lexington, the regiment's rear guard was fired upon by guerillas concealed in the brush and woods along the road. A member of the rear guard, J. M. Koberle, was wounded in the ambush and died the next day. Upon arrival at Lexington, Colonel Deitzler immediately placed under arrest a number of wealthy and prominent citizens of that city who were known to be secessionists. In his "General Orders No. 1," published in the second issue of *The First Kansas* regimental newspaper, Deitzler stated, "humanity and justice require that the crimes committed by them [the guerillas who ambushed the rear guard and killed Koberle] should be retaliated upon the aiders and abettors, who are less bold, but equally guilty." Deitzler's order then grew brutal, warning that further "assassinations" of his men would result in the "shooting or hanging of at least five of these wealthy rebels" for each one of the men under his command killed by guerillas. "[I]nfernal bushwhacking will not be practiced on the men of my command without the severest penalties of the law of the military," concluded the order.[44]

Expeditions against local guerilla bands were mounted immediately by the First. Three of these sorties and their successful results were recounted in *The First Kansas*. Lewis Stafford participated in one of these actions under the command of Captain Chenoweth. Chenoweth's party returned to the area where the rear guard was fired upon in an attempt to locate the perpetrators. They were unsuccessful in the apprehension of the bushwhackers but the paper reported, "a good haul of secesh property was made." In all probability this was nothing more than a sanctioned jayhawking expedition. Another expedition, led by Captain Clayton, did

42. L. R. Webber to Mrs. Brown, January 11, 1862.
43. Ibid.; L.R. Webber to Rev. J. S. Brown, January 23, 1862.
44. *First Kansas*, January 18, 1862.

apprehend several "notorious rebel officers" along with a number of their horses and other "booty."[45]

Webber believed that these expeditions had been undertaken for more than just the persecution of the war effort. He later complained, "Most of the horses which we took at Lexington as contraband have been taken by the officers at a merely nominal price." At least the officers in question apparently paid the government for the horses they took but Webber was still upset "the results of our toils and exposures go to benefit chiefly a lot of swindlers." Webber states that he did not have any objections to participating in the regiment's jayhawking activities as long as "everything is honestly turned over to the Government."[46]

That jayhawking of the sort unsanctioned by the regiment's officer corps was a problem in Lexington is attested to not only by Webber's correspondence but also by the edition of *The First Kansas* published there. "We are sorry to record," stated the paper, "that a few of our soldiers, imitating the custom of our secession enemies, have been pilfering articles of more or less value from some of the citizens." The paper then named the offenders, noting that one of them had stolen "several articles of ladies apparel." These men were apparently court martialed and sentenced to various punishments, ranging from restitution to confinement at hard labor upon the regiment's return to Fort Leavenworth. The article concluded, lending credence to Webber's claim of a long-standing habit of jayhawking within the regiment, "It is time the men of the First Kansas learned that stealing is no part of the duty of a soldier; and that it will always be punished with severity."[47]

After a little over two weeks spent in Lexington, the First resumed the march home. Stafford advised his girlfriend after arriving in Kansas City that "if our commissary stores had not given out, we might have been there now for all I know as the Col. and indeed, everyone else seemed well satisfied to stay there." After arriving at Kansas City, Colonel Deitzler proceeded to Fort Leavenworth alone to report to Major General Hunter, now in command of the department of Kansas, and receive the regiment's orders for its next posting.[48]

Webber reported that the regiment was "comfortably situated" and had "little duty" while in Kansas City. The regiment was also paid upon its arrival. With time on their hands and money in their pockets, the men promptly engaged in what Webber felt was their favorite pastime, going on a drunk. One man, Webber wrote, got so drunk that he "rode his horse into the Missouri River. But fortunately (or unfortunately in the case of the man) both were rescued. I guess he got sobered off after being some 10 minutes in the freezing liquid." This man, Webber continued, did not learn his lesson, though, as "The same man on the evening of the next day was up in town drunk, and got his face all cut and mashed up."[49]

Several days later the First arrived at Leavenworth. "It seemed that every man, woman and child came forth to greet the Regt. home," Stafford wrote. Senator Marcus Parrott led the reception of the First at Leavenworth. Speeches were made by the Senator and many of the officers of the regiment itself. In his speech, Deitzler announced that Major General Hunter had

45. Ibid.
46. L.R. Webber to Miss Brown, February 1, 1862.
47. *First Kansas*, January 18, 1862.
48. Lewis Stafford to My Dear Kate, January 29, 1862, Kate Newland Letters.
49. L.R. Webber to Miss Brown, February 1, 1862.

appointed him Brigadier General and that he was to command a brigade of three Kansas regiments, including the First, at Fort Scott. Before reporting to that post, however, the new general announced a ten-day furlough for every member of the regiment reminding them that they were home now and "in a community where there are no secessionists. Here you have no enemies to punish and many friends whose goodwill you should labor to preserve." In other words, there will be no behavior here of the sort you learned in Missouri.[50]

Both Webber and Stafford apparently went home after this, as there are no more letters from either of them until the regiment reassembled. After a brief posting at Fort Riley, from which the regiment was to mount an expedition to New Mexico that did not materialize, the First Kansas was attached to General Ulysses S. Grant's army. After garrison duty in Tennessee and Mississippi towns in the wake of Grant's march south, the regiment was posted at Lake Providence, Louisiana. There the men of the First labored to open a channel from the lake to the Yazoo River, in order for Grant to perform an end run around Vicksburg and take it from the east. The entire regiment was mounted by order of Grant on February 1, 1863, and the men of the First served the remaining periods of their enlistments as mounted infantry. As such, according to Webber's remaining communications with the Brown family, they introduced the natives of Louisiana, Mississippi, and Arkansas to their well-honed skills in drinking and jayhawking.

It was near Lake Providence that Lewis Stafford was killed. A large timber broke loose while the men he was supervising on fatigue duty were attempting to move it. The timber rolled over Stafford causing a severe head injury. He lingered for three days and died on January 31, 1863.[51]

L. R. Webber, grumbling all the way, soldiered on with the First Kansas until the expiration of his enlistment in 1864. Though he never did countenance their chronic inebriation and thievery, Webber, by the end of his time in the army, had come to at least understand some of the reasons why his comrades were driven to act as they did. Judging from Webber's later letters to the Browns, it would seem he reached a point where he simply agreed to disagree with his fellow members of the First Kansas. Webber's later letters also begin to display a callousness absent from those he wrote in Missouri. Perhaps the developing hardness of heart evidenced in his correspondence while in the Deep South served to insulate him to a degree and allowed him, if not peace with, then at least tolerance of his circumstances and fellow soldiers. He even began jayhawking for his own enrichment, though he allowed himself only to steal books from the shelves of the plantation houses his comrades plundered.[52]

The last three of Webber's letters to the Brown family were posted from Maine, to which he returned upon being mustered out of the First Kansas. It would seem that Webber had not only gotten his fill of the army, but Kansas as well. He went home to New England where, he no doubt felt, life made more sense than it did in the west and south.

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50. *Wisconsin Volunteer*, February 6, 1862.
51. M. Bailey to Surgeon General, January 31, 1863, Photostatic copy of copy obtained by the Jefferson County Historical Society, Valley Falls, Kansas, original held by National Archives and Records Administration.
52. Webber to Mary, February 10, 1863.

Given Webber's strict morality and his gentle nature, it is unlikely he would have been happy in any Civil War regiment, North or South. That the First Kansas was so harshly adjudicated by him in his letters to the Browns is not due to any especially diabolical behavior on its part during its service in the Civil War, but to the stringent standard to which Webber held it. During the First's service in Missouri, L. R. Webber was forced to face and adjust to the coarse life a soldier in the Civil War. Webber never accepted the realities and cruelties he experienced during his service with the First Kansas, though later in his enlistment he learned to live with them. Webber's struggle to reconcile his own strict moral code with the severe realities of military life in the Civil War era was doubtless not a unique experience among Civil War soldiers. His letters chronicling that struggle offer additional insight into the experience of the soldier of that conflict.

Judicial Philosophy and the Warren Court

Nicholas Nye Wyant

Introduction

"There may be narrower scope for operation of the presumption of constitutionality when legislation appears on its face to be within a specific prohibition of the Constitution, such as those of the first ten amendments, which are deemed equally specific when held to be embraced within the Fourteenth."[1] The previous quote, perhaps the most famous footnote in legal history, marked the beginning of the long overdue incorporation of the Bill of Rights to the states via the Due Process Clause of the Constitution.[2] Chief Justice Harlan Stone's majority opinion in *U.S. v. Carolene Products* (1938) produced the opinion with the above footnote attached to it. "Footnote Four" is extremely important to understanding the judicial philosophy of the Warren Court.

Lucas Powe, Professor of Constitutional history and one time clerk to Associate Supreme Court Justice William O. Douglas, argued that Footnote Four did not influence, or represent, the philosophy of the Warren Court regarding the incorporation of the Bill of Rights. Powe wrote, "That the Court was not reaching for constitutional theory but, reaching results that conformed to the values that enjoyed significant national support in the mid- 1960s, a period when America believed the nation was capable of anything."[3] Powe believed that the Warren Court, more than anything, ruled for result oriented decisions. Powe's statement that the Warren Court was "not in search of theory" lacks support. A hallmark case representing when the Warren Court did in fact use theory was it's incorporation of the Fifth Amendment in *Miranda v. Arizona* (1966).

Powe's interpretation of the actions of the Warren Court fail to realize the amount of judicial philosophy that was present in the formulation of several key court decisions, especially *Miranda*. By 1966 the Court was reshaping American society with regards to the rights of indigent defendants. *Miranda* was the capstone to the Court's commitment to a liberal judicial philosophy that was uniquely a product of the Warren era. Footnote Four was the Court conduit to expand judicial equality to the indigent. Prior to *Miranda* no state in the United States was required to notify a defendant of their right to remain silent, Footnote Four gave the Court the power to grant that right to indigents.

Determining what is, and what is not, the use of legal philosophy is far from an easy process to identify. The use of legal theory in Supreme Court decisions is dependant, among

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[1] *United States v. Carolene Products* 304 U.S. 144 (1938), fn 4.
[2] US Const. Amend XIV § 1.
[3] Lucas Powe, *The Warren Court in American Politics* (Cambridge: Harvard University Press, 2000) 215.

other things, on the presence of common law. "Common law is judge made law."[4] Common law is the system of law that the Supreme Court of the United States operates under. It is a system that uses precedent (*stare decisis*) to determine how to rule on each case that comes before the Court. Precedent is not always followed by the Court, and sometimes it is overruled. Precedent is important to the process of developing a judicial philosophy.

In order to support the premise that the Warren Court was indeed steeped in legal theory it is important to discuss some basic tenets to United States legal philosophy. Within legal history there are two important topics that need clarification, the Bill of Rights and their incorporation via the Fourteenth Amendment to the Constitution. Examining these documents allow a proper basis to look for the existence of a legal philosophy of the Warren Court.

Background on the Bill of Rights and Due Process

The Bill of Rights are the first ten Amendments to the Federal Constitution of the United States. They were part of a compromise to aide in the ratification of the Constitution by the states. The Bill of Rights finally became law on December 15, 1791.[5] Prior to the Civil War locating the final authority of law in the United States was rather ambiguous. Consequently, there was debate as to whether the Bill of Rights applied only to the Federal Government, or to the States.

John Marshall, Chief Justice of the United States Supreme Court, argued that the Bill of Rights applied only to the Federal Government. In *Barron v. Baltimore* (1833) Marshall stated, "The constitution was ordained and established by the people of the United States for themselves, for their own government, and not for the government of the individual states."[6] Marshall went on to clearly state that, "These amendments demanded security against the apprehended encroachments of the general government- -not against those of the local governments."[7] Finally, leaving little doubt as to the intention of the Court, he wrote, "These Amendments contain no expression indicating an intention to apply them to the state governments. This court cannot so apply them."[8] Marshall was clarifying that the Bill of Rights were amended to the Constitution to ensure certain freedoms to the people, while at the same time stating that those rights were only guaranteed under Federal, and not State, jurisdiction.

The incorporation (Marshall's application) of the Bill of Rights to the State governments would not have been out of character for the early Court. Marshall made it a practice to extend the Court's authority whenever he could. Making the Bill of Rights obligatory to the States is similar to Marshall's establishment of judicial review.[9] Marshall's reasons for not making the Bill of Rights part of the law of States likely rests with the premise that the Court's power was

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[4] Jules Coleman and Scott Shapiro eds., *The Oxford Handbook of Jurisprudence and Philosophy of Law* (Oxford: Oxford University Press, 2002), 588.
[5] William Cohen and David J. Danelski *Constitutional Law: Civil Liberty and Individual Rights*. 4th ed. (Westbury, New York: The Foundation Press, 1997), 15.
[6] *Barron v. Baltimore* 7 Peters at 247 (1833).
[7] *Barron* 7 Peters at 250.
[8] *Barron* 7 Peters at 250.
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tremendously expanded during the previous thirty-two years of his rule. Hence, Marshall knew that continued expansion of the Court's power to dictate law might have had adverse affects for the Court.

