

Traces

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A Letter from the Editor

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The editorial staff of *Traces, the UNC-Chapel Hill Journal of History* is pleased to present the publication of its 11th volume. We would like to thank each author for their hard work and attentive disposition. Our deepest gratitude goes out to Dr. Kathleen DuVal for her support as Chief Faculty Advisor, and the History Department for their continued support towards *Traces*. We would like to thank Samuel Dalzell from the Office of Scholarly Publishing Services (OSPS) of UNC Press for ensuring that our publication upholds the highest printing standards. The staff also thanks Matthew Turi from Special Collections at Wilson Library for his support in facilitating us a cover image. Finally, we want to express our continued appreciation for the donors who provide us with the means to carry out this project year after year.

In what has become a healthy habit, this volume features ten articles chosen from an enthusiastically received, and highly selective, call for papers. This volume features work by nine undergraduate authors from UNC Chapel Hill, and one undergraduate author from UNC Wilmington, that touch upon a variety of topics and use different methods. This volume also comes during the 10th anniversary of the journal's existence. Thus, the main point I want to highlight in this letter is how *Traces* has been a key pillar in supporting historical research carried out by part of UNC's undergraduate students throughout the span of a decade. Undergraduate research is a crucial venture that UNC must continue to support in addition to graduate and faculty research. There are few spaces within the university that bring together UNC's undergraduate and graduate student body in a collaborative and horizontal manner, and *Traces* is proudly one of them.

It is always important to note that *Traces* is an entirely student-run venture whose mission it is to highlight historical research by part of UNC's undergraduate, as well as graduate, students. Our values of autonomy, collaboration, and independence ultimately make this venture an empowering one for the students of the History Department at UNC Chapel Hill. Time will inexorably march on—as historians we know this too well—but I do hope that the history students at UNC Chapel Hill will forever keep this valuable tradition that is *Traces*.

This volume's cover image is a photograph of Pauli Murray. We thought it was important to highlight her life and times amidst the still unresolved issue of the renaming of the building that houses the History Department. J.G. de Roulhac Hamilton's hateful legacy is a stain that taints the different departments that inhabit the building that is still officially named after him. Confirming the change of name would reflect a change that has already occurred long ago in the vernacular and everyday speech of the building's occupants. This would be a small gesture towards the memory of Pauli Murray, who was denied admission to our university eighty-five years ago due to the color of her skin.

Sincerely,
Javier Etchegaray

Traces

The UNC-Chapel Hill Journal of History

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A Birdie Against Jim Crow: Lee Elder, Georgia Politics, and the 1975 Masters

TJ Bell

Abstract. On April 10, 1975, Lee Elder became the first African American to play in the Masters, the prestigious golf tournament held at Augusta National Golf Club. Despite the PGA desegregating in 1961, Augusta National still had not integrated their annual tournament. Elder eventually gained automatic qualification by winning in 1974, but it was not an easy or quick process. This essay explores Augusta National's background and racial exclusion, and argues that it represents the Old South mindset. It also explores Black golfers' relationship with the PGA tour, specifically focusing on Charles Sifford, the first black player on the PGA tour who never received a Masters invitation. Finally, the essay examines Elder's Masters story. As Georgia politics, which were undergoing changes with regards to race throughout the 1970s, Elder's qualification was a hugely symbolic moment. The media constructed him into a civil rights icon and championed his Masters debut into a significant movement. By constructing Elder into a civil rights figure, despite his reluctance, the media created the idea that his appearance was a racial victory over the traditional Old South racial mindset. Therefore, this essay finds that Elder's Masters debut and construction into a civil rights figure was a symbolic moment and turning point that represented that African Americans were an important part of politics and society in Georgia and the South.

It took 76 holes to decide the 1974 Monsanto Open. Down two strokes with two holes to play, Lee Elder had to birdie out to catch Peter Oosterhuis, the leader of the tournament. Elder birdied the 17th, but found himself off the fairway on 18. He then hit a "magnificent low hook around two trees" to within 18 inches of the hole and tapped in his birdie to force a play-off.¹ Four holes later, Elder rammed home an 18-foot birdie look to beat Oosterhuis. Standing on the 4th hole of Tiger Point Golf Club in Pensacola, Florida, Elder's eyes welled with tears, and he immediately rushed to a payphone to call his wife Rose. In a choking voice, he said, "Baby, we did it. We finally did it baby. We finally won."²

The victory was significant. It was Elder's first Professional Golf Association (PGA) tour victory, and the \$30,045 in prize money more than doubled his career earnings.³ It also earned him an invitation to the Tournament of Champions held the following

1 *Chicago Tribune*, April 22, 1974.

2 *Chicago Tribune*, April 22, 1974.

3 *Los Angeles Sentinel*, April 25, 1974.

weekend in San Diego. Most importantly, Elder's victory earned him a 1975 Masters' invitation, making him the first ever black golfer to receive an invite to play in golf's most prestigious tournament.

Since the Masters' inception in 1934, no black golfer had been invited to participate in the tournament. Even as early pioneers of the black golf game, like Charles Sifford, made inroads in white dominated professional golf and African Americans had civil rights legislation victories in the 1960s, the Masters still refused to invite a black player. No tournament and golf course embodied the exclusionary history of golf better than Augusta National.

Founded in 1933, Augusta National was a Southern institution. Members included politicians, wealthy businessmen, and white Southern elite. The Masters was the only time the club was open to the public, and the tournament had never had an integrated field. Thus, the segregation of the Masters represented the dominant ideas about race in pre-1970s around Georgia. Georgia lawmakers, throughout the late 19th and into the 20th century, "implemented, upheld, and expanded" Jim Crow laws that limited African Americans opportunities for advancement, blocked civil and economic opportunity, and allowed for racial prejudice.⁴ Through these laws, Georgia codified racism and discrimination that excluded African Americans and reinforced white supremacy ideology in the antebellum South. By excluding black players, Augusta National and the Masters embodied this ideology and perpetuated racial hierarchies.

W.E.B DuBois described the experience of black Georgians and Americans as subject to "machinery of white supremacist culture, politics, and the law that surrounded them."⁵ However, black Americans fought for and made significant social gains, especially in the 1960s and 1970s, through the non-violent civil rights movement. Yet, even after sweeping and important civil rights legislation, Georgia and Augusta National remained vestiges of white supremacy. Lester Maddox, Georgia governor from 1967 to 1971, was a staunch segregationist who came to prominence for refusing to desegregate his Atlanta restaurant despite the Civil Rights Act of 1964. He used "pick-handles" and a high-pressure water hose to intimidate African Americans when they attempted to dine at his restaurant in 1964.⁶ Augusta National had no black members, and only white golfers had ever competed in the Masters. In a way, 1960s and 1970s Georgia, along with Augusta National, represented the Old South mindset, still clinging to old racial hierarchies.

4 Alex Camardelle, "Telling the Unvarnished Truth about Georgia," *GBPI*, 26 February 2020, <https://gbpi.org/telling-the-unvarnished-truth-about-georgia/>.

5 Camardelle, "Telling the Unvarnished Truth about Georgia."

6 Numan V. Bartley, "Moderation in Maddox Country?," *The Georgia Historical Quarterly* 58, no. 3 (1974): 340–48.

There is a large amount of scholarship about the desegregation of white-dominated sports. For instance, Arthur Ashe, a racial pioneer and tennis star, wrote a book about the history of black athletes in order to "explore the rich history of blacks in sport" as well as the attitudes of both black and white Americans with regard to racial issues.⁷ Scholars study the experiences of Jackie Robinson, Jesse Owens, and other black athletes who broke significant racial barriers as barometers for gauging racial attitudes in America. Yet, few have written on the sport of golf and its significant racial milestones, specifically Lee Elder playing in the 1975 Masters. Lane Demas's book titled *Game of Privilege: An African American History of Golf* explores the history of black golf and its racial pioneers, but only briefly explains Elder's story. This essay dives deeper into the story of Elder at the Masters in 1975 in order to highlight the changes in Georgia politics and racial attitudes that shifted throughout the 1960s and 1970s.

Lee Elder's Masters appearance represented a major victory for African Americans over the Old South mindset, but it was not as sudden as it appeared. It was the culmination of the hard work of black golfers that persevered in the face of discrimination. It was also the result of social and political pressure, as well as changing attitudes of Americans and Georgians. In this essay, I argue that Elder playing in the 1975 Masters was a symbolic moment that represented the culmination of changing racial dynamics in the 1970s. As Elder—and others—pushed for inclusion in the Masters, black Georgians were making their voices and votes heard. Thus, once Elder qualified for the Masters and Governor Lester Maddox lost the election in 1974, the discriminatory and exclusionary politics and attitudes of golf and the Jim Crow South were no longer dominant. By constructing Elder into a civil rights figure (despite his reluctance), the media created the idea that his appearance was a racial victory over the traditional Old South racial mindset. Therefore, this essay finds that Elder's Masters debut and construction into a civil rights figure was a symbolic moment and turning point that represented that African Americans were an important part of politics and society in Georgia and the South.

"All golfers will be white and all caddies will be black"

The 400-acre Fruitland Nurseries, a former indigo plantation, caught the eye of Bobby Jones on his visit to Augusta, Georgia, in 1931. Jones, a dominant golfer who won 13 major championships from 1923 to 1930, wanted to settle down and focus on his law career. Yet, despite moving to Atlanta and working in his law firm, Jones still had the bug. He wanted to build his dream course, far away from the public eye. The "beautiful long lanes of magnolias" and contoured ground of Fruitland Nurseries seemed like "someone was

7 Jeffrey T. Sammons, "'Race' and Sport: A Critical, Historical Examination," *Journal of Sport History* 21, no. 3 (1994): 220.

just waiting to lay a golf course upon it.”⁸ Jones hired Dr. Alister McKenzie, a renowned course designer, to build his idea in March 1932. Despite the Great Depression, Augusta National Golf Club officially opened in January 1933.

If Augusta National was Bobby Jones’s vision, it was Clifford Roberts’s baby. A successful Wall Street broker who thrived even during the Great Depression, and golf lover, Roberts met Jones in 1920, and the pair became friends. It was Roberts that discovered and showed Jones the Fruitland Nurseries property in 1931. Roberts was then able to leverage his connections to the leaders of Coca-Cola, Singer Sewing, and General Motors to bankroll the opening of Augusta National.⁹ Jones and Roberts then became partners in the club. Jones was formally in charge of the new club and the president, while Roberts made everyday decisions.

Augusta National, while a new golf club, embodied the ideals of the Old South. Roberts, with Jones’ approval, hand-picked every member of the club and enforced the rules. Throughout the 1930s and early 40s, the club was a vestige for “good-ole-boys” from the south. Women—including wives—were not welcome.¹⁰ This Southern tradition was further reflected in racial hierarchies of the club. Black workers made up the wait staff or served as entertainment or caddies, positions which placed them in servitude to white guests. Roberts was the biggest advocate and supporter of black caddies at Augusta National, and reportedly once said that “as long as I’m alive, all the golfers will be white and all the caddies will be black.”¹¹ This statement reinforced a rigid racial hierarchy that placed white members and golfers above the black staff.

The story of Beau Jack at Augusta National highlights the club’s racial attitude. Jack was a two-time world lightweight champion, and one of the more popular boxers of the 1940s. He discovered this talent for boxing in the Augusta National clubhouse. The son of poor, black Georgia sharecroppers, Jack worked as a shoe-shine and a caddie at Augusta National when it first opened. He also participated in “battle-royales” hosted by Jones at the club.¹² These “battle-royales” pitted young black boys in a brutal fist fight for the promise of prizes.¹³ Club members, including Jones and Roberts, bet on the fights and rewarded the winners with lavish gifts. Jack was so successful that Jones funded his

8 “The Origins of Augusta National,” *Kingdom*. Accessed 13 October 2022. <https://kingdom.golf/the-origins-of-augusta-national/>.

9 Frank Hannigan, “Clifford Roberts: The Man Who Made the Masters,” *Golf Digest*, April 4 2022.

10 Hannigan, “Clifford Roberts.”

11 Lane Demas, *Game of Privilege: An African American History of Golf* (University of North Carolina Press, 2017), 77.

12 Demas, *Game of Privilege*, 77.

13 The story of Beau Jack may have been basis of Ralph Ellison’s description of a battle-royale in Chapter 1 of his 1952 novel, *Invisible Man*.

boxing training and eventually became a part of the group that promoted the prizefighter.¹⁴ This story reveals the early racial dynamics of Augusta National, as African Americans were forced to fight to in order entertain white audiences.

It was Roberts’ idea to call the annual Augusta National tournament “The Masters.” Jones wanted to provide a service to golf and host an annual tournament at his new club in 1934. Roberts wanted the name to reflect the “masters of golf” that would be participating, thus “The Masters” referenced the elite field.¹⁵ However, Jones found “The Masters” name to be pretentious and instead preferred to call the event the Augusta National Invitational Tournament. They would not use the name “The Masters Tournament” until 1940, when Jones finally relented to Roberts.¹⁶

It is unknown if the “The Masters” title is tied to Georgia’s long history of slavery. While Roberts referenced the field, “The Masters” invokes connotations to Antebellum Georgia, where white masters owned black slaves. At Augusta National, a proto-slavery existed. White golfers were the “masters” of the game, while African Americans worked in service roles. In wake of the murder of George Floyd and the Social Justice/Black Lives Matter movement in 2020, activists have reflected this sentiment and called for the name of the tournament to change. They cite the racist connotations of the words “Masters” and Georgia’s slave past.¹⁷ Whether directly or indirectly, the Masters’ name reinforces a racial hierarchy that placed black below white.

Whatever the name, the tournament quickly became one of the most prestigious in golf. Initially the field was composed of Jones’s close associates, but it was not long before the best amateurs and professionals started to compete. Throughout the 1940s and 50s, the Masters became a significant tournament on the PGA tour. The famous green jacket was first awarded in 1949 and the first champions dinner was in 1952. As these traditions emerged, the tournament grew in popularity. By the end of the 1960s, the Masters became more than a tournament, but “the annual convocation of golfs ruling elite.”¹⁸ The tournament grew so popular that Arnold Palmer, the face of golf, declared that the Masters was one of golf’s “majors,” putting on par with the US Open, British Open, and the PGA championship.¹⁹ By earning the coveted major status, the popular invitational received even more prestige. By the late 1960s and 1970s, the Augusta National Invitational Tour-

14 Demas, *Game of Privilege*, 77; John Paul Hill, “Beau Jack: Sidney Walker 1921-2000,” *New Georgia Encyclopedia*, 22 March 2021.

15 *Golf Channel Digital*, “Masters Tournament 101: History, Qualifications, and Terminology at Augusta,” April 3, 2022.

16 *The Augusta Chronicle*, March 24, 2022.

17 Rob Parker, “We’ve Lived with the Masters’ Name Long Enough,” *Deadspin*, June 22, 2020.

18 Hannigan, “Clifford Roberts.”

19 Roderick Easdale, “Why is the Masters a Major?,” *Golf Monthly*, March 14 2022.

nement was now The Masters, golf's premier event.

Roberts exercised even more control over the Masters than he did over Augusta National. A private club for elite members, the tournament was the only time that the public was allowed down Magnolia Lane. Roberts ensured the club was shown in a favorable light. For example, there were no French fries served at the concession stand, as "fries were unhealthy," and no volunteer course marshals for crowd control, but paid Pinkertons.²⁰ Only the golfers and the Augusta National-supplied black caddies were allowed inside the course ropes. As the popularity for the tournament grew, Roberts allowed CBS television to broadcast just the back nine holes and limited the station to four one-minute commercials. He once threatened to pull the CBS broadcasting rights for showing wet pieces of a paper on the ground and banned famed broadcaster Jack Whitaker from coverage for calling the gallery a "mob."²¹

Another aspect of Roberts' control over the Masters was the invitation list. Roberts, along with Jones and the board, invited a smaller field than a traditional PGA event in order to ensure that elite golf was being played and traditional etiquette was followed.²² As an invitational tournament, the Masters and Roberts were able to determine whatever criteria they wanted for entry, and this criterion was unclear. In the early years, the tournament featured a handpicked list of Jones's friends and competitors. Later tournaments used PGA Tour finishes and other tournament results in order to determine the field. By the 1960s, it was widely thought that a PGA Tour victory—coupled with strong performances throughout the year—was the only way to ensure entry into the Masters.²³ But this was not a guarantee. It proved untrue in 1967 and 1969, when Charles Sifford, a black golfer, won a PGA Tour.

Charlie Sifford, Black Golf, and the Struggle for Inclusion

The United Golf Association (UGA) was founded in 1926 and was the first golf tour to be open to all races. The PGA, like other professional sporting leagues, was a white-only institution. PGA by-laws contained a written rule that the golfers had to be "Caucasian-only."²⁴ This barred great black players from competing in the high-level tournaments for the

20 Named after their founder Allen Pinkerton, Pinkertons were a private agency that specialized in detectives and security. They were popular in the 1800s and early 1900s, and are best known for protecting presidents, guarding train cars and being employed to breaking up labor strikes. Kim Kelly, "This Infamous Anti-Labor Company Is Still Targeting Workers," *Teen Vogue*, December 3, 2020.

21 Hannigan, "Clifford Roberts."

22 Hannigan, "Clifford Roberts."

23 Demas, *Game of Privilege*, 231.

24 *Greensboro News & Record*, January 15, 2015.

largest purses.²⁵ The UGA, much like the Negro Leagues for baseball, provided a space for black professionals to make money playing the game they loved.²⁶ The UGA was structured like the PGA Tour, and held tournaments, including a National Championship, throughout the Northeast. Black businesses or celebrities often sponsored these tournaments, like the Joe Louis Open in Detroit.²⁷ Top black professionals and amateurs, long denied access to top-level tournaments, came in large numbers to participate. Many of the UGA participants came from the South, the center of Jim Crow segregation and a place that had long discriminated against black golfers.²⁸

One of these players was Charlie Sifford. Born in 1922 in Charlotte, North Carolina, Sifford learned the game by caddying at the all-white Carolina Country Club.²⁹ He quickly became the best player in the area, often beating members' scores after his caddying for the day was over. Sifford moved to Philadelphia in 1939 to chase his golf dream, eventually making his UGA debut in 1946. He went on to dominate the UGA scene. He won the UGA National Championship six times, including five straight from 1952 to 1956. He was so dominate that he earned the reputation as the "best black golfer" by 1960.³⁰

Yet, Sifford struggled to make ends meet. The disparity between the PGA and UGA was huge. UGA tournaments took place on desegregated, public, and poorly-maintained links-courses with limited prize money, while the all-white PGA featured the best country club courses and large prizes. Many of the top UGA players—like Sifford—couldn't afford to golf full-time. Thus, while the UGA provided a space for black professional golf, the PGA tour was vastly superior in terms of prize money, course conditions, and prestige, and black golfers made it their goal to integrate.

Joe Louis was one the biggest advocates of PGA desegregation. Louis, known as the Brown Bomber, was the most popular boxers of the late 1930s and 40s. He was supported by both black and white Americans, and the entire nation rallied around Louis when he fought Max Schmeling, the champion from Nazi Germany, in 1936 and 1938.³¹ After retiring from boxing, Louis became an avid golfer. He played often and even sponsored a UGA event. Black golfers looked up to him as a role model, and he would often loan them money when they struggled to make ends meet.³² Therefore, Louis' words carried

25 "Charlie Sifford: A Hard Road to Golf Glory," *USGA*, February 3, 2019.

26 The UGA was open to white-players, but was dominated by African-American golfers.

27 Bob Denney, "From the Ring to the Course: Joe Louis," *PGA*, February 16, 2018.

28 Demas, *Game of Privilege*, 91.

29 Demas, *Game of Privilege*, 109.

30 Demas, *Game of Privilege*, 112.

31 Jeffrey T. Sammons, "Boxing as a Reflection of Society: The Southern Reaction to Joe Louis," *Journal of Popular Culture* 16, no. 4 (Spring 1983): 23-33.

32 Demas, *Game of Privilege*, 113.

a lot of weight when he advocated for integration of the PGA. In 1952, Louis declared a “war on Jim Crow in golf” and called PGA President Horton Smith, the winner of first ever Masters, “another Hitler.”³³ His words resulted in widespread media attention to the plight of black golfers and had an immediate impact. Faced with widespread pressure, the PGA compromised with Louis’s demands and allowed individual tournaments to choose if they wanted to desegregate. However, the “Caucasian-only” clause was not abolished. Thus, the rest of the 1950s followed a simple routine. Black golfers would play in some PGA events in more progressive states like California, but would play UGA events when the PGA Tour was in the South.³⁴

By 1960, it looked like Sifford—by then the most successful UGA player—would receive 19 invitations (out of 45 total) to various PGA tour events. However, the PGA continued to face public calls to formally desegregate. Jackie Robinson, the man who broke the MLB’s color barrier, wrote an open letter that was published in the *Chicago Defender* that accused the PGA of “open racial prejudice.”³⁵ Only a few weeks later, California attorney general Stanley Mosk publicly asked the PGA for their rationale on banning black players. With growing momentum, activists, including Robinson and Louis, increased their efforts to integrate the PGA. Their campaign—which utilized speeches, political lobbying, and newspaper articles—eventually shifted public and corporate opinion toward integration. In late 1960, the New York State Commission on Human Rights told the PGA that they would no longer sanction New York events, and the Rheingold Beer Company threatened to end their lucrative sponsorship deal. This pressure, coupled with black players already appearing in PGA events, forced the PGA to reconsider their policy. In November 1961, the PGA governing body officially desegregated the PGA Tour.³⁶ The *Los Angeles Sentinel* declared, “The Professional Golf Association’s Caucasian only clause is dead. Good!”³⁷

Although Sifford was 39, he adapted quickly and found success on PGA Tour. Notably, he played a full schedule, including events in the South. In 1962, Sifford played in the Greensboro Open in North Carolina and became the first black player to play a PGA event in the South. After a few years of decent results, Sifford finally broke through in 1967 with a win at the Greater Hartford Open. He followed it up with a 1969 victory at the Los Angeles Open. It seemed like Sifford’s race didn’t matter, only his golf ability. But he still had not been given an invitation to the Masters, golf’s most prestigious tournament. This exclusion led to calls of discrimination.

33 *Chicago Defender*, January 19, 1952.

34 Demas, *Game of Privilege*, 115.

35 *Chicago Defender*, March 7, 1960.

36 Demas, *Game of Privilege*, 210-213.

37 *Los Angeles Sentinel*, November 23, 1961.

Discrimination and the Emergence of a New Black Superstar

In 1969, Sifford, now 45, missed out on the Masters for the seventh year in a row. Coming off a 1968-1969 season where he finished top-60 on the PGA Tour money list and had competed hard, Sifford was frustrated and thought he earned an invitation. In a newspaper interview, Sifford questioned the Masters invitation criteria and leadership, and called out the tournament for discrimination. He argued that the PGA Tour was “scared of that man Clifford Roberts” and the Masters contained a weak field of golfers. He also claimed that he “ought to be playing out there” and implied that his exclusion stemmed from his race. The *Baltimore Sun*, the newspaper that ran the interview, titled the article “Sifford Implies PGA Prejudice.”³⁸ This was the first discrimination claim by Sifford, but not the first accusation of racism to be levied at the Masters. In 1968, reporters openly questioned the “perhaps discriminatory” qualification criteria, which forced Roberts to deliver a statement that “all golfers were welcome despite their racial background.”³⁹ In addition, *Golf Magazine* editor Maggie Hathaway called the event “the White Masters” and questioned the vague and “exclusionary” qualifying process that denied black players but allowed international players and amateurs. She elaborated that Sifford had done everything he needed to qualify; it was only racism that kept him out of the field.⁴⁰ Jim Murray, a columnist for the *Los Angeles Times*, was the bluntest with his accusation. He wrote that the tournament was “as white as the Ku Klux Klan.”⁴¹ These calls of discrimination and racism moved the Masters into the civil rights arena. Sifford’s denial was no longer a golf issue, but a social one.

At the same time that the Masters was starting to face criticism for discriminatory invitation criteria, a new black golfer was entering the public conscious. Lee Elder, born in Dallas, Texas, in 1934, burst onto the golf scene in 1950 when he challenged Joe Louis at the UGA Amateur championship. He played full time in the UGA in 1961 and was even more dominant than Sifford. From 1963 to 1967, Elder won four of five UGA National titles and had a stretch in 1966 where he won 18 of 22 tournaments. In 1967, Elder joined the PGA Tour and found instant success. Most notably, Elder went to a playoff with Jack Nicklaus at the 1968 American Golf Classic, which garnered him huge amounts of praise (Elder was eventually defeated in the 5th playoff hole). This moment was so significant that UGA President Max Sandford Sr. jokingly commented that Elder “had done more for Negro golf in 45 minutes than everyone else put together in the last 45 years.” This moment landed him on the cover of *Golf Digest*, which made it clear that Elder was the

38 *The Baltimore Sun*, March 23, 1969.

39 *The Baltimore Sun*, November 28, 1968.

40 *Los Angeles Sentinel*, February 27, 1969.

41 *New York Times*, December 1, 2021.

new black golf superstar.⁴²

Changing Times in Politics: Augusta and Georgia

At the same time Elder was establishing his reputation as a contender on the PGA Tour, the American public was undergoing a racial reckoning. In Elder's 1967-1968 PGA debut season, "race riots" and protests were taking place across the nation in response to the assassination of Martin Luther King Jr. Later in the year, Olympians John Carlos and Tommie Smith raised their fists in a public Black Power demonstration. These moments showcased that black Americans were unsatisfied with their conditions and were using their platforms to directly express that. Throughout the late 1960s and into the 1970s, black activists called out and reacted to injustices in an attempt to change the status quo and further integration of American society. Black Americans were tired of being ignored, discriminated against, and killed.

Racial tensions in Augusta, Georgia, reached a boiling point in May 1970. Augusta's history had long been characterized by police brutality, systematic racism, and severe poverty. Much like Augusta National, the city itself was intertwined with a culture of white supremacy, stemming from its antebellum slave past.⁴³ On May 9, 1970, black teenager Charles Oatman was found dead in Richmond County jail. The circumstances around the death were extremely mysterious. White officials and police officers then refused to answer any questions from both the media and the concerned public. In an effort to acquire answers, black citizens organized a protest outside of the jail. While the exact numbers are unknown, it was estimated that the number of protestors was in the thousands.⁴⁴ On May 11, the Richmond County sheriff announced the results of the investigation into the murder and charged two black teenagers for the crime. This sparked outrage among the demonstrators, who found the investigation racially-motivated. The sheriff claimed that Oatman died after being pushed from his bunk, but his body was found with deep gashes and burns. To the demonstrators, the decision looked like the sheriff was covering up racial violence and charging black teens for a crime they did not commit.⁴⁵ This decision was the last straw in a long series of racial injustices against the black population and amounted to "warfare."⁴⁶ Many protestors were pushed to a point of violence. The protest turned into

42 Demas, *Game of Privilege*, 220-223.

43 The 1970 Augusta Riot Observance Committee, "The 1970 Augusta Riot," April 11, 2020, <https://1970augustariot.com/events>.

44 *The Militant*, May 26, 1970.

45 Ashley Jones, "DOJ Investigating Killings of Six Black Men," *CSRA News*, 10 May 2022.

46 FBI, *Investigation of Deaths Occurring the Riot at Augusta, Georgia on May 11-12, 1970, Supplementary Report*, vol. 1.

what the white population described as a riot. Downtown Augusta businesses were looted, and white motorists were attacked.⁴⁷ Lester Maddox, the Georgia governor, characterized the events as anarchy and activated the National Guard. He then claimed that the Guard was "going in with live ammunition" and had shoot-to-kill authority against any violence.⁴⁸ The police, who had the same orders, opened fire on protestors on the night of May 11 into May 12 with little regard to who they were firing upon. The police killed six black men, all of them unarmed, and wounded more than 60.⁴⁹ By the morning, law enforcement had suppressed the riot. No policemen were ever charged.⁵⁰

Yet, despite the violent suppression, the status quo was altered. Black Augustans had signaled that they would no longer be satisfied with the conditions of oppression that they faced. The suppression of the riot actually had a galvanizing effect. Black activists, both in Augusta and throughout the rest of Georgia, used the outrage and fear from the riot to organize a wave of rallies, demonstrations, boycotts and voter registration drives.⁵¹ Most notably, the riot and activism that followed it forced white citizens "to acknowledge that Augusta [and the rest of Georgia] had a race problem" that needed to be addressed.⁵² Black citizens throughout Georgia were using their voice in order to bring about change. This activism would have a real effect in upcoming Georgia elections.

The activism of black Georgians played a major role in the election of Jimmy Carter to Georgia governor in 1970, which ushered in a new era of racial politics. Maddox, the pro-segregation governor since 1967, could not run for a second-consecutive term under the Georgia Constitution. This allowed Carter, a more progressive Democrat to run. While Carter ran a complex campaign that attempted to appeal to all Georgians—according to historian Randy Sanders, Carter even sometimes "pandered outright to racism" and segregationists—he "directly appealed to Black voters" due to their increased power as a voting bloc.⁵³ This contributed to his election. At his inauguration in 1971, Carter announced that racial politics in Georgia would be entering a new era, declaring, "The time for racial discrimination is now over. Our people have already made this difficult decision. No [black citizen] should ever have to bear the additional burden of being deprived."⁵⁴

47 FBI, *Investigation of Deaths Occurring the Riot at Augusta*, vol 1.

48 *Chicago Tribune*, May 12, 1970.

49 Augusta Race Riot Committee, "The 1970 Augusta Race Riot."

50 The investigation into Oatman's death and the six killed in Augusta Riots reopened in 2022. Clare Allen, "With the 1970 Augusta Riot Cold Case Reopened, What's Next?" *WRDW/WAGT*, May 10, 2022.

51 John Hayes and Nefertiti Robinson, "Black Resistance from Augusta to BLM," *Black Perspectives*, May 11, 2021.

52 *Philadelphia Tribune*, May 18, 2020.

53 Randy Sanders. "'The Sad Duty of Politics': Jimmy Carter and the Issue of Race in His 1970 Gubernatorial Campaign." *The Georgia Historical Quarterly* 76, no. 3 (1992): 628.

54 Sanders. "'The Sad Duty of Politics,'" 612.

Carter responded to his promise of by making real changes with regards to integration in Georgia. He appointed qualified African Americans to state offices, declared January 15th “Martin Luther King Jr. Day,” and replaced a powerful, pro-segregationist member on the Georgia University system Board of Regents with a black man. He also created a biracial Civil Disorder Unit to soothe racial tensions and created a Governor’s Council on Human Relations to promote racial justice. These changes signaled that racial politics in Georgia were changing, and the state was becoming a more integrated place.⁵⁵ The last official segregated barriers of the South were starting to crumble.

The Push to Play

During these changes, Elder continued to make significant strides on the PGA Tour. After breaking through and establishing himself as an everyday player in 1968, Elder had sustained success, albeit without winning an event. He finished within the top 60 on the money list in 1969 and 1970. He followed these two years up with the best season of his career in 1971. Elder had numerous strong finishes, including two top 30s in both the US Open and PGA Championship, and won the Nigerian Open, an unofficial PGA event that featured many elite players. Notably, Elder also played an event in South Africa—a nation that practiced apartheid—in 1971 at the invitation of Gary Player. Elder was initially hesitant, but eventually agreed after being told the tournament was open to all spectators, not just white South Africans. Following this strong season, Elder finished in the top 30 of the PGA money list in both 1972 and 1973, and had firmly established himself as an elite player.⁵⁶

Yet, Elder still had not received an invitation to the Masters, the most prestigious event on the PGA calendar. Prior to 1972, the Masters still had unclear invitation priority. Winning did not automatically earn a golfer a spot (as evidenced by Sifford’s denial in 1967 and 1969), and despite overall strong performances by several black golfers since 1961, none had ever received an invitation. Some sportswriters, like Frank Lett in the *Michigan Chronicle*, argued that this was blatant racism. Lett claimed that the Masters “stuck out like a sore thumb” for still refusing to invite a black player and called Apartheid South Africa “more progressive” than Augusta National because they allowed Elder to play.⁵⁷ But this was the minority argument at the time. The majority of arguments against the limited nature of the Masters instead focused on the strength of field rather than discrimination charges. For example, coverage of the 1972 Masters complained of a “weak field”

55 Harold P. Henderson and Gary L. Roberts, *Georgia Governors in an Age of Change: From Ellis Arnall to George Busbee* (Athens: University of Georgia Press, 1988), 243.

56 Demas, *Game of Privilege*, 220-223.

57 *Michigan Chronicle*, April 15, 1972.

filled with amateurs instead of strong PGA competitors.⁵⁸ Surprisingly, Roberts relented and allowed for PGA event winners to automatically qualify for the Masters starting in 1973. This was a crucial rule change because it expanded the field and allowed for non-subjective qualification.⁵⁹ However, while many celebrated the expanded field, Rick Booker of the *Sun Reporter* noted that Sifford would have played in the Masters in 1967 and 1969 under the new rule.⁶⁰ A long tradition of discrimination had denied him the spot.

Following the rule change in 1972, Elder came close to automatically qualifying for the 1973 Masters at the Greater Hartford Open. Lee Trevino, a Mexican American, beat Elder in the first playoff hole to win the tournament. Trevino, who had boycotted the 1970 and 1971 Masters due to the “uncomfortable environment of Augusta National, felt guilty. Following the victory, he comforted Elder, saying, “He [Elder] wants so badly to qualify for the Masters.”⁶¹ Elder was also frustrated, exclaiming, “I don’t know what we have to do to win.”⁶² The Masters was still out of reach.

After this near miss in 1972, there were increased claims of discrimination and cries from the media for the Masters to invite Elder. Newspapers, like the *Los Angeles Sentinel*, claimed that the “PGA still aided segregation” and called out the Masters for not extending Elder as initiation.⁶³ The press also accused the Masters of “having a racist tag around its neck” for refusing to invite black players.⁶⁴ The coverage and calls of discrimination were so widespread that sportswriters called the Masters’ “race issue” the “hot button sports issue of 1973.”⁶⁵ When Elder finally qualified for the Masters in 1974, the *Sun Reporter* summed up the racial controversy that surrounded the tournament throughout the 1970s, writing “there had been a public outcry from both politicians and spectators, both black and white alike, that the tournament signified the American ideal of remaining white. Some even threatened to file suits.”⁶⁶ Overall, the coverage accused the Masters of discrimination and called for Elder to be invited even without a tournament victory.

Elder himself accused the Masters of racism. It was reported that Elder called out Roberts for “wanting to keep it [the Masters] lily white” at a press conference in New Orleans. He pointed out that qualified black players should have been invited since 1965. Elder later claimed that he was misquoted, and instead was complaining about the lack

58 *Chicago Tribune*, April 9, 1972.

59 *Los Angeles Times*, September 2, 2012.

60 *Sun Reporter*, April 21, 1973. Sadly, Sifford never appeared in the Masters.

61 Demas, *Game of Privilege*, 232.

62 *Atlanta Journal- Constitution*, September 5, 1972.

63 *Los Angeles Sentinel*, September 14, 1972.

64 *Tri-State Defender*, April 7, 1973.

65 *Sun Reporter*, April 21, 1973.

66 *Sun Reporter*, April, 27, 1974.

of clear invitation criteria prior to 1972.⁶⁷ However, Elder's alleged statement and the increased media coverage show that the Roberts and Augusta National were in the national spotlight and being accused of racism. Elder's plight had taken on a civil rights meaning.

The lack of integration at the Masters was such a public issue that it reached the floor of United State Congress. Herman Badillo, a Democrat representing New York 21st District (South Bronx), and 18 other members of Congress wrote a letter to Clifford Roberts urging him to invite Elder, who they called "the most prominent black golfer," to the 1973 Masters. In this letter, the Representatives expressed concern that the "color barrier was still not broken after 37 years" and claimed that there was "subtle discrimination taking place." They added that "it is probably time that your regulations [invitation process] be subject to a careful review" and stressed that Elder was "worthy of an invitation."⁶⁸ In essence, this letter was a call for affirmative action. In 1973, affirmative action was a relatively new concept for most Americans and a controversial one.⁶⁹ Many were uncomfortable with it. For example, Joe Clerico, a reporter the Christian Science Monitor, called the Congressmen's request "confusing" and "another form of discrimination."⁷⁰ Thus, both Roberts and Elder rejected the letter. Roberts claimed that inviting Elder due to his race would be "reverse discrimination" and the tournament had "gone as far it could" to allow black golfers to play.⁷¹ Elder, too, declined the congressmen's help and claimed he didn't even know that it was going to take place. He insisted he "wanted to win a spot on his own merit."⁷² Later, Elder also admitted he did not want to be at the center of an early affirmative action controversy.⁷³ Instead, he bet on his ability on the course.

Qualification, Reaction, and Rejection: 1974

Elder eventually broke through and qualified on his own merit in 1974. Notably, the Pensacola course where he won the 1974 Monsanto Open had once refused to let Elder—and other black players—into the clubhouse in the late 1960s.⁷⁴ But once Elder sunk his birdie putt, the once-segregated course was now the place where Elder earned his first PGA victory and an invitation to the Masters. After phoning his wife, Elder received a call from Clifford Roberts. Roberts congratulated Elder on his victory and extended him his invi-

67 *Washington Post*, March 22, 1973.

68 *New York Times*, March 18, 1973.

69 Demas, *Game of Privilege*, 232.

70 *The Christian Science Monitor*, April 10, 1973.

71 *The Christian Science Monitor*, April 10, 1973.

72 *New Pittsburgh Courier*, April 14, 1973.

73 Demas, *Game of Privilege*, 232.

74 Christ Murphey, "Masters: Lee Elder- The man Who Broke Augusta's Race Barrier," *CNN*, April 8, 2015.

tation. Then, in a public statement, he announced, "There is no need for suits or protests, Elder's win automatically earned him an invitation to the Masters."⁷⁵ Instead of instantly accepting, Elder waited a week. He was angry that black golfers had long been denied a chance play in Augusta due to unfair rule changes which he saw as discrimination. In a comment to his wife, Elder remarked, "I got them off the hook by winning. They never wanted to invite a black player."⁷⁶ He struggled with the decision for over a week. To turn down the Masters would be a powerful civil rights boycott against a white institution. But, declining an invitation to the most prestigious and wealthy golf tournament in the world could ruin his career. Elder eventually accepted, and in a later interview said, "I think the reason I accepted was there had been so much talk about not black players. After all that, I wasn't going to qualify and not go."⁷⁷

The American media reaction toward Elder's victory and qualification was overwhelmingly positive and emphasized the racial significance of the moment. The Los Angeles Sentinel announced that Elder "birdied bigotry, segregation, and discrimination" the day after his victory. It also claimed that he "earned a place in immortality, a place in the sun or history."⁷⁸ Another paper characterized the winning putt as the "shot heard around the world."⁷⁹ Black newspapers were particularly proud of Elder's accomplishment. The Chicago Defender exclaimed, "It's been a long time coming" with regards to Elder earning an invitation.⁸⁰ They also compared Elder to the great black sports pioneers, like Jesse Owens, Joe Louis and Arthur Ashe. By harkening back to the great sports pioneers, the media constructed Elder's qualification into a civil rights victory.

Because Elder qualified in April 1974, it was almost a year before 1975 Masters. Throughout the year, Elder continued to receive praise, media requests and threats. Elder's 1974 victory was seen as so important that it received the same amount of coverage and admiration as the great black baseball player Hank Aaron breaking Babe Ruth's homerun record. The Chicago Tribune declared, "Move over Hank Aaron, there's enough room in the spotlight for at least two people" after Elder won in Florida.⁸¹ In addition, on June 30, 1974, "Lee Elder Day" was declared in Chicago to "honor the Jackie Robinson of golf."⁸² President Gerald Ford even came out publicly in support of Elder and called his qualification a "great accomplishment."⁸³ He announced that he was rooting for Elder

75 *Sun Reporter*, April 27, 1974.

76 *New York Times*, December 1, 2021.

77 Demas, *Game of Privilege*, 233; Murphey, "Masters: Lee Elder."

78 *Los Angeles Sentinel*, April 25, 1974.

79 *New Journal and Guide*, April 27, 1974.

80 *Chicago Defender*, June 29, 1974.

81 Demas, *Game of Privilege*, 233.

82 *Chicago Defender*, July 6, 1974.

83 *Atlanta Journal-Constitution*, December 2, 1974.

to win and played a round with him at the historically black golf course in Washington, D.C. The anticipation and support for Elder was high. But while the reaction was mostly positive, he still faced threats. Racists wrote and called Elder in the months leading up to the Masters, and threatened him with violence or even death.⁸⁴ While these threats were not numerous, they indicated that not everyone was comfortable with Elder playing at the tournament. Despite the racism and threats, Georgia and racial politics were changing. A black man was about to tee off at Augusta National.

While anticipation built for Elder's debut, Georgia Democrats were voting in a special runoff election to determine their candidate for Governor. Lester Maddox, the former governor, was running against George Busbee, a self-proclaimed moderate. Maddox was running on the same pro-segregation platform that won him the election in 1966, while Busbee ran as a "Carter Democrat," or a more progressive candidate. Maddox repeatedly attacked Busbee's racial policies. For example, Maddox accused Busbee of being a "tool of the black community."⁸⁵ National pundits considered Maddox the favorite, but when the votes were counted, Busbee won with 3/5ths of the vote. This was a "stunning repudiation of Maddox and his policies" and signified a shift in Georgia politics.⁸⁶ The defeat was national news. The Los Angeles Times remarked that the "last openly racist politician in the South had been defeated."⁸⁷ For the first time ever, urban voters had cast more ballots than rural counties. Thus, lower class and rural white voters no longer controlled the results of Georgia's elections. Instead, urban and black voters had determined the outcome. This had a serious impact. From 1974 forward, every serious Georgia governor candidate "had to make appeals to the black electorate" in order to win.⁸⁸ Hard-line segregation was no longer a viable election strategy, but instead candidates had to appeal to diverse citizens and different ideas. Georgia politics had evolved from "pro-segregation Maddox" to an age of moderation that included the black citizen.⁸⁹

Teeing Off

Elder described the year leading up to the Masters as the longest year of his life. In an interview, he said, "I go to bed thinking about the Masters, I dream about the Masters, I

84 Sara Lentati, "The Man Who Defined Death Threats to Play at the Masters," *BBC*, April 10, 2015.

85 *Los Angeles Times*, September 5, 1974.

86 Bartley, "Moderation in Maddox County?," 244.

87 Bartley, "Moderation in Maddox County?," 244.

88 Bartley, "Moderation in Maddox County?," 243.

89 Bartley, "Moderation in Maddox County?," 243. Notably, Jimmy Carter would go on to win the 1976 Presidential election, another significant milestone for the South.

wake up thinking about the Masters."⁹⁰ These comments reveal the immense pressure and spotlight that was thrust upon Elder after his 1974 victory. Championed as a racial pioneer who was breaking a significant racial barrier, Elder was unable to focus solely on golf. Instead, he was forced to attend benefits, shake hands, and give interviews. In essence, Elder was made into a civil rights figure rather than a golfer. He was not just teeing off in a golf tournament, but desegregating a Southern institution. He was also representing black golfers and African Americans as a whole. This sentiment was reflected in a news conference only a few days before the 1975 Masters. A reporter asked Elder what it meant to him to represent African Americans and black golfers. Elder was reluctant to answer this question. He responded that he wanted to "focus on golf" and was "not playing as a symbol of any group."⁹¹ He later added that he "didn't want to be remembered as a great man history" and "didn't think of himself as the Jackie Robinson of golf."⁹² To Elder, the moment was just golf.

Despite Elder's insistence, media outlets continued to focus on the symbolism and importance of his Masters appearance. In April 1975, every media outlet called Elder called some variation of the first black golfer to play in the Masters and noted that the Masters had never invited a black player. The Chicago Defender compared Elder's Master debut to Frank Robinson, the first black MLB manager, who was also making his debut in April 1975. They wrote that both had overcome a "white-strangle hold" and were setting important precedents for African Americans.⁹³ This sentiment was reflected in *Afro-American*, who wrote that Elder was an "icon" and an "historic black figure."⁹⁴ Georgians also saw the symbolism in the moment. The new Georgia Governor George Busbee wrote Elder a telegram that warmly welcomed him to the event and to Georgia, and calling his appearance a great honor. Finally, Henry Brown, a black Augusta native who caddied at Augusta National and was assigned to Elder in 1975, was struck by the significance of the moment. In an interview a few days before the tournament, Brown spoke about how excited he was to caddy Elder and how inspiring his journey to Augusta was.⁹⁵ Despite his wishes, Elder appearing at the 1975 Masters took on significant racial meaning, and he was made into a civil rights icon that was breaking down a barrier.

In the lead up to the tournament, Clifford Roberts and Augusta National were accommodating and helpful to Elder. After extending Elder his invitation in 1974, Roberts also invited him to a practice round in October. When Elder arrived, Roberts drove him to the tournament himself. In the days before the 1975 tournament, Roberts gave extra tickets

90 *Atlanta Journal-Constitution*, March 23, 1975.

91 *The Atlanta Daily World*, April 11, 1975.

92 *Baltimore Sun*, April 9, 1975.

93 *Chicago Defender*, April 19, 1975.

94 *Afro-American*, April 19, 1974.

95 *Atlanta Daily World*, April 10, 1975; *New York Times*, April 10, 1975.

to Elder's family and friends. Finally, Augusta National paid for extra accommodations, including two houses for Elder and his wife, for the golfer and his guests.⁹⁶ These actions stand in stark contrast to the racial past of Augusta National and the Masters. Roberts was now helpful and kind to Elder, but this was still the Augusta National which had once hosted battle-royales and still only allowed African Americans to work in service roles. Roberts' attitude symbolized the changing racial ideas of the time and the importance of Elder's qualification. It was no longer acceptable to deny African Americans their rightful place in golf and society. Instead, those in power, like Roberts and Augusta National, recognized that they needed to integrate.

Elder and his wife needed two houses in Augusta because they received death threats prior to the tournament. These messages warned him not to step up to the first tee and to "watch behind trees" while on the course.⁹⁷ Because of the threats, the Elders were uncomfortable staying in one place, so they moved from house to house. These threats revealed that racism was far from done in Georgia. People still resisted African Americans integrating into society. Therefore, Elder's courage in the face of racism and threats was crucial in order to illustrate that racism would no longer be tolerated in the 1970s. Threats could no longer keep African Americans out of once-white dominated spaces. Instead, pioneers, like Elder, broke down barriers.

On April 10, 1975, Lee Elder walked up to the first tee at Augusta National "the most nervous he had ever been." He had tried to ignore the comparisons to civil rights icons and attempted to downplay the significance of the moment. After all, he was at the Masters to compete for a victory. But the pressure was immense. Reflecting on this moment in a 2019 interview, he said, "I was so nervous [for the first shot] because there seemed to be much riding on it."⁹⁸ The pressure was there to "both represent himself and an entire race."⁹⁹ After a few deep breaths and a silent prayer, Elder hit a "nice draw, straight and long" that split the fairway, and he was so relieved he "couldn't even describe it."¹⁰⁰ He had broken the Masters color barrier with a perfect drive.

The on-course reception toward Elder was extremely positive. The Afro-American noted that he received "warm applause" on every green and reported that "there was no hate in the predominantly-white southern crowd."¹⁰¹ They also noted that there seemed to be an increased number of African American spectators at the Masters to witness the historical event, although they were still few. In addition, the mostly-black

96 *Atlanta Journal-Constitution*, April 2, 1975; *New York Times*, December 1, 2021.

97 Lee Elder, "My Shot: Lee Elder," *Golf Digest*, August 27, 2019.

98 Elder, "My Shot."

99 Elder, "My Shot."

100 Elder, "My Shot."

101 *Afro-American*, April 19, 1975.

Augusta National staff was extremely appreciative toward Elder. As he was finishing the second round on Friday, the staff lined the 18th fairway and shouted their thanks. To Elder, this moment was the most significant acknowledgement of what he had accomplished. It showed that the black population in Augusta saw the moment as important victory in their civil rights battle.¹⁰²

Unfortunately, the Friday display by the staff was the last cheer for Elder at the 1975 Masters. He missed the cut having shot 74 and 78. Respectable scores, but not good enough to make the weekend. In a press conference, Elder commented that he "hoped to have play better" and was glad "it [the pressure and coverage of the Masters] was all over."¹⁰³ But he was immensely proud of his accomplishment. Elder commented that "it was everything that he had ever dreamed," and he hope to earn an invitation back.¹⁰⁴ He ended his 1975 Masters with a joke toward the press, who had been hounding him over the past year. He joked, "Well, fellas, you won't have me to kick around anymore, you gotta go pick on Jack now."¹⁰⁵

Despite the missed cut, Elder was praised by the media for breaking a racial barrier and serving as a pioneer for black golf. For example, the *Michigan Chronicle* noted that Elder "represented himself well" despite "massive publicity" and "enormous racial pressure."¹⁰⁶ Sam Lacy, a black sportswriter, wrote that Elder's actual score hardly mattered. Instead, the actual importance of Elder's appearance was "putting a foot in the door."¹⁰⁷ Lacy wrote watching Elder at Augusta National was "as if we [African Americans] were with Joe Louis entering the ring in Chicago, Jackie Robinson crawling through the 'Colored Gate' in Florida, and Jehosie Heard infiltrating the Baltimore Orioles."¹⁰⁸ In other words, Lacy saw Elder's appearance in the Masters as a public and highly visible civil rights milestone for all African Americans. His missed cut "opened the doors" for other black golfers and set an important precedent for including black people in both sport and society.¹⁰⁹

Impact and Symbolism

In his book *The Black Athlete: Emergence and Arrival*, Edwin Henderson, a black physical educator, wrote, "It has been my feeling that athletics has done more to bring Negroes

102 Elder, "My Shot."

103 *Los Angeles Times*, April 12, 1975.

104 *Los Angeles Times*, April 12, 1975.

105 *Los Angeles Times*, April 12, 1975.

106 *Michigan Chronicle*, April 26, 1975.

107 *Afro-American*, April 12, 1975.

108 *Afro-American*, April 12, 1975.

109 *Chicago Defender*, April 19, 1975.

into the mainstream of American society.”¹¹⁰ Elder’s appearance in the 1975 Masters reflects this idea. After qualifying for the Masters in 1974, Lee Elder was made into a civil rights figure, comparable to Jackie Robinson or Joe Louis. He was not just appearing at a golf tournament, but battling against Jim Crow and the racism of the Old South. Augusta National, the all-white golf club with a black staff and its all-white tournament, embodied this racism. Thus, once Elder appeared in the tournament, some claimed victory over the Old South. Jim Murray, a columnist, reflected this sentiment most bluntly. He wrote:

110 years after the death of Lincoln or a millennium as the Jim Crow flies, a historic first took place on the No.1 tee at the Augusta National Golf Club. For the first time, a man was golfing at Augusta National who was neither (1) blond, (2) rich, (3) Caucasian, or (4) Anglo-Saxon. A black man was playing golf on a former plantation.¹¹¹

In other words, Elder did more than play at the Masters in 1975. He broke a racial barrier, which represented a victory for African Americans throughout the United States.

Along with Elder’s important milestone, Jimmy Carter’s election to Georgia Governor in 1970 (and later his 1976 Presidential victory) and the rejection of Lester Maddox in 1974 represented that the status quo had changed in the Old South. After these two milestones, Georgia politicians could no longer ignore black citizens and campaign on racist promises. Instead, the black electorate held significant sway and would soon start to hold power. Elder’s appearance in the 1975 Masters was symbolic of this victory. Like African Americans in Georgia, Elder had overcome a culture of white supremacy and integrated. The momentum of defeating Lester Maddox and desegregating Augusta National would have an effect on Augusta. Only 11 years after the 1970 race riot, Augusta elected its first black mayor, Ed McIntyre, who had support from a diverse coalition of black and white voters.¹¹²

Elders would go on to win another PGA event, appear in the Masters five more times, and win on the PGA senior tour, but he was always the first black player at the Masters and an inspiration to young golfers of color. Despite his initial reluctance, Elder grew to embrace this significance. After retiring from golf, Elder worked with Augusta National to create scholarships and a women’s golf program at Paine College, a Historically Black College, and Augusta University.¹¹³ Elder’s long-term impact should not be understated. Tiger Woods, a 21-year-old black golfer with a diverse racial background, won the 1997 Masters. He instantly thanked Elder for inspiring him. Woods remarked,

110 Sammons, “Race and Sport,” 222.

111 *Los Angeles Times*, April 11, 1975.

112 *New York Times*, October 29, 1981.

113 Mike Purkey, “Uncommon Grace Proves to be Lee Elder’s Lasting Legacy,” *Sports Illustrated*, November 29, 2021.

“He was the first. He was the one I looked up to. Because of what he did, I was able to play here, which was my dream.”¹¹⁴ Woods’s words are the reason that Lacy and others attributed such significance to Elder’s appearance in the 1975 Masters. By opening the door, Elder had shown future generations of black golfers that they belonged on the course.

114 *New York Times*, December 1, 2021.

“For the Extirpation of This Plague”: On the Justification of Violence in the Albigensian Crusade

Kaylee Bull

Abstract. This article explores dynamics regarding religious violence and its justifications during the Albigensian Crusade in Languedoc between 1209 and 1229. It argues that both the crusaders and the clergy invoked religious motives to justify the widespread and indiscriminate annihilation of local populations, whether perceived to be Cathars or not. Ultimately, this article finds that religious rhetoric mobilized in the lead up to the crusade, as well as during it, was instrumental in rationalizing and justifying the wave of violence unleashed in Languedoc.

