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ABOUT THE REVIEW

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FROM THE EDITOR

It is the cadet editorial staff's pleasure to present the third volume of *Report*. For the past three years, *Report* has been a creative outlet for exemplary cadets whose work is unique in scope, skill, and ambition, encouraging the study of history as a medium through which we can better understand our time. This year, *Report* is proud to expand its publication to include submissions from undergraduates at colleges and universities across the United States. It is my hope that not only will outside submissions deepen the scope and increase the audience of *Report*, but that through the thought-provoking historical scholarship, we cadets will be able to increase our discourse with our peers at civilian institutions. In the evolving global situation, perhaps now more than ever America must rely on the strength of its civil-military relations to overcome the challenges that face our nation.

Accordingly, I would like to thank all our authors for their thorough historical research. Their articles demonstrate the dedication, insight, and provocative analysis which are invaluable to both military and civilian leaders. Benjamin Smith and David Fine examine the impact of Congressional influence on national breweries and military oversight, revealing that policies do not always achieve the desired or intended results. Andrew Brimer and Matthew Howe shed light on often overlooked aspects of the Peninsular War and Korean War. Turning toward the high seas, Ethan Cole discusses the importance of one individual, Admiral Horatio Nelson, while Britta Hanson analyzes the impact of social norms on the culture of the Royal Navy. Finally, our thesis was written by Natalia Brooks, a returning author and recent graduate now serving as a Second Lieutenant. She investigates sexual and gender violence during the 1994 Rwandan Genocide.

We would like to express our gratitude to the History Department for its continued leadership and financial support for our publication, as well as the History Departments of the other colleges and universities who extended our call-for-papers to their students. Finally, I would like to convey my appreciation to Major Gregory Tomlin, whose experience, support, encouragement, and patience helped to make this publication possible.

Tara C. Lacson
Editor-in-Chief
West Point, N.Y.

RAPIDO RIVER AND THE LIMITS OF CONGRESSIONAL MILITARY OVERSIGHT

BY
DAVID FINE

David Fine is a senior studying twentieth century American history at Columbia University. He wrote this paper for a seminar on World War II history with Professor Carol C. Gluck at Columbia. David thanks her for both her guidance and editing, and to both his grandfathers for their admirable service to America during World War II.

It was meant to be a happy day for Seymour Fine. His son, Jeffrey, had just married, and Seymour stood at the reception basking in the presence of his friends and distant relatives. Seymour, who had served as a technical sergeant in the 36th (U.S.) Infantry Division during World War II and earned a Bronze Star for leading his men across Italy's Rapido River and back to the Allied bank not once but twice, was not known to be an ill-tempered or fighting man. Yet Jeffrey found Seymour almost in fisticuffs with a distant cousin at the reception with whom he had struck up a conversation and was swapping war stories. When Seymour discovered that the cousin served in the same division that he did, he asked the man if he had been at the Rapido. The other said yes; he had been an engineer. Immediately incensed, Seymour's otherwise placid demeanor broke, and it took his son's intervention to calm him. Even on the happiest of days, there was one memory that haunted the men of the 36th throughout their lives—Rapido.¹

The Rapido River, which flows through Southern Italy in the Monte Cassino region, was the site of one of the bloodiest small-scale battles of World War II. Of the assault forces who participated in the Allied attempt to penetrate the bulwark of a fortified Nazi line, more than 2,900 men were reported dead, wounded, or missing, all from the 36th Infantry Division. The surviving men's efforts to find justice and reason when they returned from the war, however, proved disheartening, and it illustrates the limits of congressional oversight into military decisions made in the battlefield during World War II.

¹ Jeffrey Fine, Emily Fine, and Mitchell Fine, interviewed by author, March and April 2011.

The Battle

In early January 1944, Lieutenant General Mark Clark, commander of the Fifth Army, ordered Major General Geoffrey Keyes, commander of the II Corps, to send troops across the Rapido River to attack a heavily fortified German position on the Gustav Line. This German defensive line prevented Allied progress toward Rome, and the order to cross the Rapido intended to break through it. The Rapido mission was also designed as a diversion to split German attention and resources between defending the Rapido River and the Anzio beachhead, where Allied forces planned to land and march on to Rome.

Whatever the intention, the Battle of Rapido River proved a futile engagement from its start on the night of January 20, 1944 to its end two days later. Over the objections of the 36th's commanding officer, Major General Fred L. Walker, who favored a crossing at a point further north, Clark chose to cross at the river's s-bend near the town of St. Angelo. Walker contended that at that point, the fast-flowing river was un-fordable and its banks too muddy for American tanks to provide the necessary support against entrenched machinegun and artillery positions. Clark disagreed and the battle culminated with American and German forces holding the same positions as when they started, on opposite sides of the river, and with minimal damage to the German side. In anticipation of the attack, German forces prepared a killing field on both sides of the river, as recounted by one U.S. veteran who served as a second lieutenant during the battle:

Our patrols had been out and we could see—we determined right away that they had cleared all of the vegetation on both sides of the river for several hundred yards on each side and it sloped down on each side so, you couldn't see exactly what was going on. Those fields were all mined, on the opposite side of the river there was barbed wire and mines and then behind that where the Germans were entrenched, they had their machine gun positions all coordinated so they could give cross fire defensive fire, plus this was January—winter and in winter it rains more than it snows in Italy. The Rapido River was at flood stage, the ground on both sides of the river was very soggy and you couldn't get any

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wheeled vehicles down there so, it was up to the man with the rifle to do the job.²

American forces' challenges became apparent from the first phase of the operation. A breakdown in the 36th's communications and planning between the engineering units and infantry before and during the battle left the wooden boats crucial to the river crossing two miles from the beachhead, a point of contention that explains Seymour Fine's outburst at the wedding. Division engineers failed to anticipate the poor tractability on the banks of the river and left the boats for the infantry to transport by hand. Seymour would later contend that cowardice caused the engineers to leave the boats outside of German firing range, leaving the boats and those who carried them exposed to German bullets. Boats that made it to the riverbank were pocked with bullet holes and sank. Many of the soldiers weighed down by tactical gear drowned. Rubber bridges, susceptible to machine gun fire, proved unusable for crossing. Some men resorted to swimming. Seymour, who had never learned to swim, later told his children that he had crossed the Rapido in a boat and could not remember how he returned, though he thought that he must have swam.³

Soldiers who made it across the river were met with entrenched machine gun positions and heavy artillery fire uncontested by American tanks which were stuck in the mud two miles from the riverbank, just as Walker predicted. Companies beat disordered retreats back across the Rapido, and many left without commanding officers or substantial amounts of men. Some men surrendered. Others were caught in the melee before they could. When the full force retreated early in the morning, a temporary cease-fire was declared for both sides to retrieve their dead. American forces attempted a second landing later that day with the same tragic results. C.L. Sulzberger, a correspondent for the *New York Times*, described part of the scene:

As they attacked and attacked again, more men slumped through the field, hunched under the weight of their boats suddenly cascading upward as mines exploded. They stumbled in the

² Frank Boring, Society of Michigan Military Preservation, and Carl Strom, "Strom, Carl J. (Interview Transcript and Video)," Grand Valley State University Libraries, Special Collections and University Archives, Allendale, Mich., 2004.

³ Walter Wojdakowski, *A Battalion Staff Prepared for War: The Key to Combined Arms Success on the Modern Tactical Battlefield* (Ft. Leavenworth, Kansas: Scholl of Advanced Military Studies, 1988), 10-19.

water, scratching up the steep four-foot banks. Just beside the Rapido, four men lay in a communications post, praying.⁴

Another crossing was ordered the following day, but suspended because of protests from Walker. The Battle of Rapido River spanned only two days and ended in utter defeat for the 36th Infantry Division. Seymour later recalled that after the battle he passed an officer's tent and heard laughter coming from inside. He entered the tent, ready to berate the officers on behalf of the many enlisted men who had lost their lives. Inside, instead of merriment, he saw a few officers and grew quiet. The sound of what he thought was laughter had been the officers' hysterical cries at seeing so few of their men returned from the battlefield.

The War Department, in a report drafted two years after Rapido, recorded the casualties as 187 killed, 1,141 wounded, and 927 missing in action—a total of 2,255 casualties.⁵ Veterans of the battle reported the casualties to be higher at over 2,900 men.⁶ Colonel Fred L. Walker, Jr., Walker's son, wrote in a 1986 polemic attacking Clark that the total casualties tallied “1,681 dead, wounded, and missing in action out of approximately 3,000 men in the assault units which had crossed the river.”⁷ Whatever the true number, approximately two regiments-worth of men from the 36th were eliminated from battle capacity by the time the smoke cleared. The 36th Division saw fierce fighting before the Rapido at the landing of Salerno and would see more in the time that followed as they spanned the European continent from the frozen mountains of Italy to France and then Germany. According to Sid Feder, a war correspondent attached to the 36th throughout the war, “In nearly two years of war, some 400 days of line combat, the 36th's roughest show, of course, was the Rapido deal.”⁸

⁴ C.L. Sulzberger, "Americans Swim Rapido River to Escape Crossfire of Germans," *New York Times*, January 25, 1944.

⁵ Hearings on the Rapido River Crossing, Committee on Military Affairs, U.S. House of Representatives, Seventy-Ninth Congress, Second Session, February 20 and March 18, 1946, 4.

⁶ Various veterans quoted to press reports during the hearings.

⁷ Fred Walker, *Mission Impossible at Cassino : The First Assault across the Rapido River near Cassino in World War II, January 1944* (Unpublished, 1986), 12.

⁸ Sid Feder, "They'll Never Forget Mark Clark," *Saturday Evening Post* 218, no. 46 (1946): 21. For a general narrative of the battle culled from reports, see Martin Blumenson, *Bloody River; the Real Tragedy of the Rapido* (Boston: Houghton Mifflin, 1970); Robert L. Wagner, *The Texas Army : A History of the 36th Division in the Italian Campaign* (Austin, Tex.: State House Press, 1991); Walker, *Mission Impossible at Cassino*; and Wojdakowski, *A Battalion Staff Prepared for War*.

Texas Pressure—“And so it has been for a century, ever since Texans stood and died for their liberties at the Alamo.”⁹

Kenneth Claiborne Royall, a Brigadier General in 1944 and future secretary of war, recalled in an oral history that a few months after the Battle of Rapido River, when the troops were resting behind the lines, he had conducted a “confidential inspection and report on the 36th Division.”¹⁰ Characterizing the 36th as “the Texas National Guard Division, with whom General Clark had had trouble,” Royall dismissed the complaints of the 36th about Clark.¹¹ He observed that, “Apparently this Texas National Guard was quite a political organization.”¹² Royall found that Texan politicians protested the amount of life lost at the battle. Royall’s derisive observation proved true when the 36th returned home and flexed its political muscle in the Lone Star State.

Texas and Oklahoma national guardsmen, commissioned into the United States Infantry at the start of the war, made up most of the division’s men. The 36th Division’s iconography bore a distinctive regional flavor. Known as the “Texas Division” or the “T-Patchers,” the division’s insignia was a bold “T” framed by an arrowhead.¹³ According to Feder, when the 36th participated in the Allied landing at Salerno, the first of the troops to land on the European mainland brought a Texas flag emblazoned with a famous Alamo war cry: “I shall never surrender or retreat. Victory or Death!”¹⁴ Texas newspapers followed the division’s movements with a thoroughness and prominence unseen in the national papers. Certain members of the division were so dedicated to their Texan heritage that they celebrated Texas Independence Day on March 2, even in lands distant from home. It was at one such commemoration in 1944 that the effort to investigate Clark for his battle-time decision to cross the Rapido.

By March 2, 1944, less than three months after Rapido, the 36th Division was enjoying a much needed respite from the front lines in Italy. As recounted by numerous sources, twenty-five officers, alumni of the University of Texas, gathered in a barn to commemorate Texas

⁹ “Well Done, T-Patchers,” *Dallas Morning News*, January 20 1946.

¹⁰ Kenneth C. Royall, William T. Ingersoll, and Frank W. Rounds, “Reminiscences of Kenneth Claiborne Royall: Oral History,” (1963), 51.

¹¹ *Ibid.*

¹² *Ibid.*

¹³ Insignia of the 36th Infantry Division from the United States Holocaust Memorial Museum Collections, <http://www.ushmm.org/wlc/en/media_ph.php?ModuleId=10006165&MediaId=3797>.

¹⁴ Feder, “They’ll Never Forget Mark Clark,” 21.

Independence Day. There, they vowed when the war was over to push for a full investigation of Clark's decision to cross the Rapido River.¹⁵ Their efforts met success less than two years later on January 19, 1946, at the first meeting of the 36th Division Association. Much happened in the interim between the barnyard oath and the first reunion. The 36th had fought in fierce battles across different countries and suffered heavy casualties. As Feder noted, "An outfit can take only one of those [like the Rapido] in a war. But the T-patchers were forced to take things the hard way all along the route."¹⁶ Despite this, the reunion's primary concentration was what they called "Rapido River fiasco."¹⁷

The association passed a nearly unanimous (with one dissent) resolution calling for "the Congress of the United States, to investigate the Rapido River fiasco and take the necessary steps to correct a military system that will permit an inefficient and inexperienced officer, such as Gen. Mark W. Clark, in a high command to destroy the young manhood of this country and to prevent future soldiers being sacrificed wastefully and uselessly."¹⁸ Calling the battle a "holocaust," the resolution emphasized its futility relative to the number of casualties. "Every man connected with this undertaking knew it was doomed to failure because it was an impossible situation."¹⁹ The underlying premise of the resolution was not that many men were killed. It was that they were killed without any perceived reason.

The reunion was held on the eve of Rapido's anniversary and the organizers took steps to gain as much publicity as possible. It was held in Brownwood, Texas, where local newspapers could be counted on to cover the event sympathetically. Most of the major Texas newspapers delivered, publishing editorials and sympathetic stories supporting the push for an investigation into Clark's decision. A formidable state-wide political machine went into action, working to right a perceived wrong against "their" division. An unsigned editorial note, which appeared as part of the *Dallas Morning News*' extensive Rapido River coverage on January 20, 1946, encapsulates Texan feelings about the 36th at the time:

Texas glories in the 36th Division not solely because it is Texas' own, though that would be good reason for pardonable pride . . . Texas' pride is in the T-patch record, a record of gallantry almost

¹⁵ Blumenson, *Bloody River; the Real Tragedy of the Rapido*, 129.

¹⁶ Feder, "They'll Never Forget Mark Clark," 21.

¹⁷ Hearings on the Rapido River Crossing, Committee on Military Affairs,

¹⁸ *Ibid.*

¹⁹ *Ibid.*, 13-14.

unparalleled in American warfare. Five campaigns, 400 days of combat, two major amphibious operations—its battles were bathed in blood. And so it has been for a century, ever since Texans stood and died for their liberties at the Alamo.²⁰

Two days after the association passed the resolution the Texas State Senate passed a “Senate Resolution Relative Rapido River Disaster.” The resolution stated that the senate “wholly endorses and approves” the association’s resolution and called for a congressional investigation.²¹ The resolutions and newspaper coverage demonstrate the intense emotion felt by substantial parts of the Lone Star State at the perceived needless death of so many of its favored sons.

**Congressional Complications—
“What this country needs is a look into the future.”²²**

The pressure exerted from Texas launched the issue onto the national stage. Texans in the U.S. House of Representatives and Senate helped by making speeches in their respective legislative bodies in support of the two resolutions. On January 23, 1946, Senator W. Lee O’Daniel from Texas submitted the veterans’ resolution into the record of the Senate and attempted to pass a resolution calling for an investigation of Clark, but was thwarted by other senators.²³ Not all the speeches given in Congress sympathized with the veterans’ efforts. Congressman and future Senator Henry “Scoop” Jackson made a speech on the floor of the House on January 21, defending General Clark. In his speech Jackson expressed a point of view that would eventually prove fatal to the investigation. He stated, “I feel that a board appointed by the Secretary of War and consisting of trained military men would be better fitted than a congressional committee to investigate this situation.”²⁴

Congressmen also expressed their opinions to the press. In an article published the day after the resolution was passed by the 36th Division Association, John Rankin, a Democratic congressman from Mississippi, told the Associated Press that the “horrible disaster must be thoroughly investigated . . . even if it has to be done by the committee on

²⁰ “Well Done, T-Patchers,” *Dallas Morning News*, January 20 1946.

²¹ Hearings on the Rapido River Crossing, Committee on Military Affairs, 18.

²² “Senators Take Dim View of Rapido Probe,” *Dallas Morning News*, January 21 1946.

²³ U.S. Senate, “92 Cong. Rec. 240,” 1946.

²⁴ U.S. House of Representatives, “92 Cong. Rec. 164,” 1946, 170.

un-American activities.” The article quoted two members of the Senate military affairs committee who exhibited reluctance to dive into an investigation and noted that, “Members . . . who had anything at all to say showed a disposition to go slowly.” Senator Chapman Revercomb, a Republican, “said in response to an inquiry that he would like more information as to ‘what was behind the passage of [the Texan] resolution.’” Senator James O’Mahoney, a Democrat, told the reporter that, “We have spent months on an utterly futile investigation of what happened at Pearl Harbor, trying to look into the past . . . What this country needs is a look into the future.”²⁵

It is unclear if party affiliation determined support or opposition for investigation. Both the Senate and House had strong Democrat majorities. The Texan delegation was fully Democrat and opposed fellow Democrats Jackson and O’Mahoney, among others, in calling for an investigation. Revercomb, a Republican, echoed the latter’s reluctant position. Rankin, a Democrat, supported the Texas effort. The sentiment felt toward the investigation of the Pearl Harbor attack that O’Mahoney referenced provides an important context. One presidential and two military commissions conducted investigations into Pearl Harbor before a joint congressional committee were formed and held hearings between November 11, 1945, and May 31, 1946. However, many members of congress felt weary of the joint congressional committee. Some Democrats thought the investigations politically targeted President Franklin D. Roosevelt’s administration. Once the hearings started, some Republicans claimed that the committee did not investigate Roosevelt’s administration aggressively enough. Historian H. Lew Wallace notes that:

In theory, congressional investigations proceed in an atmosphere of calm, reason, detachment, and impartiality toward their “informing function.” In practice they proceed in the buffeting winds of fears and fancies, the ethnic, religious, and political pressures that mark a society at a particular time. Too often they reflect opinion rather than present information necessary for the legislative process. Too often they are clearly vulnerable to partisan exploitation.²⁶

²⁵ "Senators Take Dim View of Rapido Probe," *Dallas Morning News*, January 21 1946.

²⁶ H. Lew Wallace, *The McCarthy Era 1954, 1792-1974*, Arthur M. Schlesinger, Jr. and Roger Bruns, eds., 1975, quoted in Lance Cole, "Special National Investigative Commissions: Essential Powers and Procedures (Some Lessons from the Pearl Harbor, Warren Commission, and 9/11 Commission Investigations)," *McGeorge Law Review* 41, no. 1: 3.

Many members of Congress seemed cognizant of that fact and wearily approached another investigation into military decision-making.

The most substantive question aroused by the investigation was the burgeoning conflict between enlisted men and what was called the “caste system” of the professional military. On January 27, 1946, *The New York Times* published an editorial in support of Clark, terming the veterans’ efforts “ill-considered” and observing that “Similar protests against high-ranking officers were made by various veteran groups after the last war. They attracted momentary attention and then were largely forgotten.”²⁷ *The Washington Post*, in an editorial a day later, supported Clark but expressed more sympathy to the perceived plight of the enlisted men: “The feeling of the survivors of the Rapido is, however, quite natural and understandable. It is too much to expect that men who have seen their comrades slaughtered to no apparent purpose will realize that such things are merely moves in a complicated game of tactics.”²⁸

In the battle between the “expert” judgment of West Point-trained commanders and the “simplistic” understanding of the enlisted men on the stage of national politics, the former appeared the victor. Yet things were not that simple. Various local newspapers reported Walker’s criticism of Clark’s decision to cross the river. A weathered veteran by the time he served in World War II, Walker had even served with a younger Mark Clark on a general staff at an American army post between 1937 and 1940.²⁹ Walker, still in active duty in 1946, declared his military opinion at the outset of the investigation effort. He later testified during the congressional hearings that:

North of Cassino, the Rapido River is shallow and easily fordable by tanks and guns. . . . That was the area where I recommended to General Clark and General Keyes that the attack across the Rapido be made. On one occasion General Clark stated to me when I expressed my feelings in the matter, “You do not have to worry about the Thirty-sixth Division crossing the Rapido at St. Angelo. The crossing will be made to the north.” I do not know why he changed his mind. It may have been that he felt that a crossing near St. Angelo was necessary to pave the way for exploitation

²⁷ “Back to the Rapido,” *The New York Times*, January 27 1946.

²⁸ “The Rapido Tragedy,” *The Washington Post*, January 28 1946.

²⁹ Blumenson, *Bloody River; the Real Tragedy of the Rapido*, 16.

later by armored troops. If so, then all the more he should have used good judgment to insure the initial success of the crossing.³⁰

Both *The New York Times* and *The Washington Post* presented a generous amount of expert military opinion on either side of the Rapido issue, although their editorials suggest a dearth of military expertise on the side of the investigation campaign. What made these two papers and other press outlets decide in Clark's favor with such quick certitude? The answer lies in a force that exerted great political power despite its stated apoliticism—the military.