The victory of the Union in the Civil War answered the question of where the authority of government was in the United States; the Federal Government was supreme to that of the states. After the Civil War the Congress, devoid of Southern representation, passed the Thirteenth, Fourteenth, and Fifteenth Amendments to give rights to the newly freed slaves. The Fourteenth Amendment, in particular, provided the avenue for the incorporation of the Bill of Rights to the Federal Constitution and thus making them obligatory to the States, ". . .nor shall any State deprive any person of life, liberty, or property, without due process of law."[10] This was a change from the Fifth Amendment, which did not mention that "any State" had to apply due process to its citizens.

The Background of Incorporation, the Rights of the Accused, and Precedent for Miranda.

Thirteen years prior to *US v. Carolene Products* (1938) there was a case that proved pivotal for the incorporation of the Bill of Rights. In *Gitlow v. New York* (1925) for the first time the Court upheld the premise that the First Amendment was applicable to the States via the Due Process Clause of the Fourteenth Amendment.[11] This marked the beginning of the legal theory that would eventually allow the Warren Court to incorporate other Amendments to the States, namely the Fourth, Fifth, and Sixth. Despite the importance to the philosophical history of legal thinking that *Gitlow* provided, the decision was not mentioned in *Miranda*. There are two reasons for *Gitlow's* absence. First, *Gitlow* dealt with incorporation of the First Amendment, while *Miranda* dealt with the Fifth. Secondly, *Gitlow* was not necessary. The support for the Courts' decision was in *US v. Carolene Products*, as it stated the applicability of the Bill of Rights to the States. With regards to *Miranda*, the next case to have an impact on the Warren Court's judicial philosophy was *Powell v. Alabama* (1932).

Powell dealt with the case of the Scottsboro Seven. The facts of the case are these: seven African American youths were accused of raping two white girls on a train bound for Scottsboro, Alabama, hence the term the Scottsboro Seven. The Scottsboro Seven were appointed counsel the morning of the trial.[12] Consequently, their counsel proved inadequate; they were convicted of rape and sentenced to death. When argued before the United States Supreme Court, the defense stated that the defendants were denied their due process of law as guaranteed to them by the Fourteenth Amendment to the United States Constitution.

The Court's reasoning employed in *Powell* is part of the path to *Miranda*. The Court stated, in *Powell*, that due process had already been applied to the States via the decision in *Gitlow* with regard to the First Amendment.[13] The Court went on to rule that the Fifth Amendment was also applicable to the States. "All that it is necessary now to decide, as we do

[10] U.S. Const. Amend XIV, § 1.
[11] *Gitlow v. New York* 268 U.S. at 664 (1925).
[12] *Powell v. Alabama* 287 U.S. at 56 (1932).
[13] *Powell* at 287 U.S. at 67.

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[13] *Powell* at 287 U.S. at 67.

decide, is that in a capital case, where the defendant is unable to employ counsel, and is incapable adequately of making his own defense . . . it is the duty of the court . . . to assign counsel for him as a necessary requisite of due process of law."[14] The Court took a bold stand to require that via the Due Process Clause of the Fourteenth, Counsel was required in capital cases. This is a distant relation to *Miranda*, but was a necessary starting point for the incorporation of the Fifth Amendment.

The interesting aspect of *Miranda*, with regard to *Powell*, is that the latter is not mentioned in the ruling of the former. *Powell* provided an excellent precedent for *Miranda*, thus the theory that the Warren Court lacked adherence to judicial philosophy seems to be supported. It is not likely that the court felt it would be overkill to mention *Powell*, since the majority opinion in *Miranda* account for sixty pages in the Supreme Court Reporter.

A possible reason for *Powell's* absence in *Miranda* is that it was mentioned at length in *Escobedo v. Illinois* (1964). When using precedent in decisions the Supreme Court does not, often, cite the original precedent, but merely the most recent case that shows support for whatever argument the Court is trying to make. The principles of *Gideon v. Wainwright* (1963) weigh quite heavily with *Miranda*, yet are not mentioned. *Gideon* was, however, mentioned in *Escobedo*. A major portion of *Miranda* was written with precedent from *Escobedo*. *Escobedo* was a major case for *Miranda* with regards to precedent, and will be looked at later in detail.

The next major case that supported *Miranda* was *Brown v. Mississippi* (1936). Of all the cases studied, this case in particular is difficult to believe. The facts of the case are these: the suspects in *Brown* were charged and convicted of the murder of a white sales clerk.[15] The African Americans were convicted of murder and sentenced to death.

The basis for the convictions were the "confessions" of the defendants. One of the first men that confessed to the crime did so under the following circumstances. After being seized by the police, the Sheriffs deputy hanged him from the limb of a tree repeatedly to try and get a confession out of him.[16] Eventually, the suspect was tied to a tree and whipped, still pleading his innocence to the crime.[17] The defendant was released only to be picked up the next morning by the same deputy. On the way to the Court House, "the deputy stopped and again severely whipped the defendant, declaring that he would continue the whipping until he confessed, and the defendant then agreed to confess to such a statement as the deputy would dictate, and he did so, after which he was delivered to jail."[18] Once in Court the deputy openly admitted to whipping the defendant, crassly stating that the beating was, "'Not too much for a negro; not as much as I would have done if it were left to me.'"[19]

The horrors of such treatment, and the matter of fact manner that it was given in the State Court of Alabama, clearly indicate tremendous problems with the judicial system in this time period. The fact that the State Court could openly acknowledge torture of an individual is

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[14] *Powell* 287 U.S. at 71.
[15] It is an interesting commentary on the time (the 1930s) that in the original court documents the clerk was referred to as 'white.'
[16] *Brown v. Mississippi* 297 US at 281 (1936)
[17] *Brown* 297 U.S. at 281.
[18] *Brown* 297 U.S. at 282.
[19] *Brown* 297 U.S. at 284.

incomprehensible from a modern perspective in the United States Court System. The Supreme Court's dealing with this case was quick and poignant. The Supreme Court introduced the due process clause as enabling the admissibility of evidence at trial. Specifically that, ". . .the freedom of the State in establishing its policy is the freedom of constitutional government and is limited by the requirement of due process of law."[20]

Not only did *Brown* deal with admissibility, but it also touched on the idea that the presence of counsel at interrogation was part of a fair trial. The Court stated, with regards to the duties of the State, "That contention rests upon the failure of counsel for the accused, who had objected to the admissibility of the confessions, to move for their exclusion after they had been introduced and the fact of coercion had been proved."[21] The admissibility of confessions was the direct issue in *Brown*. Consequently, *Brown* started the movement towards *Miranda*.

There is one interesting aspect of *Brown* that needs attention when considering the Warren Court's philosophy. The *Brown* court ruled that the defendants right to due process, via the Fourteenth, was violated. The Court explicitly stated that the Fifth Amendment (due process of law) was not obligatory on the states. The argument for a Warren Court philosophy comes into consideration because when they cited *Brown* in *Miranda* they are highlighting a flaw of the decision, despite the fact that this was not directly stated.

Brown dealt with confessions, namely what practices were unacceptable for the police to use while trying to elicit a confession from the accused. At the outset of *Miranda* the Court cited that *Brown* was part of the jurisprudence that discussed and dealt with the fair treatment of the accused. "In a series of cases decided by this Court long after these studies, the police resorted to physical brutality- - beating, hanging, whipping- - and to sustained and protracted questioning incommunicado in order to extort confessions."[22] The use of *Brown* and other cases dealing with torture, demonstrated the Court's desire to expand upon the judicial philosophy of the incorporation of the Bill of Rights via the Due Process Clause. The Court's action was clearly not one of social activist, but one of deliberate and careful jurisprudence.

Other Cases within *Miranda*

So far, all cases discussed supported the Court's decision in *Miranda*. As with any case that profoundly shaped American law, there were several cases within *Miranda* that were overturned due to its ruling.[23] One case mentioned within *Miranda* was part of a previous failed attempt to incorporate various parts of the Bill of Rights; *Betts v. Brady* (1942). Additionally, *Wolf v. Colorado* (1949), was used to bolster the dissent in *Miranda*. Both cases, when originally decided, were hallmarks in the argument against incorporation, consequently *Betts'* over-ruling, and *Wolf's* support for the dissent, provide a compelling look at the Court's jurisprudence.

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[20] *Brown* 297 U.S. at 285.
[21] *Brown* 297 U.S. at 286.
[22] *Miranda v. Arizona* 384 US 446 (1966).
[23] The most notable example of a Supreme Court decision was in *Brown v. Board of Education*, in which numerous cases going back to the nineteenth century were cited and overturned.

Betts v. Brady (1942) dealt with the issue of the incorporation of the Sixth Amendment of the federal constitution. The case dealt with the appeal of a man (Betts) who was denied counsel because his case had not been tried in a Federal Court. The Supreme Court in 1942 denied the defendant the right to counsel, citing that "The Sixth Amendment of the national Constitution applies only to trials in federal courts."[24] This opinion, written by Justice Roberts, was subsequently over-ruled by the Miranda decision. In addition, this case was cited within *Miranda* as establishing the right for a defendant to be given counsel with attention to special circumstances of the defendant, such as their I.Q. and social standing.[25]

Wolf v. Colorado (1949) is similar to *Betts* in that its ruling was counter to *Miranda*, where it differs is the fact that it was part of the dissenting opinion. The case was cited in Justice Harlan's dissent as support for the idea that the Court should wait for action from the legislature before creating legislation itself. The Crux of Harlan's argument was that *Wolf* was overturned by legislation twelve years after its ruling, thus inferring that the Court, with regard to *Miranda*, needed to be patient.[26]

Both cases are important with regards to debunking Powe's theory. *Betts'* use was indicative that the Warren Court was trying to show that previous decisions were important to upholding indigent rights, despite the fact that the case itself was an argument against incorporation. The dissenter's use of *Wolf* is, at first, obvious support for Powe. However, it is imperative to consider that *Wolf* was overturned via a Congressional Act. Thus, the dissenters in *Miranda* believed that if the Court did make the wrong decision it would be overruled by the legislative branch of the government. The fallacy in the dissenter's position was that due process clearly supported the incorporation of the Fifth Amendment.

There is also further support for the existence of the Warren Court's judicial philosophy when considering *Wolf*. *Wolf* was used in the dissenting opinion to demonstrate that the government of the United States can function without the interference of the judiciary into the matters of policy making., specifically stating that the wrong ruling in *Wolf* was eventually corrected with Congressional legislation. The Court's action in *Miranda* went against the logic of waiting for the legislative branch to create legislation to effectively level the playing field of judicial proceedings. The judges in *Miranda's* majority opinion were writing in the tradition of a common law, that when a judge is presented with the opportunity to rule in the favor of natural law that they should do so. The use of common law in judicial proceedings, such as *Miranda*, was indicative of the presence of a strong judicial philosophy.

Miranda

The case of Ernest Miranda began on March 2, 1963 in Phoenix, Arizona.[27] Late that night Miranda kidnapped a woman, Lois Ann, took her to a remote location outside of the city, and raped her. He then drove back where he picked her up from and let her go, asking her to

[24] *Betts v. Brady* 316 US at 461-62 (1938)
[25] *Miranda* 384 U.S. at 469.
[26] *Miranda* 384 U.S. at 524.
[27] Liva Baker. *Miranda: Crime, Law and Politics* (New York: Anthenum, 1983), 3.

"pray for me."[28] Several days later Miranda drove by the Lois Ann's house at which time he was recognized, and the woman's brother-in-law wrote down his tag number and reported it to the police.

Ernest Miranda was picked up by the police and taken to the police station for questioning. Eventually, Lois Ann was brought to the station to view a line-up of suspects, at which time she identified Ernest Miranda as her attacker. Later, under interrogation, Miranda confessed to attacking Lois Ann. He was tried and convicted for her rape.

Similar to Danny Escobedo, Ernest Miranda was not a model citizen. He had numerous run-ins with the law from a very young age. The first time that he was arrested for a 'major' crime was at the age of fifteen for attempted rape.[29] This was a case that involved a career criminal. Miranda's guilt was never a question, but it was the manner in which his confession was obtained. Although, Miranda was not tortured, as the suspects in *Brown* were.

Once the facts of *Miranda* have been done away with it becomes necessary to look at the key issues within the case itself to show the Court's legal philosophy. Despite the previous discussion of precedent it is important to go further, namely to examine the main case mentioned within *Miranda*, *Escobedo v. Illinois* (1964). In addition to *Escobedo,* it is also necessary to look at the use of the Fifth Amendment with regards to the Court's decision.