The two sides met and clashed. With swords, lances and slashing blades, with javelins, stones and flung cobbles, they fought both hand to hand and at a distance. Bolts and arrows flew thick as small rain when it comes soaking down from the sky. Danger and distress, bloodshed and bitter struggle raged out there at Montolieu, and the fire and the flames, the dust and wind blew about amongst them as they fought. Outside in the besiegers' camp it was agreed that the knights should all arm at once, clothing themselves and their swift chargers in strong mail. Onto the field they spurred, a deadly force, shouting 'Montfort! Soissons! Brittany!' But the townsmen's courage rose, battle-joy grew, their eagerness increased, not one of them flinched but all stood fast, watched, waited and patiently endured as the enemy ranks approached. 'Toulouse, who restores and conquers!' they cried [...] Wherever they could find an enemy, there they fought. With scythe-blades, axes, sharp-pointed pikes, halberds and arrows, with sharp quarrels, glittering shields and shining blades, they struck and struggled so obstinately that they hacked off and cut away both armour and flesh. Thick on the ground lay feet, legs, arms, brain-matter and blood; every path and all the open ground was read and bloody. So fierce was the fighting, such their fury that they grappled and held each other with hands and teeth. Attackers and attacked, both were determined that no limb or body should feel fear.¹

This scene depicts one of many battles that occurred during the Albigensian Crusade. Once

¹ William of Tudela and Anonymous, *The Song of the Cathar Wars: A History of the Albigensian Crusade*, translated by Janet Shirley (Aldershot: Scolar Press, 1996), 174-175.

again, crusaders had set siege on the city of Toulouse. This battle took place in 1219, almost a decade after the crusade had initially been launched, and a decade before it would come to an end. Townspeople and crusaders met in a bloody fight, both attempting to annihilate the other, one in defense of their home and the other in defense of their God.

Introduction

In 1209, Pope Innocent III authorized the use of crusading violence to wipe out heresy in the south of modern-day France, in an area referred to as Languedoc. What followed was a twenty year-long campaign commonly referred to as the Albigensian Crusade or the Cathar Wars. These names originate from the supposed enemy of the Catholic Church that inspired this crusade: the heretics known as the Cathars or the Albigenses. The Cathars were a dualist religious group that rejected the newer teachings of the Catholic Church, as they believed they were inspired by an evil god. The Church viewed the group's growing presence and support in Languedoc as a threat and after less forceful measures of conversion failed, the Church launched a crusade.² Pope Innocent III declared anyone associated with Catharism, or the protection of those who practiced it, an enemy of Christianity. This included many lords of cities within Languedoc such as those in Toulouse, Albi, and Béziers that may not have been Cathars, but certainly did not want the combined control of the Church and the French monarchy forced upon them.³ The crusade was long and brutal, for both the crusaders and the besieged towns of Languedoc, with poor conditions and outright massacres on both sides.

This essay argues that both the crusaders and the clergy invoked the perceived role of God to justify the violence that was inflicted on behalf of the Church. The Albigensian Crusade has long been regarded by scholars as one of the bloodiest and most brutal on both sides. Entire towns and armies were slaughtered, and the crusaders and the people of Languedoc alike suffered mass casualties. Those fighting in wars must recognize it as, if not justified by modern definitions, necessary, limited, and gainful in some sense.⁴ There are many such justifications for the crusade against the Albigenses including the interpretation of divine will and participation, the framing of Cathars as enemies of not only the Church but of God, and the implicit rewards of going on the crusade. This essay is also an examination of the intersection of belief and body within the Albigensian Crusade, as it investigates the role that both physical and metaphysical actors had in the justification

² William of Tudela and Anonymous, "William of Tudela's Song of the Cathar Wars," in *The Crusades: A Reader*, 2nd ed., ed. S.J. Allen and Emilie Amt, (New York and Ontario: University of Toronto Press, 2014), 239.

³ Sean McGlynn, *Kill Them All: Cathars and Carnage in the Albigensian Crusade* (Gloucestershire: The History Press, 2015), 27-28.

⁴ Augustine of Hippo, "The Writings against the Manichaeans, and against the Donatists," in *The Crusades: A Reader*, 5-8.

of the violence that occurred in Languedoc.

This work endeavors to expand on the scholarship that analyzes the rationalization of crusades, examining the Albigensian Crusade in particular. Modern scholars investigate how the Church crafted many justifications for different crusades, drawing on religious, social, and cultural sentiment. This work seeks to establish how justifications for violence diffused amongst crusaders, heretics, and other Christians in Languedoc. This essay investigates the way that Catharism was viewed as a plague, infecting the lands of Christianity, and how that attitude played into the Church's defense.⁵ This was a common doctrine throughout the crusades, though it seems to be an understudied aspect of the Albigensian Crusade in particular.

For the purpose of this investigation, it will be presupposed that Catharism was indeed a movement or religion that existed in Languedoc, the area of land between the Dordogne river and the Pyrenees mountains, in the early thirteenth century.⁶ There exists a scholarly debate over the existence of the Cathar religion.⁷ Overwhelming evidence provided by primary sources suggests, however, that it did exist, at the very least in the eyes of the Pope, the Church, and those who documented the crusade. Three prominent figures are discussed throughout this essay. Pope Innocent III (1160/1161-1216) was head of the Church from 1198 to his death in 1216. In the early years of his papacy, Innocent advocated for papal legates to attempt to extend the Church's power in Languedoc by preaching and working with local clergy and princes. In 1208, one of Innocent's legates, Peter of Castelnau, was murdered. This was reportedly done under the order of Count Raymond VI of Toulouse, prompting the Pope to launch the Albigensian Crusade.⁸ Count Raymond VI (1156-1222) ruled the county of Toulouse along with several other localities in Languedoc from 1194 to his death in 1222, though his position was nominally stripped by Innocent III in 1215. He was tolerant of the Cathar religion in his lands and in the beginning, he was tolerant of both missionaries and the crusaders as well.⁹ Raymond VI's main adversary amongst the crusading force was Simon de Montfort (~1160-1218). A participant in the Fourth Crusade, Simon de Montfort was a talented soldier and was promoted after showing his devotion to the Church in the crusade. The duke of Burgundy at the time invited him to lead an army against the Albigenses in 1209 and Simon eagerly

5 I have only found an investigation into this specific topic in one B.A. thesis paper. Phillip Williams, "Sickness and Sin: Medicine, Epidemics and Heresy in the Middle Ages," (Bachelor's thesis, University of Nottingham, 2005).

6 Janet Shirley, "Introduction", in *The Song of the Cathar Wars*, viii.

7 Scholars such as Mark Pegg doubt the accuracy of modern language and ideas surrounding the existence of Cathars as a religious group. See Mark G. Pegg, *A Most Holy War: The Albigensian Crusade and the Battle for Christendom* (New York: Oxford University Press, 2008), x-xii.

8 *The Crusades: An Encyclopedia*, s.v. "Innocent III."

9 *The Crusades: An Encyclopedia*, s.v. "Raymond VI of Toulouse."

accepted.¹⁰ What followed was a brutal campaign against the towns of Languedoc.

This examination references three noteworthy chronicles produced during the time of the crusade. The first is a song written by Guillaume de Tudèle, which has been anglicized to William of Tudela, and an anonymous author.¹¹ The song, or canso, provides two outstanding perspectives on the period between 1204 and 1218. The two authors took different stances on the violence that occurred, William defending the virtuousness of the crusaders while the anonymous author saw them as invaders and Count Raymond as a courageous defender. Both authors appeared to have been either present at, or close to, the events of the crusade and are fairly reliable in their accounts, according to translator Janet Shirley.¹² The next chronicle is by Roger of Wendover (d. 1236), an English chronicler who wrote of the events as news came to him at the monastery of Saint Albans. His position outside of the arena of both Northern France and Languedoc allowed him a distanced view of the events, which he wrote about from 1217 to 1235, though his station at Saint Albans may lend some bias.¹³ The third chronicle is by Caesarius of Heisterbach, a monk at the Cistercian monastery of Heisterbach. Caesarius was a teacher of young monks, and his chronicle is dramatic and provides insights into the view of heresy within clerical circles. He wrote the section of the chronicle used in this essay in 1220.¹⁴ Together, these three chronicles offer a wide range of time and perspectives for examination. Two additional chroniclers are briefly mentioned, Guilelmus de Podio Laurentii and Petrus, both of whom wrote about the events that took place in the Albigensian Crusade and its immediate aftermath.¹⁵

A crucial aspect of medieval culture to consider before examining the justifications of the Albigensian Crusade is that some concepts of "just" war did exist prior to the emergence of crusading culture. For example, Saint Augustine of Hippo, a Christian theologian and influential clergy member, wrote about just war theory as early as the fourth century. In one of his writings, he stated

When war is undertaken in obedience to God, who would rebuke, or humble, or crush our human pride, it must be allowed to be a righteous war; for even the wars which arise from human passion cannot harm the eternal well-being of their spirit

10 *The Crusades: An Encyclopedia*, s.v. "Simon of Montfort."

11 Shirley, "Introduction," 1.

12 Shirley, "Introduction," 4-5.

13 "The Pope, Crusades, and Communities, 1198-1213," in *Crusade and Christendom*, ed. Jessalyn Bird, Edward Peters, and James M. Powell (Philadelphia: University of Pennsylvania Press, 2013), 66.

14 "The Pope, Crusades, and Communities, 1198-1213," 67.

15 Guilelmus de Podio Laurentii, *The Albigensian Crusade and its Aftermath*, trans. W.A. Sibly and M.D. Sibly (Woodbridge: The Boydell Press, 2003); and Petrus, *The History of the Albigensian Crusade (Historia Albigensis)*, translated by W.A. Sibly and M.D. Sibly (Woodbridge: The Boydell Press, 1998).

[...] For there is no power but of God, who either orders or permits.¹⁶

As in this excerpt, many of Saint Augustine's theories of just and limited war pertain to both the allowance and support of God and of only going to war when commanded by God. He argued that going to war had to be righteous and humble, because otherwise their eternal souls would pay for their earthly deeds. Many of the justifications presented below follow the thinking of early just war theorists, like Saint Augustine. Both the Church and individual crusade leaders used the rhetoric that the violence inflicted was either in the name of God or with God's obvious support.

Ruthlessness in Languedoc

Though all wars must be justified in some manner by those advocating for them, the extreme brutality displayed in Languedoc made justification even more imperative. Although the death count remains wildly inconsistent within both contemporary and scholarly literature, as McGlynn observes, "the vicious nature of the war and its numerous massacres kept the victim count consistently high".¹⁷ Scholars generally agree that the crusade in Languedoc was one of the bloodiest campaigns undertaken by the Church. One of several massacres in the Albigensian Crusade occurred in Minerve in the summer of 1210. Simon de Montfort and his men "burned many heretics, frantic men of an evil kind and crazy women who shrieked among the flames. Not the value of a chestnut was left to them."¹⁸ Immolation was a common death sentence for those accused of heresy or witchcraft, and the actions undertaken by Montfort and his men at Minerve were no different except for their scale. Another massacre followed soon after during the siege of Lavaur in 1211. Reportedly, the crusaders hanged the lord of the town with more than eighty of his knights and threw the Lady of the town "into a well and heaped stones on top of her." Additionally, four hundred town peoples accused of being heretics, were taken to a meadow and burned.¹⁹ The crusaders and the military leaders celebrated this wholesale slaughter as a great victory. They had successfully rid the town of hundreds of enemy heretics as well as prominent political figures that protected them. One of the most infamous massacres occurred at the beginning of the crusade, on July 22, 1209, in Béziers. Here, crusaders slaughtered the entire town, with a death toll that ranges from 17,000 to 100,000 depending on the report. The most accurate and repeated estimate seems to put the figure at around 20,000 people, with a great number killed in or near the church of St. Mary Magdalene where they attempted to take

¹⁶ Augustine of Hippo, "The Writings against the Manichaeans, and against the Donatists," 6.

¹⁷ McGlynn, *Kill Them All*, 13.

¹⁸ William of Tudela, "Song of the Cathar Wars," 32-33.

¹⁹ William of Tudela. "Song of the Cathar Wars," 41.

shelter.²⁰ The totality with which the crusaders ransacked these towns, indiscriminately killing men, women, children, servants, and lords showed that anyone could be subject to the violence within this crusade. This theme of total annihilation persisted throughout the years that the crusade was active.

The crusaders were not the only ones with a tendency for massacres, however. During the siege of Avignon in 1226, the besieged townspeople "sallied from the city one day in great force when the French were sitting at table eating and drinking, and rushing on them when the French were unprepared for them, slew two thousand [...]"²¹ The besieged citizens took the small advantage that they had in order to attack and decimated the unaware and unprepared crusading force. It is possible that this was the result of desperation on part of the besieged, but it is more likely that it was due to the now long history of massacres and extreme violence. Another account described by McGlynn runs as follows:

French prisoners were led bound through the streets of Toulouse with bags about their necks, into which citizens placed their money to show appreciation for their capture. What followed for many was the horrific part. Some had their eyes gouged out; others their tongues cut off. Some were dragged behind horses and then left to the dogs and crows; others were flung from the walls. To terrify and demoralize the northerners, some prisoners were hacked into bits and their body parts catapulted across to them, so they fell on their heads in a gruesome shower. A Frenchman... was buried alive up to his shoulders, his head then being used as target practice for stone-throwers and archers. He was eventually set on fire and fed to the dogs.²²

This was an extreme show of violence, meant to both ridicule and demerit the crusaders, and boost the spirits of the defenders of Languedoc. Citizens of Toulouse celebrated the capture of French crusaders, and their deaths were made into a show rather than efficient battlefield killings. Even if the story is taken with a grain of salt, this account showcases just how brutal the conflict between the Northern French crusaders and the defenders of the South was. The violence was a result of religious zeal, political conflict, and tactical humiliation. Every action taken by either side inspired a reaction, leading to increasing brutality over the course of the war as both sides became more dedicated to their cause and convinced that the other side was truly their enemy. Justifications for the ruthlessness needed to fight the war came from many directions, as crusaders had to be motivated enough to wipe out entire towns and the Southerners had to defend both their towns and Catharism.

²⁰ McGlynn, *Kill Them All*, 63.

²¹ Roger of Wendover, "The Albigensian Crusade from the Chronicle," in *Crusade and Christendom*, 75.

²² McGlynn, *Kill Them All*, 229.

General Justifications

Taking the vow to go on crusade was a serious commitment, one that many chose because of their devotion to God and the Church, but there were various other motivations.²³ Decades of crusading had built the precedent for more transactional religious encouragement. Following Peter of Castelnau's death, Pope Innocent III "enjoined the chiefs and other Christian people as a remission of their sins [...]" to join the crusade.²⁴ Pope Innocent III and his predecessors had set up a system where executing the Church's directives meant that individuals would receive spiritual rewards following their deaths. Many saw crusading as a way to save their immortal soul and, in this way, the crusade against the Albigenses was no different than crusades to the Holy Land.

Personal glory was another motivating factor, though this was sometimes conflated with the potential of martyrdom. One knight named Lord Bouchard said at the Battle of St Martin Lalande in 1211, "As long as we keep the field, we shall win glory, dead or alive – the more dead the greater the glory. And all who die like this will be raised."²⁵ This was a rallying cry to his troops, an assertion that even if they did not return home whole or with their lives, their names would return in glory. In other cases, individuals saw crusading as a way to gain increased standing either in society or with the Church. Pope Innocent III decreed at the Fourth Lateran Council in 1215 that "Catholics who have girded themselves with the cross for the extermination of the heretics, shall enjoy the indulgences and privileges granted to those who go in defense of the Holy Land."²⁶ This ensured that those who saw the crusade as more than a way to show their devotion to God knew they would reap the same spiritual and material rewards going to Languedoc as those that went to Jerusalem.

The difference in time and distance required of soldiers made the Albigensian Crusade an easier commitment than a crusade to Jerusalem as well. When French soldiers vowed to go on the crusade to Languedoc, it was a much shorter trip to southern France than the several week-long journey to Jerusalem. Additionally, the time commitment for the Crusade was generally very short. One account from 1212 stated that following the capture of several cities, crusaders "went home to their own countries, having completed

23 Jean Flori, "Ideology and Motivations in the First Crusade," in *Palgrave Advances in the Crusades*, edited by Helen J. Nicholson, (London: Palgrave Macmillan, 2005), 19-20.

24 Roger of Wendover, "The Albigensian Crusade from the Chronicle," 69.

25 William of Tudela, "Song of the Cathar Wars," 52.

26 "The Twelfth General Council (1215): Fourth Lateran Council," in *Disciplinary Decrees of the General Councils: Text, Translation and Commentary*, ed. H.J. Schroeder (St. Louis: B. Herder, 1937), 243.

their forty days' duty and won their pardons."²⁷ Forty days spent traveling, setting up siege camps, and advancing through towns that did not put up resistance meant that little time was likely spent in combat. The number of atrocities and massacres that individual soldiers faced during their forty-day service did not compare to the remission of sins that they were promised in exchange for going on the journey.

Despite short service periods, crusaders still faced bouts of personal suffering, like the conditions experienced during the siege of Avignon in 1226. Roger of Wendover wrote that soldiers "were deprived of all kinds of sustenance [...] exposed to death in many ways, from the epidemic disease which was raging dreadfully among their men and horses" The conditions in the siege camp were poor and close quarters led to the rapid spread of disease and death within. Dysentery was a constant killer due to stagnant water and food being contaminated by waste during sieges. To make matters worse, Wendover continues, "there arose from the corpses of the men and horses which were dying in all directions, a number of large black flies [...] caused sudden death among them."²⁸ The flies, outside of causing further spread of disease, were a visual symbol of large-scale death and pestilence, which quickly brought down morale amongst the crusaders. To combat this King Louis VIII, the leader of this siege, sent "large bodies of troops were obliged to leave the camp to seek for provisions for the men and food for the horses, and on these excursions they took many towns which opposed them [...]"²⁹ This seemed to have multiple benefits for both the crusaders and leaders. On one hand, the soldiers received a break from the siege camps and had the opportunity to engage in combat and provide for the cause. While this was still facing violence, it was more glorious than facing death from disease in a camp, covered in flies. On the other hand, having troops bring back provisions and tales of taking other towns would increase both physical conditions and morale within the camps.

Catharism as a Disease

Another system of justifications for the Albigensian Crusade that appeared in chronicles is the notion of Catharism as a plague that threatened Christianity. Roger of Wendover wrote that following the death of Peter of Castelnau, Innocent III urged Christians to "take the sign of the cross for the extirpation of this plague... protect the Christian people by force of arms."³⁰ Here, Catharism was directly referred to as a plague, but the key word

27 William of Tudela and Anonymus. "William of Tudela's Song of the Cathar Wars," 63.

28 Roger of Wendover, "The Albigensian Crusade from the Chronicle," 74-75.

29 Roger of Wendover, "The Albigensian Crusade from the Chronicle," 75.

30 Roger of Wendover, "The Albigensian Crusade from the Chronicle," 69.

is extirpation, translated from the Latin *extirpandum*.³¹ This word in modern English has a double meaning of extinction of a local population or “complete excision or surgical destruction of a body part,” both of which reflect the Latin definition.³² In Latin, *extirpandum*, from the root *extirpo*, means “to pluck up by the stem or root,” completely eradicating something, preventing it from spreading.³³ When crusaders took towns, they would gather anyone suspected to be a Cathar and kill them all. The crusade’s goal was to use violence and force of arms to drive Catharism to extinction, effectively cutting out the plague that was growing within Languedoc. The Cathar religion was a threat to Christianity not just because it existed, but because it appeared to have taken a hold on Southern France. The South was an area nominally under the French king’s purview, but in reality, operated largely on its own and the growing popularity of Catharism set it even further apart. The spread of Catharism was worrisome to both the French monarchy and papal leaders, remarked by Caesarius after the fact, “if (heresy) had not been cut down by the swords of the faithful, I think that it would have infected all.”³⁴ This qualified Catharism, and heresy in a larger sense, as a plague of sorts and indicated that the violence of the crusade was not only justified, but necessary to cut it out. This is compounded with the idea of the crusaders existing as “the faithful,” those devoting their swords and lives to God, as not all that they killed were Cathars.

But not even being a Christian, or demonstrating a willingness to follow the Church’s directives, was enough to stop the plague from touching some people. For example, Count Raymond VI and his followers were described as “infected with the foul stain of heresy.”³⁵ This infection of heresy could spread even if the doctrine did not, subjecting other Christians to crusader violence. All of this lends itself to the idea that Catharism was a kind of plague, eating away at the body of the Christian lands. Furthermore, this is a language not unique to chroniclers of the Albigensian Crusade, crusades against Muslim and Jewish peoples were also preached as stopping a plague of religion spreading. But this threat came from inside Europe, and infections in one limb can easily spread to the whole body. Simon de Montfort saw this, for him “the threat posed by the heretic, the enemy within, was even greater than that posed by the infidel.”³⁶ The threat to the Church was all-consuming, which Cathars, as well as anyone seen defending them.

The spread of heresy in the South seemed simple because it provided an easier

31 Roger of Wendover, *Flores Historiarum*, vol. 3, edited by Henry O. Coxe (Londini: Sumptibus Societatis, 1841-42), 267.

32 Merriam-Webster Dictionary, s.v. “Extirpate.”

33 Lewis & Short: Latin-English Dictionary, s.v. “Extirpo.”

34 Caesarius of Heisterbach, “Dialogue on the Albigensian Crusade,” in *Crusade and Christendom*, 79.

35 Roger of Wendover, “The Albigensian Crusade from the Chronicle,” 72.

36 The Crusades: An Encyclopedia, s.v. “Simon of Montfort.”

journey to salvation than the orthodox following of Christianity at the time. Cathars preached dualism and emphasized leading a “pure life,” but the most important aspects were “initiation from one of the ‘good men’” and a baptism, usually delivered on the deathbed.³⁷ The expansion of Cathar beliefs was not due to a type of holy war or conquest; the doctrine was spread through word of mouth between communities. Violence began once the Pope, and subsequently the crusaders, began their mission to wipe out the religion entirely. However, there are multiple accounts of Cathars ridiculing and mocking both crusaders and the central Christian faith. Roger of Wendover wrote that during the siege of Béziers, Cathars “threw down the book of the gospel from the city on them, blaspheming the name of the Lord, and deriding their assailants: ‘Behold,’ they said, ‘your law, we take no heed to it [...]’”³⁸ This was both an insult to the crusaders and was a strong declaration of the faith they had in their town and their religion. One of the most dramatic scenes comes from Caesarius who quotes a legate sent to Toulouse:

some of the powerful men of the city of Toulouse did a thing so dreadful in hatred of Christ and to the confounding of our faith [...] One man emptied his bowels next to the altar of the greater church, and wiped his unclean parts with the altar cloth. In fact, others adding madness to insanity, put a harlot upon the sacred altar, using her there in full sight of the Crucified. Afterward they tore down the sacred image itself, amputating its arms, proving themselves far worse than Herod’s soldiers [...]³⁹

This account, like others, was likely exaggerated to better reach the young monk Caesarius was speaking to. Nevertheless, it still indicates that Cathars certainly held contempt towards Catholics, whether it was a result of disagreeing with their doctrine or a result of the violence brought upon them during the Crusade. The legate witnessed these men, powerful figures in the city, publicly desecrating a significant symbol of Christianity. By literally soiling the altar of Christ, in more ways than one, the men show their utter disavowal of the Catholic religion.

Such outright shows of contempt for the crusader’s God further inflamed sentiments towards the Cathars. When this combined with the idea of complete extirpation, extreme violence towards the Southerners was seen. In one instance, crusaders took a massacre “inspired by a loathing of heresy,” completely into their own hands, without the command of a crusade leader or papal legate. The Song of the Cathar Wars claims that “Lords, ladies and their little children, women and men [were] stripped naked [...] Flesh, blood and brains, trunks, limbs and faces hacked in two, lungs, livers and guts torn out and

37 Andrew Roach, *The Devil’s World: Heresy and Society, 1100-1300* (Oxfordshire, Taylor and Francis Group, 2005), 70.

38 Roger of Wendover, “The Albigensian Crusade from the Chronicle,” 70.

39 Caesarius, “Dialogue on the Albigensian Crusade,” 81.

tossed aside [...] Not a man or a woman was left alive [...]”⁴⁰ after the townspeople had already surrendered and negotiations were underway. The account shows the true hatred of heresy among even the common soldiers, if they were willing to brutalize even the children of the town. It was not just the clergy and laity that believed in the total removal of the Cathars from Languedoc, crusaders themselves believed the heretical threat to God enough to act without impetus.

Role of God in Warfare Here

As with many crusades, the clergy expounded on their interpretation of God’s will as a motivation and justification for the crusade against the Albigenses, and the violence within. One of the most famous quotes regarding the crusades comes from Abbot Arnaud Almaric, papal legate and military leader in the Albigensian Crusade: “Slaughter them all. God will know his own (Caedite eos. Novit enim Dominus qui sunt eius).” Almaric reportedly made this declaration during the aforementioned siege of Béziers.⁴¹ Though many translations have worked their way into both scholarship and public knowledge, the sentiment is that the crusaders could kill all of the townspeople because God would recognize or protect his own. In the chronicle of Roger of Wendover, when crusaders took the city “a great slaughter of the infidels taking place as the punishment of God; but, under his protection, very few of the Catholics were slain.”⁴² In Caesarius’s account, however, crusaders slaughtered every person in the town because when asked how to distinguish between a true Catholic and a lying heretic, the Abbot said, “Kill them [all]. For the Lord will acknowledge his own.”⁴³ The contrast between the two retellings of the events at Béziers is significant. In one, the Catholics were completely spared the blade but in the other they would only be spared by God’s eternal judgement. In either case, the idea that God would protect the Catholics justified the violence, so the heretical enemy was the only one truly being slaughtered. After all, in some minds, it was safer to rid the town completely of heresy at the risk of killing a few true Catholics than to allow a few heretics to escape, with the potential of spreading their dogma further.

This very fear plagued Pope Innocent III himself. Even prior to the war, Innocent wrote to Count Raymond IV “we will enjoin all the neighboring princes to rise up against you as an enemy of Christ [...] Nor should the fury of the Lord be averted from you, but already his hand will be extended to strike you.”⁴⁴ This language not only explained that

40 William of Tudela and Anonymous, “William of Tudela’s Song of the Cathar Wars,” 187-188.

41 Guilelmus de Podio Laurentii, *The Albigensian Crusade and its Aftermath*, 128.

42 Roger of Wendover, “The Albigensian Crusade from the Chronicle,” 68.

43 Caesarius, “Dialogue on the Albigensian Crusade,” 80.

44 McGlynn, *Kill Them All*, 34.

Raymond IV, a Catholic, did not merit protection was marked as an enemy of God and therefore became an enemy of the crusades, subject to the same treatment as the heretics he protected. The second part of the quote demonstrates how Innocent III interpreted God’s will and how later he used that rhetoric to urge the crusade. Following the death of Peter of Castelnau, the Pope preached, “Let us turn now to those who, fired with zeal for the true faith, are ready to gird themselves to avenge this righteous blood (which will not cease to cry from earth to heaven until the Lord of Vengeance descends from heaven to earth to confound the corrupt and the corrupters.”⁴⁵ This was a direct call for the crusade, for the men of the Church to stand up to the threat of heresy in the South as well as to avenge the death of his legate. It both denounced Catharism and invoked Genesis 4:10, implying that the call for vengeance would not end until those who spread heresy, along with the religion as a whole, were gone.⁴⁶

Beyond existing as a theological motivating factor for the Church and crusaders, chroniclers also wrote about the divine taking a more direct role in the crusade. One such instance was during the siege of Termes, when it appeared that it would be a long and arduous task for the crusaders to win the town. The people of Albi seemed to have enough supplies and willpower to withstand a long siege. Then, the crusaders saw the miraculous happen. A flood that was sent by God contaminated the water within Termes and caused an outbreak of dysentery that broke down the town’s defenses.⁴⁷ The men of Albi were so ill that they knew they could not fight and fled in the night. The crusaders, led by Count de Monfort, were then able to take the town. William of Tudela wrote, “If the Lord God had not dealt them a blow, as he did later when he sent them dysentery, they would have never been defeated.”⁴⁸ In the eyes of chroniclers and crusaders, God played a direct role in not only the justification of the war but was physically assisting the crusaders in their goal. Assistance, in this case, led to the abandonment of other castles in the area, securing even more crusader victories, further supporting the Church’s argument that God was in favor of the Albigensian Crusade.

In another instance, Tudela reported that Jesus Christ played a physical role in the crusade. In August of 1212, the crusaders surrounded the town of Moissac, which had hired mercenaries from Toulouse to protect them. The besieging crusaders were almost certain of their victory, but had used an overwhelming amount of force and resources while attempting to enter the city. One day, “Jesus the righteous,” preformed a miracle and “a

45 Petrus, *The History of the Albigensian Crusade*, 35.

46 Genesis 4:10-11, “God then said: What have you done? Your brother’s blood cries out to me from the ground!: Now you are banned from the ground that opened its mouth to receive your brother’s blood from your hand.”

47 William of Tudela, “Song of the Cathar Wars,” 36.

48 William of Tudela. “Song of the Cathar Wars,” 36.

great section of the wall now fell into the moat and opened a way in.”⁴⁹ This led to the surrender of Moissac, however, this was not the end. The crusaders demanded that the townspeople hand over the mercenaries for the trouble that they had caused. The crusading force killed more than three hundred mercenaries and absorbed their resources. This is an interesting situation, because it shows the intersection between the chronicler’s religious belief with their account of what happened. In the chronicle, it is argued that Jesus helped the crusaders by toppling the wall, but in reality, it is likely that the catapults simply did their job. According to Tudela, the crusaders had setup multiple catapults, a cat (a structure used to claw at and pull-down defensive walls), and a battering ram that “hammered day and night against the town wall.”⁵⁰ This argument of direct divine intervention could be device of the author, but it is also possible that it was a story invented by the crusaders to justify the killing of the mercenaries. In their perspective, if Jesus had been the one to topple the wall and allow the crusaders into the city, then surely he condoned the violence that followed, or at the very least, was partially responsible. Emphasizing the role that metaphysical actors had during the war helped the Church further establish the doctrine of justified violence.

The Extent of God’s Will

Justifying crusade violence was something that the Church was well versed in by the time of the Albigensian Crusade. Since the start of the First Crusade in 1096, soldiers had been fighting, killing, and at times massacring, enemies of the Church in the name of God. Lands needed to be taken and then defended in the name of Christ, but the Cathar threat came from within. Killing other Christians was not agreeable to all crusaders at first. Roger of Wendover wrote, “For it seemed to many to be a sin to attack a true Christian, especially as all were aware that,” and continues on to describe Count Raymond’s commitments to the Church and the faith.⁵¹ But the plague of heresy had already touched the Count and he won no favor with the papal legates. His laissez-faire attitude towards Catharism seems to have negated his status as a true Christian, and the same went for his followers. Moreover, excommunication was a weapon wielded by the Church as sharply as crusader’s swords. At Béziers, citizens were told “either to deliver the heretics and their property into the hands of the crusaders, or else to send them away from them, otherwise, they would be excommunicated and their blood was on their own heads.”⁵² This type of ultimatum helped lift the moral dilemma that soldiers had over killing other Christians because if they made the wrong choice, they were no longer totally faithful or innocent. The theme of using

49 William of Tudela. “Song of the Cathar Wars,” 62.

50 William of Tudela, “Song of the Cathar Wars,” 61-62.

51 Roger of Wendover, “The Albigensian Crusade from the Chronicle,” 72.

52 Roger of Wendover, “The Albigensian Crusade from the Chronicle,” 69.

excommunication as a justification for attacking Christians continued throughout the crusade, and even Count Raymond VI was officially removed from the Church multiple times. At times, the papacy excommunicated entire towns, meaning that anyone inside was subject to slaughter. The Fourth Lateran Council decreed that “those who give credence to the teachings of the heretics, as well as those who receive, defend, and patronize them, are excommunicated” and that if “he be a cleric, let him be deposed from every office and benefice, that the greater the fault the graver may be the punishment inflicted.”⁵³ Large-scale excommunications, as well as the more general standard set by the Council, expanded the potential for violence in Languedoc. By either officially or unofficially excommunicating people, they no longer qualified in the eyes of the crusaders as true or faithful Christians, even if they had in the past been considered Catholic or even a part of the clergy.

That being said, God’s perceived will was not the only reason that the crusaders attacked other Christians. Some leaders within the crusades had the extended goal of gaining fame and extending their land holdings, under the guise of defending the faith from heretics and treasonous Christians.⁵⁴ Pope Innocent III himself wrote to Simon de Montfort that he knew Simon had “turned [his] hands against the Catholics [...] and used the army of the crusaders [...] to spill the blood of the just and injure the innocent, to occupy the territories of the King’s vassals.”⁵⁵ In this instance, Simon had been taking territory won from King Peter II, ruler of Aragon, a land south of Languedoc. King Peter II had joined the fight against the crusaders because of marital ties between him and Count Raymond, as well as his growing belief that French expansion needed to stop. He was a devout Catholic and Pope Innocent III placed him in power over Aragon and Catalonia. He was also a leader in the crusade against the heretics in Spain.⁵⁶ He witnessed crusade leaders like Montfort taking over Southern land become enough of a problem in this time that he actively began fighting alongside an enemy of the same Church. It appeared that Innocent III had lost much of his control in the area. Compounded with the conflict in Spain with the Moors, and the Saracens in the east, the Pope attempted to reign in the crusaders by removing privileges and remissions granted but largely failed. In the end, territory in Languedoc and the surrounding area gained by the crusaders during this time was converted to be under the power of French kings, lords, and counts, especially following King Louis VIII taking the crusade vow. For this reason, the more religious motivations appear at times to be less truly motivational and more excusatory, and therefore the worries about fighting against fellow Christians would not have been as big of a deterrent.

53 “The Twelfth General Council (1215): Fourth Lateran Council,” 243.

54 Flori, “Ideology and Motivations in the First Crusade,” 28.

55 “Appendix: Papal Correspondence,” in *The History of the Albigensian Crusade*, 308-309.

56 Joseph R. Strayer, *The Albigensian Crusades* (Ann Arbor: University of Michigan Press, 1992), 88-89.

Roger of Wendover wrote of the continued fighting at Avignon stating, “it seems clearly evident that an unjust war had been undertaken, of which covetousness was the cause rather than the wish to exterminate heresy.”⁵⁷ At some point, the goal of the crusade’s military leaders shifted towards gaining lands or titles over expelling heresy. Perhaps it had been an underlying goal all along, simply precipitated by the allowance of violence by the crusade against the Cathars. Either way, some participants in the crusade, as well as chroniclers at the time, recognized that the violence that occurred was not simply motivated by the religious goals of the crusade. On the other hand, motivations and justifications can very easily intertwine, and perhaps some believed that the religious justifications counterbalanced their more materialistic motivations.

Thoughts on the Southerners

Two groups fought against the crusaders in Languedoc, the Cathars and those like Count Raymond VI who were involved by way of politics. These groups had to have their own justifications for fighting, as they did not have the propaganda given by the Christian Church, the privileges given by the crusade vow, or the potential to gain territory through crusade violence. For Count Raymond and other local rulers, it was likely a simple manner of defending their lands and resisting the control of both the French monarchy and the Church. For the Cathars however, the reasons for fighting were likely more personal. There is a great lack of Cathar literature, perhaps due to their questionable existence as a group, perhaps because of their extinction due to the Albigensian Crusade and the later Inquisition. Therefore, their motivations and feelings about the crusade are much more open to speculation. When examining the chronicles and the dogma of the Cathar religion that are available, their religious beliefs point to one potential justification for their willingness to face extreme violence. The Cathar religion was dualist and believed in two gods, one Good and one Evil. They believed that the Evil god was responsible for all material things. Only when they died would the Good god potentially save their immortal souls. This meant Cathars abstained from things seen as material pleasures such as sexual acts and animal products, but it also meant that they did not necessarily fear death. This repulsion of the material world extended to physical bodies which were “seen as an unclean cloak that oppressed the eternal soul, which belonged to God.”⁵⁸ Suicide was not advocated but people that were dying or declared terminally ill by physicians could choose to fast until they died, amongst other methods of intentional death. Devotion to their faith combined with the idea that the Good god was waiting for their soul after death, may have made

⁵⁷ Roger of Wendover, “The Albigensian Crusade from the Chronicle,” 77.

⁵⁸ Costas Tsiamis, Eleni Tounta & Effie Poulakou-Rebelakou, “The ‘Endura’ of The Cathars’ Heresy: Medieval Concept of Ritual Euthanasia or Suicide?,” *Journal of Religion and Health* 55 (2016): 175.

fighting for their faith that much easier. This is one possible avenue for further investigation into the Southerners’ justification for the war.

Conclusion

In modern examinations of just warfare, the justification for both the murder of civilians and the killing of combatants is something that is carefully examined. Justifications for killing civilians are exceedingly hard to argue in favor of, as there are typically limits even to killing other combatants. Nowadays, there exist broadly recognized laws of proportionality that restrain combat.⁵⁹ Theologians like Augustine of Hippo provided ideas about the justification of warfare through God’s will, reconciling the idea of blood being spilled by Christians, long before the Crusades began. Though there were certainly ideas of just and restrained warfare during the time of the Albigensian Crusade, many of those ideals were not placeable in Languedoc. Intense, all-encompassing brutality followed the crusaders throughout the region. It is interesting to think that today we might classify the killing of the Cathars and any who protected them as a genocide, but at the time, it was a just and righteous call to war.⁶⁰ Genocide is a term with many connotations, and it must be scrupulously applied. Certainly, however, the indiscriminate killing, as well as the ideas of complete eradication of the Cathars as a people and punishment of anyone who defended them, leads to connection with the term.

Studying the justifications used for the violence in Languedoc is critical because it helps see how the papacy rationalized overwhelming brutality in warfare, akin to the modern idea of genocide. Certainly, if a dominant religious group in the present began a war, it may be justified. But stating that anyone who subscribed to a different faith was an enemy and subject to death regardless of their combat status, would face extreme objections and outrage from the global community. During the Albigensian Crusade, however, it appears that crusaders, crusade supporters, and Church leadership all believed that it was a reasonable course of action to protect the Christian faith. Letters from the pope, canons decreed at councils, and stories from contemporary chroniclers all make it appear that the plague of heresy was something that the Church needed to exterminate at all costs. There may have been objections about some of the more extreme violence, especially violence against fellow Christians, but those objections seemed to have been quickly resolved. The

⁵⁹ Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York, Basic Books, 1992),

⁶⁰ The United Nations defines genocide as “any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: Killing members of the group; Causing serious bodily or mental harm to members of the group; Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.”

papacy used language as a motivator, from expounding on the dangers of heresy to the Church to providing evidence that God was on their side. Individual crusaders and crusade leaders may have felt more motivated either by the idea of protecting the Church and their God or by the benefits provided by going on the crusade. Either way, both of those motivations certainly provided a way for crusaders to justify both dealing out and dealing with violence within the Albigensian Crusade.

Identity to be Identi-seen: Male Homosexual Resistance in the German Speaking States from 1836 to 1914

Dex Dexter

Abstract. As early as 1836, writers in the German-speaking states began forming an innate homosexual identity. This identity became the basis for a larger homosexual rights movement in the early twentieth century. This paper seeks to expand existing historiography on male same-sex relations that traces the phases of homosexual identity by examining the creation and endorsement of male homosexual identity as an act of resistance against the Christian-dominated culture and law. Drawing on popular court cases, pertinent medical texts, and the published works of prominent resisters such as Heinrich Hössli, Karl Heinrich Ulrichs, Magnus Hirschfeld, and Adolf Brand, this paper analyzes the connection between individual acts of resistance, medicalization, and collective resistance in the late nineteenth and early twentieth century. Early individual resisters used scientifically-based publications to break the silence on male homosexuality and articulate an inborn homosexual identity. Medical texts and sensationalized court cases popularized homosexual identity but also linked it to vice and perversion. Combined, individual resisters and public attention facilitated the growth of a collective homosexual rights movement. Although the collective homosexual rights movement split over differences in identity, diverging groups continued to share resistance tactics, effectively continuing the work of early individual resisters.

“Silence is death” (Stillschweigend ist der Tod).¹ Published in 1896, this quote from *Der Eros und Die Kunst: Ethische Studien* (Eros and Art: Ethical studies) came from an anonymous writer using the pseudonym “Ludwig Frey.” Frey argued that “victory” for homosexual people could only be achieved through the dissemination of knowledge about their identity.² Frey’s argument begs the question, what is homosexual identity? In only 32 years, the understanding of same-sex relations in the German-speaking states had grown significantly since Karl Heinrich Ulrichs first introduced the term “Urnings,” persons who experienced an innate same-sex desire in 1864.³ The budding homosexual community introduced terminology, published pamphlets, and formed same-sex gathering places, yet both German law and culture continually condemned men who engaged in same-sex rela-

1 Robert Beachy, *Gay Berlin: Birthplace of a Modern Identity* (New York: Alfred A. Knopf, 2014), 107.

2 Beachy, *Gay Berlin*, 107.

3 Karl Heinrich Ulrichs, “Vindex: Social and Legal Studies on Man-Manly Love,” in *The Riddle of “Man-Manly” Love: The Pioneering Work on Male Homosexuality*, translated by Michael Lombardi-Nash (Buffalo, NY: Prometheus Books, 1994), 34.

tions. Even when legal penalties were weak, the cultural discrimination against those who engaged in same-sex relations pushed many men to suicide. This loss of life drove Magnus Hirschfeld to take up the defense of homosexual men by building on the arguments that Ulrichs had posited years before. He founded the Scientific Humanitarian Committee (SHC), creating the community that became known as the “first modern homosexual rights movement.”⁴

The publications of Ulrichs, Hirschfeld, and Frey were all acts of resistance because they broke the German states’ culturally and legally enforced silence about same-sex relations. Drawing on Mona Lilja’s “The Definition of Resistance,” this paper defines resistance as opposition to dominant culture and authority.⁵ Under this definition, a wide range of situations can be considered resistance. However, a broad definition of resistance is advantageous because various forms of resistance can be compared with each other. Both private and public acts of resistance contributed to the growth of a German homosexual identity and community. This paper focuses on analyzing publications and court cases in order to highlight public acts of resistance. It examines the shift from individual acts of resistance in the nineteenth century to the collective German homosexual rights movement at the turn of the century. Identity-based resistance is the link between individual and collective acts of resistance. Homosexual resisters opposed the dominant culture and authority by asserting an identity that was considered both illegal and immoral. This resistance strove to attain both legal and cultural transformation that would decriminalize and normalize same-sex relations between men. The proponents of this identity, from individuals such as Karl Heinrich Ulrichs to communities, like the SHC, sought to overturn public opinion and law by creating a biologically certified natural homosexual identity. Individuals’ use of scientific rhetoric created an inherently communal homosexual identity by determining the biological aspects which connected all who experienced same-sex attraction.

The importance of terminology cannot be overlooked in the examination of same-sex interactions because it indicates a change in identity. In this paper, I refer, for clarity’s sake, to those who identify with a same-sex identity as homosexuals, even though they may not have used the word personally. Michel Foucault argued in *The History of Sexuality: An Introduction* that Karl Westphal’s use of the word “homosexual” in 1869 defined a new “species.”⁶ Foucault claimed that the prescription of homosexual identity by the well-known Doctor Westphal created a biological understanding of sexuality that ruptured the connection between mere same-sex interactions and the new homosexual

4 Beachy, *Gay Berlin*, 86.

5 Mona Lilja, “The Definition of Resistance,” *Journal of Political Power* 15, issue 2 (2022): 202-220.

6 Michel Foucault, *The History of Sexuality*, translated by Robert Hurley (New York: Random House, 1978), 43.

identity.⁷ This paper, in conjunction with Robert Beachy, argues that Foucault places too great an emphasis on medicalization in his argument.⁸ The beginnings of homosexual identity do not lie with Westphal alone, nor in the word homosexual itself. Rather, it lay with figures such as Heinrich Hössli, Karl Heinrich Ulrichs, and Karl Kertbeny who created the very terminology and ideas that Westphal popularized. It was Kertbeny who originally created the term “homosexual,” using it in two pamphlets he published arguing against anti-sodomy statutes.⁹ Ulrichs, on the other hand, created his own term for men who experienced same-sex attraction: Urning.¹⁰ Furthermore, Westphal lacked the same purpose as Ulrichs and Kertbeny, both of whom published to achieve legal reform. Foucault’s lack of attention to early resisters distorts his ideas of identity; therefore, Foucault’s assertion that sexuality studies should begin with the publications of Westphal in the late 1860s is deeply flawed.

This essay argues that the individual public resistance of Heinrich Hössli and Karl Heinrich Ulrichs directly contributed ideals integral to the creation of the collective German homosexual rights movement. Medicalization in the nineteenth century played a key role, by publicizing and confirming Ulrichs’ conception of innate homosexuality; however, it was also used to the opposite end, justifying the oppression of same-sex relations and playing a damning role in court. Despite Ulrichs’ failure to prevent the creation of Paragraph 175, an identity-based homosexual community grew in city centers such as Berlin, which flourished due to a reduction of policing and censorship. The community’s intellectual growth was spearheaded by Magnus Hirschfeld and Adolf Brand, whose disagreement over the true meaning of homosexuality only proved the proliferation of distinct homosexual ideology. Ultimately, the homosexual community that bloomed in the twentieth century was reliant on the construction of an inherently communal identity by individual resisters who broke the silence on same-sex attraction.

To understand the history of same-sex attraction, it is important to consider the public’s perception of sexual and romantic interactions within their own historical context. Harry Oosterhuis, while introducing an anthology of texts from *Der Eigene* (The Self-Owners), the first gay journal, claimed that from 1750 to 1840 men who had sex with other men were a part of the “century of friendship,” wherein homosexuality was

7 Robert Beachy, “The German Invention of Homosexuality,” *The Journal of Modern History* 82, no. 4 (2010): 801–38.

8 Beachy, “The German Invention of Homosexuality,” 804.

9 Robert Deam Tobin, *Peripheral Desires: The German Discovery of Sex* (Philadelphia: University of Pennsylvania Press, 2015), 5.

10 Ulrichs, “Vindex,” 30.

expressed through romantic conceptions of heartfelt relationships.¹¹ Same-sex attraction in the Christian-dominated German culture had the reputation of vice and perversion.¹² Many Christians interpreted the Bible as forbidding sex between men.¹³ The majority of the population believed that same-sex attraction could result from excessive masturbation, so it conflicted with Christian tenants forbidding sexual excess.¹⁴ Then, from 1840 to 1900, Oosterhuis argued that there was a movement towards medicalization; sex and sexuality combined in the concept of a third sex, for effeminate men who were sexually attracted to other men.¹⁵ New terminology was introduced to describe people experiencing same-sex attraction that corresponded with an innate sexual identity, rather than an act that one was engaging in, like committing sodomy.

The legal and political context also impacted the prosecution of sodomy. Internationally, the influence of the French Revolution and the subsequent French penal reform in 1791 abolished the laws that previously made sodomy illegal in France, under the belief that the state should not be involved in private affairs. Multiple other states followed in France's example including Spain, the Netherlands, and the Italian states. Closer to home, Bavaria reformed its anti-sodomy statute in 1813 to criminalize sodomy only if it was by force or with children under twelve years of age. Multiple German states also followed this trend, with Württemberg, Baden, Hanover, and Brunswick all abolishing their anti-sodomy statutes by 1848. The rest of the German states had their own variations of anti-sodomy laws, such as Prussia's Paragraph 143, which became the basis for Paragraph 175 in the 1871 German Empire's new Imperial Criminal code. Some states had more conservative anti-sodomy laws, for example Hamburg, Bremen, and the Kingdom of Saxony, which incorporated more actions as prosecutable while also administering greater punishments.¹⁶ The differences in penal codes in the German confederation led to differing adjudications of Paragraph 175 in the German Empire, as judges in the conservative states punished sodomy more heavily than those in liberal states. These differing adjudications also resulted from the vague wording of Paragraph 175 itself, which forbade sexual acts between men that were "intercourse-like."¹⁷ Since anti-sodomy statutes only prosecuted same-sex acts, the law disregarded the nebulous homosexual identity, until the Eulenburg scandal in the early twentieth century. This scandal used libel and perjury trials to pin down identity in

11 Harry Oosterhuis & Hubert Kennedy, *Homosexuality and Male Bonding in Pre-Nazi Germany: The Youth Movement, the Gay Movement, and Male Bonding before Hitler's Rise: Original Transcripts from Der Eigene, the First Gay Journal in the World* (New York: Routledge, 2011), 8.

12 Karl Heinrich Ulrichs, "Ara Spei: Moral, Philosophical, and Social Studies" in *The Riddle of "Man-Manly" Love*, 196.

13 Ulrichs, "Ara Spei," 205.

14 Richard von Krafft-Ebing, *Psychopathia Sexualis: with Especial Reference to the Antipathic Sexual Instinct*, translated by F. J. Rebman. F. Enke (1901), 190; Ulrichs, "Ara Spei," 205.

15 Oosterhuis & Kennedy, *Homosexuality and Male Bonding*, 12.

16 Beachy, "The German Invention of Homosexuality," 807.

17 Beachy, "The German Invention of Homosexuality," 808.

the courtroom.

Putting the I in Resistance: Hösli and Ulrichs' Individual Resistance

In opposition to Foucault's emphasis on Doctor Westphal, homosexual identity can instead be traced back to Swiss writer Heinrich Hösli's same-sex resistance in *Eros: Die Männerliebe der Griechen, ihre Beziehung zur Geschichte, Erziehung, Literatur und Gesetzgebung aller Zeiten* (*Eros: The Male Love of the Greeks, Its Relationship to History, Education, Literature, and Legislation of All Times*) in 1836.¹⁸ Hösli is integral because he was the first to "posit sexuality as natural, involuntary, immutable, transhistorical, universal, and the basis of individuality" in the German-speaking world.¹⁹ Hösli initiated the use of biology to justify the intrinsic nature of same-sex attraction, establishing a strategy that later resisters adopted. In addition to biology, Hösli also drew on literature to explicate the difference between the "cult of friendship" that dominated same-sex relationships in the 18th century and sexual love.²⁰ Hösli praised the play *Die Freunde* (*The Friends*) about a meaningful relationship between a pair of friends, for successfully depicting an erotic, sexual friendship. He evidenced the play's sexual nature by referencing a negative review of the piece, saying "if my idea about the play is inaccurate why does Menzel's *Literatur-Blatt* claim 'in many places the author and the actors of this play would be stoned'?"²¹ Hösli's work stands out as resistance because it explicitly identified same-sex sexual eroticism as distinct from the relative safety of the guise of friendship.

Only a year after Hösli's death, Karl Heinrich Ulrichs built upon Hösli's distinction between friendship and sexual attraction in a series of publications that created the first modern homosexual identity: the *Urnig*. In order to understand Ulrichs' resistance, it is imperative to understand the cultural and legal context in which he lived. Ulrichs was born on August 28th, 1825, to a conservative Lutheran family. After he began studying law at the University of Göttingen he recognized his own attraction to men. Politically, he was a proponent of a united German state, hoping that unification would stop the spread of the Prussian anti-sodomy statute, Paragraph 143.²² He worked as a bureaucrat in Hannover, but when rumors spread about Ulrichs' "unnatural lust for other men" he was forced to resign from his job.²³ Although there was no anti-sodomy statute in Hannover, there was a statute against "unnatural lust under circumstances that cause public offense."²⁴ Because

18 Foucault, *The History of Sexuality*, 43; Tobin, *Peripheral Desires*, 27.

19 Tobin, *Peripheral Desires*, 27.

20 Tobin, *Peripheral Desires*, 33.

21 Tobin, *Peripheral Desires*, 37.

22 Beachy, *Gay Berlin*, 9.

23 Beachy, *Gay Berlin*, 10.

24 Beachy, *Gay Berlin*, 11.

Ulrichs was a state official, his sexual relations were liable to public scrutiny; the law effectively threatened Ulrichs with imprisonment for his unnatural relations. Future plans thoroughly trounced by his superior's refusal to give him a certificate of service, Ulrichs moved home to live with his sister. Although Ulrichs had a family to rely on, many men did not. The loss of work under the threat of imprisonment even in the states that did not have anti-sodomy statutes, coerced men into silence about their sexuality.

Ulrichs' personal resistance centered around his public advocacy against anti-sodomy statutes, coupled with his coming out, in which he attested to his own same-sex feelings, admitting himself an Urning. In June 1862, he privately revealed that he was an Urning to his sister Ulrike. She initially blamed his apparent defect on his visit to Berlin and implored him to change his ways through God. Undiscouraged by his sister's admonitions, Ulrichs then came out to his wider family in September of 1862 in a circular letter, wherein he included scientific proof for the naturalness of his sexuality. He then contacted them again in November letting them know of his intention to publish his findings. His family recommended against publishing, finding it inadvisable and distasteful. Ulrichs went ahead with his publications but used a pseudonym at his family's request.²⁵ He published a series of twelve booklets from 1864 to 1879 called *Forschungen über das Räthsel der mann-männlichen Liebe* (The Riddle of 'Man-Manly' Love) under the pseudonym "numa numantius."²⁶ Ulrichs' outspoken political nature brought trouble to his doorstep, as the Prussian military arrested him twice after they annexed Hannover in 1866 for his continued support for the Hanoverian King.²⁷ Ulrichs' opposition to Prussian rule likely stemmed from his outrage at Paragraph 143. During his second arrest, the police took a number of materials from his house, including his "papers treating Uranism," as well as a list of over 150 known Urnings. As a result, Ulrichs moved to Würzburg to continue fighting for Urning's rights.²⁸ A year later, Ulrichs came out, for a second time, to his readership in 1868, when he published his sixth booklet, *Gladius Furens*, under his own name. He did so after speaking at the Congress of German Jurists in Munich the year prior. He began his speech advocating for the overturn of anti-sodomy statutes but was unable to finish it before he was shouted down from the podium with cries to "adjourn," which Ulrichs interpreted as "carefully disguise[d] calls to: 'Crucify, crucify!'"²⁹ Ulrichs' coming out to his family, readership, and Congress were all acts of individual resistance. He was an Urning set on proving the congenital nature of same-sex attraction, be it through his actions or his writing.

25 Hubert C. Kennedy, *Karl Heinrich Ulrichs: Pioneer of the Modern Gay Movement* (San Francisco, California: Peremptory Publications, 2002), 21, 61-66.

26 Ulrichs, *The Riddle of "Man-Manly" Love*.

27 Kennedy, *Karl Heinrich Ulrichs*, 123.

28 Kennedy, *Karl Heinrich Ulrichs*, 126.

29 Karl Heinrich Ulrichs, "Gladius Furens: The Riddle of Nature That Is Man-Manly Love and Error as Legislator," in *The Riddle of "Man-Manly" Love*, 260-265.