Military Might

The War Department and General Clark sought to suppress the investigation effort from the first. A Scripps-Howard newspaper article set to be published in concurrence with the veterans meeting on January 19, 1946 found its way to the War Department on January 3 two weeks earlier. The article featured quotations by Walker questioning Clark's tactical decision-making in ordering the Rapido crossing. At the time, Clark was serving as High Commissioner for Austria and General Dwight D. Eisenhower was Army Chief of Staff. Eisenhower and Clark remained close friends throughout and after the war. In an oral history interview conducted as part of the Eisenhower Project at Columbia University, Clark recalled vacationing with Eisenhower after the war and bunking with him throughout the war.³¹

When the War Department received the Texas article about Rapido, Eisenhower's staff wired Clark in Austria warning him about it. In conjunction with Clark, who sent several anxious wires the following months, Eisenhower's staff developed a two-pronged approach to inhibit the prospect of an investigation. First, an effort was made to pressure Walker to recant his tactical observation. Walker, a distinguished veteran of both World War I and II and who was serving as head of the army's infantry training school at the time, refused. Though he disclaimed any part in the investigation campaign, his tactical opinion, aired in newspaper reports and at the congressional hearings, lent the effort military legitimacy.

The second strategy proved more successful. Eisenhower's staff persuaded the War Department to draft an investigatory report of its own

³⁰ Hearings on the Rapido River Crossing, Committee on Military Affairs, 27.

³¹ Mark W. Clark and John Luter, "Reminiscences of Mark Wayne Clark : Oral History," 1970.

regarding Clark's decision to order the Rapido crossing. Secretary of War Robert Patterson released that report to the House of Representatives Committee on Military Affairs on February 13, before the first scheduled hearings about the Rapido River crossing on February 20. The report exonerated Clark, concluding that he was following orders when he sent the men across the Rapido and that the attempted crossing succeeded in its tactical mission of drawing German forces away from the Anzio beachhead landings. The latter conclusion would be contested in the subsequent years, but the department's report suggested military certainty. In his letter of submittal to the chairman, Patterson wrote that the report was instigated "in response to your letter of January 29, 1946."³²

Eisenhower's staff's efforts as early as January 11 show that the War Department was already under pressure to issue a refutation of the forthcoming charges from the veterans, and avert any potential criticism of Clark. In a letter dated January 23, Major General Alfred M. Gruenther, Eisenhower's deputy, assured Clark that he was exerting political pressure on Capitol Hill to forestall an investigation. The letter came a day after Congressman Jackson's speech defending Clark in the House.³³ Sensing an attack on both a personal favorite of the military establishment and on the authority of the establishment to govern itself, the military exerted its political clout to ensure that the investigation movement failed.

Congressional Inaction

By the time the Military Affairs Committee met to consider whether or not to investigate General Clark, the congressmen on the committee had already established entrenched positions on the topic. Three representatives from the investigation movement were invited to speak to the committee on March 18, 1946, after the committee had met once in a closed hearing on February 20. Colonel Miller Ainsworth, President of the 36th Division Association, Colonel William H. Martin, Colonel Carl Phinney, and General Walker all provided testimony that carried a tone of sadness at the loss of so many men in a single battle. All except for Walker called for a direct investigation of Clark in an effort that balanced the inevitable toll of death during war and the perceived needless deaths at the Battle of Rapido. Colonel Ainsworth provided perhaps the most polemical testimony. Since he did not fight at the Battle of Rapido River, his testimony's value lay not in his factual account of the battle, but

³² Hearings on the Rapido River Crossing, Committee on Military Affairs.

³³ Letters and other archival correspondence were found through Wagner, *The Texas Army*, 217-34.

rather in his impassioned defense of the reasons for the Division Association's calls for investigation:

Gentlemen, I stand here today, testifying to you, that if bringing true facts before a committee in Congress, exposing a caste system that would do credit to a totalitarian power, a system that places its own glorification and ambition ahead of the lives of our sons—if exposing these conditions will bring discredit to our division and to our State then we are in error. Until the facts have been considered, and Mark Clark and the report of the War Department—as erroneous as we think it is, have been disproven or substantiated—until that time, we ask that you reserve judgment as to whether or not we are justified in our demand for this investigation.³⁴

Despite Ainsworth's impassioned pleas for an investigation, the lack of witnesses in support of Clark at the hearings suggests that the committee already knew what its conclusion would be. For if the threat of investigation ever had been serious, a more thorough and balanced witness list would have been called. In the end, the hearing amounted to an airing of grievances, and an informal compromise between the pro-investigation movement and the pro-Clark forces. On the day the hearings were held, Secretary Patterson announced the formation of a commission to investigate the military caste system, which was unrelated to the inquiry, and was formed to head off public criticism of the committee's decision not to investigate Clark. The *New York Times* published the article about the commission on page seven above a smaller piece about the hearing that noted, "While their plea had the support of Maj. Gen. Fred L. Walker, who was in direct command of the attack, indications mounted after the hearing that the requested Congressional inquiry would be rejected."³⁵ Little came of the commission, which issued its twenty-seven page report to Secretary Patterson on May 27, 1946. The commission entitled the report "Officer-Enlisted Man Relationships" and contained nothing about the Rapido River incident.³⁶ The investigation campaign that began with so

³⁴ United States. Congress. House. Committee on Military, *Rapido River Crossing [Electronic Resource] : Hearings before the United States House Committee on Military Affairs, Seventy-Ninth Congress, Second Session, on Feb. 20, Mar. 18, 1946*, 17.

³⁵ Sidney Shalett, "Patterson Order Army 'Caste' Sifted," *New York Times*, March 19 1946.

³⁶ Elbert Duncan Democrat Thomas, U. S. War Department. Board on Officer-Enlisted Man Relationships, and U. S. Senate, "Officer-Enlisted Man

much verve and momentum in the heart of Texas subsided to a whimper in the face of the national stage and military intervention.

Texan politicians, however, remained stubborn in their grudge against Clark. Royall recounts that Clark was the natural successor for Omar Bradley as Chief of Staff of the Army when Bradley left to become the first Chairman of the Joint Chiefs of Staff. However,

the President pointed out that it was almost impossible politically to name him. There were two reasons. One was that he was said to be part Jewish, as I understood . . . And the President seemed to think that should not make any difference, but it may have done so somewhere along the line. The second reason was that Clark had mortally offended the Texas politicians in the case of the 36th Division.³⁷

Religious issues aside, the specter of Texas political power followed Clark throughout his career. Any position that required political approval ensured that one Texan politician or another would bring up the Battle of Rapido River. As Royall noted, “the fact was that Texas was against Clark—and stayed that way. And Texas played a big part in Washington.”³⁸ Though that part was not big enough to galvanize a full investigation of Clark, it sufficed to put a stop to Clark’s nomination by President Harry Truman to be the United States’ first emissary to the Holy See. Texan Senator Tom Connally, chairman of the Senate’s Foreign Relations Committee, led the effort against Clark’s nomination when it came up for Senate review in 1951 and 1952. Eventually, Clark withdrew his name for consideration and asked Truman not to be nominated again.³⁹

Clark went on to serve as supreme commander of the armed forces in Korea during the Korean War and was remembered as a distinguished commander. He appeared on the cover of *Time Magazine* three times after the Battle of Rapido River, one of which appeared not long after the congressional hearing. None of the cover stories mentioned Rapido River or the 36th Division.

Relationships. Report of the Secretary of War's Board on Officer-Enlisted Man Relationships to Hon. Robert P. Patterson the Secretary of War May 27, 1946. May 31 (Legislative Day, March 5), 1946. -- Ordered to Be Printed," 1946.

³⁷ Royall, Ingersoll, and Rounds, "Reminiscences of Kenneth Claiborne Royall : Oral History," 299.

³⁸ *Ibid.*, 301.

³⁹ "Clark Withdraws as Vatican Choice; Another Planned," *The New York Times*, January 14, 1952.

Conclusion

Discrete issues like the military “caste” system, General Mark Clark’s personal relationships, and the Pearl Harbor investigation are not to be disentangled from the broader question of congressional military oversight. It is imprecise to conclude that the investigation campaign failed on the national stage because of any one of these elements. Rather, many factors came together to create a systemic disinterest. The War Department’s support of Clark provided reasonable military cover for congressmen who felt weary of investigating military decision-making. Congressman Jackson’s feeling “that a board appointed by the Secretary of War and consisting of trained military men would be better fitted than a congressional committee to investigate this situation” won the day.⁴⁰ Pearl Harbor presented a unique situation because it was considered a national calamity.⁴¹ Rapido River was not.

For Seymour, Rapido River and the horrors he witnessed throughout the war would remain a personal calamity. He spoke little about his experience when he first returned home to Brooklyn after the war. Small triggers revealed the inner demons he struggled with, as his outburst at his son’s wedding shows. On another occasion, Seymour’s wife found him shaking under a table after a truck backfired outside of a Laundromat. Some of the only times he would talk to his children about the war were when they saw a fictional depiction of it on television. He ensured them that it was much worse than the heroic images they saw. Sometimes he awoke sweaty, screaming as his subconscious forced him to relive the worst experiences of his life. Despite this trauma, Seymour chose not to linger on General Clark’s decision and refused to follow the investigation campaign. According to his wife, Seymour was “not that type of man.”⁴² Those who did seek closure by pursuing justice through congressional oversight found little added solace.

⁴⁰ U.S. Senate, “92 Cong. Rec. 240.”

⁴¹ See Cole, “Special National Investigative Commissions” for an overview of Pearl Harbor’s special “calamitous” status on the national stage.

⁴² Emily Fine, interviewed by author, April 2011.

ADMIRAL NELSON'S IMPORTANCE AT THE VICTORY OF TRAFALGAR

BY
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Ethan Cole studies Military History at the United States Military Academy, specializing in Napoleonic Warfare. He wrote this paper as the culminating work for the class, "War in the Age of Revolutions," with Professor John Stapleton, which examines the evolution of war from the French Revolution to the Treaty of Paris (1815). He continues his study of the Napoleonic Era with Professor Stapleton, and is in the process of writing a senior thesis on the Peninsular War.

The death of Britain's most fearsome admiral brought the King of England to speechlessness.¹ Bells tolled while England mourned for Horatio Nelson, the Hero of the Nile. He led stunning victories in Egypt, Copenhagen, and finally at Trafalgar. By force of will and with a cunning wit, he single-handedly faced France's best naval commanders and defeated them, outnumbered and outgunned. However, his greatest achievement was also his last. The Battle of Trafalgar, fought off its cape, ended with the annihilation of Napoleon's navy and squandered any plans for an invasion of England, but it had a cost. Nelson embodied the qualities that Britain needed in its commanders: courage, professionalism, experience, and a divine calling, and "Any man would have surrendered the victory to save the life of Nelson."² His ultimate sacrifice was characteristic of Britain's best naval officer, and Trafalgar would not have been fought, and could not have been won without him.

The "Nelson Touch" plan that Nelson utilized at the Battle of Trafalgar, on October 21, 1805, was more than just unorthodox. It was daring. Nelson's greatest fear was that the enemy would retreat to the safety of Cadiz, or for the straight of Gibraltar, where the French and Spanish forces had a means of escape. Thus, the plan was organized around the idea that the British could not let the French and Spanish escape. The opposing forces, numbered thirty-three against Nelson's twenty-six, were commanded by Admiral Pierre-Charles-Jean-Baptiste-Silvestre de Villeneuve.³ After formulating a plan to force the battle,

¹ Tom Pocock, *Horatio Nelson* (New York: Alfred A. Knopf, 1987), 334.

² *Ibid.*, 334.

³ Geoffrey Bennett, *Nelson the Commander* (New York: Charles Scribner's Sons, 1972), 258.

Nelson called for all of his captains to meet on the flagship *Victory*, almost two weeks before the battle would take place. He outlined his plan: to force the battle by a direct assault made in two lines of approximately thirteen ships each. Nelson knew that the enemy's numbers were too great to form a disciplined firing line, especially against the wind and in rough seas. By sending two columns through the enemy ranks, he planned to entangle the rear half of the enemy fleet, preventing their escape and leaving the front half to helplessly sail onwards past the battle. This also utilized British cannons, which could fire through the enemy ships while passing through the line. A cannonade through the bows and sterns did the most damage, passing through the entire length of the ship and crew and endangering all aboard.⁴ Though the plan was a great success on paper, "new, singular, and simple," it was also incredibly dangerous.⁵ Nelson's most powerful ships would need to be at the front of the attacking lines, ready to thrust between the French and Spanish ships-of-the-line and their vicious broadsides. Steady discipline would have to carry the ship through enemy fire for an astounding forty minutes until the columns could cut the enemy lines. The weather indicated there would be only light breeze on the day of the battle – not much to carry the British fleet seven miles to their target, a long way away.

Admiral Nelson's plan was unique because it required unparalleled daring. Nelson was notoriously vain, and at Trafalgar in particular he had a complete disregard for his own personal safety. The French ship *Redoubtable*, the French's best trained ship-of-the-line was particularly well known for its marine snipers and boarders, who would eventually grapple and cut down many on the *Victory*.⁶ The *Santisima Trinidad*, the largest Spanish warship in the world at this time, bristled with 138 guns. The French and Spanish combined had more guns, more warships, more marines and soldiers, and had gathered a superior and overwhelming force.⁷ Bravery was an understatement; it was reported that "Admiral Nelson was on the lead ship, the 'Victory,' that would bear the brunt of the action in the center of the enemy's line before the rest of the fleet could come to assistance."⁸ Nelson's disregard for personal safety left that responsibility with his crew. They desperately made last minute changes to protect him. Multiple recommendations were made: that he move his admiral's flag to another ship to draw off attention, to cover his

⁴ Tom Pocock, *The Terror Before Trafalgar* (London: W. W. Norton and Company, 2002), 203.

⁵ Bennett, *Nelson the Commander*, 259.

⁶ Roger Hart, *England Expects* (London: Wayland Publishers, 1972), 72.

⁷ Bennett, *Nelson the Commander*, 268.

⁸ *Ibid.*, 265.

flamboyant medals for bravery to obscure him from marine fire, and that the *Victory* might serve as the second or third ship in the line rather than leading the charge.⁹ Refusing every accommodation, having already lost his right arm and the sight in his right eye, the reckless Nelson's unbridled aggression kept him in harm's way everywhere he went. His upbringing as a midshipman shows another instance of courage, an example of him even while he was still maturing. At the mere age of fourteen he was fiercely reprimanded for sneaking ashore from the *Carcass* and trying to hunt a kill a large bear that he saw.¹⁰ It was reported that he was so excited when his frigates spotted enemy before the Battle of the Nile, from August 1-3, 1798, that he could not eat or sleep, though the battle was still days off.¹¹ Nelson himself said that, "If I fall on such a glorious occasion (as the battle of Trafalgar) it shall be my pride that I take care that my friends shall not blush for me . . . my mind is calm, I have only to think of destroying the foe."¹² He envied his second-in-command Admiral Cuthbert Collingwood for being fired on first, and meeting with the enemy. Nelson exclaimed, "See how that noble fellow Collingwood takes his ship into action! How I envy him!" Collingwood knew his colleague Nelson too well, because in his diary he responded, "What Nelson would give to be here!"¹³ There is no shortage of examples of Nelson's consistent courage. While planning, fighting, or commanding, Nelson stood upright and steadfast and feared nothing. Few men in the navy were so cold and stoic that they could even devise a plan where two ships would bear the brunt of the entire Franco-Spanish navy in order to gain the advantage, and then put themselves at the most dangerous point.

Similar to British officers, contemporary American officers are expected to adhere to specific values: Loyalty, Duty, Respect, Selfless Service, Honor, Integrity, and Personal Courage. Nelson possessed these traits. He considered himself a man of duty, acting not for personal gain, but instead because his country needed him. Though he did earn fame and glory, his first adherence was always to what he felt was his duty: "England expects that every man will do his duty."¹⁴ That is the message that Nelson sent to the fleet hours before combat; it is what he thought would be most inspirational before attack. After the battle, records showed that English vessels fired three broadsides for every French volley – that

⁹ Ibid., 265.

¹⁰ Pocock, *The Terror*, 14.

¹¹ Pocock, *Horatio Nelson*, 159.

¹² Hart, *England Expects*, 56.

¹³ Pocock, *The Terror*, 203.

¹⁴ Jon E. Lewis, *How it Happened: Trafalgar First-Hand Accounts* (New York: Carroll and Graf Publishers, 2005), 162.

the English sailors were able to load and fire cannons three times as quickly as their foreign counterparts.¹⁵ More than mere practice, this is the direct result of a strict sense of discipline enforced from the highest officer's ranks down through to the enlisted men. Standing by the cannons, loading, firing, even while the larger French navy engaged them meant direct results during combat: "The state of a ship and its company was a test of the officer's inner moral qualities."¹⁶ Thus, the rapid fire of Britain's sailors reflected the discipline and fine officership managing her warships. An officer's honor was vital, and Nelson did not take it lightly: being inclined to engage ships worthy of his admiral's status, he sought out Villeneuve's personal flagship before being cut off by the *Redoubtable*. Combat did not taint the ideals of honor and integrity, but rather sharpened them in the face of the enemy.

Nelson's sense of officership was also vital because each ship was considered a microcosm of civilization. It was the job of the sailors to obey, but it was the job of the officers to be right.¹⁷ The way that every captain treated his ship was the same as how Nelson treated his captains, and so on. Every English ship was well trained and well equipped, but Nelson's qualities specifically empowered the performance of his fleet. Sailors emulated him: "We are all busy scraping our ships' sides to paint them in the way Lord Nelson paints the *Victory*."¹⁸ A role model, a hero, Nelson did not only spend his time commanding the fleet; rather, he considered the fate of his men, who suffered the good or bad fortune of his decisions. The Governor of Malta who fought with Nelson at the Battle of the Nile said that, "never was a commander loved so enthusiastically by men of all ranks."¹⁹ Nelson had individual consideration for the common sailor serving underneath him; in the hours before first shots were fired he moved among them on the gun decks below and spoke and joked with them. He never forgot to mention how terribly the French would suffer.²⁰ And every time he was wounded, he refused to be treated before his other sailors. Each man aboard the *Victory*, and in the entire fleet, responded to Nelson's leadership with joy – his presence raised morale, inspired

¹⁵ Bennett, *Nelson the Commander*, 280.

¹⁶ Adam Nicolson, *Seize the Fire: Heroism, Duty, and the Battle of Trafalgar* (New York: HarperCollins Publishers, 2005), 56.

¹⁷ Nicolson, *Seize the Fire*, 56.

¹⁸ Pocock, *The Terror*, 198.

¹⁹ "Admiral Lord Nelson," *The Dublin Penny Journal* 13, no. 155 (1835),

²⁰ Pocock, *Horatio Nelson*, 324.

confidence, and his loyalty to England was unquestionable. "I have much to lose but little to gain," he explained, "I go because it's right."²¹

At the Battle of Trafalgar, Nelson was forty-seven. He had thirty-five years of naval experience, earned on merchant ships, Royal Navy vessels, and ships-of-the-line. En route to Trafalgar Nelson sketched what he estimated would be the enemy disposition, he made a tentative plan for how to overwhelm the French even with fewer numbers, and he even made two separate plans for windward and leeward positioning.²² His knowledge of the sea was excellent, and it contributed to "Nelson's Touch" which worked so effectively against the opposing fleet. Experience provided Nelson with one definitive objective, knowing the danger facing England and the opposition of the continental aggressor Napoleon. He desired the total annihilation of his enemies and a glorious peace for Britain.²³ Experience on the seas served him well, because Nelson was asked to rapidly take command of the fleet and use it to destroy the French without much time for administrative adjustments. He ordered the ships to be well stocked, delivered the preliminary plans to the commanders, took command of his flagship, and moved the fleet in a position where it could not be seen. Requiring more ships for scouting and movement, he requested more frigates under his command.²⁴ The master of morale, Nelson made sure to send out constant messages of encouragement to the fleet, and also to have the bands play invigorating music. His vision was of the navy leaping at France's forces at the first sign of their leaving safe harbor, and he prepared his forces relentlessly for it.

Nelson organized the lines assaulting the Franco-Spanish position based on learned naval tenets. Focusing on superiority of fire and dividing the enemy's forces, he placed the heaviest of his ships as the tip of the spear. He needed his lines to bully their way past the ships-of-the-line and separate the ships from their commander, and the front of the line. At the front of the first line were the ships *Victory*, *Temeraire*, and *Neptune*. At the head of the second line was Nelson's close friend and second in command, Admiral Collingwood leading the *Royal Sovereign*, *Belleisle*, and *Mars*. Nelson expected his line to reach contact with the enemy first; though he had only six 100-gun ships-of-the-line, three of them were the *Victory*, *Temeraire*, and *Neptune*.²⁵ Nelson was wise enough to have as

²¹ Hart, *England Expects*, 53.

²² *Ibid.*, 50.

²³ Horatio Nelson, *Letters from Lord Nelson* (London: Staples Press, 1949), 452.

²⁴ Hart, *England Expects*, 57.

²⁵ Bennett, *Nelson the Commander*, 270.

his second command a man of great tenacity; one who did not shirk away when by a turn of the wind, the second line reached the French first.