Escobedo preceded *Miranda* by two years, the decision in *Miranda* could not have been possible without the former. Danny Escobedo was picked up by police for questioning regarding the murder of his brother-in-law. He was questioned, at length, in the police station and constantly asked to see his lawyer, who was present at the police station but not allowed to see his client. Eventually the police got Escobedo to confess to being at the scene of the murder and therefore arrested him. He was subsequently tried and convicted.[30]

The main issue in *Escobedo* was a person's right to counsel at time of interrogation. Indeed, Justice Goldberg, speaking for the majority ruled that, "We hold only that when the process shifts from investigatory. . .our adversary system begins to operate . . . the accused must be permitted to consult with his lawyer." This was a crucial part to *Escobedo*, but more importantly it opened the door for *Miranda.* In addition, Goldberg stated that, "the Sixth Amendment of the Constitution as made obligatory upon the States by the Fourteenth Amendment."[31] Goldberg went on to state that the Fourteenth Amendment, "made certain that the States could not frustrate the guaranteed equality by enacting discriminatory legislation or sanctioning discriminatory treatment."[32]

Aside from the aforementioned cases, *Miranda* relied on a judicial theory of due process. The Court, at length, cited tremendous support for the incorporation of the Fifth Amendment via the Due Process Clause. "The Fifth Amendment privilege is so fundamental to our system of constitutional rule and the expedient of giving an adequate warning as to the availability of the privilege so simple, we will not pause to inquire in individual cases whether the defendant was

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[28] Ibid., 4.
[29] Ibid., 10.
[30] *Escobedo v. Illinois* 378 US 438 (1964)
[31] *Escobedo* 378 U.S. at 478.
[32] *Escobedo* 378 U.S. at 482.

aware of his rights without a warning being given."[33] The Court's usage of "fundamental to our system of constitutional rule" does not support an idealistic judicial theory, but instead demonstrates a deliberate use of jurisprudence. The rights of the Fifth Amendment were not new, but indeed as old as the Federal Constitution.

Had the Court been the mouthpiece of societal change it would have undoubtedly mentioned Johnson's Great Society, but it never was. Instead the Court relied on sound Constitutional principles that demonstrate a command of, and belief in, judicial philosophy. Danny Escobedo was not a model citizen by any means. His life as a criminal began well before his case came to the Supreme Court and lasted until his death. Hence it is very easy to confuse this case with activism. As well *Escobedo* can be seen as an act of righting the wrongs of previous cases, such as *Brown v. Mississippi.* In reality both *Escobedo* and *Miranda* were hallmarks of the application of judicial philosophy.

Interpreting the Evidence

Overall the Warren Court's philosophy was to settle the conflict of law. On one side of the Court's issues a federal prosecutor could not use evidence that a state prosecutor could. Thus, the supreme Court was addressing an issue that had long been part of American jurisprudence, the conflict of laws.[34] Consistently throughout the incorporation cases the Court ruled in a manner that made the state police agents just as accountable as the Federal Bureau of Investigation. These actions were not the product of judicial activism, but sound jurisprudential reasoning.

If one is to believe Powe -- that the incorporation of the Fourth, Fifth, and Sixth Amendments took place during the Warren Court only because the country as a whole was finally in a place legally and socially, to accept it -- then it becomes necessary to look at public opinion. The data does not suggest that the Court had support during its era of incorporation.[35] The country on a whole was experiencing a rise in crime and the Supreme Court was seen as a major contributor to that fact. With regards to criminals, a 1965 Gallup poll showed that 48 percent of Americans felt the Court too lenient on criminal defendants.[36] Undoubtedly the rise in crime during the 1960s was critical to an understanding of criticism of the court.[37] Thus, if Powe was correct, that the country wanted to 'do some good' then there is no support for it with regard to public opinion.

Considering the aforementioned evidence of precedent and its incredible importance on *Miranda* it is curious as to where Powe comes up with his supposition that the Warren Court was a Court of social action, relying on the 'lets do some good' attitude. The Warren Court did not

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[33] *Miranda* 384 U.S. at 468.
[34] A similar quagmire was the presence of both free and slave states in antebellum America.
[35] William Mishler and Reginald S. Sheehan "The Supreme Court as a Countermajoritarian Institution? The Impact of Public Opinion on Supreme Court Decisions." *The American Political Science Review* Vol. 87, no 1 (Mar., 1993): 94.
[36] Lucas Powe, 395.
[37] Ibid., 408.

create issues, but was reliant on issues brought before it through the Court system. The Court clearly and deliberately stayed within its sphere of influence. Charging the Warren Court with judicial activism is easy to do considering the surface of the opinions; Danny Escobedo was a murderer and Ernest Miranda was a confessed rapist. Perhaps his years as a clerk for Douglas lent Powe a special insight for his hypothesis.

Another scholar to consider when discussing the Warren Court is John Morton Blum. Blum stated that, "the years of the Warren Court [were] in the nomenclature of judicial history."[38] Blum's discussion of the Court focused on the fact that its jurisprudence was focused on a doctrine of "preferred freedoms."[39] Blum clearly saw a connection between the philosophy of Johnson's Great Society and that of the Court's behavior towards the indigent. Thus Blum is closer to considering that the Warren Court was activist. However, Blum's argument is dependent on the presence of a clear judicial philosophy that coincides with the Great Society. The difference between Powe and Blum is that Blum sees the Court's philosophy as an outgrowth of the Great Society. This is not to state that Powe clearly makes that assumption, but it is implied by his phraseology.

Conclusion

Powe supposes that the Warren Court's jurisprudence was a result of *über* Americanism; that the country felt invincible with regards to the needs of the disenfranchised and indigent. Powe dismissed the likelihood that the Court was applying a legal philosophy to its decisions. The main defense against this is the tremendous support the Warren Court found in judicial decisions for *Miranda*.

Any important event in history cannot be singled out to one pivotal moment. If we are to believe television shows, such as *Boston Legal* and *Law & Order*, we would think that events in the courtroom, and thus the American legal system, happened with lightening quick reactions. This is simply not reality.[40] The expansion of freedoms in the United States is a continuing process. Freedom for all people still has a long way to go in this country, that is obvious when one considers the civil right infringements of the USA PATRIOT Act. *Miranda's* importance to the United States' legal philosophy cannot be understated. However, it would be wrong to ignore the cases that made *Miranda* possible. We cannot forget the countless indigent defendants that came before Ernest Miranda, who were treated, as in *Brown*, with untold cruelty.

With the citations that supported Miranda, there is one case that is missing, that was the first that introduced the idea of incorporation of the Bill of Rights via the Due Process Clause, *U.S. v. Carolene Products*. It is odd that a rather insignificant case, such as *U.S. v. Carolene Products*, could have such a profound affect on the legal history of the United States, but it did.

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[38] John Morton Blum, *Years of Discord: American Politics and Society 1961-1974* (New York: W.W. Norton and Company, 1991), 187.

[39] Ibid., 190.

[40] A counter example to television drama is the fact that segregation took over seventy years to be overturned by *Brown v. Board of Education*. Even after *Brown* it took an additional twenty years for public schools to be truly desegregated throughout the South.

Footnote Four created the beginning of a judicial philosophy that would culminate in cases such as *Gideon*, *Escobedo*, and *Miranda*.

There is one statement in *Powell v. Alabama*, that most poignantly illustrates the necessity of the incorporation of the Bill of Rights to the states. The Court stated, with regard to denying defendants their rights to counsel, that, "Such a result, which, if carried into execution, would be little short of judicial murder."[41] Ultimately, this quote did not make it into the Warren Court's jurisprudence, but nonetheless provides a summarization for one of the greatest advancements for the rights of indigents that was, and still is, *Miranda*.

"Today, then, there can be no doubt that the Fifth Amendment privilege is available outside of criminal court proceedings and serves to protect persons in all settings in which their freedom of action is curtailed in any significant way from being compelled to incriminate themselves."[42]

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[41] *Powell* 287 U.S. at 72.
[42] *Miranda* 384 U.S. at 467.

Fiske Hall Graduate Paper Award*

The Communist Party USA in the Post-World War II Era: A Study in Self-Destruction

Bruce Carruthers

Introduction

This paper is an examination of the American Communist Party's response to events in the post-World War II era which, for all intents and purposes, ends up being the Party's response to the beginning of the Cold War. The central thesis of this paper is that American Communist Party (CP) destroyed itself by marrying its political fortunes to the policies of the Soviet Union. The Party's uncritical embrace of the Soviet interpretation of world events cost it the hard-earned legitimacy it gained during World War Two. This thesis emerged in the early stage of research and was increasing confirmed by further research and analysis.

The paper begins with a review of CP history in the decade before and during WWII. This section is intended to provide the reader with both a sense of the Party's interpretation of the events preceding the Cold War and a feel for the Party's political and societal status at the end of World War II. This introductory section sets the stage for the discussion of the paper's main topic: how the Party navigated the difficult and treacherous political waters of the emerging ideological, economic, and military contest between East and West for world supremacy. The body of the paper looks at Party's actions during last half of the 1940s.This was a crucial time for the future of the CP. It emerged from WWII in strong position in American society. Soviet and American battlefield cooperation in defeating the Axis left many Americans with a favorable impression of the Party, an impression the Party did much to foster. It was a – if not the – dominant force in a strong US labor movement. The CP could have established its position as independent third party and build on this foundation to extend its influence in US politics. It chose instead to follow a path that led to its marginalization and eventual disappearance from the political arena as anything but a curiosity. This process is detailed in the body of the paper. Lastly, some concluding comments tie the various streams of the paper together.

Background of the Communist Party in the period preceding the post-World War II era

Prior to 1935, the American Communist Party consistently opposed President Franklin Roosevelt's (FDR) New Deal policies. It labeled him a fascist who promoted the interests of capitalists at the expense of the working class. In 1935 the CP executed one of its many dramatic policy shifts to bring it in line with the Soviet stance; the Party began expressing support for the President's policies. FDR's shift to the left was partially responsible this change, but a revision in the Soviet position toward the President played a major role in the CP's about-

* The Fiske Hall Graduate Award is given to the best, non-seminar paper submitted by a graduate student pertaining to history.

face. The Soviet Union began to perceive Adolph Hitler as a potential threat. In response, it embraced the idea of collective security as a bulwark against fascist German and Japanese expansionist designs. Collective security – collaboration between the Soviet Union and the West to contain fascist aggression – by definition necessitated good relations with the United States. Accordingly, the CP committed itself to reversing American isolationist foreign policy in favor of international opposition to fascism.[1]

This policy shift purchased increasing acceptability for the CP among leftist and liberal groups in the United States. The Party was so successful in exploiting its new status that by the end of the 1930s it had achieved significant influence in American politics. The CP membership remained relatively small throughout the 1930s, never achieving more than 100,000 members and it continually suffered from a high turnover rate. The number of sympathizers, however, was high during the second half of the decade and a substantial core of devoted followers remained steadfast in its membership.[2]

During this period the CP experienced significant success in transforming its image from a revolutionary cadre to a party of average citizens with a radical ideology. In fact, the Party abandoned the all-important class struggle in favor of Soviet interests in its attempt to gain support for Soviet policies. The Party went so far as to replace the red flag of revolution with the American flag at its public meetings, and it repudiated the violent tactics that had been so integral to its earlier organizing efforts. In its quest for support of policies favorable to the Soviet Union, the Party even sought an accommodation with the Roman Catholic Church.[3]

Much of this transformation was accomplished through front organizations dedicated to persuading American citizens and institutions to support policies espoused by the Soviet Union. The CP established front organizations in several key sectors of society. These organizations included the American Youth Congress, the National Negro Congress, and the American League against War and Fascism. While numerically small, CP members were able to dominate or exercise powerful influence in these front organizations through dedication and skillful manipulation. Communists were often able to occupy leadership positions by virtue of their simple willingness to assume responsibility for administration of the organizations.[4]

The American Youth Congress was successful in forging links with prominent political figures, including Eleanor Roosevelt, and to use these connections as an entrée to positions in the Roosevelt administration. In early 1936 the CP organized the National Negro Congress with A. Philip Randolph, president of the powerful Brotherhood of Sleeping Car Porters, as head. By 1937 the American League against War and Fascism claimed two million affiliates. In the same year the League changed its name to American League for Peace and Democracy and dropped any reference to anti-capitalism. It claimed four million affiliates by the time of its fifth congress

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[1] Irving Howe and Lewis Coser, *The American Communist Party: A Critical History (1919-1957)* (Boston: Beacon Press, 1957), 232-235, 321; Joseph R. Starobin, *American Communism in Crisis, 1943-1957* (Cambridge: Harvard University Press, 1972), 29.

[2] Guenter Lewy, *The Cause That Failed: Communism in American Public Life* (NY: Oxford University Press, 1990), 56.

[3] Staroblin, 37; Howe and Coser, 323, 341.