There are three main trends of resistance that I analyze in Ulrichs' *The Riddle of 'Man-Manly' Love*: biological justification, court cases, and moral justification. His biological justification underlies his central argument; what is an Urning and why aren't they illegal? According to Ulrichs, Urnings are a third sex, made up of individuals who have male genitalia but are attracted to men, which he considers an inherently feminine desire. They result from the hermaphroditic nature of all embryos in the womb; wherein "the seed of latent sexual desire develops into the female orientation, not corresponding to the development of the [male] sexual organs."³⁰ Because embryos are hermaphroditic, all humans have the possibility of their mental sex germ, which guides desire, not matching their genitalia. He argued that not only do Urnings have feminine desires, but they also have other feminine physical and mental characteristics. He evidenced this argument by relaying stories from his childhood.³¹ Oppositely, Dionings are individuals whose mental and physical sex germs match, fitting the modern term "heterosexual" most closely. Ulrichs' biological understanding supposedly overruled the law's claim that sex between men was unnatural because it verified the inborn nature of sexuality.³² As discussed in his first two booklets, *Vindex* and *Inclusa*, his biological reasoning starts off fairly simple, defining what made an Urning. From his revisions in his fourth publication, *Formatrix*, to his seventh publication, *Memnon*, Ulrichs' biological classification of Urnings expanded greatly in only a few years. Developing on the simple Urning and Dioning, he built a complex classification system. Ulrichs resolved the contradiction of masculine Urnings by dividing the category of Urning by femininity and masculinity.³³ Despite this division, he still argued that all Urnings constituted a third sex, including masculine ones, because love for men was a feminine trait. He also addressed groups he had previously not considered, such as Urningins, women who experienced same-sex attraction, and Uranodionings, those who experienced attraction to both Urnings and Dionings.³⁴ To create these classifications, Ulrichs had to gather information about experiences outside his own; therefore, the growth of Ulrichs' classification system shows that even though Ulrichs may have been a lone figure publishing in his time period, his work did attract some attention and began to form communal ties. Unlike an act of sodomy, the Urnings were a tertiary sex; Ulrichs' individual biological focus formed an inherently communal understanding of same-sex relations by seeking out the biological bonds that tied Urnings together under a designation of their own.

Ulrichs' biological definition of an Urning also protected him from censorship.

30 Karl Heinrich Ulrichs, "Inclusa: Anthropological Studies on Man-Manly Love" in *The Riddle of "Man-Manly" Love*, 56.

31 Ulrichs, "Inclusa," 59.

32 Ulrichs, "Vindex," 48.

33 Karl Heinrich Ulrichs, "Formatrix: Anthropological Studies on Man-Manly Love" in *The Riddle of "Man-Manly" Love*, 162.

34 Ulrichs, "Formatrix," 173.

Ulrichs began his third booklet *Vindicta*, by describing the difficulty he and his publisher, H. Matthes, encountered after publishing *Inclusia* and *Vindex*. Saxon police seized all the copies of both booklets in May 1864, just after *Vindex* was published and a month after *Inclusia*'s release. To Ulrichs' advantage, the Court of Royal Saxony in Leipzig sided with him, ruling that Ulrichs' work was "a rather serious publication of scientific value."³⁵ His biological focus protected his work in the court of law, against the crime of degrading family values and advocating for illegal behavior. The court ordered police to return Ulrichs works and permitted them for sale. The trial actually brought greater publicity to his booklets, causing him to nearly sell out.³⁶ Combating censorship gave biological explanations of homosexuality a practical publishing purpose, in addition to its ideological contribution.

Ulrichs also used court cases to advocate for legal change and aid Urnings in immediate legal trouble. Ulrichs began sending legal defenses to men arrested for sodomy even before he began publishing booklets. The first time he did so was in 1862, to Johann Baptist von Schweitzer. Schweitzer was arrested on the grounds of public offense for, in Ulrichs' own words, "an unimportant bit of fooling around with a young lad in the castle garden."³⁷ Ulrichs then sent Schweitzer two letters while he was in prison, drawing up a defense on the grounds of inborn sexuality.³⁸ Even though his letters were not used, Ulrichs attempt to help Schweitzer displays an intermediate resistance to anti-sodomy statutes. Since the laws were still on the books, Ulrichs fought against the enforcement of anti-sodomy statutes in the courtroom. He continued to work in the defense of Urnings for as long as he published, regularly sending legal defenses to men accused of sodomy. Ulrichs also examined court cases related to blackmail. He first addressed extortion in *Vindicta* by pointing out how anti-sodomy statutes protected blackmailers from legal consequences.³⁹ In *Incubus*, Ulrichs highlighted the arrest of an Urning whose lover had plotted against him. The lover let a third-party eavesdrop on their affair from a closet, who then forced the Urning to give up 900 dollars and his gold watch by threatening to report him for sodomy. After the Urning reported the incident to the police he was arrested alongside his blackmailers.⁴⁰ Ulrichs admonished anti-sodomy statutes for allowing this legalized blackmail to persist, providing a rationale against the hypocrisy of the law. He argued that anti-sodomy statutes actually caused more crime by encouraging blackmail.

35 Karl Heinrich Ulrichs, "Vindicta: Battle for Freedom from Persecution" in *The Riddle of "Man-Manly" Love*, 99-100

36 Ulrichs, "Vindicta," 102.

37 Kennedy, *Karl Heinrichs Ulrichs*, 57.

38 Kennedy, *Karl Heinrichs Ulrichs*, 57.

39 Ulrichs, "Vindicta," 119.

40 Karl Heinrich Ulrichs, "Incubus: Uranian Love and Bloodthirstiness" in *The Riddle of "Man-Manly" Love*, 441.

Finally, Ulrichs used moral justification to enact cultural change by placing same-sex relations into the wider Christian belief system and humanizing these relations through poetry. Ulrichs placated those who were against same-sex relations because they believed that Christianity condemned it by reconciling the two concepts. In this sense, Ulrichs did not seek to resist the Christian-dominated culture but instead worked within it to achieve support for his legal resistance. Ulrichs focused on religion in his fifth booklet, *Ara Spei*, which argued that Christianity only condemned same-sex relations between men, but Urnings were not men. Thus, the Bible actually said nothing about the sexual relations of Urnings.⁴¹ Moreover, Ulrichs repeatedly established sexual gratification as a right. He claimed that God would not have given him a natural urge for men if he did not also have a right to fulfill it.⁴² Additionally, he compared the persecution of Urnings to that of witches, disparaging it as unscientific and outdated.⁴³ Further, Ulrichs' use of poetry within his works humanized same-sex love. The weight carried by medical texts was, in his opinion, enough to tip the scales on legal reform. Thus, this inclusion of poetry, clearly unscientific, must resist another authority, considering Ulrichs used it throughout his twelve booklets. He included poetry to create a moral understanding of same-sex attraction and create cultural change. Poetry is the language of feelings. It sought to re-envision same-sex attraction through beautiful verse, rather than as perverse.

Ulrichs' medical findings were publicized and built upon by the larger medical community, but often to a negative effect. Initially, Ulrichs believed that Doctor Richard von Krafft-Ebing was a fellow resistor, due to Krafft-Ebing's support for the decriminalization of sodomy. He mailed Krafft-Ebing the first five of his booklets hoping to connect with the Doctor. However, Krafft-Ebing soon became a "scientific opponent" after the publication of his *Psychopathia Sexualis*, which analyzed "contrary sexual instinct."⁴⁴ Its section on homosexuality presented both Ulrichs' congenital sexuality and the ideas of an "acquired homosexuality," resulting from perversion and excessive masturbation.⁴⁵ His emphasis lay on the examination of acquired homosexuality and its supposed cures. It would not be until his interactions with Magnus Hirschfeld in the twentieth century that Krafft-Ebing would fully commit to the existence of an inborn same-sex attraction.⁴⁶ He was not alone in this partial resistance. Psychiatrist Karl von Westphal was also persuaded by Ulrichs' work to believe in the inborn nature of homosexuality, but like Krafft-Ebing, only in some cases. He explicitly linked acquired homosexuality with "recognized pathological impulses to steal, murder, and commit various sexual crimes."⁴⁷ Both Krafft-Ebing

41 Ulrichs, "Ara Spei," 205.

42 Ulrichs, "Ara Spei," 223.

43 Ulrichs, "Vindex," 38.

44 Kennedy, *Karl Heinrichs Ulrichs*, 88.

45 Krafft-Ebing, *Psychopathia Sexualis*, 187.

46 Oosterhuis & Kennedy, *Homosexuality and Male Bonding*, 14

47 Vern L. Bullough, "Introduction," in *The Riddle of "Man-Manly" Love*, 25.

and Westphal advocated for the end of anti-sodomy statutes, while also continuing to associate homosexuality with perversion and illness.⁴⁸ Although seemingly discouraging, the opinion of these medical professionals nearly achieved Ulrichs' goal of legal reform. In 1869, the Royal Prussian Scientific Commission for Medical Affairs recommended against an anti-sodomy statute in the newly created German Empire, but their advice was ignored.⁴⁹ Most importantly, these psychiatrists popularized Ulrichs' ideas and the concept of a homosexual identity as a whole. Hössli and Ulrichs had fairly small readerships, so the true dispersion of knowledge about sexuality came from these psychiatrists.⁵⁰ And through the dispersion of knowledge, community was born.

Zastrow to "zastrierten": The Zastrow Case

The strides that Ulrichs and the larger medical community made in encouraging the German Reichstag to bypass the creation of an anti-sodomy law in the German empire were quashed by a series of sex crimes, which culminated in the Zastrow case. In 1867, a sixteen-year-old boy, Corny, was discovered dead in Invaliden Park, Berlin.⁵¹ The coroner reported that the boy bled to death after he was restrained and anally raped with an object, which resulted in the puncture of his colon and stomach cavity. The press did not report the details of this attack, but rumors about the sexual, violent nature of the death persisted. Even after one attack, Ulrichs' inability to change public opinion about the perversion of same-sex men was clear. The police believed that men who experienced same-sex attraction were the main suspects, as they decidedly investigated homosexual perpetrators. The public was of the same mind and in 1867 alone, fifty anonymous tips were given to the police identifying "perverted" men.⁵² The King of Prussia, William I, took interest in the case, heightening its political importance, and ordered reports about the investigation daily.⁵³

The mystery behind Corny's death remained unsolved until another crime took place. Emil Hanke, a five-year-old boy, was found in his apartment building's attic after his faint cries were heard by occupants below.⁵⁴ His clothing was torn from his body, his cheek had visible bite wounds, and he, like Corny, had been anally raped with an object. His neck showed signs of strangulation and he was left in a chimney flue, as his attacker likely assumed him to be dead. Former Prussian officer Carl von Zastrow was arrested the day

48 Oosterhuis & Kennedy, *Homosexuality and Male Bonding*, 13.

49 Beachy, "German Invention of Homosexuality," 808.

50 Tobin, *Peripheral Desires*, xii, 22.

51 Beachy, *Gay Berlin*, 32; Kennedy, *Karl Heinrichs Ulrichs*, 168.

52 Kennedy, *Karl Heinrichs Ulrichs*, 33.

53 Kennedy, *Karl Heinrichs Ulrichs*, 33.

54 Kennedy, *Karl Heinrichs Ulrichs*, 166.

after Hanke was found and later charged with "unnatural rape and attempted murder."⁵⁵ There is information both in favor and against his arrest. Police previously investigated Zastrow concerning Corny's murder, and he was consequently arrested for a brief period. He had also racked up quite a few sodomy charges over the years. Despite this, Zastrow claimed that the police informant, Ferdinand Müller, who pointed to Zastrow as a suspect, was doing so as an act of revenge; purportedly, the men had sexual relations together in the past.⁵⁶ Even before the trial, the public's mind was set: Zastrow was guilty. The case was published widely by newspapers; on January 16th of 1869 Zastrow's portrait took up nearly the entire front page of the *Berliner Gerichts Zeitung*.⁵⁷ New slang entered the Berlin dialect, "Zastrow" for homosexuals and "zastrierten" for homosexual rape.⁵⁸ Zastrow could not be tried in Berlin itself; the fear of lynching was too great.⁵⁹ Evidence against Zastrow himself was circumstantial. A wax mold of the bite mark on Hanke's cheek matched Zastrow's teeth, and a handkerchief and a walking stick that supposedly belonged to Zastrow were shown, but could not be definitively identified as his belongings.⁶⁰ His location was also contested, as three witnesses claimed that Zastrow was in a bakery thirty minutes away from the location of the crime, but the Berlin police showed that the distance was technically possible to cover in that time, using a first-class carriage. From the get-go, Ulrichs attempted to keep the public reputation of Urnings untainted, publishing a letter on March 5th stressing the lack of relation between Urnings and criminal behavior, but a single letter was ineffective against popular opinion.⁶¹

In the trial itself, Zastrow's sexuality was a topic of interest. Zastrow openly declared that he was an Urning, spurning any attraction to women saying that he "belong[ed] to those unfortunates who through some failure in the organization feel no inclination for the female sex."⁶² Despite Hanke's inability to positively identify Zastrow as his attacker, the court charged Zastrow with Hanke's rape and attempted murder. His sexuality was specifically mentioned in his indictment: "von Zastrow's love of men appears to justify the conclusion that he is the man from whom one could expect the crimes committed on this boy."⁶³ Zastrow's Urning identity became a mark against him. In response, Zastrow's lawyer attempted to use a defense of temporary insanity, asking that Zastrow be examined by a doctor. The three psychologists brought to judge Zastrow each came to slightly different conclusions on whether he should stand trial, one detailing that

55 Beachy, *Gay Berlin*, 167.

56 Beachy, *Gay Berlin*, 33.

57 Kennedy, *Karl Heinrichs Ulrichs*, 168.

58 Beachy, *Gay Berlin*, 34.

59 Kennedy, *Karl Heinrichs Ulrichs*, 168.

60 Beachy, *Gay Berlin*, 34.

61 Kennedy, *Karl Heinrichs Ulrichs*, 168.

62 Kennedy, *Karl Heinrichs Ulrichs*, 169.

63 Kennedy, *Karl Heinrichs Ulrichs*, 170.

Zastrow's inborn same-sex attraction linked him to "unnatural sexual urges."⁶⁴ Yet, these doctors all agreed with one of Ulrichs' ideas: the congenital nature of homosexuality. The introduction of these medical professionals confirms Ulrichs' success in creating a biological understanding of same-sex attraction, but they also embodied the explicit link the medical community made between congenital same-sex attraction and illness, perversion, and pedophilia.

From I to We: Hirschfeld and Brand's Collective Resistance

Ultimately, Ulrichs' resistance was unsuccessful. Within a year of the Zastrow case, Paragraph 175 made sodomy illegal across the entire German Empire, against the recommendation of the Prussian medical professionals.⁶⁵ However, Ulrichs' importance in creating a biological understanding of same-sex attraction cannot be overlooked. His ideas of innate homosexuality, justified by hermaphroditic embryo theory and the separation between the body and the mind, were inherited by Magnus Hirschfeld, who guided a communal homosexual rights movement through the foundation of the Scientific-Humanitarian Committee (SHC).⁶⁶ Hirschfeld, like Ulrichs, sought legal reform, specifically the end of Paragraph 175, which re-introduced anti-sodomy statutes across the entire German Empire. He furthered Ulrichs' biological understanding of sexuality, through his publication of "Berlin's Third Sex." This publication reinforced Ulrichs' innate concept of sexuality, while also pointing out many communal meeting places for homosexual people in Berlin.⁶⁷ Hirschfeld's language and classifications were, on the whole, less constraining than Ulrichs'. In the pamphlet "What People Should Know About the Third Sex," he alleged that there was "a wide range of intermediary stages" that could constitute the so-called "third sex."⁶⁸ This definition provided more flexibility and simplicity than Ulrichs' Urning-Dioning distinction. Hirschfeld was also the first to address cross-dressing separately from sexuality in *Die Transvetten* (The Transvestite).⁶⁹ It was after this publication that Hirschfeld fully subscribed to the idea that sexuality falls on "an intricate spectrum."⁷⁰ This spectrum ranged from "absolute man" to "absolute woman," which correlated to traits and stereotypes that determined where one would fall on the spectrum.⁷¹ Hirschfeld expanded on Ulrichs' belief that sexual expression is innate to a person's biology, but he did so in a

64 Beachy, *Gay Berlin*, 35.

65 Beachy, "German Invention of Homosexuality," 808.

66 Beachy, *Gay Berlin*, 40.

67 Magnus Hirschfeld, *Berlin's Third Sex*, translated James J. Conway (Berlin: Rixdorf Editions, 2017), 10, 36.

68 Hirschfeld, *Berlin's Third Sex*, 105.

69 Beachy, *Gay Berlin*, 88.

70 Beachy, *Gay Berlin*, 88.

71 Beachy, *Gay Berlin*, 88.

manner that made the homosexual movement more inclusive to the different groups inside of it.

Building on the dissimilarities between Ulrichs and Hirschfeld, communal resistance took a different face than individual resistance; Ulrichs' writing consistently focused on his own experiences, whereas Hirschfeld took steps to remove himself from his writing. Hirschfeld chose to write in the third person, rather than in the first person like Ulrichs. This choice distanced his resistance from himself as a figure, but it also indicated the influence of community on his work. As a writer for the SHC, Hirschfeld may have wanted it to be clear that these were not his beliefs alone, but rather they were shared by the group. Hirschfeld also never publicly revealed his sexual identity, unlike Ulrichs.⁷² Hirschfeld's secrecy may have been a tactical choice to provide greater academic legitimacy to his writings by appearing unbiased. His language was also less provocative than Ulrichs' language, as he referred to those who experienced attraction to the opposite sex as "normally sexed," instead of placing them into his own belief system like Ulrichs' "Dioning."⁷³ Hirschfeld was also more politically connected than Ulrichs, having close ties with August Bebel, leader of the Social Democratic Party.⁷⁴ This connection stood in stark contrast to Ulrichs, whose speech in 1967 was interrupted with cries to adjourn at the Congress of German Jurists in Munich.⁷⁵ Additionally, Hirschfeld's reticence to personally tie his resistance work to himself may result from the antisemitism he experienced as a Jewish man. He faced greater barriers to power; even individuals within the homosexual movement, like Adolf Brand, held antisemitic viewpoints.⁷⁶ Hirschfeld's resistance is more moderate in terms of personal identity than Ulrichs, due to his identity and connections. He entrenched himself in respectability to provide a basis for the more radical changes he sought to institute. Hirschfeld's communally based resistance was no less effective than Ulrichs' individual resistance, but it would be wrong to conflate the two. Arguably, his selective moderation helped him achieve greater popularity than Ulrichs. However, Hirschfeld's resistance is then difficult to separate from that of the SHC.

Multiple environmental factors led to the growth of the SHC, especially in Berlin. The extraordinary burst in population from Ulrichs' visit to Berlin in 1846 to the foundation of the SHC in 1897, coupled with the growth of transportation, made the city large and anonymous. Berlin was ripe for the growth of an illegal subculture. Ostensibly, the change with the greatest impact was the increased leniency of the Berlin police. The police chief in Berlin, Hüllessem, changed policies from raiding and invading known homosexual meeting places to simple monitoring of homosexual activity. This police

72 Beachy, *Gay Berlin*, 86.

73 Hirschfeld, *Berlin's Third Sex*, 18.

74 Beachy, *Gay Berlin*, 98.

75 Ulrichs, "Gladius Furens," 263.

76 Beachy, *Gay Berlin*, 117.

surveillance did have some perks for resisters, like Krafft-Ebing and Hirschfeld, who used Hüssellem's Verbrecheralbum filled with mugshots of homosexual men and knowledge of homosexual bars to aid in their research. After the raid on Seeglers Bar in 1855, which made use of undercover police to infiltrate the scene, homosexual bars and meeting places were not raided in Berlin unless they were obviously involved in prostitution or other illegal activity.⁷⁷ It is possible that Hüssellem chose not to prosecute homosexuals so harshly because he was aware of the medicalized identity attributed to them. The leniency of policing allowed for the growth of subculture in the expanding city of Berlin because it provided meeting places for public resistance in bars and clubs. It also represented the strides made in normalization by Ulrichs and Hirschfeld. The absence of arrest was not the full acceptance of homosexuality into society that they sought, but it was certainly a step in the correct direction. Non-sexual homosexual meeting places, tacitly allowed by police, were hotbeds of homosexual culture; they combined identity with public spaces, so that homosexuals could, for the first time, be "identi-seen."

The SHC itself propagated homosexual resistance through a trifold system of public education, political reform, and scientific research. In order to create cultural change, the SHC attempted to reach out to the public directly and educate them through the use of pamphlets. The pamphlet *Eros vor dem Rechtsgericht* (Eros Before the Imperial Court) was a part of their mass mailing system. By 1914, Hirschfeld asserted that the SHC had sent out almost 100,000 informational pamphlets to officials, politicians, attorneys, doctors, professors, and other elites.⁷⁸ Pamphlets were also left in public places like train stations and trams to attract the attention of the common people.⁷⁹ Hirschfeld wrote the pamphlet "What People Should Know About the Third Sex" with a non-academic audience in mind, leaving out the tables and figures common to his academic work.⁸⁰ The SHC's publisher, Max Spohr, was able to effectively avoid the censorship that resulted from this plethora of publishing by claiming the scientific value of the SHC's works. This use of science may sound familiar because it was the same defense used by Ulrichs decades beforehand. The SHC also educated through lectures. Hirschfeld's research was of particular interest to elites, but the SHC also sought to reach out to the working class by lecturing in "class-appropriate" locations like large breweries.⁸¹ Politically, the SHC utilized Hirschfeld's connection to August Bebel, leader of the German Social Democratic Party, and unsuccessfully petitioned the government to overturn Paragraph 175. Unfortunately, Bebel's attempt to introduce reform on the floor of the Reichstag in 1898 was also

77 Beachy, *Gay Berlin*, 56, 59, 83.

78 Beachy, *Gay Berlin*, 88-90.

79 Beachy, "German Invention of Homosexuality," 824.

80 Hirschfeld, *Berlin's Third Sex*, 140.

81 Beachy, *Gay Berlin*, 94.

unsuccessful.⁸² After the failure of Bebel's legal reform, denunciation divided the SHC.

To Denounce or Not to Denounce: The Eulenburg Trial and Masculinists

Denunciation, also referred to as the "path over corpses," was a resistance tactic supported by Adolf Brand, wherein prominent homosexual men would collectively turn themselves into the police.⁸³ Brand believed that the police would not arrest elite homosexuals en masse; thus, rendering Paragraph 175 moot. Denunciation would also achieve reform by displaying a large number of homosexual men, including revered figures, proving that homosexuals were more than the fringes of society. Hirschfeld argued against Brand, claiming that this mass outing would be too costly for those involved.⁸⁴ Historically, upon the public reveal of their same-sex relations, many homosexual men committed suicide; the community acknowledged that the plan could cause harm to its members, hence its name, "path over corpses."⁸⁵ Brand's denunciation plan did not receive the support required to occur, but he set out on his own anyway.⁸⁶ Rather than denounce himself, he published a pamphlet called *Kaplan Dasbach und die Freundesliebe* (Kaplan Dasbach and Friend-love) wherein he accused Dasbach, head of the Catholic Center Party, of homosexuality. Dasbach refuted Brand's claim that a male prostitute blackmailed him, successfully compelling Brand to take back his words by threatening him with libel. Dasbach also doubled down on the retention of the Empire's anti-sodomy statutes. Brand, despite withdrawing his accusations, insisted that his pamphlet sold quite well, proving the market for denunciation. The name "path over corpses" appeared true, as Dasbach died in 1907, two years after he was removed as leader of the Center Catholic party, under "mysterious circumstances," which many suspected to be suicide.⁸⁷ The example of Dasbach showed resisters that denunciation was effective in bringing attention to homosexuality, but the fear it invoked soon grew out of control.

After Brand denounced Dasbach, politician Maximilian Harden saw an opportunity. In an attempt to delegitimize Kaiser William II, Harden initiated a lengthy legal battle. He accused close friends of the Kaiser, Count Kuno von Moltke and Prince Philipp zu Eulenburg-Hertefeld, of homosexuality in a debacle called the Eulenburg trial.⁸⁸ When the Kaiser heard about these accusations, he required the two men to respond, and he

82 Beachy, *Gay Berlin*, 90.

83 James D. Steakley, *The Homosexual Emancipation Movement in Germany* (New York: Arno Press, 1975), 35.

84 Beachy, *Gay Berlin*, 113.

85 Beachy, *Gay Berlin*, 113.

86 Steakley, *Homosexual Emancipation Movement*, 35.

87 Beachy, *Gay Berlin*, 114-115.

88 Beachy, *Gay Berlin*, 122.

forced Moltke to bring a libel case against Harden. For Moltke to win his libel case he had to prove he had neither violated Paragraph 175 nor did he have a “homosexual orientation,” as that was the language in Harden’s article.⁸⁹ This language shows how homosexual identity had grown from a mere sexual act to a label prosecutable in court. Hirschfeld, as an expert sexologist, was called to court to assess Moltke’s sexuality. Damningly, Hirschfeld confirmed that Moltke was indeed a homosexual, even if only subconsciously.⁹⁰ This testimony was crucial in Moltke losing his first libel suit against Harden. It also scared off many of the SHC’s supporters as they feared that Hirschfeld would out them in a court of law. The SHC’s total contributions dropped by 11,077 Marks from 1907 to 1909.⁹¹ Brand, upset at Hirschfeld’s hypocrisy, took this opportunity to claim that Chancellor Bülow was homosexual, which landed him in prison after Hirschfeld confirmed Bülow’s “normal” sexuality.⁹² Without Hirschfeld’s biologically based testimony, Brand could not get a conviction on his own grounds of romantic friendship, cementing the prominence of Hirschfeld’s biological definition of homosexuality in court.

Called in as a character witness in Bülow’s trial, Eulenburg was baited into stating that “he himself had never engaged in any homosexual ‘depravities’ (Schmutzereien.)”⁹³ After a series of libel trials, Harden cast doubt on Eulenburg’s proclamation of total non-depravity to the extent that a perjury trial for Eulenburg was held on June 19, 1908. Eulenburg then attempted to change his rhetoric, claiming that he had not performed any “punishable depravities,” but it was already too late.⁹⁴ He was charged with lying under oath, not Paragraph 175. The number of witnesses testifying that Eulenburg had engaged in some manner of homosexual behavior, from propositioning younger men to having homosexual intercourse, only grew until Eulenburg collapsed in court on July 13th. The proceedings adjourned, pending an improvement in Eulenburg’s health, but he never recovered. The trial remained inconclusive until he died in 1920. Similar to the Zastrow trial, the public was particularly interested in the Eulenburg scandal. The scandal’s impact reverberated across German borders, gaining media coverage in France and Russia. Once again, the echoes of the Zastrow case were clear, as Eulenburg’s name, “Eulenburgue,” indicated homosexuality in France.⁹⁵ Certainly, the media attention provided by the trials publicized the existence of an intrinsic homosexual identity, recognizable by more than just sexual acts, but it had yet to escape the clutches of “depravity.”

Denunciation was not the only division in the SHC, identity was also a dividing

89 Beachy, *Gay Berlin*, 127.

90 Beachy, *Gay Berlin*, 127.

91 Steakley, *Homosexual Emancipation Movement*, 38.

92 Beachy, *Gay Berlin*, 130.

93 Beachy, *Gay Berlin*, 131.

94 Beachy, *Gay Berlin*, 135.

95 Beachy, *Gay Berlin*, 136-139.

factor. In opposition to both Hirschfeld’s and Ulrichs’ ideology, Adolf Brand fashioned a “masculinist” definition of homosexuality based on Hellenistic culture.⁹⁶ He created the group *Gemeinschaft der Eigenen*, capitalizing on the readers of his journal *Der Eigene*, the first homosexual journal. He felt insulted by Hirschfeld and Ulrichs’ belief that men who experienced same-sex attraction were inherently feminine. Emulating Ulrichs’ verifications of Urning’s femininity through personal experience, Brand instead built his identity around masculinity. Brand’s resistance differed not only in content from Hirschfeld but also in purpose. Although united by their desire for the repeal of Paragraph 175, Brand’s resistance and by extension his definition of same-sex sexuality did not seek to contextualize itself within the greater German society. He sought the dominion of Hellenistic culture, which included relationships with age gaps and the removal of women’s rights. Benedict Friedlaender, a prominent member and writer for *Der Eigene*, turned further from society’s rules advocating for pedophilic relationships.⁹⁷ He also overturned heteronormativity and instead argued that the majority of people were bisexual.⁹⁸ Brand’s distinct perception of resistance was clear even in the name of his group: *Gemeinschaft der Eigenen* (Community of Self-Owners). “Eigenen” does not have a direct English translation and has been translated as “the self-owner,” “the self-possessed,” and “the special.”⁹⁹ Brand’s emphasis on staying distinct from society evidences his non-conformist resistance. Brand’s exacting language followed the tradition left for him by Ulrichs and Kertbeny; he used precise terminology to indicate his personal conception of homosexual identity. Even Brand’s homosexual resistance, which defined identity oppositely to Ulrichs, shared tactics of resistance.

Conclusion

In essence, the identity-based homosexual resistance sought many avenues to success, diverging along the lines of identity. Hirschfeld’s biologically based Scientific Humanitarian Committee published, lectured, and petitioned the government to reconstruct the reputation of men engaging in same-sex relations. Instead of men with chosen perversions, they simply had a biological nonconformity. The SHC used science and education to shield itself from censorship. Conversely, Brand’s Community of Self-Owners defined their identity through masculinity, advocating for a return to Hellenistic-style relationships. Although these men differed on identity, they desired the same goal: legal and cultural reform. Their differences were not so great as to completely fracture the community;

96 Oosterhuis & Kennedy, *Homosexuality and Male Bonding*, 3.

97 Steakley, *Homosexual Emancipation Movement*, 43-48

98 Oosterhuis & Kennedy, *Homosexuality and Male Bonding*, 81.

99 Beachy, *Gay Berlin*, 101; Steakley, *Homosexual Emancipation Movement*, 42.

many men found certain favorable elements in both groups.¹⁰⁰ Moreover, the roots of this identity-based resistance cannot be overlooked. Ulrichs' twelve booklets created the concept of Urnings, the first biologically based homosexual identity. He individually resisted Paragraph 143 by writing under his own name, as well as personally appearing before Congress.¹⁰¹ Psychology and medicine were essential to helping publicize Ulrich's biological perspective of homosexuality by corroborating the intrinsic quality of homosexuality, even though it was also phrased as sexual deviancy or illness. Costly public court cases connected individual and communal resistance by their failings; both the Zastrow and Eulenburg case publicized homosexuals, asserting and confirming their identity, but also portraying them as dangerous. The importance of resistance by affirming identity cannot be overstated. Hössli's words, which echoed in Ulrichs' mind when he prepared himself to stand in the front of the Congress of German Jurists in Munich, ring true across homosexual resistance: "speak, or be judged!"¹⁰²

Examining Social Psychology Through Milgram's Experiments

Grace Godfrey

Abstract. Stanley Milgram's experiments on obedience to authority in the 1960s and 70s are some of the most famous and aggrandized social psychological studies in history. In these studies, Milgram asked his subjects to administer increasingly stronger, yet fictitious, shocks to another participant, pushing them to their moral limit as the participant yelled out in pain and protest. All the while an experimenter, the authority figure, asked the subject to continue amidst the building moral dilemma. In examining Milgram's work within the historical context of the post-WWII era, connections between psychological experimentation and socio-political events come to light. In the wake of the Holocaust, Milgram's experiments were representative of increasing curiosities about the malleability of the human mind when conscience conflicts with direct orders. Still, as these experiments gained traction in academia and popular culture, questions about Milgram's methodology arose. Concerns about the psychological impact of the experiments on Milgram's subjects and the deception involved abounded among scholars of psychology. This challenge of Milgram's results marked a change in social psychological research, as researchers became more critical about their impact on human subjects. Changes to federal and APA guidelines for psychological experimentation correlated with critiques of Milgram's experiments. Looking at literature on, and criticism of, Milgram's work reveals how influential these experiments were on guidelines for such experiments in the future. Interestingly, Milgram responded in defense of his methodology and the legitimacy of his results, further arguing for the relevance of his experiments during the Vietnam War and Cold War era. Overall, Milgram's experiments had a definable impact on social psychological experimentation and continued to be relevant throughout the post-WWII and Cold War periods, as people continued to struggle with the morality of blindly following orders.

In the years following World War II, questions and anxieties surrounding the malleability of the human mind abounded. The horrors of the Holocaust and sentencing of Adolf Eichmann revealed the damage humans who were just following orders could inflict and the potential dangers of blindly obeying authority. In 1961, social psychologist Stanley Milgram began what would become a series of studies on obedience at Yale University in response to these historical developments. Milgram's work and his shocking results quickly became well-known both within academic circles and popular culture. His research assistant Alan C. Elms claimed these studies were "the first efforts to understand

100 Beachy, *Gay Berlin*, 88, 118.

101 Ulrichs, "Gladius Furens," 261.

102 Ulrichs, "Gladius Furens," 262.

this phenomenon in an objective, scientific manner.”¹ But critiques of the ethics and methodology of Milgram’s experiments surfaced just as quickly, serving as fuel for calls for broader changes in the field of social psychology. Milgram’s obedience experiments are some of the most sensationalized psychological studies to date. Yet, in looking at reactions to Milgram’s experiments and subsequent changes to ethical guidelines, one can examine links between socio-political events and psychological experimentation, as well as the impact of Milgram’s obedience experiments on the field of social psychology in the 1960s and 70s.

The 1950s and early 1960s were a time when social psychology not only began to flourish, but also began to have social significance as well. Historians categorize this post-war period as the golden age of social psychology, when studies gained notable social significance and federal funding.² Additionally, interest in the field was on the rise, as evidenced by a 297% increase in membership in the Social and Personality Psychology division of the American Psychological Association (APA) from 1948 to 1960.³ Indeed, at this time social psychologists were “contributing to and directing wartime work on a variety of topics including attitudes, morale, rumor, propaganda, [...] and intergroup conflict.”⁴ Government leaders and news outlets alike were hungry for research that could explain the seemingly unexplainable acts they witnessed during the Second World War. Concerns about blind obedience, conformity, and suggestibility remained pertinent as another battle, one for ideological and geopolitical supremacy, began with the dawn of the Cold War. Within this context, Milgram and others began their experiments seeking to answer questions about humanity posed by recent events with support for their research growing exponentially.

One experiment from this golden age was Solomon E. Asch’s work on conformity of behavior in the 1950s, an undertaking that was greatly influenced by increasing Cold War and Communist anxieties in America. In his study, Asch investigated the influence of group opinion on an individual’s decision making.⁵ Asch asked his subjects to look at a group of lines and identify which line length most closely matched an example, claiming it was a vision test. Unbeknownst to the subjects, Asch instructed the rest of the participants in the room to collectively answer incorrectly to see if the subject would change their answer to conform with the group over the course of the experiment. Asch wanted to see if

1 Alan C. Elms, “Obedience in Retrospect,” *Journal of Social Issues* 51 (1995): 74.

2 Cathy Faye, “American Social Psychology: Examining the Contours of the 1970s Crisis,” *Studies in History and Philosophy of Biological and Biomedical Sciences* 43, no. 2 (June 2012): 515.

3 Faye, “American Social Psychology,” 515.

4 Faye, “American Social Psychology,” 515.

5 Solomon E. Asch, “Opinions and Social Pressure,” *Scientific American* 193, no. 5 (1955): 33.

individuals would abandon their own sense of right and wrong to conform to the opinion of a group. He conducted these experiments at a time when McCarthyism was at its peak and Americans were desperately concerned about the invasion of communist ideologies. Asch proved that ordinary people’s perceptions could be altered by a larger group; thus, if Communism were allowed to spread to neighboring countries or if Soviet spies were able to infiltrate American communities, the American way of life could be at risk. His results further supported the American government’s containment theory, which argued that Communism could not be allowed to spread from the Soviet Union, at all costs. Asch’s experiment is just one example of the intersection between socio-political events and social psychological experimentation as the field became more prominent.

Stanley Milgram conducted his experiments within the context of this increasing interest in social psychological experimentation in the post-war period. He admitted that his strong connection to his Jewish nationality and the events of the Holocaust greatly impacted his studies.⁶ He also aimed to build on Asch’s paradigm, hoping to study something more consequential.⁷ Thus, in 1961, Milgram designed his obedience experiments to investigate if one “would obey when commands conflict with conscience.”⁸ Through his position at Yale University and with funds provided by the National Science Foundation, Milgram facilitated the recruitment of men of different ages, careers, and backgrounds in the New Haven area for his experiment. Milgram told his subjects they would be participating in a study of memory and learning. As such, Milgram deceived his subjects about the true purpose of their participation, as Asch did in his experiments.⁹

Elements of deception were critical to Milgram’s experiments, but ultimately led to much criticism in the social psychological community about his results. Subjects were deceived about the purpose of the experiment from the very beginning, as Milgram did not reveal it was an experiment studying obedience. To begin the experiment, subjects were lied to as well, as they were paired with a partner, who they did not know was an accomplice of Milgram’s. Through a rigged draw, the subject always became the “teacher” while the accomplice would be the “learner.” As the teacher, subjects were asked to administer an electric shock to the learner if they failed to correctly restate a word pairing that they had previously learned. The experimenter instructed the teacher to move one level up on the shock generator with each incorrect answer, with the voltage ranging from 15 to 140 volts, with accompanying signage ranging from Slight Shock to Danger: Severe Shock. As the

6 Thomas Blass, “The Roots of Stanley Milgram’s Obedience Experiments and Their Relevance to the Holocaust,” *Analyse & Kritik* 20, no. 1 (1998): 48.

7 Blass, “The Roots of Stanley Milgram’s Obedience Experiments,” 46.

8 Stanley Milgram, *Obedience to Authority: An Experimental Review* (New York: Harper & Row, 1974), 3.

9 Stanley Milgram, “Behavioral Study of Obedience,” *Journal of Abnormal and Social Psychology* 67 (1963): 3.

shocks supposedly increased in intensity, the learner would feign discomfort, cry out, ask to be released, and refuse to continue. As the subjects displayed discomfort or confusion in response to these protests, the experimenter, another associate of Milgram's, would prod them, saying "please continue" or "it is absolutely essential that you continue."¹⁰ It was his continued use of deception that would lead influential social psychologists to argue for changes in ethical guidelines in social psychological experimentation in the 1970s, using Milgram's experiments as their main evidence. The great deception of Milgram's experiment was that the learner was never truly receiving an electrical shock at all, so Milgram's "primary dependent measure for any subject [was] the maximum shock he [administered] before he [refused] to go any further."¹¹ Milgram would term a subject who refused to continue with the experiment at any point a "defiant" subject, while he termed those who continued to the end of the shock board "obedient." In Milgram's initial experiment, only fourteen of the forty subjects refused to continue at varying points after hearing the learner's protests. Thus, twenty-six subjects obeyed to the end, administering the "shock" of 450 volts. Overall, Milgram concluded that his experiments "indicated that subjects would obey authority to a greater extent than [they] had supposed."¹² Milgram's use of deception throughout his experiments led to many critiques of his work, but in the early days of the publication of his results, Milgram's experiment was sensationalized and absorbed into Cold War anxieties.

Like Asch's experiment, Milgram's experiments were intertwined with socio-political developments as his results suggested that everyone has a strong inclination to submit to authority, even at the expense of others. With the nation on the cusp of the Cold War, fears surrounding the consequences of destructive obedience were only amplified, especially with the dawn of nuclear warfare. Milgram replicated his experiments with various conditions, but the most essential concerning the new threat of nuclear war were changes made in the proximity of the subject to the learner. In the remote feedback variation of the study, subjects could not see the learner but could hear them banging on the wall. Thirty-four percent of subjects were defiant in this variation. In the proximity variation, learners were both audible and visible, leading sixty percent of subjects to be defiant. And in the touch-proximity variation, where subjects had to force the learner's hand onto the shock plate after they refused to continue, seventy percent of subjects were defiant.¹³ Thus, the further removed the subject was from the learner, the more obedient they were. In a 1961 article for *American Political Science Review*, Guenter Lewy argued that with the dawn of nuclear weapons, "the distance between the soldier and the horror

10 Milgram, "Behavioral Study of Obedience," 5.

11 Milgram, "Behavioral Study of Obedience," 5.

12 Paul G. Swingle, ed. *Experiments in Social Psychology* (New York and London: Academic Press, 1968), 9.

13 Swingle, *Experiments in Social Psychology*, 10.

perpetrated on his victims is even greater and the amount of feeling accompanying the infliction of death and injury correspondingly smaller."¹⁴ Further, Lewy stressed that for nuclear warfare to be successful, soldiers must place blind obedience in their superiors.¹⁵ Consequently with the increased distance between victim and soldier involved in the use of nuclear weapons, Milgram's results supported the idea that soldiers' propensity to obey morally reprehensible orders increased with the dawn of nuclear war.

A more unforeseen outcome of Milgram's experiments led to much criticism about his work and coincided with critiques of the social psychological field at large. As his subjects struggled to reconcile the demands of authority with their desire to not hurt an innocent man, they began to exhibit signs of stress, which in some cases, were extreme. As shock levels increased in the original experiment, subjects were observed to "sweat, tremble, stutter, bite their lips, groan, and dig their fingernails into their flesh."¹⁶ Fourteen subjects displayed fits of nervous laughter and smiling, while three subjects experienced "full-blown, uncontrollable seizures."¹⁷ Critics objected to the physical and psychological harm that Milgram's subjects experienced as result of their participation in the experiment. Critics also raised concerns about Milgram's use of deception to facilitate the experiments, as the subjects were unaware of his true objectives or that such harm could befall them. Some argued that Milgram's subjects were never deceived, aiming to discredit his results. Others claimed that deception was inherently immoral, and that Milgram crossed an ethical line regarding his subjects. In totality, these critiques reflect the changing nature of social psychological experimentation and how the literature on Milgram's obedience experiments served as a medium through which his peers argued for change.

In 1963, clinical psychologist Diana Baumrind published "Some Thoughts on Ethics of Research: After Reading Milgram's 'Behavioral Study of Obedience.'"¹⁸ The title of the work itself emphasizes that for Baumrind, Milgram's experiments were so ethically corrupt that they could be used to make a point about the ethics of research more broadly. In this sense, Milgram's work was a watershed in the realm of social psychological experimentation and ethics. Indeed, Baumrind argued that it was becoming "more commonplace in sociopsychological laboratory studies to manipulate, embarrass, and discomfort subjects."¹⁹ Baumrind referred to Milgram's obedience experiments as a

14 Guenter Lewy, "Superior Orders, Nuclear Warfare, and the Dictates of Conscience: The Dilemma of Military Obedience in the Atomic Age," *American Political Science Review* 55, no. 1 (1961): 4.

15 Lewy, "Superior Orders," 5.

16 Milgram, "Behavioral Study of Obedience," 6.

17 Milgram, "Behavioral Study of Obedience," 6.

18 Diana Baumrind, "Some Thoughts on the Ethics of Research: After Reading Milgram's 'Behavioral Study of Obedience,'" *American Psychologist* 19, no. 6 (June 1964): 421.

19 Baumrind, "Some Thoughts on the Ethics of Research," 422.

“case in point” of this trend.²⁰ The emotional disturbance suffered by Milgram’s subjects particularly troubled Baumrind. She claimed that on a base level “the subject has the right to assume that his security and self-esteem will be protected” and in Baumrind’s view, Milgram’s efforts to mitigate the emotional effects of the study were insufficient.²¹ As such, Baumrind used Milgram’s experiments to argue for improvements in ethical protection measures for subjects in psychological experimentation moving into the 1960s and 70s.

While Milgram reportedly tried to mitigate emotional distress among his subjects, Baumrind rejected these efforts, arguing they were insufficient, even going as far as to say Milgram was callous in dealing with the aftereffects of his experiment. Milgram claimed that a “friendly reconciliation was arranged between the subject and the victim, and an effort was made to reduce any tensions that arose as a result of the experiment.”²² Baumrind doubted that this was sufficient enough to repair the emotional damage Milgram’s subjects suffered, as she noted that the effects were “traumatic to a degree which Milgram himself [considered] to be unprecedented in sociopsychological experiments.”²³ She claimed that once subjects realized they could have actually harmed the “learner,” they felt ashamed and frustrated, and Milgram’s friendly reconciling did not allow them to express feelings of anger at being deceived. Importantly, she also criticized Milgram for the detached nature in which he dealt with his subject’s emotional turmoil. Baumrind used a quote from Milgram as she attempted to explain his apathy toward the distress of his subjects, which reads: “they assume that the discomfort caused the victim is momentary, while the scientific gains resulting from the experiment are enduring.”²⁴ Thus, Baumrind insinuates that Milgram himself assumed the discomfort of his subjects was momentary and necessary for his experiments to yield scientific gains.

Further, Baumrind expressed concern for possible long-term effects on Milgram’s subjects, as a result of Milgram’s insufficient efforts to mitigate their emotional distress. She argued that the experiments could “easily effect an alteration in the subject’s self-image or ability to trust adult authorities in the future.”²⁵ She went on to say that a particularly sensitive subject could remain hurt and anxious for extended periods of time, while a more cynical subject could become even more distrustful.²⁶ Baumrind emphasized both the long lasting effects of the experiment and how the experiment could have affected subjects differently, further proving that a single moment of reconciliation did not suffice to ensure the well-being of Milgram’s subjects. Baumrind cited Ethical Standards of Psychologists

20 Baumrind, “Some Thoughts on the Ethics of Research,” 422.

21 Baumrind, “Some Thoughts on the Ethics of Research,” 421.

22 Milgram, “Behavioral Study of Obedience,” 5.

23 Baumrind, “Some Thoughts on the Ethics of Research,” 422.

24 Milgram, “Behavioral Study of Obedience,” 8.

25 Baumrind, “Some Thoughts on the Ethics of Research,” 422.

26 Baumrind, “Some Thoughts on the Ethics of Research,” 423.

within her critique to further emphasize Milgram’s ethical failings. This publication, compiled by the APA, served as the main guide for social psychological experimentation in the 1960s. Baumrind’s chosen excerpt reads:

Only when a problem is significant and can be investigated in no other way, is the psychologist justified in exposing human subjects to emotional stress or other possible harm. Where the danger of serious after effects exists, research should be conducted only when the subjects of their responsible agents are fully informed of this possibility and volunteer nevertheless.²⁷

Baumrind employed this excerpt to argue that based on the authority of the APA, Milgram’s obedience experiments violated ethical principles. Because Baumrind argued that Milgram’s study could have serious after effects, she used this quote to prove that his subjects should not have been deceived about the true purpose of the study. For her, the stress Milgram’s subjects experienced was a direct result of Milgram’s deception and thus he did his subjects a disservice by not informing them of the risks involved with his experiment. Baumrind argued against Milgram’s use of deception in his obedience experiments and claimed that Milgram not only harmed his subjects but failed to mitigate the effects of his work on their well-being. Because of her status as a well-known psychologist in the 1960s, Baumrind’s criticisms were representative of the psychological field’s reaction to Milgram’s ethical shortcomings and use of deception.

In 1967, psychologist Herbert C. Kelman wrote a broad critique of deception in social psychological experimentation in which he directly referenced Milgram’s experiments, emphasizing Milgram’s studies as a watershed for ethical critiques in psychological experimentation. He cited the Milgram obedience experiments as an example of the ethical concerns that arise specifically from the use of deception in experimentation. Kelman referenced Baumrind’s article and agreed that at least some subjects in Milgram’s experiments were harmed by the knowledge that they “were willing to yield to destructive authority to the point of inflicting extreme pain on a fellow human being.”²⁸ While Kelman admitted Milgram’s work may have yielded scientific knowledge about human nature, he questioned if social psychologists “have the right to provide such potentially disturbing insights to subjects who do not know [...] what they are coming for.”²⁹ In questioning the use of deception in social psychology as a whole, Kelman shed light on the idea that human subjects have rights that outweigh possible scientific gains in experimentation. His conclusions coincide with Baumrind’s concerns about Milgram’s use of deception and

27 American Psychological Association, “Ethical Standards of Psychologists: A Summary of Ethical Principles,” Washington D.C.: APA, undated, quoted in Diana Baumrind, “Some Thoughts on Ethics of Research,” 423.

28 Herbert C. Kelman, “Human Use of Human Subjects: The Problem of Deception in Social Psychological Experiments,” *Psychological Bulletin* 67, no. 1 (January 1967): 4.

29 Kelman, “Human Use of Human Subjects,” 4.

mistreatment of his subjects. As a lecturer on social psychology at Harvard and Professor at the University of Michigan, Kelman's opinion was impactful on the still evolving field of social psychology in the 1950s and 60s.

Kelman provided numerous examples of deception in social psychological experimentation from the 1950s through the 1960s and argued against its use from methodological and ethical perspectives. He cited a 1954 American Psychologist article by Edgar Vinacke, which first raised concerns about deception in experimentation, but importantly noted that little effort in the years following had been made to address Vinacke's concerns. Thus, for Kelman, Milgram's experiments marked a turning point in social psychology, as they brought real attention to his and Vinacke's worries about the unethical use of deception in experimentation. Kelman was also concerned about the continued use of deception and its effects on the future field of social psychology. He went on to argue that there were three steps to solving the problem of deception in experimentation: raising awareness of the issue, exploring steps to mitigate the negative consequences of deception, and developing new experiments that do not use deception.³⁰ Kelman's call to action is reflective of institutional changes that followed in the 1970s and emphasizes that Milgram's experiments were used to fuel calls for change.

Further, in 1968 psychiatrists Martin T. Orne and Charles H. Holland critiqued Milgram from a methodological standpoint. They argued that Milgram's subjects could have seen through the deception, as Milgram himself could have easily administered the shocks had he truly been studying learning and memory. Thus, the subjects could have realized they were the true object of study. And, since the experimenter in the room showed no reaction to the protests of the learner, the subjects could reasonably assume no one was being harmed in reality. Orne and Holland did not attribute the subject's willingness to continue with obedience to authority, but rather with the subject's understanding that the experimenter would not allow real harm to befall the learner. Overall, Orne and Holland questioned the effectiveness of Milgram's deception in his obedience experiments. Interestingly, they also questioned if the subject or Milgram himself was being deceived, as the subject would want to contribute to science and not reveal if they had seen through the deception.³¹

Though Orne and Holland did not make an ethical argument, they still recognized that Milgram's experiments could influence greater changes in the field of social psychology. In their conclusion, they said that Milgram's work demonstrated "that it is possible to stay within currently accepted scientific conventions and yet push the psycho-

30 Kelman, "Human Use of Human Subjects," 1.

31 Martin T. Orne and Charles H. Holland, "On the Ecology Validity of Laboratory Deceptions," *International Journal of Psychiatry* 6, no. 4 (1968): 285.

logical experiment beyond its limits."³² Still, they went on to say that "the obedience studies force us to consider what these limits are."³³ Thus, they implied that by pushing the boundaries of experimentation, Milgram's experiments could influence future guidelines for researchers. Orne and Holland offered another critique of Milgram's use of deception, but instead argued that Milgram's inability to properly deceive his subjects invalidated his results. They also made the argument that Milgram's experiments would force psychologists to reconsider the bounds of experimentation. More broadly, these critiques are reflective of changing attitudes about social psychological studies in the 1970s. During the Golden Age of Social Psychology (1945-1970) there was little need for reflection and the field was "firmly embedded in the dominant American ideology of liberalism, and shared the belief, without too much critical afterthought, that science and social progress went hand in hand."³⁴ The 1970s, on the other hand, were an era of doubts, where the received wisdom of the constituted knowledge bases started to be undermined and shaken."³⁵ Social psychologists began to think critically about their experiments and more specifically about the effects they had on their subjects. Orne and Holland, Baumrind, and Kelman contributed to this critical change and era of self-reflection, using Milgram's experiments as part of their arguments for change.

After publishing his results, Milgram's experiments became sensationalized, both in academic circles and popular culture. CBS's "Sixty Minutes" nationally publicized Milgram's results and his work was featured in the *New York Times*.³⁶ In August of 1976, CBS aired a film based on Milgram's work entitled "The Tenth Level."³⁷ The film starred William Shatner as Stanley Milgram and portrayed a dramatized version of the experiments. The film emphasized blind obedience in connection to the events of the Holocaust and the My Lai massacre in Vietnam. In emphasizing connections between Milgram's results and recent horrors of war, the film further stressed the relevance of his work. Milgram's experiments even appeared in newspapers abroad, such as in a 1974 issue of the British magazine *The Spectator*.³⁸ Further, Alan C. Elms, one of Milgram's research assistants, claimed that "authors eager to enliven their introductory and social psychology textbooks soon made the obedience experiments a staple ingredient."³⁹ Indeed, one survey revealed

32 Orne and Holland, "On the Ecology Validity of Laboratory Deceptions," 293.

33 Orne and Holland, "On the Ecology Validity of Laboratory Deceptions," 293.

34 Erika Apfelbaum, "Some Teachings from the History of Social Psychology," *Canadian Psychology* 33, no. 3 (July 1992): 531.

35 Apfelbaum, "Some Teachings," 533.

36 Daniel Bell, "Is Eichmann in All of Us?: Eichmann in Us All?," *New York Times*, May 26, 1974.

37 Bruce K. Eckman, "Research: Stanley Milgram's 'Obedience' Studies," *Et Cetera* 34 (1977): 88.

38 Colin Wilson, "'Master's Voice,' review of 'Obedience to Authority,' by Stanley Milgram," *The Spectator*, July 20, 1974.

39 Alan C. Elms, "Obedience in Retrospect," 77.

Milgram's work appeared consistently in psychology textbooks from 1965 to 1995, though the conductors of this survey were dismayed to find there was no critical examination or critique of the ethical or methodological failings of Milgram's experiments.⁴⁰ While Milgram enjoyed an attitude of intrigue and acceptance surrounding his work in the press, academic critiques, like Baumrind's, began to gain headway in the 1970s, reflecting the changing landscape of social psychology as a whole.