Nelson's goal of total annihilation of the French and Spanish was inherent in the plan for another reason. Not only did the two column attack work to divide the enemy and to sweep their decks lengthwise, but it also prevented any escape.²⁶ By forcing a divide in the French line, all the ships behind the divide had to continue sailing towards the British forces. Nelson ensnared the enemy to prevent their withdrawal from the battle – his greatest fear. Nelson ordered his ships to hold their fire until they reached point blank range and breached the enemy line. The sailors loaded their cannons with double shots, putting two cannon balls in one cannon.²⁷ The two cannon balls would be wildly inaccurate while fired at once, but again this is why Nelson maintained that the British should not fire until at point blank range. The entire course of the battle was managed by a skilled admiral who consistently knew what he wanted to do. Nelson had a plan and executed it: against an enemy reluctant to fight, his experience transformed a fleet fighting at disadvantage into a deadly machine. Throughout the weeks before Trafalgar, and even during the battle, Nelson was unpredictably calm. Though he predicted that he was going to his death, a strong protestant upbringing characterized his view of fate and destiny. Nelson acted out of a strong sense of divine-calling. The morning before Trafalgar, he wrote, "I commit my life to Him, who made me, and may his blessing light upon my endeavors for serving my Country faithfully."²⁸ An hour or so later Nelson's signal officer walked into his quarters to find him on his knees in prayer.²⁹ Beyond naval experience, Nelson's religious devotion found a place in a profession marred by death. Even in his last moments, Nelson thanked God that he was able to carry out his duty, and spoke of his sins.³⁰ Nelson expected nothing less than death, standing tall on the poop deck while broadsides roared across the deck. However, he could not have taken these risks and led so bravely and professionally at the front of his fleet without believing that he fought for God, and that what he did was part of a greater plan. Religion brought certainty to naval battles that seldom had predictable outcomes.

Nelson's presence was electrifying to his subordinates: "The mood of the fleet changed as its seventeen thousand men realized that

²⁶ Edward Ingram, "Illusions of Victory: the Nile, Copenhagen and Trafalgar Revisited," *Military Affairs*, Vol. 48, No. 3 (1984), 140; and Hart, *England Expects*, 68.

²⁷ Bennett, *Nelson the Commander*, 268.

²⁸ Nelson, *Letters from Lord Nelson*, 455.

²⁹ Pocock, *The Terror*, 203.

³⁰ Bennett, *Nelson the Commander*, 275; and Pocock, *Horatio Nelson*, 334.

Nelson was amongst them. His own joy matched theirs.”³¹ Nelson was a Napoleon at sea: his presence changed the essence of any battle. His noble courage, professional officership, extensive seafaring experience, and divine calling made him the most dangerous naval commander during the Napoleonic era. Singlehandedly, Nelson redefined the land campaigns of Europe by thwarting Napoleon's invasion of England and altered the course of history even beyond the reach of the seas. Though his master plan, “Nelson's Touch” was his final masterpiece, victory could not have been assured without his presence. His bravery was unmatched and unstoppable. He was honorable, dedicated to duty, and disciplined; all attributes necessary to maintain his plan and keep order during Trafalgar's critical moments. Nelson clearly displayed an understanding of naval strategy beyond many of his peers, and experience gained over a lifetime at sea. Finally, his religious beliefs were integrated into his understanding of duty, God, and Country. The Battle of Trafalgar could not have been forced, and would not have been won, without the decisive leadership of Britain's most famous naval commander, Lord Admiral Horatio Nelson.

³¹ Ibid., 318.

MOTIVATIONS FOR RESISTANCE: GUERRILLA WARFARE IN THE PENINSULAR WAR

BY
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The nature of any given war depends greatly upon the characteristics and qualities of its participants. The motivation of a nation's populace greatly influences that population's conduct in war. Lord Londonderry, a colonel in the British Army during the Peninsular War, 1808-1814, wrote of the Spanish reaction to Napoleon's replacement of King Ferdinand VII, "From the mountains of Aragon to the pillars of Hercules, and from Valencia to Cape Finisterre, there arose one loud and simultaneous shout, 'Long live King Ferdinand - Death to the French!'"¹ Lord Londonderry then proceeded to claim that the Spanish "ran to arms with the alacrity of men determined to regain their freedom."² The picture painted by Lord Londonderry (and most other historians until recently) indicates an exceptionally high level of patriotism and solidarity among the Spanish people; however, such an image proves less than accurate under further scrutiny. Consideration of the social and economic state of Spain at the time of the Peninsular War lends itself to the conclusion that Spanish resistance to the French occupation most likely stemmed from an attempt to acquire liberty and opportunity, rather than the defense of such. Ultimately, the guerilla war derived more from an internal struggle against a continuously oppressive political and social system than from a sense of national unity or patriotism, and such a distinction proves crucial to better understand the true origins and conduct of guerillas in the Peninsular War.

A study of Spanish history prior to Napoleon's overthrow of the Bourbon throne demonstrates an established tradition of both agrarian unrest and armed irredentism by the peasant classes in many provinces. During the Thirty Years' War, the French invasion of Roussillon in 1639 placed Spanish Catalonia in the front line of conflict. Over the next year,

¹ Charles W. Londonderry, *The Peninsular War*, 2nd ed. (New York: Harper and Brothers, 1848), 57.

² *Ibid.*, 57.

Spanish peasants in this region found themselves continuously supplying and dealing with passing troops as well as paying taxes and undergoing conscription for military service.³ Ultimately tensions in the area resulted in a peasant army attacking Barcelona and killing the viceroy there, indicative of a situation wherein, “suspicion of Madrid, an attitude of reserve towards the war effort . . . and the memory of defeat . . . undermined fidelity to the king of Spain.”⁴ From the Thirty Years’ War in the seventeenth century until the Napoleonic era, Spain languished from periods of economic stagnation, and its peasantry lived in what essentially amounted to serfdom. Frustration with such a system occasionally expressed itself through armed irredentism of the peasantry.⁵ On the eve of the French takeover, Spain’s populace found itself subject to a stagnating and humiliated power. Despite having been France’s ally since 1804, all Spain had to show for its military efforts was the shattered remnants of its navy after the battle of Trafalgar. In terms of leadership, King Charles IV, his successor Ferdinand VII, and their prime minister Manuel de Godoy failed to offer much for the people of Spain. Generally, de Godoy was “cordially hated by one and all,” his continued support for the French at the expense of the Spanish military and state was highly unpopular with the his people.⁶

From the time of the Thirty Years’ War, the Spanish demonstrated remarkable disdain for military service. Just prior to 1808 the peasantry was especially radicalized due to, “disastrous war [damaging the economy], a series of epidemics and disasters, and a program that not only produced disruption . . . but threatened a wide range of customs.”⁷ Essentially, at the time of Napoleon’s seizure of Spain, we encounter a populace tired of war, discontent with the status quo, and wanting nothing more than to be left alone. As one British officer put it, “had they been permitted to live in peace, it would have been a matter of the greatest indifference to them whether their king was Joseph, Ferdinand, or the ghost of Don Quixote.”⁸ While battles such as the Siege of Saragossa, 1808, in which city residents participated against the French (and Spanish

³ Yves-Marie Berce, *Revolt and Revolution in Early Modern Europe: An Essay on the History of Political Violence*, Joseph Bergin, trans. (New York: St. Martin's Press, 1987), 170.

⁴ *Ibid.*, 171.

⁵ *Ibid.*, 172.

⁶ Richard Humble, *Napoleon's Peninsular Marshals* (New York: Taplinger Publishing, 1974), 53.

⁷ Charles Esdaile, “Popular Mobilisation in Spain, 1808-1810: A Reassessment,” in *Collaboration and Resistance in Napoleonic Europe*, Michael Rowe, ed. (New York: Palgrave Macmillan, 2003), 94.

⁸ Esdaile, “Popular Mobilization in Spain,” 94.

casualties neared 54,000), certainly played a role in forcibly involving the Spanish populace in the war, the general outcry to join against the French was still not as great as historians tend to believe.⁹ Far from Lord Londonderry's descriptions of patriotic ardor, the general populace of Spain cared far more about bettering their living situations and avoiding conscripted military service in costly foreign wars than about who actually ruled Spain.

One difficulty in labeling and analyzing the proponents of "guerilla activity" stems from the universal application of such tactics by regular troops, militia units, and bandits. Guerilla tactics were applied liberally by one and all as needed. Even more challenging for the purposes of analysis, the roles of regulars, militiamen, or bandits were far from mutually exclusive. This truth was reflected in both Spain and Portugal. When Massena invaded Portugal, 1810-1811, he "could barely move without it being reported" by Portuguese guerillas who cut his lines of communication and ambushed his detachments.¹⁰ While irregular forces such as militia and bandits could not decisively defeat French forces, their collaboration with regular units of the British, Spanish, and Portuguese armies provided an utterly hostile landscape and caused the French numbers to diminish greatly via strategic consumption. Additionally, guerilla forces did not necessarily constrain themselves to guerilla tactics, as was the case with General Renovalles of the Roncal guerillas, who was willing to engage French troops in conventional battle at times, though this stratagem provided little success.¹¹ Although Spain's regular forces lacked a winning record, they still managed to survive and continually reform despite losing battle after battle.

In conjunction with militias and groups of peasants contributing to the lawless and chaotic nature of the Spanish countryside, as well as the unrest of the urban setting, the Spanish forced France to choose between maintaining enough troops to pacify the populace, which required dispersion of force, or concentrating their forces in a manner suitable for campaign against the threat of British, Spanish, and Portuguese regulars. The importance of regular troops in conjunction with guerilla forces cannot be overstated. Other guerilla movements, such as the revolt in Calabria which broke out in 1806, were brutally put down by the French by 1810,

⁹ David Gates, *The Spanish Ulcer: A History of the Peninsular War* (Cambridge, Mass.: Da Capo Press, 2001), 127.

¹⁰ *Ibid.*, 222.

¹¹ Don W. Alexander, *Rod of Iron: French Counterinsurgency Policy in Aragon during the Peninsular War* (Wilmington, Del.: Scholarly Resources Inc., 1985), 24.

namely due to lack of a conventional force which could work in conjunction with partisan forces to oppose French forces.¹² Further convoluting study of the perpetrators of guerilla activity and their motivations, many guerilla groups owed their existence to individual efforts and did not associate with the Spanish *Juntas*, the political leadership of each Spanish province in the absence of King Ferdinand, despite opposing the French.¹³ The decentralized nature of Spanish guerilla operations that made them effective against the French also made them difficult to conclusively attribute to one particular group or another. Spanish guerillas could be soldiers tired of risking their lives for little gain in pitched battles against superior French regulars, militiamen hoping to supplement their income as well as negate the superior equipment and experience of French regulars, or more often than not, impoverished peasantry hoping to profit from the plunder that could be taken off French corpses and supplies.

The undeniable aspect of opportunism further damages the romantic image of patriotic guerillas roaming the Spanish countryside daringly opposing French occupational forces. In 1808 the central *Junta* issued a decree authorizing the formation of irregular bands up to one hundred men strong (though how they would enforce this numerical limit is not mentioned) and furthermore stating that, “any money and other valuables seized from the French and their supporters would automatically become the property of the men who had taken it.”¹⁴ The prospect for social advancement (in the form of leadership within one’s own created organization) and even more so through the profits that could be obtained through state sanctioned banditry drew more volunteers to the guerilla movement. Men such as Captain José Crivell, Sergeant Pablo Morillo, the Marqués de la Romana, and Captain José Caro among thousands of others could advance themselves beyond their previous station of authority by forming their own partisan groups (coincidentally enriching themselves via French plunder at the same time).¹⁵ Considering the members of the *Juntas* the motivation for starting a partisan group becomes even more evident. Despite the overthrow of the Bourbon monarchy, the *Juntas* leading each region were composed of Bourbon elites, namely military officers, priests, and officials. If a lower ranked member of Spanish

¹² Charles J. Esdaile, *Napoleon's Wars: An International History, 1803-1815* (New York: Viking, 2008), 352.

¹³ Charles J. Esdaile, *Fighting Napoleon: Guerillas, Bandits, and Adventurers in Spain, 1808-1814* (New Haven: Yale University Press, 2004), 105.

¹⁴ *Ibid.*, 106.

¹⁵ *Ibid.*, 107.

society wanted to advance themselves, joining a guerilla band offered enticing opportunities.¹⁶

The lure of lucrative partisanship actually corrupted some guerilla bands away from their original purpose of opposing the French (or at least opposing them exclusively). Groups such as these learned quickly, however, the costs of alienating the populace which otherwise offered shelter. In the provinces of Navarre and Aragon, the indiscriminate banditry of guerilla bands gradually led to the acceptance of the French occupiers, and thus a corresponding low point for the Spanish resistance in that region. The French, "used information supplied by [Spanish] civilians . . . overtook Empecinado [a famous guerilla leader] and killed 180 of his men . . . practically cleared Aragon of guerillas . . . and formed six *Spanish* companies to fight against [them]."¹⁷ The turning away of the populace from their own resistance movement in this region of Spain indicated the lack of universal support which would otherwise exist were the people of Spain as fervently patriotic and anti-French as historians have tended to assume. Additionally, if all of the guerilla forces were motivated by patriotic fervor, banditry directed at fellow Spanish citizens would have been non-existent.

The large numbers of Spanish deserters further illustrated the general disinterest in opposing the French invasion. In a letter from one of the commissioners sent out by the central *Junta* to find and bring back deserters and recruit men for the army, the commissioner expressed fear for his personal safety and an inability to recruit anyone for fear of being killed by the various groups of deserters. He wrote, "the entire body politic is undone. On every side one sees ferment, disorder, intrigue, and the spirit of faction."¹⁸ In addition to desertion, bribes or pleading disability were also common methods of avoiding service in the Spanish military. Such large numbers of deserters often turned to banditry as their only means of sustenance once on the run, and as a result, the chaos in Spain continued to increase. While deserters would also prey upon French troops they also had no qualms about attacking fellow Spaniards.¹⁹

The composition of the various *Juntas* which ran Spain during the Napoleonic time period indicates a surprising lack of difference between

¹⁶ Charles J. Esdaile, "Popular Mobilization in Spain, 1808-1810: A Reassessment," in *Collaboration and Resistance in Napoleonic Europe*, Michael Rowe ed. (New York: Palgrave Macmillan, 2003), 95.

¹⁷ John L. Tone, *The Fatal Knot: The Guerilla War in Navarre and the Defeat of Napoleon in Spain* (Chapel Hill: University of North Carolina Press, 1994), 88.

¹⁸ Esdaile, "Popular Mobilization in Spain," 99.

¹⁹ *Ibid.*, 121.

Napoleonic forces and the Bourbon monarchy. The *Juntas* were composed of Bourbon elites, individuals interested primarily in advancing their own power while maintaining the status quo in Spanish society. In provinces such as Aragon and Navarre, where the French successfully concentrated their forces against unsupported and increasingly more lawless partisans, the *Juntas* began to support the French occupational government and forces.²⁰ The partisan struggle became less a matter of Spain against France and more so a conflict of the armed lower class against the social elites of the old regime who were striving to maintain power and influence, even as the French struggled for dominance of the country. The riots which had swept the nation after Ferdinand's removal were viewed as the result of patriotism among the Spanish citizens, but more likely, the Spanish authorities were struggling to maintain order in a strict social system which now found its very foundations stressed by the invasion of France. Many of the riots seemed more so to target symbols of wealth, privilege, and authority, such as the riots at Castellon de la Plana, where the governor was murdered, a nunnery broken into and robbed, and the local prison attacked with all prisoners being released.²¹ Contrary to the movements of certain *Juntas* to raise partisan groups as part of the Spanish war effort, elsewhere in the country a system of repression was being enforced on Spanish citizens as elites feared losing their social status and power. For example, in Galicia, *Juntas* established police commissions, passport requirements for travel, militia companies, prohibitions on the use of firearms, laws against gathering in crowds, and curfews.²² In Cadiz a proclamation was issued by the *Junta* forbidding drinking, gambling, carrying of knives or pistols, loitering, vagrancy, or any form of suspicious idleness. Additionally tavern owners were encouraged to shorten their guests' stays and spy upon them when possible.²³ In their attempts to preserve social status and control the increasingly volatile lower classes of Spanish society, the *Juntas* exasperated many Spanish citizens and in some cases were held to be just as, if not more, repressive than the French invaders. The actions of the *Juntas* demonstrated the real struggle taking place in Spain, not the fight against invading French forces, but rather the struggle between the impoverished and irritated lower class and the societal elites who remained in some form of power regardless of whether Spain was ruled by a French or Spanish king.

The Peninsular War could not have been an Allied victory were it not for the fierce guerilla warfare of the Spanish and Portuguese people in

²⁰ Alexander, *Rod of Iron*, 24.

²¹ Esdaile, "Popular Mobilization in Spain," 92.

²² *Ibid.*, 95.

²³ *Ibid.*, " 97.

conjunction with traditional regular Allied troops. However, our understanding of the motivations behind the partisan resistance influences our understanding of just how the Spanish people contributed to the eventual French defeat. The belief in a widely celebrated and organized patriotic movement for the Spanish monarchy among the lower classes of Spanish society proves misleading and ultimately unfounded. Ultimately, the stagnant economy and mounting social pressures, which made Spanish citizens restless within their immobile society, contributed to a general domestic unrest which opposed French occupiers just as much as it often opposed elite led Spanish *Juntas*. The invasion of France into Spain ripped the social fabric, allowing the host-nation population an outlet for centuries of social repression. The success of guerilla warfare in Spain stemmed not from patriotic fervor, but rather from the inherent chaos that accompanied the beginning of societal change.

BREWING SUCCESS IN A DROUGHT: HOW NATIONAL BREWERIES USED PROHIBITION TO THEIR ADVANTAGE

BY
BENJAMIN S. SMITH

Ben Smith is a sophomore studying Economics and German at the United States Military Academy. He wrote this paper for an American History course in order to investigate how the modern-day domestic brewing giants came to power. Ben chose to write about this after watching a documentary on the struggle of craft breweries trying to capture market shares from major corporations.

The histories of America and that of the American brewing industries are closely tied. Studying the history of the brewing industries yields not only to the discovery of economic trends, but also sheds light upon contemporary attitudes towards brewing. Since European colonization, beer has been an important facet of everyday life, given the times of unpredictable quality of the water supply. This lifestyle, however, was dramatically altered during the era of Prohibition, which was ratified through the 18th Amendment in 1919. This amendment temporarily terminated the legitimate production of brewing industries in America. Following the repeal of Prohibition in 1933, the industry was markedly different in both structure and competitive environment. There existed two types of business models: local breweries which were small, family owned, limited to a local distribution, and national brands which shipped product outside of regional boundaries.¹ The relationship between these two types of breweries changed drastically during the years of Prohibition and would reflect a new brewery climate in the post Prohibition years. The amendment enabled the rise of dominance of national firms over regional and local breweries in the market through aggressive and entrepreneurial adaptations. These adjustments consisted of infrastructural investments involving new technologies and legislation that led to a restructuring of the industry in favor of larger breweries.

National corporations did not always exist in such a powerful position as they do in modern domestic beer markets. Prior to Prohibition,

¹ Anand Swaminathan, "Entry into New Market Segments in Mature Industries: Endogenous and Exogenous Segmentation in the U.S. Brewing Industry," *Strategic Management Journal* 19, no. 4 (1998): 391.

the industry had reached equilibrium between local and national firms.² Most breweries consisted of small, family-run ventures that catered to localized markets. The shelf-life of products and the difficulties to keep beer refrigerated for a large portion of the year kept these smaller industries localized. Larger operations, such as Pabst and Anheuser-Busch, utilized refrigeration and pasteurization to expand their potential distribution network outside of local boundaries. The expanded markets, however, did not lead to a dominant position in the industry in the pre-Prohibition period, as shipping costs were high and legal arrangements with local saloons prohibited market infiltration.³ The state of the brewing industry was an uneasy balance of big business and family-owned operations, whose products were soon to be designated illegal.

Once Prohibition was in effect, breweries all across the country were faced with the decision to either liquidate their assets or attempt to adapt and survive to what they thought would be a temporary hindrance. Some of the larger breweries with factories, such as Anheuser Busch, produced products such as malt syrup and other non-alcoholic beverages.⁴ Other survival techniques included the closure of saloons previously used to sell product to the masses.⁵ Additionally, minor production of beer by select, politically connected breweries was allowed per special medicinal licenses.⁶ This limited production, though, was nowhere near pre-Prohibition levels. Despite these creative efforts to keep their businesses going, most small breweries simply stopped operation during this era.

The popularization of bottles during this time period led the major breweries to gain valuable experience and relationships with the bottling industry.⁷ This competitive advantage led to a greater success rate after Prohibition for larger breweries that had continued operations.⁸ The experience and necessary adaptation during Prohibition gave the surviving

² Martin Stack, "Local and Regional Breweries in America's Brewing Industry, 1865 to 1920," *The Business History Review* 74, no. 3 (Autumn 2000): 450.

³ *Ibid.*, 462.

⁴ Amy Mittelman, "Chapter 4. Who Will Pay the Tax? Brewers and the Battle Over Prohibition, 1905-1933," in *Brewing Battles: A History of American Beer* (New York: Algora Pub., 2008), 89.

⁵ Thomas Childs Cochran, *The Pabst Brewing Company; the History of an American Business* (New York: New York Univ. Press, 1948), 340.

⁶ Ronald Jan. Plavchan, *A History of Anheuser-Busch, 1852-1933.*, PhD. diss., St. Louis University, 1969, 168.

⁷ *Ibid.*, 178.

⁸ United States Federal Trade Commission, Bureau of Economics, *The Brewing Industry*, by Charles F. Keithahn (Washington, D.C.: Federal Trade Commission, Bureau of Economics, 1978), 13.

breweries a competitive edge to exploit following the repeal of the amendment.