[4] Lewy, 25, 30-38; Howe and Coser, 325-356; Starobin, 36-37.

in January 1939 and was graced with a welcoming letter from Harold Ickes, Secretary of the Interior.[5]

The CP's greatest accomplishments were in the penetration of the Congress of Industrial Organizations (CIO). When John L. Lewis broke with the American Federation of Labor (AFL) in 1935 and established the CIO, CP members eagerly served as union organizers. Disciplined and tough CP members exerted an influence in the CIO greatly out of proportion to their actual numbers. By the summer of 1939, the Party was well established in the national CIO office. It controlled or had an influential presence in nearly 40 percent of CIO affiliated unions.[6]

The CP was also successful in achieving support from and influence among intellectuals and the liberal and left-leaning media. The Party started serious recruitment of writers and artists in 1935 with the convening of an American Writers' Congress, sponsored by such notables as Theodore Dreiser, John Dos Passos, and Erskine Caldwell. The Congress soon established the League of American Writers. The League attracted a substantial membership and gained respectability, including the affiliation of or endorsements by prominent individuals such as Earnest Hemingway, James Thurber, and Archibald MacLeish. By 1938 it had over 700 members and President Roosevelt accepted an honorary membership. The Third American Writers' Convention in 1939 was addressed by Thomas Mann. Both the Congress and the League were controlled by the Party's agenda. Besides calling for federal support for artists, these organizations lobbied for embargos on Germany, Japan, and Italy, for revision of the Neutrality Act to allow provision of weapons to the victims of fascist aggression, and for ending the embargo on arms shipments to Republican Spain. The CP and its allies also gained influence in publishing houses and liberal magazines like *The New Republic* and *The Nation*. (The liberal media's turn to the left was informed by more than ideology; popular interest in leftist issues and fiction made this stance profitable.)[7]

The CP's respectability and the success of its popular front activities experienced a decided downturn in August 1939 with the signing of the non-aggression pact between the Soviet Union and Germany. The abrupt change in Soviet policy left the CP momentarily confused but it soon corrected its course to align with the new Soviet compass. Within a few weeks, the CP rejected collective security in favor of isolationism. It rationalized Soviet treachery by championing the Stalin-Hitler pact as a tactic to limit German expansion, and it blamed the gathering war clouds on England, which it portrayed as an enemy of the working class. The Party voiced opposition to President Roosevelt, the Lend-Lease Program, and conscription. The CP's realignment led to a short-term reversal in its fortunes. Sympathizers deserted it by the thousands and much of the liberal press abandoned its support of the Soviet Union and the CP. Many of its popular front groups disappeared or became shells of their former selves. The American Student Union and the American League for Peace and Democracy, for example, collapsed.[8]

The US government responded by implementing widely popular anticommunist measures. It indicted several CP leaders for passport violations. State governments arrested over

[5] Lewy, 31-32, 37; Howe and Coser, 348-352.
[6] Howe and Coser, 368-385; Starobin, 39-40; F. S. O'Brien, "The Communist Dominated Unions in the United States" *Labor History* 9:2 (1968): 185.
[7] Lewy, 42-48; Howe and Coser, 313-315.
[8] Howe and Coser, 385-390; Lewy, 61.

350 Party members on a variety of charges. Congress passed the Alien Registration Act, better known as the Smith Act. This law made it a criminal offense to advocate overthrowing the US government or to discuss the desirability of such action.[9]

The CP attempted, with surprising success, to recover by instituting new front organizations to promote its neutralist line. By the summer of 1940 it had created over 300 Emergency Committees for Peace, held peace rallies throughout the nation, and recaptured much of the liberal support it lost the pervious year. Luminaries such as Carl Sandburg, Theodore Dreiser, Father Smith of the Society of Catholic Commonwealth, and Rabbi Moses Miller of the Jewish People's Committee lent their names and support to the peace movement. The AFL and CIO were active in promoting peace, with CP controlled or heavily-influenced CIO unions at the forefront.[10]

On June 21, 1941 Germany invaded the Soviet Union, and the CP executed another 180° change in direction. Concerned that the West would see Hitler's invasion of the Soviet Union as an opportunity to end the worldwide Communist threat through cooperation with Germany, the CP began an all-out campaign in favor of an American declaration of war on the Nazi menace. The Party supported conscription and, ironically, called for a no-strike policy on the part of unions.[11]

The Party's line met with wide approval based on the public's recognition of the need for a united front in the war against fascism. Between 1941 and 1944 the Party's membership doubled. It made significant inroads into the Democratic Party and captured the American Labor Party in New York State. As the Soviet Union became a popular ally, Communism came to be seen by many as a benign ideology. The popular media started depicting the Soviet system as evolving toward western-style democracy. Even Monsignor Fulton Sheen had good words to say about the Soviet Union's family policies. The CP's success encouraged some members of the Party to envision its integration into US political life.[12]

The CP assumed its role as a war-monger with the same élan it pursued neutrality. It supported universal conscription and many CP members joined the armed forces. Early in 1944, the CP renamed itself the Communist Party Association, ridding itself further of any tint of revolutionary purpose. The Party called for a ban on strikes and supported piece work – a technique previously anathema to CP doctrine – as means to increase war matériels production. The Party went so far as to accuse John L. Lewis of being a member of the fascist fifth column when he called for a miners' strike in 1943. The CP's support for a ban on strikes was visible in its media organs. An April 13, 1945 article in the *Daily Worker* blamed the union officials for failing to take action to end strikes that were interfering with the production of Army tires and planes at several Detroit facilities. The same edition featured a letter from a UAW member who was wounded in the war; he pleaded with the Detroit strikers to return to work. The April 15

[9] Lewy, 65.
[10] Howe and Coser, 394-395.
[11] Howe and Coser, 406-408, 413; Lewy, 61-63.
[12] Lewy, 66-68; Howe and Coser, 424-425.

edition of *The Worker* featured a letter from a miner's wife telling John L. Lewis to accomplish deserved wage increases without resorting to strikes.[13]

As the war's end approached, the Party started promoting post-war cooperation between East and West. Earl Browder, President of the Party, promoted the idea of peaceful coexistence. The West and the Soviet Union had to find a way to live together and the CP started encouraging a policy of peaceful competition as an alternative to the destructive conflict that characterized the pre-war period. The Party's commitment to Roosevelt in the election of 1944 was strengthened by its concern that a Republican Party victory would jeopardize the chances of cooperation. Roosevelt's death was mourned in the CP press when he was memorialized as a champion of freedom. The *Daily Worker* lauded newly sworn-in President Truman as a tireless worker for progress, cited his humble origins, and praised his support for labor. [14]

The mainstream interpretation of the Party's ideological shift during World War II sees it as a cynical attempt to promote the interests of the Soviet Union. The CP was concerned with the survival of the USSR, and it sought US entrance into the war and victory over Germany and Japan simply to foster Soviet interests. A more charitable view is taken by Joseph Starobin, a source whose objectivity is subject to question. Starobin was a CP official and served as the editor of the *Daily Worker*. He claims that the Party disengaged from the Soviet Union to a considerable extent during WWII. It recognized that the general commitment to capitalism among all classes in the US made the CP's circumstances unique and that a revolutionary approach to US politics was unworkable. It began to regret its failure to form a working alliance with socialists and other left-wing political forces. The CP hoped to rectify this mistake and to retain its new-found legitimacy. Starobin's position is supported to some extent by Irving Howe and Lewis Coser in their influential study of the Party, *The American Communist Party, A Critical History (1914-1957)*. While generally viewing the CP as an appendage of Moscow, Howe and Lewis do grant some legitimacy to its policy shift during the War. They believe the Party was attempting to remain faithful to Soviet interests during this period at the same it continued integrating into the US political system. The Party recognized that revolutionary change in America was improbable and hoped instead to accomplish its goals through electoral politics.[15]

The Communist Party, USA in the post-WWII era

Whether cynical or legitimate, the CP abruptly broke its war-time embrace of the American political system in May 1945. A letter published in France in April by Jacques Duclos, the number two man in the French Communist Party, appeared on May 22 in the New York *World-Telegram*. It was republished in the *Daily Worker* on May 25. Duclos' letter, titled "On the Dissolution of the American Communist Party," was critical of Browder's leadership of the

[13] Howe and Coser, 408-431; Lewy, 70-73; "New Detroit Strikes Hit Army Tires, Planes," *Daily Worker*, 13 April 1945, p. 5; "UAW Man, Wounded in War, Pleads against Strikes," *Daily Worker*, 15 April 1945, p. 5; "A Miner's Wife Tells Off John L. Lewis," *The Worker*, 15 April 1945, p. 11.
[14] Starobin, 55-56, 72; "Black-Bordered Flags in Moscow for FDR – Builder of U.S.-Soviet Amity," *Dailey Worker*, 14 April 1945, p. 3; Earl Browder, "Roosevelt Still Leads America," *Dailey Worker*, 14 April 1945, p. 3.
[15] Starobin, 45-46; 57; Howe and Coser, 425.

CP. It claimed that the replacement of the Party with an association deprived the American working class of an independent political voice. Further, Browder's championing of class peace in the US and of international cooperation was a serious misinterpretation of the Teheran Declaration; it transformed a limited diplomatic document into a political platform that was at odds with Marxist doctrine. The letter also praised William Foster, Browder's deputy. Foster had been critical of Browder's abandonment of the CP's revolutionary doctrine. Within a few months, Browder was ousted, never again to regain acceptance in the Party.[16]

The purging of Browder coincided with another change in Soviet policy. Cooperation with the West was replaced by expansionism. During the 1920s and 1930s the Soviet leadership was concerned with defending and strengthening its hold on Russia. It adopted the policy of "socialism in one country." The approaching end of WWII presented the Soviet Union with the need to repair its war-torn economy. The Soviet Union also envisioned the possibility of gaining hegemony over Europe. Peaceful coexistence was no longer in its interest. Accordingly, the Soviet leadership repudiated Browder. He was replaced with Foster, a revolutionary hard-liner, and the Party began a new chapter in its convoluted history that would lead to its marginalization in American political life.[17]

By 1946 the CP completed its metamorphosis. It depicted the US as well on the road to becoming a fascist state and portrayed any opposition to the Soviet Union as a crime. This change had severe consequences for the CP in its public and private existence. The Party's pro-Soviet line caused it to forsake its hard-won political respectability in a quest for a viable third party, and the Party's internal reaction to government harassment and prosecution led to its evisceration.[18]

During WWII the CP political strategy was to work through the American two-party system. It succeeded in gaining a foothold in the Democratic Party and captured the American Labor Party in New York. The post-war Soviet hard line was accompanied by a return to third-party politics. The CP reacted to President Harry Truman's cold-war policies by casting its lot with Henry Wallace and the Progressive Party. Several policy initiatives by Truman fueled this move, including the Truman Doctrine and the Marshall Plan. The Soviet Union and by the CP viewed the Marshall Plan as a thinly-veiled attack on Soviet influence in Europe. When Wallace declared in 1946 that he was breaking with Truman's foreign policy toward the Soviet Union, the CP seized the event as an avenue for reentry into third-party politics. The Party shunted aside its disagreements with Wallace over social and economic issues and utilized its hard-won organizing skill to promote Wallace's pro-peace and coexistence stances. The CP saw the

[16] Lewy, 74-75; Howe and Coser, 440-455; David J. Saposs, *Communism in American Politics* (Washington, DC: Public Affairs Press, 1966), 123; James G. Ryan, *Earl Browder: The Failure of American Communism* (Tuscaloosa, Alabama, The University of Alabama Press, 1997), 246-249.

[17] Howe and Lewis, 440-442; Lewy, 75; Saposs, 123. Here again Starobin's interpretation differs from mainstream analysis. Starobin attributes the ouster of Browder primarily to internal CP politics. He claims that many party regulars were dissatisfied with Browder's accommodation of capitalism, particularly his anti-strike stance, and wished to return to the Party's revolutionary roots. They used the Duclos letter as an opening to replace him with a kindred spirit. Starobin, 83-102.

[18] Howe and Coser, 454-455.

Progressive Party as fertile grounds for recruiting new members. By the time of the July 1948 convention, the CP was essentially in control of the Progressive Party.[19]

The CP was realistic enough to realize that Wallace had no chance of winning the election of 1948. It hoped, instead, to wring pro-Soviet concessions on foreign policy from Truman – especially in regard to the Marshall Plan – and to build the foundation for a third party of progressive forces in the US to promote Soviet interests. After failing to convince Wallace to return to the fold, Truman responded by emphasizing his strong anti-Soviet policy and by denouncing Communist infiltration in the Progressive Party. Truman's attacks on Wallace initially proved ineffective, and Wallace gained support for his moderate position on American-Soviet relations. The election of Progressive Party candidate Leo Isacson by a margin of nearly two to one in a closely-watched special congressional race in New York City alarmed the Truman camp. There were optimistic predictions of a ten million vote total for Wallace. The hard-line Communist takeover of Czechoslovakia and alleged suicide of Foreign Minister Jan Masaryk, a leading Czech proponent of democracy, gave Truman the issue he needed to turn aside the Wallace challenge. Public reaction to events in Czechoslovakia was extremely negative. Wallace dismissed the coup as an understandable Russian response to US containment policy. Truman responded by calling on Congress to authorize the Marshall Plan and by defending the need to counter Soviet aggression. He warned liberals and leftist that peace required more than wishful thinking, and said he did not want the support of Wallace and his Communist friends.[20]

Wallace's positions on foreign policy issues and the accusations that the Progressive Party was controlled by Communists diminished his popularity. Wallace's comment that the Berlin airlift was pointless since the US had already surrendered military control of Berlin to the Russians, coupled with the Progressive Party's unwillingness to condemn aggressive actions of the Soviet Union, turned many of Wallace's supports away. The failure of the Progressive Party to include the so-called "Vermont Resolution" in its platform was particularly harmful to the Wallace campaign. The Resolution simply stated the position that the Progressive Party did not give its blanket support to the foreign policy of any nation. (The CP's successful blocking of this plank was to pay negative dividends in its relations with labor.) In the end, Wallace garnered only a little more than a million votes. The Progressive Party failed to have an impact on US foreign policy and proved to be an inauspicious beginning to the CP's third-party strategy. Rather than being the start of a new progressive political movement that the CP could exploit, the Progressive Party faded into obscurity by the beginning of the next decade. Through its slavish commitment to the Soviet line, the CP traded its influence in the Democratic Party for a failed third-party. Ironically, the CP's support of Wallace can be argued to have strengthened support for the Cold War policies of Truman. Freed from having to coddle Wallace and his supporters, Truman was able parlay his strong anti-Soviet stance into a second term.[21]

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[19] Howe and Coser, 460-475; Saposs, 124-125; David Shannon, *The Decline of American Communism: A History of the Communist Party of the United State since 1945* (NY: Harcourt, Brace and Company, 1959), 164; Saposs, 180.
[20] Howe and Coser, 469; Robert A. Devine, "The Cold War and the Election of 1948" *The Journal of American History* 59:1 (June 1972), 93-98; Harvard Sitkoff, "Harry Truman and the Election of 1948: The Coming of Age of Civil Rights in American Politics," *The Journal of Southern History* 37:4 (November 1971), 608.
[21] Shannon, 173; Saposs, 178.