In the wake of critiques of Milgram's obedience experiments, changes began to occur in the legislating bodies of social psychological experimentation during the early 1970s. For example, in 1973 the APA published "Ethical Principles in the Conduct of Research with Human Participants," their first document which specifically outlined the ethical responsibilities of researchers when employing human subjects. The APA created these guidelines to ensure psychologists would "carry out their investigations with respect for the people who participate and with concern for their dignity and welfare."⁴¹ Bullet four of this document reads "openness and honesty are essential characteristics of the relationship between investigator and research participant," explicitly warning against the use of deception in experimentation.⁴² These guidelines also required the experimenter to inform the participant of possible risks and harm and to secure consent before conducting the experiment, in order to "minimize stress."⁴³ The creation of these specific guidelines imply that critiques of Milgram's experiments correlated with guideline changes in social psychological experimentation as a whole.

The passing of the National Research Act in 1974 imposed further regulations on the field of social psychology, geared towards protecting human subjects. The Act created the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research.⁴⁴ The commission was required to "identify the basic ethical principles which should underlie the conduct of biomedical and behavioral research involving human subjects" and additionally develop guidelines for researchers to follow.⁴⁵ The commission would eventually publish the Belmont Report in 1979, a comprehensive report on the protection of human subjects in research. This report emphasized respect and informed consent for subjects. The National Research Act of 1974 also created Institutional Review Boards (IRBs) whose purpose is to review studies with human participants to ensure

40 Richard A. Griggs and George I. Whitehead, "Coverage of Recent Criticisms of Milgram's Obedience Experiments in Introductory Social Psychology Textbooks," *Theory & Psychology* 25, no. 5 (October 2015): 570.

41 American Psychological Association, "Ethical Principles in the Conduct of Research with Human Participants," *American Psychologist* 28, no. 1 (1973): 79.

42 APA, "Ethical Principles," 79.

43 APA, "Ethical Principles," 79.

44 National Research Act, Public Law 93-348, *US Statutes at Large* 88 (1974): 342-353.

45 National Research Act: 349.

ethical guidelines are upheld. If researchers desired federal funding for their experiments, they had to be approved by an IRB. This was the first act by the federal government to protect human subjects in experimentation. The National Research Act of 1974 further emphasized that changes in legislation in the 1970s correlate with ethical concerns for human subjects raised by Milgram's experiments.

In 1977, Professor Bruce Eckman of Queens College also critiqued Milgram's experiments within the context of more critical thinking about social psychological experimentation and its effects on human subjects. Eckman agreed with Baumrind's assessment of Milgram's debriefing process, saying Milgram did not do enough to relieve the stress of his subjects after the experiment. Eckman concluded that the emotion displayed by Milgram's subjects, his use of deception, and Baumrind's criticism "heightened the scientific community's awareness of the debriefing process in general, as well as its concern for the ethical considerations in using human subjects."⁴⁶ Thus, Eckman argued that Milgram's experiments contributed to the changes made in procedures for social psychological experimentation in the 1970s. Specifically, Eckman noted that in 1977, in order to receive a grant from the National Institute of Mental Health for an experiment, one had to "outline in depth his debriefing procedure and specify what potential harm may befall the subject."⁴⁷ Eckman followed by noting that before and during Milgram's experiments, such conditions were not usually attached to research grants.⁴⁸

As ethical guidelines changed, Milgram moved to defend his work and adapt to the criticism surrounding the use of deception that came from his obedience experiments. While he wanted to stay true to his own beliefs about deception, Milgram began to sway with the changing nature of social psychology in the 1960s and 70s, which his original experiments played a part in creating. In 1977, Milgram penned "Subject Reaction: The Neglected Factor in the Ethics of Experimentation" in response to the criticism his experiments had received. The main purpose of his response was to defend the use of deception in social psychological experimentation and more specifically within his own experiments. Primarily, Milgram argued that in discussion, terms like "staging" or "technical illusion" should be employed in place of "deception" to avoid any implicit biases.⁴⁹ He also emphasized that "illusions" in experimentation are short term and are only sustained to allow the experiment to be successful. Afterwards, the experimenter "reaffirms his confidence in the subject by extending his trust to him by a full revelation of the purpose and procedures

46 National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, *The Belmont Report: Ethical Principles and Guidelines for the Protection of Human Subjects of Research* (Bethesda: The Commission, 1978), 93.

47 Eckman, "Research," 94.

48 Eckman, "Research," 94.

49 Milgram, Stanley, "Subject Reaction: The Neglected Factor in the Ethics of Experimentation," *The Hastings Center Report* 7, no. 5 (1977): 19.

of the experiment.”⁵⁰ Milgram aimed to emphasize the fleeting nature of the “illusion” in experimentation and to downplay its overall significance.

Milgram also claimed to have spoken to a government official who “highly favored restrictive measures on psychological experiments.”⁵¹ He supposedly asked this official if he had recorded any cases of actual trauma or injury in psychological experimentation and the official admitted that he knew of no such case. Milgram used this anecdote to argue that “the need to impose government restrictions on the conduct of psychology experiments is unrealistic.”⁵² However, Milgram cited no source or date for this interaction with the government official. Clearly Milgram felt his career as a social psychologist was being impeded by the new requirements and guidelines that came with the 1970s and continued to argue for the use of deception, despite new laws and guidelines.

To fortify his support for the use of deception, Milgram cited a study conducted by Elinor Mannucci in 1977. Mannucci surveyed a range of adults on their opinions about the ethics of psychology experiments. She asked her subjects to write down their opinions of famous psychological experiments, including Milgram and Asch’s experiments.⁵³ Mannucci’s work revealed that her subjects viewed deception in experiments as a “relatively minor issue”.⁵⁴ In the case of Asch’s experiment, some even found the deception to be impressive and elegant. Thus, by citing this study, Milgram intended to lighten criticism of his work by arguing that the public did not see the use of deception in experimentation as unethical. Still, it is important to note that Stanley Milgram was Mannucci’s faculty advisor for this study. In the acknowledgement section of her manuscript, Mannucci thanks Milgram for the “interest, stimulation and impetus, he provided throughout [her] graduate career.”⁵⁵ Thus, it is possible Milgram’s own views on deception in experimentation influenced Mannucci’s conclusions.

In the same 1977 article, Milgram addressed criticisms of the emotional stress he inflicted on his subjects through the deception in his experiments, again attempting to defend his experiments as he felt the field changing. Milgram cited a follow-up questionnaire he conducted in which 40% of obedient and 47.8% of defiant subjects reported they were very glad to have taken part in the experiment. 43.8% of obedient subjects and 35.7% of defiant subjects reported that they were glad to have been in the experiment. No one reported that they were very sorry to have participated in the experiment.⁵⁶ Thus, despite

50 Milgram, “Subject Reaction,” 20.

51 Milgram, “Subject Reaction,” 22.

52 Milgram, “Subject Reaction,” 22.

53 Elinor G. Mannucci, “Potential Subjects View Psychology Experiments: An Ethical Inquiry,” (PhD dissertation, The City University of New York, 1977), 45.

54 Milgram, “Subject Reaction,” 21.

55 Mannucci, “Potential Subjects,” vii.

56 Milgram, “Subject Reaction,” 22.

claims that his obedience experiments could have had varied and detrimental long-term effects on the self-esteem of his subjects, most subjects reported they did not regret their participation. Milgram also claimed that the stress ensuing from his experiments “had less effect on a participant’s self-esteem than the negative emotions engendered by a routine school examination.”⁵⁷ Ultimately, in this text Milgram argued that “the experience of the person subjected to procedures [is] the ultimate basis for judging whether an experiment should continue or not.”⁵⁸ Interestingly, Milgram placed the ultimate ethical authority with the subjects; not his peers, the APA, or the federal government. He offered an interesting counter argument in response to the numerous changes made to ethical guidelines for experimentation, spurred on by his obedience experiments. Importantly, Milgram never dismissed the discussion of ethics, subject reactions, or the experience of the subject. Instead, Milgram proposed two alternatives to allow for deceit within experimentation, but deceit that involved the consent of the participants. One of these alternatives is presumptive consent, which would poll a group of people on the experimental procedures and ask them if the procedures and purpose were acceptable. The second alternative is general prior consent, where all of the subjects are told they may be deceived and stress may occur, and then they are given the option to participate or not.⁵⁹ It is possible that these concessions are reflective of the broader changes Milgram witnessed in the field of social psychology in the 1970s. These suggestions could be an attempt to adapt with new rules and guidelines, but still staying true to Milgram’s own beliefs about how social psychological experimentation should be effectively conducted.

Stanley Milgram continued to argue not only for the use of deception in experimentation, but for the socio-political relevance of his work as well. Attempts to critique the ethics of his experiments and his methodology did not deter him from making connections to then, current events. In 1974, Milgram published *Obedience to Authority: An Experimental Review*, in which he drew explicit connections to the Vietnam War. He discussed the way in which soldiers were indoctrinated into the armed forces and stated that “authority takes pains to define the meaning of the soldier’s action in a way that links it to valued ideals and the larger purposes of society.”⁶⁰ Here, Milgram tried to link soldiers to his own subjects, who believed their actions were in service of scientific gains, and thus the larger purposes of society. He also quoted a 1969 CBS interview with one of the perpetrators of the My Lai massacre, who repeatedly said he just did what he was told to do. Milgram summarized the connections between the horrors of the Vietnam War and his own experiments by saying:

57 Milgram, “Subject Reaction,” 22.

58 Milgram, “Subject Reaction,” 23.

59 Milgram, “Subject Reaction,” 23.

60 Milgram, “Obedience to Authority,” 181.

[the results of the obedience experiments] raise the possibility that human nature, or—more specifically—the kind of character produced in American democratic society, cannot be counted to insulate its citizens from brutality and inhumane treatment at the direction of malevolent authority. A substantial portion of people do what they are told to do, irrespective of the content of the act and without limitations of conscience, so long as they perceive that the command comes from a legitimate authority.”⁶¹

Rather boldly, amid the Cold War, Milgram argued that democratic society could not protect individuals from falling prey to destructive authority. Through the lens of the Vietnam War, Milgram continued to assert that his experiments revealed essential information about something innate in all humans. He would argue that, regardless of upbringing, all people are inclined to submit to authority. Alarming, Milgram argued that the content of the act does not matter, only that the order comes from a legitimate authority. While Milgram began his experiments intending to draw connections to the Holocaust, he continued to argue for the socio-political relevance of his work within the context of new conflicts. Similarly, the US Institute of Medicine held a symposium on the medical implications of nuclear war in 1986 in which they directly referenced Milgram’s work. They used his results to confirm that people have a “strong propensity to obey” and recognized that learning “automatic obedience” is an essential step in military training.⁶² Yet, they note that “[in] response to a leader’s commands, human groups perform incredible acts of both heroism and destruction,” emphasizing the danger of Milgram’s findings in relation to military acts and nuclear war.⁶³ This symposium further emphasizes the multifaceted ways in which Milgram’s work was socially, militarily, and politically significant through the 1970s and 80s.

The legacy of Milgram’s critics and the changing nature of social psychology in the 1970s can be measured through later attempts to recreate the Milgram paradigm. Thomas Blass argues that because of changes to rules and guidelines, “the last Milgram-type experiments conducted in the United States were in 1975 and 1976” as new guidelines became more widely enforced.⁶⁴ But, Jerry Burger attempted to replicate Milgram’s work while adhering to new federal and APA standards for experimentation involving human subjects. Burger’s 2009 replication of Milgram’s study revealed much about the impact of subject rights legislation on the Milgram paradigm. Indeed, one of the first subject headings in his research was “Ethical Concerns” in order to address how he would rectify

61 Milgram, “Obedience to Authority,” 189.

62 Jerome D. Frank, “The Nuclear Arms Race and the Psychology of Power,” in *The Medical Implications of Nuclear War*, edited by F. Solomon and R.Q. Marston (Washington, DC: Institute of Medicine, 1986).

63 Frank, “The Nuclear Arms Race and the Psychology of Power.”

64 Thomas Blass, “From New Haven to Santa Clara: A Historical Perspective on the Milgram Obedience Experiments,” *American Psychologist* 64, no. 1 (January 2009): 43.

Milgram’s ethical failings. In this section, Burger also noted that “current standards for the ethical treatment of participants clearly place Milgram’s studies out of bounds,” revealing how changes in APA and federal guidelines correlated with critiques of Milgram’s experiments.⁶⁵

Burger made numerous edits to Milgram’s original procedures in order to “ensure the welfare of participants.”⁶⁶ Primarily, Burger adhered to a two-factor screening process when selecting his participants. The first screen filtered out participants who may have heard of Milgram’s original studies and the second screen eliminated participants who may have been adversely affected by the study. The second screening process was created by two clinical psychologists, who designed questions aimed to eliminate those with anxiety, depression, addiction, PTSD, and other mental health conditions to ensure Burger’s subjects would not be negatively impacted in their participation. Milgram made an attempt to have a wide variety of subjects, but employed no screening process while recruiting participants. Burger also made sure to emphasize, in writing and verbally, that subjects could withdraw from the study at any time and still receive their monetary compensation. Milgram also told his subjects they could be paid, but Burger made certain his participants understood withdrawing completely was an option.

Additionally, Burger addressed some of the elements of Milgram’s experiments that were the most criticized, in particular the stress which came from deception. For example, Burger ensured that “virtually no time [elapsed] between ending the session and informing participants that the learner had received no shocks.”⁶⁷ Burger claimed that within seconds after the study ended, the “learner” entered the room to show the “teacher” that he had not been harmed, to immediately relieve any stress. Similarly, the “experimenter” who ran the study in Burger’s experiments was a clinical psychologist who “was instructed to end the study immediately if he saw any signs of stress.”⁶⁸ All of these additions spoke to Burger’s mission of ensuring “that the participants were treated in a humane and ethical manner,” directly addressing criticisms of Milgram’s original experiments.⁶⁹ Again, addressing new rules for social psychological experimentation, Burger noted that his procedures were approved by the Santa Clara University institutional review board, a process which was instituted only after Milgram’s experiments were conducted.

Burger also slightly changed the methodology of Milgram’s obedience experiments to decrease the possibility of subjects experiencing stress. Burger did not allow his

65 Jerry M. Burger, “Replicating Milgram: Would People Still Obey Today?,” *American Psychologist* 64, no. 1 (January 2009): 2.

66 Burger, “Replicating Milgram,” 2.

67 Burger, “Replicating Milgram,” 2.

68 Burger, “Replicating Milgram,” 2.

69 Burger, “Replicating Milgram,” 2.

participants to go past the 150-volt shock, arguing that “79% of Milgram’s participants who went past this point continued to the end of the shock generator’s range.”⁷⁰ Thus, one could reasonably estimate that any of Burger’s participants who administered the 150-volt shock would have continued to the end of the board as well, had they been able to continue. With these modifications to Milgram’s original work, Burger conducted his own experiments, but still aimed to investigate susceptibility to destructive obedience. Overall, Burger was able to conclude “that average Americans react to this laboratory situation today much the way they did 45 years ago.”⁷¹ With a slight tweak in methodology and additional steps to prevent ethical misconduct, Burger’s partial recreation of Milgram’s experiment revealed similar levels of destructive obedience.

In 2009, Milgram’s research assistant Alan C. Elms wrote of Burger’s replication and emphasized that standards for socio-psychological research diluted his recreation of Milgram’s original experiment. For example, Elms said that while Burger was able to adapt Milgram’s paradigm to get the approval of his institutional review board, in doing so Burger “[removed] a large portion of the stressful circumstances that made Milgram’s findings so psychologically interesting.”⁷² Similarly, Elms used this reasoning to argue that Burger’s results were not as applicable to “instances of real-world destructive obedience” as Milgram’s were.⁷³ Thus, Elms blamed the “highly restrictive rules and regulations subsequently established by the federal government, the American Psychological Association, and campus institutional review boards” for Burger’s inability to successfully recreate Milgram’s work.⁷⁴ In sum, Elms argued that these administrative changes led to a “Dark Age” of obedience research.⁷⁵ He felt that such restrictive rules and guidelines discouraged or outright prevented researchers from expanding upon Milgram’s work. Or, from producing work that was comparable to Milgram’s. Thus, Elms felt that while Milgram’s work was extraordinary, it had been “frozen in time” by new federal and APA rules.⁷⁶ Using Burger’s work as an example, Elms explicitly argued that Milgram’s work influenced changes to social psychology in the 1970s. He said, of Milgram’s experiments, that “it was the achievement of such emotional intensity in a laboratory setting that stimulated the development of ethics rules so sweeping” that they would have prevented the experiment from being conducted in the first place.⁷⁷ After assessing Burger’s attempt to recreate Milgram’s obedience experiments, Elms argued that Milgram’s effect on the field of social psychological experimentation in the 1970s was extremely consequential for

70 Burger, “Replicating Milgram,” 1.

71 Burger, “Replicating Milgram,” 9.

72 Alan C. Elms, “Obedience Lite,” *American Psychologist* 64, no. 1 (January 2009): 32.

73 Elms, “Obedience Lite,” 32.

74 Elms, “Obedience Lite,” 33.

75 Elms, “Obedience Lite,” 35.

76 Elms, “Obedience Lite,” 35.

77 Elms, “Obedience Lite,” 35.

future experiments.

Milgram’s experiments on destructive obedience in the 1960s proved to have continued relevance to socio-political events and a lasting impact on the field of social psychology. Critiques of his work raised ethical and methodological concerns, centered around subject rights and the use of deception in experimentation. These concerns correlated with legislative developments in social psychology at large in the 1970s; thus, Milgram’s experiments became a tool through which one could measure the extent of change in social psychological experimentation. While Milgram began his work attempting to explain the events of the Holocaust, the results of his experiments remained applicable to new threats like the Vietnam War and nuclear warfare as time went on. Regardless of the critiques and changes that his work spurred, Stanley Milgram’s name remains well known in psychological education to this day.

How India Defeated Napoleon: The British East India Company, "The Golden Cavalry of Saint George," and Financing the Wars with France, 1793-1815

Bryn Haas

Abstract. The European wars of the French Revolution and the Napoleonic era were immensely expensive affairs. The one constant adversary for the French, over twenty-three years of near constant warfare, was the British crown. This small island nation, in addition to spending a quarter century at war, also subsidized their allies on the European continent in the fight against France. Britain gave away the 2020 equivalent of nearly six billion US dollars in its struggle against the French. The so-called "Golden Cavalry of Saint George" helped fund the coalitions against Napoleon. Most modern historians will agree that Britain's advanced banking system was crucial to funding the war effort, and the Crown borrowed heavily over the course of the war. The thesis of this paper is that the money borrowed was only available due to the financial exploitation of the Indian subcontinent. It was the predatory methods of the East India Company (EIC) and its British employees that impoverished India and built a deep enough reservoir of wealth for Britain to draw on during the war. The author touches briefly on the costs and debt racked up by the Crown before discussing the myriad of ways that India was exploited for gain. From obvious paths of trade, taxation, and treaties used by EIC, to less obvious flows of wealth back to Britain through personal fortunes made from inflated salaries, looting, and fraud. Without the constant transfer of wealth from India and its other colonies, Britain would have run out of credit to continue their fight against France and Napoleon.

Introduction

The European wars of the French Revolution and the Napoleonic era, lasting from 1792 to 1815, were immensely expensive affairs. The French, first the Republic and then the Empire, were able to offset the cost of their war by conquering territory, extorting their client states, and demanding reparations from the defeated states of Europe. Over twenty-three years, with only brief interludes of peace, France dominated continental Europe. While seven Coalitions rose to dispute French hegemony, the one constant adversary was the United Kingdom. The British ruled the seas, dominating them after defeating the combined French and Spanish navies at Trafalgar in 1805. Britain, an island nation with half the population of France, could not match the armies of the continental powers

in numbers.¹ Through dogged determination, naval supremacy, assets from its colonial territories, and its advanced banking system, Britain was able to not only contest France's dominance but also to finance the coalitions opposing it. By the end of the Napoleonic Wars, Britain had given a total of £50,000,000 in subsidies, extended £7,220,000 in loans, and guaranteed loans for other Coalition partners.² The subsidies alone were the equivalent of nearly \$6,000,000,000 in 2020 US dollars. These subsidies and loans allowed the Coalition forces to continue to field armies against Napoleon.³ Known as the "Golden Cavalry of Saint George"⁴, British subsidies ensured that no matter how many times France was triumphant, another Coalition would soon rise up to wrest control of the continent from Emperor Napoleon. British wealth was used to leverage continental European manpower to make up for French numerical superiority. This paper will show that without the constant transfer of wealth from India and their other colonies, Britain would soon have run out of credit.

In addition to the subsidies and loans extended to European powers opposing Napoleon, Britain engaged in an additional £186 million in military spending from 1793 to 1815.⁵ These colossal expenditures required innovative and exceptional methods of financing. Credit was key to filling British budget shortfalls. Peaking at just over 250% of GDP by the end of the Napoleonic wars, British government debt financed the war in Europe.⁶ Without a solid financial foundation, credit would not have been extended. The institution of an income tax by Prime Minister William Pitt the Younger in 1799, showed the Crown's willingness to repay its debts. Pitt's tax, a graduated tax with a top rate of only 10%, was repealed in 1816 shortly after the cessation of hostilities. The United Kingdom was confident that existing revenue streams would be sufficient to repay their debts without the need for the income tax. This confidence was based on the strength of its economy, trade, reparations, and exploitation of its colonial resources.

Wealth extracted from India by the East India Company was key to propping

1 Important secondary works on this time period are Alexander Mikaberidze's *The Napoleonic Wars: A Global History*, David Bell's *The First Total War: Napoleon's Europe and the Birth of War As We Know It*, *The Cambridge History of the Napoleonic Wars*, and the works of Charles Esdaile.

2 C. P. H, "War Loans versus Subsidies: A Note on Great Britain's Advances to Her Continental Allies during the Napoleonic Wars," *Foreign Affairs* 9, no. 4 (1931): 683–85; Norman J. Silberling, "Financial and Monetary Policy of Great Britain During the Napoleonic Wars," *The Quarterly Journal of Economics* 38, no. 3 (1924): 397–439.

3 Roger Knight, *Britain Against Napoleon: The Organization of Victory, 1793-1815* (New York: Penguin, 2013), 67

4 Charles W. Calomiris & Stephen H. Haber, *Fragile by Design: The Political Origins of Banking Crises and Scarce Credit* (Princeton: Princeton University Press, 2014), 99.

5 Javier Cuenca Esteban, "The British Balance of Payments, 1772-1820: India Transfers and War Finance," *The Economic History Review* 54, no. 1 (2001): 68.

6 John Tamny, "A Gold Standard Would Be Great, But It Would Not Shrink 'Budget Deficits'," *Forbes*, October 4, 2020.

up Britain's wartime finances. It has been hard for scholars to truly quantify the dizzying sums of wealth extracted from India. In 1901, writer and journalist William Digby wrote in *Prosperous British India: a Revelation from Official Records* that "Estimates have been made which vary from £500,000,000 to nearly £1,000,000,000" for the amount of treasure extracted from the subcontinent between the battles of Plassey (1757) and Waterloo (1815).⁷ This agrees with modern estimates made by Indian politician and writer Sashi Tharoor in his 2016 book *An Era of Darkness: The British Empire in India*. Tharoor places the amount at £18 million per year for the fifty years preceding Waterloo, 1765 to 1815.⁸ Indian economist Utsa Patnaik went so far as to conclude that the total amount of wealth taken from India by the British was equivalent to £45 trillion in this period.⁹ This is a truly staggering sum, an order of magnitude larger than will be discussed in this paper. What these estimates lack is specific evidence to back up their claims. This paper will seek to justify the estimates made by Digby and Tharoor as accurate representations of the amount of wealth extracted. By looking at the hard numbers reported by the East India Company, we shall be able to quantify the amount of wealth officially extracted. We will also explore the myriad unofficial ways that wealth was transferred from India back to Britain and show that this transfer was essential to Britain's ability not just to finance the war but also to continue to grow its economy. Economic historian Javier Cuenca-Esteban notes that "without the accumulated credits from India transfers since 1757, Britain's financing of land warfare during the French wars could have been compromised."¹⁰

While the British were at war with France in Europe from 1793 to 1815, the East India Company was imposing their economic and military hegemony over India. The Company's resources were used extensively for the war effort. Company ships patrolled the seas and Company troops fought battles at the direction of the Crown. The patriotic East India Company did all of this at its own expense. Fears of French interference in India led to a string of Company wars and conquests to consolidate its position there. Wars are costly enterprises, and the East India Company's directors' priority was to make a profit. The Company made sure that goods were shipped back to England and that dividends paid to stockholders were not interrupted. The East India Company did not want cost of conquering and administering their Indian possessions to come out of their profits. These costs were passed on to the East India Company's new Indian allies and subjects.¹¹ With

7 William Digby, *Prosperous British India: a Revelation from Official Records* (London: T. Fisher Unwin, 1901), 33.

8 Sashi Tharoor, *An Era of Darkness: The British Empire in India* (New Delhi: Aleph, 2016), 11.

9 Utsa Patnaik, "The Drain of Wealth: Colonialism before the First World War," *Monthly Review: an Independent Socialist Magazine*, February 1, 2021.

10 Esteban, "The British Balance of Payments," 58.

11 Andrew Phillips & J. C. Sharman, *Outsourcing Empire: How Company-States Made the Modern World* (Princeton: Princeton University Press, 2020), 141.

financing in Europe mostly tied up in the war, the East India Company had to find other ways to finance its subjugation of India. The Company ran up debts, borrowing heavily in India, while continuing to pay out profits in London. These debts were ultimately paid for by taxes levied on the East India Company's Indian subjects. I will show that during the French Revolutionary and Napoleonic wars, the Company forced India to finance not just its own conquest, but also to transfer huge amounts of wealth back to Britain to prop up Company finances, government revenue, and ultimately the entire British economy.

This transfer of wealth, beginning with the Company's conquest of Bengal in 1757, allowed Britain the luxury of being better prepared financially than the French at the outbreak of the war. India became an unending source of wealth that could be tapped with little thought of consequences.¹² Prewar budgets remained high after the American Revolutionary War as Britain pursued a policy of naval dominance. The American contest ended in defeat for Britain, incurring nearly £100 million in debt and the loss of its most populous North American colonies.¹³ This same conflict had bankrupted the French treasury, beginning the collapse of the monarchy and leading to the French Revolution. Britain, meanwhile, was able to maintain military spending at elevated levels and pay down its debt without raising taxes. Prewar military budgets from 1784 to 1792 totaled £64,549,000. Government concern about revenue sources saw a commitment to naval dominance. Naval dominance was considered crucial for maintaining Britain's overseas trade empire since the customs revenue from trade made up a large proportion of government revenues. While imports from both the East and West Indies were key to government revenues, exports were becoming a driving force in the British economy. These imports and exports would continue to grow over the course of the Napoleonic wars as Britain began its industrial revolution. Cotton textiles from the mills and looms of England led the growth in exports, increasing sixfold from 1793 to 1815. With Britain's economy and treasury dependent on overseas trade the government had the foresight not to slash naval spending, even increasing it in wartime budgets.¹⁴ This investment in naval spending allowed Britain to keep its skilled dockworkers, to maintain its fleet, and to have the experienced sailors to crew them, while paying down their debt and setting up a sinking fund the surplus revenue of which would be used to pay down the national debt.¹⁵

12 William Dalrymple, *The Anarchy: The Relentless Rise of the East India Company* (New York: Bloomsbury Publishing, 2019), 134.

13 Captain A. T. Mahan, *The Influence of Sea Power upon the French Revolution and Empire, 1793-1812*, vol. 2 (London: Sampson Low, Marston & Company, Ltd., 1968), 5.

14 Knight, *Britain Against Napoleon*, 27-28.

15 Knight, *Britain Against Napoleon*, 25.

Britain and the French Revolutionary and Napoleonic Wars

There was a rapid increase in military spending at the outbreak of hostilities between France and Britain in 1793. By 1796, British government spending was £42 million, of which military spending was £28 million and revenues were only £19.3 million. Government revenue was primarily drawn from excise taxes and customs duties on imports. Exports were excluded from taxation on the basis that any increase in price would make British trade goods uncompetitive. To shore up British finances, an income tax was added in 1799. Lasting from 1799 to 1816 with only a brief respite, this 10 percent tax on income over £200 was a demonstration of Britain's determination to pay its debts, rather than a major new revenue source. Confidence in Britain's financial stability was bolstered when Thomas Irving, the inspector-general of imports and exports in the customs department, was able to revise the estimated national income upward to £200 million based on information provided under the Convoy Act of 1798.¹⁶ Under the Convoy Act, merchants were required to declare the value of their cargoes. This upward revision, based entirely on the value of trade goods, helped quiet fears of insolvency and quantify how much Britain's economy was growing even in the face of the war. As Rodger Knight notes in his book *Britain against Napoleon*, "the economy, which was growing vigorously and thriving, enabled Britain to carry on the fight."¹⁷ Britain's Industrial Revolution began during the Napoleonic Wars, bolstering their economy and government revenue. Both new government revenue sources, and a growing economy, increased confidence in Britain's ability to win the long war against France.

Confidence in Britain and its economy was necessary for the government to continue to borrow to finance the war. With the war dragging on, deficits continued to mount eventually reaching an astounding 250 percent of GDP by the end. Loyalty loans from businesses and wealthy individuals covered part of the government deficit. In 1796, the East India Company voluntarily loaned the Exchequer £2 million so as not to be thought unpatriotic.¹⁸ The rest was raised from the selling of government bonds. Compared to the East India Company's 10 percent dividends, the government bonds only paid 3 percent. Patriotism made up the difference in the payouts. These government bonds were also perpetual bonds, since they had no fixed repayment data. This allowed the Exchequer the luxury of not having to worry about when the bill would come due and only concern itself with funding the interest on the debt. William Playfair, a noteworthy statistician of the time, estimated that with the sinking fund attached to the debt, it should be paid off

¹⁶ Knight, *Britain Against Napoleon*, 119.

¹⁷ Knight, *Britain Against Napoleon*, 94.

¹⁸ Knight, *Britain Against Napoleon*, 84.

in "about 53 years."¹⁹ Low interest rates, confidence in the government, and the growing British economy all allowed borrowing on an unprecedented scale by the Crown. This allowed the King to efficiently tap into the accumulated wealth of the British people. This wealth had been flowing to England from India since 1757. France used the wealth generated from conquest and tribute in Europe to fund its wars. Britain used the wealth generated by trade and taken as "tribute" by the East India Company to finance their war.

The East India Company

The Battle of Plassey in 1757 was a transformative event for the East India Company. It marked its transition from a trading company, with a handful of outposts, to a corporate empire that would eventually control hundreds of millions of people, an empire based on profit, ruled by faceless directors across the oceans. Above all things, the East India Company's purpose was to extract wealth from India. The conquest of Bengal, following the Battle of Plassey, gave the East India Company the right to collect taxes in the territory it controlled. Company governance saw an assiduous and single-minded collection of tax revenue. Initially, land grants were handed out to the person who promised to collect the most tax revenue. Indians suffered greatly under unscrupulous tax collectors. Under Governor-General Charles Cornwallis a standardized "Permanent Settlement" was established for the land tax. Introduced in 1793, this fixed land tax enshrined a landholder class that was responsible to the East India Company for the payment of the taxes. These landlords, or zamindars, did the dirty work of tax collection for the Company. While the peasant farmers found their lives harder, the Permanent Settlement stabilized and increased tax revenue and insured it was paid on time and in full.²⁰ While an improvement over the original tax farming system, the Permanent Settlement set taxes based solely on land with no consideration for bad harvests or natural disasters. With the excess profits derived from taxation in Bengal, the East India Company went into the business of empire building.

Shortly before the outbreak of hostilities in Europe, the East India Company found itself in a war in south India. Victory in the Third Anglo-Mysore War, in 1792, brought new territories under Company control and weakened a major power opposing the expansion of the East India Company in the subcontinent. Tipoo Sultan's defeat also weakened French power in India right before the outbreak of hostilities in Europe. Tipoo was friendly toward the French and had employed French officers to train and lead his troops. While friendly, Tipoo was suspicious of the French but in the face of the East Indian

¹⁹ Playfair, William, *The Commercial and Political Atlas Representing, by Means of Stained Copper-Plate Charts, the Progress of the Commerce, Revenues, Expenditure, and Debts of England, During the Whole of the Eighteenth Century* (London: T. Burton, 1801), 86.

²⁰ Dalrymple, *The Anarchy*, 328-329.

Company's military superiority, he allied them nonetheless.²¹ His father, Haidar, advised Tipoo that "it is by the aid of the French that you could conquer the British armies."²² The Company extracted a punishing settlement from Tipoo Sultan. In addition of annexing half of Tipoo's land the Company demanded £3,000,000 in war reparations.²³ Mysore was left bankrupt, landlocked, and surrounded by East India Company territory and their allies at the outbreak of war between Britain and France. Even had Tipoo Sultan wanted to join their nominal allies in the war they could not have been in a worse position. With the fall of the French outpost Pondicherry to a combined British and East India Company siege in 1793 the East India Company was left to consolidate its hold on India. With the end of French power on the Indian subcontinent in 1793 the East Indian Company was free to consolidate their military and economic hegemony.²⁴ Without interference from European powers, the Company, through treaty or conquest, proceeded to subjugate the rest of the subcontinent.

The Fourth Anglo-Mysore war broke out in 1798 and was soon ended with the storming of the capital, Seringapatam, and the death of Tipoo Sultan in the fighting. The East India Company and its allies annexed even more land from Mysore and the Company set up a client state. This is one of the first unequal treaties that the Company used over the next twenty years to subjugate Indian states. A pattern of treaties was established where territory was ceded to the East India Company in return for Company troops, with the revenue from the ceded territory to be used to pay for the troops. Beginning with the 1798 alliance with the Nizam of Hyderabad, the Nizam agreed to pay 24,17,100 rupees yearly to support an East India Company force of 6000 sepoys with their weapons and artillery.²⁵ The partition of Mysore in June of 1799 included a clause stipulating that the East India Company would provide soldiers for the protection of the remains of Mysore. The treaty with Nagpoor in 1803 ceded territory to the East India Company and an additional treaty in 1816 assigned a force of Company soldiers to Nagpoor to be paid for by Maharaja.²⁶ Treaties with Peshwar in 1802 and Sindin in 1804 developed a near uniform method for treating allies.²⁷ Beginning with declarations of friendship, followed by a defensive alliance, and straight to Company troops in Article 3 and territory ceded to cover the cost of the troops

21 Franklin Wickwire & Mary Wickwire, *Cornwallis: The Imperial Years* (Chapel Hill: The University of North Carolina Press, 1980), 119.

22 Dalrymple, *The Anarchy*, 318.

23 Wickwire & Wickwire, *Cornwallis*, 172.

24 S.P. Sen, *The French in India, 1765-1816* (Calcutta: Firma K. L. Mukhopadhyay, 1958), 4.

25 *Treaties, agreements, and engagements, between the Honourable East India Company and the native princes, chiefs, and states, in western India; the Red Sea; the Persian Gulf; &c.; also between Her Britannic Majesty's Government, and Persia, Portugal and Turkey, 25 Jun 1667 - 29 Mar 1851*. The British Library, Adam Matthew Archive, 391.

26 *Treaties, agreements, and engagements*, 341, 346.

27 *Treaties, agreements, and engagements*, 121, 726.

in Article 4. Some Indian princes just signed over the management of their territories for a stipend, such as the Nawab of Surat in 1800.²⁸ By the end of the Second Anglo-Marath war in 1805 the East India Company had de facto control over the entire Indian subcontinent and its trade. The Third Anglo-Marath War, 1817-1819, left the company in total control of India.

The wars fought by the East India Company were expensive undertakings. While they did strengthen the Company's control over India, they put it deeply in debt. The Company borrowed heavily not from bankers in London but to lenders in India. For the first five or six decades the East Indian Company used Indian bankers to finance its administration and conquest.²⁹ The Company's directors made sure that tribute and dividends still flowed back to England even while debt was accumulating on the books in India. By now, the British government was too busy fighting Napoleon to be able to afford to conquer India. Under Governor-General Richard Wellesley's term from 1798 to 1805, the East India Company's debt in India more than tripled to £31.5 million.³⁰ In true corporate form, the Company used the Indians to finance the conquest of their own territories. Nearly every treaty signed from 1798 on deferred the costs of East India Company troops on to the Indian allies. Every victory brought more territory under Company control, increasing their revenue and deferring more costs onto the Indian people. The debts in India did not matter. The Company had no intention of reducing payments and tribute sent back to England. The debts would be repaid to Indians from the proceeds of taxation of those same Indians.

One of the main advantages that the East India Company had in its relationships with the princely states of India was its corporate nature. There was no concern of a power vacuum or a succession crisis. The East India Company was a corporate entity that was not vulnerable to the repeated crises and governmental changes of the local autocracies. While the Company had significant internal disputes, it was a stable unified entity to the outside world.³¹ From that perspective, the princes of India could enter into treaties with the East India Company with little of the trepidation that comes with signing alliances. Alliances were typically only good for as long as the signees were alive or in power. Looking back, the treaties may seem unfair to the Indians, but they brought stability to a region that had fractured with the decline of the Mughal Empire. Tribute paid and territory ceded to the East India Company paid the cost for Company forces deemed sufficient to guarantee

28 *Treaties, agreements, and engagements*, 799.

29 Claude Markovits, *The Global World of Indian Merchants, 1750-1947: Traders of Sind from Bukhara to Panama* (Cambridge: Cambridge University Press, 2000), 13.

30 Dalrymple, *The Anarchy*, 365, 389.

31 Jeremy Black, *European Warfare in a Global Context, 1660-1815* (New York: Routledge, 2007), 201.

protection.³² It allowed the princes to maintain their courts and lifestyle safe from the uncertainty of eighteenth-century Indian politics. While the Company might not have had their best interests at heart, it did not seek to depose them. Their privilege was safe in the keeping of the Company.

The outbreak of war with France also consolidated the East India Company's monopoly over Eastern trade, not just for Britain but for all of Europe. All of the trade from the French East India Company now flowed through the British East India Company.³³ The fall of Pondicherry in 1793 led to the acquisition of all the French trade from the East Indies into the Company's portfolio. With the collapse of French maritime trade due to the war, the French East India Company was soon abolished, and its property confiscated.³⁴ After the Netherlands was conquered by the French in 1795, the British were now able to claim their trade networks as spoils of war, and their balance sheets bear witness to the increases.³⁵ The war was very profitable for the East India Company. With its two largest competitors on the wrong side of the war, the Company systematically took over their trade. The trade monopoly saw record growth and profits which attracted neutral shipping to call in greater numbers on India. Even the end of the monopoly in 1813 was just a way for non-Company British shipping to crowd out the market for foreign shipping that had arisen to assist the transfer of wealth out of India. Britain's control of the seas gave the East India Company a near monopoly on all trade from the East Indies to Britain and Europe.

Transfer of Wealth

Trade with India did not just stimulate the British economy, it was a direct tribute sent from India to Britain. This tribute was a huge transfer of wealth. Once the East India Company took over taxation from the natives it used a portion of the tax revenue to pay for the goods being sent back to England. The Company no longer had to send funds overseas to pay for goods to be shipped home for sale. With the proceeds collected from taxation of their Indian territories the directors no longer needed to ship bullion to India to pay for their goods, this could all now be paid for with their new tax revenue.³⁶ This created a closed system where, with few exceptions, India paid not just for East India Company administration and garrisons, but also for all their exports sent back to Europe.

32 Meera Sebastian, "The Finance of the Nineteenth Century Mysore with Special Reference to its Tribute," *Proceedings of the Indian History Congress* 53 (1992): 56.

33 Sen, *The French in India*, 421.

34 Sen, *The French in India*, 422.

35 Mahan, *The Influence of Sea Power upon the French Revolution and Empire*, vol. 2, 216.

36 Wickwire & Wickwire, *Cornwallis*, 38.

This system became known as "the investment". From 1757 to 1813 this investment was considered to be a form of tribute. This system used the Company's trade monopoly, combined with the purchase of trade goods often for less than the market value, and paid for using the surplus tax revenue.³⁷ The investment was a direct transfer of wealth from India to Britain. This gave the East India Company an even greater advantage over other trade from India. The tributary nature of the system allowed the Company to maintain shipments at the highest amounts without concerns for profitability, profit was secondary to the extraction of wealth back to Britain.³⁸ It was not just tax revenue that paid for the tribute but also loans from Company officials. During the war, with money being tight home, bound cargoes were often paid for by bill of exchange bought in India but payable in London. These bills of exchange were a mechanism for men with wealth in India to transfer their money back to Britain by lending it to the Company.³⁹ This allowed not just for tribute to flow to England but for personal fortunes to be transferred from India as well.

It was difficult for foreign traders to compete with the East India Company not only because of its monopoly. The Company also controlled the governments of India and made sure tariffs, duties, and fees did not apply to Company business. Yet foreign ships still called on Indian ports in ever increasing numbers not so much to buy products from India, but more frequently to transport goods privately purchased by East India Company officials for sale back in Britain. In order to bypass the Company's monopoly, neutral shipping began to call on Indian ports brought there by the desire for the British to ship their new found fortunes home.⁴⁰ Through this mechanism, fortunes made in India were able to be sent home for a comfortable retirement. Foreign shipping was such a problem that the Company's monopoly on trade was rescinded with the 1813 renewal of the East India Company's charter. The monopoly was no longer necessary since the Company controlled the government of India and could preferentially treat all British trade and business.

In addition to the East Indian Company's control over trade and government, they also took over the monetary supply. The Company got into the business of the minting of coins. Before this, there were twenty-seven different types of coins used in Bengal alone.⁴¹ By standardizing coinage and controlling the minting, the Company further controlled India's economy. The Bengal rupee both facilitated taxation and simplified trade. It also allowed the Company to decide what passed for hard specie in India. It favored coinage in

37 Tharoor, *An Era of Darkness*, 406.

38 Marshall, *Problems of Empire: Britain and India, 1757-1813* (New York: Barnes and Nobel Inc., 1968), 94.

39 Marshall, *Problems of Empire*, 84.

40 Marshall, *Problems of Empire*, 97.

41 Wickwire & Wickwire, *Cornwallis*, 94.

copper and silver since the gold had already been shipped back to Britain long ago.⁴² With an exchange rate set at 2 shillings per Bengal rupee, it allowed for easy conversion between British pounds and Indian rupees.⁴³ The Calcutta mint was striking 2.5 million rupees of coins every year.⁴⁴ However, even with the Company minting its own currency, there were often shortages of currency in India. This was not only due to some specie flowing back to England. Most of the tribute sent back home was in the form of trade goods, but also due to the Company paying for tea from China with Indian silver. The East India Company was both the cause and the solution for the shortage of hard specie in India.⁴⁵ Subsequently imperial apologists like to point to transfer of specie from Britain back to India as proof that the balance of trade was unfavorable.⁴⁶ This was not done to pay for merchandise but simply to keep the Indian economy functioning and the profits flowing. Lord Cornwallis noted that “the consequence of the heavy drain of wealth from the above causes (viz., large annual investment in Europe, assistance to the treasury of Calcutta, and to supply the wants of other presidencies), with the addition of that which has been occasioned by the remittances of private fortunes” led to a shortage of specie and diminished commerce.⁴⁷ Lack of currency was, at times, a bottleneck for the tribute sent back home.

Wealth did not just find its way back to Britain through trade. East India Company officers, officials, and administrators were paid bloated salaries to oversee the governing of India. This was wealth that the officials took home to England when their time was up. India was well known as a place where a man could make his fortune. Before Lord Cornwallis would take the Governor-Generalship of India he had to be offered a salary of £25,000 per year.⁴⁸ The Bank of England estimates that would be an equivalent salary of over £4 million today.⁴⁹ Even lesser officers were very well paid. A mere colonel could expect a salary of £7,000-8,000 per year in 1787.⁵⁰ When one adds up just the officer salaries, with each 1000-man battalion being led by a colonel, the costs become staggering. The East India Company’s administrators and officials were also well paid. Compounding this, the

42 Robert Montgomery Martin, *History of the Colonies of the British Empire in the West Indies, South America, North America, Asia, Austral-Asia, Africa, and Europe* (London: Wm. H. Allen and Co., 1843), 342.

43 *Act 53, George III: An Act for continuing in the East India Company, for a further term, the possession of the British territories in India, etc, 21 July 1813*, The British Library, Adam Matthew Archive, 144.

44 Dalrymple, *The Anarchy*, 316.

45 Sashi Sivramkrishna, *In Search of Stability: Economics of Money, History of the Rupee* (London: Routledge, 2017), 98.

46 An imperial apologist would be those who perpetuate the myth of the benevolent empire while disregarding the predatory and parasitic nature of colonial imperialism.

47 Dadabhai Naoroji, *Poverty and Un-British Rule in India* (London: Swan Sonnenschein & Co., 1901), 39.

48 Wickwire & Wickwire, *Cornwallis*, 18.

49 Bank of England, “Inflation Calculator,” accessed May 3, 2022.

50 Wickwire & Wickwire, *Cornwallis*, 104.

salaries paid to soldiers and civil servants were often put to work by investing them in Indian industries such as indigo plantations, silk works, and sugar plantations. Pitt’s India Act of 1784 even shifted British government costs directly onto the Company. It set up an India Board with six privy councilors paid for by the East India Company.⁵¹ The Company was not just paying bloated salaries for British officials but was also soon paying bloated pensions. Governor-General Cornwallis pushed for pensions so that British officers could afford to retire in England. General Cornwallis felt that without these pensions many Company officers would remain in India and not return home to retire.⁵² This was a clear attempt to make sure that fortunes made in India found their way back to England. These pensions were eventually standardized in the renewed charter of 1813. A four-year stint would provide one with a £1,500 per year pension, jumping to £3,000 at seven years of service, and £4,000 at ten. Included in this were the privy councilors who never even had to set foot in India. All of this was charged to the Indian taxpayer.⁵³

Fortunes made in India were not just made by inflated salaries. There became a new class of ultra-rich Company employees called nabobs.⁵⁴ Huge fortunes were made through looting and fraud, all of which ended up back in England. Thomas “Diamond” Pitt made the Pitt family fortune during his time as the President of Madras. Pitt bought an enormous diamond in India he later sold to the Duc d’Orléans for £135,000, nearly six times what he paid for it.⁵⁵ Thomas Pitt’s grandson, William Pitt the Elder, who would be prime minister during the Seven Years War, and his great-grandson, William Pitt the Younger, would become the youngest prime minister of Britain at the age of 24 in 1783 and serving, off and on, until his death in 1806. Robert Clive, who orchestrated the conquest of Bengal, personally made £234,000 from the war, and made £2.5 million for the Company sparking the change in priorities within the Company from commerce to conquest.⁵⁶ With Clive’s annexation of Bengal, Company officials gained access to fertile new territories and revenue sources that provided ample opportunities for fraudulent enrichment.⁵⁷ That wealth also found its way home. So much so that “The great wealth derived from this branch of commerce is brought over by individuals, and has occasioned an immense increase of riches, luxury, and extravagance, in this country.”⁵⁸ Part of the reason for appointing Lord Cornwallis as Governor-General was to cut down on the out-of-control graft occurring. To that end Governor-General Cornwallis cracked down on Company engineers who had

51 Marshall, *Problems of Empire*, 96, 131.

52 Wickwire & Wickwire, *Cornwallis*, 106.

53 *Act 53, George III*, 1140.

54 Phillips & Sharman, *Outsourcing Empire*, 144.

55 Tharoor, *An Era of Darkness*, 16.

56 Nick Robins, “This Imperious Company: The English East India Company and Its Legacy for Corporate Accountability,” *The Journal of Corporate Citizenship* 25 (2007): 32.

57 Phillips & Sharman, *Outsourcing Empire*, 144.

58 Playfair, *The Commercial and Political Atlas*, 16.

previously been pocketing fees, gratuities, and other charges for the construction of public works.⁵⁹ Lord Cornwallis increased salaries in an effort to assuage Company officials. Regarding the number of personal fortunes being transferred to England, William Playfair, citing the head of the India Board Henry Dundas, wrote “So far back as 1793, Mr. Dundas estimates that the sums remitted by individuals at an annual million; add to this, plunder arising from war, and we shall see that now the revenues and establishments are nearly doubled.”⁶⁰ The constant influx of wealth buoyed the British economy and was available for the Crown to draw on to finance the war against Napoleon.

The Company as a Tool of the State

India did not just help the economy of Britain. It also directly helped the war effort. After Pitt’s India Act of 1784, the East India Company was effectively controlled by the Crown. The India act of 1784 ended up placing the East Indian Company under the direct supervision of the British government.⁶¹ The Act formed the India Board, 1784-1858, with six privy councilors and authority over the East India Company. The act stated that the “board shall be fully authorized and empowered, from time to time, to superintend, direct, and controul, all acts, operations, and concerns, which in any wise relate to the civil or military government or revenues of the British territorial possessions in the East Indies.”⁶² The common view at the time was that the Company was still independent from the Crown. However, the India Act of 1784 and the Charter Act of 1793 began the long process of “creeping nationalization by a thousand cuts.”⁶³ In order to renew its monopoly over East Indies trade, the Charter Act of 1793 forced the East India Company to pay the Exchequer £500,000 per year for the privilege.⁶⁴ In order to renew their charter in 1793 the Company was forced to forgive all outstanding of the government debts.⁶⁵ With the outbreak of war, the Crown exercised its control over the Company through forced loans, military assistance, and forced imports of wartime necessities. In the early phase of the war, the Company also helped government procurement by providing 162,900 “India pattern” muskets that had been on order for shipment to Bengal. In 1796, at the prime minister’s request, the

59 Wickwire & Wickwire, *Cornwallis*, 114.

60 William Playfair, *An Inquiry into the Permanent Causes of the Decline and Fall of Powerful and Wealthy Nations* (London: Greenland and Norris, 1807), 160.

61 Phillips & Sharman, *Outsourcing Empire*, 146.

62 Marshall, *Problems of Empire*, 132.

63 Phillips & Sharman, *Outsourcing Empire*, 149.

64 David Macpherson, *Annals of commerce, manufactures, fisheries, and navigation, with brief notices of the arts and sciences connected with them. Containing the commercial transactions of the British Empire and other countries, from the earliest accounts to the meeting of the Union Parliament in January, 1801*, vol. 4 (London: Nichols and Son, 1805), 275.

65 Phillips & Sharman, *Outsourcing Empire*, 142.

Company even imported grain from India. Imports of saltpeter for gunpowder were also increased substantially from 6,000 tons in 1808 to 12,000 tons in 1810.⁶⁶ This was all done quietly since the East India Company’s directors did not like the optics if it became known they were doing the government’s bidding.

With the outbreak of war in 1792, the East India Company became just another tool of the state. The President of the India Board and the Secretary of State for War from 1793 to 1801 was the same person, Henry Dundas. Dundas would later go on to become the First Lord of the Admiralty from 1804 to 1805. Direct oversight over the Company allowed Dundas to institute several reforms. Through his influence several reforms were added to the Charter Act of 1793. One of the main reforms in the 1793 Act was a compromise which allowed the East Indian Company to maintain its monopoly as long as it offered cheap freight for private cargoes on its ships.⁶⁷ This helped the main purpose of the East India Company, which was to funnel wealth back to Britain. In Dundas’s opinion “The Company were not merely a commercial body, but were also trustees of the imperial revenue in India.”⁶⁸ With Governor-Generals of India appointed by the Crown, such as Lord Cornwallis and Richard Wellesley, brother of the hero of Waterloo Arthur Wellesley, there could be little mistaking the government’s control over Company resources.

From the very beginning of the war, Company resources were treated like British Crown property. East India Company troops and ships were used in multiple locations throughout the war. The British government benefited from by using Company troops in assaults on Ceylon in 1795, 1803, and 1815; Malacca and the Moluccas in 1795; Egypt in 1801; Réunion and Mauritius in 1810; and Java in 1811.⁶⁹ Company assistance brought about the capture of the French trading enclave of Pondicherry in August of 1793. The city had been bringing in a revenue of 1.2 million livres per year for the French East India Company with an annual profit of 500,000 livres.⁷⁰ After the fall of Pondicherry, only a single sloop-of-war was left by the British Navy to protect Indian trade in the Indian ocean. With the British Navy concentrating on blockading France, protecting the home Isles, and eliminating the French fleet, there were initially few ships that could be spared to protect Company trade. With the abandonment of the Indian ocean by the British Navy the Company took over and fitted out its own ships for the protection of trade.⁷¹ Company ships were converted directly into warships with Company crews for use by the Admiralty.⁷²

66 Marshall, *Problems of Empire*, 158, 371, 393.

67 Marshall, *Problems of Empire*, 98.

68 W. H. Pyne, *The Microcosm of London* (London: Methuen & Co., 1904), 159.

69 Phillips & Sharman, *Outsourcing Empire*, 149.

70 Sen, *The French in India*, 434.

71 Mahan, *The Influence of Sea Power upon the French Revolution and Empire*, vol. 2, 215-216.

72 Knight, *Britain Against Napoleon*, 74.

Government pressure on the East India Company was relentless. The East India Company was pressured into other methods of supporting the war effort, from forced loans, to mandatory leasing of ships, to the direct requisitioning of East Indiamen converted into warships complete with EIC crews.⁷³ Furthermore, the Company agreed to place 10,000 tons of armed shipping at the Admiralty's direction for convoy duty free of charge. This was a gift from the Company directly to the Crown. The East India Company provided immeasurable assistance for the War.⁷⁴ When the Charter was renewed in 1813 it also required the East India Company pay for the 20,000 of the King's troopers stationed in the East Indies.⁷⁵ From loyalty loans to troops to ships the East India Company's resources may as well have been directly under the control of the government.