The ratification of the 21st Amendment created the rebirth of an industry overnight—an industry, however, that bore little resemblance to the old system of brewery-owned saloons. One of the major changes was the government regulated distribution chain from producer to consumer. Before Prohibition, large breweries that attempted to ship into new markets found no place to sell their product because of the saloon system. In this system, local breweries owned and operated saloons to distribute their beer exclusively to their regional market. This policy put Anheuser-Busch and other large shipping brewers at a competitive disadvantage before Prohibition.⁹ At the urging of these brewers, President Franklin Delano Roosevelt created the Federal Alcohol Control Administration, made possible by the National Industrial Reconstruction Act, one day before the enforcement of the 21st Amendment.¹⁰ The new system forbid the old style of saloon distribution, and opened up many more markets for the national shipping breweries. This introduced competition from outsiders into areas where for decades local breweries had held near-monopolies. National brewers reached these newly opened markets by utilizing technological advancements in canning and shipping perfected during Prohibition-era operations to level with, or gain advantage over local operations. Practices such as remote bottling, where beer was canned or bottled at the factory, enabled the distribution of shipments in bulk, which led to lower manufacturing and shipping costs.¹¹

The New Deal Legislation that mandated a new system of distribution ultimately sought to generate as much tax revenue from the brewing industry as feasible to fund various projects. All breweries, both national and local, were subject to tax rates 400 to 500 times greater than before Prohibition in addition to the induction of an annual permit fee.¹² Smaller breweries that decided to reopen in 1933 faced higher fixed costs, due to higher taxes, that posed significant threats to their existence. Additionally, expansion to compete with larger breweries required sizable capital, which was difficult to support during the economic climate of the Great Depression. Despite these high costs, the dark years of Prohibition were still fresh in the brewers' memories, thus, they were content with

⁹ Amy Mittelman, "Chapter 5. Beer Flows: Repeal of Prohibition, 1933-1941," in *Brewing Battles: A History of American Beer*. (New York: Algora Pub., 2008), 103.

¹⁰ Executive Order no. 6474, *Creation of the Federal Alcohol Control Administration*, 1933.

¹¹ Mittelman, "Beer Flows," 118.

¹² *Ibid.*, 98.

paying these dues as they struggled to create a positive public perception of the industry while attempting to carve out a market for their new product.

Lower bottom lines for national breweries and a plethora of open markets set the conditions for the rise of giant firms to dominate the industry. From 1934 to 1940, the number of breweries in the United States dropped from 756 to 684, while the average barrelage per brewery increased from 49,867 to 80,263.¹³ This indicates a trend which points to the increase in larger companies. While there were a few larger breweries that failed during this period, the vast majority were local, family-run operations that could not survive in the new competitive climate. These small-scale brewers could not compete with the lower prices offered by the national brewers. High foreclosure rates of the small breweries led to even more aggressive expansion by national brewers into new markets. Anheuser-Busch and Pabst both doubled their annual output between 1935 and 1940, and the growth of these national brands had just begun.¹⁴

August A. Busch Jr., presidents of Anheuser-Busch, declared on December 5, 1933, the day Prohibition was repealed, via a national radio broadcast, that “happy days are here again.”¹⁵ Indeed, “happy days” were in the future for large breweries such as Busch’s which went on to garner massive profits in the coming decades. Other breweries, however, were less optimistic about the future of the industry. In 1938, head of the American Brewers Association, John Bruckmann, predicted that the competitive advantages held by the larger brewers would one day result in a “few large brewers . . . manufacturing all of the beer in the United States.”¹⁶ Factors favorable to the rise of a few, powerful breweries, were brought about by the changes in the industry’s environment as a result of Prohibition. Ultimately, higher bottom lines for smaller operations caused by increased taxes, a wider distribution range in which to sell products gained by the Prohibition experience, and an abundance of potential growth available within this larger sphere due to high mortality rates for breweries, set the conditions for an overhaul of the industry. These conditions enabled the rise of mega-breweries that dominate the brewing market to this day.

¹³ Martin Stack, “A Concise History of America’s Brewing Industry,” *EH.Net Encyclopedia*, edited by Robert Whaples, 2003.

¹⁴ *Ibid.*

¹⁵ August A. Busch Jr., “National Radio Address Celebrating the repeal of Prohibition,” speech made on national radio, St. Louis, Missouri, December 7, 1933.

¹⁶ Mittelman, “Beer Flows,” 119.

THE FORGOTTEN “WEEKEND WAR”
A COMPREHENSIVE ACCOUNT
OF THE 1871 KOREAN EXPEDITION

BY
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Introduction

The Korean War, 1950-1953, is often referred to as “The Forgotten War,” as it stands in the gargantuan shadow of two of America’s most documented wars, World War II and the Vietnam War. It is often taught and viewed as a small-scale “police action” amid the global theater, and as such, many of its lessons are scarcely learned. Among the American public, it is one of the least understood of America’s wars. It is ironic, then, that perhaps the very least known open American military conflict also occurred in Korea. The “Weekend War” of 1871 is scarcely mentioned in any textbooks, at any level, and is often left obscured among the backdrop of the numerous foreign landings made by the United States between the end of the American Civil War in 1865 and the beginning of World War II in 1941. Yet it marks a number of significant events in American history – in two days of fighting, fifteen men received the Medal of Honor, the first time it was awarded for action against a foreign enemy. What is perhaps the most significant aspect of the 1871 Korean Expedition is that it also marks a momentous turning point in American military strategy, as it is one of the earliest events signifying the United States’ shift from continentalism to expansionism.

Much of the material pertaining to this expedition is extremely insightful. These accounts, past and present, offer us many details and perspectives so that the scholar may gain some context. However, with that said, each of these accounts of the “Weekend War” often fail to provide totality, offering newly discovered facts but leaving out others. The purpose of this article is to offer a combination of all of these accounts, to provide the most complete and comprehensive account of the

expedition given the available knowledge so that we may better learn of it, and from it.

I. A Brief History of Korea's Foreign Relations to 1847

My dear Nannie, At Sea May 16th 1871.
My last letter gave you intelligence of our safe arrival in the beautiful harbor of Nagasaki, and this morning I commence another sheet to let you know we are really on our way to Korea, the fleet sailing & steaming in double echelon the flag ship leading, the "Alaska" & "Monocacy" on our right, & the "Benecia" and little "Palos" on our left, the sky above being as blue as Italy's own, and the sea as smooth as a lake; the sun shining over all with a warmth that makes us as happy & comfortable as we could wish to be. I hope what you have read in the papers about the Expedition has not alarmed you as I do not think we are to have any trouble to speak of, our mission being a peaceful one, and for the purpose only of exacting a reasonable promise from the Korean Govt. that Christian seaman wrecked on their coast may be treated humanely.¹ We have no knowledge of the country, and only very unreliable information in regard to the coast, as no surveys have yet been satisfactorily made; the only chart being one made of the vicinity of the Capitol, by the French Navy; The navigation will necessarily be somewhat dangerous but we all trust that by the exercise of great vigilance we will succeed in keeping off of rocks etc. My impression at this moment is, that the people will have no intercourse with us, and our journey will be so much love's labor lost. However the "denoument" will be fully recorded in this same sheet, if I have the opportunity and I sincerely hope my prophecy will not be fulfilled . . . Affectionately yours, McLane Tilton²

¹ Captain Tilton speaks in reference to the *General Sherman* incident of 1866, in which an American-owned merchant vessel was supposedly burned and its crew killed by Koreans.

² Letter, Charles A. Wood and Jack B. Hilliard, May 16, 1970, *Register of the McLane Tilton Papers, 1861-1914* (Quantico, Va.: Museum of the United States Marine Corps, 1970).

On February 15, 1845, the members of the 28th Congress first officially considered an American expedition to Korea. The mission was proposed by Representative Zadock Pratt (Democrat-N.Y.), in the interest of expanding U.S. commerce to Korea and Japan following commercial success in China. Pratt stated dramatically, “‘The day and the hour’ have now arrived for turning the enterprise of our merchants and seamen into the harbors and markets of those long-secluded countries,” going on to paint a vivid picture of Asian harbors in which the “‘star-spangled banner’ is recognised as an ample passport and protection” for any Americans.³ Notwithstanding Pratt’s boisterous declaration, the West knew very little of the Korean Kingdom at that time. The Chosun Dynasty of Korea had been extremely isolationist for centuries. What little foreign interaction they did have was largely unpleasant. They had been a tributary nation to China for centuries, fought a number of skirmishes against the Manchurians, and were periled by Japanese invasions during the Seven Year War in the 1590s.⁴

The first recorded interaction between Korea and the West occurred in 1628, when three Dutch sailors became shipwrecked in Korean waters. Korean citizens rescued and cared for the sailors, but the Korean government would not allow them to leave. Contrary to beliefs at the time, records show that the three sailors took on their Korean captivity in a manner akin to the Stockholm Syndrome, in which hostages gradually come to identify with their captors.⁵ Two of them later voluntarily fought and died in a Sino-Korean conflict and the third took a Korean name and lived the rest of his life out in Seoul. Another Dutch shipwreck in 1653 met the same consequences, though a few of the crew members later escaped.⁶ It is relevant to mention the history of hostage-taking in Asia as a form of securing foreign relations among different clans or states, though whether this factored into the Koreans’ reasoning is unclear; many scholars speculate that Korea simply wanted to deny the West any knowledge of the Kingdom.⁷ Whatever the case may be, events such as these led the West to

³ U.S. House of Representatives. *Extension of American Commerce – Proposed Mission to Japan and Korea*, 28th Congress, 2nd sess., H. Doc. 138, Serial 465, 2.

⁴ Homer B. Hubert, “The Enfranchisement of Korea,” *The North American Review* 166, no. 499 (1898): 708-09. Thomas Louis and Tommy Ito, *Samurai: The Code of the Warrior* (New York: Barnes and Noble, 2006), 36.

⁵ Douglas Sterner, *Shinmiyangyo: The Other Korean War*, 2002, <HomeOfHeroes.com>.

⁶ Sterner, *Shinmiyangyo*, 6-7.

⁷ Hulbert, “Enfranchisement,” 709; and Sterner, *Shinmiyangyo*, 7.

view Korea almost mythically, informally declaring it the “Hermit Kingdom.”

Despite Pratt’s romantic claims, the Korean expedition was not carried out right away. For two years following his initial proclamation in 1845, accounts were gleaned and research conducted as to the details of the Korean Kingdom. Unfortunately for the Koreans, Hendrik Hamel, one of the escaped sailors from the 1653 shipwreck, had his personal journal published in 1666, giving the West their first clear glimpse of Korea.⁸ It is most likely that Hamel’s account played a substantial role in Secretary of State James Buchanan’s message to the president concerning “Oriental Nations with which the United States Have Not Made Treaties.”⁹ The message offered a brief, though relatively well-informed, account of Korea, including its politics, industry, commerce, language, religion, and culture. Despite the often racist and arrogant American disposition towards Asia at the time, the report speaks highly of the Koreans: “The upper class of the Coreans are highly educated, and they have a rich indigenous literature of their own.” The account of Korea concludes by mentioning the work of the French, who were significant to this operation as the only Western country to be involved in Korea. French priests had sent missions to Korea since the early 1800s, and though Catholicism had been met with skepticism among the lower ranks of society, it was largely welcomed by the intellectual class. Buchanan, going on the basis of French reports, stated that the French missionaries had been “successful in making many converts” and that the Korean upper class seemed “only to be waiting for the moment when they will be free to declare in [Christianity’s] favor.”¹⁰ Buchanan neglected to mention however, intentionally or unknowingly, that the French missionaries had suffered a number of persecutions in the largely anti-Christian Korea, most notably the execution of three French missionaries in 1839.¹¹

⁸ Hendrik Hamel, *Hamel's Journal: And a Description of the Kingdom of Korea, 1653-1666* (Royal Asiatic Society, Korea Branch, 2005).

⁹ U.S. House of Representatives, Letter from the Secretary of State Relative to the Productions, Trade, and Commerce of the Oriental Nations with which the United States Have Not Made Treaties, 29th Congress, 2nd sess., H. Doc. 96, Serial 500.

¹⁰ U.S. House of Representatives, “Oriental Nations,” 34.

¹¹ Hulbert, “Enfranchisement,” 708-09. Hulbert goes on to state, “France, beyond sending threatening letters, did nothing by way of reprisal, and this naturally gave Korea a false sense of security, for she thought that what France did not do she could not do.”

II. 1865-1868

The Korean Expedition was put off for another thirteen years due to more significant matters, and then again for another five years due to the American Civil War, 1861-1865. Events picked up again in 1866 when the recently instated regent, King Taewongun, attempted to purge Korea of Christianity, executing nine French missionaries and killing approximately 8,000 Christian converts.¹² French officials demanded retaliatory action in defense of the other 500 French missionaries in Korea, and under the command of Rear Admiral Gustav Roze, a French expedition set forth for Korean shores.¹³ Before leaving China, a French foreign minister accompanying Roze sent an offer to the U.S. Consul in Peking for a Franco-American joint expedition, but it was declined. At the same time, Secretary of State William H. Seward had been planning a “power demonstration” off the coast of Korea, and attempted to coordinate such a joint expedition with a French ambassador in Washington, but Seward lacked public support, and neither men held the authority to order such an expedition.¹⁴

Admiral Roze reached Korean waters and immediately realized the need for more men, quickly turning around and sailing back to China to regroup and rearm. The Koreans, now warned of an impending attack, built up their defenses and prepared for the French expedition. When Roze returned, he sent a landing party of 450 men ashore on the island of Gangwha, roughly twelve miles north of Inchon and twenty-seven miles west of Seoul, the Korean capital.¹⁵ The French forces assaulted Gangwha City successfully, causing the Koreans to flee. The French spent the next 10 days looting the city of valuables while Taewongun assembled 10,000 troops across the river on the Korean mainland. Roze heard rumors of a Korean force landing on the southern tip of the island soon after and sent a

¹² Ibid., 710. Max Boot, *The Savage Wars of Peace: Small Wars and the Rise of American Power* (New York: Basic Books, 2003), 58. While Hulbert claims up to 10,000 converts were killed in the years following the French Expedition, Boot claims some 8,000 were killed before the expedition occurred. It is unclear whether they are speaking of the same incident, but it would make sense that converts would be killed *en masse* during the regent’s eradication campaign, which for the most part took place before Admiral Roze’s expedition.

¹³ Hulbert, “Enfranchisement,” 710.

¹⁴ Boleslaw Szczesniak, “Letters of Homer Crane Blake Concerning His Naval Expedition to China, Japan and Korea: 1869-1872,” *Monumenta Nipponica* 13, no. 1/2 (1957): 7. Sterner, *Shinmiyangyo*, 8.

¹⁵ Spelling varies among Western sources, but I have chosen to use “Ganghwa,” as it most closely resembles the phonetic pronunciation of the island’s name.

probing detachment. The detachment was attacked, routed, and the French troops set fire to Gangwha City and retreated to their ships immediately.¹⁶ The French fleet promptly sailed for home, cementing the Koreans' perception of superiority against the Western foe, this time not just in words, but in deeds.¹⁷

While Roze was making his way towards Korea, an international crisis occurred that dragged the United States into Korean affairs and gave Seward the support he needed for an American mission into Korea. In 1865, W. B. Preston bought the USS *General Sherman*, formerly the Confederate ship *Princess Royal*, and chartered the ship to a British trade company in China. The ship set out for Korea in the interest of opening trade in 1866, manned by a small number of Americans, along with Chinese, Malaysian, and Portuguese merchants.¹⁸ The ship sailed up a Korean river near Pyongyang, and after reaching out to the Koreans, received a prompt and polite response dictating that Korea did not trade with foreigners and to continue on to other regions. Instead of doing as asked, the *General Sherman* continued to sail up river, whereby the change in the tide essentially rendered the ship temporarily trapped. A Korean minister, Yi Hong-Ik, sent a message to the ship declaring that they had disobeyed his request and he must now notify the king. The ship later invited Yi back, whereby they kidnapped him, perhaps for a token of leverage should their lives become endangered, or simply as an act of aggressive posturing to deter the Korean government from any intervention.¹⁹

On August 31 1866, the *General Sherman* took another step towards aggression by firing upon a crowd of Korean soldiers and civilians on shore unprovoked, initiating a minor weeklong battle where civilians on shore threw rocks and soldiers attempted to set flaming "turtle boats" on a collision course with the ship. Finally, after numerous attempts, the soldiers succeeded and the *General Sherman* caught fire, killing most of the crew. The few survivors who made it to shore were beaten to death.²⁰ The fate of the crew remained a mystery to most Americans for a time,

¹⁶ Sterner, *Shinmiyangyo*, 13.

¹⁷ Hulbert, "Enfranchisement," 710. Sterner, *Shinmiyangyo*, 11-13.

¹⁸ There are many conflicting accounts of how many Americans were actually on board. Many accounts from the time imply the entire crew was American, but Szczesniak claims that the Americans numbered eight, while Sterner and Paullin both put the number at four.

¹⁹ Sterner, "Shinmiyangyo," 9-10.

²⁰ *Ibid.*, 11. Later records from the U.S. Naval Archives indicate that the *General Sherman* may in fact have returned to the United States in 1868 and been placed back in service, though to date this mystery remains unsolved.

with the only accounts of its disappearance stating that the crew was mercilessly attacked and killed, a misconception that lasted for many years to come.²¹ Interestingly, while the *General Sherman* incident came to light in America and served as one of the primary causes behind the Korean expedition, almost no attention was paid by journalists to the case of the American ship *Surprise*, whose crew also wrecked off the Korean coast in June of 1866 and was subsequently rescued by locals, who then gave the men provisions and transported them north to China. The consideration of this fact perhaps would have led to a much milder picture of the Hermit Kingdom, but public uproar due to misinformed yellow journalism pushed the government to act for justice.

In January 1867, the USS *Wachusets*, commanded by Commander Robert Shufeldt, arrived in Korean waters to investigate the disappearance of the *General Sherman*. Shufeldt sent a letter to the king inquiring as to the fate of the American vessel, but was told by a local minister that he possessed no knowledge of the ship. However, Shufeldt collected information from locals, and learned that the ship had indeed been burned, with its entire crew killed. Shufeldt then returned to China with this report, which fueled the wild public speculation of the *General Sherman* incident. In early 1868, an American minister was contacted by Catholic Korean priests in China, who reported that the *General Sherman*'s crew scuffled with locals while trying to protect Korean women, and then returned to the ship with two Korean officers, and were attacked and killed.²² The priests also mentioned possible survivors of the wreck in Korea, and subsequently the USS *Shenandoah*, under Commander John Febiger, was sent back to Korea to investigate this claim. Febiger reached Korea and came into contact with local authorities, including a Korean minister who carried the king's response to Shufeldt's earlier letter. In this message, the king offered the true account of the *General Sherman* incident, in which the crew were portrayed as the aggressors, though very little faith was placed in this account at the time.

What may be most remarkable about the investigation in retrospect is that, as Febiger sent some of his ships ahead to make

²¹ Hulbert, “Enfranchisement,” 710. Carolyn A. Tyson, *Marine Amphibious Landing in Korea, 1871* (Washington, D.C.: Naval Historical Foundation, 1966), 3. As Hulbert states, “The natural result was that the officers and crew were all massacred by the mob.” Tyson also asserts that “brutal treatment accorded foreigners who were shipwrecked off [Korea's] coast” was commonplace.

²² U.S. House of Representatives, Message of the President of the United States and Accompanying Documents to the Two Houses of Congress at the Commencement of the Third Session of the Forty-First Congress, 41st Congress, 3rd sess., H. Doc. 1, Serial 1447, 336.

soundings of the waters (the only maps available at the time were very meager ones drawn by the French), one of his ships was fired upon by a Korean fortress. The ship was not hit, and returned unharmed to the fleet, which made its way back to China. The incident earned only a few sentences in the day's logs. However, the next time this occurred, it would promptly lead to war.²³

III. 30 May – 9 June 1871

Saturday night, May 20th

We arrived yesterday evening at our present anchorage, which is about fifty miles from our destination, the high wind preventing us from approaching the land nearer then, and the fog today requiring us to remain as we are, with 360 feet of chain out. We are all quite jolly, and every day the crews of our fleet are exercised in the Infantry drill & firing with small arms. Some months ago a Schooner came up here to trade, and the natives are said to have cut them up, and pickled them, took them in the interior and set them up as curiosities! The French came 3 years ago to avenge their priests, who had been murdered, when they skinned a French doctor, and crucified him on the beach under the eyes of the Frenchmen who had been driven off, and who were unable to help their friends. Whether this is positively true or not I can't say; but you may imagine it is not with great pleasure I anticipate landing with the small force we have, against a populous country containing 10,000,000 of savages! My dear Nan will not read the above until our Expedition is at an end, else I am afraid it would scare her . . . as I read it over it does appear rather steep . . . Affectionately yours, McLane Tilton²⁴

In the speculation of the *General Sherman* incident, many were outraged, and the United States government immediately saw fit to send an expedition to Korea. Officially, the purpose of the expedition was to secure a treaty ensuring humane treatment of sailors shipwrecked in Korean waters. However, in retrospect, some of the earliest notes of a

²³ Charles O. Paullin, "The Opening of Korea by Commodore Shufeldt," *Political Science Quarterly* 25, no. 3 (1910): 471-473. Szczesniak, "Letters," 5-6.