Perhaps the Party's greatest setback in the post-WWII era came in the labor movement. In 1946 the CP controlled approximately 40 percent of the membership base of CIO unions. Among important unions the CP held in its grip were the United Electrical, Radio, and Machine Workers, the American Communications Association, and the United Public Workers, which had made significant progress in organizing federal, state and municipal workers. The Party exercised strong influence in the Mine, Mill and Smelter Workers concentrated in the Rocky Mountains, and in the West Coast International Longshoremen and Warehousemen's Union. Given the intensity of labor activities in the last half of the 1940s, the CP should have been well situated to exploit its favorable position in the labor movement.[22]

The CP's problems began with the United Auto Workers (UAW). Communists in the UAW generated opposition during the war by their support of a no-strike policy and by their advocacy of incentive pay. Walter Reuther, leading a coalition of non-Communist leftists, challenged the leadership of R. J. Thomas, a Communist sympathizer. Reuther won the presidency of the union in 1946, and in 1947 he took control of the Executive Board. Reuther managed to wrest the UAW from the CP without employing the techniques of red-baiting. Reuther quickly gave notice to Communists and pro-Communists in national and local leadership positions that their services were no longer required. His credentials as an authentic radical allowed him to criticize the Party's influence in unions without being labeled as a dupe of the capitalists.[23]

Walter Reuther and UAW were only the beginning of Party's problems. Its widespread loss of influence in labor stemmed from two sources: its support of the Progressive Party and government action to eliminate Communist influence in unions. The Party's support of the Progressive Party substantially weakened its position in the labor movement. American unions not under the strict control of the CP, including many that were friendly to the Party, rejected the call for a third-party movement. In 1947, the International Longshoremen and Warehousemen's Union rejected third-party politics in favor of using labor's influence to reform the Democratic Party. These sentiments were expressed by the New York State CIO at its Labor Day meeting in the same year. At its national convention in Boston in October, the CIO declined to take issue with Truman's foreign policy. It issued a general statement supporting the rehabilitation of war-torn areas in Europe. In January 1948 the American Federation of Labor (AFL) Executive Council endorsed President William Green's public denunciation of Wallace's campaign. Green rejected the Progressive Party because it was dominated by Communists. The CIO followed suit. Both the Executive Board and the CIO-PAC declared that the introduction of a third party into the political arena was unwise. The Executive Board emphasized its position by strengthening its support of Truman's foreign policy; it revised the October 1947 policy statement to express explicit support for the Marshall Plan.[24]

The fight over Wallace's candidacy in the CIO was a bitter struggle. After a contentious vote in the Executive Board, CP-controlled unions declared their intention to exercise their rights and support Wallace. CIO president, Philip Murray responded with a virulent attack on the

[22] Howe and Coser, 457; Starobin, 108, 143-146; O'Brien, 185.
[23] Howe and Coser, 458-259; Saposs, 150; Starobin,168.
[24] O'Brien, 185; Starobin, 166-168; Saposs, 148-149.

Communists and took the unprecedented step of making the Board's vote public. Some CIO union leaders exercised their rights as autonomous entities and defied CIO policy. Others, directly under the supervision of the CIO national office, were not free to act independently. The leaderships of unions that supported Wallace were disciplined for defying official CIO policy. In extreme cases, the CIO set up parallel organizations to sanction dissident organizations. The regional director of Northern California was removed, and when recalcitrant area councils in Los Angles, New York State, and New York City refused to comply with CIO policy, parallel councils were established. Many prominent unions generally favorable to CP policies declined to support Wallace. These unions, including the United Packinghouse Workers, the United Rubber Workers, and the Marine and Shipbuilders Union, openly announced their support for Truman.[25]

AFL unions took similar anti-Wallace and anti-CP positions. Particularly harmful to the Party were the vitriolic anti-Wallace positions of the United Hatters, Cap and Millinery Workers and of the International Ladies Garment Workers Union. Both unions were socialist in orientation and had strong ties to the CP. In fact, because of its ties to the CP, other AFL unions looked to the Garment Workers leadership for guidance on dealing with the Party. The United Hatters and the Garment Workers denounced Wallace's candidacy as promoting the interests of the Party and Moscow over American and European interests, and they decried CP influence in the Progressive Party.[26]

CP backing of Wallace led to the ouster of many Communists in union leadership positions. In extreme cases, it led to the expulsion or reorganization of CP-dominated unions. This process began shortly after Truman's election in 1948. At the November convention in Portland, Oregon, CIO President Murray made an issue of support for the organization's position on the Marshall Plan. Smaller, strongly Communist unions fought Murray and introduced a resolution congenial to Soviet interests. Many of the influential leftist unions did not side with the Communist position, however. The United Electrical Workers, prominent in support of the Progressive Party, endorsed the Marshall Plan. The International Ladies Garment Workers not only endorsed the Marshall Plan, it voted to revoke the charter of the CP-controlled New York City CIO Council. CIO leadership continued its crusade at the November 1949 convention in Cleveland. By a large majority, delegates amended the CIO constitution to exclude Communists and Communist sympathizers from national office. It expelled the United Electrical Workers and empowered a two-third's majority of the Executive Board to discipline or expell any union committed to achieving CP goals.[27]

External as well as internal politics played a role in organized labor's attack on the CP. Some of the CIO animus toward CP-dominated unions can be attributed to a fear of guilt by association. A number of influential CIO officials opposed Communist ideology and perceived the movement's association with the Party as potentially harmful. These officials believed that stances taken by CP-dominated unions on issues such as the Marshall Plan, the Greek civil war,

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[25] Saposs; 149-151.
[26] Saposs, 151-53.
[27] Shannon, 215-216; O'Brien, 186-187; Howe and Coser, 467; Ryan, 266.

and the Berlin airlift would paint the CIO with a pink brush of association. Hence, they were anxious to distance the CIO from unpopular CP positions.[28]

Government action during this period compounded CP union problems. Section 9h of the Taft-Hartley Act of 1947 required all local and national union officials to sign an affidavit certifying that they were not members of the Party or affiliated with the Party or any organization that advocated the overthrow of the US government through non-constitutional means. Failure to execute the affidavits rendered unions ineligible for the services of the National Labor Relations Board. At first nearly all unions resisted the affidavit requirement. The practice of membership raiding, however, made the Board's services a necessity for most unions. If a union's officials did not submit the affidavits, the union could not request a jurisdictional hearing in the event another union was attempting to organize its membership at a worksite. Powerful unions such as the United Mine Workers could ignore the requirement, but not so weaker unions. By the end of the decade most unions complied with the 9h requirements. CP-controlled unions that did not comply were subject to unbridled raiding. The affected unions lost members or faded out of existence. In the unions that survived, the Party's stance on the affidavit requirement alienated union leaderships.[29]

By 1950 the CIO had expelled nine CP-controlled unions and the Party's influence in the American labor movement was in an inexorable downward spiral. At the end of WWII, the CP dominated unions with a combined membership in excess of two million. By the mid-1950s, when the full effects of its policies with regard to federal law and support of the Progressive Party had registered, membership was reduced to less than 200,000. The CP's inability to free itself from strict adherence to the Soviet line cost it the leadership of a large segment of the organized working class – a group that should have provided its natural constituency.[30]

Several events during the years immediately following WWII caused the American public and political leadership to begin questioning the possibility of peace with the Soviet Union. In February 1946 Stalin described WWII as part of a continuing struggle between capitalism and Communism that would eventually lead to the West's downfall. Stalin backed his words with action. In 1947, the Soviet Union ignored its pledge to conduct free election and installed Communist dictatorships in virtually all of Eastern Europe. In February 1948, a coup was engineered in Czechoslovakia that replaced the coalition government with a Communist regime. Strong showing by Communist parties in France and Italy alarmed the American public. In 1948, the Soviets began the Berlin blockade. The next year did nothing to assuage American fears. In September 1949 the Soviet Union exploded an atomic bomb and China "fell" to the Communists in October. During this same period, revelations of Soviet espionage stunned Americans. In 1946 the Canadian government arrested twenty-two individuals for passing secrets to the Soviets, and the British governments convicted Alan May for providing information to the Soviet Union about the atom bomb. In 1948 Americans witnessed the conviction of Alger Hiss for perjury in a spy case that gripped the nation's attention. Klaus Fuchs, a former physicist on

[28] O'Brien, 204-205; Shannon, 215-216; Starobin, 201-202.
[29] O'Brien,188-190; Howe and Coser, 466-468.
[30] Howe and Coser, 468-469; Shannon, 217-218; Penina Migdal Glazer, "From the Old Left to the New: Radical Criticism in the 1940s," *American Quarterly* 24:5 (December 1972): 588.

the Manhattan Project confessed in February 1950 to being a spy for the Soviet Union since the early 1940s. In July 1948, Julius Rosenberg was arrested for conspiracy to commit espionage. To further curdle the milk, North Korea invaded South Korea in June 1950.[31]

Thus, by 1948 it was apparent, even to many of its ardent supporters, that the Soviet Union shared responsibility for Cold War tensions. This was not a perspective shared by the Party. Instead of taking a balanced position on the Cold War and criticizing both US and Soviet actions, the CP responded by characterizing Soviet actions as a defensive reaction to Western aggression. The Party embarked on a peace campaign intended to alter US policy in a way that favored Soviet interests. The United States was portrayed as a war-mongering, imperialist state pushing the world to the brink of nuclear war. Capitalism was identified as the root cause of US actions. The Korean War, for example, was portrayed as a Wall Street backed plot to enslave all East Asia and bring down the Communist governments in China and the Soviet Union. The Party used its media outlets to wage the peace campaign. *In Fact,* a weekly journal dedicated to revealing anti-Soviet bias in the American press and with a subscription of 176,000 in 1947, published articles in 1949 heralding economic progress in Eastern Europe and condemning the Atlantic Pact. *In Fact* claimed that Soviet economic policies were leading to an integrated European economy that would end the threat of war. It contrasted them to the Marshall Plan which was inflaming tension. It depicted the Atlantic Pact as a renewed attack on the Soviet Union that was intended to encircle it with fascist governments. The Atlantic Pact was soon to be followed by a Pacific pact that would complete the isolation of the Soviet Union. A later article claimed that the Atlantic Pact was a ploy to rearm Germany in preparation for the next world war. *In Fact* asserted that 8,000,000 American jobs would be lost because of US Cold War policies, and it stated that the Marshall Plan started the Cold War by creating two separate worlds. It further claimed that the Eastern European Soviet Block countries were recovering faster than those of the West.[32]

The Party's magazine for intellectuals, *Masses and Mainstream,* took the same approach. An article in the May 1948 issue claimed that the US was preparing the German Army for use in the next world war, that the Marshall Plan was the keystone of a plan to crush socialism, and that the Soviet zone in Eastern Europe was undergoing a democratic revolution resulting in demilitarization. An article in a September issue explained that the Communist Party supported the Progressive Party because it represented the interests of the American People, promoted class consciousness, and sought to avoid another fascist war.[33]

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[31] Lewy, 76-78; Starobin, 191-192; Shannon, 203, 206, 218, 225.

[32] Starobin, 192; Shannon, 203-204; "Soviet Answer to Marshall Plan is Integrated Economy, Treaties to End New Wars, Trade Rivalries," *In Fact* 18:16 (1948): 1; "Atlantic Pact," *In Fact* 19:3 (1949): 1; "Cold War Freezes Cost West Trade: Over 8,000,000 US Jobs to Be Lost," *In Fact* 19:18 (1949): 1-3. A good example of the convoluted political interpretations that emerged in the early Cold War is provided by a 1951 article in a liberal Anti-Communist journal. It claimed that Communists were gaining ascendancy in Japan and that Japan's rearmament could lead to its cooperation with the Soviets and the Chinese Communists in establishing Communist hegemony over all of Asia. A map illustrated potential Communist control in an arc from India to Japan. Richard L-G Deverall, "Are We Rebuilding Tojo's Red Army," *The New Leader* 34:3 (January 1951), 4.

[33] Gerhart Eister, "Whose Germany?" *Masses and Mainstream* 1:3 (May 1948): 50-57; Adam Lopes, "The Challenge of the New Party," *Masses and Mainstream* 1:7 (September 1948): 31.