The Charter for the Company, established in 1600, was an act of parliament signed by the king, spelling out all the rights, privileges, regulations, and obligations to which the Company and the Crown agreed. By 1813 the Charter obligated the East India Company to, among other things, fund schools, churches, and act as judges in their territories. Salaries for these officials were all to be paid by the Company.⁷⁶ The Charter act also rescinded the Company's trade monopoly. This was not as big a blow to the Company as it would seem since they controlled the governments in India and therefore the rules and regulations for export. The prevailing reason at the time was to allow British traders to dominate all trade in or out of India. Playfair argued, regarding Indian trade with Persia, Arabia, Africa, and China not under Company control, that "It is much to be regretted that British capitol is not wholly employed in this lucrative branch of commerce, and that foreigners are permitted to carry off four-fifths of the whole."⁷⁷ The 1813 charter also enumerated the debt owed by the Crown to the Company at £4.2 million, for which it received annual interest of "Three Pounds per Centum," payable only after 1831.⁷⁸ The Charter of 1813 also renewed the £500,000 payment directly to the Crown. This payment alone was nearly three percent of the government's total revenue at the beginning of the war. It obliged the Company to pay a 10 percent annual dividend to stockholders. It also constrained how the Company could discharge its debts. The order of payments began with Bills of Exchange, then company expenses including interest, next dividends, and lastly repayment of their debt in the East Indies.⁷⁹ It was explicitly stated that any "Deficiency of Commercial Profits at Home in any Year for Dividend to be made good out of Surplus Territorial Revenue."⁸⁰ King George

73 Phillips & Sharman, *Outsourcing Empire*, 149.

74 Knight, *Britain Against Napoleon*, 190, 393.

75 *Act 53, George III*, 1154.

76 *Act 53, George III*, 1140.

77 William Playfair, *The Statistical Breviary: Shewing the Resources of Every State and Kingdom* (London: T. Benesley, 1801), 54.

78 *Act 53, George III*, 1123.

79 *Act 53, George III*, 1142.

80 *Act 53, George III*, 1143.

III made sure that Britons were paid first, and any debts accrued in India were paid last. Finally, once the Indian debt was reduced to £10 million, any surplus profit would be accrued by the Crown to a total of £12 million to secure the capital stock of the company. Further profits after securing the stock would be split with five-sixths to be paid to the Exchequer and one-sixth to spent at the Companies discretion.⁸¹ So, while the Company owed over £10 million to bankers in India, it in turn was owed £4.2 million by the Crown. It was also required to pay out a ten percent dividend on its capital stock while only receiving three percent from the crown. By the end of the war the East India Company was nothing more than a thinly veiled extension of the state. The Company was a fictional enterprise that only continued to exist because dissolving it and nationalizing its territories would hurt the profits of members of Parliament. As William Dalrymple notes in his 2019 book *The Anarchy*, "the East India Company probably invented corporate lobbying."⁸²

The dividends being paid were one of the main reasons that the Crown had not nationalized the East India Company. Before 1780, dividends were 15 to 20 percent, but after some financial issues due to mismanagement, the dividend was lowered and set at 10 percent.⁸³ Voting for the directors was limited to shares valued at £1000 or more. This restricted the franchise to only the wealthy stockholders. Yet, still in 1800 there were 2832 voting shares.⁸⁴ Just the dividend payout for the voting shares totaled up to £283,200 per year. The East India Company was an exceedingly good investment, especially compared to government bonds return of only 3 percent, and one did not have to even travel to India to receive its benefits. Where dividends were paid out to the wealthy, customs fees were paid into the Exchequer.

Customs and excise taxes were responsible for 70 percent of government income at the start of the war.⁸⁵ In David Macpherson's *Annals of Commerce, Manufactures Fisheries and Navigation*, published in 1805, he reports the "Total net revenue of the customs of Great Britain £6,799,755 s13 p7" for the year 1800.⁸⁶ The East India Company reported to Parliament in the same year Customs duties paid of £928,303 on imports valued at £7,367,727 with further non-Company imports of £2,336,980 in private trade goods and £455,903 in neutral property.⁸⁷ This total of £10,160,610 accounted for one-seventh of the total import in 1800. Those imports had nearly doubled since before the war jumping from

81 *Act 53, George III*, 1144.

82 Dalrymple, *The Anarchy*, xxvii.

83 John Brewer, *The Sinews of Power: War, Money and the English State, 1688-1783* (New York: Alfred A. Knopf, 1988), 208; Macpherson, *Annals of commerce*, 275.

84 Macpherson, *Annals of commerce*, 511.

85 Brewer, *The Sinews of Power*, 98.

86 Macpherson, *Annals of commerce*, 534.

87 Macpherson, *Annals of commerce*, 510.

£44,565,000 in 1792 to £73,723,000 in 1800.⁸⁸ It should be noted here that the Company imports, valued at £7,367,727 for 1800, was part of ‘the investment’ and was tribute being sent back to Britain. This tribute amounted to one-tenth of all of Britain’s imports and exports for the year and one-seventh of its customs revenue. Under the British system only imports were taxed. These import customs duties were typically set at 25 percent of the value of the goods.⁸⁹ The duty on tea however ranged from 65 to 119 percent until Pitt lowered the duty to combat smuggling.⁹⁰ The revenue from tea exploded throughout the war. Macpherson reports the duties on tea alone rising from £503,962 in 1795 to £1,410,178 in 1799.⁹¹ These duties on tea appear to be handled separate from the customs fees paid by the Company. While the volume of tea imports nearly matches those reported by the Company, the taxes on tea alone are higher than the total customs amount paid by the Company. Those revenues continued to climb and the after 1806 the customs and tea duties alone were at least £3 million per year and for the last several years of the war averaged £3,745,961.⁹² Even with the phenomenal revenues tea imports were depositing in the Exchequer, the trade with China was still profitable pocketing an estimated £17 million from 1793 to 1810.⁹³ For the Crown the East India Company trade was crucial. While this trade used only 3 percent of the total British tonnage, it was 17 percent of the value and a whopping 24 percent of the custom and excise revenue.⁹⁴

British exports were left untaxed to stimulate trade and keep a positive balance of trade overseas. The Crown needed the flow of cash back into the British Isles to power the war effort. The re-export of East Indies goods was a major part of the export trade. After 1795 there was no VOC or French East Indian Company competition. The war may have closed off some markets, but it had given the East India Company a near total monopoly on Eastern trade.⁹⁵ France’s naval position was so bad in 1799 that it was admitted by the Directory that “not a single merchant ship is on the sea carrying a French Flag.”⁹⁶ Those goods could only be “obtained through British merchants the spices and wares of the East; for all which it for the most part paid back in specie.”⁹⁷

88 Mahan, *The Influence of Sea Power upon the French Revolution and Empire*, vol. 2, 229.

89 Brewer, *The Sinews of Power*, 211.

90 Brewer, *The Sinews of Power*, 213.

91 Macpherson, *Annals of commerce*, 524.

92 Knight, *Britain Against Napoleon*, 393.

93 Marshall, *Problems of Empire*, 90.

94 Knight, *Britain Against Napoleon*, 393.

95 Marshall, *Problems of Empire*, 86.

96 Mahan, *The Influence of Sea Power upon the French Revolution and Empire*, vol. 2, 219.

97 Mahan, *The Influence of Sea Power upon the French Revolution and Empire*, vol. 2, 253-4.

Britain had made itself a floating warehouse of colonial goods that were in high demand on the continent. This allowed for the imports from their trade empire to be re-exported, often to Continental European markets.⁹⁸ Because of this, a portion of the import duties paid were passed on, through the export trade, to continental buyers. The assumption has been that the duties paid on imported goods were paid by British citizens, however a considerable amount of goods was re-exported and those charges were paid by foreign buyers.⁹⁹ Britain’s position as a throughway for continental trade saw a boom in freight, demurrage, warehouse, and processing for colonial goods. The East India Company paid a total of £1,585,204 for freight and demurrage in 1800.¹⁰⁰ This boost in trade did not just bring in hard specie but also employed many Britons for the processing and handling of colonial goods.¹⁰¹ With the commencement of Napoleon’s Continental System in 1806, trade with the continent shifted to Spain and Russia precipitating invasions of both by the French. Yet still from these exports, money flowed to Britain returning the subsidies paid to European nations back.¹⁰² While British naval superiority was key to blockading Napoleon and protecting trade, Britain did not have the numbers to challenge Napoleon in the field. Britain did have the wealth to subsidize the armies of the continental powers who could.

Debunking the cost of Empire

Imperial apologists argue that India cost the British Government money, and this may have been the case during the British Raj after 1858. However, analyzing the British Raj is beyond the scope of this argument. Benjamin Disraeli even argued that India cost the British money.¹⁰³ A parliamentary Select Committee reported to the House of Commons that the East India Company had a deficit of £8 million from 1792 to 1809, far from the surpluses promised by Dundas.¹⁰⁴ While Dundas’s rosy predictions were upended by the debts accrued by the East India Company in their wars of conquest, it should be noted that these debts were owed to Indian bankers and were paid off by taxes collected from Indians. William Playfair argued that the balance of trade showed that India cast the British

98 Mahan, *The Influence of Sea Power upon the French Revolution and Empire*, vol. 2, 252.

99 Esteban, “The British Balance of Payments,” 63.

100 Macpherson, *Annals of commerce*, 510.

101 Jeremy Black, *Europe and the World, 1650-1830* (New York: Routledge, 2002), 75.

102 Mahan, *The Influence of Sea Power upon the French Revolution and Empire*, vol. 2, 254.

103 “It has been shown with precise, mathematical demonstration that there never was a jewel in the crown of England that was so truly costly as the possession of India,” Benjamin Disraeli, *The Maintenance of Empire* (1872).

104 Marshall, *Problems of Empire*, 84.

money, but as we have seen, the imported goods were part of “the investment” and were paid for by Indian taxpayers not by British coin. Digby, for example, argued “the Investment meant so many millions of pound sterling employed for the purchase of goods to be loaded into Company’s ships and sold in English markets to provide salaries, dividends, and interest.”¹⁰⁵ Taxes collected from the Company’s Indian subjects paid for the goods the Company shipped home.¹⁰⁶ With the rise of an industrial textile industry in England there began a reversal of trade balance. Starting in Ottoman territories and spreading British textile exports rapidly increased replacing Indian cotton cloth after 1810.¹⁰⁷ The reversal of cotton piece work trade exploded from 1814 to 1820 the Industrial revolution in Britain caused textile exports to grow from 800,000 to 14 million yards per year. The industrialization of the British textile industry reversed even the perceived trade imbalance and caused the collapse of India’s home grown textile industry. Cheap industrial produced cloth even out produced the Indian cottage manufacturers with exports to India tripling from 1792 to 1811.¹⁰⁸ Playfair’s *Commercial and Political Atlas* shows trade imbalances with the East Indies, West Indies, Sweden, Turkey, Baltic Countries, Russia, Africa, and finally Greenland.¹⁰⁹ All of these being undeveloped nations or territories selling their natural resources to Britain. With smaller urban populations they did not have a large market for British goods. Imperial apologists will also cite the occasional flow of hard specie back to India as proof of the cost.¹¹⁰ The fact that they considered it scandalous that British cash should be sent to India to pay for goods illustrates how thoroughly the British considered Indian goods as tribute and not trade. The cash payments were only necessary to keep the Indian economy from collapsing since Indian silver was being sent east to pay China for their tea.

Those same apologists also cite the huge expense of occupying and defending India. As we have seen through all the unequal treaties, Indians were made to pay this bill as well. The military costs to defend India were deferred to Indians.¹¹¹ The debts that the East India Company ran up to pay for the defensive wars are often cited as cost to the British people. Playfair notes that “the burdens on which have become enormous; not by lavish expenditures in peacetime, but by the expenses occasioned by repeated wars.”¹¹² The British only see this as a cost because some of the tax revenue raised in India had to be used to pay these debts, revenue that they saw as rightfully British.

105 Digby, *Prosperous British India*, 198.

106 Digby, *Prosperous British India*, 200.

107 Prasannan Parthasarathi and Giorgio Riello, “The Indian Ocean in the Long Eighteenth Century,” *Eighteenth-Century Studies* 48, no. 1 (2014): 14

108 Marshall, *Problems of Empire*, 91.

109 Playfair, *The Commercial and Political Atlas*, 13, 19, 47, 53, 57, 61, 65, 75.

110 Digby, *Prosperous British India*, 178-180.

111 Phillips & Sharman, *Outsourcing Empire*, 141.

112 Playfair, *The Statistical Breviary*, 61.

Conclusion

The enormous cost of the wars against France from 1793 to their eventual defeat in 1815 combined with the near constant 22-year state of war, put a huge strain on the British government’s finances. When the additional £50 million in subsidies is included, it beggars disbelief how an island nation with half the population of France, facing French hegemony over the continent of Europe, could continue the fight. Not only did they fight, but the British also bankrolled the resistance of the continental powers. British debt continued to rise, year after year, reaching 250 percent of GDP, but still King George’s Golden Cavalry led the charge. Being a naval power, cash was more necessary than manpower for the war effort. While huge debts were run up over the course of the war the entire system would have collapsed without the constant influx of capital from the East India Company. Sashi Tharoor is not far off in his estimation that £18 million per year were siphoned out of India in the 50 years preceding Waterloo.¹¹³ Modern economic historian Javier Cuenca-Esteban agrees that Britain could not have continued the fight without the constant influx of wealth from the East India Company. Rodger Knight, in his book *Britain Against Napoleon*, also recognizes the East India Company’s role in boosting revenues and providing direct assistance. Direct assistance from the Company helped conquer enemy enclaves throughout the Indian Ocean world. Utilizing Company ships, manpower, and procurement, the Crown was able to conquer French possessions with little government investment.

The constant influx of trade, buoyed by the takeover of the French and Dutch resources, kept the Crown solvent. “The investment” supplied by the East India Company was a shot in the arm, not just to the economy, but also the Exchequer. With a virtual monopoly, due to their naval supremacy, Britain was able to leverage their position to finance the war against France and grow their economy despite the war. Loyalty loans were given from not just from the Company but also from individuals who had profited from the exploitation of India. The phenomenal sum of treasure that had been transferred to Britons through the actions of the East India Company provided a deep well from which King George III could draw. The newly won wealth of the nabobs was reinvested back into Crown to contest French dominance over Europe but to also secure Company supremacy over the East Indies trade. Cash flow was key to Britain’s war effort. Hard specie was required to pay the subsidies to place armies in the field against Napoleon. Money was needed to pay for the ships to maintain the blockades and keep the shipping lanes open. Naval power paid dividends by protecting trade. It was Britain’s trade empire, protected by the Royal Navy, that allowed them to survive and thrive. It was Britain’s duties charged on trade that filled the coffers of The Crown. Customs duties made up the majority of revenue for the Exchequer, and the East India Company was responsible for nearly one-quarter of that income. Without the free goods supplied by “the investment” as tribute to Britain,

113 Tharoor, *An Era of Darkness*, 11.

there would not have been the prosperity or public support to send tens of millions of dollars, year after year, as subsidies to continental opponents of France.

With the Charter of 1813 it became clear that the East India Company was little more than a front for the British Crown. The Crown controlled the Governor-General. It could demand that the Company set up schools, churches, and judges and also foot the bill. The Crown could revoke their monopoly and still claim £500,000. It could insist that the East India Company paid for His Majesty's troops stationed in the East Indies. The Company had become a shell corporation. Debt was placed on its books rather than the Crown's. Payments were guaranteed by law to be paid to Britons first before Indians. Tribute, trade, and taxes flowed from India to the British Isles fueling the economy, industrialization, and war. The growing exploitation of India bankrolled the war against Napoleon. Without this exploitation, Britain may not have won. Therefore, the Crown, the Company, and Britain owe much of their victory to the wealth of the Indian subcontinent.

The Cleansing of Peoples: The Role of Race and Conversion in Danish Medieval Expansion

Alexandra Lee

Abstract. Race and ideas about race played a significant role in motivating Danes in the twelfth century to embark upon so-called holy wars against their neighbors. Danes attempted to, in their words, cleanse their enemy of pagan practices, identities, and infrastructure in an effort to expand Christianity. This article argues that while race did not exist in the Middle Ages in the same way that it does today, racial conceptions were present in twelfth century Denmark, and can be observed in available sources from the time period such as Saxo Grammaticus' History of the Danes (*Gesta Danorum*).

In this period the pope, observing that religion was almost overwhelmed and destroyed by the tempestuous violence of the barbarians, sent letter throughout Europe directing the adherents of the Christian faith the assail all its foes. Individual Catholic states were instructed to invade the heavens across their borders. Therefore, to avoid neglecting their public religious duties in favor of personal hostilities, the Danes committed themselves to his edict and adopted the emblems of holy crusade. So Cnut and Sven, exchanging hostages and relinquishing their malevolent exertions against each other, established peace for the time being so that they might better pursue their aims; withdrawing the sword from their own vitals they turned towards the defense of the Church.¹

Introduction

In the twelfth century, the rulers and nobles of Denmark attempted to bring their non-Christian neighbors into the realm of Christianity in an effort to protect Christians from the supposedly dangerous pagan, or non-Christian, tribes along the waterways of northern Europe. The History of the Danes (*Gesta Danorum*), written by the contemporary writer Saxo Grammaticus, allows insight into the Danish clerical perspective on the justifications, events, and consequences of that expansion. As seen above, Saxo's account demonstrates the general sequence of events in which two Danish noblemen, Cnut and Sven, put aside

¹ Saxo Grammaticus, *Gesta Danorum: The History of the Danes*, edited by Karsten Friis-Jensen, translated by Peter S. Fisher (Oxford: Clarendon Press, 2015), xii; 4.2, 877.

their disputes to answer the call of the pope and protect the country's Christian subjects. Saxo's work implies violence against the non-Christian populations who are characterized as barbarians and part of the pagan race. This call for violence against the other preceded many campaigns which are classified as crusades by medievalists.

During the twelfth century, Denmark's nobility took part in what might be called crusade-adjacent practices. Although a formal crusade was never declared in the North Sea region during the twelfth century, the Danes embarked on a campaign of waging holy war against neighboring pagans, seeking to exterminate the pagan personhood—by force or by converting them to the Christian faith. Through close analysis of Saxo's *Gesta Danorum*, this essay argues that in the context of Denmark, such violent missions to convert foreign lands were partially motivated by racial ideas, and that conversion was both a physical and spiritual process. Whether by violence or conversion, the pagans and their lands were 'cleansed' of non-Christian traits. The targeting of pagan personhood raises questions about its relation to genocide by modern definitions.

The events discussed in *Gesta Danorum* are not crusades. Rather, in the pages below, I highlight ideas and practices surrounding race and conversion that set the stage for ventures that are considered crusades in the neighboring Baltic region during the thirteenth century, around the time that *Gesta Danorum* was completed. In the same time period, Pope Innocent III supported the expansion of Christian polities in northern Europe. His orders in the form of papal authorizations led to ventures that may be accepted as crusades by historians of the pluralist perspective.² Unlike the traditionalist perspective, which calls for missions to be aimed at Jerusalem, the pluralist view of the crusade calls for a penitential war, with multiple attributes of pilgrimage and vows.³ In his book, *What Were the Crusades?*, Jonathan Riley-Smith explains these perspectives and provides background on crusades. Another author of note is Jean Flori, who wrote "Ideology and Motivations in the First Crusade," an article outlining the various reasons people participated in the crusades.⁴ Flori's article discusses the major motivations behind crusading such as spiritual, socio-religious, socio-economic, and psychological motivations. While Flori's background is useful, it can be expanded upon. The following investigation aims to build upon the work of Jonathan Riley-Smith, Jean Flori, and other crusade historians not by arguing that the events discussed were crusades, but by examining the crusade-like themes occurring in Denmark prior to the Baltic Crusades in order to understand how they set the stage for the

2 Iben Fonnesberg-Schmidt, *The Popes and the Baltic Crusades, 1147-1254* (Leiden: Brill, 2007), 122.

3 Jonathan Riley-Smith, *What Were the Crusades?* (Basingstoke: Palgrave Macmillan, 2009), xi.

4 Jean Flori, "Ideology and Motivations in the First Crusade," in *Palgrave Advances in the Crusades*, edited by Helen J. Nicholson (Houndmills England: Palgrave Macmillan, 2005), 15-36.

events of the 13th century.

The application of race as a category of analysis in this context might surprise some readers. After all, historians are divided on the use of racial concepts in the Middle Ages. Some judge race as a modern construct that cannot be applied to the Middle Ages. This early time period, as Tomas Hahn explains, is a space where "race does not operate, or does not signify a trope of difference, at least not in ways that pertain to the more urgent histories of the nineteenth and twentieth centuries."⁵ Geraldine Heng, however, among others, argues this perspective of race as a modern construct (and a modern construct only) stems from the understanding of race as a biological framework.⁶ Race is understood today in terms of genes, physiognomy and skin color. This perception is commonly attributed to the Enlightenment era and its scientific methods of creating racial categories. Recently, however, historians have experimented with ideas of race in the Middle Ages and have constructed the aforementioned arguments about its utility in understanding the time period.

Scholars such as Heng argue historians can and should think about racial constructs in the Middle Ages. Rather than simply a biological classification, "race could also be a matter of cultural classification," she argues.⁷ Heng describes the creation of race in this way, explaining "human groups are identified through biological or somatic features deemed to be their durable or intrinsic characteristics, features which are then selectively moralized and interpreted to extrapolate continuities between the bodies, behaviors, and mentalities of the collective members of the group thus identified."⁸ As Heng argues, race in the Middle Ages can be understood through social and cultural aspects as much as biological factors.

While race is often characterized by behaviors as it is in the previous example where Saxo illustrates the violent nature of non-Christians, it is also identified by religion. Heng argues that racial and religious categories are closely connected. Between the thirteenth and fifteenth centuries, racial categories were endorsed by religious and legal practices. Heng, for example refers to English laws dating back to the mid-thirteenth century. In 1215, as she also observes, canon 68 of the Fourth Lateran Council demanded Muslims and Jews wear unique clothing so they may be identified.⁹ Heng also suggests medieval England was the first "racial state" in the West, as Church and state laws endorsed murder

5 Thomas Hahn, "The Difference the Middle Ages Makes: Color and Race before the Modern World," *Journal of Medieval and Early Modern Studies* 31, no. 1 (January 2001): 4.

6 Geraldine Heng, "Race and Racism in the European Middle Ages," https://www.getty.edu/art/exhibitions/outcasts/downloads/heng_race_racism.pdf, 1.

7 Heng, "Race and Racism in the European Middle Ages," 1.

8 Heng, "Race and Racism in the European Middle Ages," 1.

9 Geraldine Heng, "The Invention of Race in the European Middle Ages I: Race Studies, Modernity, and the Middle Ages," *Literature Compass* 8, no. 5 (2011): 258-274.

and expulsion of Jews, among other things.¹⁰

In this example, race appears to work in combination with religion as early as the thirteenth century. Similarly, racialized ideas were used to inspire crusades targeting pagan Slavs by the mid-twelfth century.¹¹ As Len Scales argues in his essay, “Bread, Cheese, and Genocide: Imagining the Destruction of People in Medieval Western Europe,” societies in the medieval period “were capable of envisaging the violent obliteration of peoples.”¹² Scales references a call for action in 1147; Bernard of Clairvaux aimed to instigate a crusade against the “pagan Slavs of the southern Baltic.”¹³ Clairvaux said “Take vengeance on the (pagan) peoples – nations [...] and exterminate them from the land of our Christian name.”¹⁴ The language presented speaks to the violent nature in which crusaders approached their non-Christian neighbors. The language presented speaks to the violent nature in which crusaders approached their non-Christian neighbors.

This essay aims to build upon the scholarship of Heng and Scales, who laid the groundwork for thinking about race in the Middle Ages. Historians have yet to apply such insights to the history of Danish expansion in the twelfth century. In order to evaluate the role of racial ideas in the motivation and justification of Danish holy wars, one must turn to the source materials from twelfth century northern Europe. This analysis was done through a close reading of sources such as Helmold’s *Chronicle of the Slavs*, Saxo’s *Gesta Danorum*, and other clerical sources. The primary source material for this research is *Gesta Danorum*, as it offers an extensive archive of Danish history. Over the course of sixteen books, Saxo relayed the myths, legends, and history of the Danish people, allowing the reader not only to have insight into the events that took place but also to view them from a clerical perspective.

Saxo was a Danish historian and the author of only one work, *Gesta Danorum*, which was commissioned by Archbishop Absalon.¹⁵ Saxo’s exact date of birth is unclear, but he was likely born after 1150 due to his accounts of his father and grandfather serving Valdemar I (ruled 1157-1182), according to Andre Muceniecks.¹⁶ His preface, which was written last, mentions Archbishop Absalon’s successor, Anders Suneson, who held the title

10 Geraldine Heng, “Race and Racism in the European Middle Ages,” 3.

11 Len Scales, “Bread, Cheese and Genocide: Imagining the Destruction of Peoples in Medieval Western Europe,” *History* 92, no. 307 (2007): 292.

12 Scales, “Bread, Cheese and Genocide,” 284.

13 Scales, “Bread, Cheese and Genocide,” 292. See footnotes 50 and 51 for commentary and further references.

14 Scales, “Bread, Cheese and Genocide,” 292. See footnotes 50 and 51 for commentary and further references.

15 Andre Muceniecks, *Saxo Grammaticus: Hierocratical Conceptions and Danish Hegemony in the Thirteenth Century* (Kalamazoo: MIP / Medieval Institute Pubs, 2017), 33.

16 Muceniecks, *Saxo Grammaticus*, 33. On Valdemar’s reign, see Palle Lauring, *A History of Denmark* (Copenhagen: Høst & Søn, 2015), 261.

of archbishop from 1201-23 and King Valdemar II the Victorious, who ruled from 1202-41.¹⁷ Therefore, it is believed that Saxo wrote the preface to his work between 1202 and 1223.¹⁸ Furthermore, the last events Saxo wrote about in the narrative portion of *Gesta Danorum* occurred in 1187, and the Danish conquest of Estonia, which began in 1219, was not mentioned in Saxo’s work, and most likely would have been had he been writing at the time.¹⁹ However, in his eulogy of King Valdemar the Victorious (1202 – 1241), Saxo referenced one of Valdemar’s campaigns to northern Germany, which historians believe to be in reference to a conquest in 1208. On account of this information, it is likely that Saxo finished the chronicle sometime after Valdemar’s invasion of Germany in 1208, but before his conquest of Estonia in 1219.²⁰

In regards to Saxo’s societal rank, he was a well-off clergyman born in Sjælland, an island off the east coast of Denmark.²¹ His family may have been part of a “warrior class” due to his father and grandfather being employed by the crown, but Saxo did not follow suit.²² This theory of Saxo’s family serving Valdemar I (the Great), Karsten Friis-Jensen and Peter Fisher argue, is also supported by an excerpt about King Valdemar I (1157-41) in his preface: “Now, following the ancient right of hereditary service, I am resolved, with the forces of my mind at least, to soldier for you like those loyal, energetic fighters, my father and grandfather, who were recognized frequenters of your own sire’s war camp.”²³ Due to his religious obligations, Saxo was not permitted to use weapons. As Absalon’s assistant, a role apparent due to the Archbishop’s will, in which Saxo is referred to as a clericus, Saxo had opportunities to study in places like Paris.²⁴ In addition, he interacted with ecclesiastical delegations from the surrounding areas of Iceland and Norway.²⁵ While historians do not know how Saxo died, it is believed that he died around 1220.²⁶

Historians working on Saxo’s history have not completely disregarded the role of ethnic identities in his text. Andre Muceniecks’ *Saxo Grammaticus: Hierocratical Conceptions and Danish Hegemony in the Thirteenth Century* briefly discusses ethnicity in the context of Danish history. The term “Vikings” has been used both in reference to occupation and ethnicity. Muceniecks presents multiple references from Saxo referring to *pirata* or pirate which translates to *vikngr* in Anglo-saxon sources. Saxo uses *pirata* to talk about many ethnic groups including Prussians, Estonians, Slavs, Russians, and

17 Saxo Grammaticus, *Gesta Danorum*, xxxiv.

18 Saxo Grammaticus, *Gesta Danorum*, xxxiv.

19 Lauring, *A History of Denmark*, 84. See also Muceniecks, *Saxo Grammaticus*, 33.

20 Saxo Grammaticus, *Gesta Danorum*, xxxiv.

21 Muceniecks, *Saxo Grammaticus*, 33-35.

22 Muceniecks, *Saxo Grammaticus*, 33-35.

23 Saxo Grammaticus, *Gesta Danorum*, xxxi.

24 Muceniecks, *Saxo Grammaticus*, 33-35.

25 Saxo Grammaticus, *Gesta Danorum*, xxxi.

26 Muceniecks, *Saxo Grammaticus*, 33-34.

Frisians with no positive or negative connotation.²⁷ In essence, while the term “Viking” is often used in reference to a Scandinavian culture, Mucenieks argues it is employed more accurately when discussing occupation.²⁸ While Mucenieks’ analysis is valuable because it tells us that the term Viking was not necessarily racialized, he fails to mention the role of race in Saxo’s *Gesta Danorum*.

Justification for Violence

The word race did not necessarily exist at the time of Saxo’s writing. However, some terms in *Gesta Danorum* are translated as “race.” The translators, Karesten Friis-Jensen and Peter Fisher translate Latin terms such as *gentis* as “race.” Syntax choices of this kind were made at the liberty of the translator, as they forwent the literal translation to best portray the author’s message. However, the following analysis will draw on not only the translator’s use of the term race, but also more indirect references to racial ideas in Saxo’s *Gesta Danorum*.

Indeed, targeting groups of people based upon race-adjacent ideas such as religion, clothing, and appearances was a common phenomenon by the twelfth century. Regardless of the terms like race not existing at the time, many racial formations were used in efforts to motivate crusades. As leaders have done for centuries, and still do today, Danish leadership employed racial constructs to justify their treatment of non-Christian peoples. Differentiating between societies by race likely contributed to Denmark’s adoption of crusading ideology, as it helped local leaders and scholars such as Saxo to create the enemy.

In his book, *What were the Crusades?*, Riley-Smith provides his analysis of crusade justification arguments. Non-Christians were portrayed as aggressive invaders of Christian land, and therefore Christians were merely defending themselves and recapturing what was rightfully theirs.²⁹ The land argument generally applied to Jerusalem, Constantinople, and other areas that were previously Christian, but its concepts were used in areas without Christian histories. In a treatise written by the senior Dominican Humbert of Romans in the 1270s, Humbert justified the crusades as preemptive war.³⁰ Riley-Smith explained Humbert’s argument in the following manner, “The Muslims were dangerous, and sought to harm Christianity; they had seized lands once in the possession of Chris-

27 Mucenieks, *Saxo Grammaticus*, 33.

28 Mucenieks, *Saxo Grammaticus*, 33.

29 Jonathan Riley-Smith, *What Were the Crusades?* (Basingstoke: Palgrave Macmillan, 2009), 11.

30 Riley-Smith, *What Were the Crusades?*, 12.

tian.”³¹ While expeditions in areas around the North Sea could not be justified with the argument that the areas were previously Christian, the first part of Humbert’s argument still applied to the people of the Baltic. Non-Christian tribes were dangerous, a threatening enemy which demanded to be addressed.

Demonizing the enemy was a method of othering and, arguably, creating the profile of a race. Racialization also appeared in Pope Gregory VII’s call for assistance to the Greeks in 1074. Pope Gregory VII reported: “a pagan race had overcome the Christians, and with horrible cruelty, had devastated everything almost to the walls of Constantinople, and were governing the conquered lands with tyrannical violence, and that they had slain many thousands of Christians as if they were but sheep.”³² The pagan race took on certain characteristics in this quote. They were cruel and violent—making Christians suffer like animals. Pope Gregory VII strengthened his appeal by describing the pagans in this way. He dehumanized his enemy as a population with little regard for human life, reinforcing the idea that the pagans were justified targets for violence.

As aforementioned, crusaders believed Christians had the right to retake land, Riley-Smith explains, because they were “merely recovering territory that had rightfully belonged to Christians.”³³ However, as Marek Tamm underlines, regions in the eastern Baltic lacked a “Christian prehistory” which damaged any arguments of reconquering Christian land.³⁴ Because the lands invaded by Danes were not Christian holy sites, the development of a dangerous enemy was crucial to justifying the ventures. An analysis of how the Christian-driven warfare of the time was incited is important in understanding how people were mobilized to the cause. In his article “Crusades and Islam,” Norman Housley discusses the “creation of an image of the enemy.”³⁵ Ideas of the Turks and Saracens depicted them as dangerous threats that could not be ignored but also as enemies that could be defeated, as they were inferior to the Christian armies.

A critic may point out that Pope Innocent IV bolstered the rights of non-Christian people in the 13th century, stating that infidels have rights in natural law and cannot be forced to convert. According to Riley-Smith, most Christian thinkers agreed that pagans could not justly be attacked simply due to their denial of Christ.³⁶ As aforementioned, what allowed Christians to “justly” attack pagans was the argument that they had taken land

31 Riley-Smith, *What Were the Crusades?*, 12.

32 “Gregory VII’s Call for Assistance to the Greeks,” in *The Crusades: A Reader*, second ed. (University of Toronto Press Higher Education, 2014), 31-32, 31.

33 Riley-Smith, *What Were the Crusades?*, 11.

34 Marek Tamm, “How to Justify a Crusade? The Conquest of Livonia and New Crusade Rhetoric in the Early Thirteenth Century,” *Journal of Medieval History* 39, no. 4 (2013): 431-455.

35 Norman Housley, “The Crusades and Islam,” *Medieval Encounters* 13, no. 2 (2007), 204-205.

36 Riley-Smith, *What Were the Crusades?*, 11.

from Christians and posed a threat to people of the faith. Observing this argument, one might assert that strategies for justifying violence have little relevance to concepts of race during the time. While race was not a leading factor in the Danish holy wars prior to the thirteenth century, it was a contributing element, as it was a framework in which Danes further separated themselves from their neighbors. Racial constructs allowed Danes to see their enemies as different from themselves, which likely facilitated their justification of violent attempts at conversions.

The Racialized Enemy

Racialized rhetoric aimed at non-Christian Slavs appears in Helmold's *Chronicles of the Slavs*. It is believed that Helmold was born sometime between 1118 and 1125 in the Schaumburg region of Westphalia (northwestern Germany).³⁷ His chronicle was written sometime between 1167 and 1172, and it describes the people and affairs of the area, much like *Gesta Danorum*. Helmold refers to two men by the names of Pribislav and Niclot as "truculent beasts" in his section, "The Rites of the Slavs."³⁸ Pribislav and Niclot succeed King Laward of the Abodrites, and divide the principality into Wagiri and Polabi country. Characterizing the men as beasts acts as an attempt to dehumanize them. He proceeds to claim the men were "intensely hostile towards Christians," connecting their beast-like attitudes to their lack of respect for the common religion.³⁹ The growth of leaders like the ones he refers to was part of a prevailing phenomenon, Helmold argues, saying "In those days a variety of idolatrous cults and superstitious aberrations grew strong again throughout all Slavia."⁴⁰

Similar to Helmold's writing, iterations of race are also present in *Gesta Danorum*, Saxo utilized concepts of race when discussing relations between the Danes and Wends. In Book XII, Section 3.6, Saxo reported warfare events, writing, "Uffi, son of Vermund, was related to having joined in single combat with two of the finest champions in the Saxon race."⁴¹ Here, Saxo categorized the men as part of the Saxon race, using it as a subset of humans. Saxo more directly presents this connection in his narrative about Skiod, a character in *Beowulf* who is said to be part of royal Danish bloodline. Saxo said Skiod "bypassed all the traces of his fathers. As he wisely renounced his parent's vices so he happily corresponded with his grandfather in excellence, welcoming the endowment

37 Helmold, *The Chronicle of the Slavs*, translated by Francis Joseph Tschan (New York: Octagon Books, 1966), 20.

38 Helmold, *The Chronicle of the Slavs*, no.52, 158.

39 Helmold, *The Chronicle of the Slavs*, no.52, 158.

40 Helmold, *The Chronicle of the Slavs*, no.52, 158.

41 Saxo Grammaticus, *Gesta Danorum*, xii 3.6, 877.

of those superior characteristics which were inherited from the earlier generation."⁴² According to the excerpt, character traits are thought to be handed down through lineage. Saxo went on to say Skiod "had grown to such an unusual stature that he presented a perfect specimen of human physique."⁴³ These passages do not contain race as a translated term, but they emphasize racial constructs such as blood, inheritance, and genealogy.⁴⁴

Not only did Saxo use racial terminology to describe Skiod's so-called superior attributes, but he also commented on the nature of "Danish blood." "Indeed, the courage inherent in Danish blood holds that a captive's lot is more miserable than any other fate," wrote Saxo.⁴⁵ By claiming that courage was an innate attribute of Danes, Saxo simultaneously claimed this behavior was unnatural for other peoples. He created a biological difference between the Danes and the Wends which dehumanized the enemy and others. An enemy that is less human was easier for soldiers to kill, and easier to justify. One finds a similar logic, echoing Helmold, in Saxo's description of Wends. Saxo wrote, "During that period Wendish arrogance cruelly irritated our race with its pirate attacks..."⁴⁶ The Wendish people are described as a race by the translators, but more importantly, Saxo described the Wends as arrogant. Assigning a behavior to the Wendish race further builds the racial category by acting as another identifier of the group.

As seen in the examples above, Heng's assertions about race and their ties to religion, appearance, and behavior in the Middle Ages, have merit. In twelfth-century Danish histories like that of Saxo, pagans were grouped together as a race. One can observe such cultural distinctions between races in *Gesta Danorum*. Saxo described a Danish siege against the Rugen town of Arkona in which the men encounter a local temple. He claimed the temple was "of fine craftsmanship, inspiring reverence not only for the splendor of its decoration, but also because of the religious authority attaching to the idol set up there. Elaborate carvings glinted over the whole exterior circuit of the building, varied figures and shapes wrought with crude, primitive artistry."⁴⁷ This passage is compelling because Saxo appears to be both complementing the temple and insulting it. He acknowledges that the work itself has quality, but he disapproves of its content. Later in the passage, Saxo explains that the idol's statue, which had four heads and was much larger than a human, had "shaved beards and cropped hair, so that you would have thought the sculptor had tried to imitate the Rugen style of head adornment."⁴⁸ From this we gather that there were physical attributes assigned to the Rugen people. Saxo's description of the temple speaks

42 Saxo Grammaticus, *Gesta Danorum*, i 3.1, 23.

43 Saxo Grammaticus, *Gesta Danorum*, i 3.1, 23.

44 Heng, "The Invention of Race in the European Middle Ages."

45 Saxo Grammaticus, *Gesta Danorum*, xii 4.1, 877.

46 Saxo Grammaticus, *Gesta Danorum*, xii 4.2, 877.

47 Saxo Grammaticus, *Gesta Danorum*, xiv 39.1-39.2, 1275.

48 Saxo Grammaticus, *Gesta Danorum*, xiv 39.5, 1277.

to factors such as art and grooming that helped facilitate the creation of distinct groups in Scandinavia.

Racial ideas appear in *Gesta Danorum* in particular when speaking about the deaths of Wends. Saxo described Erik's invasion of the Wends, in which Erik is victorious. He wrote, "The majority of the Wends were slaughtered, but Erik captured forty, who were chained and starve."⁴⁹ The dehumanizing verb slaughtered as well as the treatment of the prisoners speaks to the view of the Wends as less than human. Saxo continued the narrative of Erik's encounters writing,

when these folks [those practicing 'evil arts'] exposed themselves of their own accord. Frothi cried: 'It's your business, Wends, to rid the country of these vermin yourselves.' Immediately he gave order for them to be seized by the executioners and had them strung up on towering gallows by the people's hands. He would have calculated that a large number were punished than went free. So the shrewd king in denying the self- confessed criminals the general pardon he granted to his conquered foes wiped out almost the entire stock of the Wendish race.⁵⁰

Frothi urged the Wends to free their country of "vermin" and "pestilence."⁵¹ The Latin: "sclauī, uos ipsos patriam peste uacuefacere conuenit" translates to "Slavs have agreed to make your country free from pestilence." Regardless of the translation as vermin or pestilence, the non-Christian population was described as a parasitic annoyance to be extinguished. The eradication of non-Christian peoples happened in one of two ways: conversion or death. Regardless of the path taken, the group identity of the targeted groups was diminished, as they either became a new person, of the Christian faith, or they died in an effort to maintain their culture and beliefs.

Conversion of Land

Baptizing surrounding polities played a critical role in Denmark's movements throughout northern Europe. Danish soldiers often began their persecution of pagan lands by destroying statues of idols and temples. Saxo described Valdemar's expansion into Rugen, in which two men, Esbern and Sune, were tasked with demolishing an idol's statue.⁵² Esbern and Sune directed their men to take caution in cutting down the idol, "lest they should be crushed by its weight and be thought to have suffered punishment from a malevolent deity."⁵³ The note of caution indicates the fragility of soldiers when faced with such an

49 Saxo Grammaticus, *Gesta Danorum*, v 4.1, 311.

50 Saxo Grammaticus, *Gesta Danorum*, v 4.5, 315.

51 Saxo Grammaticus, *Gesta Danorum*, v 4.5, 315.

52 Saxo Grammaticus, *Gesta Danorum*, xiv 39.31, 1299.

53 Saxo Grammaticus, *Gesta Danorum*, xiv 39.31, 1299.

event. Logically, should men be harmed whilst removing an idol, the others would become hesitant to participate, and therefore such a crisis would likely do great damage to the group's morale.

After the idol was removed from its post, Saxo claimed a mysterious incident occurred. With the idol on the ground, "a devil was seen departing from the inmost shrine in the guise of a black animal, until it disappeared abruptly from the gaze of the bystanders."⁵⁴ The demon vacating the statue supported the need to remove the remnants of pagan worship from areas Danes were attempting to Christianize. The physical infrastructure of idolatry must be cleared away before the people of the area can be revived through conversion. After the idol was properly disposed, the soldiers burned down the temple and proceeded to construct a church "from the wood of their siege engines, thus transforming their instruments of war into an abode of peace." Not only did the existing temple have to be removed, but a church in the name of Christ had to be built to replace it. The weapons used in the assault were now tools of conversion, as was the physical landscape reformed.

Saxo described an expedition to Karenz (a town in northern Germany), where Absalon, the bishop who commissioned Saxo's history, was leading soldiers and clerics in their mission to baptize the idol-worshipping people of the region. The idol called Rugevit was cut down:

Once these had been removed, an idol, made of oak, which they called Rugevit, lay open to the gaze from every quarter, wholly grotesque in its ugliness. For swallows, having built their nests beneath the features of its face, had piled the dirt of their droppings all over its chest. A fine deity, indeed, when its image is fouled so revoltingly by birds! Furthermore, in its head were set seven human faces, all contained under the surface of a single scalp.⁵⁵

This quote highlights many themes. First, Saxo labeled the idol "grotesque in its ugliness," which indicated his view of the figure. This is a small contrast to his description of a temple in the Rugen town of Arkona, in which he complimented the artistry of the temple. In the case of this idol, Saxo held no respect for the artist. Second, the statue has been taken over by animals, which Saxo used as a means of delegitimizing the god. The description of the statue promoted the idea of the religion itself being foul and tainted. Lastly, the figure has seven faces. Similar to Saxo's description of the idol in Arkona, the sculpture is far from humanistic. Saxo's emphasis on the peculiar ways in which the pagan gods differ from the human form further separates the pagans and their religion from Danes and Christianity.

54 Saxo Grammaticus, *Gesta Danorum*, xiv 39.32, 1300, see footnote 278: the authors explain: "Saxo usually combines his rationalistic interpretation of paganism with a belief in demonology, as the early Christian apologist did in the case of Graeco-Roman paganism."

55 Saxo Grammaticus, *Gesta Danorum*, xiv 39.41, 1307.

Following Saxo's narrative about Rugevit and its removal, Saxo concluded the section discussing the destruction of temples. Once again, the foreign land is stripped of its pagan characteristics. Saxo explains, "likewise by constructing churches in a large number of localities, they exchanged the dens of an esoteric superstition for edifice of public religion."⁵⁶ The places of worship are referred to as dens, similar to the way that one might refer to a lion's den or the home of another beast. The language also exposes the idea of converting the spaces into something new, as the dens are exchanged for churches. This environmental transformation appears to be a large part of the conversion process, especially in northern Europe.

Saxo's focus on the tangible nature of conversion is significant. It indicates the importance of cleansing the land and the spaces within it in addition to the inhabitants. The physical destruction of these cultural and religious institutions was an attempt to destroy the pagan people, and subsequently, their peoplehood. Because the pagans were understood as sub-human, if they were converted, they had to abandon their animalistic dens. These would be substituted with the infrastructure of so-called civilized establishments.

Cleansing of the People

Arguably more important than the replacement of pagan architecture with Christian churches was the destruction of the pagan religion from the people of that land. Religion was a critical part of concepts regarding people and race at this time. As seen, Heng argues for connection between race and religion, especially in the case of ethno-religions. Due to the deep-rooted connection between religion and the identification of peoplehood or being one people, the pagans of the North Sea were arguably stripped of their peoplehood when they were denied their religion. This was the final step in the conversion process.

After removing statues of the local deities in Karenz, the Danes proceeded to baptize the town's people in the following manner: "The following morning the clerics, along with those who personally celebrated the sacraments for army leaders, first donned their sacerdotal vestment and then redeemed the people of that providence by performing the rite of baptism."⁵⁷ The same phenomenon took place in Arkona, where, after the removal of a local idol, the town's people were baptized: "the army commanders sent their captains into the city to exercise their priestly duties and accustomed a people ignorant of faith to Christian rites by instilling holy teaching into their profane understandings."⁵⁸

From the aforementioned examples, there appears to be an order in which the

56 Saxo Grammaticus, *Gesta Danorum*, xiv 39.48, 1311.

57 Saxo Grammaticus, *Gesta Danorum*, xiv 39.48, 1311.

58 Saxo Grammaticus, *Gesta Danorum*, xiv 39.34, 1301.

process of conversion took place. When Absalon and his Danish army arrived at the Karenz, the people of Karenz surrendered, as they did not have the means to resist a siege.⁵⁹ Absalon and his men entered the city and began to dismantle the temple containing the statue of Rugevit. As a last and final step, the people themselves were brought into the realm of Christianity.

While this appears to be the case in Saxo's work, Helmold's work offers a slightly different perspective on the significance of baptizing non-Christians. Helmold describes the Siege of Demmin, an area in northeastern Germany. Enduring heavy losses on both sides, the Danes and the Slavs of Demmin made an agreement "to the effect that Slavs were to embrace Christianity and release the Danes whom they held in captivity."⁶⁰ However, according to Helmold, the Slavs immediately reverted back to their old ways after promising themselves to Christianity.⁶¹ In this case, while conversion took place, true commitment from the new converts was not guaranteed.

Implications

An archeological excavation in the Virumaa province in northeast Estonia discovered bronze bowls estimated to be from the thirteenth century.⁶² The story of these "Hanseatic bowls" reveal a larger narrative as Authors Toomas Tamla and Haike Valk connect these artifacts to King Valdemar's Danish crusade to Estonia in 1219. It is suggested the bowls were used for baptism or presented as gifts to foreign leaders based on the time period they arrived in the region. The historical artifacts act as evidence that Danish and German kings both made efforts to baptize the Virumaa and Jarvamaa provinces during the early thirteenth century.⁶³

The argument presented in this essay offers insight into how the Danish crusades of the thirteenth century came to be by exploring the role of race in motivating Danes to take up holy war against their pagan neighbors, and how they implemented physical and intangible practice of conversion. The path to reach these pope-endorsed holy wars is equally deserving of time and thought not only from medievalists, but from scholars of various fields. Indeed, race in the way that we know it today cannot be applied to the Middle Ages, but this is not to say that race did not exist. Race, and ideas regarding race, did exist during the Middle Ages, although not in its modern form which focuses on skin,

59 Saxo Grammaticus, *Gesta Danorum*, xiv 39.38, 1305.

60 Helmold, *The Chronicle of the Slavs*, no.65, 180.

61 Helmold, *The Chronicle of the Slavs*, no.65, 181.

62 Toomas Tamla & Heiki Valk, "Gifts of the King. 'Hanseatic' Bronze Bowls in Thirteenth-Century Estonia: Signs of Danish Crusades?," *Archaeologia Baltica* 24 (2017): 93-109.

63 Tamla & Valk, "Gifts of the King," 102.

hair, and facial features.

While constructs of race in the Middle Ages differ from modern conceptions, studies such as this essay are nonetheless critical in understanding the constantly evolving conceptions of race and personhood. One avenue for future research which I was want to address here is the question of genocide. The United Nations defines genocide as performing any of the following acts with intent to destroy, in whole or in part, a national ethnical, racial or religious group:

Killing members of the group;

Causing serious bodily or mental harm to members of the group;

Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

Imposing measures intended to prevent births within the group;

Forcibly transferring children of the group to another group.⁶⁴

Whether the events of Danish crusade, or any other crusades could be considered genocide is a complicated question, to put it in light terms. While some scholars may be able to successfully argue that the actions of the Danes, as Saxo describes, were in fact genocidal, this essay does not go so far as to make such a claim. Rather, after close reading of *Gesta Danorum* and other clerical sources, it does appear that genocide-like practices took place.

One way a scholar might further investigate this connection is by examining the language used in *Gesta Danorum* and language used in modern genocides. It is critical to note that one must explicitly state that the events of the Crusades (and in this case, the Danish effort to erase pagans) were not comparable to modern day genocides such as the tragedies in Rwanda and the Holocaust. Alternatively, one may consider rhetorical correlations seen between the *Gesta Danorum* and writings of genocidal leaders.

For example, one may bear in mind Frothi's appeal to the Wends in which he tells the Wends to free themselves of the "vermin" or "pestilence."⁶⁵ Frothi's dehumanizing language resembles terminology used in the Rwandan genocide, an ethnic conflict between the Hutu and Tutsi. When urging people to murder Tutsi, leaders of the violence referred to them as "cockroaches."⁶⁶ In both cases, the enemy was made to be a pest to

⁶⁴ "United Nations Office on Genocide Prevention and the Responsibility to Protect," *United Nations*, accessed April 26, 2022, <https://www.un.org/en/genocideprevention/genocide.shtml>.

⁶⁵ Saxo Grammaticus, *Gesta Danorum*, v 4.5, 315.

⁶⁶ Emma C. Jones, "Rhetorical Weapons: The Social and Psychological Influences of Language and Labeling in Instances of Genocide" (Senior thesis, Claremont McKenna College, 2011), 30.

be extinguished, encouraging inhumane treatment of the people. This is just one example from *Gesta Danorum*, more extensive review should be dedicated to the language of this text and its implications.

Further attention may also be given to clerical sources outside Saxo's work. Pope Innocent III's letter to Valdemar II in 1209, for instance, supported both the expansion of Christianity and the "correction" of paganism.⁶⁷ Marek Tamm utilized one section of the letter in his discussion of justifications for the Baltic Crusades. Innocent called upon Valdemar "to root out the error of paganism and spread the bounds of the Christian faith".⁶⁸ The language used to speak about the pagans resembles that of promoters of genocide. As Emma Jones argues in her thesis "Rhetorical Weapons," the rhetoric of genocidal leaders plays an important role in gaining support. One such actor, Pol Pot, also employed this kind of language. Pol Pot was a Khmer Rouge leader in Cambodia who used the term "purification" to discuss the so-called cleansing process.⁶⁹ While this is a modern example, the similar nature of Innocent's rhetoric and that of Pol Pot cannot be ignored. Innocent implies that the pagan people are inherently damaged, an error of nature. Furthermore, both men were advocating for the violent removal of their target populations.

Having introduced some preliminary starting points for future research on the question of genocide-like practices, I argue scholars should continue to think about how concepts of race appear in the Middle Ages. This work is important not only for a greater understanding of the Middle Ages and the Crusades, but also for a better understanding of racial ideas and genocide today, particularly in regard to the war in Ukraine. On April 13, 2022, President Joseph Biden called Russia's actions in Ukraine "genocide" due to President Vladimir Putin's effort to "wipe out the idea of even being Ukrainian."⁷⁰ As Biden suggested, concepts of peoplehood are critical to the application of a term such as genocide. Through analysis of race and conversion in twelfth century Danish holy wars, one might hope to gain a further understanding of racial constructs and perhaps apply this research to better understand how ideas about race and purification continue to impact people today.

⁶⁷ Tamm, "How to Justify a Crusade?" 435.

⁶⁸ Tamm, "How to Justify a Crusade?" See footnote 62.

⁶⁹ Jones, "Rhetorical Weapons," 25.

⁷⁰ Reuters, "Biden Calls Russian Actions in Ukraine 'Genocide,'" *The New York Times*, April 13, 2022.

Anti-Confederate Sentiment in North Carolina: Why Methodist and Quaker Abolitionists Opposed the Confederacy

Seth Moore

Abstract. In the years leading up to and during the Civil War, religious groups such as the Quakers and Wesleyan Methodists expressed antislavery sentiments. Their public denunciation of the institution of slavery translated into anti-Confederate sentiments by the beginning of the Civil War in 1861. In the case of the Quakers, they not only disliked the Confederacy for its support of slavery, but also because they saw the Confederacy as the aggressors in the Civil War. Quakers were staunch pacifists and were therefore naturally disinclined to support the war effort. The Wesleyans were not necessarily pacifists like the Quakers, but they also disliked the Confederacy due to its support of slavery. Before the Civil War, both denominations faced backlash from pro-slavery actors within their own communities; some faced jail time and such extreme pressure from their opponents that they decided to flee the state. The Civil War only made opposition to these two groups and their anti-slavery rhetoric worse. Being opponents of the Confederacy while living in North Carolina posed a few issues for these groups, such as conscription. After 1862, the Confederacy conscripted soldiers but the Quakers resisted by declaring themselves to be conscientious objectors. These objectors often actively engaged in supporting political candidates that were more aligned with their beliefs, though with limited success. The Quakers and the Wesleyans stayed true to their convictions despite the outside pressure and their experiences highlight not only the anti-slavery movement by some Christians but also the tension occurring within North Carolina during the Civil War.

In 1694, the Quaker leader George Fox wrote, “I was sent of God to stand a witness against all violence, and against the works of darkness; and to turn people from darkness to light; and to bring them from the occasion of war and fighting to the peaceable gospel.”¹ As the founder of the Quaker church in North America, Fox laid out his vision for Quaker society, a vision that subjected his followers to many trials as wars transpired in the United States. His pacifist principles made the Quakers as conscientious objectors to war, a designation that would encompass other Christian groups opposed to violence. This conscientious objector status put them directly at odds with the pro-slavery South and eventually the Confederacy seceded from the United States and began conscription efforts.