²⁴ Letter, Wood and Hilliard, May 20, 1871, "McLane Tilton Papers."

growing American expansionism were visible, as can be seen in the orders given to Frederick Low, the American minister to China: “Should the opportunity seem favorable for obtaining commercial advantages in Korea, the proposed treaty should include provisions to that effect.”²⁵ Low was provided with copies of the American treaties with Japan as proper examples of what a Korean treaty should look like. This was appropriate, as Low would be working directly with Rear Admiral John Rodgers, commander of the Asiatic Squadron at the time, aboard the USS *Colorado*. Rodgers was coincidentally the nephew-in-law of Commodore Matthew Perry, who had so famously “opened” Japan to the West by his show of naval strength in Yokohama in 1854.²⁶ Rodgers openly emulated Perry’s work and hoped to mirror his uncle-in-law’s success in this new expedition. In fact, the expedition almost entirely occurred due to the push of Commodore Shufeldt, Rodgers’s senior, who also sought to be responsible for “opening the hermit kingdom” as a matter of fame and reputation.²⁷

However, evidence now suggests that many did not believe the expedition would succeed on its mission, including some men aboard the ships.²⁸ One of the mission’s most notable skeptics was geographer and anthropologist Walter Grinnell, who had declared his doubt of the expedition from its inception. Grinnell’s thoughts are especially significant, for he had journeyed through China and northern Korea on his own in 1871, and offered one of the most thorough accounts of the country available at the time. As Grinnell stated:

That the efforts of this country, now being made through Admiral Rodgers and Mr. Low, our Chinese minister, will prove more successful [than the French and Russian attempts], I greatly doubt. Suppose we appear off the coast with a powerful fleet and succeed in landing, we have no power to assure, our communications or of

²⁵ U.S. Congress, “Message of the President and Accompanying Documents,” 334.

²⁶ Boot, *Savage Wars of Peace*, 57-58. “One of [Commodore] John Rodgers Sr.’s sisters married the brother of Commodores Oliver Hazard Perry and Matthew C. Perry.”

²⁷ Lawrence H. Battistini, “The Korean Problem in the Nineteenth Century,” *Monumenta Nipponica* 8, no. 1/2 (1952): 51. As Battistini states, “Actually neither Evarts nor President Hayes had any interest in Korea, and the initiative for treaty negotiations with that country came entirely from Shufeldt, who was motivated by his own ambition for fame and the sincere belief that the treaty would redound to the advantage of the United States.”

²⁸ Letter, Wood and Hilliard, May 16, 1871, “McLane Tilton Papers.”

reaching the government at Livori, neither can we force the officials of the capital to come to our ships and to treat with us...We cannot force the government into receiving us, by bombarding a few harmless fishing villages...No, if we wish to sell our gray shirtings and our repeating rifles, if we covet her gold, her copper and her coal, and if we think her advantageous to swallow, we shall have to go to Sioori [Seoul], and to tell the Emperor so, in his own palace; and to do that we should have at least 10,000 soldiers for our traveling companions.²⁹

He also recognizes the political ambitions of the naval officers behind the expedition, as he mentions the United States' opening of Japan to Western trade. Grinnell, however, cites diplomacy and not naval strength as the key to opening Japan: "The opening of Japan was by no means an analogous case. Our triumph there was due to the personal courage, persistency and diplomatic adaptation of circumstances of our minister, Mr. Townsend Harris." Grinnell's insight would have proven invaluable to the expedition, but unfortunately, his article was not published until the following year, though it is highly questionable as to whether or not any leaders would have subdued their own hubris and heeded his advice.

On May 30, 1871, Rodgers's fleet arrived on the Salée River, only miles from the island of Ganghwa. The next day, the USS *Colorado* received Korean government officials of middle-rank, who were told by Frederick Low's subordinates that the minister would only speak to high-ranking officials who had the authority to negotiate treaties.³⁰ The Americans then stated to the Korean officials that they would be sending out a surveying party up the river, to sound the waterway. Korean officials received this information, but, perhaps offended by the discourteousness of their foreign visitor, neglected to explain to the Americans the strategic importance of the river and the subsequent level of security on it. A number of forts were manned along the shores of Ganghwa, watching the waterway in hopes of defending Korea from any foreign incursion such as the French Expedition in 1866. Rodgers, however, ignorant of this fact, sent his small surveying party upriver on June 1.

²⁹ Walton Grinnell, "Journey through Eastern Mantchooria and Korea," *Journal of the American Geographical Society of New York* 3 (1872): 291-92.

³⁰ Tyson, "Korea, 1871," 3-4. U.S. House of Representatives, Report of the Secretary of the Navy, 42nd Congress, 2nd sess., H. Doc. 1, Serial 1507, 12.

As the party neared Gangwha, it was suddenly subjected to a barrage of cannon fire from the coastal fortifications. The ships struggled at first, but managed to return fire, eventually silencing the forts and returning to their squadron. When the smoke had cleared, two Americans were wounded, namely from operating their own cannons. Rodgers, finding this “insult” to the flag intolerable, began preparing his men for an amphibious landing on the next morning. However, he then decided to wait, giving the Korean government a ten-day period to offer an official apology. While many documents cite the unfavorable tides as the reason for Rodgers’s change of heart, one may also speculate that his role as not only a naval officer but also as an American diplomat factored into his thinking. Considering how much U.S. military action depended upon public opinion, Rodgers could have very likely considered the ten-day grace period not only as time for preparation, but as benevolent terms for peace on his part, a major factor in the Western *jus ad bellum*. The United States, especially given its democratic identity, has a long tradition of maintaining its image as the benevolent party in every conflict, particularly in the event of military action. Considering the American public’s general opinion at the time that Koreans (and all Asians, for that matter) were inferior and barbaric, it is very possible that Rodgers made this diplomatic move in order to bolster his own appearance and the United States’ image as the benevolent, superior, and civilized Westerner.

Rodgers and Low waited patiently for ten days, preparing for an ultimate assault on the island, while receiving no “official” apology. As the congressional report states, “no movement was made by Admiral Rodgers, nor was any explanation offered by the Coreans.”³¹ To the contrary, there was indeed an explanation offered as to why the ships were fired upon. When Low explained to a local Korean officer the demand for an official apology, the officer regretted the incident, but defended the actions of the forts, stating that Korean law forbade any foreign ship from passing through a “barrier of defense,” such as was found on the Salée.³² In the officer’s report to the king, he notes that not even Korean ships may pass through the strategically vital point without appropriate papers. The officer also sent a conciliatory gift of chickens to Rodgers, but the Rear Admiral refused it. To make matters even sorer for the American diplomats, the Korean king did send an official letter to them during this ten-day period, simply stating that he did not want to make any treaties,

³¹ Ibid., 12.

³² Paullin, “Opening of Korea,” 475.

and disputing their claims of Korean barbarism towards shipwrecked crews. Low, however, never responded.³³

IV. 10 – 21 June 1871

At anchor, near Boiséé I'd, Salée River, Korea
My Dear Nan, 4th of June 1871

We are all as hearty as bucks, and full of having a bang at the Koreans before very long...I was not with the [surveying] party, but you may be sure we all will be, when we make our next advance up the river, which we probably will very soon, and give them a good drubbing too, for firing upon our little vessels, without giving any warning. Indeed the people we have communicated with, altho' they did not say they would not fire upon us, should we continue up the River, let us infer they wouldn't, and we were obliged to return their fire to maintain a dignified position...Today we got a communication from the Head Man at the fort referred to, who stated that when Capt. Febinger of our Navy came up here, he did not make war on them, and didn't see why we wanted to come so far to make a treaty. They had been living 4000 years they said, without any treaty with us, and of course they couldn't see why they shouldn't continue to live as they do! Now I hope and trust my precious you won't go and get anxious, as we are quite able...and the next letter will tell you how we shelled them out and kicked their mud forts down the hill! . . . Most affectionately, Your husband, McLane Tilton³⁴

At 1000 hours on Saturday, June 10, 1871, Commander Homer Crane Blake ordered Commander Lewis A. Kimberly's landing force of 451 Seabees under Lieutenant Commander Silas Casey and 100 Marines under Captain McLane Tilton ashore the island of Gangwha. The landing itself proved to be the most difficult obstacle of the day, as the men were forced to debark the ships far from shore due to low tides that presented a treacherous mud flat. Men persevered through the thick muck, dragging with them seven twelve-pound guns. Ordinary Seaman John Andrews later received the Medal of Honor, the first in American history for action

³³ Ibid., 475; Tyson, "Korea, 1871," 4.

³⁴ Letter, Wood and Hilliard, June 4, 1871, "McLane Tilton Papers."

against an enemy of the United States, for directing the landing party and remaining calm as cannon shells landed around him.³⁵

As they made their way to solid ground, the assault began on "Fort Duconde," the first of five forts. The Marines were assembled into skirmishing parties, and assaulted the fort after it sustained a short bombardment from American naval and land artillery. The Koreans defending the fort put up a very brief fight before fleeing, leaving the fort to be occupied by the Americans without the loss of a single man. The party sacked the fort, destroying the Koreans' crude cannons and "Jingall" guns, before continuing on to the next fort, named the "Marine Redoubt." The same order of events occurred, and the party again sacked the fort without losing a single man.

The landing party made its encampment for the night on the high inland ground above the forts, with the naval squadron anchored just off shore. At 0400 on Sunday, June 11, 1871, the assault continued north, where it easily subdued two more minor forts with the same results. As the marines and sailors regrouped their forces, they stood in the shadow of Fort Kwangsongbo, which they referred to as "The Citadel." The fort was obviously the biggest of the five, and stood situated at the natural chokepoint of the river. As the Marines formed up for the assault, they took cover on the opposing slope of a large hill. In order to assault the fort, they would have to charge down the other side of the hill into a small valley and up another hill, on top of which the fort stood. When the Seabees had concluded forming up their ranks behind the skirmishing force and the ships were in position, the naval bombardment of the Kwangsongbo began, battering the fort while the American forces charged down the hill under heavy Korean fire and into the valley. The men regrouped in the valley under the Citadel, and the naval guns subsided.

When the force was prepared again, the artillery began a brief bombardment to further soften the objective, while the Koreans continued to lay down extreme suppressive fire. Among the defenders of the fort were the storied "Tiger Hunters," members of an elite unit which required one to singlehandedly kill a tiger to be included, and who had also made oaths to die before letting any foreign power invade.³⁶ As the artillery stopped, the Koreans let out a rising war cry of horns, moans, and metal, frightening many of the battle-ready Americans. The order to attack quickly came thereafter, and the men began the assault of the Citadel, with

³⁵ Sterner, *Shinmiyangyo*, 19-20. Tyson, "Korea, 1871," 5.

³⁶ Richard K. Kolb, "'Tiger Hunt' in Korea: during the 1871 Weekend War in Korea, Fierce 'Tiger Hunters' Defended the Hermit Kingdom to the Bitter End, Earning the Respect of Hardened U.S. Marines and Sailors," *VFW Magazine*, March 2000: 38.

Marine Lieutenant Hugh McKee at the lead of the uphill charge. The Koreans mercilessly poured down lead at the charging Americans, but as the assaulting party neared the fortress walls, the Koreans were stuck reloading their guns, giving the Americans the brief respite in fire they needed to invade the fort.³⁷ The Koreans, however, did not let this technical misfortune slow them down – many resorted to desperately throwing rocks down on the heads of Americans, but this was not enough to prevent the assault.

As McKee climbed the wall, he was wounded by a Korean spear, and in continuing to push into the fort, was shot in the groin, and later died uttering the words, “Tell the dear beloved ones at home that my last prayer is for them.”³⁸ Three men would later receive the Medal of Honor for defending McKee throughout the attack so that he could be transported to medical facilities on the ships. Americans poured over the fort walls, engaging in desperate hand-to-hand combat against the Korean soldiers, who utilized swords, spears, and used their guns as clubs. Another recipient of the Medal of Honor, Landsman William Lukes, suffered from eighteen sword and spear wounds from the fight, such was the brutality of the fighting and the tenacity of both sides involved. The superior technology of the American military at this point was rendered useless, as much of the fighting relied solely on each man’s personal ability.³⁹

Marine Private James Dougherty, amid the fighting inside the fort, sought out and killed the Korean commander, who turned out to be the commanding general of Korea’s military, an action for which he received the Medal of Honor. Private Hugh Purvis and Corporal Charles Brown then succeeded in capturing the Korean colors (which demarked the Korean character for “generalissimo”), and McLane Tilton assisted them in raising the American flag, the first time it was raised in a foreign country.⁴⁰

³⁷ Szczesniak, Boleslaw. "Letters of Homer Crane Blake Concerning His Naval Expedition to China, Japan and Korea: 1869-1872 (2)." *Monumenta Nipponica* 13, no. 3/4 (1958): 318.

³⁸ Sterner, “Shinmiyangyo,” 29. Author’s Note: The Medal of Honor was, at the time, the only award given for bravery in battle. Also, it was only accorded to enlisted men; otherwise Lieutenant McKee most certainly would have received it for claiming the distinction of leading the charge.

³⁹ Tyson, “Korea, 1871,” 21. Captain Tilton included in his official report of the battle that he noticed many misfires among American rifles, and upon further investigation, found that faulty paper ammunition boxes had led to a mere 30-40% success rate in firing.

⁴⁰ *Ibid.*, 20. The Korean flag was brought back to the United States and remains on display in the U.S. Naval Academy at Annapolis, MD today. Recently, North Korea has expressed its desire for the flag’s return, and U.S. senators have

When the fighting ended after a few hours, the Americans had lost three men and ten wounded in the fighting, as well as one man who died of illness, while the Koreans had suffered a loss of 240 to 300 men between the bombardments and the assault. The Americans occupied the fort for the rest of the day, administering aid to wounded Koreans and taking tallies of the battle. In the two days of the land expedition, American forces had destroyed a total of 481 enemy cannons. The next morning the Americans embarked their ships, where they waited uneventfully for ten more days before departing Korea and returning to China.

V. Effects of the Campaign

US Ship “Colorado” off Isle Boisé, Corea, Asia
My dearest Nannie, June 21st, 1871

My last letter, No. 13, gave you an account of the firing upon our launches from the Corean forts in the Salée River, whilst engaged in making soundings. I suppose you have all been very anxious about us since, as no doubt the papers have been filled with all sorts of dreadful prophecies in regard to the affair. I am glad to say I am alive still and kicking, although at one time I never expected to see my Wife and baby any more, and if it hadn't been that the Coreans can't shoot true, I never should. It is all over now, and as I expected, we have failed to make any treaty with the Coreans. The local authorities near us return all our communications sent on shore to be forwarded to their King, and our Expedition so far as a treaty goes has turned out to be fruitless. We have not force enough to go to their Capital in the interior even if our government directed us to do so. The Country is beautiful; filled with lovely hills & valleys running in every direction and cultivated with grain of all kinds which even now is turning to the colors indicating ripening. Everything is pretty and green, and the little thatched villages are snugly built in little nooks, surrounded by pines & other evergreens. We had a dreadful time on our Expedition. . . . The Corean soldiers fought like tigers, having been told by the King if they lost the place the heads of every body on Kang Hoa

suggested a trade, as North Korea also maintains the only surviving captured U.S. warship, captured during the Vietnam War. See *Pueblo Chieftain* (Colo.) article, April 20, 2007.

Island on which the forts stood, should be cut off. Poor Lieut. McKee who was such a beau at the Naval School was killed. . . . I and one of my Corporals & one of the Marines of the "Alaska" captured the big yellow flag that flew over the fort...so you will no doubt feel glad that your old man gets a little credit without a hole through his skin, which by the by is about the color of a roasted chestnut at this present writing...I don't think any of us will be in any more danger during the cruise. As for me I am quite satisfied, "I have not lost no Coreans", and "I ain't alooking for none neither"- I want to go home! The way the "gingall" or match-lock bullets whizzed was a caution to all those innocents engaged in war. My precious girl I am one of those innocents, and I dont want to engage in any more sick business. We will leave here before long going across to Cheefoo, on the China Coast, from thence to Yokohama so when you get this you may rest assured that none of us are to lose our skins. . . . Affectionately McLane Tilton⁴¹

The expedition had a very significant impact not only on American-Korean relations for some years to come, but on American foreign policy as well. To be sure, the expedition succeeded in its military objective, but failed miserably in its overall political objectives. American diplomacy, in seeking a treaty with Korea to protect shipwrecked sailors and open trade, served only to sour Korean-American relations in their very first political contact with the country. And although the Americans succeeded militarily, they made the same fatal decision as the French had nearly five years earlier by failing to follow up their success with any further action. By retreating from Korean waters, the American expedition left in the Koreans the deeply-rooted conviction that it had scared off yet another of the Western powers. The Korean people, after the battle and even still today, often view the battle as a defiant and heroic "last stand" against foreign aggression.

Immediately after the Americans departed, the Korean king ordered signs to be posted around the country declaring, "The barbarians from beyond the seas have violated our borders and invaded our land! Should we not fight, accord must be made! Those who favor making a treaty betray their country!" In fact, Korea officially remained in a state of

⁴¹ Letter, Wood and Hilliard, June 21, 1871, "McLane Tilton Papers."

war with the United States for ten more years.⁴² Korean rhetoric raged, as seen in a proclamation of the king in 1871: “The smoke and dust of the vessels of Westerners cover the world with darkness, but the great light of the East enlightens it throughout eternity!” In a letter to Japanese delegates in 1872, the king’s government wrote, “We, Koreans, are a small country, but yet we have the courage to put into writing to you that Western barbarians are beasts. The above is intended as a direct insult to you and your allies—the barbarians.”⁴³ American rhetoric related the war just as passionately and nationalistically, with titles such as “Our Little War with the Heathen,” relating the Americans’ “Speedy and Effective Punishment of the Barbarians” in response to their “Traucherous Attack.”⁴⁴

Both sides viewed the encounter as a great victory, but in essence, both sides were the vanquished rather than the victors. Most of the journalism and even congressional reports on the expedition focused solely on the military expedition, perhaps intentionally seeking to place emphasis on the United States’ short-term success over its long-term failure. In the end, however, the prophecies of Tilton and Grinnell came true. As one reporter later critically declared, the U.S. government “sent a force altogether too large for the delivery of the message of peace and too small for the prosecution of war.”⁴⁵

Fortunately for the United States, a regime change in Korea brought with it a change of Korean foreign policy, and the Korean government initiated contact with the United States in the interest of a trade agreement in 1883. This time, however, American diplomacy seemed to have learned a lesson, arriving in Korea by raising the Korean flag and offering up a twenty-one gun salute. Commodore Shufeldt’s wishes were granted, but not without some hard work of his own mending misunderstandings from the 1871 expedition.⁴⁶ Trade negotiations were successful, and in 1885 the United States built an embassy in Seoul, and

⁴² Gordon H. Chang, “Whose ‘Barbarism’? Whose ‘Treachery’? Race and Civilization in the Unknown United States-Korea War of 1871,” *Journal of American History* 89, no. 4 (2003): 1361. Tyson, “Korea, 1871,” 3.

⁴³ Chang, “Race and Civilization,” 1361. Battistini, “The Korean Problem,” 47. Author’s Note: Chang also incorrectly translates the Korean term for the war, *Shinmiyangyo*, to mean “the barbarian incursion of 1871,” when in fact it simply means “the invasion (*yangyo*) of 1871 (*shinmi*).

⁴⁴ See *The New York Times*: July 17, 1871, August 23, 1871.

⁴⁵ Sterner, *Shinmiyangyo*, 30. Tyson, “Korea, 1871,” 7.

⁴⁶ See Battistini, “The Korean Problem;” Hulbert, “The Opening of Korea,” and Chang, “Race and Civilization,” for detailed accounts of Commodore Shufeldt’s efforts in opening trade between Korea and the United States.

also committed U.S. military advisors to help train the Korean Army upon their request.⁴⁷

Conclusion

The 1871 Korean Expedition is little known to most people, as it pales steeply in statistics and scale when compared to other more major-scale conflicts in American history. However, in the study of American military history as well as foreign policy, it presents a number of important lessons that should not be overlooked, regardless of the conflict's small-scale standing with a "hot" duration of two days and a casualty count of only fourteen men. Most importantly, the expedition marks a significant shift in the military strategy of the United States from continentalism to expansionism. While the navy had been landing sailors and marines abroad repeatedly in the "protection of American citizens and interests," this was among the first landing made with direct hostile intent against another sovereign nation. The United States government had begun to commit itself to a "roaming navy," capable of protecting American interests all over the globe, and Korea was one of the earliest examples of that theory in practice. This ideology remains an essential factor of American military strategy and foreign policy today, and as such, its earliest implementation in the "Forgotten 'Weekend War,'" successes and failures alike, deserves a much higher degree of attention from any serious diplomat, scholar, soldier, or student all the same.

⁴⁷ U.S. House of Representatives, Message from the President of the United States Transmitting a Communication from the Secretary of State Relative to the Desire of the Government of Corea to Obtain One or More Officers of the United States as Military Instructors in that Country, 48th Congress, 2nd sess., H. Doc. 163, Serial 2302.

THE VIRTUES OF AN EXPLICIT DEFENSE: HOMOSEX IN THE VICTORIAN ROYAL NAVY

BY
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Britta Hanson graduated from Northwestern University in 2012 with majors in English and History. This paper is the product of a grant to conduct research in the National Archives of the United Kingdom, and it went on to win Departmental Honors and the North American British Studies Conference's Undergraduate Essay Contest. Britta's interest in the Royal Navy can be credited to her childhood love of C.S. Forester's "Horatio Hornblower" series.

In April of 1868, William Widdicombe of the H.M.S. *Sphinx* faced a court martial for what was, at least by the letter of the law, one of the most severely penalized crimes in the Royal Navy: not murder, treason, or mutiny, but sodomy.¹ The British civil law against sodomy had been in place since the sixteenth century, and the Naval Articles of War had outlawed sodomy since their induction in 1653.² Victorian sodomy courts martial usually featured mortified defendants doing little more to defend themselves than making weak assertions of their good character. Widdicombe, on the other hand, did not tip-toe around the issue. He asked his accusers specific, hard-hitting questions that skipped the normal circumlocution around the sexual nature of the crime. His gamble worked: in spite of the evidence against him, he was acquitted of the sodomy charge.³

¹ "Sodomy" as a term was used not just to indicate anal intercourse, but as a catch-all designation for sexual activity between men. See H. G. Cocks, "Secrets, Crimes and Diseases, 1800-1914," in *A Gay History of Britain: Love and Sex Between Men since the Middle Ages*, Matt Cook, ed. (Westport, Conn.: Greenwood World Publishing, 2007), 111.