World events and the CP's reaction to them severely damaged the Party's standing with the American public. From mid-1946 to early 1948 the percent of American people who believed that CP members were loyal to the Soviet Union rather than the US increased from 48 to 65 percent and over 60 percent felt the CP should be outlawed. By the start of the 1950s, two assumptions were firmly rooted in the American psyche: the CP was a real and immediate threat to US security and the way to meet this threat was to suppress the Party. The Party's lockstep parroting of the Soviet line aborted the burgeoning acceptability it gained during WWII.[34]

Throughout the late 1940s the federal government was increasingly concerned with the threat posed by the CP. In February 1946, the Federal Bureau of Investigation (FBI) began tracking CP members and sympathizers and, with the tacit approval of the Justice Department, developed a detention plan to round up and incarcerate them in the event of a national emergency. On July 20, 1948 the Justice Department secured an indictment from a New York City Grand Jury of twelve members of the CP's National Board. They were indicted under Title I of the Alien Registration Act. The defendants, including CP President Foster, were charged with conspiring to teach the doctrine of overthrowing the government. One proof of the conspiracy was the dissolution of the Communist Political Association and resurrection of the Communist Party of the United States. (Foster's case was severed due to his failing health; he was never brought to trial on these charges.) The trial began in January 1949 and ended in October with a guilty conviction. All eleven defendants were fined $10,000 and ten were sentenced to five years in prison. The sentence of one, Robert Thompson, was reduced to three years based on his war record. The convictions were upheld on appeal in 1950 and confirmed by the Supreme Court in 1951. The Supreme Court upheld the Smith Act in its decision. The government took action on other fronts as well. In 1947 President Truman, in part to short-circuit a right-wing push for repressive legislation, issued Executive Order 65, creating the government loyalty program. The same year the Justice Department began deporting alien Communists.[35]

In an all too familiar pattern, the CP's response to the trial had the effect of alienating potential support. Instead of focusing on the civil liberties implications of their prosecution and attracting the support of liberal elements, the Party attempted to put the US government on trial. An attack on the American government rather than freedom of speech under the First Amendment formed the basis of the Party's defense. The defense team's disruptive courtroom antics alienated potential support, and the Party had a difficult time raising defense funds. The Civil Rights Congress, a front group established to raise money, collected only $74,000 of its $250,000 goal. The Party squandered the opportunity to rally broad support around the principle of freedom of expression. The twelve men were not charged with advocating the overthrow of the government but with conspiring to teach a doctrine that called for its necessity, a distinction that could have elicited the support of some elements of the intellectual community. Instead of gaining sympathy, the defendants' strategy generated apathy at best and condemnation and suspicion at worst.[36]

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[34] Lewy, 78-79; Migdal, 589; Robert Griffith, "The Political Context of McCarthyism," *Review of Politics* 33:1, 33.
[35] Athan Theoharis, "The Truman Administration and the Decline of Civil Liberties: The FBI's Success in Securing Authorization for a Preventive Detention Program," *The Journal of American History* 64:4 (March 1978): 1016; Shannon, 196-200; Starobin, 196; Lewy, 80.
[36] Shannon, 198-199; Starobin, 196.

The CP responded to the Smith Act trials of its leadership – especially the revelation that it was infiltrated by FBI agents - and other government repressive actions in two fundamental ways: part of its remaining leadership went underground and, most important, it turned on itself. Early in 1949 the CP stopped maintaining centralized lists of it members and it stopped issues membership cards. The basic building block of the Party structure, the club, was trimmed from a membership of twenty-five to no more than five. Written documents were destroyed and the creation of new records was held to a minimum. The reduction in club size had a demoralizing effect on party stalwarts; they might have been less of a security risk, but at time the Party faithful needed intellectual and psychological support to withstand government repression and public opprobrium, they were isolated from kindred spirits. To ensure commitment and ideological purity, the CP purged hundreds of members. Thousands of other members used the Party's internal security program as an excuse to free themselves from their allegiance to an unpopular cause. In a strange episode in the CP's history, many individuals were forced out as the result of a "white chauvinist" campaign in which Party faithful who demonstrated insufficient sensitivity and commitment to blacks were expelled.[37]

The Party sent scores of its leadership into an underground existence. These individuals changed locations and identities to thwart FBI infiltration and to lay the foundation for a clandestine organization should the Party be outlawed. This underground cadre led a difficult life; they were cut off from the sustenance of Party fellowship and isolated from the masses they were supposed to be organizing. This maneuver also served to give credence to charges of conspiracy against the Party. The CP acted like the organization it accusers claimed it was.[38]

As with its post-WWII foray into third-party politics, its battles with the CIO and AFL leaderships, and its unqualified support of Soviet Cold War policies, the Party's internal response to prosecution and persecution weakened its position in American society. The CP lost thousands of members, either through expulsion or voluntary exit, and alienated sympathizers by acting the role the government and public had assigned to it. Like the accused, who by his or her furtive actions, nervously plays the part of a guilty person, the Party's practices gave substance to the charge it was a clandestine organization committed to the interests of an enemy of the United States.

Conclusion

The Party squandered the legitimacy it earned during WWII by its misguided devotion to a regime that it should have seen as standing in sharp contrast to its ideals, regardless of CP's criticisms of the United States. The Party sacrificed the inroads it made into the Democratic Party by supporting the Wallace campaign. To compound its error, the CP manipulated the Progressive Party into taking a stance on Soviet Cold War aggression that precluded any chance Wallace had of making a strong showing in the 1948 election. The opportunity to persuade the American public that it takes two to make a fight and that a thoughtful approach to Soviet aggression might diminish tensions, was forfeited in a blind rationalization of any and every

[37] Starobin, 197-198; Shannon, 228-230; Ryan, 266
[38] Shannon, 230-232; Ryan, 266.

Soviet action, despite the obvious aggressive intent of many of them. The Party alienated its friends in the intellectual community and the liberal media, isolating itself from support that might have served as an ally in the fight against suppression in the McCarthy era of the early 1950s.

The Party likewise dissipated its influence in the labor movement, a movement it had done much to create and bring in to the center of political power in the United States. The CP estranged the group that should have been the wellspring of its existence. The Party's ideology was based on promoting the interests of the working class. Unions, composed of the proletariat, should have provided the muscle that the Party, as its vanguard, employed to wedge open American politics to workers' interests. Instead, the Party forced the CIO and, to a lesser extent, the AFL to choose between the CP's myopic devotion to Soviet policy and their organizational wellbeing and the loyalty of the membership to the US.

In the crowning act of self-destruction, the CP turned on itself. At a time when the Party needed all the support it could muster, it drove off its own members as well as sympathizers. The Party's action gave substance to the charges against it. Supporting the Party came to be seen not as supporting fundamental constitutional guarantees, but as aiding an instrument of a foreign government bent on destroying those very guarantees. A pre-planned funeral for the Communist Party, USA as it entered its death throes in 1950s might have well included the following epitaph, "In seeking the seeds of your demise, look no further than the closest mirror."

Up Against the Wall: Transition of the Students for a Democratic Society from Youth Protest Movement to Violence

Autumn Lawson

The end of World War II changed the face of the world and American society in very profound ways. The United States grew from an isolationist country, economically downtrodden by the Great Depression, into a Superpower with far reaching political, military and economic means. Following the war, the United States enjoyed a period of growing affluence as the world began to rebuild itself from an earlier decade of devastating military conflict. Fear of communism weighed heavily on the cultural mind, often leading to the oppression of ideas and limits on freedom of speech. Soviet-style Communism also rose in stature in the world following World War II. The United States and Western Europe fought a war of ideas primarily through political means, which created armed conflict in isolated cases. Globally, the United States fought the Communist threat in limited military conflicts that often resulted in a high number of American military deaths and apprehension among the American public as to their necessity. The children of the World War II generation did not share the blind loyalty and faith in government of their parents. This led to student movements in the 1960s that challenged the conformity of the previous generation. It spilled into several arenas of thought that included the Civil Rights Movement to end racial injustice, anti-government speech and resistance to military involvement around the world. The Students for a Democratic Society (SDS) was one of the largest youth organizations to arise out of the New Left Movement. Starting out as a simple protest organization, the SDS quickly developed into a militant group that found itself in trouble with not only various university administrations but also with the law.

SDS grew out of the New Left Movement, whose origins began in the early 1900s with the Russian Revolution as the Old Left Movement. The Socialist Party had been well ingrained in American society prior to the Russian Revolution of 1917. Although once the Bolsheviks arose as the victor, the Communist Party formed out of the far left wing of the Socialist Party in 1919.[1] Headquartered at Union Square in New York, the American Communist Party found life among American politics a rather difficult existence. Operating with sympathy and direction from the Soviet Union, the American Communist Party members were consistently harassed by the federal government as the threat of Communist take over became more of a focus.[2]

The Great Depression increased membership within the American Communist Party as many Americans grew disenchanted with the federal government's inability to ease their suffering. Labor unions, young student radicals, professors, artists, writers and professionals all became active members with the Party.[3]

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[1] Irwin Unger, *The Movement: A History of the American New Left, 1959-1972* (New York: Dodd, Mead & Co., 1974), 1-2.
[2] Ibid., 2.
[3] Ibid,. 6.

That all changed with the end of World War II in 1945. No longer was Joseph Stalin, the authoritarian brutal dictator of the Soviet Union, considered "Uncle Joe." As Stalin's crimes of genocide against his own people became public knowledge, the American Communist Movement was viewed with great suspicion in the West, particularly in the United States. Members of the American Communist Party came under ever increasing scrutiny and oppression by the government.[4]

Leading the government action was Senator Joe McCarthy of Wisconsin and the House Un-American Activities Committee where anyone accused of being a Communist or having Communist sympathies was persecuted. Intellectuals and artists who had once been supporters of Communism were forced to change their beliefs with the threat of prison time or being ostracized from society solely for their past support of the Communist Party. The intellectuals of the Old Left commenced changing their viewpoints on Communism and American foreign policy and began to agree with the federal government's decisions. Leftist intellectuals started lending their full support to the platform of the Democratic Party, which went largely unchallenged until conflicts in Indochina overheated into war, sparking a break in the Leftist Movement and the rise of the "New Left."[5]

C. Wright Mills, a leading sociologist during the 1950s and 1960s, had been a member of the Leftist Movement, now often termed as the "Old Left," wrote for such influential intellectual journals as the *Partisan Review, Politics*, and *Dissent*.[6] Mills worked and wrote among other influential Leftist New York Intellectuals such as Myer Schapiro, Irving Howe, and Irving Kristol. In his essay "Letter to the Left," he defined the differences between the "Right" and the "Left." "The *Right*, among other things, means what you are doing: celebrating society as it is, a [growing] concern. *Left* means . . . structural criticism and reportage and theories of society, which at some point or another are focused politically as demands and programs."[7] Mills's essay inspired many involved in the New Left Movement to take action against what they saw as problems in American society. However, Mills started to drift from the opinions of his fellow intellectuals on the issue of the Soviet Union and Communism. After a trip to the Soviet Union in 1957, Mills started to develop a sympathetic tone toward the Soviets and Communism which began showing up in his writings.[8]

It was also during this time that Mills had secured ties with the radical New Left that was arising during the late 1950s and 1960s. Mills had become a mentor to the movement, and his increasing sympathy toward Communism brought him into conflict with his fellow Old Left colleagues.[9] Mills was increasingly discouraged that his fellow intellectuals, who had once spoken out against consumerism and industrialism, were now celebrating conformity and affluence.[10] Mills saw the future of radicalism and Leftist intellectualism in young student

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[4] Richard H. Pells. *The Liberal Mind in a Conservative Age: American Intellectuals in the 1940s and 1950s*, 2d ed. (Connecticut: Wesleyan University Press, 1989), 34-35.
[5] Ibid., 55-57.
[6] Maurice Isserman, *If I Had A Hammer . . .: The Death of the Old Left and the Birth of the New Left* (New York: Basic Books, Inc., Publishers, 1987), 85.
[7] C. Wright Mills, "Letter to the New Left," *New Left Review* 14 (September/October 1960): 20.
[8] Isserman, 85.
[9] Ibid., 116-117.
[10] Unger, 21.

radicals. In his "Letter to the New Left," Mills pointed to the work of students and youth organizations in the Soviet Union who were leading the protest movements showing their discontent with the Soviet governmental system. Mills called on the members of the New Left to ". . . study these new generations of intellectuals around the world as real live agencies of historic change. Forget Victorian Marxism, except when you need it; and read Lenin again (be careful) – Rosa Luxemburg, too."[11]

By calling on members of the New Left to read works other than that of Marx, he was hoping that students would adhere to the more radical influences of socialist thought. Mills wanted to see students in the United States become the leaders pushing for radical change in American society. It was the words of Mills in his "Letter to the New Left" that inspired many young Americans to seek out membership in radical students movements and also be what would create a divide among the SDS in the later years of the organization.[12]