1 George Fox, “Chapter VI Arrest in Leicestershire and Release in London,” in *Journal of George Fox*, edited by Ernest Rhys (London: J. M. Dent & Sons Ltd., 1924), 105.

Throughout the Civil War, North Carolina experienced what historian William T. Auman labeled the state’s “Inner Civil War.”² Despite North Carolina seceding from the Union on May 20, 1861, and thus joining the Confederacy,³ a sizeable group of individuals in North Carolina’s Piedmont opposed the Confederacy. North Carolinian opponents of the Confederacy did not organize into one movement, rather their dissent contained a few factions. Of the many factions, one stood out, the nonsecular movement. North Carolina witnessed anti-Confederate sentiments by some Christians, most often these sentiments were associated with the Quakers and their opposition to Confederate conscription efforts. Quakers based their resistance on their antislavery sentiments and pacifist principles. However, the Quakers were not the only antislavery denomination; they shared values with other groups including the Wesleyan Methodists.⁴ In North Carolina, the Quakers and Wesleyans mainly established themselves in North Carolina’s Piedmont, with the region often referred to as the “Quaker Belt” due to the high volume of pacifist individuals.⁵ Nonsecular resistance to the Confederacy consisted of moral objections to the institution of slavery and attempts to liberate slaves from bondage through various means, including the Underground Railroad and petitioning the state legislature to allow slaveholders to free their slaves. These antislavery sentiments, combined with moral objections to violence, accumulated and formed a foundation of principles in which conscientious objectors could base their beliefs and ultimately oppose not only slavery, but also Confederate conscription and the Confederacy itself.⁶ This essay will argue that the abolitionist efforts by both the Quakers and Methodists intertwined and developed into an explicitly anti-Confederate stance.

Previous studies of Christian denominations opposed to slavery and conscription cover the general history of an individual denomination or a particular denomination’s response to Confederate conscription, though none of them focus on the antislavery development of conscientious objectors, particularly the Quakers and Methodists, in North Carolina’s Piedmont. Many of the general histories make mention of North Carolina as it pertains to the Methodists and Quakers, but they do not connect the churches’ history with the development of their attitude of resistance towards the Confederacy. The political views of these groups in conjunction with how they developed from passive spectators to public dissidents of slavery and the Confederacy has not been explored. Adrienne M. Isra-

2 William T. Auman, “Neighbor Against Neighbor: The Inner Civil War in the Randolph County Area of Confederate North Carolina,” *The North Carolina Historical Review* 61, no. 1 (January 1984): 59-92

3 Steve M. Miller, *North Carolina Unionists and the Fight Over Secession* (Charleston: The History Press), 100.

4 Herein, Wesleyan Methodists will be referred to as “Wesleyans.”

5 The Quaker Belt was in North Carolina’s central region which herein will be referred to as the “Piedmont” or “North Carolina’s Piedmont.”

6 “Conscientious objectors” is a term which will be used throughout the essay to refer to Christian denominations that opposed conscription on the basis of pacifism. The term includes Quakers, Methodists, and other small denominations.

el's Free Blacks, Quakers, and the Underground Railroad in Piedmont North Carolina, and Hiram H. Hilty's North Carolina Quakers and Slavery both discuss efforts by the Quakers to thwart the institution of slavery, whether through sermons delivered via the pulpit or more inconspicuous methods like the Underground Railroad. Other sources, like Clifton H. Johnson's Abolitionist Missionary Activities in North Carolina, and Lewis McCarroll Purifoy's The Methodist Episcopal Church, South, and Slavery, 1844-1865 focus primarily on the establishment of the Wesleyans as the antislavery faction of the Methodist church without demonstrating the overlap of Wesleyan and Quaker values.

Additionally, historians have written about the involvement of conscientious objectors, mainly Quakers, in the Confederacy and their opposition to conscription. Patrick Sowle's The Quaker Conscript in Confederate North Carolina, Richard L. Zuber's, Conscientious Objectors in the Confederacy, and Abbie Rogers' Confederates and Quakers: The Shared Wartime Experience, focus on the response of the Quakers to the conscription efforts of the Confederacy, and they argue that the Quakers, due to their pacifist nature, adamantly opposed conscription. These pieces of scholarship, however, only focus on Quakers' response during the war. Zuber noted past Quaker opposition to conscription during the American Revolution; however, none of these pieces describe Quaker abolitionist activities prior to the war.

This essay expands on the previous scholarship and focuses on the two main denominations associated with conscientious objectors: the Wesleyans and Quakers. The previous scholarship provided information regarding the establishment of the antislavery sect of the Methodist church and Quaker sentiments towards slavery, but this essay will examine the two together and how the different abolitionist efforts taken by the two groups intertwined. It also analyzes the shift in Quaker attitude on how to address abolition. Ultimately, this essay seeks to tie together the two prominent Christian abolitionist movements in North Carolina in the early nineteenth century and how the abolitionist sentiments, in conjunction with pacifism, evolved into an anti-Confederate sentiment in North Carolina's Piedmont.

The nonsecular movement centered around the Christian denominations, mainly the Quakers and Wesleyans of the Piedmont, and their belief in pacifism and hatred of the institution of slavery. The Methodist Episcopal Church, however, did not have a uniform consensus about slavery. The church first confronted the issue of slavery in 1780 at their Annual Conference when it questioned whether traveling preachers should be required to free their slaves. The church decided that indeed traveling preachers should promise to set their slaves free, but in addition, the church acknowledged that slavery was "contrary

to the laws of God, man and nature."⁷ The church appeared to agree on the heinousness of slavery and that it needed to be stopped. Proving to be a pivotal moment, the church began to splinter and eventually fractured. The antislavery attitude revealed itself just four years later in 1784 when the church implemented a policy that required all slave-owning members to free their slaves within twelve months.⁸ The policy regarding slavery witnessed opposition from some members, much of it coming from Southern Methodists, the faction of the Methodist church located in the South. Policies like these threatened the membership of many Southern Methodists, which prompted the church in 1816 to compromise on slavery. That is, the church loosened its policy regarding slavery and no longer considered expulsion from the church as a punishment for slave-owning members.⁹ Although, this compromise appeared to appease slave-owning members, other members soon realized that compromises would need to be made to keep the church intact.

Following the compromise, division only worsened. Some members abhorred the institution of slavery and believed it to be inherently evil and against the Christian faith. These abolitionist members' views naturally put them at odds with the other faction of the church that supported slavery. Some Methodists would not allow themselves to associate with slaveholding members whereas others believed the church could accommodate both slaveholding and non-slaveholding members.¹⁰ Eventually, the two sides determined that they could not reconcile their differences. Consequently, in 1843, the church formally split into the Methodist Episcopal Church and the Wesleyan Methodist Connection of America.¹¹ This split occurred directly from disputes over the condemnation of slavery and over permitting members to own slaves.

Reverend Orange Scott led the secession of the Wesleyans from the church stating that he had "no expectation that the M.E. [Methodist Episcopal] Church will ever take action against slavery."¹² Scott seceded from the church and formed the Wesleyan Methodist Church, named after John Wesley, who in 1789 publicized a list of what he believed people needed to do to achieve salvation. He specifically listed "the buying or selling the bodies and souls of men, women, or children, with an intention to enslave

7 Lewis McCarroll Purifoy, "The Methodist Episcopal Church, South, and Slavery, 1844-1865," (Ph.D. thesis, The University of North Carolina at Chapel Hill, 1965), 2.

8 Purifoy, "The Methodist Episcopal Church, South, and Slavery, 1844-1865," 3.

9 Purifoy, "The Methodist Episcopal Church, South, and Slavery, 1844-1865," 9.

10 Charlotte A. Haller, "'And Made Us to Be a Kingdom': Race, Antislavery, and Black Evangelicals in North Carolina's Early Republic," *North Carolina Historical Review* 80, no. 2 (April 2003): 137.

11 Clifton H. Johnson, "Abolitionist Missionary Activities in North Carolina," *North Carolina Historical Commission* 40, no. 3 (July 1963): 296.

12 Purifoy, "The Methodist Episcopal Church, South, and Slavery, 1844-1865," 21.

them” as an action to avoid.¹³ The secession and formation of the Wesleyan church situated the Wesleyans as the antislavery faction of the Methodist denomination. However, some members of the Methodist Episcopal Church still opposed slavery but found it necessary to work with slaveholding members for the sake of the church. This caused its own problems because Southern Methodists had pro-slavery views and the North needed to balance the dynamic between pro-slavery and antislavery sentiments. The North and South did not resolve these differences and at North Carolina’s Annual Conference in 1845, church members declared “the time has come for the ministers of the Methodist Episcopal Church in the slaveholding states, to refuse to act in union with the North.”¹⁴ Here, the issue of slavery again became an issue for Methodists just two years after the secession. However, this time no groups seceded like the Wesleyans.

Wesleyans in North Carolina found common ground with the Quakers who had been pushing antislavery ideas since they arrived in North Carolina in the 1740s.¹⁵ By 1784, the church banned slavery for all its members. The push to free slaves eventually evolved into the formation of the General Association of the Manumission Society of North Carolina on July 19, 1816, by Piedmont Quakers.¹⁶ Manumission was the legal emancipation of slaves. North Carolina forbade the emancipation of slaves due to the colonial era Manumission laws. An owner could only legally free a slave if they sent them to a free state or the court determined that the slave had completed meritorious service and paid a £100 bond. The Manumission society functioned as an activist organization that fought for the right to free slaves legally. This often included petitioning the state legislature to enact abolitionist legislation. Officially, the Manumission Society identified as a non-secular group, but it contained many Quaker members and met in Quaker meetinghouses.¹⁷ Although mostly comprised of Quakers, the group also included Moravians.¹⁸ Beyond simply freeing the slaves, the Manumission Society also served the purpose of petitioning the courts and the state legislature into allowing slaveholders to emancipate their slaves and receive compensation.¹⁹ This was just another component of the society’s lofty goals. Ultimately, the society fell apart after eighteen years in 1834 due to declining

13 Robert Emory, *History of the Discipline of the Methodist Episcopal Church* (New York: G. Lane & P. P. Sandford, 1844), 180-181.

14 Purifoy, “The Methodist Episcopal Church, South, and Slavery, 1844-1865,” 71.

15 Adrienne M. Israel, “Free Blacks, Quakers, and the Underground Railroad in Piedmont North Carolina,” *The North Carolina Historical Review* 95, no. 1 (January 2018): 7.

16 Herein referred to as the “Manumission Society.”

17 Hiram H. Hilty, “North Carolina Quakers and Slavery,” (Ph.D. Dissertation, Duke University, 1968), 107-112.

18 Moravians are another Protestant denomination located in the Quaker Belt. Moravians were mainly concentrated in Salem, NC (Now Winston-Salem, NC) in Forsyth County.

19 Israel, “Free Blacks, Quakers, and the Underground Railroad in Piedmont North Carolina,” 8.

membership.²⁰ The failure of the Manumission Society marked the end of the formal petitioning of elected leaders to end slavery; however, it did not end all abolitionist activities. Christian abolitionists continued their efforts to end slavery and often resorted to a more activist role that targeted the morality of the institution and depended on changing the minds of the public instead of making a legal change.

Not all Christian abolitionists publicly announced their support of abolition. Others participated in the Underground Railroad and aided slaves’ escapes to northern states. Pennsylvania Quakers established the Underground Railroad in North Carolina by 1819 after bringing it south from Ohio.²¹ Once in North Carolina, the Piedmont Quakers picked it up and operated throughout the Quaker Belt with one of the main areas involved being Guilford County. Opponents of the abolitionist movement knew of the Underground Railroad’s activity because newspaper ads for runaway slaves stated that slaves often received aid from free black people to make it North.²² This awareness by the public about abolitionist activities not only made Quaker efforts known, but also highlighted the cooperation between free black people and Quakers. Despite the Quakers’ stance on slavery, not all agreed with the Underground Railroad. Indeed, Quakers believed the institution of slavery to be morally wrong and that it needed to end; however, opinions about which abolitionist activities they would accept varied. In the 1843 Yearly Meeting, Quaker leaders made clear which abolitionist activities they found unacceptable, among which included operating the Underground Railroad:

“[...] the society of friends do not allow their members to interfere with the system of slavery further than by petition, reason or demonstration in a peaceable manner; and it having come through report come to the body of society that some one or more of the members thereof have suffered themselves... to allow and give shelter improperly to one or more slaves [...] we live thus to make known our long established practice and utter disapproval of such interference any way whatever.”²³

The Quakers held an abolitionist position, but this statement appeared to contradict the church’s mission. Quaker leaders defended the statement by arguing that aiding in the Underground Railroad would leave the church vulnerable to pro-slavery agitators.²⁴ Perhaps this was the best decision for the Quakers because while they did not take every action available to rid society of slavery, they did stay true to their opposition of the institu-

20 Hilty, “North Carolina Quakers and Slavery,” 28.

21 Israel, “Free Blacks, Quakers, and the Underground Railroad in Piedmont North Carolina,” 9.

22 *Greensborough Patriot*, August 13, 1834.

23 *North Carolina Yearly Meeting Minutes*, vol. 3: 1835-1846, Friends Historical Collection, Guilford College, 123-124,

24 Israel, “Free Blacks, Quakers, and the Underground Railroad in Piedmont North Carolina,” 26.

tion while also preserving their church. Not only does this quote reveal Quaker abolitionist efforts, but it also highlights the core principle of Quakerism: pacifism. Indeed, Quakers wanted to rid society of slavery, but they had to also consider the cost of such a feat. Among those, they had to consider whether their actions would cause them to abandon their pacifist principles.

The Quakers and Wesleyan Methodists shared similar views on slavery and often preached sermons on the immorality of the institution. In fact, their shared views allowed the Quakers to openly welcome two Wesleyan missionaries, Adam Crooks, and Jesse McBride, in 1847 and 1849, respectively. These two men arrived in North Carolina in response to the growing number of people needing a church. The two missionaries spoke publicly about the church's role in slavery and asserted that the institution needed to be put to an end.²⁵ However, like other ministers outspoken against slavery, the two men were arrested and charged with circulating incendiary materials. The state charged Crooks and McBride with violating the Act of 1830, which made it illegal for anyone who purposely circulated materials with the intent to "excite insurrection."²⁶ Crooks and McBride's enemies claimed they had been "circulating incendiary papers upon the subject of slavery, and [...] preaching abolition doctrines to congregations of negroes."²⁷ Following the trial, McBride received a guilty verdict and Crooks received a not guilty verdict. This whole affair prompted McBride to leave the state while Crooks stayed in North Carolina. The *Raleigh Register* reported that he had previously been "urged" to leave the state.²⁸ Crooks was arrested in June 1851 for refusing to leave the state, following his continued efforts in circulating antislavery materials. Crooks and McBride played an important role in making Christian opposition to slavery known to the public as opposed to working in the shadows with the Underground Railroad. Their treatment highlighted the pro-slavery sentiment in North Carolina and demonstrated what pro-slavery individuals would do to maintain the institution.

The *Weekly Standard* published an article a few months after Crooks fled the state calling for "committees of vigilance [to] be appointed to every county and district."²⁹ It is through articles like these that the intense opposition faced by these preachers is better understood. The *Weekly Standard* article demonstrated what efforts pro-slavery individuals and the state would take to remove dissidents from the state. This set a precedent for how future missionaries should spread abolitionist principles to avoid trouble with opponents. By being less vocal about their abolitionist principles, they could avoid backlash from opponents. After leaving the state, Crooks and McBride requested that the American

25 Johnson, "Abolitionist Missionary Activities in North Carolina," 299.

26 *Weekly Raleigh Register*, October 23, 1850.

27 *The Raleigh Register*, April 26, 1851.

28 *The Raleigh Register*, June 28, 1851.

29 *The Weekly Standard*, August 6, 1851.

Missionary Association (AMA) fund another minister to continue their efforts. The AMA chose a Wesleyan minister named Daniel Wilson. In 1846, a group of evangelicals in New York started the AMA with the goal of aiding and assisting churches throughout the United States in their abolitionist efforts. The AMA believed in "pure and free" Christianity and called slavery an "unchristian" institution.³⁰ Further, the AMA not only wanted to end slavery but also save those who engaged with slavery while trying to abolish the institution. The AMA believed this method to be the best way to "save our guilty nation the fierceness of God's anger."³¹

Wilson differed from missionaries like Crook and McBride due to his subtlety in abolitionist activities. Wilson managed to reach churches in the Piedmont and preach anti-slavery sermons while remaining below the radar of the extralegal mob that forced Crook and McBride out of the state. Wilson realized he could continue professing antislavery sentiment if he did not draw attention to himself. In fact, he asked the AMA not to include his name in any documents that circulated the South out of fear his efforts would become too publicized.³² Wilson succeeded in converting individuals and spreading the message of antislavery and requested more funding from the AMA to support his family and traveling expenses associated with his preaching duties across eight different churches.³³ However, the AMA did not grant his request for additional funding. In fact, the AMA dismissed Wilson, citing reports of immoral character. These accusations stemmed from Wilson having to find other avenues of funding which distracted him from his missionary duties.³⁴ Despite his effectiveness, the AMA failed to adequately support Wilson, resulting in him being deemed unfit for the role.

The different approach taken by Wilson compared to Crooks and McBride exemplified the division among the Wesleyans and the different ideas they had on how to achieve abolition. North Carolina evangelicals clearly had a mission to rid the South of slavery but struggled to find a consensus. Quakers on the Underground Railroad received criticism for being too bold whereas the AMA reprimanded Wesleyan ministers like Wilson for not being bold enough. In the case of Wilson, the AMA wanted missionaries to be provocative because it believed it to be the best way to win white support. Ultimately, the Quakers and

30 Johnson, "Abolitionist Missionary Activities in North Carolina," 301-302.

31 Johnson, "Abolitionist Missionary Activities in North Carolina," 302.

32 Mark A. Huddle, "Correspondence of Daniel Wilson," *The North Carolina Historical Review* 72, no. 4 (October, 1995): 423.

33 Johnson, "Abolitionist Missionary Activities in North Carolina," 305.

34 The scandal in which the American Missionary Association (AMA) accused Wilson of committing was that he was neglecting on his duties as a missionary. The AMA required a lot from Wilson in terms of time. He was expected to tend to the churches he already pastored in addition to creating new ones. The AMA sent James Scott Davis to investigate concerns that Wilson was neglecting his responsibilities. Davis did not find any neglect on Wilson's part, yet the AMA still dismissed Wilson. See Johnson, "Abolitionist Missionary Activities in North Carolina," 305.

Wesleyans made their sentiments regarding slavery public through their preaching of its immorality.

Preachers like Wilson did not fulfill AMA expectations because they did not spark interest and draw attention of nonbelievers in the Piedmont. Wilson did not want too much attention and knew he could win over converts by spreading the message of antislavery from the pulpit. However, he feared he would end up like Crooks and McBride. The AMA did not appear too worried about the concerns of Wilson because soon after they released him, they recruited Wesleyan minister Daniel Worth. Worth was a native North Carolinian, born into a well-connected, Quaker family in the state.³⁵ His cousin, Jonathan Worth, would later become governor. Daniel Worth developed a reputation as a person staunchly against slavery; one witness described him as “straight out anti-Slavery.”³⁶ This stemmed from Worth’s involvement in the Indiana Abolition Society in 1840 and the Wesleyan Methodist Connection in 1843, which he joined after leaving North Carolina and moving to Indiana at a young age.³⁷ Worth proved to be an important and effective minister for the AMA. Soon after his arrival to North Carolina, Worth expanded the number of churches in the Piedmont and self-proclaimed that he “doubled that of any pro-slavery denomination” in terms of converts; although he made the claim himself, he had reportedly converted 140 people and built ten new churches.³⁸ Solely based on his brief time in the state, Worth proved to be the kind of minister the AMA desired.

Worth’s approach to abolition differed from that of the Quakers involved in the Underground Railroad due to his more public denunciation of slavery. In fact, in 1859, the Quaker church barred Worth from using their meeting houses after he criticized the church for being too moderate in its abolition efforts.³⁹ Worth’s break from more inconspicuous antislavery activities exemplified the evolution of abolitionist activities from the early 1800s until shortly before the Civil War. Abolitionist activities gained a newfound confidence following Worth’s arrival to the Piedmont in the 1840s. No longer did they hide from the public eye, but rather they openly expressed their views in the church. No one displayed this change in approach more than Daniel Worth. Fundamentally, Worth believed that his loud displays of antislavery sentiment would change the minds of white Southerners. He also refrained from having direct contact with slaves because he feared it would provide ammunition for his enemies to prosecute and accuse him of starting a

35 Noble J. Tolbert, “Daniel Worth: Tar Heel Abolitionist,” *The North Carolina Historical Review* 39, no. 3 (Summer 1962): 284.

36 Johnson, “Abolitionist Missionary Activities in North Carolina,” 306.

37 Tolbert, “Daniel Worth,” 285-286.

38 Johnson, “Abolitionist Missionary Activities in North Carolina,” 307.

39 *North Carolina Whig*, January 31, 1860; and Tolbert, “Daniel Worth: Tar Heel Abolitionist,” 290.

slave rebellion, thus ending his mission.⁴⁰ By avoiding contact with slaves, there would be no evidence that he planned to mobilize them. Worth not only feared prosecution, but he also believed slavery’s end would come from converting white people, not mobilizing slaves.⁴¹ Worth’s actions broke from the Quakers’ approach which involved actively engaging with slaves. The Quakers depended on working with free black people to carry out their mission. However, Worth’s approach centered around changing people’s minds about slavery instead of fighting for a lawful change in the legislature.

At first, Worth managed to live unscathed but that soon changed following John Brown’s raid in 1859. Brown’s raid drew more attention to the possibility that slave riots instigated by white abolitionists would ensue across the South.⁴² Despite Worth’s careful efforts in avoiding accusations of inciting a riot, he was arrested and prosecuted for “speaking in such a manner as to excite Negroes to insurrection and rebellion.”⁴³ The state charged him with circulating *The Impending Crisis of the South* by Hinton Helper and attempting to start a slave rebellion, claiming John Brown influenced him. The AMA gave Worth several copies of Helper’s book to use as propaganda.⁴⁴ The AMA viewed Helper’s book as a great source to change the minds of white individuals. Thus, Worth circulated the antislavery book to white individuals across the Piedmont to influence their views on slavery. Ironically, Worth read from Helper’s book during his trial as a part of his defense and reportedly stated that he had “no respect for the laws of North Carolina.”⁴⁵ However, Worth’s attempted defense failed, and the jury found him guilty. His conviction, along with other accusations, and a failed appeal to the North Carolina Supreme Court in 1860, forced Worth to leave the state following his sentence.⁴⁶ Worth learned from the failures of his predecessor by vocalizing his position more, but his missionary efforts disrupted the Piedmont, much like Crooks and McBride. Ultimately, Worth succumbed to the same pressures from pro-slavery individuals that ousted Crooks and McBride. Although he fled the state, he undoubtedly laid the foundation for Christian abolitionists to continue publicly pushing antislavery sentiments.

40 Johnson, “Abolitionist Missionary Activities in North Carolina,” 309.

41 *New York Daily Tribune*, April 12, 1860.

42 Johnson, “Abolitionist Missionary Activities in North Carolina,” 311.

43 Johnson, “Abolitionist Missionary Activities in North Carolina,” 312.

44 *The Impending Crisis of the South* was a book written by North Carolina native Hinton Helper in 1857 that criticized slavery for being a flawed economic system that harmed white workers. The book was seen as incendiary and was not allowed to be read in North Carolina despite being published there. Due to its critique, it was commonly used as abolitionist propaganda. Regarding Hinton Helper, see David Brown, *Southern Outcast: Hinton Rowan Helper and The Impending Crisis of the South* (Baton Rouge: Louisiana State University Press, 2006); and *The Daily Journal*, December 21, 1859; and Tolbert, “Daniel Worth: Tar Heel Abolitionist,” 288.

45 *Newbern Daily Progress*, December 30, 1859.

46 *State v. Daniel Worth*, N.C. 488 (1860), 52; and Johnson, “Abolitionist Missionary Activities in North Carolina,” 312.

Christian abolitionists withstood persecution for more than their antislavery views. The onset of the Civil War and the establishment of the Confederate States of America made Christian abolitionist communities more vulnerable to persecution by pro-slavery actors through fines, political slander in newspapers, and intimidation. Quakers endured backlash not only because of their views on slavery but because of their pacifism that prevented them from partaking in any violence. The Quakers long held a neutral position when it came to conflict. Not to suggest the Quakers remained impartial, but rather they preferred to abstain from any conflict altogether. Their aversion to conflict dated back to the American Revolution when Quakers refused to aid either the English or the Revolutionary efforts because of their pacifist attitudes.⁴⁷ Pacifism placed Quakers in a complicated position. Throughout the colonial era, the state adopted legislation that required conscription or an amercement for exemption. While ostensibly fair, because it still allowed Quakers to refuse participation in the army, the Quakers negated to conform. They reasoned that paying the fine equated to engaging in violence. Despite their protest, the 1743 Yearly Meeting permitted members to pay the fine.⁴⁸

The government failed to render consistent policies involving Quakers and other conscientious objectors from 1770 and throughout the Civil War. North Carolina conscientious objectors witnessed ever-changing policies regarding their exemption. In 1770, conscientious objectors attained sympathy with colonial Governor William Tyron who assisted in excusing the objectors from militia service.⁴⁹ This quickly changed, however, when in 1779, during the American Revolution, the state sequestered Quaker property after they refused to aid the war effort and pay the fines.⁵⁰ The policy reversal in 1779 arose because Quakers deemed the state government as being “carried on and Supported by Military force;” consequently, the community withheld its support of North Carolina until 1783.⁵¹ Quaker endorsement of North Carolina, and the United States, as a legitimate government only occurred after the American Revolution ended. More debates on Quaker exemption from conscription ensued following the American Revolution. For a brief period, preceding the Civil War, Quakers and other conscientious objectors enjoyed tax-free exemptions. The North Carolina legislature spared “persons having scruples of conscience against bearing arms” from service.⁵² North Carolina’s exemption of conscientious objectors demonstrated an acknowledgement of pacifist principles despite being in direct conflict with the government. Soon, however, this all changed. In 1861, North Carolina adopted a conscription law that demanded conscientious objectors seeking exemption

47 Patrick Sowle, “The Quaker Conscript in Confederate North Carolina,” *Quaker History* 56, no. 2 (Autumn 1967): 90.

48 Sowle, “The Quaker Conscript in Confederate North Carolina,” 90.

49 Sowle, “The Quaker Conscript in Confederate North Carolina,” 90.

50 *Acts of Assembly of the State of North Carolina*, Chapter 2, 1779, 4.

51 Sowle, “The Quaker Conscript in Confederate North Carolina,” 91.

52 Sowle, “The Quaker Conscript in Confederate North Carolina,” 93.

“to furnish their quota of men or pay an equivalent.”⁵³ Essentially, the law required men desiring an exemption, on grounds of religion, to either produce a substitute or provide recompense. Like before, conscientious objectors disapproved of the law, especially the Quakers. The Quakers objected as they did before in the American Revolution, citing their pacifism and disinclination to monetarily assist in the war.

On May 12, 1862, the North Carolina legislature passed a law, specifically levelled at Quakers. It permitted members in “good standing” exemption from military service if they paid a one hundred dollar fine.⁵⁴ Additionally, the law stipulated that any man unable to pay the fine would be compelled to serve the state in a non-military capacity. This included working in the salt mines or the hospitals. North Carolina regularly accommodated Quakers to avoid breaching their vow of peace. Again, despite disallowing complete exemption, it appeared that North Carolina sympathized with the Quakers as much as could be expected amid a war. This sympathy is detectable in a letter written to the Confederate Secretary of War, George W. Randolph, in July 1862. When inquired about allowing North Carolina Quakers to serve in noncombat areas, Randolph replied:

“the Department has no objection to assign men belonging to the Society of Friends enrolled in North Carolina, to such duty as is not repugnant to their belief; but it cannot make a General Order to that effect. The Department will have to act on individual cases.”⁵⁵

Secretary Randolph, although not opposed to the idea, realized his inability to implement a sweeping policy. Perhaps, Randolph wanted to avoid placing himself in a bad situation in case a time came in which the Confederacy needed troops, regardless of religious affiliation. Despite attempts to appease the Quakers and satisfy their requests, not all Quakers liked this policy. Some still viewed working for the military in any capacity as a violation of their principles. In fact, at the Meeting for Sufferings, the governing board of the Yearly Meeting, some Quakers considered noncombative work that benefited the war effort as a violation of the pacifist principles.⁵⁶ Presumptively, Quakers would have agreed to such a resolution because it thwarted their direct involvement in conflict. However, the fact they still disapproved accentuated the seriousness in which Quakers took their pacifist beliefs. In 1864, the Confederacy reversed its position on noncombative service when Confederate troop numbers declined. The War Department ordered all men, ages 18 to 50, that previously held exemptions, to be reassigned to combat roles.⁵⁷ Yet again, history repeated itself and once more not in favor of the Quakers or other conscientious objectors.

53 Richard L. Zuber, “Conscientious Objectors in the Confederacy: The Quakers of North Carolina,” *Quaker History* 67, no. 1 (Spring 1978): 2.

54 *The Greensboro Patriot*, June 12, 1862.

55 *The Greensboro Patriot*, July 31, 1862.

56 Sowle, “The Quaker Conscript in Confederate North Carolina,” 95.

57 Zuber, “Conscientious Objectors in the Confederacy,” 6.

Anew, conscientious objectors discovered themselves at odds with the government, a government that previously permitted them protection of their beliefs but defaulted due to the war. Conscientious objectors realized no exemptions from the war and instead their circumstance rested in the hands of the Confederacy.

Early in 1862, the Confederate Congress established its own policy regarding conscientious objectors. This law superseded state law and rejected exemptions for conscientious objectors. This new law essentially rendered any state law passed previously useless, like North Carolina. In response, Quakers mobilized a delegation and arranged an audience with Confederate President Jefferson Davis to appeal the decision.⁵⁸ The Quaker delegation failed. Nonetheless, in October 1862, the Confederate Congress amended the law and allowed a five-hundred dollar exemption for “peaceful denominations.”⁵⁹ Not all Quakers had the ability to pay the tax. In 1862, five-hundred dollars was a considerable amount of money. Furthermore, even if they did, many maintained that paying a tax violated their faith. Therefore, those unable to pay, or simply unwilling to pay, had to flee or the Confederacy would sequester their land as recompense. Men that fled often went North. A sizeable Quaker and Wesleyan population had settled in Indiana and many deserters went there. For those that remained in North Carolina, the Confederacy sent the Home Guard to locate the deserters and force their return to the army.⁶⁰ This put men that objected to conscription in a difficult position. They either paid a hefty fine to maintain or fled their home and family. Nearly a year later in July 1863, the North Carolina General Assembly enacted a law for conscription of troops that contained many exemptions for various groups, including the Quakers.⁶¹ In section 5 of the Act, North Carolina allowed for Quakers to be exempt if they paid a one-hundred dollar fine, as had previously been the case. However, it affirmed the Confederate Congress law passed a year earlier and permitted any Quaker who already paid the five-hundred dollar fine to be exempt, without paying the one-hundred dollar fine. This law, although still not optimal, at least showed some sympathy on North Carolina’s behalf because it prevented a double tax.

Quakers witnessed a sharp increase in membership throughout the war. Between 1861 and 1865, the church welcomed over 600 new members; many of whom were men aged 18 to 50.⁶² Although significant, the increase was unsurprising considering conscription favored the demographic of men ages 18 to 50. However, the Confederacy grew suspi-

58 Sowle, “The Quaker Conscript in Confederate North Carolina,” 94.

59 Sowle, “The Quaker Conscript in Confederate North Carolina,” 95.

60 Sowle, “The Quaker Conscript in Confederate North Carolina,” 105; and “Thy Friend” to Marmaduke S. Robbins, February 1, 1865, Folder 6, Marmaduke Swaim Robins Papers, Southern Historical Collection, The University of North Carolina Wilson Library.

61 *The Greensboro Patriot*, July 11, 1863.

62 Joseph Newlin to John B. Crenshaw, July 20, 1863, John B. Crenshaw Papers, Guilford College Hege Library.

cious of the men who joined the church after the beginning of the war and perhaps with good reason. It undoubtedly appeared suspicious when a group that received the approval to work in a different capacity witnessed a drastic increase in membership. This caused the Confederacy to denote new members as “war Quakers.”⁶³ War Quakers were men that joined the Quaker church after the onset of the war. Some joined the church with the intention of draft dodging, which made those already members seem fraudulent. However, it is unlikely that all new members joined expecting to circumvent conscription. Nevertheless, the Confederate government acted to prevent the possibility of new members joining the church solely for exemption status, by passing a law on October 11, 1862, that limited the exemption to only those that regularly attended the church prior to that date.⁶⁴ The Confederacy clearly attempted to dissuade people from joining the church with the sole intention of avoiding conscription. Although this law may have worked in some capacity to curb draft dodgers, membership increased through 1865.

The Confederates did not always favor the Quakers, particularly Quakers forced into conscription. Those who could not avoid conscription sometimes had the opportunity of working in hospitals or the salt mines, others had to serve in the army. Their pacifism often caused Quaker soldiers to be harassed and abused in military camps.⁶⁵ Working in the salt mines also had its share of trials for Quakers and other conscientious objectors. For example, Confederate leaders suspected that the Quakers in the salt mines wanted to betray the Confederacy.⁶⁶ Often, they based their suspicions in Quakers’ Union sentiments, and many suspicions centered on their unwillingness to fight. In the case of the salt mines, Confederate leaders accused the Quaker laborers of conspiring with Union soldiers. The accusations became so severe that the state eventually moved the salt works and prevented Quakers from working there.⁶⁷ This posed an issue for conscientious objectors because they no longer had an escape from combat. This meant that the chances of a conscientious objector being assigned to a combative role only increased.

However, many Confederate soldiers did not want Quakers in their camps because as one officer stated “[Quakers] were of no manner of use in the army.”⁶⁸ The Confederacy, whether they liked it or not, understood that they needed more troops to continue the war. That is why when conscientious objectors refused to be conscripted, the

63 Zuber, “Conscientious Objectors in the Confederacy,” 8.

64 Laws Relating to Non-Combatants, Orders from Adjutant and Inspector General’s Office, 1862, John B. Crenshaw Papers, Guilford College Hege Library.

65 Abbie Rogers, “Confederates and Quakers: The Shared Wartime Experience,” *Quaker History* 99, no. 2 (Fall 2010): 1.

66 Zuber, “Conscientious Objectors in the Confederacy,” 2.

67 Richard L. Zuber, *Johnathan Worth: A Biography of a Southern Unionist* (Chapel Hill: The University of North Carolina Press, 1965), 175-176.

68 Sowle, “The Quaker Conscript in Confederate North Carolina,” 99.

Home Guard harassed and physically abused them.⁶⁹ The army did not want these men, which led to more problems. Conscientious objectors who did accept the conscription but refused to participate in military operations, like Himelius Hockett, were tortured. Hockett detailed his experience in an 1863 letter to his wife:

this morning on being required to drill, we refused; and were sent [...] to appear before General Ransom. He told us that he would hear no pleas about religion [...] that he should put us in a room upstairs and we should not have one drop of water nor one morsel of provision [and] neither communicate with any man [...] til [sic] we agreed to go on duty or pay the \$500 tax.⁷⁰

Men like Hockett witnessed persecution simply because they held a vow of pacifism and wanted nothing to do with war, a price they paid for heavily. They unsurprisingly endured the abuse considering Confederate soldiers maintained a brusque reputation. The soldiers did not even show kindness to their own colleagues and even less so to those in the community. Bushwhackers, Confederate guerilla soldiers, often ransacked homes, and farms, taking whatever, they wanted. Sarah P. Bond Harlan described her experience with bushwhackers to her parents writing:

“they took anything they wanted from Evans shop and store, they took three horses [...] they searched [...] for arms and saddles, they went on to the river below here and tried to cross but they and the Feds had a fight and but few of them got away. The Feds killed several of them and wounded several others.”⁷¹

Quaker soldiers were present at the raids, yet they refrained from partaking in them.⁷² Fortunately, there did not appear to be any malice towards those soldiers. In fact, in some instances, Quaker soldiers and other conscientious objectors received fair treatment. Some soldiers reportedly sympathized with the Quakers and their positions not necessarily because they agreed with their pacifism, but rather, as Rogers argues, because of a similar religious viewpoint.⁷³ The South held strong Christian beliefs despite its persecution of conscientious objectors and support of slavery. In fact, Jefferson Davis, in an address to the Confederacy, repeatedly called upon Christian values as he asked God to “beseech His favor on our suffering country” and set aside a day of “fasting, humiliation, and prayer.”⁷⁴ Despite the South’s contradicting positions on conscientious objectors and slavery, it still

⁶⁹ Fernando G. Cartland, *Southern Heroes: Or the Friends in War Time* (Cambridge: The Riverside Press, 1895), 239.

⁷⁰ Himelius M. Hockett to Rachel Hockett, April 10, 1863, John B. Crenshaw Papers, Guilford College Hege Library.

⁷¹ Sarah P. Bond Harlan to Uriah and Louisa Fentriss Bond, November 1, 1864, Folder 1, Bond and Fentriss Family Papers, Southern Historical Collection, University of North Carolina at Chapel Hill Wilson Library.

⁷² Rogers, “Confederates and Quakers,” 12.

⁷³ Rogers, “Confederates and Quakers,” 7.

⁷⁴ *The Greensboro Patriot*, July 30, 1863.

maintained that it was a Christian nation and found no fault in its ideology. Davis’ address demonstrated a certain amount of irony when he underlined the nation’s suffering considering the Confederacy initiated the war.

Outside of the army, many southerners retained their own view of conscientious objectors. Presumably, based on their treatment by the government and the army, conscientious objectors experienced malice from general society, or at the very least apathy. However, in many instances, society appeared to be split. For instance, a correspondence published in *The Greensboro Patriot* between a Reverend Graves and Brigadier General John H. Winder. Reverend Graves claimed that General Winder had once stated that “North Carolina was a damned nest of traitors” when referring to the Quakers. Reverend Graves went on to deliver a scathing critique of General Winder by stating “The man who makes gratuitous, wanton, unprovoked attack on a wake, defenceless [sic] individual or community, will do anything that is mean and cowardly when a motive is presented.”⁷⁵ Reverend Graves continued his defense of the Quaker community by claiming General Winder unfairly characterized an entire group based on the actions of a few. Although Reverend Graves acknowledged the existence of some bad actors among the Quakers, he also said that Quakers “do not assume to control public affairs in the State or Confederacy; but simply strive to live as peaceable, law-abiding citizens.”⁷⁶ This statement seemingly reasoned the impossibility of Quakers being a threat since they made no attempt at public office. This was an interesting take on part of Reverend Graves. He believed that because Quakers did not seek a leadership position, they constituted no problem.

Another example of Quakers being defended occurred in *The Greensboro Patriot* in 1863 when the *Winston Sentinel* published an article attacking Quakers. The writer of the *Winston Sentinel* article accused Quakers of being rebellious traitors after a group of pro-Union, armed rebels retreated to a Quaker church. These rebels had no affiliation with the Quakers and in its response, *The Greensboro Patriot* referred to the basic Quaker principles of not bearing arms and not engaging in violence and stated they are “truly peaceable.”⁷⁷ *The Greensboro Patriot* only published this article to ensure that no unjust violence be directed at the Quakers, not to defend their beliefs. Despite their defense of the Quakers, some of the Quakers’ defenders disagreed with their pacifism: “we don’t propose to defend the Quakers in regard to their non-combatant principles.”⁷⁸ It appeared there was a degree of mutual respect rooted in religion despite differing beliefs. No one expected the editors of the *Greensboro Patriot* to defend the Quakers because siding with the Quakers made the newspaper appear sympathetic with anti-war sentiments, but they

⁷⁵ *The Greensboro Patriot*, July 30, 1863.

⁷⁶ *The Greensboro Patriot*, July 30, 1863.

⁷⁷ *The Greensboro Patriot*, February 26, 1863.

⁷⁸ *The Greensboro Patriot*, February 26, 1863.

made the conscious decision to prevent unjust violence. Again, referring to the idea that people had shared religious views, despite the small differences.

The nonsecular abolitionist movement continued to persevere despite its persecutions. Piedmont Quakers and Wesleyans turned to politics not only to end an immoral institution but to also elect non-slaveholding leaders. Democrats accused Protestants in the Quaker Belt of being loyal to the Republican Party both before and during the Civil War. Many of these accusations stemmed from the Quaker Belt's demographics. The Quaker Belt contained a substantial number of Whigs prior to the war; therefore, unsurprisingly, the Quaker Belt contained many Union supporters.⁷⁹ The Quaker Belt's loyalty to the Union triggered harassment by supporters of the Confederacy. Confederates understood there could be consequences for having Unionists in the state. In fact, Auman argued in his book, "the Quaker Belt became a breeding ground for dissent and disloyalty to the Confederacy due to the influences of the Quakers, Moravians, Wesleyans, and Whigs."⁸⁰ Auman's assertion is valid given that opposition to slavery put the Quakers and Wesleyans in direct odds with the Confederate government and its politics, and Confederate conscription did not help their relationship. One man critical of Union sympathizers noted that the sympathizers wanted a ballot with Abraham Lincoln. However, they did not receive one because North Carolina refused to put Lincoln on the ballot.⁸¹ Thus, the Union sympathizers refused to vote. Christian abolitionists continued their role in politics by participating in the Peace Party. The Peace Party proved to be very popular among people in the Quaker Belt due to its antislavery sentiments and direct opposition to the Democrats and the Confederacy. The involvement of Christians extended beyond just politics however as the Underground Railroad remained active to help those fleeing the Confederacy escape North.⁸² Fundamentally, the Quakers and Wesleyans shared few common values with the Confederacy and they, along with other groups, resisted the Confederacy in various aspects because of those differences.

Union loyalists formally created the Peace Party in 1863 in response to the draft order released in 1862.⁸³ In its first year, the Quaker Belt held forty-six Peace meetings,

79 Regarding the Whigs, see Michael F. Holt, *The Rise and Fall of the American Whig Party: Jacksonian Politics and the Onset of the Civil War* (New York: Oxford University Press, 2003); and William T. Auman, *Civil War in the North Carolina Quaker Belt: The Confederate Campaign Against Peace Agitators, Deserters and Draft Dodgers* (Jefferson, NC: MacFarland and Co, 2014), 33.

80 Auman, *Civil War in the North Carolina Quaker Belt*, 7.

81 Auman, "Neighbor Against Neighbor," 62.

82 Auman, *Civil War in the North Carolina Quaker Belt*, 74.

83 William T. Auman, "Peace Movement (Civil War)," in *Encyclopedia of North Carolina*, edited by William S. Powell (Chapel Hill: The University of North Carolina Press, 2006), 871.

more than any other part of the state combined.⁸⁴ Based on this number of meetings, the Quaker Belt positioned itself as the center of the peace movement. The Peace Party gained popularity among Quakers because of its anti-war sentiment and opposition to Confederate conscription. Quakers, as well-known pacifists, therefore abhorred not only the war that the Confederates initiated but also the Confederacy's attempts to force people to fight in it. In 1864, North Carolina held an election in which a Peace candidate, William Holden, ran for governor.⁸⁵ As could be expected, smear campaigns ran rampant. However, one ad, in favor of Democratic candidate Zebulon Vance, was particularly interesting. The ad targeted the Quaker community and asked them to vote for Vance instead of Holden, charging Holden as a hypocrite.⁸⁶ This stemmed from Holden's position as a candidate in support of the Quaker community whereas the Democratic Party claimed he had a history of abusing the Quakers. The ad contained a certain amount of truth. Prior to the war, Holden prided himself as a secessionist and even assisted in the prosecution of missionaries like Daniel Worth.⁸⁷ Though not completely unsubstantiated, Vance's claims sought to undermine Holden and frame him as an enemy of the Quakers and Wesleyans. However, Vance and his government never worked to assist Quakers and their pacifist efforts, yet he believed he could still win their vote by simply accusing his opponent of being complicit in the mistreatment of the community. Further, Vance's ad failed to mention that Holden publicly supported Quakers' loyalty to the Union and openly criticized the conscription laws.⁸⁸

Quakers and Wesleyans based their dissent of the Confederacy in their antislavery sentiments along with opposition to the conscription laws. As Auman noted, the Confederate Conscription of 1863 was the "single most volatile cause of the inner Civil War."⁸⁹ The Civil War certainly solidified the Quakers position in opposing the Confederacy. However, to fully understand the opposition, one needs to understand the history. The Methodists were divided on the issue of slavery. The long held antislavery sentiment among Quakers and Wesleyans not only put them in conflict with the Confederacy, but it also naturally put them at odds with violence. Their nonviolence principles manifested into Confederate resistance and abuse. Both the Wesleyans and the Quakers took different approaches to abolition with the Quakers being more subtle and the Wesleyans being outspoken. However, their shared vision of abolition united them when both became targets of the state, both before and during the war.

Ultimately, Wesleyan and Quaker abolitionist efforts failed. Nonetheless,

84 Auman, *Civil War in the North Carolina Quaker Belt*, 83.

85 Auman, *Civil War in the North Carolina Quaker Belt*, 142.

86 *The Greensboro Patriot*, August 1, 1864.

87 Auman, *Civil War in the North Carolina Quaker Belt*, 28; and Tolbert, "Daniel Worth: Tar Heel Abolitionist," 296.

88 Auman, *Civil War in the North Carolina Quaker Belt*, 44-47.

89 Auman, *Civil War in the North Carolina Quaker Belt*, 42.

these two groups demonstrated an unwillingness to falter in their beliefs and as a result, disrupted North Carolina society by exposing the immorality of slavery. They, along with other conscientious objectors, further caused issues with the Confederate government by resisting conscription efforts and organizing a movement behind non-Democrat candidates. Although their movement was part of a much larger anti-Confederate movement in North Carolina, it certainly proved to be unique. Their movement not only resisted a government that overall disregarded pacifist principles, but it also rejected the social norm of the South that constructed itself on the enslavement of black people, or as the Wesleyans and Quakers viewed it, God's people.

Creating the "Carolina Lady": Coeducation Rules and Student Responses from the 1950s to 1960s

Melissa Peters

Abstract. This article examines the history of moral regulations for female students at the University of North Carolina, Chapel Hill during the mid-twentieth century, as well as the reactions of the university's student body in response to these patriarchally-influenced rules. It argues that women at the university began to protest in increasingly effective ways against these limitations as societal expectations shifted and female students began to argue for their moral and educational capabilities, and their place within the school.

The 1950s and 1960s were a time of profound change for women as they entered colleges and universities across the United States. As the percentage of women increased both within the student population and in university faculty, the majority male populations of these institutions had to reconcile their notions of the housewife with the image of the educated woman that was gaining popularity within American society. University administrators mainly implemented paternalistic rules and regulations to enforce their strict moral expectations for the women who they felt were invading male spaces. While school administrators eventually placed women on fairly equal footing in terms of university freedoms, in order to reach that point, women often had to tackle institutional roadblocks, ranging from social stratification to limited academic pathways. The majority of female students, also known as coeducational students or coeds, had no say in the creation of moral limitations, but they utilized their voices consistently in attempts to demonstrate that their own expectations differed from the ones society had for them.

Within the University of North Carolina (UNC), women dealt with fast-evolving behavioral rules, mainly from the Office of the Dean of Women (ODW) and the Women's Residence Council (WRC). These changing regulations resulted from similarly evolving ideas towards their place in the system of education. Beginning in the 1950s, with female students typically viewed as "incidental students", women at the university largely chose to accept the nature of the limitations placed on them, but occasionally protested through individual actions. With the advent of the early 1960s, students in rule-making organizations within the UNC administration began to test the boundaries of their power. This created significant friction with the Office of the Dean of Women which came to a head in the late 1960s, as female students outside of rule-making institutions managed to effec-

tively organize themselves to put pressure on the administration alongside student organization leaders. Female UNC students faced with administrative roadblocks gradually transitioned from independent protests to intense institutional and organizational pressure, which ultimately achieved the removal of the majority of moral rules. The evolution of their strategies demonstrates that student women, despite expectations of obedience and fragility, were actively involved in changing the university's slowly evolving gender norms.

“Back to the Cradle”: Rising Regulations for Female Students in the 1950s

Women at UNC-Chapel Hill in the fifties, whether attending as students or working as teachers, faced serious barriers to successful completion of their academic goals. These disadvantages ranged from structural injustices to societal expectations of proper behavior expected from women, and clearly informed behavioral advice given to the female population of the university. These struggles were not unique to UNC. As Linda Eisenmann noted in her examination of scholarship surrounding women's education history, in the 1950s women were seen as “incidental students” in colleges and universities across the nation.¹ This view ignored the fact that female students on average made up about 30% of the overall student population.²

Meanwhile, at UNC there were only 1,320 female students in attendance in 1958, which amounted to just about 20% of the student population.³ University administration and educators were not just unsure about how to accommodate this segment of the student population; administrators did not feel it was important to help women achieve academic excellence. This view was shared by the majority of college administrators at the time, who were overwhelmingly male throughout the US. Mary “Polly” Bunting, later the dean of Radcliffe College, described a typical “climate of unexpectation” for female students, where university officials weren't worried about women who scored high on tests in high school largely choosing not to attend college.⁴ When women did attend, officials often assumed that they were only there for polishing before marriage, as society placed value

1 Linda Eisenmann, “Building the New Scholarship of Women's Higher Educational History, 1965-1985,” in *Women's Higher Education in the United States*, edited by Margaret Nash (New York: Palgrave Macmillan, 2018), 257.

2 Eisenmann, “Building the New Scholarship of Women's Higher Educational History,” 257.

3 “‘A Carolina Lady:’ Navigating Campus Rules for Women in 1958,” For the Record, University of North Carolina Archives, published August 18, 2015. <https://blogs.lib.unc.edu/uarms/2015/08/18/a-carolina-lady-navigating-campus-rules-for-women-in-1958/>.

4 Linda Eisenmann, “‘Honorary Men’ and Incidental Students: Women in Post-World War II American Higher Education, 1945-1970,” in *Women in Higher Education, 1850-1970*, edited by E. Lisa Panayotidis and Paul Stortz (New York: Routledge, 2016), 263.

on women with some amount of college education.⁵ University officials at Chapel Hill thus molded their rules for female students in a paternalistic manner matching attitudes held around the US, which largely ignored that women actually sought to gain knowledge at the school for purposes beyond marriage.

The top administrative agency that limited female freedom at UNC was the Office of the Dean of Women. While the Dean of Women did possess major control over female students, the office itself was beholden to the more powerful Dean of Men and the overall Chapel Hill administration, which was mainly male and had final say for moral rules. In fact, the office and its faculty often struggled with issues similar to what coeds faced. Because they served a group deemed unimportant by the larger university, the higher administrators and the UNC Board of Trustees viewed the Dean and her office as insignificant to the central purpose of UNC. Katherine “Kitty” Carmichael served as the Dean of Women for more than half of the position's existence; the Office of the Dean of Women was created in 1917, and Carmichael was Dean of Women from 1946 to 1972, when the ODW was abolished.⁶

In her 1950 annual report to the Chancellor of UNC Chapel Hill, she requested an increase in housing for female students so “that acutely crowded conditions in the women's dormitories be alleviated.”⁷ Women's housing situation was a serious issue, as the population of coeds increased at a pace too fast for the ODW to adjust, mainly because they weren't given the necessary funding by the Dean of Student Affairs. The presidents of several dormitories in 1950 wrote to Carmichael that students were storing their belongings in “pasteboard wardrobes” placed in the hallways of dorms because there was not enough space in their rooms.⁸ The following year, the Acting Dean of Women reiterated the desperate need for female housing, indicating that the administration had not provided for any of the much-needed changes Carmichael requested.⁹ It was only in 1952 that the problem was reported as solved, and Carmichael mentioned that it was the Acting Dean of

5 Eisenmann, “‘Honorary Men’ and Incidental Students,” 263.

6 “Names in Brick and Stone: Histories from UNC's Built Landscape,” *UNC History, History/American Studies 671: Introduction to Public History*, UNC Chapel-Hill, Accessed October 29, 2021, <https://unchistory.web.unc.edu/building-narratives/carmichael-residence-hall/>.

7 Katherine Carmichael, *Annual Report to the University Chancellor, 1949-1950, 1950*, Office of the Dean of Women of the University of North Carolina at Chapel Hill Records, 1897-1981, Louis Round Wilson Special Collections Library, University of North Carolina at Chapel Hill.

8 Joan King, *Letter to the Chancellor Concerning Women's Housing*, June 30, 1951, Office of the Dean of Women of the University of North Carolina at Chapel Hill Records, 1897-1981, Louis Round Wilson Special Collections Library, University of North Carolina at Chapel Hill.

9 Martha DeBerry, *1951 Report of the Acting Dean of Women*, June, 1952, Office of the Dean of Women of the University of North Carolina at Chapel Hill Records, 1897-1981, Louis Round Wilson Special Collections Library, University of North Carolina at Chapel Hill.

Women who was responsible for the assistance, not the wider administration.¹⁰

The ODW's lack of funding and support for increased housing demonstrated the fast growth of the female population during this time. It also showed a dismissive attitude towards said population by the greater administration, as they did little over the eight-year span between the reports to alleviate the housing crisis. Furthermore, Carmichael reported a study on rules and regulations for women within other universities that was accomplished by the ODW, even with no budget for administrative research.¹¹ These incidents together indicate that the ODW was the main actor for the college's parental actions, while the larger administration served as a less active regulatory overseer. Sharon Mujica, a UNC alumna who frequently crossed paths with Carmichael, thought that "the administration was very happy to have her [...] they liked the fact that she was a very strong figure and an authoritative figure. It was probably much easier for them. They didn't have to deal with it."¹² Therefore, the majority male administration was able to be uncaring with regards to rules on women, because they knew that Dean Carmichael would effectively police the students on her own.