² The first national ban on buggery was called The Buggery Act (25 Henry VIII c. 6), enacted in 1533. Before that the issue had been governed by local ecclesiastics. See B. R. Burg, *Boys at Sea: Sodomy, Incest, and Courts Martial in Nelson's Navy* (New York: Palmgrave Macmillan, 2007), 2, and Randolph Trumbach, "Renaissance Sodomy, 1500-1700," in *A Gay History of Britain*, 49.

³ Although he was still "found guilty of having committed an indecent assault," his sentence of five years of penal servitude (jail with hard labor) was far preferable than the minimum ten-year sentence for sodomy.³ He was lucky his case was not tried eight years earlier, when sodomy was still a capital crime. Nevertheless, because there is no such thing as an appeal to a naval court martial (either then or now),

Sodomy trials between 1830 and 1860 are characterized by a number of paradoxes. While the sentence for sodomy remained more severe than the that of almost any other crime, not only were there no death sentences in this period, but the most common punishment was one to two years in jail.⁴ The Admiralty sought to avoid the intense and uncomfortable public scrutiny these trials brought, and so discouraged captains from bringing cases to trial. Thus, by contrast with the explosion of cases in the prior three decades and a quadrupling of cases between 1860 and 1880, the Admiralty pursued relatively few courts-martial for sodomy in the mid-Victorian period. For this short time, harsh legal codes coincided with lax punishments.

When officials were left with no choice but to address the crimes, they did so with maximal circumlocution. As the philosopher Michel Foucault argued, the Victorians did not so much avoid sexual language altogether as develop a “proliferation of discourses,” a codified rhetoric of allusion and metaphor that allowed them to talk about sex, including a scheme for where, when, and with whom such topics could be discussed.⁵ What could be said in relative privacy – in a doctor’s office, or between boys on a ship – was entirely different from what could be articulated in public. For Foucault, talking about sex, especially in the form of a confession, provides a key site for normalization. Yet these courts martial demonstrate the profound difference that existed between the accepted discourses for the public sphere versus the private. Sex between men was a subject for shipboard gossip, but unspeakable in the forum of a court martial. As the historian Peter Gay has argued, the hypocrisy with which the Victorians were often charged is a product of an extreme public reticence combined with a range of private sexual practices.⁶

A defendant willing to flout these unspoken conventions and speak publically about sodomy could turn his society’s reticence to his own advantage. By being specific, these men forced the navy to directly confront the issue at hand, an action the courts were patently unwilling to take. When forced to deal in explicit terms and specific claims instead of

Widdicombe surely would have served out his harsh sentence if it had not been canceled by the Admiralty on May 25, 1868.

⁴ For example, on May 22, 1861, a sailor charged with manslaughter was given a twelve month sentence. In 1859, a charge of mutiny earned an eighteen month sentence. See Admiralty (ADM) 194/180 and 194/181, Public Records Office (PRO), The National Archives of the United Kingdom (TNA), Kew Gardens, London.

⁵ Michel Foucault, *The History of Sexuality. vol. 1. An Introduction*, Robert Hurley, trans. (New York: Random House, 1978), 18.

⁶ Peter Gay, *The Bourgeois Experience: Victoria to Freud vol. 1 Education of the Senses* (New York: Oxford University Press, 1984).

vague incriminations, the cases often fell apart at the seams. By speaking the unspeakable, these men had the best chance of walking away unscathed.

To explore this issue, one must first look at how sodomy was discussed among crew members, and how it came to be reported. Once the crime was reported, the quality of the prisoner's character – and that of the witnesses for and against him – was crucial to establishing credibility. Proof of good character could ground a prisoner's defense, establish the validity of evidence, and verify a boy's role as a victim in a trial setting. Nevertheless, upstanding character was ultimately insufficient to secure acquittal. In addition, the reluctance of Victorian courts and litigators to address the sexual nature of these offenses altered the structure of the trials, focusing instead on innocuous logistics. This article will also consider the results of these trials: why sentencing was far milder than the law required, and why the Admiralty was so adamant about keeping its hands off this unspeakable crime.

I. Gossiping about a Capital Crime

An accusation of sodomy left an indelible stain upon a man's character. According to Jeremy Bentham, a nineteenth century jurist, social reformer, and philosopher, it did not matter if the accused could prove his innocence, for “whether a man be thought to have actually been guilty of this practice or only to be disposed to it, his reputation suffers equal ruin.”⁷ Faced with what was often referred to as the most horrible of crimes, some men fled rather than face trial; others ended their lives.⁸ One ship's surgeon recorded how a sailor accused of sodomy allowed himself to waste away and die for fear of what he would face when they came to port.⁹ Looking at the panic caused by even the prospect of a court martial for sodomy, the Victorians appear just as repressed as popular legend would have it.

And yet, private shipboard discussion of male sexual acts was – as trial transcripts indicate – an accepted, standard practice. By contrast with

⁷ Jeremy Bentham, ‘Essay on “Paederasty”’ (1785), cited in Netta Murray Goldsmith, *The Worst of Crimes: Homosexuality and the Law in Eighteenth-century London* (Aldershot Hants, England: Ashgate, 1998), 99.

⁸ There are many examples throughout British society, including Major General Sir Hector Macdonald's famous suicide at the very end of the Victorian period; see Trevor Royle, *Death before Dishonor: the True Story of Fighting Mac* (New York: St. Martin's Press, 1982). For a more typical account, see “Suicide of Professor Matthiessen,” *The Times*, October 8, 1870, 5.

⁹ ADM 101/44/5, PRO, TNA.

the Georgian period, when mariners quickly raised the alarm, suspicions of sodomy in the Victorian navy often circulated as a rumor among the ship's crew long before any official report or accusation. When questioned, the Victorian sailor would trace an extensive narrative of the crime that spread among many people, long before the authorities got involved. Lieutenant Hawkins Ayscough, for example was only charged with making indecent proposals to his servant, Boy George Robinson, after Robinson told another boy of the incident, who in turn told the ship steward, who told Lieutenant Fredrick Hutty, who officially reported the offense to the captain.¹⁰ These discussions of a case's details did not make the accusation any less believable; in fact, the accuser's confidant was routinely brought to court to corroborate the claims.

Not only were sailors apparently used to discussing sexual crimes among themselves, but the discovery of men in compromising positions apparently rarely shocked or disturbed their fellow sailors. The shipmates of Edward McGee and John Peach found the offenders in bed together, on top of one another, wearing only their shirts. This discovery was only made after the pair had been heard tossing back and forth in bed for some time, making noise "like a man being in bed with a woman."¹¹ After quietly conferring, the other sailors got fed up with the noise, and fetched the Master at Arms, who laughed upon being told. The men clearly recognized what was going on, yet did not jump to report it, or even react strongly. They even ignored it for a short time. More telling even than this is that McGee and Peach did not even bother finding a hidden place, an easy task on the cluttered, labyrinthine vessels. They were perfectly comfortable conducting their relations in the same room as their sleeping shipmates, behind the paltry screen of a blanket spread between their beds.¹²

Even sailor boys (officially defined as sailors between thirteen to eighteen years old, but sometimes as young as six) were surprisingly nonchalant when questioned in court about their own alleged molestation. Their testimony makes a marked contrast to that of civil cases, in which boys were often depicted as extremely distressed by any sexual encounter with another man. In an 1870 Middlesex deposition, the mother of an eleven-year-old boy recalled finding him pulling his hair, scratching himself, and threatening to commit suicide after a lodger had drugged the boy and attempted sodomy upon him.¹³ Extant court minutes suggest that

¹⁰ ADM 1/5484, PRO, TNA.

¹¹ ADM 1/5478, PRO, TNA.

¹² Ibid.

¹³ Louise A. Jackson, *Child Sexual Abuse in Victorian England* (London: Routledge, 2000), 102.

this compelling, dramatic shame did not figure as prominently into naval courts martial. In the testimony of Boy Thomas Harris against Mr. Thomas Hammett, who was accused of “indecent assault,” Harris could not even remember whether Hammett had returned a second time to touch him. “If such a thing had occurred would you be likely to remember it?” asked the prosecutor. “I can’t mind everything,” said Harris. While for a civilian boy the idea and act of sodomy was alien and abhorrent, it was, it appears, an unremarkable part of naval life for boys in the navy.

In sum, this explicit gossip helped to acclimatize the men into a culture of provisional tolerance, or at least indifference, to sex between men. The divergence between these informal practices and the criminal code that prevailed on board ship helps to explain why, in spite of the crime’s mandated death sentence, the last execution for sodomy in the navy was carried out in 1829 on William Maxwell. The de facto and de jure punishments for sodomy were, in fact, quite different in this era.

II. Character in the Court-Martial

When a sodomy case was brought to court, sailors were forced to acknowledge the existence of a phenomenon that, as much as they gossiped about privately, they actively avoided addressing publicly.¹⁴ Thanks to the many male brothels, or “Molly Houses,” in Georgian London, the concept of the contemporary sodomite was well known in the 1700s.¹⁵ The historian Richard Norton even claims that there were more gay clubs and pubs in the heart of London in the early 1720s than there were in the 1950s.¹⁶ However, one cannot go so far as to label these men as “gay.” The modern idea of a “homosexual,” a person whose attraction to their own sex is an inherent and indelible part of their personality, was not even conceived until the end of the nineteenth century, and the term itself did not appear in English until 1892.¹⁷ Historian Matt Houlbrook

¹⁴ Richard Norton, *Mother Clap’s Molly House: The Gay Subculture in England, 1700-1830* (East Haven, Conn.: InBook, 1992), 9.

¹⁵ Tellingly, the term “mollies” comes from the Latin “mollis” – meaning soft, tender, pliant, or woman-like. See Burg, *Boys at Sea*, 6.

¹⁶ Norton, *Mother Clap’s Molly House*, 9.

¹⁷ The term originated in a German neologism, “Homosexuelle,” coined in 1869. Richard von Krafft-Ebing’s pioneering work of sexual investigation, *Psychopathia Sexualis* (1886), used the term, which then appeared in English for the first time upon the book’s translation in 1892. See David M. Halperin, *How to Do the History of Homosexuality* (Chicago: University of Chicago Press, 2002), 155, n. 2. See also “homosexual, adj. and n.” OED Online, <<http://www.oed.com.turing.library.northwestern.edu/view/Entry/88110?redirectedFrom=homosexual>>, (accessed March 4, 2011).

argues that the modern organization of male sexual practices and identities into two camps in binary opposition – “homosexual” and “heterosexual” – did not solidify until the two decades after the Second World War.¹⁸ Thus the nineteenth century sodomite would not have thought of himself in terms of that label, or even consider himself abnormal. As Foucault succinctly explains, “The sodomite had been a temporary aberration; the homosexual was now a species.”¹⁹

Faced with a moral crime, the accused sodomite almost invariably centered his defense on proving his strong moral character. Character was arguably the central concern of Victorian society; more than one’s success and or even one’s class, the ability to call oneself a gentleman (a term that required not just genteel birth but genteel conduct) was the highest objective. A man was expected to show self-restraint, perseverance, strenuous effort, courage in the face of adversary, as well as a sense of duty.²⁰ As one contemporary commentator put it, “Character is like an inward spiritual grace of which reputation is, or should be, an outward and visible sign.”²¹ A truly upstanding person would have been incapable of engaging in such depravity, for the source of a man’s deeds was his character.²² It would therefore seem to follow that proving one’s morality was only a hair’s breadth away from proving one’s innocence.

An unimpeachable character, moreover, was often the only argument a prisoner was capable of making, as he had neither the right to legal counsel nor guaranteed time to prepare.²³ The accused was simply given notice of the accusation before trial, and expected to formulate his defense as the case unfolded. This lack of support for the defendant was justified on the grounds that the quality of the defendant’s character would speak for itself. As a contemporary law manual explained: “we are not recommending or expecting that naval officers should be skillful lawyers,” for the defendant’s intelligence, demeanor, and “apparent freedom from prejudice . . . would go far in direction the court as to the faith which his

¹⁸ Matt Houlbrook, *Queer London, Perils and Pleasures in the Sexual Metropolis, 1918-1957* (Chicago: University of Chicago, 2005), 7-8; Eve Sedgwick, *Epistemology of the Closet* (Berkeley: University of California Press, 1990), 2.

¹⁹ Michel Foucault, *The History of Sexuality*, 43.

²⁰ Stephan Collini, *Public Moralists: Political Thought and Intellectual Life in Britain, 1850-1930* (New York: Oxford University Press, 1991), 100.

²¹ R.G. White, *Words and Their Uses* (London, 1870), 99, quoted in Stefan Collini, *Public Moralists: Political Thought and Intellectual Life in Britain, 1850-1930* (New York: Oxford University Press, 1993), 106.

²² *Ibid.*, 96.

²³ These rights were not conferred until 1883 and 1884, respectively.

Reginald Acland, “The Development of Naval Courts Martial,” *Journal of Comparative Legislation and International Law*, Third Series, Vol. 4, No. 1 (1922): 56.

testimony deserved.”²⁴ It need hardly be said that this ideal was not realized. The prisoner was usually so overwhelmed by the indignity and shame of the circumstances that he could do little more than bluster about his unimpeachable honor (often in comparison to his dishonorable accusers).

These protestations came primarily in the form of the defense statement, a sometimes sprawling and usually haphazard document written and presented to the court the day after the prosecution had concluded their case.²⁵ Defendants largely skipped evidentiary arguments for expositions on their personal, moral, and professional excellence, in light of which the accusation was preposterous. One officer pointed to the fact that he was about to be married, a fact in light of which (he argued) he would hardly commit so heinous a crime.²⁶ In the course of these ramblings, the defendants often made unequivocal, acerbic denunciations of sodomy itself, which were often the most acrimonious statements in the entire trial. “It is a crime worse than death,” one man proclaimed.²⁷ This, too, was likely done in part to show their solidity of character, as well as distance themselves from the crime through their extravagant disapproval.

The prisoner was also allowed to call his own witnesses. Flocks of his peers and superiors – sometimes as many as fifteen – vouched for his personal and professional character. In almost all cases, the defendants’ witnesses were not even asked about the crime, as most of them had no direct connection to the case. They instead focused on the defendant himself, using the most excessive hyperboles available. Mr. Don Phillip Dumaresq, a mate on the steam vessel *Volcano* accused of indecent conduct, summoned his hometown pastor to court to testify that “I have known Mr. Dumaresq for upwards of twelve or thirteen years – from a boy – and his character has always been considered estimable. A most excellent young man.”²⁸ Even William Renwick, faced with fifteen counts of indecent assault, had found a former captain who would testify

²⁴William Hickman, *A Treatise on the Law and Practice of Naval Courts-Martial* (London, 1851), 36, 62-63.

²⁵Theodore Thring, *Thring’s Criminal Law of the Navy: with an Introductory Chapter on the Early State and Discipline of the Navy, the Rules of Evidence, and an Appendix Comprising the Naval Discipline Act and practical forms*, 2nd ed. (London, 1877), 119. *The Making of Modern Law*. Gale, Cengage Learning, <<http://galenet.galegroup.com.turing.library.northwestern.edu/servlet/MOML?af=RN&ae=F104382347&srcht=a&ste=14>>, (accessed March 12, 2012).

²⁶ ADM 1/6277, PRO, TNA.

²⁷ ADM 1/5484, PRO, TNA.

²⁸ ADM 1/5485, PRO, TNA.

that “I could not have had a higher opinion of any young officer in the service.”²⁹

This process of character vetting was used by the prosecution as well as the defense to establish the reliability of the witnesses, especially in relation to boys. The youths in question ranged drastically from near-men perfectly capable of elaborate perjury to hapless children like George Middleton, who was almost not allowed to testify against Dumaresq because he “did not understand the nature of an oath.”³⁰ In order to verify the character, and the claims, of the young accusers, adult witnesses were brought in. When Boy Robinson claimed that he had written an account of Lieutenant Maxwell’s abuses in chalk on the iron ring fixed around the main mast, no one challenged this fantastic statement directly. It was the first mate and officers, rather than Robinson, who confirmed that they had seen no chalk upon the mainmast.³¹ Older witnesses, regardless of their connection (if any) to the case itself, were repeatedly asked to characterize the ship’s opinion of the boy in question. The difference between even an “indifferent” and a “middling” regard among the crew was therefore crucial to winning the trust and goodwill of the court.

These universal examinations of character were used to compensate for the fact that, with very rare exceptions, there was neither physical evidence nor eyewitness testimony to confirm the allegation. Unless men were caught in the act (a rarely reported occurrence in this period), the trial usually amounted to one man’s word against another’s. As a naval legal manual readily admitted: “The disgusting crimes specified in the twenty-ninth article of war would generally be proved by circumstantial evidence; for the perpetrators would select such time and place for the committal of their atrocities as would render it almost impossible to prove the facts by direct evidence.”³² Therefore, in the

²⁹ ADM 1/6277, PRO, TNA.

³⁰ ADM 1/5485, PRO, TNA. In the Royal Navy, the rank of “Boy” referred to any sailor under the age of eighteen. The minimum age to join the navy was thirteen, and after Continuous Service was enacted in 1853, the typical age to join was sixteen. Fourteen was both the age of sexual consent for boys; those younger could not be charged regardless of their complicity. See Randolph Trumbach, *Sex and the Gender Revolution, Volume 1: Heterosexuality and the Third Gender in Enlightenment London* (Chicago: Chicago University Press, 1998), 59; Eugene L. Rasor, *Reform in the Royal Navy: A Social History of the Lower Deck* (Lancaster, U.K.: Gazelle Book Services, 1976), 28; Mary A. Conley, *From Jack Tar to Union Jack: Representing Naval Manhood in the British Empire, 1870-1918* (Manchester, U.K.: Manchester University Press, 2009), 41; and Burg, *Boys at Sea*, 22.

³¹ ADM 1/5473, PRO, TNA.

³² William Hickman, *A Treatise on the Law and Practice of Naval Courts-Martial* (Charleston, S.C.: Nabu Press, 2010), 47-48; Colin Simpson, Lewis Chester,

hopes of actually reaching a conviction, the courts chose to accept evidence that would otherwise be considered irrelevant. As a naval legal manual explained, presumptive evidence, i.e. information regarding “facts not precisely of the matter in issue,” should “be admitted and considered in proportion to the difficulty of substantiating the facts in issue by direct evidence.”³³

The prosecution also mobilized the rhetoric of character through their examinations of the defendant’s conversations. What was said, when, and by whom, was brought forward and dissected in exhausting detail as evidence of bad character and guilt, regardless of whether it directly pertained to the crime. Here again, discussing one’s allegations for weeks or months before officially bringing them forward was considered normal, even expected behavior. In the case of Lieutenant Dumaresq, the rumor of his illicit relations among the crew was referred back to as if to establish a consistent, verifiable precedent. In some cases, the prosecutor would have a witness relate a conversation with the accuser or defendant, and then simply ask, “Did you believe him?” The responses to this question were granted as much weight as the defendant’s alibi, and were sometimes discussed more thoroughly than the details of the crime itself.

In the strictest sense of the law, these often unrelated conversations were inadmissible evidence. If the witnesses had no direct knowledge of the crime, and was instead reporting information they had learned second-hand, their evidence was hearsay, a well-established tenet of English law by the nineteenth century. But given the lax standards of naval law, this did not matter much. As a Navy-specific law manual asserted, “Evidence of what the prisoner said within the hearing of the witness is admissible, as direct and original evidence, and must not be confounded with hearsay evidence.”³⁴ Thus, the oft-repeated question by the prosecution in Dumaresq’s case, “are you in any way acquainted with the circumstance with which the prisoner stands charged more than by hearsay?” was not attempting to establish the validity of their testimony: their possession of direct knowledge was immaterial. By checking whether their statement was hearsay, they were merely establishing the type and scope of the evidence. Thus, when this question was answered with a negative (as it always was), the examination continued unabated.

From defendant to victim, boy to captain, the question of character defined sodomy-related courts martial in the navy. Unfortunately, the

and David Leitch, *The Cleveland Street Affair* (London: Weidenfeld and Nicolson, 1976).

³³ Hickman, *A Treatise on the Law and Practice of Naval Courts-Martial*, 47.

³⁴ *Ibid.*, 57.

proof of even the most upstanding character was not enough to secure an acquittal on its own.

III. Shipboard Hierarchy

In many ways, life in the navy was a microcosm of Victorian society: a tightly organized culture held together by shared beliefs (including the importance of good character) as well as a rigid social hierarchy.³⁵ The captain ruled like a god upon his ship, with the Articles of War providing a malleable framework for his whims. Subordinate officers had only a fraction of the captain's authority, but they were still allowed an extreme degree of control over crew members. The crew, in turn, had neither authority nor standing, but were free to abuse the boys, the earthworms of the Naval food chain. The ranks that distinguished one sailor from another were not useless laurels; they provided structure to the high-stress, high-stakes life at sea. The clear line of command assured that there was no possibility of the orders of one rank conflicting even remotely with another, which helped the ship run smoothly.