The SDS had previously existed as the Student League for Industrial Democracy (SLID), which was formed by the Intercollegiate Socialist Society in the early 1930s.[13] SLID was the first youth movement to organize students to participate in protesting political, military and social issues of the day. In 1934, SLID gained national attention when they organized a Student Anti-War Week along with the Communist National Student League (NSL), in which 25,000 students went on an hour long strike, refusing to attend classes. Due to the success of their Student Anti-War Week, SLID and the NSL organized another anti-war strike in the spring of 1934. This mass student protest against the threat of war in Europe drew 185,000 participants, leading the two organizations to feel that unity would only strengthen their cause.[14]

The two organizations merged in 1935 and changed their name to the American Student Union (ASU) and adopted Communism as their main political philosophy. They aligned themselves with the American Communist Party. As the conflict in Europe began to heat up, the ASU support began to drift away from the Communist Party to the administration of President Franklin D. Roosevelt. The ASU widely supported the New Deal programs instituted by Roosevelt, furthering their divide with the American Communist Party. When it was announced that Stalin had made a non-aggression pact with Germany's Adolf Hitler in 1939, the ASU became disillusioned with the Communists for aligning with the German Nazis. The non-aggression pact proved to be the straw that broke the camel's back and the ASU withdrew from the American Communist Party in 1939 and disbanded.[15]

It was not until the end of the Second World War that a national student organization reappeared. SLID was revived in 1945 at a conference for the anti-Communist League for Industrial Democracy (LID). Membership in the restored SLID demanded that no participant give his or her support to any perceived authoritarian regime or leader of any government other than the United States. SLID operated successfully under these guidelines, opening chapters on nine college campuses across the United States. At a conference for SLID in June of 1959, the organization changed their name to the Students for a Democratic Society (SDS) and continued

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[11] Mills, 23.
[12] Alan Adelson, *SDS* (New York: Charles Scribner's Sons, 1972), 205-206.
[13] Martha W. Carithers, "A Social Movement Career: National SDS" (Ph.D. diss., University of Kansas, 1982), 39.
[14] Ibid, 39.
[15] Ibid, 40.

their pledge of supporting the federal government of the United States.[16]

Tom Hayden, an SDS field representative at the time, suggested that the SDS meet to better organize if the SDS ever hoped to become a national movement. The SDS held a meeting between June 11-15, 1962 in Port Huron, Michigan to decide the fate of the organization, whose goals and membership had been waning in the years since its rebirth in June of 1959.[17] Hayden found that in 1962, "SDS was still mainly an idea nurtured in the minds of a few dozen activists."[18] Hayden had been actively involved in the Student Nonviolent Coordinating Committee (SNCC) and while jailed in Albany, New York for his involvement in a civil rights protest, conceived of the initiatives that he wanted SDS to consider at the Port Huron meeting. Hayden wanted members to focus on the "direction" SDS needed to take, the amount of involvement that each member was willing to commit to, and to what extent was each person "personally prepared to contribute."[19]

Approximately forty students attended the meeting in Port Huron.[20] While there was interest on the part of the participants to create a national organization, little progress was made. Hayden, with fellow active member Al Haber, set out to write what came to be the call to arms of the SDS and elevated them into national status.[21] Hayden and Haber wanted to express their desire to "awaken" the current generation of youth that would be potential members of the SDS. Haden and Haber set out to write the initial draft of what they called their "manifesto of hope."[22]

In a short time, Hayden and Haber produced the sixty-one page manuscript that came to be known as the *Port Huron Statement*.[23] This document expressed the concern that the members of the SDS were feeling about the world around them, opening with the statement: "We are people of this generation, bred in at least modest comfort, housed now in universities, looking uncomfortably to the world we inherit."[24] Three main issues were outlined; discontent over the nuclear arms race, constant fear of impending doom in the United States unleashed at the hands of the evil Soviet Union, and denial of equal rights and freedoms to African-Americans in a country that was founded on the notion that "all men are created equal."[25]

Hayden, Haber, and other members of the SDS believed that the United States had become sidetracked in their competition with the Soviet Union. They were concerned over the United States developing weapons and technology that only served to end human life rather than aid human suffering. While the middle and upper classes of the United States were celebrating in the affluence of the post-war period, many Americans were starving. "We witnessed, and continue to witness, other paradoxes. With nuclear energy whole cities can easily be powered,

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[16] Ibid., 40-41.
[17] Wini Breines, *Community Organization in the New Left: 1962-1968: The Great Refusal?* (New York: Praeger Publishers, 1982), 11.
[18] Tom Hayden, *Reunion: A Memoir* (New York: Random House, 1988), 73.
[19] Ibid., 73-74.
[20] Breines, 11.
[21] Adelson, 206.
[22] Hayden, 74.
[23] Adelson, 206.
[24] "Port Huron Statement," available from http://www.studentsforademocraticsociety.org/documents/port_huron.html, accessed 26 February 2006.
[25] Ibid.

yet the dominant nation-states seem more likely to unleash destruction greater than that incurred in all wars of human history."[26]

Issues of hypocrisies that the members of the SDS found in American democracy were also addressed in the *Port Huron Statement.* Finding that the ideals of American democracy were being challenged across the globe in independence movements in former Western European colonies, the emergence of totalitarian states in the place of colonial governments, and rising military conflicts in other countries were just a few of the examples. They found that democracy was challenged internally as well with the denial of rights to African-Americans.[27]

After identifying the wrongs they saw, Hayden and Haber began to outline what became the manifesto of the SDS. The SDS denied the conception that human beings can be controlled and operated as a machine. Raging against the doctrines of conformity and consumerism of the 1950s, the *Port Huron Statement* affirms that "[t]he goal of man and society should be human independence: a concern not with image of popularity but with finding a meaning in life that is personally authentic . . ."[28] Hayden and Haber believed that through social change, democracy would work better and would work for all the people of the United States.[29]

The *Port Huron Statement* ended with a call to university students to use their power as the means in which to enact change. Hayden and Haber used the examples of student activism that found re-birth at the end of the oppressive McCarthy era. Students across the United States had revived their civil disobedient fervor in the late 1950s and 1960s, protesting against racial discrimination, war, and impediments on individual rights that are guaranteed in a democratic society. The SDS found power among university students because whether they succeeded or failed they continued to protest against violations that they felt were occurring in the United States. Hayden and Haber celebrated this fact in the *Port Huron Statement* when they stated that, "[t]he significance . . . [was] in the fact that students [were] breaking the crust of apathy and overcoming the inner alienation that remain[ed] the defining characteristics of American college life."[30]

For Hayden and Haber university campuses across the United States provided the perfect training ground for youth activism because they believed that campuses were the grounds of intellectualism and provided youth with a more comfortable setting in which to express their views.[31] Hayden and Haber hoped that the *Port Huron Statement* would not only provoke those activist minded students, but also stir up activist sentiment among some of the less enlightened college-age youth.[32] The SDS found that average Americans had withdrawn themselves from issues of public life, no longer concerned with the major decisions and events of the day. Disillusioned and disheartened by the American apathy, the SDS believed that it was the students protesting and voicing their concerns that could lead and awaken American society.[33] The SDS

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[26] Ibid.
[27] Ibid.
[28] Ibid.
[29] Ibid.
[30] Ibid.
[31] Ibid.
[32] Rebecca E. Klatch, *A Generation Divided: The New Left, The New Right, and the 1960s* (Berkley: University of California Press, 1999), 27.
[33] "Port Huron Statement."

hoped to convert university protest from radical youthful rantings into a forum for enacting democratic change. Hayden and Haber recognized that: "[The University's] educational function makes it indispensable and automatically makes it a crucial institution in the formation of social attitudes."[34]

The *Port Huron Statement* was not only a manifesto for a stronger SDS, but also represented the youth organization's desire to make a final split with the Old Left. The tensions between the Old Left and the New Left had been boiling for some time and the *Port Huron Statement* served as the final split between the two.[35] Hayden and Haber charge in the *Port Huron Statement* that ". . . the dreams of the older left were perverted by Stalinism and never recreated . . ."[36] By attacking the failures and inconsistencies that the SDS believed the Old Left was plagued by, the younger generation of the New Left hoped to have better luck on reforming the evils they saw within American society.[37]

Propelling the SDS into a national movement, the *Port Huron Statement* became a manifesto for student radicalism on all the major college campuses. Selling over one hundred thousand copies of the manifesto, national membership in the SDS soared.[38] Years later in his autobiography, Hayden expressed that he ". . . still [did not] know where this messianic sense, this belief in being right, this confidence that we could speak for a generation came from."[39] He also remarked that during this time period in American history, it was believed that if one loudly and publicly expressed one's views against society, that one would get a personal meeting with President John F. Kennedy.[40] Although no meeting occurred, the SDS was successful in expanding their movement across the nation within a relatively short time, becoming a contentious movement that consistently challenged and disrupted life on many of the American college campuses.

The SDS scheduled another convention for June 1963 to be held in Pine Hill, New York. With the *Port Huron Statement* drawing attention and membership to the SDS, the purpose of the 1963 Convention was to establish SDS programs. Before the convention Hayden circulated an essay titled "Outline of the Draft of the SDS Convention Document," in which he expressed that the *Port Huron Statement* only gave the SDS a broad reason for being. Hayden felt that what was then needed was a strategy for how the SDS would operate.[41]

Hayden also summarized what he saw as three fundamental areas where the SDS needed to get involved to enact change. The first area regarded the economy. Hayden was disillusioned with the level of unemployment in the United States during the 1960s, as well as the high rates of poverty. In the wake of the Bay of Pigs failure and American involvement in Vietnam, Hayden was angered by the United States's involvement in conflicts in the Third World, outlining this as the second problem facing American society in the early 1960s. Lastly, Hayden found that the

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[34] Ibid.
[35] Klatch, 28.
[36] "Port Huron Statement."
[37] Klatch, 28.
[38] Adelson, 206.
[39] Hayden, 74.
[40] Hayden, 74.
[41] Carithers, 99-100.

third problem was with the "emerging corporate establishment." [42]

Hayden also drew on his continual argument for the need for civil rights to be granted to African-Americans. He expressed the need for African-Americans to have political representation to help aid their cause.[43] Hayden, along with many SDS members, was enraged by the constant violent response by white Southerners to the Civil Rights Movement and the ignorance of American lawmakers to the overtly illegal actions of white Southerners in their oppressive tactics. Anger was also directed at the slow response of the federal government to giving African-Americans the rights as citizens of a free democracy.[44]

The 1963 Convention got underway on June 14 in Pine Hill. During the convention, Hayden stepped down as the President of SDS and Todd Gitlin, the leader of the Harvard chapter of the SDS, was chosen to take his place.[45] Gitlin had been inspired by the *Port Huron Statement*. Gitlin found that SDS members ". . . lived as if life mattered profoundly, . . . as if you could actually take life in your hands and live it deliberately, as if it were an artwork. They seemed to live as if life were all of a peace, love and commitment indivisible."[46] Gitlin became consumed with the ideals and initiatives of the SDS, which from the 1963 Convention became the pursuit of peace, civil rights and university reform movements. Coming into the 1963 Convention, Gitlin saw himself as inexperienced and inept, leaving with a sense of fulfillment having now become part of the "inner circle."[47]

The early to mid-1960s saw the SDS rise in national conciseness. Holding anti-war demonstrations across many of the nation's college campuses, the SDS rose in intellectual prominence. Espousing the ideas of C. Wright Mills, Albert Camus and Paul Goodman, the SDS set forth what came to be the main ideas of the New Left Movement in the 1960s. SDS protesters began addressing issues of power over the powerless, mainly in the context of civil rights and those living in poverty.[48] Encouraged by President Johnson's War on Poverty, SDS members began entering the urban ghettoes to organize the poor. Reaching out to both whites and African-Americans living in poverty, the SDS created the Economic Research and Action Project (ERAP) in 1963.[49]

SDS members found that the United States, and the world as a whole, was not interested in domestic issues in 1963 (or in many of the years after). Instead the world was focused on the war in Vietnam. Affluence was still celebrated and the divide between the haves and have nots continued to grow, culminating in what Hayden called a "missed opportunity."[50] Hayden believed that "[h]ad the nation been able to focus on its internal agenda, students might have triumphed as catalysts to channel the frustrations of poverty into constructive reform."[51] A fire was ignited across college campuses as many students were enraged at not only the escalation of

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[42] Ibid., 100.
[43] Ibid., 100.
[44] Breines, 11.
[45] Carithers, 101.
[46] Todd Gitlin, *The Sixties: Years of Hope Days of Rage* (New York: Bantam Books, 1987), 106.
[47] Ibid., 106.
[48] Breines, 11.
[49] Hayden, 124-125.
[50] Ibid.
[51] Ibid.

the Vietnam War, but the preoccupation with foreign over domestic issues. Many members of the SDS adopted more militant protests. Vietnam electrified a nation and resulted in violent protests across college campuses in the United States during the 1960s.[52]

Hayden; however, along with many of the true believers in the cause of the SDS, continued on their mission of eradicating poverty and discrimination in the United States. Between 1965-1966, Hayden and the SDS began a door-to-door campaign to find individuals willing to join the cause. Hayden identified the main problems in the urban slums as the charging of high rents, the intrusion of rats and roaches, the lack of garbage collection, and the lack of street lighting for safety. Hayden hoped that through outlining the main problems of ghetto living, that many Americans would feel encouraged to join the SDS cause.[53] Unfortunately, Hayden and many who followed his beliefs could not compete with the more militant factions arising in the SDS ranks.