While Katherine Carmichael has often been described, fairly, as a stickler for the rules, she had legitimate reasons for her insistence on morals, especially in the 1950s. There were strict roles for women across the United States, but in the South these expectations reached their peak. To be feminine or lady-like was the accepted norm in the South, stemming from the almost aristocratic practices of the Antebellum period.¹³ Carmichael was seen by staff and students as "a genuine Southern lady" with a precise style of dress and an accompanying sense of decorum.¹⁴ However, her desire for learning and her career at the university meant that she defied the feminine ideals of society, even as she sought to maintain them for female students. But her placement of restrictions on coeds was about more than society's rules. Women had only been able to attend UNC for all four years since 1940, and this change was limited to students from the Chapel Hill area, so their parents could still keep a close eye on them.¹⁵ James Cansler, the former Dean of Men, recalled that the overall administration was loath to let coeds come to the university for

10 Katherine Carmichael, *Annual Report to the University Chancellor, 1952-1953*, 1953, Office of the Dean of Women of the University of North Carolina at Chapel Hill Records, 1897-1981, Louis Round Wilson Special Collections Library, University of North Carolina at Chapel Hill.

11 Carmichael, *Annual Report to the University Chancellor, 1949-1950*.

12 Sharon Mujica, interview by Nancy Warren, *Southern Oral History Program Interview Database*, March 7, 1991, 36.

13 Sharon Rose Powell, interview by Pamela Dean, *Southern Oral Historical Program Interview Database*, June 20 1989, 7.

14 Martha Deberry, interview by Nancy Warren, *Southern Oral Historical Program Interview Database*, April 4, 1991, 32.

15 James Cansler, interview by Pamela Dean, *Southern Oral Historical Program Interview Database*, February 26, April 20, May 10, 1988, 5.

fear that they wouldn't be ready for college life.¹⁶ Carmichael felt that it was her duty to protect them. She implemented such severe rules to ensure that female students would remain within the moral boundaries set forth for them and thus be allowed to attend UNC for the rest of its days as an institution.¹⁷ Her greatest desire was "to see women rise and do well in whatever it was they wanted to do [...] she encouraged people to be more than just you know, nice."¹⁸ Therefore, Carmichael's actions were informed by her belief that in order for women to succeed intellectually and financially, they had to play by society's rules.

Female students chafed at their restrictions, regardless of the beneficial reasons that administrators such as Carmichael gave for their implementation. An excellent example of student ire towards Chapel Hill's paternalistic attitude is highlighted in a series of articles that ran during April 1958 in the *Daily Tar Heel*, the school's student-run newspaper. These articles were a reaction to new rules for freshman "coeds," or female students, created by the Women's Residence Council and set to be passed in April of that year.¹⁹ These rules placed all freshman women into one residence hall, with a house mother and graduate counselors to watch over them. The most stringent rule dealt with "closed study hours," where the Council ordered that freshman coeds remain in their dorm rooms from the hours of 8:30-10:30 pm every weekday.²⁰ If a student broke the rule, she could be referred to the honor court and be given a strict "lights-out" at 11:30 pm for the entire week. The Council framed the new rules as a way for incoming students to adapt to the campus and more rigorous classes.²¹ However, the restriction of solely female students to their rooms every weeknight indicates university administrators' desire to police the actions of said students.

The voices of female students were not entirely absent from the creation of moral regulations for campus women. The university organization that created the new freshman rules, the Women's Residence Council (WRC), consisted of coeducational students. Originally the Coed Senate, the organization was renamed the WRC in the fall semester of 1952.²² The Council consisted of dormitory house managers, dormitory presidents, and

16 James Cansler, interview by Pamela Dean, 37-38.

17 James Cansler, interview by Pamela Dean, 37-38.

18 Sharon Mujic, interview by Nancy Warren, 9.

19 "Back to the Cradle," *Daily Tar Heel*, April 13, 1958.

20 "Closed Study Rule," *Daily Tar Heel*, April 26, 1958.

21 "Closed Study Rule," *Daily Tar Heel*, April 26, 1958.

22 Virginia Hall, *Report of Women's Residence Council*, 1953, Office of the Dean of Women of the University of North Carolina at Chapel Hill Records, 1897-1981, Louis Round Wilson Special Collections Library, University of North Carolina at Chapel Hill.

representatives elected from each dormitory during the fall for the term of one year.²³ However, the WRC was not free to act independently in its decisions for student rules; its primary purpose, stated within its constitution, was to “represent the women students of the University of North Carolina working in cooperation with the Dean of Women and the administration of the University”.²⁴ In this instance, working in cooperation meant that the Dean of Women and the university administration had the final say on any rules created by the WRC. The WRC thus could not make any rules that would have gone against the paternalistic expectations of the larger university, or they would have been rejected. In 1958, the majority of the students in positions of leadership agreed with the Dean of Women concerning morality regulations for women. Therefore, coeds who did want to protest limitations on women had to implement independent rather than structural solutions throughout the 1950s. However, the possibility of strife between the student-led WRC and the official UNC Chapel Hill administration would be realized in the 1960s and would demonstrate the extent of the WRC’s hold over student regulations.

The WRC’s campus restrictions were frustrating to some female students when they realized that male students were not faced with comparable regulations. There were no house mothers, no closing or study hours, and little restrictions on dress.²⁵ This difference in treatment was due to societal expectations concerning the goals of women versus men when they entered into the college system. University men were expected to focus on studying in order to achieve suitable jobs to support their families after college. University women were expected to focus on preparation for marriage, with their education padding their marriage resume rather than their career prospects.²⁶ Therefore, rules made by the university largely aimed to shepherd men and women into their respective normative gender roles. In her 1953 speech for the women’s orientation, notably separate from the men’s orientation, Dean Carmichael declared that “you will find little difference in the [intellectual] abilities of men and women”.²⁷ However, she immediately goes on to say that “in our office we choose to regard you first as WOMEN, and only secondarily as Students. In our society there is the obligation on the part of women to uphold standards”.²⁸

23 Julia Ann Clater, *Constitution of the Women’s Residence Council of the University of North Carolina at Chapel Hill*, Spring 1958, Office of the Dean of Women of the University of North Carolina at Chapel Hill Records, 1897-1981, Louis Round Wilson Special Collections Library, University of North Carolina at Chapel Hill.

24 Clater, *Constitution of the Women’s Residence Council of the University of North Carolina at Chapel Hill*.

25 James Cansler, interview by Pamela Dean, 34.

26 Stephanie Coontz, *A Strange Stirring: The Feminine Mystique and American Women at the Dawn of the 1960s*, (New York: Basic Books, 2011), 119.

27 Katherine Carmichael, *Orientation*, September 1952, Office of the Dean of Women of the University of North Carolina at Chapel Hill Records, 1897-1981, Louis Round Wilson Special Collections Library, University of North Carolina at Chapel Hill.

28 Carmichael, *Orientation*.

Carmichael repeatedly emphasized the duty of coeds to follow these standards. While she valued coeds’ abilities to access education, she viewed their commitment to following the rules as a prerequisite for their university attendance.²⁹ Following the societal views of the greater American society, the administration of Chapel Hill chose to stress their female students’ sense of moral responsibility rather than their academic achievements.

While the university may have sought to place feminine morality over equality, campus reactions to the WRC’s new rules demonstrated that female students did not automatically conform to the patriarchal expectations put into place for them. Rather, students actively protested these rules in a way that demonstrated they thought of themselves not just as women, but as university students who should be equal in expectations of respectability as the men on campus. Unlike the university, coeds did not view moral restrictions as a necessity for them in terms of being good students. On April 13, 1958, a litany of articles were published in the *Daily Tar Heel* striking back at the new regulations. In one such article, “Science Women In Opposition,” a group of students majoring in various scientific pursuits pointed out several flaws within the new rules.³⁰ Significantly, these students did not cite their so-called ladylike qualifications as much as their academic qualifications; their initial focus on science was followed by an emphasis on the rigor of the interview process for women. This process included examinations, and “interviews on which they are examined on such important points as motivation, interests, [and] plans for the future”.³¹ The women also pointed out that the rate of retention for female freshman was much higher than the rate for male freshmen, and coeds even before this rule consistently earned high GPAs during their freshman years.³² Whether consciously or unconsciously, structuring their arguments around their intellectual qualifications rather than their respectability demonstrated pushback by female students on the typical explanations for why they were on campus.

A majority of Carolina coeds adopted these arguments and opposition to the new rules. In fact, a poll done by the *Daily Tar Heel* concerning the coed rules revealed that 56% of women attending Carolina from their junior year on did not approve, and 84% thought that the regulations needed change.³³ Furthermore, when a male student introduced a resolution denouncing the rules within the Student Legislature, which was primarily male, it passed by a vote of 28 to 9.³⁴ Recognizing this discontent, The Women’s Residence Council pushed back the vote, but passed the new rules as soon as the undergraduates’

29 Carmichael, *Orientation*.

30 Jo Ann Atkins, “Science Women in Opposition,” *Daily Tar Heel*, April 13, 1958.

31 Atkins, “Science Women in Opposition.”

32 Atkins, “Science Women in Opposition.”

33 “Poll Reveals Coed Majority Against Rules,” *Daily Tar Heel*, April 17, 1958.

34 “Legislators Vote Against Special Freshman Coed Rules,” *Daily Tar Heel*, April 18, 1958.

focus had lessened. In October 1958, they made accommodations for some of the rules, allowing freshmen to “break closed study one night a week” and changing a violation of closed study rules into a House Council offense instead of the more serious Honor Council violation.³⁵ These accommodations indicated the disconnect between university views of women and the actual desires of those students. Consistent protests from students emphasizing their independence and ability to take responsibility were intentionally ignored by the university administration. This disconnect stemmed from the preconceptions of female students throughout the fifties, and it would take further increases in the female population and the activist movements of the 1960s and 1970s for the Chapel Hill administration to recognize and incorporate student desires for more freedom into their regulations.

“An Age-Wracked Rule”: The Struggle for Female Independence Within the University Institution

The early 1960s presented little legitimate change in campus rules concerning feminine conduct. However, female students within the administrative structures of the University, including the Women’s Resource Council and the Women’s Honor Council, began to assert their own beliefs about regulations that women were expected to follow. In addition, these organizations tried to separate their ability to govern students from that of the administration. This power grab was met with serious resistance, mainly from the Office of the Dean of Women. Dean Carmichael was only able to temporarily reject these changes, and her attempt to reaffirm the strength of her office revealed that female students had more power within the institutions than ever before.

Stagnant views towards women’s moral freedoms clearly remained within the halls of UNC Chapel Hill, and like the aforementioned organizations, they were accompanied by rules that restricted movements and liberties of the female students. Such rules, created by the ODW and the WRC, ranged from requiring sign-out and sign-in for the dorms to clothing requirements that forbade women to wear pants or shorts without a raincoat.³⁶ Graduate counselors and house mothers continued to serve as direct enforcers of UNC’s paternalistic desires well into the 1960s. The women who adopted these roles lived in every female dorm; counselors conducted interviews with each student, and housing mothers ensured that every rule was followed, especially closed study hours and curfews.³⁷ Individual dorms even created additional restrictions, such as no kissing a date

35 “Clarification Of Coed Rules Issued By WRC,” *Daily Tar Heel*, October 4, 1958.

36 Hall, *Report of Women’s Residence Council*.

37 Carmichael, Katherine, *1965 Annual Report to the Dean of Student Affairs*, 1965, Office of the Dean of Women of the University of North Carolina at Chapel Hill Records, 1897-1981, Louis Round Wilson Special Collections Library, University of North Carolina at Chapel Hill.

goodbye for more than 5 seconds when they dropped coeds off at their dorms.³⁸ In short, female students could not escape moral regulations, especially in their own living spaces, because the university was afraid of what could happen otherwise. A pregnancy during college often meant the end of a female student’s career in academia; Dean Carmichael and the ODW wanted women to succeed, so they attempted to prevent even the slightest moral slip-up.

Female students at UNC Chapel Hill, frustrated at being policed in every aspect of their lives, began their own social rebellion. In early 1963, a large amount of the student body began to protest a regulation that targeted interactions between male and female students. This regulation, deemed the “apartment rule” by students and staff, prevented a female student from entering the apartment or living area of a male student unless another couple was present.³⁹ While this rule had been present in the Women’s Handbook since 1956, it had been unpopular with students for some time, and in 1963 the Women’s Residence Council decided to apply it only to freshmen. The WRC’s change to the social rules was expected by most female students; the WRC and the Women’s Council had debated the issue during the past few years, repeatedly analyzing student and staff feedback. What was unexpected was the backlash from the Office of the Dean of Women, as Dean Carmichael immediately vetoed the change.⁴⁰ This led to a power struggle between the ODW and the WRC of the university, which mirrored the ever-widening gap between the larger administration’s views of female students and the expectations held by the students themselves in terms of their moral responsibilities and social abilities.

The Daily Tar Heel provided effective documentation of the conflict between the WRC and ODW. The first public confrontation between the WRC and Dean Carmichael occurred on March 21, 1953. Just two days before, the WRC had passed a motion that the apartment rule was to only apply to freshman effective immediately.⁴¹ This rule revision was a significant deviation from previous rule changes implemented by the WRC because the Dean of Women had not approved it. In fact, the WRC and the ODW had discussed possible removal or revisions to the rule in the previous fall semester, but they had been unable to come to a satisfactory agreement due to a difference in opinion between the

38 Sharon Rose Powell, interview by Pamela Dean, 29.

39 Julia Davis, *Women’s Residence Council Minutes*, March 19, 1963, Office of the Dean of Women of the University of North Carolina at Chapel Hill Records, 1897-1981, Louis Round Wilson Special Collections Library, University of North Carolina at Chapel Hill.

40 Joel Bulkley. “Councils Distribute Rule Change Letter,” *Daily Tar Heel*, April 24, 1963.

41 Joel Bulkley, “South Building Will Enforce Apt. Rule for Both Sexes,” *Daily Tar Heel*, June 20, 1963.

two organizations.⁴² The ODW maintained that strict rules were necessary to reinforce the moral behavior of female students, while the WRC emphasized that those students were already morally responsible and deserved to be free of restrictions they felt were patronizing and infantilizing.⁴³

The WRC, after failing to convince the ODW that coeds deserved more respect and independence, decided to take matters into its own hands. In early 1963, its members removed a clause from its constitution that stated that it needed the “necessary approval of the Office of the Dean of Women” in order to pass rule revisions.⁴⁴ This action was approved by Carmichael, but the subsequent rule change and the declaration that it would “go into effect immediately” were not.⁴⁵ In response, Carmichael passed notions on March 21st declaring that the apartment rule would be in effect for the entirety of the 1962-1963 school year. The Dean of Women then held a special circumstances meeting period between the WRC and the larger administration of the University from May 14th to May 31st. At the final meeting, staff and administrators approved an amendment that would allow senior women to enter men’s apartments with their parent’s permission, but students voted nay, leaving them again at an impasse.⁴⁶

The university administration quickly broke the stalemate to announce that they would be applying the apartment rule to all coeds and all types of living spaces, including dormitories. However, they ran into problems enforcing this rule extension. The Women’s Council, who oversaw honor code violations for female students, stated to the Daily Tar Heel that they had no responsibility to enforce administrative rules, only rules that were “legislated by the Women’s Residence Council, and at present the WRC has no apartment rule.”⁴⁷ While the administration assumed that the offices of the Dean of Men and Dean of Women would somehow deal with offenders, The Dean of Student Affairs called for all students to handle violations of the rule.⁴⁸ This expectations for students to uphold moral standards of the university indicated that, at least in this instance, the university was unable to enforce its usual method of paternal control that was so vital in maintaining typical gender expectations.

42 Margaret Alexander, *Report of the Assistant to the Dean of Women, 1962-1963*, Office of the Dean of Women of the University of North Carolina at Chapel Hill Records, 1897-1981, Louis Round Wilson Special Collections Library, University of North Carolina at Chapel Hill.

43 Joel Bulkley, “Councils Distribute Rule Change Letter,” *Daily Tar Heel*, April 24, 1963.

44 Alexander, *Report of the Assistant Dean*, 11.

45 Alexander, *Report of the Assistant Dean*, 11.

46 Carmichael, “1963 Annual Report,” 4.

47 Bulkley, “South Building.”

48 Val Hennessee, “Henderson Wants Students to Police Apartment Rule,” *Daily Tar Heel*, June 27, 1963.

The Daily Tar Heel captured student responses to the conflict that were at odds with the typical beliefs on gender projected by the university administration. In a poll created and disseminated by the assistant to the Dean of Men, 75% of female and 62% of male students disapproved of the rule.⁴⁹ Both genders were quick to make their anger about the rule known. The controversy occurred just as Student Government elections were taking place, and multiple of the male candidates for student body president spoke publicly about their beliefs that the rule was “in direct opposition to the idea of a self-governing student community.”⁵⁰ Students complained that the university was applying the policy of *in loco parentis*, which in practice “establishes the university as the guardian of the moral, intellectual, and social activities of the individual.”⁵¹ One female student stated that “Twenty-one year old students either have morals or they don’t. The rules aren’t going to make that much difference.”⁵² While in the 1950s most students took little issue with the idea of the university regulating moral standards, the students of the 1960s mainly disagreed with this level of control. Their protests, rather than being on an intellectual basis, dealt with the sentiment that they were morally responsible enough to make their own decisions. Not only that, but coeds expressed the idea that they deserved to be independent, and that they were thinking of more than marriage for their futures.

The difference that just five years meant for student protests on strict gender standards is striking. In the 1950s, students fought the implementation of the freshman restrictions through public statements in the Daily Tar Heel and a general mood of discontent. There was no official recourse for female students to demand change, as their student-elected and student-led committee, the WRC, was the primary source for the freshman rules. However, in the 1960s the WRC’s attempts to change the apartment rule were signals of a growing sense of control among coeds towards their roles at the University. The evolution of protests towards gender expectations, from weak public displays to stronger institutional stands in the early 1960s, was echoed by societal trends across America. Other institutions, such as the University of Michigan, began allowing women more freedom by ceasing sign-out/sign-in procedures and easing visitation requirements, often relaxing rules more quickly than UNC.⁵³ As student women began expecting more out of the university, so too did women expect more out of a society who previously had been determined to keep them within the home.

The controversy over the apartment rule in 1963 marked a turning point in the

49 Pete Wales, “Students and the System: III,” *Daily Tar Heel*, October 17, 1963.

50 Neal Jackson, “NSA Candidates Blast ‘In Loco Parentis,’” *Daily Tar Heel*, March 27, 1963.

51 Jackson, “NSA Candidates Blast ‘In Loco Parentis’.”

52 Dona Fagg, “Students Express Opinions on Apartment Rule,” *Daily Tar Heel*, April 18, 1963.

53 Sharon Rose Powell, interview by Pamela Dean, 31.

regulations limiting female UNC Chapel Hill students. While the Dean of Women and eventually the Dean of Men fought desperately to retain this rule, the refusal by the WRC to enforce the rule, and the Women's Council to process offenders, meant that it was virtually worthless.⁵⁴ The rule was completely abolished within the next few years as a wave of change really began to surge, fueled by the rising tides of social movements occurring throughout the late 1960s.⁵⁵

“UNC Coeds Must Rally Now”: The Stirrings of Female Activism Within Chapel Hill Academia in the Late 1960s

While student discontent emerged periodically in the 1950s and early sixties, the dawn of the late sixties brought new ideas and movements that began to stir coeds across Carolina's campus against previous gender limitations. These new movements, most notably the Civil Rights Movement, revealed to female students how they were often constrained by the expectations of society by virtue of their sex. One student during this time recounted that only a few of the “student uprisings” that demanded racial equality allowed her to participate.⁵⁶ Both women and Black people had long been considered lesser classes by the dominant white male population of the university, and the realization that they both faced weighty setbacks in UNC's intellectual atmosphere may have changed some white female students' perspectives on the need for civil equality. While this is significant to UNC's history and should be investigated, it is beyond the scope of this paper. It is important to recognize that these new campaigns also provided female students with effective organizational skills that were used to push against the *in loco parentis* concept that defined women's roles at UNC until that point. As women channeled their power from inside and outside the institution, they were able to successfully demand recognition of their rights and thus overthrow the majority of the rules governing them. The rapid removal of these moral expectations by the beginning of the 1970s signaled the death knell of the Office of the Dean of Women and firmly relegated Dean Carmichael to the outskirts of administrative power, even as it placed women more firmly within control of their lives at the university overall.

The eventual decimation of female restrictions began with other movements for change. Many of these movements were nationwide, including the Civil Rights Movement and protests against the Vietnam War. Sit-in protests, which were highly effective in the fight for civil rights, began with a one in Greensboro, North Carolina. This was quickly followed by a February sit-in by Chapel Hill high school students that the *Daily Tar Heel*

54 Bulkley, “South Building.”

55 Carmichael, *1965 Annual Report*.

56 Sharon Rose Powell, interview by Pamela Dean, 40.

strongly supported.⁵⁷ Chancellor Sitterson observed thousands of students gathering to listen to debates on Vietnam, and students heard about organized protests against the war at universities across the country.⁵⁸ The Food Worker's Strike at UNC for better wages and treatment in 1965 also provided female students with a look at a powerful way to bargain for change as a minority group with low levels of power in a system that wasn't designed for them.⁵⁹

While female students had observed effective methods for change, the majority did not start to organize against inequalities in gendered regulations until a scandal shook UNC's campus in 1965. This incident centered on a female student from the University of North Carolina at Greensboro, the women's college, and UNC-Chapel Hill's Student Body President, Paul Dickson.⁶⁰ Dickson and the woman, who was in Chapel Hill for the summer session, spent the night at his closed fraternity and were both caught and punished.⁶¹ The female student was suspended from UNC-Chapel Hill's summer session by the Women's Council, while Dickson received a simple reprimand from the Men's Council.⁶² Female students at UNC were shocked by the difference in these punishments; Sharon Rose Powell, later the president of the WRC, decided to speak up against the disparity. Powell was especially angry because Dickson was UNC's student body president, and she felt that leaders in the school should be examples to the rest of the student body.⁶³ Therefore, she created a recall petition against Dickson that gained 1,912 signatures in the eleven days it circulated campus. Unfortunately, the opposing political party latched onto the petition as a means to further their agenda, distracting some students from its original intentions.⁶⁴ Dickson also used his influence within student government to have enough of the recall signatures declared invalid that it ultimately failed to pass.⁶⁵

Even though the recall was unsuccessful, the incident drew both male and female students' attention to the inequality of moral regulations at UNC. The resulting punishments were so different for each gender because the rules themselves varied greatly. In fact, male students often only faced restrictions in their behavior because of limitations placed on women. Dean of Men James Cansler noted that “the only effective control the

57 “Sit-ins and Civil Rights.”

58 Joseph Carlyle Sitterson, interview by Pamela Dean, *Southern Oral Historical Program Interview Database*, November 4/6, 1987, 22-23.

59 Joseph Carlyle Sitterson, interview by Pamela Dean, 22-23.

60 Sharon Rose Powell, interview by Pamela Dean, 23.

61 James Cansler, interview by Pamela Dean, 33.

62 James Cansler, interview by Pamela Dean, 33.

63 Sharon Rose Powell, interview by Pamela Dean, 23.

64 John Greenbacker, “1,912 Students Ask For Recall,” *Daily Tar Heel*, October 19, 1965.

65 Barry Jacobs, “Dickson Accepts 21 More Names; Petition Will Not Be Enlarged,” *Daily Tar Heel*, October 26, 1965.

university ever had [over male students] was to control their social life through the control of women students.⁶⁶ Fraternities would have to sign visitation agreements with the ODW in order to allow women to enter their houses; these agreements included clauses such as no drinking and no couples alone together.⁶⁷ If a fraternity violated a section of the agreement, Dean Carmichael would ban women from their house and activities for the rest of the year.⁶⁸ Many male students were thus also frustrated with the rules, and protested alongside women in the late 1960s, albeit for their own benefit.

Meanwhile, many female students came to their own conclusions about the rules. These opinions were not always negative; former coed Sharon Mujica explained that “we had an advantage in that we could use those rules” to protect themselves when saying no to male students, whether on dates or other uncomfortable situations.⁶⁹ Former Acting Dean of Women Martha Deberry recalled a time when a male student complained of a new rule about parking at Kenan Woods Park which prevented him from enjoying a date with a coed. However, this rule didn’t really exist; the woman had merely used the strict moral atmosphere of the university as a shield, similarly to how Dean Carmichael intended it to protect her students.⁷⁰ One woman from Kappa Delta, Carol Ann Peters, claimed that “women have always been subjugated to some kind of rules of authority—that’s the essence of being a woman,” and therefore there was no reason to stand up to the limitations they faced.⁷¹ While some students valued these rules, the women at UNC in the late 1960s mainly came to see them as a hindrance to equality. A survey sent out to female students in 1969 revealed that the majority of women felt “social rules should be more fair.”⁷² Sharon Rose Powell, leader of the 1965 recall movement, said many believed “women could be and are as responsible, if not more so, than the guys and campus and that we ought to be treated in the same way.”⁷³ Many women were tired of the gap in rules and so turned to their recently learned organizational skills and their power within the university institution in order to bring about the justice they felt they deserved.

In 1967, female students who wanted a change in moral rules began to actively rally against the administration. Sharon Rose Powell made the first move in the battle for

66 James Cansler, interview by Pamela Dean, 43.

67 *Inter-Fraternity Council Visiting Agreement*, 1954, Office of the Dean of Students of the University of North Carolina at Chapel Hill Records, 1951-2000, Louis Round Wilson Special Collections Library, University of North Carolina at Chapel Hill.

68 James Cansler, interview by Pamela Dean, 43.

69 Sharon Mujica, interview by Nancy Warren, 24.

70 Martha Deberry, interview by Nancy Warren, 27.

71 Karen Freeman, “Administration to See Rules Proposal First,” *Daily Tar Heel*, December 14, 1967.

72 Mary Turner Lane, interview by Pamela Dean, *Southern Oral Historical Interview Database*, 1986, 56.

73 Sharon Rose Powell, interview by Pamela Dean, 25.

women’s rights from inside the institution, as she had just been elected President of the WRC. Each year, the president of the WRC made a speech to incoming freshman, usually a reminder to obey the rules and be a lady. However, Powell took this opportunity to tell students to question the rules, to “think about why they’re there, and join me in getting involved.”⁷⁴ In November of 1967, she created the Conference on Philosophy of Rules for Women Students, which consisted of ten committees within the WRC, each focused on a single section of the Women’s Handbook. These committees “looked at the closed study issues [...] dress issues [...] issues about dating guys and where we could be with guys [...] closing hours.”⁷⁵ Powell then took the next step of involving female students outside of UNC administration, staging around ten forums that allowed all coeds to share their opinions about the rules. This process of review took the WRC almost an entire year. By the end, the committee women had come to the conclusion that closed study, the dress code, and any other unenforceable rules should be removed. They believed that the rules served no intellectual or social benefit for women or men, and were instead hindering their experiences at the university.⁷⁶

In order for these recommendations to be implemented, the WRC conference had to bring them before the Dean of Women. Dean Carmichael immediately “vetoed the lot of them” because she didn’t believe such extensive changes were necessary at the time.⁷⁷ However, the women of the WRC refused to take no for an answer, and brought their ideas to the Chancellor, J. Carlyle Sitterson. Powell told the Chancellor Sitterson that if the committees’ proposed rule removals were rejected, the female students of the university would protest through any means necessary to make their voices heard.⁷⁸ The chancellor must have known this threat of protest was serious; just a few months before, in January 1968, 500 coeds had marched into a meeting of the WRC to demand that closing hours be ended permanently for seniors.⁷⁹ He considered the proposals of the committees seriously and after an hour-long discussion, agreed to pass their recommendations.⁸⁰ This decision was a remarkable departure from previous administrative refusals to heed female complaints and showcased the rising power of women students in determining their moral responsibilities to the university.

Female and male students placed enough pressure on the administration that the chancellor began to work with student leaders to take down other rules governing women’s morals. Sitterson observed how committed both male and female students were

74 Sharon Rose Powell, interview by Pamela Dean, 25.

75 Sharon Rose Powell, interview by Pamela Dean, 26-27.

76 Sharon Rose Powell, interview by Pamela Dean, 29.

77 Sharon Rose Powell, interview by Pamela Dean, 29.

78 Sharon Rose Powell, interview by Pamela Dean, 33.

79 Amlong, Bill, “WRC Changes Senior Hours,” *Daily Tar Heel*, January 10, 1967.

80 Sharon Rose Powell, interview by Pamela Dean, 33.

to changing the rules and implemented a series of committees, including the Open House Committee (OHC) in 1968. This committee consisted of almost equal numbers of students and administrative officials, including the Dean of Men at the time James Cansler. The OHC dealt with anger from dorm-dwelling students over the fact that off-campus senior women and women over 21 could visit off-campus men, while they did not receive the same privilege.⁸¹ Tensions were high surrounding this issue; at one point, thousands of students were gathering outside of Lenoir Hall every time the OHC met for their discussions. The OHC's final recommendation was for visitation to be allowed until 2 am on weekdays, with no mention of a closed door policy. This encountered some protest from the chancellors of the UNC system, who wanted to allow just three days with doors open.⁸² However, when the more limited Open House policy was passed, it was immediately subject to student protest and amendments, and the UNC chancellor was forced to make amendments such as scrapping the open door rule.⁸³ Student power had therefore risen to the point that they could make demands that would be adopted by the administration, even as the UNC trustees and conservatives across the state disapproved.

Eventually, with the aid of the chancellor and over the frequent protests of the Dean of Women, the majority of rules limiting female students were removed or became impossible to enforce. The graduate counselor program was revised to become upper-class counselors in 1969, and resident advisors slowly took their place with much less managerial power.⁸⁴ The Dean of Student Affairs adopted a residence counselor program for male students in the 1960s, although the powers of the counselors were much more limited and focused on aiding men mentally and socially instead of policing their behaviors. The Assistant Dean to the Dean of Student Affairs underlined a sentence from his annual report to emphasize that "let's not turn these men into cops!"⁸⁵ This indicated how the administration viewed men as capable of moral judgement on their own. Chancellor Sitterson noted that while many US states still followed the doctrine of in loco parentis at the time, UNC Chapel Hill had always been considered quite liberal and more prepared for change than the rest of the country.⁸⁶ Because the structures at UNC-CH were more geared towards societal change than other universities, it served as the trendsetter for the entirety of the UNC system. When the Open House policy was loosened after the OHC's recommenda-

81 James Cansler, interview by Pamela Dean, 44-45.

82 "Visitation and The Administration," *Daily Tar Heel*, September 25, 1969.

83 James Cansler, interview by Pamela Dean, 69.

84 Heather Ness, *1969-1970 Report of the Assistant to the Dean of Women*, 1970, Office of the Dean of Women of the University of North Carolina at Chapel Hill Records, 1897-1981, Louis Round Wilson Special Collections Library, University of North Carolina at Chapel Hill, 8.

85 *1960-61 Annual Report of the Assistant Dean to the Dean of Student Affairs*, 1961, Office of the Dean of Students of the University of North Carolina at Chapel Hill Records, 1951-2000, Louis Round Wilson Special Collections Library, University of North Carolina at Chapel Hill.

86 Joseph Carlyle Sitterson, interview by Pamela Dean, 9-10.

tions, the other UNC campuses were able to adopt similar forms of visitation.⁸⁷ Eventually the relaxed rules, such as no curfew for seniors, spread across the UNC system, heralding the even greater change to come in the 1970s.

The easing of such stringent regulations for women signaled the end of the Office of the Dean of Women's power. Dean Carmichael had been the administration's main enforcer of female morality; now that the university was placing more responsibility into the hands of its students, her position had become obsolete. Carmichael was relegated to Associate Dean of Student Affairs when the ODW was eliminated in 1972, and James Cansler believed that "she was lost on this campus the last five years she was here."⁸⁸ Other regulatory organizations that policed women for the greater administration were rapidly renovated in the late 1960s and early 1970s. Students of the WRC converted the council to the Association of Women Students, which turned from rule creation to providing social opportunities to female students on campus.⁸⁹ In 1974, the Women's Council and Men's Council were combined to form one judicial court for all students.⁹⁰ These changes were mirrored by campuses across the country, especially after 1971, when women were declared legal adults at age 18.⁹¹ This update in legal status meant that the same methods of in loco parentis simply could not use their original reasoning, as women were now officially considered responsible for their own actions.

None of these increases in academic women's freedoms could have been possible without the consistent and determined efforts by female students over decades. It is clear that there was a cyclical effect on women's freedoms that intensified over time. As women gradually gained freedom from moral limitations, they used that newfound power to push for even more independence, and each new group of female students was able to expand their understanding of what it meant to be a woman in higher education. In the late 1960s, the Civil Rights movement, along with the anti-Vietnam War and Sexual Liberation movements, were the perfect places for women unhappy with their space at UNC to find the type of activism that finally put them on more equal footing with male students. It is unclear whether female students would have been able to get rid of the rules they saw as oppressive without first witnessing and participating in the student demonstrations against other similarly undemocratic social norms like racism.

It is important to recognize that women saw these moral rules and regulations as

87 James Cansler, interview by Pamela Dean, 70.

88 James Cansler, interview by Pamela Dean, 37.

89 Ness, *1969-1970 Report*, 11.

90 James Cansler, interview by Pamela Dean, 92.

91 Katherine Carmichael, *1972 Annual Report to the Dean of Student Affairs*, 1972, Office of the Dean of Women of the University of North Carolina at Chapel Hill Records, 1897-1981, Louis Round Wilson Special Collections Library, University of North Carolina at Chapel Hill.

limiting not just their social lives, but their educations as a whole. Therefore, they mainly pushed back on these restrictions by highlighting their educational abilities alongside their moral strength. The dissolution of these rules was vital for the university recognizing women alongside men as equal students in the university. Dean Carmichael may have felt unimportant in her later years on campus, but her contributions to the university can be felt to this day. The fact that female students felt secure enough on campus to loudly assert their rights, both through administrative pathways and outright protest, is a testament to her work establishing them within the university. Most importantly, it was the students themselves who spoke up and declared that they deserved a place within our community. In conclusion, the United States and the University of North Carolina at Chapel Hill must examine the young college students of the 1950s and 1960s to understand the increased gender equality of our modern-day universities.

"We Have Done a Soldier's Duty": Black Soldiers, White Soldiers, and Racial Discrimination in the Union Army During the American Civil War

Nicholas Tutwiler

Abstract. This article examines the relationship between the soldiers of the United States Colored Troops and the White enlisted men and officers of the Union Army through the lens of discrimination. Throughout their service during the American Civil War, the thousands of Black soldiers who served in the Union Army endured racial discrimination from their White comrades. Consequently, this discrimination necessitates the study of the social relationship between Black and White soldiers in the Union Army. This article focuses on four types of discrimination in the Union Army to illuminate this relationship: the pay disparity, the use of Black soldiers for fatigue duty, interpersonal racism between individual soldiers and officers, and the exclusion of Black commissioned officers in regiments of the United States Colored Troops. This article argues that Black soldiers resolved to uphold emancipation and racial equality as soldiers of the Union Army, despite discrimination; and, in turn, that White soldiers maintained competing perceptions of their Black comrades as discrimination endured. Within this complex relationship, White and Black soldiers held nuanced opinions on race, identity, slavery, and liberty. Black troops formed allies with some Whites in the Union army and convinced others of the necessity of the liberative struggle of Black soldiers and the emancipation of the enslaved. In battle, they demonstrated the role of shared combat experience in breaking racial barriers and forging the recognition of shared humanity. In short, the White and Black soldiers of the Union Army embodied the complexities of the racial upheaval of the American Civil War.

Introduction

In the study of the American Civil War, and in the popular memory of the conflict, the experience of Black Union soldiers during the war is frequently neglected. While the contributions of Black soldiers to the Union victory are undeniable, the historical narrative of the American Civil War often overlooks their actions in battle and their contributions to emancipation and the social advancement of African Americans in the post-war era. Throughout their service in the Union Army, Black Union soldiers faced immense racial discrimination. This discrimination contributed to the erasure of the memory of Black soldiers' role in the Union Army's victory.

Consequently, this context necessitates the study of a key social relationship defined by racial tension, competing perspectives, and contradictions: Black soldiers

and White soldiers in the Union Army. In a cursory analysis, this relationship appears to be defined solely by White racial animosity towards Black soldiers and the inability of Black soldiers to retain agency in determining their role in the war. However, the accounts of soldiers themselves do not necessarily reflect this perspective. What emerges upon close analysis is a relationship defined by complex ideas of race and identity, nuanced perspectives on the values of freedom and equality, and the transformative power of Black soldiers who fought in combat and broke racial barriers. Critically, the lens of discrimination towards Black soldiers is pertinent to the analysis of this relationship because it encapsulates the underlying racial tension that characterized the segregated army and the competing perspectives maintained by Whites regarding Black soldiers. While Black Union soldiers endured various forms of discrimination, four types of discrimination showcase differing reactions to discrimination that illuminate the relationship between Black and White soldiers: pay disparity, the use of Black soldiers for fatigue duty, interpersonal racism between individual soldiers and officers, and the exclusion of Black commissioned officers in Black regiments. Black soldiers, degraded by their second-class status, resisted discrimination and showcased their determination to prove themselves as equals in battle. In turn, some White enlisted men and officers altered their perceptions by accepting Black soldiers, yet broad discrimination towards Black soldiers continued despite this shift. This dynamic conveys the complex relationship that emerged with competing perceptions by White enlisted men and officers of Black soldiers and the steadfast resolve of Black troops to uphold their values of emancipation and equality in response to discrimination.

The Early-War Relationship

A review of sentiments regarding Black troops by both northern free Black people and White Unionists during the pre-Emancipation Proclamation phase of the war demonstrates the polarized relationship of the early-war period. At the outbreak of war, northern free Black people's desire to enlist was often met with vehement opposition from northern Whites. In May 1861, the abolitionist leader Frederick Douglass stated in his newspaper, *Douglass' Monthly*, concerning the need for Black troops, that "our men are ready and eager to play some honorable part in the [war]...we want to fight for freedom...let us [use this] opportunity to strike for the freedom of the slave and for the rights of human nature."¹ Douglass' sentiments are representative of his staunch anti-slavery position, and he viewed the value of Black soldiers as tools for forcing the war into one of emancipation. For northern free Black people committed to similar anti-slavery ideals like Douglass, the

1 Frederick Douglass, "Black Regiments Proposed," *Douglass' Monthly*, vol. III, no. I, May 1861, From the Collection of Frederick Douglass' Monthly's, booklets, and other materials, Anacostia Community Museum Archives, Smithsonian Institution, <https://transcription.si.edu/project/12961>.

war provided an opportunity for individual Black men to engage in tangible action towards the destruction of slavery and the liberation of all Black Americans. Moreover, Douglass' rhetoric evidences the early desire by abolitionists to demand Black participation in the military effort of the Union.

Northern free Blacks answered the call of abolitionists like Douglass to join the ranks of the army. A Black community meeting in Cleveland asserted, "as colored citizens of Cleveland, desiring to prove our loyalty to the Government [...] we are ready to go forth and do battle in the common cause of the country."² As patriots, Black men hoped to contribute to the war for the Union and for Black liberation, as Douglass argued. Black men organized for war. In April 1861, for example, free Blacks in Boston organized a drill company. Yet, racism and exclusion confronted Black men who organized. Free Blacks who organized for drills in Cincinnati met threats of mob violence and were told by White police, "we want you damned n—s to keep out of this; this is a white man's war."³ Similarly, one White soldier, corporal Felix Brannigan of the 74th New York, exclaimed, "we don't want to fight side and side with the n—r [...] we think we are a too superior a race for that."⁴ Moreover, some enlisted White men maintained this position on Black soldiers during the first few years of the war, evidenced by one Sergeant in the 9th New Jersey who argued in 1863 that arming slaves would be "a confession of weakness, a folly, an insult to the brave soldier."⁵ A private in the 17th Indiana wrote to his father concerning Black enlistment and expressed his fear of the implications, "would you love to [see] the Negro placed on equality with me?"⁶ Evidently, entrenched racism and fear of Black equality drove some White civilians and soldiers to oppose Black enlistment.

The prevalence of White racism resulted in the exclusion of Black soldiers from Union enlistment for the initial period of the conflict. Federal law barred Black men from serving in state militias, and there were no Black men serving in the army.⁷ Typical of that exclusionary racism was the following statement from Governor David Tod of Ohio, "Do you know that this is a white man's government; that the white men are able to defend and protect it; and that to enlist a Negro soldier would be to drive away every white man out of

2 James M. McPherson, *The Negro's Civil War: How American Negroes Felt and Acted During the War for the Union* (New York: Pantheon Books, 1965), 20.

3 McPherson, *The Negro's Civil War*, 22.

4 Robert A. Luke & John David Smith, *Soldiering for Freedom: How the Union Army Recruited, Trained, and Deployed the U.S. Colored Troops* (Baltimore: Johns Hopkins University Press, 2014), 9.

5 James M. McPherson, *For Cause and Comrades: Why Men Fought in the Civil War* (New York: Oxford University Press, 1997), 126.

6 McPherson, *For Cause and Comrades*, 126.

7 McPherson, *The Negro's Civil War*, 20.

service.”⁸ Governor Tod conveyed the sentiment that Black soldiers were not fit for service because the war was fought by and between White men. This implies that he believed Black men to be inadequate to protect the government from the Confederacy, one, because they had no place in it, and two, because the government could not trust them to fight on account of racist notions of Black inferiority. Furthermore, Governor Tod was aware of the popular sentiment surrounding Black enlistment because White men like Corporal Brannigan would be unwilling to fight with Black enlistees. In both the media sphere and in their individual experiences, Black Americans were told the war was “a white man’s war” for the restoration of the Union.⁹ For Black men driven by anti-slavery ideals, such circumstances halted any hope at enlistment until later in the war. However, this early-war dynamic is significant because it underscores the core values of most Black soldiers who retained their early-war ideals during their service and the broadly held White racism that produced the discrimination towards Black soldiers when they finally enlisted.

The Principles of Black Soldiers

President Abraham Lincoln’s Emancipation Proclamation on January 1, 1863, included a provision that “such persons of suitable condition [the formerly enslaved and free Blacks] will be received into the armed service of the United States.”¹⁰ African Americans, both northern free Black people and the formerly enslaved, rushed to enlist. Soldiers from the class of northern, educated free Black people held a distinct political goal of abolitionism and racial equality—fueled by the rhetoric of activists such as Douglass—in their view of enlistment and service in the conflict. Furthermore, their letters written to anti-slavery newspapers suggest their perspective was unique and representative of their distinct class’s political beliefs—not necessarily that of all Black soldiers. For example, one free Black soldier, Sergeant Charles W. Singer of the 107th United States Colored Infantry (USCI), argued in *The Christian Recorder* in September 1864 that “we should not forget the fact that the free colored man’s elevation is at issue, as well as the slave’s [...] we are fighting a great battle for the benefit not only of the country, but for ourselves and the whole of mankind.”¹¹ Singer’s perspective is emblematic of the holistic, political approach of free Black soldiers who saw their service as a tool for emancipation and the advancement of all Black Americans in the face of racial discrimination. Singer’s rhetoric is notable because

⁸ Hondon B. Hargrove, *Black Union Soldiers in the Civil War* (Jefferson, NC: McFarland, 1988), 3.

⁹ McPherson, *The Negro’s Civil War*, 22.

¹⁰ Abraham Lincoln, “The Emancipation Proclamation,” January 1, 1863, National Archives, <https://www.archives.gov/exhibits/featured-documents/emancipation-proclamation/transcript.html>.

¹¹ Edwin S. Redkey, *A Grand Army of Black Men: Letters from African American Soldiers in the Union Army 1861-1865* (Cambridge: Cambridge University Press, 1992), 214.

his analysis includes an emphasis on both Black and White Americans (“the whole of mankind”), which suggests certain free Black men saw themselves as not only advancing Black Americans politically and socially, but also raising the racial consciousness of White Americans.

Other free Black soldiers saw themselves solely as champions of the rights of Black Americans. For example, another free Black soldier, Corporal John H. B Payne from the 55th Massachusetts Infantry Regiment (55th), pleaded in *The Christian Recorder* in June 1864, “Give me my rights, the rights that this Government owes me, the same rights that the white man has ...liberty is what I am struggling for.”¹² Payne’s impassioned rhetoric was direct in its assertion; Black soldiers demanded equality for Black Americans under the law because they served their country just as well as White soldiers. Soldiers like Payne engaged in a struggle for equal rights under the law for all Black Americans. Unlike Singer, Payne was concerned with asserting his value to Whites to secure Black advancement, and not promoting an abstract sense of collective improvement. This divergence conveys the nuanced ideologies of free Black soldiers who retained a distinctly political understanding in terms of their role as soldiers. Moreover, while some, such as Singer, promoted emancipation, others, like Payne, went further and built upon the fundamental assertions of Black liberation to include Black political and social advancement.

The motivations of formerly enslaved soldiers for fighting differed because their experience during the war centered on emancipation; it was not as holistic as the educated, northern free Black class. The formerly enslaved soldiers often had families still in bondage while they served in the army—a fact that ensured emancipation remained central to their cause for fighting. One Missouri Black soldier, Spotswood Rice, wrote to his enslaved daughters in September 1864, “I want to see you as bad as ever now my Dear Children I want you to be contented with whatever may be your lots be assured that I will have you if it cost me my life [...] when they [the Union Army] Come I expect to be with, them and expect to get you both in return.”¹³ For soldiers such as Rice, the specter of slavery haunted their time in the army and ensured they remained solely focused on emancipating their families and those they left behind in bondage. Moreover, Rice’s case is noteworthy because he employed his status as a soldier to try to free his family when his unit traveled near the location of his enslaved daughters.

Some formerly enslaved soldiers fought to protect their own emancipation. Colonel Thomas Wentworth Higginson of the First South Carolina Volunteers—composed entirely of former slave—wrote about his soldiers in 1869 stating, “They had more to fight for than the whites. Besides the flag and the Union, they had home and wife and child

¹² Redkey, *A Grand Army of Black Men*, 208-10.

¹³ Ira Berlin; Joseph P. Reidy & Leslie S. Rowland, *Freedom’s Soldiers: The Black Military Experience in the Civil War* (Cambridge: Cambridge University Press, 1998), 131-33.

[...] [other Union soldiers] black or white, would go home, while the First South Carolina must fight it out or be re-enslaved.”¹⁴ Yet, formerly enslaved soldiers also recognized the deeply political nature of their service, as free Blacks soldiers did. As one escaped slave wrote about his service, he fought “for the holiest of all causes, Liberty and Union” and, notably, “the cause of Right and Equality.”¹⁵ The non-homogeneous motivations of soldiers, whether free Blacks or formerly enslaved, are critical to contextualizing the experience of Black troops, their relationship to White soldiers, and how they responded to discrimination.

Unequal Pay

For Black Union soldiers, the most defining issue of discrimination in the Union Army was the disparity in pay between White and Black soldiers. The Militia Act of July 1862 provided Black soldiers would be paid ten dollars per month and three dollars deducted for clothing, and beginning in June 1863, all Black soldiers were paid at this rate. The army paid White privates thirteen dollars per month and a clothing allowance of \$3.50. Throughout early 1864, Congress debated the issue as Democrats resisted equal pay while the families of Black soldiers suffered.¹⁶ This issue, more than any other example of discrimination, produced the most emotional rhetoric and resistance from Black soldiers—most notably from free Black soldiers who saw their resistance to unequal pay as a moral and political action.

For example, Corporal James Gooding of the 54th Massachusetts Infantry Regiment wrote a letter to President Lincoln on September 28th, 1863 stating: “The main question is, Are we Soldiers or are we Labourers? We are fully armed, and equipped, have done all the various Duties pertaining to a Soldier’s life [...] we have done a Soldier’s Duty. Why Can’t we have a Soldier’s pay? [...] We feel as though our Country spurned us, now that we are sworn to serve her.”¹⁷ Gooding argued Black soldiers were fully soldiers of the United States government who deserved equal pay. His blunt logic drives home the notion that Black soldiers believed equal pay to be a standard inherent to the ideals of the government; and they saw failure to meet it as moral wrong that violated the equality promised to them as soldiers of that government.

Furthermore, Gooding referenced the patriotism of the men of the 54th as a

14 Thomas Wentworth Higginson, *Army Life in a Black Regiment* (Scituate, MA: Digital Scanning, Inc., 2001), 251.

15 McPherson, *For Cause and Comrades*, 128.

16 McPherson, *The Negro’s Civil War*, 196-199.

17 Virginia M. Adams, *On the Altar of Freedom: A Black Soldier’s Civil War Letters from the Front* (New York: Warner Books, Inc., 1991), 119-20.

persuasive tool to illustrate the severity of their fury. By appealing to a shared patriotism that he believed the government violated, Gooding reiterated to Lincoln the need for action from said government to correct the wrongs inflicted upon them. Finally, Gooding’s argument implied Black soldiers viewed the pay disparity as a tangible embodiment of their second-class status to White soldiers. The intensity of their outrage suggests they viewed achieving equal pay as an effective tool for asserting their equality to White soldiers and officers and proving they, too, deserved the respect due to American soldiers.

In addition to political and logical appeals, such letters to abolitionist newspapers and anger over the issue of pay imply a deeper meaning behind Black soldiers’ demands for equal pay related to ideas of self-image, manhood, and racial advancement. These values parallel the motivations of free Black soldiers in their reasons for enlistment. For example, Gooding wrote in the *New Bedford Mercury* newspaper in August 1863 that “too many of our comrades’ bones lie bleaching near the walls of Fort Wagner to subtract even one cent from our hard earned pay [...] we are men and will do our duty while we are here [...] since that day we were offered to sell our manhood for ten dollars per month.”¹⁸ For Gooding and the men of the 54th, refusal to take a lower pay highlighted their belief in a sense of Black manhood rooted in the fervent desire to retain independence and agency over their lives and the wellbeing of their families. For Gooding, to accept lower pay was not only an acceptance of a lower-class status as a soldier, as he expressed to Lincoln, but also a submission to the White definition of Black manhood; inherent subservience.

The language of other free Black soldiers expressed a similar sentiment. For instance, one 54th soldier in a letter to abolitionist Theodore Tilton in December 1863 noted that “three times have we been mustered in for pay [...] once, in the face of insult and intimidation, such as no body of men and soldiers were ever subjected to before, we quietly refused, and continued to do our duty...all this we’ve borne patiently, waiting for justice.”¹⁹ Like Gooding, this soldier believed that their principle of refusal of pay was rooted in their demand to attain the same benefits and status as White soldiers. Moreover, the soldier expressed an image of the 54th stoically performing their duties and remaining committed to the United States, even in the face of discrimination, because they believed so ardently in the need prove those who refused to grant them equal pay wrong. Additionally, this soldier’s inclusion of contextual information about backlash from Whites who insulted them for refusal to accept unequal pay expresses the perspective of Black soldiers towards Whites who discriminated against them. While they fervently desired equality, their stoic endurance of “insult and intimidation” from White soldiers suggests they viewed their resistance as an embodiment of their moral superiority over their White counterparts. Moreover, this resistance enhanced their sense of self-worth and shared identity.

18 Adams, *On the Altar of Freedom*, 49.

19 Redkey, *A Grand Army of Black Men*, 234-35.

On June 15th, 1864, Black soldiers finally received equal pay from a Congressional bill granting them the same rate of pay as White soldiers of \$13 per month plus back pay for lost wages.²⁰ Black soldiers celebrated this achievement. Sergeant John F. Shorter of the 55th wrote in *The Christian Recorder* on October 1864 that “the Fifty-fourth and Fifty-fifth Massachusetts regiments have been paid [...] We felt overjoyed [...] We resolved to have a celebration [...] a band of veteran warriors doing honor by solemn ceremonies, to the recognition by Government of their citizenship and equality.”²¹ Shorter’s writing highlights the raw emotion of free Black soldiers who finally received equal pay, and, in their celebration, the men of the 54th and 55th expressed their elation at their financial equality, though discrimination persisted in other forms. For them, achieving equal pay proved their status as full soldiers equivalent to White soldiers, and, in turn, their values of manhood and self-identity remained intact. Finally, this case demonstrates a successful instance of Black resistance to discrimination and the assertion of agency by Black troops over their identities as soldiers.

Some White reactions to unequal pay for Black soldiers demonstrate the anti-discrimination alliance between Black soldiers, White officers, and some White enlisted men. The torment inflicted against Black soldiers who refused pay illustrates one aspect of White reactions towards Black troops and pay discrimination. However, some White enlisted men, and especially White officers of the United States Colored Troops (USCT), avidly supported Black soldiers in their quest for equal pay in the army. For instance, one soldier of the 55th wrote in *The Christian Recorder* in December 1863, regarding his White comrades’ reactions to their refusal of pay, that “Our pride has won us a name amongst the white regiments around us; they call us the Independent Colored Regiment, and say to us, You do the work that we ought to share in, and they don’t want to pay you anything for it.”²² While this soldier’s account is secondhand, his White counterparts evidently had a profound impact on the 55th and their identity, which speaks to the tight-knit sense of community developed between Black and White enlisted men who served in close proximity for extended periods. These White enlisted men in the proximity of the 55th viewed their Black comrades as fellow soldiers and not solely by their race. This suggests that some White soldiers who served closely with Black troops altered their perceptions of Black men because of their repeated interactions and the development of a shared community between soldiers that broke racial barriers. This remarkable example is illustrative of a phenomenon for enlisted White soldiers who grew to oppose such discrimination towards Black soldiers out of recognition of their shared humanity in the context of the military. However, it is worth noting that such examples of White soldiers in this context are rare; this implies Whites who had no opportunity to serve directly with Black

20 McPherson, *The Negro’s Civil War*, 202.

21 Redkey, *A Grand Army of Black Men*, 244-46.

22 Redkey, *A Grand Army of Black Men*, 236.

troops, and view firsthand the discrimination they endured, often retained their previously held racist attitudes.

The role of White officers of Black regiments adds an additional perspective. Notable for their frequent advocacy for the Black soldiers they commanded, certain White officers proudly displayed their opposition to unequal pay. For instance, Colonel Robert Gould Shaw of the 54th stated in a letter to Massachusetts Governor John Andrew that “In my opinion they should be mustered out of service or receive the full pay which was promised to them [...] I shall refuse to have the regiment paid until I hear from you on the subject.”²³ Colonel Shaw’s advocacy for equal pay and support for his regiment’s refusal to accept pay is notable for its demonstration of the close relationship formed between White officers and their Black troops. In this instance of discrimination, for a White officer to advocate for his troops both White and Black illustrates the camaraderie and friendships developed across the barrier of race through shared experiences. For White officers such as Colonel Shaw, supporting their troops against discrimination was necessary to prove to their men their personal loyalty and trust.