Contemporary men therefore saw sodomy cases not only as a violation of moral and religious tenets, but a threat to the ship's balance of power. To abuse one's position by exploiting an inferior, or undermine one's authority by becoming too familiar, was to violate the basic fabric of authority holding the ship together. The prosecution spent considerable time in sodomy trials exploring the relationship of the accused to his inferiors. Any evidence of overt familiarity or rancor was seen as highly incriminating; fraternizing with boys, especially, could strike a fatal blow to a defendant's case. In the case of Henry Giddy, a boatswain's mate accused of sodomy on the HMS *Revenge*, much was made of the fact that the prisoner had regularly made clothes for various boys.³⁶

Close scrutiny of inter-rank relationships was especially important given that a charge of sodomy often proved a potent weapon when relations between officers and those under their command had soured.³⁷ Boys especially were in such a powerless position that accusations of extreme abuse such as sodomy were one of the only ways they could effect change in their superiors' behavior. Of course, accusers' motives were not

³⁵ Rasor, *Reform in the Royal Navy*, 76.

³⁶ ADM 1/5808, PRO, TNA.

³⁷ Blackmail involving sodomy was not unique to the Navy: practically from the time the civil law against sodomy was enacted the sixteenth century, a great many of the country's blackmail attempts involved one man threatening the other with an accusation of sodomy in order to secure their demands, leading to the law's nickname, the "Blackmailer's Charter." See Norton, *Mother Clap's Molly House*, 135.

uniformly high-minded: sometimes they just wanted payback for unjust punishments. One man only cried out his accusation of an unnatural crime while that officer was putting him in the stockade.³⁸ Inter-rank sodomy trials were therefore embroiled in the politics of hierarchy. William Meldrum, a Gunner on the HMS Rattlesnake put on trial for “behaving in a most indecent manner with four boys of the same ship,” commented in his defense that “one should be able to punish boys without having to face accusations of this kind.”³⁹

In the 1832 court martial of Lieutenant Richard Morgan, one can see both how the lieutenant offended ideas of shipboard order, and how his inferiors may have mislead the authorities. Two boys, inseparable best friends, accused him of touching one of them on the leg in an offensive manner, and later asking him to “lie across his Belly.”⁴⁰ The evidence against Morgan was practically nonexistent, consisting solely of the boys’ word. But instead of denying the events altogether, Morgan conceded that he did touch the boy, but in a playful, inoffensive way, having mistook the boy for a friend of his.⁴¹ This admission that his normal manner of greeting could be confused with sexual assault was hardly a convincing argument. Even more damning were his shipmates’ testimonies, which were unanimous in that he was extremely familiar with his inferiors. He often went to the gun-room (the province of lower-ranked officers) to socialize, and gripped others by shoulder while they spoke. After twenty-nine years of service, Morgan apparently preferred the company of young men and boys, implicitly flouting Naval hierarchy. Thus, on little proof but ample disapproval, he was convicted of “taking indecent liberties” and dismissed from the Royal Navy.⁴²

IV. An Explicit Defense: Talking Sex in Courts Martial

Over the course of the nineteenth century, naval courts martial grew increasingly sensitive about discussing sex, especially sex between men. In the free-spirited Georgian period, testimony describing sexual relations were quite graphic, mixing the anatomical with the lewd. By the 1830s, this candid language was all but extinct. During this era, which historian Jeffery Weeks termed “a reign of euphemism and ostensible delicacy,” explicit terms such as “buggery” or “sodomy” were now

³⁸ ADM 1/5808, PRO, TNA.

³⁹ ADM 1/5473, PRO, TNA.

⁴⁰ ADM 1/5484, PRO, TNA.

⁴¹ Ibid.

⁴² Ibid.

unacceptable.⁴³ When McGee and Peach were discovered, and their shipmates went to get the master at arms, they did not tell him that the suspects were probably having sex, but instead said that the men were “doing something they ought not to.”⁴⁴ In fact, Victorian sailors could be prosecuted for nothing more than calling another man an offensive sexual term, especially one implying sodomy. John Burlton Bennett was dismissed from the navy for calling a superior officer a “bugger” and a “sod.”⁴⁵ The desire for veiled language was therefore not just a genteel preference: it was naval law.

In place of such salty language, the Victorians employed a variety of euphemistic terms with very specific connotations. Accusing someone of “taking indecent liberties” suggested that a superior had solicited sexual favors from an inferior, usually a boy. Men “found in an indecent position,” like McGee and Peach, were caught in situations that suggested sodomy, but could not be definitively categorized as such. Both “Unnatural crime” and “indecent assault” could mean male rape, molestation, or consensual sex (in which case one man would be charged with indecent assault, and the other with “allowing himself to be assaulted”).⁴⁶ These terms and many more like them utilized genteel, vague language while implying moral transgression as well as a lack of decency. Some of these terms were not new: the civil courts had used “indecent assault” for decades to refer to rape or attempted rape of a woman by a man.⁴⁷ Thus already carrying a negative sexual connotation, the term could be imported and used as a fitting substitute for a crime the navy considered equally if not more horrifying. Outright obfuscation behind technical language was also common. When Maxwell’s case was discussed in a contemporary legal manual, his crime was only stated as being “under the twenty-ninth article.”⁴⁸

The circumlocution did not stop with terminology: the proceedings of a sodomy trial hinged on the universal unwillingness to discuss the crime’s unseemly details. Far from the bawdy testimony of the Georgian-era courts martial, witnesses now circumvented direct

⁴³ Jeffery Weeks, *Sex, Politics, and Society: the Regulation of Sexuality since 1800*, 2nd ed (New York: Longman, 1989), 19.

⁴⁴ ADM 1/5478, PRO, TNA.

⁴⁵ ADM 1/6250, PRO, TNA.

⁴⁶ These two terms were roughly synonymous, but unnatural crime was used primarily before 1860, and indecent assault was used mainly after 1860. See the case of Robert Elves and William Reed in TNA: PRO ADM 194/181.

⁴⁷ See, for example, “Births, Deaths, Marriages and Obituaries,” *The Era*, October 1, 1843.

⁴⁸ Hickman, *A Treatise on the Law and Practice of Naval Courts-Martial*, 123.

explanations by providing logistical details about the surrounding circumstances. Less time was spent in the trial of William Renwick discussing the seminal discharge found on his bed than the process of reporting that discovery to the authorities.⁴⁹ This process often devolved into addressing a wealth of details that had little if anything to do with the actual crime. In Ayscough's case, the potential presence of a light source in his cabin, where he allegedly spent an inappropriate amount of time alone with a boy, was discussed at least eight times.⁵⁰

More appealing to the prosecution than discovering the details of the crimes was the chance to avoid discussing them altogether. The Victorian Navy was likely to acquit an accused sodomite, regardless of other evidence, if there was one ironclad piece of evidence in his defense. In the 1877 case of Thomas Hammett, four boys accused Hammett of repeatedly sneaking into their sleeping area to approach them one by one, asking for sex and groping their privates.⁵¹ The trial that followed was heavy on logistical details, including detailed charts of the positions of each boy's hammock in the berth, complete with tiny name labels on the hammocks, and in-depth discussions on whether the other boys would have woken up upon each of Hammett's hushed visits. While there were inconsistencies in the boys' testimony, the evidence that cleared his name was the proof that he was in fact on shore one of the nights he allegedly assaulted the boys.⁵² Today, that would only acquit him of one of the multiple charges. Instead, the court dropped his case as fast as possible, declaring him "fully and honorably acquitted."⁵³

If the crime itself was ambiguous but its surrounding circumstances were well established, the defendant was convicted on the assumption that the worst had happened. A vague, unflattering situation was often sufficiently damning for a naval court martial. Lieutenant Morgan, accused of taking indecent liberties, could not be proven to have committed any specific indiscretion, but his partial admission of the events was sufficient for a conviction. That same year, Lieutenant Hawkins Ayscough was accused of taking indecent liberties with his servant boy. While the details were murky, it was clear from the testimony of several persons that he had been alone with another boy, George McNamara, in Ayscough's cabin for over half an hour. The prosecution fussed over logistics, and Ayscough complained in frustration that the case "stamped

⁴⁹ ADM 1/6277, PRO, TNA.

⁵⁰ ADM 1/5484, PRO, TNA.

⁵¹ ADM 1/6385, PRO, TNA.

⁵² Ibid.

⁵³ ADM 1/5808, PRO, TNA.

an innocent transaction with infamy.”⁵⁴ In the end, the disquieting insinuation of immorality was enough to convict him.⁵⁵

Victorian men were instinctively aware of how ruinous the loss of their moral reputation would be. Yet their assumption that the process worked in reverse – that proving good character could lead to acquittal – was disastrously wrong. In his influential *Public Moralists*, literary critic Stefan Collini notes that the peculiar quality of character is that it is neither stable nor permanent: it needs to be maintained.⁵⁶ In Victorian understandings of morality, there was no knowing when a virtuous person would break. The sententious Lieutenant Morgan observed, “When once the moral feeling is thrown off its balance, it is impossible to say to what fatal and degrading depths it may not be precipitated.”⁵⁷ This defeatism meant that much of the defendant’s focus on character was useless. A man was expected to defend his honor, and perhaps could establish some credibility thereby, but evidence of the accused’s morality had no appreciable positive effect upon a verdict. After all, who could know if this alleged sexual encounter was the moment in which his character broke? Again and again, naval courts martial convicted men in spite of their apparently shining character.

The outcome of a trial eventually came down to how directly and aggressively the prisoner defended himself. If the accused relied on hard, factual, preferably uncomfortable evidence rather than evidence of character, he actually stood a chance. Don Phillip Dumaesq won his acquittal by steadfastly working through the details of his case. He took the three accusing boys through a series of unusually rigorous questions, forcing the court to confront the inconsistencies of their testimony. He capitalized on secondary witnesses to not only reveal further discrepancies, but to establish the low public opinion of the boys’ character. By pointing out the issues the court would have been only too happy to pass over, he secured a full pardon, leaving “without any stain upon his character.”⁵⁸

In the fall of 1862, Henry Giddy, Boatswain’s Mate on the HMS *Revenge*, was discovered behind a draped blanket with Boy Herbert Cox. The boy was standing on a barrel, and Giddy’s face was pressed up against a boy’s naked back. In the subsequent trial, the court examined the precise physical locations of the two persons in relation to one another in an attempt to determine whether sodomy had indeed occurred, forcing the jurists and judges alike to face the examine the uncomfortable details of

⁵⁴ Ibid.

⁵⁵ ADM 1/5484, PRO, TNA.

⁵⁶ Collini, *Public Moralists*, 109.

⁵⁷ TNA: PRO ADM 1/5484.

⁵⁸ TNA: PRO ADM 1/5485.

the intimate encounter. What's more, Cox admitted that he and Giddy had been undressed, and claimed that Giddy had been checking his groin for lumps. Forced to confront what they did not wish to see, the court acquitted Giddy, freeing themselves from the responsibility of considering his upsetting crime.⁵⁹

Few defendants had the wherewithal to effectively take advantage of this Achilles heel of the courts martial process. Seventy five percent of the cases tried between 1830 and 1860 were convicted; after 1860, this figure increased to eighty four percent.⁶⁰ Still, the punishments – usually less than two years in prison – were relatively minor in comparison to sentence specifically proscribed for sodomy by the 29th Article of War: death.⁶¹

V. Reticence in the Admiralty

What ordinary sailors were willing to discuss among themselves was for their sheltered, politicized superiors in the Admiralty literally an unnamable offence. One of the world's first and best-organized modern administrations, the Admiralty of the Royal Navy was staffed by the equivalent of modern office workers, far removed from the dangerous and volatile life at sea. Those at the highest levels of command were often little more than paper pushers and political glad-hands, more like a modern cabinet officer than a battle-hardened veteran. The Officers of the Admiralty themselves were such prominent public figures that the First Lord of the Admiralty, H. C. E. Childers, is portrayed in William Makepeace Thackeray's famous satire on Victorian society, *Vanity Fair*.⁶²

While the Admiralty enjoyed its privileged status, it came at a high price. The Victorian public was highly invested in the actions of its beloved navy and extremely critical of its strategies and policies. *The Times'* 1846 leader on the problems of courts martial is a good example of the sorts of criticism the navy regularly faced. The article, titled "The Efficacy of a Naval Court-Martial as a Tribunal," attacked the amorphous practices of the trials from all angles, from their extemporaneous nature to their delight in "condemn[ing] on principle and punish[ing] for the sake of

⁵⁹ ADM 1/5808, PRO, TNA.

⁶⁰ ADM 194/42, 194/180, 194/181, and ADM 194/182, PRO. TNA.

⁶¹ According to the naval regulation, "If any Person in the Fleet shall commit the unnatural and detestable Sin of Buggery or Sodomy with Man or Beast, he shall be punished with Death by the Sentence of a Court Martial."

⁶² Hamilton, *The Making of the Modern Admiralty*, 149.

protection.”⁶³ Persons convicted by these broken courts, wrote the vexed author, “stand acquitted by a much more important tribunal – by an impartial public.”⁶⁴

The publicity the Admiralty earned for sodomy trials was damning, on par with news of battle losses and mutinies. The Victorian public was growing more aware of homosex, thanks in part to the passage of the Metropolitan Police Act in 1829, which established London’s first organized, effective police force. The bobbies, as they were called after the act’s affectionately dubbed “bobbies” after Robert Peel, who introduced the act. The bobbies, also had the unexpected effect of unearthing a network of casual male sexual encounters in public places. As a result, an alleged sodomite was brought before the Civil Criminal Courts (and the scandalized public) roughly once a week.⁶⁵ These cases would then be picked up by major newspapers, as well as radical printers and pamphleteers, who exploited the subject’s prurient appeal.⁶⁶ Pamphlets detailing sodomy-related crimes were estimated to sell as many as 20,000 copies throughout Britain and its empire.⁶⁷ To make matters worse, the navy had a reputation for sharing in these proclivities, thanks in part to the continued resonances of the courts martial in public memory.

The navy was under fire from Parliament, as well. In 1846, the radical member of Parliament, Joseph Hume, finally succeeded in moving for the navy’s recent punishment returns to be laid before the House of Commons. This was highly controversial, for although there were no actual changes to disciplinary law, this new public accountability was an unprecedented impingement upon a captain’s normally unmitigated shipboard power.⁶⁸ As Hume explained when he proposed the bill, “if there were but a few officers who followed this system, let them at least be known to the public.”⁶⁹ Once Hume’s act was approved, returns became

⁶³ “The Efficacy of a Naval Court-Martial as a Tribunal,” *The Times*, Aug 28, 1846, 5, col. A.

⁶⁴ Another comment worthy of note was that “Courts-martial have been thought to resemble not a little those aristocratic conclaves which in Venice doomed the Foscarti to death and banishment.” See *Ibid*.

⁶⁵ Matt Cook, *London and the Culture of Homosexuality, 1885-1914* (Cambridge: Cambridge University Press, 2003), 13. See also H. G. Cocks, *Nameless Offences: Homosexual Desire in the Nineteenth Century* (London: I. B. Tauris, 2003).

⁶⁶ Charles Upchurch, *Before Wilde*, 71, 139; Sean Brady, *Masculinity and Male Homosexuality in Britain, 1861-1913*, (Basingstoke: Palgrave Macmillan, 2005), 54-55, 63; Cocks, *A Gay History of Britain*, 113.

⁶⁷ Cocks, *A Gay History of Britain*, 115.

⁶⁸ Razor, *Reform in the Royal Navy*, 54.

⁶⁹ Joseph Hume, Commons Sitting of Monday, July 20, 1846, House of Commons Hansard.

available every year, with the 1862-63 returns even published commercially in pamphlet form.⁷⁰ Now not only the activities of the ships' crews, but the disciplinary practices of the individual captains were laid open to public scrutiny.

To placate the public and Parliament, the Admiralty began an era of reform. They limited the number of lashes a man could be given without a court martial in 1830, and banned flogging without a court martial completely in 1860. Most significant were the Naval Discipline Acts, begun in 1860, that were meant not only to consolidate all recent policy changes into one document (a feat not attempted since 1749), but to institute sweeping reform across the Royal Navy. This included curbing venereal disease and slashing the number compulsory death sentences, including that of sodomy.⁷¹ By the time Hume's act was remanded in 1870, shipboard crime had been reduced drastically.

The Admiralty also made a point of signaling within sodomy trials themselves how deeply they disapproved of such behavior. In the trial of William Meldrum, the court made a point of showing their overwhelming relief at his acquittal: "the Court unanimously acquitted the prisoner of all four charges declaring that he left the Court without the slightest stain or imputation upon his character."⁷² Of course, The Board of Admiralty could do much more than simply comment on a trial; it could change just about anything about a trial's outcome, except for increasing the punishment.⁷³ Yet the Admiralty made little to no effort to intervene, only short notes inserted in the front of the minutes, commenting on its evidence or procedure, such as "I do think this poor fellow has been the victim of a foul conspiracy."⁷⁴ After reading through the case of William Renwick, an anonymous officer concluded that "I cannot say that there is any reason in law absolutely requiring this verdict to be set aside. But on the whole, I consider the verdict right not to stand."⁷⁵ Still, he was not willing to take any action: "Although I have given this opinion of the evidence . . . I would not recommend my interference with the sentence."⁷⁶ Thus, Renwick served ten years of penal servitude for his offense.

⁷⁰ The returns were published by the Council of Military Education, a quasi-official body which sponsored lectures and classes for men in the armed services. Rasor, *Reform in the Royal Navy*, 43.

⁷¹ *Ibid.*, 91.

⁷² ADM 1/5484, PRO, TNA.

⁷³ Rasor, *Reform in the Royal Navy*, 43.

⁷⁴ *Ibid.*

⁷⁵ ADM 1/6277, PRO, TNA.

⁷⁶ *Ibid.*

The new visibility of sodomy cases encouraged captains to take care of the cases onboard. Instead of pushing a case out into the open through a court martial, captains had the option to hold a Court of Inquiry, an on-board mini-trial run by the captain. Most importantly, a Court of Inquiry was not open to members of the public. The Admiralty preferred this more private discussion; otherwise, “the publication of details [compulsory upon the instigation of a court martial] would have a bad effect on the fleet.”⁷⁷ Comparatively discreet summary punishments could be awarded for such proceedings, instead of the ignominy of a conviction before the populous and an article in *The Times*.⁷⁸ However, thanks to Hume, even the punishments decided in Courts of Inquiry were made public through the punishment returns.

This unceasing liability led some captains, with the tacit support of the Admiralty, to suppress or ignore these cases entirely rather than deal with their damaging consequences. A ship sailing in Indian waters wrote to the Admiralty, asking if a man accused of sodomy should be sent to England for trial, accompanied by the pertinent witnesses. An officer wrote in a private governmental memo: “It is much to be wished that captains of ships at foreign parts would have the discretion not to send disgusting cases such as this home for trial. . . . Is it considered the duty of the gov’t to persecute in such a case? If it is not, the matter might be allowed to drop.”⁷⁹ A further officer agreed that “the gov’t is not called upon to take any steps for prosecuting this man, when he arrives in this country,” and the man was presumably allowed to walk free upon his arrival in England.⁸⁰

Another example of this active navy-wide evasion of sodomy cases is the 1869 case of Joseph Smart, a Leading Seaman on HMS *Hercules*. Facing a charge of indecent assault miraculously supported by clear proof, the ship’s police, with the knowledge of the captain, told Smart that “the best thing he could do was leave the ship and take care not to return.”⁸¹ The plan did not work – he was soon returned to the ship and summarily imprisoned by the captain. Smart was thereafter convicted by court martial of indecent assault, but acquitted of desertion. He served two years of hard labor in jail, and was dishonorably discharged. Here, too, the Admiralty made sure to insulate itself from the crime, admonishing the captain and the ship’s police for their bad conduct.⁸² What mattered to

⁷⁷ ADM 12/893, PRO, TNA.

⁷⁸ Rasnor, *Reform in the Royal Navy*, 98.

⁷⁹ Home Office (HO) 45/6834, PRO, TNA.

⁸⁰ *Ibid.*

⁸¹ ADM 194/181, PRO, TNA.

⁸² *Ibid.*

them was not the final judgment of the case but their judgment in the eyes of the public.

Conclusion

The Victorians, argues Foucault, spoke of sex as of a thing to be not simply condemned or tolerated but managed.⁸³ Between 1830 and 1860, the virulent, near-universal condemnation of sex between men in the public sphere existed side by side with a private toleration of such practices. Evidence of good character was insufficient to prove innocence. A man's best shot at freedom lie in forcing the jury to face the sexual facts. Men who were willing to break the standards of public discourse by forcing a head-on confrontation with realities usually buried under layers of language so disturbed the sensibilities of their peers that they were allowed to go free.

It has become a favorite activity of naval historians to repudiate Churchill's famous bon mot that the traditions of the Royal Navy can be summarized as "Rum, Sodomy and the Lash."⁸⁴ Yet there is an uncanny accuracy to the comment. Probably the most commonly punished offense in the navy was drunkenness, and yet the famous grog ration remained until 1970.⁸⁵ Similarly, the navy overtly condemned sodomy, yet made no particular effort to prosecute this unspeakable crime between the last execution in 1828 and the vigorous reforms of the 1860s. The official commitment to reticence offered a chance for the man who dared confront the shameful facts to walk free.

⁸³ Foucault, *The History of Sexuality*, 24.

⁸⁴ Winston Churchill, quoted in Peter Gretton, *Former Naval Person: Winston Churchill and the Royal Navy* (London: Cassell, 1968). It is also quoted as "Naval tradition? Monstrous. Nothing but rum, sodomy, prayers, and the lash" in Elizabeth Knowles, ed., *Oxford Dictionary of Quotations*, 6th ed. (Oxford: Oxford University Press, 2004), 222.

⁸⁵ "Frequently Asked Questions of the 20th Century Gallery," Royal Naval Museum, <http://www.royalnavalmuseum.org/visit_see_20faq.htm#1>, (accessed May 11, 2012).