Nothing would exhibit more the militant discontent of many of the members of the SDS like the rebellion that occurred in late April 1968 on the campus of Columbia University. Radical SDS members searched for any issue of contention with the university administration. The main issue that caused an eventual violent upheaval on the campus was over the university's acceptance of research contracts for the Department of Defense to support the war effort, a war that angered the majority of students on campus.[54] The Columbia SDS began calling for a take-over of universities across the country, sending alarms to the Columbia University administration. On April 22, 1968, a student and member of the Columbia SDS named Mark Rudd, wrote a letter to the university President Grayson Kirk, which was later published in the university newspaper, the *Columbia Daily Spectator*.[55]

Rudd was angered by a statement that Kirk made in a speech delivered in Charlottesville, Virginia on April 12, 1968. Kirk had stated that America's youth had been engaging in "inchoate nihilism" and were bent on total destruction. Kirk also stated that he saw the generational gap had grown wider than it ever had been, posing a real danger as the youth were bent on destruction.[56] Rudd charged that the generational gap had not widen, that instead there existed a conflict between the elder generation who were in control and the younger generation who were bent on enacting change. Rudd detailed not only his disgust for Kirk, but also those of Kirk's generation, who Rudd found promoted American involvement in the Vietnam War, supported the drafting of college age youth to fight in the war, continued to institute discriminatory policies, while living in their lofty mansions while others in the United States lived in poverty.[57] The Columbia campus often catered to wealthy students, but was located in the poor and destitute section of Harlem known as Morningside Heights, which served as a constant reminder to the students of the widening gap between the rich and the poor.[58] Rudd

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[52] Ibid.
[53] Ibid., 143-144.
[54] Jerry L. Avron, et. al, *Up Against the Ivy Wall: A History of the Columbia Crisis* (New York: Antheneum, 1969), 23-24.
[55] Ibid., 24-27.
[56] Ibid., 25.
[57] Ibid., 25-26.
[58] "Siege on Morningside Heights," *Time Magazine*, 3 May 1968, 48.

ended his letter by stating: "You call for order and respect for authority; we call for justice, freedom and socialism. . . . It may sound nihilistic to you, since it is the opening shot in a war of liberation. I'll use the words of LeRoi Jones, whom I'm sure you don't like a whole lot: 'Up against the wall, motherfucker, this is a stick up.'"[59]

Kirk was not well liked by the radical members of Columbia's student body. Kirk was described by students as "... arbitrary, tyrannical, out of touch with the people of his domain. Not known by students, but disliked all the same."[60] Rudd's letter was not the first confrontation between him and Kirk either. Early in the month, Kirk organized a memorial service to honor the memory of Dr. Martin Luther King, Jr. on the Columbia campus. Many members of not only the Students for a Democratic Society but also student activists working for Civil Rights were in attendance. The students were particularly outraged by Kirk's presence at a service to honor King when the African American employees of the University were being paid considerably less than white employees of equal stature, combined with what the students felt of the University's "... expunge[ing of] non-whites from Morningside Heights."[61] The students also felt the University's support of weapons research for the Vietnam War was an antithesis to the memory of King. An outraged Rudd stood up in the middle of the services to speak out against the hypocrisies he felt the memorial service was representing. After making his speech, Rudd stormed out of the service taking many members of the student body with him.[62] The battle lines between Rudd and Kirk were firmly drawn and after the publication of Rudd's letter in the student newspaper it was only a matter of days before the campus erupted into a violent standoff between radical members of the student body and the University administration.

Rudd's statement of "Up Against the Wall" was used over and over during the rebellion that ensued the day after his letter reached Kirk on April 23, 1968. The members of the Columbia SDS organized a rally, held at noon on April 23. Meeting at the center of the campus, the students marched toward a construction site on campus where a new gym was under construction. The location and building of the new gym had been a disputed issue among the local residents due to the fact that is was being built in a public park in Harlem. Once the students reached the construction site, the rally began to turn violent as the students attempted to tear down a fence that blocked their ability to enter the gym. The local police force responded to the vandalism, arresting one African-American student who was participating in the rally. The remaining students marched on toward another building on campus, Hamilton Hall, which held the administrative offices. Dean Harry Coleman was taken hostage, with his release pending on the university consenting to the demands of the revolting students.[63]

The students issued a set of six demands to the university administration. Some of the demands involved the key issues highlighted in previous disputes between the Columbia SDS and the university administration. They wanted Columbia to end their contracts with the Department of Defense, be allowed to protest in any building and on any area of the campus that

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[59] Avron, 27.
[60] James Simon Kunen, *The Strawberry Statement -- Notes of a College Revolutionary* (New York: Random House, 1969), 15.
[61] Ibid, 14-15
[62] Ibid.
[63] Hayden, 273-274.

they wished, for the University to discontinue the building of a gym and, most importantly, they wanted all protesters involved in the current revolt to be absolved of any penalty for their actions.[64]

Under the leadership of Rudd, in the next eight days the Columbia SDS took over numerous buildings on the campus, including the Low Library which housed Kirk's office. Each building contained what Rudd called a "commune," in which the members of each occupied building formed as a sign of solidarity. While held up in these communes, the members inside would discuss their actions, the politics of the day, and what they would do next. Many felt as though they were exhibiting the actions of a "participatory democracy," what all members of the SDS had hoped to achieve for the nation.[65]

Hayden had been in New York at the time of the Columbia revolt, but was quickly notified of the SDS's actions. Hayden was emboldened by Rudd's actions and the rest of the Columbia SDS for acting upon the call from the *Port Huron Statement* for students to act as agents for the cause. At the same time; however, Hayden was angered by the fact that many of the students were questioning their actions, worrying more about whether or not they were hurting their academic career than with making the university administration consent to their demands. Hayden decided that he would drive to Columbia and aid the local chapter of the SDS in their rebellion.[66]

By the time that Hayden arrived on campus on April 30, Dean Coleman had been released by the students. The university administration began meeting to decide how to handle the ordeal. It was quickly decided that the university had no intention of relenting to the students's demands. That decision was subsequently relayed to the students. Hayden offered his help to Rudd and the other members of the Columbia SDS. Rudd allowed Hayden to join them, but reminded Hayden that he was in charge of the ongoing protest.[67] Hayden suspected the reaction from the students, but felt as though he could not pass up the opportunity to get involved, stating that he ". . . had spent enough time at Columbia to know that I couldn't walk away."[68]

Hayden quickly realized that he and Rudd were polar opposites. The divisions in the two leaders's approaches and philosophies represented the changes that were occurring in the SDS. Hayden represented the ambition and intellectual side of the SDS. Drawing on the examples from the Civil Rights Movement, Hayden envisioned a national organization that operated under the guises of non-violent protest in order to make their point to American society. Rudd on the other hand represented the militant revolutionary side of student activism which was taking hold of the SDS, alienating the founding members of the organization. Hayden notes that although he was only nine years older than Rudd they shared little in common, especially when it came to the methods the SDS should use.[69] Hayden points to: "While I had experienced the religious and

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[64] James Miller, *"Democracy is in the Streets:" From Port Huron to the Siege of Chicago* (New York: Simon and Schuster, 1987), 290.
[65] Ibid, 290-291.
[66] Hayden, 274.
[67] Ibid, 274-275.
[68] Ibid., 275.
[69] Ibid.

reformist South at his age, he had already visited revolutionary and socialist Cuba as part of an SDS contingent. While I had gone through an intense intellectual development in formulating *The Port Huron Statement*, he considered 'SDS intellectuals' impediments to action."[70]

The revolt remained relatively stable even under rumors that some of the African-American student protestors had weapons, which they planned to use when the police stormed the campus to break up the rebellion. That would change when the New York police force took over the campus in the early hours of the morning on April 30, using violence to suppress the protesting students. Dragged from the buildings they had occupied, the students were beaten, arrested and forced into "paddy wagons." Hayden walked out off the campus and into police custody of his own free will. As Hayden passed through the crowd he held up his hand, which he used his fingers to form a "V" for victory.[71] Students watching the actions of the police, which had the support of the university administration, followed Hayden's example and began holding up "V's" of their own. In total, seven hundred students were arrested for taking part in the Columbia rebellion. Many of those arrested suffered moderate to severe injuries at the hands of the police during their arrest. Strikes continued to ensue for another month across the Columbia campus in response to the demands that were voiced by the Columbia SDS.[72]

Many reporters, writers, and television crews were on hand for the brutal end to the Columbia rebellion. The nation watched as students were beaten and arrested.[73] An unnamed reporter for *Time* magazine found that much of the blame fell in the hands of Kirk, finding that his out-of-touch approach toward the student grievances led to the militant take-over of much of the Columbia campus. "Much of the blame falls on President Grayson Kirk," the author details, "whose aloof, often bumbling administration has proved unresponsive to grievances that have long been festering on campus."[74] Many supported the actions of the police, believing that the students had no right to lay siege to the Columbia campus and deserved the treatment they received at the hands of the police. On the other side of the spectrum, other Americans were outraged by the brutality of the police, finding that the students's rights had been grossly violated.[75]

Time magazine published an essay on May 3, 1968 in which the anonymous author stated that: "Seldom before have so many groups of students organized so militantly or seemed to try so hard to reorder their colleges, their countries or the world at large."[76] The author also detailed that many of the students involved in the SDS, and other protest youth organizations openly professed their belief in Marxism, finding that many are truly "naïve" as to what the socialist philosophy entails. The author also found that many of the students came from wealthy families who subscribed to liberal ideologies, and that these students flocked to universities, like Columbia, that have known militant activist organizations. "The many studies of student activists," states the author, "show that the great majority of them come from families that are

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[70] Ibid.
[71] Miller, 291-292.
[72] Hayden, 281-282.
[73] Miller, 292.
[74] "Siege on Morningside Heights," 48.
[75] Ibid.
[76] "Why Those Students Are Protesting," *Time Magazine*, 3 May 1968, 24.

prosperous, politically active and liberal."[77]

The events that occurred at Columbia University in 1968 were the beginning of the end for the SDS. Columbia proved to be the first of many militant, and often violent, protests that were led by radical members of the SDS in the years that followed.[78] Adopting Rudd's tactics, many SDS and youth protestors chanted "Up Against the Wall" through a bullhorn at practically all of their protests, reminding the nation of what happened at Columbia.[79] One of which was the violent protesting of the Democratic National Convention in Chicago in 1968, which ignited an angered backlash across the nation and aided in the downfall of the New Left Movement as a whole.[80]

The year 1968 also saw the election of President Richard Nixon, who took a fierce stance against the New Left. Nixon wanted to silence the New Left, which included the SDS, in order to achieve his policy of "peace with honor" in Vietnam. Nixon saw the militant protests against the Vietnam War and domestic issues as damaging the world image of the United States. Also, Nixon's Vietnamization policy including the demobilization of American forces in Vietnam, was one of the main demands of the New Left Movement.[81]

Another contributing factor to the decline of the SDS were the divisions that began to tear the organization apart in 1969. Much like the Civil Rights Movement which had provided so much inspiration to the SDS, militant members created conflict within the Movement resulting in a break and the creation of a violent faction called the Weathermen. Taking their movement off college campuses, the Weathermen began operating "underground." Adopting guerrilla tactics the members of the Weathermen started collecting weapons and building bombs, believing that violence would prove more effective in forcing the federal government to consent to their demands. Few Americans were able to separate the actions of the Weathermen from those of the SDS.[82]

An essay published in *Time* magazine on August 15, 1977, titled "An Elegy for the New Left," opened with a quote from a former member of the New Left, Philip Rahv: "Nothing can last in America more than ten years."[83] Rahv's statement expressed the cynicism that many of the former members of the New Left Movement felt at the end of the 1960s. Looking back on the great promise with which they began, many activists from the New Left and the SDS, were left with a sense of failure to achieve their hopes for the future. The author of the essay, Lance Marrow, pointedly remarked that: "The New Left operated in a cavalier – and ultimately fatal – ignorance of the past. It should have known, should have remembered, that the American left has always been its own worst enemy . . ."[84]

The Students for a Democratic Society began with promise and strength of a fresh new movement. Operating under the philosophy of non-violent protest, the ideas expressed in the far-

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[77] Ibid, 25.
[78] Unger, 148-149.
[79] "The Danger of Playing at Revolution," *Time Magazine*, 28 March 1969, 40.
[80] Unger, 148-149.
[81] Ibid, 149-150.
[82] Adelson, x-xi.
[83] Lance Morrow, "An Elegy for the New Left," *Time Magazine*, 15 August 1977, 67.
[84] Ibid.

reaching *Port Huron Statement* represented the hope of the next generation for a "participatory democracy." Professing intellectual idealism, the members of the SDS, and the New Left Movement as a whole, represented what seems to be the last of an activist generation. Today, college students seem to be more concerned with what grade one will receive rather than risking taking a controversial stance. Student activism in today's society is on the decline. Few students get involved and take a stand against the some of the contentious actions of the federal government. Although the legacy of the SDS is focused more on the violent and militant organization that it became, the promise it held during its formation in the early 1960s deserves proper recognition.