The issue of unequal pay was the most consequential forms of discrimination faced by Black soldiers, and their responses demonstrated the values and emotions that drove their resistance to unequal pay, especially among free Black soldiers. Moreover, the issue of pay connotes Black soldiers’ desire for assertion of an independent Black identity that challenged the White oppression of those in the army and government who imposed unequal pay. For White soldiers and officers who supported their efforts, a relationship centered around shared experience between White and Black soldiers emerged to bolster the desires of Black soldiers to achieve their demands for equal pay and status as Union soldiers.

Fatigue Duty

The issue of fatigue duty presents another lens through which to examine the relationship between Black soldiers, their immediate White officers, and White generals. Black soldiers were assigned a disproportionate amount of labor and fatigue duty compared to Whites. The government originally intended to use Black soldiers as garrison troops and labor battalions to allow more White soldiers to fight.²⁴ One Union officer, in reference to the Louisiana Native Guard, in 1862 expressed his certainty that “colored troops will probably be kept near [New Orleans] [...] they will be called on for fatigue duty such as making roads, building bridges [...] they will be seldom put into battle, and will afford

23 Adams, *On the Altar of Freedom*, 117.

24 McPherson, *The Negro’s Civil War*, 194.

small chance of distinction.”²⁵ Black troops despised this labor. One Black private from the 32nd USCI stationed at Morris Island, South Carolina, stated in July 1864 in *The Christian Recorder*, “They [the Forty-third regiment USCT] have been brigaded and are now acting as rear-guard over the baggage train of the Army of the Potomac, whilst we are not fit for anything but to do all of the picket duty and drudgery work on the island [...] if this is not killing men, I don’t know what is.”²⁶ This soldier expressed a sense of uselessness and inferiority to even other Black regiments on account of duty assignments; he viewed the rear-guard service of the 43rd as far more glorious and beneficial to the war effort. Fatigue duty not only presented a physical and mental burden, but also embodied the effects of racial discrimination within the hierarchical organization of the Union Army. For Black enlisted soldiers who desired to prove themselves and embody the ideals of emancipation and Black equality through their role as soldiers, assignment to monotonous and laborious fatigue duty limited that possibility.

Some officers of White regiments exploited the labor of Black troops through fatigue duty. One White officer, advocating for his men, wrote of his USCI company, “they are employed to do all the hard work, which White regiments will not do.”²⁷ White regiments and their officers believed they could manipulate Black troops without repercussion. Whites in the army took advantage of the labor of Black soldiers and demonstrated their exploitation of the army’s institutionalized structures of racial superiority. In September 1863, a captain of the 55th Massachusetts recounted that the officers of White regiments unjustly ordered details of Black soldiers from the 55th to “lay out camps, pitch tents, dig wells, etc. for white regiments who have lain idle until the work was finished for them.”²⁸ These officers’ orders were condemned by a sympathetic senior general. For White senior officers, such opinions created the conditions for fatigue duty to dominate the lives of Black soldiers, such as the private from the 32nd USCI. In that relationship, White senior officers demonstrated their reliance on internalized racist attitudes towards Black soldiers which manifested themselves in the exploitation of Black labor for White regiments.

White officers of the USCT who did engage with Black soldiers broadly opposed excessive fatigue duty for their Black soldiers. This conveyed the importance of personal relationships with Black soldiers as the catalyst for such support, like their support of Black troops in the issue of unequal pay. For instance, Colonel James Beecher of the 35th USCI wrote in a message to Brigadier General Edward A. Wild in September 1863, “the fatigue duty of my regiment has been incessant and trying [...] when they are set to menial

25 Noah Andre Trudeau, *Like Men of War: Black Troops in the Civil War, 1862-1865* (Boston: Little, Brown, and Company, 1998), 26.

26 Redkey, *A Grand Army of Black Men*, 260-61.

27 Edward G. Longacre, *A Regiment of Slaves: the 4th United States Colored Infantry, 1863-1866* (Mechanicsburg, PA: Stackpole Books, 2003), 112.

28 McPherson, *The Negro’s Civil War*, 195.

work doing for white regiments what those Regiments are entitled to do for themselves, it simply throws them back where they were before and reduces them to the position of slaves again.”²⁹ This officer empathized with his men and recognized the suffering that fatigue duty caused them. His rhetoric expresses his close relationship with the men under his command, and he, thus, advocates on their behalf as he believes they are capable of greater actions in the army than fatigue duty.

Moreover, the perspective of the formerly enslaved soldier is worth noting in this case, as the officer recognizes the painful emotional consequences of such excessive fatigue duty to the formerly enslaved soldiers in the regiment. For these soldiers, defined by their central focus of emancipation, fatigue duty presented a brutal limitation on their ability to not only fight to achieve emancipation, but their identity as soldiers—it was as if their status in the army resembled that of the slave. For White officers of the USCT, their unique relationship with their soldiers, evidenced in their opposition to fatigue duty, once again illustrates their divergence from the prevailing racist opinions of Black soldiers by superior officers.

Racism Towards Black Soldiers

In addition, the interpersonal racism between individuals experienced by Black soldiers, both from officers of the USCT as from White soldiers, exhibits their suffering and reiterates the notion that not all Whites viewed Black soldiers favorably—on account of their entrenched racial animosity towards Black people. For formerly enslaved and free Black soldiers, the racism they experienced created a White-dominated environment that hindered their desire for equality as Union soldiers. On racism from White officers, one private of the 32nd USCI wrote that his officers treated “like dogs” the men in his unit who protested unequal pay. “They were bucked and gagged, and put on knapsack drill, and made to stand in the hot, broiling sun for four hours,” he stated.³⁰ Similarly, a private of the 43rd USCI stated in *The Christian Recorder* on December 23, 1864, “they strike the men with their swords [...] I do not think it right that soldiers should be cuffed and knocked around by their officers, especially as we colored soldiers are [...] I guess some of the 43d’s officers have been privates in their time.”³¹ The private’s words speak to the physical violence associated with racism from White officers. His tone and the physical abuses conveyed by both accounts communicate the deteriorated self-identity of Black soldiers subjected to such unrelenting racism from White officers.

29 Berlin, Reidy & Rowland, *Freedom’s Soldiers*, 112–13.

30 Redkey, *A Grand Army of Black Men*, 259.

31 Redkey, *A Grand Army of Black Men*, 261-62.

This instance provides insight to not only the poor treatment by racist officers, but also the attitudes of White enlisted men, as this private assumed his officers' racism originated from their previous position as enlisted men. Although not certain in this case, this notion implies White soldiers from the regular army maintained their internalized racist attitudes in their service with the army; and when given the opportunity to command Black soldiers, they retained that racial animosity, which then manifested into racial discrimination towards their troops. This insight reinforces the broader trend for White soldiers who in the early war opposed Black enlistment and maintained their internalized racist attitudes in the army if they did not serve with Black soldiers. Lastly, this trend by White soldiers reinforces the notion that an environment of racism in the ranks of the Union Army degraded the morale and self-identity of Black troops.

Formerly enslaved soldiers experienced a similar environment of interpersonal racism that diminished their identity as soldiers and paralleled the experiences of free Black soldiers. For example, the affidavit of a Kentuckian and formerly enslaved Black soldier, Joseph Miller, in November 1864 detailed his experience of enlistment and his attempt to protect his formerly enslaved family in an army camp: "I told him [a soldier on guard] that my wife and children had no place to go and I told him that I was a soldier of the United States. He told me that it did not make any difference. he had orders to take all out of Camp."³² For Miller, the racism of the army in its unempathetic and dehumanizing treatment of his emancipated family exposed his status as a second-class soldier. Subject to the will of White officers' orders, Miller was powerless to stop the mistreatment of his family, evidenced by the soldier on guard's dismissal of his pleas. These conditions dashed the hopes of formerly enslaved soldiers such as Miller to champion emancipation. Though anecdotal, this instance speaks to the army's culture of interpersonal racism that fueled it; this racism produced mistreatment towards the emancipated and rejected the guaranteed rights and protections—entitled to all Union soldiers—for formerly enslaved soldiers and their families.

Overall, the discriminatory lived experiences of Black soldiers reveal a culture of racism that persisted in the army from the internalized racist attitudes held by Whites in the period. From abusive White officers to White soldiers complicit in the unnecessary abuse of the formerly enslaved soldiers and their families, racist attitudes diminished the identity and core values of Black soldiers and remained omnipresent throughout their service. For White soldiers, this trend of racism in the army establishes that discrimination towards Black soldiers persisted even as Black soldiers broke racial barriers with their White comrades.

32 Berlin, Reidy & Rowland, *Freedom's Soldiers*, 138-39.

The Exclusion of Black Officers

The exclusion of Black commissioned officers in USCT regiments illuminated a critical form of discrimination that angered Black soldiers, conveyed White opinions—especially of senior officers—about Black soldiers' military capabilities, and presented a counterpoint to the status of White USCT officers as allies to Black soldiers. Black soldiers often resented the fact that the army denied Black commissioned officers because they wanted to display Black self-sufficiency, independence, and military expertise to Whites by achieving equivalent ranks. For instance, Corporal James Gooding of the 54th argued Black sergeants were "just as capable of being entrusted with the command of colored troops as those who know nothing of the dispositions or feelings of such troops," and, regarding opposition to Black commissioned officers, added "Is it a crime for a man to aspire to something higher, providing he is capable and has a claim to do so?"³³ Gooding's observation reveals that Black soldiers hoped to gain agency over their own regiments, if they could not be integrated with Whites. They saw Black leadership as a tool for achieving their full potential as soldiers fighting to preserve the Union and upholding their ideological values for serving. Black soldiers achieved modest success in resisting discrimination. Yet, by denying Black commissioned officers, Whites severely limited the ability of Black soldiers to fully realize their independence on the battlefield and legitimize themselves to Whites through the prestige and status afforded to commissioned officers.

Gooding went on to convey his resentment and frustration towards White officers. Commenting on a school for potential officers of USCT regiments, he observed that "some of the young men who can consistently go to this school may want a few hints as to the best mode to command themselves."³⁴ Gooding perceived some White officers to be incompetent, and, therefore, Black soldiers to be just as worthy to command Black regiments. Implicit in this commentary is Gooding's resentment towards White officers. While Gooding and other Black regiments benefitted from the support of their often-sympathetic White officers, they clearly expressed irritation that the army allowed only White officers to command them. This notion suggests that the relationship between White officers and soldiers of the USCT existed as a one of frustrated resignation by Black troops to the command of White officers.

White senior officers' attitudes towards the idea and reality of Black commissioned officers reveals that opposition to Black military leadership was rooted in the entrenched racial animosity that defined discrimination towards Black soldiers broadly. For example, a rare instance of Black commissioned officers occurred in the Louisiana Native Guards Regiment. General Nathaniel Banks expressed his disdain and hostility towards

33 Adams, *On the Altar of Freedom*, 104-5.

34 Adams, *On the Altar of Freedom*, 104.

these officers in his correspondence to President Lincoln writing, “they [the soldiers of the Native Guards] were demoralized from various causes [...] this difficulty was caused in a great degree by the [Black] officers in command. They were unsuited for this duty, and have been most of the time, and some are still, in arrest upon charges of a discreditable character.”³⁵ Banks certainly held no confidence in the ability of the Black commissioned officers of the Native Guards to effectively command Black troops.

This unique example demonstrates how White senior officers believed Black soldiers did not possess the necessary leadership capabilities or military expertise for successfully commanding troops because of entrenched racist notions of Black inferiority. The discriminatory exclusion of Black officers by White senior officers in the army and the administration, such as Banks, ended any hope for Black soldiers to create regiments that championed their ideals through Black leadership. Just as fatigue duty and interpersonal racism impeded the ability of Black soldiers to fully realize their identity as soldiers and embody their ideals, the exclusion of Black commissioned officers, too, reinforced their second-class status to Whites in the army. In contrast with the White allies of Black troops, the discrimination of senior White officers demonstrates the contradictory perspectives on Black soldiers maintained by Whites in the Union Army.

Black Soldiers Prove Themselves in Battle

White superior officers often denied Black soldiers significant combat roles, reinforcing the limitations superior officers placed upon Black soldiers. Yet, in some key instances where Black soldiers engaged in combat, they fought to prove their self-worth to Whites and their value as soldiers and as men.³⁶ These examples functioned as a form of resistance to discrimination. White soldiers and officers, as well as members the Lincoln administration, often dramatically altered their opinions of Black soldiers after such combat actions. Notably, President Lincoln commented, “it is difficult to say they are not as good soldiers as any.”³⁷ Examples of valor on the battlefield proved invaluable to Black troops’ identities as soldiers, their self-worth in relation to Whites, and their resolve to uphold their ideals despite their constrained circumstances.

Some White soldiers significantly altered their opinions of Black soldiers after

35 United States War Department, *The War of Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, Series 1, Volume 26, Part 1 (Washington D.C.: U.S. Government Printing Office, 1880-1901), Cornell University Library, Making of America Collection, Cornell University, http://collections.library.cornell.edu/moa_new/waro.html, 688-89.

36 McPherson, *For Cause and Comrades*, 128.

37 Abraham Lincoln, “Third Annual Message,” December 8, 1863, <https://www.presidency.ucsb.edu/documents/third-annual-message-9>.

viewing or learning about their combat actions. For instance, Colonel James S. Brisbin wrote to Adjutant General of the Army Lorenzo Thomas about the operations of the 5th U.S. Colored Cavalry in West Virginia. Brisbin recounted the scene before and after combat, stating,

On the march the Colored Soldiers as well as their white Officers were made the subject of much ridicule and many insulting remarks by the White Troops [...] the Negroes rushed upon the works with a yell and after a desperate struggle carried the entire line killing and wounding a large number of the enemy and capturing some prisoners [...] On the return of the forces those who had scoffed at the Colored Troops on the march out were silent.”³⁸

The drastic shift in perspective before and after combat emphasizes the power of such heroism by Black soldiers to dismantle the prejudices and racist opinions, which fueled discrimination, by White soldiers towards their Black comrades in arms. This dramatic example implies that such raw, life-or-death, combat produced a humanizing environment where superficial racial prejudices deteriorated under shared life-threatening experience between soldiers who struggled to survive under horrific conditions.

Such harrowing combat experiences proved to enlisted Whites not only the shared humanity of Black soldiers but convinced some Whites of the liberative values Black men fought for. After the Battle of Nashville in December 1864, a private in the 89th Illinois wrote to his mother,

“I have often herd [White] men say that they would not fight beside a negro soldier but on the 16th the Whites and blacks charged together and they fell just as well as we did [...] when you hear eney one say that negro soldiers wont fight just tell them that they [Black men] ly [dead] for me [...] I have seen a great [many Black men] fighting for our country. Then why should they not be free.”³⁹

The experience of combat created a new bond between White and Black soldier—forged in sacrifice. Cognizant of the valor of their comrades and recognizing their humanity, in the vain of those Whites who supported resistance to discrimination, some White soldiers like the private from the 89th Illinois co-opted the liberative cause of Black troops.

Black soldiers’ valor in combat also softened the prejudices of soldiers who indirectly heard of Black troops’ performances in battle. For instance, a Wisconsin soldier, Frank D. Harding, wrote to his father about the assault on Port Hudson by Black soldiers that “negroes fought like devils, they made five charges on a battery that there was not the slightest chance of their taking, just (as their officers said) to show our boys that they could

38 Berlin, Reidy & Rowland, *Freedom's Soldiers*, 134-36.

39 McPherson, *For Cause and Country*, 127.

and would fight.”⁴⁰ Harding suggests the impact of Black soldiers’ fighting on enlisted Union soldiers extended beyond those who served with them in combat. Furthermore, Harding explicitly recognizes the intent of Black soldiers to prove their value as soldiers to their White comrades. Alternatively, some white enlisted men retained their racism against Black soldiers even after they fought in combat, but these soldiers were a minority by 1864.⁴¹ One incensed New York artilleryman wrote about a Black regiment at the Battle of the Crater, “All that I am sorry for is that the Rebs did not Capture every n—r there was and Shoot them for I think that we have got white men enough in the north to fight our battles.”⁴² Given the minority position of these enlisted Whites late in the war, the transformative experience of White soldiers such as Harding characterized the experiences of enlisted men who fought with Black soldiers and had their racial prejudice shattered.

White officers frequently noted the valor of Black troops in battle, and their reflections illustrate the depth of their internal transformation. For example, one White officer of engineers who witnessed the assault at Port Hudson by Black troops attested in blunt language that “my prejudices with regard to negro troops have been dispelled [...] they are superior in discipline to the White troops, and just as brave.”⁴³ Similarly, General Andrew Smith reported, concerning an action by Black troops near Tupelo, Mississippi, that “The colored brigade fought excellently well [...] I am free to confess that their action has removed from my mind a prejudice of twenty years’ standing.”⁴⁴ It is worth noting General Smith’s remarkable comment on the deep-rooted nature of his dissolved prejudice. He finally accepted the common humanity between himself and the Black men he commanded. These instances reinforce the importance of shared combat experience as a force for the destruction of racial prejudice, and this translated not only to enlisted men who served side-by-side Black troops, but also their officers who observed Black men fight.

Finally, Black troops revered their own actions in combat and such instances empowered them to not only fight, but also proved essential to developing their identities as soldiers and strengthening their resolve to uphold their values of emancipation and Black equality. For example, Thomas Wester of the 43rd USCI exclaimed in *The Christian Recorder* in December 1864: “have they [Black troops] not fought bravely at Port Hudson,

40 Frank D. Harding, *Frank D. Harding to His Father*, June 14, 1863, University of Wisconsin-River Falls Archives, Frank D. Harding Letters, <https://thecivilwarandnorthwestwisconsin.wordpress.com/tag/frank-d-harding-letters>.

41 McPherson, *For Cause and Comrades*, 129

42 McPherson, *For Cause and Comrades*, 129.

43 Hargrove, *Black Union Soldiers in the Civil War*, 135-6.

44 United States War Department, *The War of Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, Series 1, Vol. 39, Part 1 (Washington, D.C.: Government Printing Office, 1880-1901), Cornell University Library, Making of America Collection, Cornell University, http://collections.library.cornell.edu/moa_new/waro.html, 253.

Fort Pillow, Fort Pulaski, and on the bloody fields of Virginia and Georgia...I hope that the day is not far distant when we shall see the colored man enjoying the same rights and privileges as those of the White man of this country.”⁴⁵ Black soldiers fervently believed that their actions in combat exemplified their ideals for fighting. This internalized narrative suggests that Black success on the field of battle motivated soldiers, especially free Black men such as Wester, to continue to uphold their ideals of Black equality. They wanted to prove to Whites not just their humanity, but that said humanity demanded the granting and protection of inherent rights for all Black men in the post-war era.

Conclusion

Throughout their service in the Union Army, racial discrimination reduced Black soldiers to second-class status, yet Black soldiers resisted this discrimination to uphold their ideals of emancipation and equality, most notably through their actions in combat. In turn, some White officers and enlisted men altered their opinions of Black troops. However, discrimination towards Black soldiers continued. This dynamic reveals a complex relationship between White and Black soldiers as Whites soldiers and officers maintained competing perceptions of Black troops who struggled to uphold their ideals in response.

The four key types of discrimination of unequal pay, fatigue duty, interpersonal racism, and the exclusion of Black officers demonstrate the struggle of Black soldiers to achieve equal status as American soldiers and advance their ideals against the White racism that challenged them. Yet, certain White officers and soldiers supported Black troops in their fight against discrimination, which demonstrates not only the perspective of already sympathetic Whites, but of those soldiers and officers who broke racial barriers over time based on shared experiences with Black troops. The most notable example of this transformation occurred in Whites who fought with or observed Black soldiers in combat. This trend illustrates the critical role of shared experience, especially the circumstance of combat, as a tool for dismantling racial prejudices through the recognition of common humanity. However, the culture of discrimination in the Union Army reveals entrenched racial prejudices continued despite the transformations of some Whites, especially for those who rarely or never interacted with Black troops.

Black soldiers who endured racial discrimination were cognizant of the opinions of the White officers and enlisted men around them. Often, this only strengthened their resolve to prove themselves as equals to Whites. Black soldiers often resented their White officers and frequently expressed their desire for Black officers. Overall, Black soldiers, depending on their status as either formerly enslaved or free, did form their own identity

45 Redkey, *A Grand Army of Black Men*, 218.

based on the struggle against discrimination as one of stoic commitment to their ideals of emancipation and equality. A review of the relationship between Black and White soldiers through the lens of discrimination reveals Black soldiers formed allies in the army, and they proved their value as men to Whites in the army and administration through their actions in combat. Their presence in the army broke racial barriers and contributed not only to the destruction of slavery, but the advancement of rights for Black Americans in the post-war period. The nuanced racial relations within the Union Army provides an example of the complexities, contradictions, and transformations that characterized the lived experiences of the Americans who endured the racial upheaval of the American Civil War, and it evidences a vital chapter in the story of America's relationship with race.

Bright Lights on the Bay: The Evolving Image of Gambling Aboard the Gambling Ships of Los Angeles

Michael Washington

Abstract. Between 1928 and 1939 Los Angeles became the center of gambling in the United States as innovators created a new image of gambling at sea. These gambling ships were a showcase for the innovative new patron experiences and advertising that catapulted gambling into the mainstream of Los Angeles. They brought glitz and glamour to the traditionally shady business, broadcasting its existence throughout the city through billboards, newspaper ads, radio, and many other ways. Establishing gambling as a regular pastime of Los Angeles citizens and tourists, these gambling ships became wildly successful even during a time when the rest of the country was struggling economically. The growth of gambling on these ships and elsewhere in the country during this time which coincided with the Great Depression helps to shed light on the reasons why people gamble and why there was a reemergence of those who opposed the practice. Groups opposing gambling began a number of legal battles with the ships which, along with the figures at the head of this conflict, Earl Warren and Anthony Cornero, illustrated the reasons why people opposed or supported gambling. Earl Warren and other moralists believed that gambling was an evil practice that preyed upon the poor by tricking them out of their money and because of this the gambling ships needed to be banished from California. Tony Cornero and the gamblers who ran these ships saw them as just another business and one that was making a lot of money. While the business argument was not convincing in Los Angeles which would prosper whether the gambling ships stayed or left, it made plenty of sense in areas which were struggling economically such as Las Vegas, Nevada where gamblers from Los Angeles would start new gambling businesses, bringing their innovations they crafted aboard the gambling ships to transform Las Vegas into the gambling mecca it is today.

On August 1, 1939, California Attorney General Earl Warren ordered 250 local and state officers to sail a fleet of ships out into Santa Monica Bay. There they began to conduct raids on the four gambling ships operating there. Three of these ships surrendered peacefully, but the last ship, the "S.S. Rex", was ready for a fight and dug in for a siege. Tony Cornero, the Rex's owner, and his crew readied the ship's defenses; they barricaded the ship's gangplank, threw massive nets over the side of the ship, and turned its high-powered water hoses towards the officers attempting to board the ship.¹ The Rex remained defiant of the authorities who continued to surround his ship, and Cornero insisted he was never

¹ John Caragozian, "The Demise of Gambling Ships in Santa Monica Bay," *California Supreme Court Historical Society Review* (Fall 2021): 14–15.

going to give in, blasting anyone who tried to board back into the sea. Yet, after ten days, Cornero gave in and the siege ended, joking that he did so because he needed a haircut. The Rex and the three other ships were now in the hands of the authorities.²

Cornero suffered another blow at the hands of Earl Warren later that year when the California Supreme Court made a decisive ruling against gambling ships. The ruling in *People v. Stralla* closed a loophole that said parts of Santa Monica Bay were international waters which meant that they were not subject to California state law. The court declared that the entire bay was Californian territorial waters, with international waters only starting three miles beyond the bay's opening.³ Gambling ships which had for a decade been exploiting this loophole to great success, were no longer able to reasonably operate in Los Angeles. With this decision the era of the gambling ships had ended and Los Angeles lost its place as the center of gambling on the West Coast.

The two central figures at the end of the gambling ship era, Tony Cornero and Earl Warren, would both go on to influence American history in two very different ways. Tony Cornero, along with many other Los Angeles gamblers, would largely be responsible for the creation of the Las Vegas Strip by building the Stardust Hotel there and turning Las Vegas into the mecca of gambling that it is today through their experience operating the gambling ships.⁴ Earl Warren, on the other hand, would use this victory over gambling ships to propel his political career, becoming the Governor of California and then eventually the Chief Justice of the Supreme Court, where he would deliver incredibly influential decisions in cases like *Loving v. Virginia* and *Brown v. Board of Education* which helped to bring down segregation in the United States. However different their futures would be, for this brief moment in history their paths crossed as they became deeply entangled in the legal fight over gambling ships.

Throughout the history of the United States, many different forms of leisure have been seen as taboo, from dancing to movie theaters, but they all eventually managed to survive as industries long enough and grow into the mainstream by changing their image except for one form of leisure that never managed to despite its greatest efforts—gambling. The reason why so many people gamble is difficult to understand, and because of this, gambling has always been marked as taboo. However, like these other forms of leisure, gambling underwent a transformation of presentation during the nineteenth century and this transformation began aboard the gambling ships of Los Angeles. In Los Angeles between 1928 and 1939, innovators like Tony Cornero attempted to shake off the moralist opposition that has always stood in the way of gambling by bringing it to the middle class

2 Daniel Miller, "Column One: The Secret History of L.A.'s Glitzy Gambling Boat Kingpin - and the Raid That Sank Him," *Los Angeles Times*, May 26, 2021.

3 *People v. Stralla*, 14 Cal.2d 617 (1939).

4 Miller, "Column One."

with an image of luxury. Gambling was no longer going to be the pastime of the poor and desperate, like it was in so many other places during the Great Depression. These innovators also embarked on massive advertising campaigns for the first time, taking gambling out of the shadows and into the spotlight. Unfortunately, as the short timeline of this era suggests, these innovations were not enough to overcome the opposition of moralist forces who still saw gambling as preying on an individual's hope and drawing them to ruin. The fact was that Los Angeles did not need gambling to survive, so the moral argument overcame the economic one and gambling was banished from the city. Still, the profitability of this new form of gambling showed promise and other cities still suffering from economic hardship needed a way to make money. This allowed these gamblers to settle in new places, the most important being Las Vegas, and using the techniques pioneered in Los Angeles, they shaped the gambling industry into what we know it as today.

Recreational Taboos and Normalization

People have looked down on and even banned other forms of recreation such as drinking or certain types of dancing during different periods of history, but their negative reputations eventually went away as they became more popular and gained legitimacy. An example of this is movie theaters in the 1910s which had a transformation into a legitimate and moral form of business. In the early twentieth century, moralists saw movie theaters as places of vice because they showed obscene movies targeted toward working-class audiences. For that reason, they wanted to censor the movies. At first theater owners worried about this, but then they recognized it as an opportunity to reimagine their businesses as places of high culture that could appeal to all classes. So, they began to install lavish furnishings, provide high-class service, and show movies that appealed to a more refined audience.⁵ Soon enough, movie theaters became known as respectable businesses and an important part of American society. Gambling on the other hand has not seen a radical shift in opinion over the centuries of it being practiced in the United States. Even today, despite gambling still being a huge industry, every state bans gambling in some form and people continue to see it as a vice.

Los Angeles and a New Form of Gambling

Throughout the decade between 1928 and 1939, gambling ships became a staple of Los Angeles recreation thanks to their innovative luxurious experiences and their massive new advertising campaigns. During this time, at least eleven major gambling ships operated at

5 Lary L. May & Elaine Tyler, "Why Jewish Movie Moguls: An Exploration in American Culture," *American Jewish History* 72, no. 1 (September 1982): 13.

different periods. In 1928, Ed and Clarence Blazer launched the first gambling ship named the "Johanna Smith." This ship operated until 1932 when it burned down and the Blazers replaced it with a successor, the "Johanna Smith II", which itself persisted only four more years. Some of the other ships included the "Monfalcone," "Rose Isle," "Monte Carlo," "Casino," "City of Panama," "Showboat," "Texas," and the "Tango". The Rex, the most popular ship of the era, only sailed for a year between 1938-1939.⁶ Since these ships could not bring gamblers aboard directly, they would park outside the three-mile limit and hire taxi-boats to ferry passengers to them. Once they arrived, they could engage in all the activities offered on board without having to worry about breaking the law.⁷

Patrons of gambling ships could enjoy a wide range of activities and entertainment varying from ship to ship, but gambling was always a constant. The main attractions were drinking, dining, dancing, and gambling. While Prohibition was in place, one of the biggest draws was alcohol, as the same three-mile regulation applied to drinking laws. This continued to be a major attraction even after Prohibition ended.⁸ As touted in advertising, dining was always offered and many ships also brought their own live music that people could dance to. While some ships such as the Rex were immobilized and their owners needed to tow it around if they wanted to relocate, others like the City of Panama, acted as cruise ships, taking patrons along the coast of California on sightseeing tours.⁹ The star of the show, however, was still gambling, and remained the primary way boats made most of their money. Eager gamblers could enjoy playing roulette, dice, blackjack, poker, faro, and even bingo. What all this added up to was an attractive and exciting night out for Angelinos that made gambling a popular pastime for the city.

The Rex, owned by Tony Cornero, was the most luxurious of the gambling ships in Los Angeles, and was the site of some of his most successful gambling innovations. Tony Cornero began his project by buying a massive cargo ship and spending \$250,000 to repurpose it into the finest gambling ship California had ever seen, planning to use the ship to cater to a wealthier class of guest with fine dining and top-class amenities.¹⁰ On its main deck, the Rex housed eleven roulette wheels, six blackjack and poker tables, and tables for plenty of other card games. On the lower deck, guests could find the dining rooms and bars, the dance floor with a live band playing, and 150 slot machines alongside

6 Stephen P. Alpert, "More on California's Gambling Ships," *Coin Slot Magazine* (April 1980).

7 *Gambling Ships: Hearings Before the Subcommittee on Navigation Laws of the Committee on Merchant Marine, Radio, and Fisheries*, 72nd U.S. Congress, House, Committee on Merchant Marine, Radio, and Fisheries, First Session on H.R. 408 And S. 2883, March 29, 1932. (Washington: U.S. Govt. Print. Off., 1932), 10.

8 James Schwoch, "The Influence of Local History on Popular Fiction: Gambling Ships in Los Angeles, 1933," *Journal of Popular Culture* 20, no. 4 (Spring 1987): 103.

9 Schwoch, "The Influence of Local History on Popular Fiction": 104.

10 Vickey Kalamakal, "Battle of Santa Monica Bay," *American History* 4 (2002): 36-40.

a 400-person bingo parlor.¹¹ Guests aboard the Rex would have their pick of activities that could entertain them for hours a night and most importantly for Cornero, keep them spending money. With this ship Cornero quickly became one of the most infamous and wealthiest men in California.

The extensive advertisement of gambling ships in Los Angeles allowed the ships to show off all the amenities they offered to attract new, and often wealthier, customers. The simplest forms of advertisement were free boarding tickets and the visibility of the ships out in Santa Monica Bay. Promoters handed out tickets around Los Angeles touting the amenities on board, often offering one free taxi-boat ride to the ship and one free dinner. Meanwhile the huge ships were lit up with bright lights that onlookers saw from the shore and acted as a beacon, luring more people towards the shore where they could jump on a taxi-boat for only 25 cents and see what they offered.¹² More successful ships such as the Rex were able to have full-page ads featured in the Los Angeles Times touting all the luxuries of the ships and instructing customers on how to get to the ship.¹³ The City of Panama was the first ship to create its own radio station, named RXKR, in order to boost its popularity and other ships would follow, putting out radio ads on popular local stations.¹⁴ Cornero even went a step farther and hired skywriters in addition to his radio and newspaper ads, putting his ship's name where the whole city could see it.¹⁵ With the advertising and all of the new amenities on the ships combined, owners were not just selling gambling by word of mouth, they were selling an experience to the whole city; a night out on the bay with fun activities and fine dining. Gambling was beginning to lose its image as a shady activity for the poor, it was for everyone and everyone knew it was happening. The ships were able to use this advertising to attract large audiences and be so brazen because, unlike the gambling establishments on land, they did not need to stay secret, they only needed to stay at sea.

The wide renown of the gambling ships led to booming businesses and the ships' popularity only increased as time went on. Most of these ships were bringing in hundreds of guests a night. In his testimony to the United States House of Representatives in 1932, James P. Costello, an Assistant Attorney General from the Admiralty division, described his time on board the Rose Isle and the Johanna Smith. He described the traffic to the ships as "heavy traffic" with around 15 to 18 water taxis ferrying passengers to and from the boats constantly from 8 PM to 4AM.¹⁶ He went on to estimate that the ships held as many as 600 passengers at any given time throughout the night. This was earlier on in the

11 Stephen P. Alpert, "Three Mile Limit," *Coin Slot Magazine* (October 1979).

12 *Gambling Ships*, 14.

13 *Los Angeles Times*, May 19, 1939.

14 Schwoch, "The Influence of Local History on Popular Fiction": 104.

15 Alpert, "Three Mile Limit."

16 *Gambling Ships*, 21.

gambling ship era and the customer base and the ships would only grow bigger. The Rex was the biggest and most popular ship, capable of holding up to 3,000 passengers at once.¹⁷ Some reports even claimed the ship was bringing in over 850,000 patrons a year.¹⁸ When it got shut down in 1939 by Earl Warren, the gambling ship business was as popular and successful as ever.

The success of gambling ships was not only great in terms of gambling in Los Angeles, it was remarkable compared to gambling across the country. The Rex was again the best example of this. In 1938, the ship was making \$200,000 a month which would be about \$3.9 million today.¹⁹ This was a massive amount of money at the time, especially considering Cornero had to pay a large crew and pay the operational costs of running a ship. To compare this to other gambling operations at the time, one very popular casino in Las Vegas during this time period was the Boulder Club. In 1940, it was only making \$201,000 a year which was seen as a massive success.²⁰ It was clear at this time that if someone wanted to make big money through gambling, the place to be was not Las Vegas or Reno, it was off the coast of California, on board a gambling ship.

The Psychology of Gambling and its Moral Opposition

Despite more and more people flocking to the ships in Los Angeles in order to gamble, opposition to the practice remained strong as people tried to shut them down. This mirrored the battle that opponents of gambling had been waging on gambling operations across the country for decades. Even before Warren's raid, gambling ships had been fighting a legal battle with California and Los Angeles law enforcement for almost a decade. Articles in newspapers like the Los Angeles Times frequently mentioned boats being towed back to harbor, though they often were back out at sea quickly.²¹ Police also commonly arrested people on charges such as conspiracy to violate gambling laws when they caught the ships within the three-mile limit.²² The close connections between organized crime and the gambling ships, with many being owned by organized crime groups, also meant there were always controversies. Early in the 1930s, the Johanna Smith became embroiled in the scandal of a murder and a kidnapping on board which led to police investigations into

17 Caragozian, "The Demise of Gambling Ships in Santa Monica Bay," 15.

18 Jim Specht, "Gambling Ships Lost Out to Tide of Lawmen: Historian Recalls S.M. Bay Gambling Ship Era," *Los Angeles Times*, March 6, 1980.

19 Caragozian, "The Demise of Gambling Ships in Santa Monica Bay," 15.

20 Eric Nelson Moody, "The Early Years of Casino Gambling in Nevada, 1931-1945," (Ph.D. dissertation, University of Nevada, Reno, 1997), 259.

21 "Gambling Ships Must Quit Sea," *Los Angeles Times*, August 20, 1929.

22 "Arrest 26 on Gambling Ships," *Gettysburg Times*, December 29, 1930.

the operators of the boat, something that severely hurt its reputation.²³ Still this was not enough to deter people from coming back. Anti-gambling groups tried their best to stop the ships, taking the matter up to California courts and Congress, but they were unsuccessful. Courts recognized the three-mile rule and ruled that they could not change territorial water limits, though the judge did say the boats were a menace to the community.²⁴ In Congress, petitioners tried to find another way to subdue the industry by forcing checks of taxi-boats and not allowing them to ferry people to the gambling ships, but it was deemed too over-reaching and did not pass.²⁵ Despite the constant opposition, the ships continued to operate until Earl Warren came along. But why was there so much opposition to the gambling ships and why had there been so much opposition to gambling throughout United States history? Was it just because of the connection to organized crime or was it for some other reason?

Opposition to the gambling ships was primarily driven by moralist groups who worried about their growing popularity, not its connection to organized crime. It may be easy to look at stories like Anthony Cornero's, who was deeply involved with organized crime, or the murder controversy on board the Johanna Smith, and think that the main reason why people opposed gambling ships was because of the connection to organized crime, but this misses the story of gambling's consistent opposition by moralists throughout its existence in the United States. Organized crime was always involved with the gambling ships and did contribute to some of the dislike of the ships, but its presence was a constant while the opposition from moralists grew over time. This aligns more with the idea that moralists had a problem with the gambling aboard the ships and its growing popularity, not its connection to organized crime. However, this still does not give us the root cause.

Gambling has always been a controversial topic in the United States as evidenced by it being banned in many states. However, the reasons for why people support or oppose it can be difficult to pin down. The most basic arguments about the subject are that gambling is an evil and addictive practice that makes you poor, and that gambling is good because it is fun and people can spend their money how they want. There is also the argument from a business point of view that argues that gambling is good because it is a profitable industry, which would likely be the view of the owners of the gambling ships in Los Angeles. This also tends to be the more influential opinion on legalization. Combining these reasons leads to the central questions about the nature of gambling: why do people continue to engage in an economically irrational practice, often times even after it has led them to poverty, in which they are almost always guaranteed to lose? And, what causes

23 "Raiders Discover Machine Guns on Gambling Ships: SEVEN ARRESTS MADE ON CRAFT Fitts Asserts Vessels Offer Potential Crime Nests War Will be Intensified to Force them to Depart Gaining Palaces Moved Out Farther from Shore," *Los Angeles Times*, December 28, 1930.

24 "Gambling Ships," *Los Angeles Times*, June 30, 1931.

25 *Gambling Ships*, 1.

gambling to become more or less accepted in certain areas?

Understanding where gambling first gained popularity on the West Coast reveals some motivations behind why people gamble. Gambling first became a common recreational activity in mining towns in Western states such as Nevada and California in the late 1800s. This was during the gold and silver rushes in those states where people migrated from all across the country in the hopes of striking it rich.²⁶ These miners were typically poor men taking huge risks to travel the whole country in the hopes of maybe finding enough silver or gold to make themselves rich, making them people with very little to lose. This behavior is very similar to those of gamblers and it seems clear that the defining emotions driving these groups were hope and desperation. Gambling represents the same sort of risk taking, but typically at a much smaller scale, allowing people to still experience the same type of hope, and glory, when their risk-taking (rarely) pays off and they win big. In a job that people can work as hard as they want and not get any rewards, gambling offers a form of escapism from desperation and allows people to feel the catharsis of chance falling their way and getting lucky for once.

This general profile of gamblers aboard the gambling ships is similar to personality types. The majority of gamblers on board the ships were poor. In James Costello's testimony from his time aboard the Johanna Smith and the Rose Isle, representative Charles Kading asked him if most of the people aboard the ships were tourists, but he said, "No, they are not; they are those people who desire to gamble that cannot afford to gamble."²⁷ This is of course counterintuitive; gambling is almost guaranteed to lose you money, or else every casino would be out of business, yet the people who are going there are people who cannot afford to lose. If we look at the example of the miners that first popularized gambling, we can see the similarities. Both these groups are people who need hope more than anything, as they are willing to accept the risk of losing what small amount they have in order to feel like they have a chance to break out of their situation. Unfortunately for them, a well-run casino does not let its patrons win too much.

Gambling was opposed for moral reasons; however, moralists based their reasoning on the idea of economic rationality. Earl Warren cogently articulated this perspective stating, "Gambling is immoral, it preys upon the poor, it takes the paycheck out of the hands of the worker before he can get it home so he can feed his family and clothe them and educate them."²⁸ Gambling was not immoral because it directly hurt someone, it was immoral because it led to poverty. Under this reasoning, the way to poverty reduction is through reducing acts such as gambling which cause economically irrational actions.

²⁶ Moody, "The Early Years of Casino Gambling in Nevada," 10.

²⁷ *Gambling Ships*, 22.

²⁸ Geraldine E. White, *Earl Warren, A Public Life* (Oxford: Oxford University Press, 1982), 51-52.

While proponents of gambling may say selling hope to poor people is harmless because it helps them, moralists would likely argue that is what makes gambling insidious. Thus, moralists held the position that gambling does not sell hope, rather, it sells false hope that only leads to a more miserable situation. This was the same argument for the temperance movement that led to Prohibition, that is, that poor people were keeping themselves poor by continuing to drink. The new softer image of gambling aboard the ships would only make it worse as it disguised the exploitation of gambling and made it more likely to get more people to gamble, and therefore cause more people to grow impoverished.

The Great Depression and the Growing Economic Argument for Gambling

Gambling became normalized during the Great Depression as typical ideas about economic rationality became less important to people. An important example of this was in Nevada, where the government legalized gambling in 1931 in order to help boost the state's economy. Nevada consisted mostly of mining towns before the Depression struck and afterwards, there was little economic reasons that would convince people to come to the state. Nevada, thus began to look towards gambling, which already was fairly popular in the state, as a way to attract some tourism and keep the economy afloat. Not only did it offer an economic opportunity for entrepreneurs, but it also provided much needed government income for cities through casino licenses.²⁹ Throughout the Depression, government officials noted that even as other businesses failed, casinos continued to make a profit.³⁰ This was a time when people needed the boost to the economy. The desperation of economic hardship made people look past these attitudes about the immorality and economic irrationality of gambling, because it did not make sense anymore; gambling was helping to keep their economy afloat.

Gambling has often been used as a way out of economic decline, especially in areas lacking a robust source of revenue. A recent example of this pattern can be found in Bethlehem, Pennsylvania. The town had been the site of a thriving industrial metropolis and served as the headquarters for the Bethlehem Steel Corporation, one of the largest steel companies in the world. Yet prosperity gave way to decline in the late twentieth century as the company fell into bankruptcy due to foreign competition and large pension costs that caused it to ultimately close its operations. The disintegration of the company, one of the casualties of deindustrialization and economic restructuring, left the town of Bethlehem without a clear economic future. This predicament opened possibilities for the Sands Casino to gain traction. As steel and other manufacturing operations declined, other less material forms of business began to make more sense. In 2009, the Sands Casino opened,

²⁹ Moody, "The Early Years of Casino Gambling in Nevada," 99.

³⁰ Moody, "The Early Years of Casino Gambling in Nevada," 101.

enjoying early success. Its opportunities improved one year later when Pennsylvania legalized table gambling.³¹ By 2012, the economically downtrodden city of Bethlehem was once again alive with the casino bringing in 2,000 permanent jobs as well as providing important amounts of construction work.³² While some people may have opposed the development morally, nobody could doubt the effectiveness of the gambling industry in revitalizing Bethlehem's economy.

As gambling became more popular during the Great Depression it became a bigger problem for the moralists who opposed it. During the Congressional hearings to restrict taxi-boats, the opponents of the gambling ships mentioned two major factors for why they, and other residents, wanted the ships shut down: the ships were getting very popular and they were extremely overt. At one point during James Costello's testimony, representative Kading remarked, "[...] that is one business that seems to be prospering." Costello affirmed that it was prospering and said that it was one of the reasons why he wanted to shut the business down.³³ Not only was the gambling business popular, it was thriving during the Depression, a time when many businesses were suffering. This only served to convince people that gambling was not so bad. Costello also took issue with the advertisement of the gambling ships.³⁴ As mentioned before, the advertising of these ships was extensive: newspaper ads, radio ads, billboards, dinner passes, and even skywriting. Unlike secret gambling parlors in the city, the police could not control the visibility of the ships. This exposure made gambling more normal as everywhere people go in Los Angeles they were inundated with the temptation to go gamble. By the time Earl Warren began his crusade against the ships, their popularity had risen to new heights and Cornero's advertising techniques made the visibility of gambling more extensive than ever. Those who may have disagreed with gambling, but tolerated it, were reaching their breaking point, which led to Earl Warren election as Attorney General of California in 1938.

Cornero vs. Warren and the End of an Era of Gambling

Earl Warren had always been a staunch moralist and maintained particular hostilities towards gambling. When the gambling ships came to Los Angeles, he made it his personal mission to take them down. Warren's experiences growing up deeply affected him, especially how he saw gambling in his community lead many into poverty. Describing his early life, Warren wrote:

31 Chloe E. Taft, *From Steel to Slots: Casino Capitalism in the Postindustrial City* (Cambridge: Harvard University Press, 2016), 78.

32 Taft, *From Steel to Slots*, 95.

33 *Gambling Ships*, 22.

34 *Gambling Ships*, 26.

As a train caller, I saw men rush from the pay car to the gambling houses and never leave until they had lost every cent of their month's laborious earnings...I saw conditions in many of the houses where the breadwinner had lost his earnings at the gaming tables [...] The things I learned about monopolistic power, political dominance, corruption in government, and their effect on the people of a community were valuable lessons that would tend to shape my career throughout life.³⁵

These experiences would go on to shape his career as he consistently fought against the vices he saw affecting his community. His first foray into fighting vice was as District Attorney of Alameda County. In his position, he acted like a progressive reformer, taking down corruption in law enforcement and becoming a strict enforcer of Prohibition. Warren's success in Alameda would make him a popular figure with moralist groups, eventually leading to him running for District Attorney of California.³⁶ Building off his work in Alameda County, he planned to take down corruption and vice throughout the state, with his primary target being the gambling ships.

Earl Warren's opponent, Tony Cornero, was less adherent to the idea of opposing gambling as a moral vice and instead saw it as a way of making money. Tony Cornero, born Anthony Cornero Stralla, actually had a similar, even closer, relationship to gambling and its dangers growing up. He spent his early childhood in Italy as the son of a poor farmer, but his condition worsened when his father lost almost all his money gambling on a card game. The family then moved to San Francisco. There, Tony suffered a similar fate as his father, and also lost his money shooting craps. The lessons Cornero took away from these experiences sharply differed from those Earl Warren digested. Cornero believed his issue was that he was playing other people's games or as he phrased it, "I saw that in playing the other fellow's game, I was only making a squirrel of myself. So I decided that the smart caper was to make the other fellow play my game, and that's what I have been doing ever since."³⁷ Cornero came to understand how gambling really works: nobody wins unless the person running the game lets them. If he were going to be successful, he would have to make others play his game.

Cornero took a winding path to Los Angeles but would end up achieving his goal of getting others to play his game. His career began as a teen when he joined local gangs. Those interactions placed Cornero in trouble with the law, especially when he became involved in the rum-running business during Prohibition. Police arrested him multiple times. However, by the 1930s when Prohibition ended, Cornero was out of jail and very rich. The rum-running business he spearheaded proved incredibly successful. The Los

35 White, *Earl Warren*, 13.

36 White, *Earl Warren*, 30.

37 Miller, "Column One."

Angeles Times estimates that he made up to \$1 million.³⁸ The success led Cornero to turn to gambling. Initially he opened a casino with his brothers in 1931. The operation, known as The Meadows, was based in Las Vegas, Nevada, where gambling had recently been legalized. Unfortunately for Cornero, The Meadows was not very successful so he sold his stake in the business and began to look for new ventures, which led him to Los Angeles.³⁹ Here he would take his experience with casinos, but with a much bigger and innovative plan to bring gambling into the mainstream.

In Los Angeles, Cornero came up with a plan to whitewash the basic premise of gambling with extravagance. Gambling had for a long time preyed upon the poor who gambled because they saw it as a chance to escape poverty, and the wealthy, who had plenty of money to waste, but Cornero wanted to target the middle class. These men had much more money to gamble and comprised a larger audience he could tap into. To enact his plan, Cornero spent \$200,000 dollars transforming a cargo ship into a luxury floating casino which he named “S.S. Rex” and subsequently promoted its features incessantly across the city.⁴⁰ On the Rex, Cornero masked the fact that gambling was a rigged game where the house always won behind this idea that gambling was part of an experience and even if the patrons lost their money, they would have had a good time with the music, dancing, and dining. Advertisement for one of the other gambling ships, the Johanna Smith, echoed this sentiment in its advertisement claiming, “Then there are games where one can play just as little as possible and look upon the winnings or losses as the price of an excellent evening’s entertainment.”⁴¹ This strategy was intended to soften the image of gambling for many, convincing them to look past its exploitation because of the sheer enjoyment the experience generated. Not surprisingly, the strategy contributed to Cornero’s success.

Nevertheless, this strategy did not work on everyone. Earl Warren and a number of other moralist law and order candidates won elections in 1938, and began targeting the gambling ships anew. Warren saw these gambling ships as the biggest drivers of corruption in the city as well as being “a great nuisance which is drawing millions of dollars annually from legitimate trade channels.”⁴² Even with the public support of those voting him in, Cornero remained protected by the three-mile rule. Cornero had recently won a case with the California Court of Appeal to overturn a conviction on gambling charges and his legal sources had assured him that the California laws did not apply to his ship. Unfortunately, Cornero was going up against a future Chief Justice of the Supreme Court and Warren took a convincing case to the Supreme Court.

38 Miller, “Column One.”

39 Moody, “The Early Years of Casino Gambling in Nevada,” 251.

40 Miller, “Column One.”

41 *Gambling Ships*, 15.

42 Kalamakal, “Battle of Santa Monica Bay”: 36-40.

Before the case was tried, we arrive back at the scene of Earl Warren’s raid on the S.S. Rex. Warren was impatient and wanted to end the menace of gambling ships as soon as possible, before there was a chance for further developments. He first sent out warnings to vacate the ships to the owners, but they did not take him seriously and continued to operate like normal. Warren, however, being very serious, sent law enforcement officers to take down the four ships that remained in the bay. Cornero put up a fight, but the result was a foregone conclusion, and Warren won the war before the final battle at the Supreme Court had taken place. The federal government raided, looted, and requisitioned the Rex, the star of Cornero’s gambling business, once filled with dance halls, fine dining, and the most gambling machines of any establishment in Los Angeles. The formerly glamorous gambling ship was put to a more noble use, but later sank in service during World War II carrying military cargo.⁴³ Still, Warren had to finish his fight and banish the threat of gambling ships from returning to the coast of California.

The case before the California courts boiled down to the issue of whether they thought Santa Monica was a bay or a bight. A bight is generally just a curve in a coastline while a bay has to be partially surrounded by a coastline and provide wind protection. Warren defined the two points that marked the end of the bay and noted that the reason why the Rex was able to remain anchored in Santa Monica Bay was because it provided wind protection and calm waters. He also made the historical argument that Spanish explorers called the location a bay as far back as 1542 when it was found.⁴⁴ The California Supreme Court ruled unanimously in favor of Warren, and extended the three-mile limit from the end of Santa Monica.⁴⁵ Gambling ships could still operate outside this limit, but it would be a much longer boat ride to get there, would be out of view of the city, and the rougher waters would make gamblers seasick. The gambling ship era was over.

The demise of the gambling ships, as well as the rest of Earl Warren’s crusade, effectively ended gambling in Los Angeles, but was the start of a new center of gambling in Las Vegas. The influx of savvy gamblers from the Los Angeles scene helped make Las Vegas what it is today. Arriving with a large amount of capital from the successes of the gambling ships and experience in the bright lights and advertisement that had made them so successful in Los Angeles, they began anew in what is now known as the Las Vegas Strip.⁴⁶ Cornero was one of the earliest to come to the strip, opening up a casino in 1945 named the S.S. Rex Club after his beloved ship. Unfortunately, it would not last much longer than its namesake. Cornero would try again in 1954, building the Stardust Hotel. This time it was successful, however, Cornero would not see its success nor the rise of the

43 Kalamakal, “Battle of Santa Monica Bay”: 36-40.

44 *People v. Stralla*, 14 Cal.2d 617 (1939).

45 Caragozian, “The Demise of Gambling Ships in Santa Monica Bay,” 15.

46 Moody, “The Early Years of Casino Gambling in Nevada,” 263.

gambling mecca in Las Vegas that he helped to inspire, as he died in 1955.⁴⁷ Even though the gambling ships were gone, the desire to gamble would remain, helping propel Las Vegas into becoming the most infamous city in the United States and the new center of gambling on the West Coast.

The gambling ship era was an exciting time to live in Los Angeles. It was filled with bright lights, glamorous cruises, dance halls, fine dining, and it put the city at the center of the West Coast gambling scene and into the national consciousness with tourists coming from across the country to experience a night out on the ships. Along with this spectacle came scandalous controversies with organized crime, murder, kidnapping, and a decade-long legal battle with moralist groups. Paramount Pictures even released a movie in 1933 directed by Louis Gasnier and starring Cary Grant, appropriately called *Gambling Ship*, based on the era. Fittingly, it went out with a bang as Tony Cornero made his last stand against Earl Warren in a multi-day siege aboard the boat that best exemplified the era, the *S.S. Rex*.

Gambling is a strange business and a stranger form of leisure. It does not make much sense how it continues to draw people in given how bad the odds are to win. People continue to gamble even when they cannot afford to lose any more money, knowing that the house always wins. It is an incredibly capitalist business, being great at making tons of money for its owners and keeping patrons spending their money, as well as often times helping its local economies. Yet, gambling has still endured and kept its place in American culture. Many people continue to love gambling, whether that is at a fancy casino or just for a couple of dollars with friends. When people drive into Las Vegas and see the bright neon lights and all the glamor of the city that those gambling ships pioneered, they have the smallest bit of belief that maybe it will be their day and they will strike gold, even when they know it has next to no chance of happening. Maybe that means gambling is not as crazy as we think. Maybe Cornero and the gambling ship owners were right that having a good experience makes our losses worth it. Maybe it tells us people stuck in the cycle of poverty feel they have a better chance of escaping through random chance than trying to work through the American economic system. Maybe it just means we value that feeling of hope so highly we are willing to be scammed. The reason people gamble probably varies from person to person and is often complex. We cannot know for sure why people gamble and it is likely that it will remain taboo, but thanks to the innovations of the Los Angeles gambling ships, casinos will continue to be successful and gamblers will continue to believe that next time luck will be on their side.

47 Miller, "Column One."