THE BEAUTIFUL COCKROACH: HOW HUTU POWER IDEOLOGY NORMALIZED VIOLENCE AGAINST TUTSI WOMEN DURING THE 1994 RWANDAN GENOCIDE

BY
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2nd Lieutenant Natalia Brooks is a recent graduate of West Point. She is currently assigned to 1st Cavalry Division at Ft. Hood and will deploy this spring to Afghanistan. She wrote this paper as her senior thesis this past year and won the Friends of the West Point Library Award for her research. Natalia chose to investigate sexual and gender violence during the 1994 Rwandan genocide after observing that the historiography on the subject focused on the statistics of violence but failed to address why it occurred.

Rwanda's 1994 genocide was not the country's first case of ethnic violence during the twentieth century, as similar tensions erupted in the early 1960s and 1970s. What made the most recent episode so distinct, however, was the sexual brutalization of an estimated 500,000 women.¹ Although Hutu Power ideology pushed for their extermination, hyper-sexualized propaganda designed to warn Hutu men against Tutsi women resulted in a violent sexual fascination with them. Looking back on the failures of the 1959 social revolution, the Hutu elite flooded Rwandan society with gendered, anti-Tutsi propaganda for four years in order to save the Hutu nation and purify Rwanda entirely of the Tutsi. Using radio, print media, and ethnic stereotypes, Hutu extremists launched a propaganda campaign between 1990 and 1994 in order to change norms and taboos about the use of violence against Tutsi women who they perceived as viable targets after the 1990 October War.² Although politicized sexual violence did not begin until the spring of 1994, between 1990 and 1993 many Hutu began to view Tutsi women as hyper-sexual

¹ Throughout this article the terms *sexual brutalization* and *sexual assault* encompass the following acts: rape, genital mutilation, sodomy, rape with foreign objects, forced marriages, forced incest, and intentional infection of HIV/AIDS.

² Throughout this article, the term *norm* will be used as a technical term to describe behavior that a social group expects or accepts of an individual. Norms can form intentionally or develop inadvertently and can be formal or inform. A *taboo* is any action that society has deemed deviant or forbidden.

accomplices of the Rwandan Patriotic Front (RPF) and therefore targets of deviant behavior and punishment.

While many scholars study sexual violence during the Rwandan genocide, few discrepancies arise as two theories largely dominated the historiography. The first, the strategic rape theory, grew in popularity during the late 1990s in the wake of the sexual violence witnessed in Yugoslavia and Rwanda as well as the International Criminal Tribunal for Rwanda (ICTR) where rape was first established as a crime of genocide.³ Also referred to as genocidal rape, strategic rape theory emerged from Susan Brownmiller's 1975 feminist work, *Against My Will: Men, Women, and Rape*, and grew during the 1990s.⁴ Upon witnessing the widespread occurrence of sexual assault in Rwanda and the conclusions of the ICTR, many scholars, journalists, and activists assumed that the events in Rwanda neatly satisfied the criteria of strategic rape theory. Many of the studies written by the Human Rights Watch and others based on their findings present Rwanda as a textbook example of applied strategic rape theory. Although they study pre-genocidal Hutu propaganda and note its gendered anti-Tutsi message, few understand the Hutu elite's intent. Enthusiasts of strategic rape theory assume that sexual brutalization was executed with genocidal intent since: a) sexual assault occurred during the course of the genocide and b) genocidal intent was evident through the direct call for the extermination of the Tutsi. Many reject the possibility that the two concepts could be mutually exclusive and make assumptions about the intentions of the Hutu elite. Strategic rape theory can only apply if sexual brutalization was specifically designed or ordered "with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group."⁵ Since intent remains critical to Article II of the genocide convention, one cannot simply study statistics during the Rwandan genocide but instead uncover the intentions of the Hutu elite as expressed in Hutu Power propaganda. If sexual violence arose unintentionally in any manner or was not specifically encouraged by Hutu leaders at a specific stage of the genocide, strategic rape theory could not apply since sexual brutalization would lack the genocidal intent necessary to satisfy the criteria laid out by the genocide convention. Most importantly, strategic rape theory fails to consider social

³ "Rwanda: Genocidal Rape Conviction," *Off Our Backs* 29, no. 1 (1999); Patricia Viseus Sellers, "The Cultural Value of Sexual Violence," *Proceedings of the Annual Meeting*, Vol 93: 312.

⁴ Jonathan Gottschall, "Explaining Wartime Rape," *The Journal of Sex Research*, Vol 41: 131.

⁵ United Nations General Assembly, *Convention on the Prevention and Punishment of the Crime and Genocide*, Resolution 260 (III), 1948, <http://www.preventgenocide.org/law/convention/text.htm>, (accessed April 22, 2012).

factors, such as norms and taboos, that help or hinder the execution of sexual violence in pursuit of genocidal objectives and falsely assumes that orders for strategic rape are always followed.

The other theory that dominates the historiography rejects the strategic rape theory and offers a chronological explanation. Some like Human Rights Watch's *Leave None to Tell the Story* and Adam Jones's "Gender and Genocide in Rwanda," argue that the genocide was characterized by phases and that women only became victims of murder and sexual violence in mid-May, 1994. Based on survivor testimony, they conclude that the first phases of the genocide were overwhelmingly targeted at Tutsi men and only later were women, the elderly, and young girls targeted once no more Tutsi men remained or once official policy was released ordering their deaths. This argument implies that the genocide was chaotic and poorly planned with no specified purpose. It ignores the hyper-sexualized nature of pre-genocidal propaganda and assumes that chaos and fear were enough to motivate the general Hutu population to commit heinous acts against women for the first time in their nation's history. Both the strategic rape theory and chronology argument misunderstand the intent behind pre-genocidal Hutu propaganda and offer inaccurate explanations as a result. Most importantly, both theories ignore the importance of norms and taboos and fail to grasp the time and effort required to shift them. This paper will address both of these issues and will pay particular attention to the intent of gendered Hutu Power propaganda as well as the Hutu elite's efforts to shift societal norms for their genocidal purpose.

Years before the 1994 Rwandan genocide, the Hutu elite conspired to change cultural norms through propaganda for political purposes. They organized a genocidal plan to use murder as a means for strengthening solidarity in the Hutu nation in order to maintain unilateral power after the 1990 October War and Arusha Accords in 1993. Although widespread violence did not begin until 1994, Hutu extremists used propaganda from 1990 to 1993 in order to shape norms about violence toward the entire Tutsi population. Blaming the October War of 1990 on the failures of the 1959 Social Revolution, Hutu extremists conceived a permanent solution in which all Tutsi, regardless of sex, would be exterminated. Widespread sexual violence arose as an inadvertent byproduct of this genocidal plan and remains inseparable from Rwanda's political history. In order to understand how attitudes about sexual violence and norms about ethnic violence shifted as a result of propaganda, one must first examine Rwanda's political and ethnic history in its entirety,

since the events and ideologies of the 1990s remain linked with those of the 1959 Social Revolution.⁶

Political and Cultural Background

The events of the 1959 social revolution and the 1994 genocide stemmed largely from Rwanda's colonial past. Even though the Tutsi and Hutu maintained socio-economic differences in pre-colonial Rwanda, the arrival of German colonialists triggered a pivotal change in the state's cultural history. Recognizing a patron-client relationship between the Tutsi and Hutu, German officials established Rwanda's political system on the basis of racist ideology which formed a long-lasting divide between the two ethnicities.⁷

Europeans developed the Hamitic theory as a way of explaining the development of non-white civilizations. Racial ideology of the twentieth century centered on the theory that "wherever in Africa there was evidence of organized state life, there the ruling groups must have come from elsewhere."⁸ Europeans believed that black Africans were biologically inferior and incapable of advancement. The Hamitic thesis argued that a non-African race had long-ago invaded portions of Africa and remained responsible for pockets of civilization that developed, to include Egypt and Rwanda. Because the Tutsi held a higher socio-economic status when the Germans arrived, they assumed that the Tutsi were members of the biologically superior race of Ham and that the Hutu were of the subordinate African race. While Rwandan society perceived the Tutsi-Hutu divide as fluid and social, the Germans perceived it as a permanent due to racial and biological differences between the two groups. Using colonial policy, the Germans (and after World War I, the Belgians) solidified the Tutsi-Hutu divide and polarized the population by granting significant political advantages to the Tutsi until the 1950s when they became difficult to control.

⁶ Although Europeans redefined Hutu and Tutsi as racial labels, they are fundamentally ethnic in nature. For this reason, the Hutu and Tutsi conflict will be discussed as an ethnic issue rather than a racial one.

⁷ Inequality between Hutu and Tutsi in pre-colonial Rwanda manifested itself in the patron-client relationship with an oligarchic form of government. Clients who received land from patron chiefs were known as Hutu while the cattle-holding lineages were Tutsi. Hutus who received land were obligated to work two out of every five days for the patron in a labor service known as *uburetwa*. For more information see Villia Jefremovas, "Contested Identities: Power and Fictions of Ethnicity, Ethnography and History in Rwanda," *Anthropologica* (January 1997): 94-96.

⁸ Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda* (Princeton: Princeton University Press, 2001), 80.

Rwanda hoped to gain independence in the spirit of democratization during the Cold War. Although the Tutsi had traditionally enjoyed favor from their European handlers, “tension within the Catholic Church, along with the demands for self-government by the Tutsi elite, alienated the colonial and Church establishments.”⁹ Feeling threatened by their former protégés and hoping to retain control longer, Belgium began favoring the cooperative Hutu majority during the 1950s although the Tutsi monarchy remained.¹⁰

The 1959 social revolution was the most important event in Rwandan Hutu history and came as the country struggled to gain independence from Belgium. In the mid-1950s the Tutsi elite implemented a number of reforms aimed at appeasing Hutu complaints as the country approached democracy. While they did little to resolve issues, the taste of reform “convinced the Hutu intelligentsia that nothing less than radical change was likely to bring an end to the social plight of the Hutu.”¹¹ As discontent mounted, Hutu ideology fundamental to the 1959 social revolution began to develop.

The most significant movement of the 1959 revolution, *Mouvement Social Muhutu* began in June of 1957 and was responsible for publishing “Le Manifeste des Bahutu.”¹² Arguably the most dramatic event of the year, the Hutu Manifesto argued that Rwanda’s fundamental problem was “not that of Tutsi-Belgian, but that of the Hutu versus Tutsi, arguing that it was then unbearable to live under the unjustifiable domination of a group that made up only 14% of the population.”¹³ The Hutu Manifesto was responsible for laying the groundwork for the 1959 social revolution by establishing the issue as a Hutu-Tutsi problem to be played out in the political realm. By absolving Belgium of any blame, Hutu leaders garnered additional support from their European handlers but also polarized ethnic groups as the country approached independence.

In October 1959 the leader of *Mouvement Social Mahutu* established the political party Parti pour l’Emicipation Hutu (MDR-PARMEHUTU) whose aim was the political and social liberation of Rwandese Hutu. PARAMEHUTU ideology came from the *Mouvement Social Mahutu* and found its basis in the tenets of the 1957 Hutu Manifesto. Divided into three parts, it refuted objections against the

⁹ Aimable Twaglimana, *The Debris of Ham: Ethnicity, Regionalism, and the 1994 Rwandan Genocide* (Lanham, Md.: University Press of America, 2003), 61.

¹⁰ Josias Semujanga, *Origins of the Rwandan Genocide* (Amherst: Humanity Books, 2003), 147.

¹¹ Mamdani, *When Victims Became Killers*, 115.

¹² Twaglimana, *The Debris of Ham*, 67.

¹³ *Ibid.*, 62.

promotion of the Hutu, stressed the inherent racial problem between the Hutu and Tutsi, and offered drastic solutions.¹⁴ Rather than reversing ethnic stereotypes inherited from colonialism, PARMEHUTU ideology embraced them in order to justify the Hutu nation as Rwanda's most democratic form of government.¹⁵ Magnifying the Hamitic thesis, PARMEHUTU ideology claimed that the Tutsi, as members of the Hamitic race, were foreign invaders from Ethiopia and were therefore not Rwandan. In this way, Hutu elites were able to justify political dominance in the newly independent state.

Hutu leaders twisted the history of the 1959 revolution into a story of liberation and democratization. The PARMEHUTU argued that the Tutsi "has dominated the Hutu 'race' for a long time . . . therefore, an egalitarian republic is out of the question; a Hutu republic where the Rwandan nation is identified with the Hutu 'race' would be the only solution."¹⁶ After decades of Tutsi domination, Hutu leaders balked at the idea of unrestricted politics devoid of ethnic advantage. While the Tutsi called for a "Rwandanese" and "nationalistic" government, Hutu leadership claimed to be "Hutu" and simultaneously "democratic."¹⁷ To the Hutu elite, ethnic majority was essentially the same as democratic majority.¹⁸ While Hutu leaders could use the Hutu majority to gain political advantage in a democracy, Tutsi presence undermined the realization of a "Hutu" nation. As a result, anti-Tutsi sentiment became fundamental to the Hutu nation and formed a significant portion of the PARMEHUTU ideology of 1959 and of the PARMEHUTU-Cederism ideology that would appear in 1990.

After gaining independence and formal political control on July 1, 1962, the Hutu elite began a campaign to ensure the realization of the Hutu nation. As a result of the PARMEHUTU ideology, the Tutsi continued to be viewed as a dangerous threat to the Hutu and to the accomplishments of the Social Revolution.¹⁹ Although many Tutsi had already fled from Rwanda during the 1959 revolution, PARAMEHUTU made exile official policy into 1962. Josias Semujanga wrote that "the only solution offered to the Tutsi at the time of the Hutu state was expulsion . . . which consisted

¹⁴ Ibid., 151.

¹⁵ Mamdani, *When Victims Become Killers*, 104.

¹⁶ Josias Semujanga, *Origins of Rwandan Genocide* (Amherst, N.Y.: Humanity Books, 2002), 153.

¹⁷ Mamdani, *When Victims Become Killers*, 121.

¹⁸ Alison Des Forges, *Leave None to Tell the Story: Genocide in Rwanda*, (Washington, D.C.: Human Rights Watch, 1999), 39.

¹⁹ Semujanga, *Origins of Rwandan Genocide*, 241.

of renting trucks to carry some people toward neighboring countries.”²⁰ The Hutu usually sought to expel the Tutsi rather than to destroy them, and by 1963 about 10,000 Tutsis had been exiled.²¹ Those that remained in Rwanda were forced into the position of second-class citizens.²² During the 1990 October War, Hutu extremists would lament that these policies of the 1960s led to later invasions by exiled Tutsis and that their biggest failure during the Social Revolution was in not killing all of the Tutsi.

During and after the 1959 revolution, Tutsi that remained in Rwanda were often attacked for their supposed link with exiled Tutsi. In general, those that remained inside of Rwanda between 1959 and 1963 were “considered, as a whole, to be suspect and accomplices of enemies from the outside – justification for taking them hostage and legitimizing retaliation against them.”²³ Believing the PARAMEHUTU ideology, many Hutu continued to see all *ethnic* Tutsi as a threat to the newly independent Rwandan state, regardless of their personal activity. Violence was further exacerbated by episodic attacks from Tutsi exiles attempting to reenter Rwanda. Although only one attack in December 1963 seriously threatened the Republic, Hutu leaders used the attacks to strengthen Hutu solidarity against the “oppressive” Tutsi enemy, bent on subjugating the Hutu.²⁴ Massacres took place in 1960, 1961, and especially in 1962.²⁵ When Tutsi exiles attacked from the southeast in December 1963, Hutus went to Tutsi refugee camps in Bugesera and “between 22 and 23 December, all able-bodied men and male adolescents who were present were killed.”²⁶ Even though violent reprisal attacks left some women dead, the Hutu elite focused on the most dangerous threat to the Hutu nation: Tutsi men.

Every Tutsi male became a viable target because of his ethnic membership, regardless of his action or inaction. A 1964 *Washington Post* article stated that the Hutu government “assertedly [killed] only those who had connived with the refugees from Rwanda in an effort to overthrow the government.” However, numbers remain too high to make this claim true.²⁷ In the first few years after decolonization, as many as 20,000 Tutsi

²⁰ *Ibid.*, 243.

²¹ Alison Des Forges, *Leave None to Tell the Story: Genocide in Rwanda* (New York: Human Rights Watch, 1999), 39.

²² Semujanga, *Origins of Rwandan Genocide*, 179.

²³ *The Media and the Rwandan Genocide*, Allan Thompson, ed. (Kampala: Pluto Press, 2007), 69.

²⁴ Des Forges, *Leave None to Tell the Story*, 39.

²⁵ Semujanga, *Origins*, 155.

²⁶ *Ibid.*, 186.

²⁷ “Rwandan Toll Exaggerated, Envoy Says,” *The Los Angeles Times*, March 6, 1964.

were killed in retaliation for similar attacks, accused of being accomplices to their Tutsi brethren.²⁸ Retaliation massacres became episodic in Rwanda through the decades as Tutsi exiles periodically attempted to return.²⁹ Although violent reprisal was effective in Rwanda, Hutu leaders found other ways to realize the anti-Tutsi ideology of PARAMEHUTU.

In addition to violence, Hutu leadership used politics to marginalize the domestic Tutsi population between 1963 and 1990. In 1972 Hutu leadership implemented a new system of ethnic quotas called *equilibre ethnique* in order to curb Tutsi domination of schools and administration. This system reserved ninety percent of placement in schools and public employment to Hutu and left just nine percent for Tutsi.³⁰ By denying just one Tutsi generation education, Hutu leadership hoped to permanently exclude them from management power in the independent state, thereby ensuring that only Hutu would be qualified to rule in the future. Although relative peace had existed since 1963, the Hutu elite reignited Hutu-Tutsi violence in 1973 when they organized violent purges within the Rwandan government and schools in order to enforce *equilibre ethnique*. Taking advantage of the confusion and fear, the minister of defense, General Juvénal Habyarimana staged a coup and established the Second Republic under a single-party system.

Economically successful, the Second Republic ushered in a decade of relative peace and prosperity; however, internal divisions among the Hutu began appearing during the 1980s due to regional and economic conflict. In 1990 dissention became public as individuals and publications accused Habyarimana of blatant favoritism for northern Hutu.³¹ Thirty-three political leaders, intellectuals, and journalists in Rwanda called for political reform and were backed by donor nations that saw multiparty democracy as a stepping stone to economic progress.³² Under both internal and international pressure, Habyarimana's "former single party opened the door to a power-sharing arrangement with four opposition parties . . . from the 'political' south."³³ The Hutu elite feared that internal strife posed a threat to the Hutu nation established after the 1959 social revolution and saw anti-Tutsi ideology as a means of reestablishing Hutu solidarity. Seeing an opportunity to unite the Hutu through anti-Tutsi sentiment, the new Hutu political parties adopted ideologies very similar to

²⁸ Mamdani, *When Victims Become Killers*, 130.

²⁹ Lisa Sharlach, "Gender and Genocide in Rwanda: Women as Agents and Objects of Genocide," *Journal of Genocide Research* (1999): 391.

³⁰ Twaglimana, *The Debris of Ham*, 68.

³¹ *Ibid.*, 92.

³² Des Forges, *Leave None to Tell the Story*, 47.

³³ Twaglimana, *The Debris of Ham*, xix.

those of 1959 Rwanda.³⁴ Facing internal strife and decreased anti-Tutsi sentiment, Hutu leaders relied on the national memory of the 1959 social revolution to overcome internal divisions and warned that the Tutsi would try to regain control of Rwanda and reverse the progress made since 1959. When Tutsi exiles attacked in the October War of 1990, they seemingly confirmed the predictions of the Hutu elite and strengthened Hutu solidarity.

The RPF invasion presented Hutu leadership with an opportunity to reunite Rwanda in the face of the Tutsi threat. Habyarimana's government attempted to discredit the rebels and exaggerated their military threat in an organized propaganda campaign.³⁵ To the government media, "the invasion by the RPF from Uganda was an attempt to roll back the social and economic progress made by Hutus since the Social Revolution of 1959."³⁶ Although Habyarimana strongly opposed the RPF's demands, he entered into peace negotiations at the Arusha Accords in 1990 under international pressure. The Arusha Accords stipulated that power be shared between Hutu and Tutsi and affirmed that some Hutu in the administration would lose their jobs. Because the president was guaranteed security in his position, many accused him of being a traitor to Hutu democracy in exchange for power.³⁷ Disgusted with Habyarimana's involvement in the negotiations, many Hutu leaders turned away from his administration to form the radically conservative party Coalition pour la Defense de la Republique (CDR) in 1992.

The formation of the CDR was arguably the most significant political event of 1992. Designed as an ultra-conservative party, the CDR "accused [Habyarimana] of failing to defend the 1959 Hutu Revolution against the Tutsi threat."³⁸ By deliberately drawing a link between the Arusha Accords and the 1959 Revolution, the CDR implied that the peace negotiations signaled the reversal of gains made during the Social Revolution. Set to lose much from power-sharing arrangements, the leaders of CDR hoped to derail the talks by appealing to the "Hutu constituency in the same way in which PARMEHUTU had appealed to it in 1959."³⁹ Rather than making it an issue of multiparty democracy, the CDR hoped to stir up anti-Tutsi sentiment in order to make the Arusha Accords a racial and social issue, rather than a political one, just as

³⁴ Ibid., 82.

³⁵ Ibid., 24.

³⁶ *The Media*, 74.

³⁷ Eugenie Mukeshimana, Founder and Executive Director of Genocide Survivors Support Network, interviewed by author, February 1, 2012.

³⁸ Twaglimana, *The Debris of Ham*, 103.

³⁹ Ibid., 84, 104.

PARMEHUTU had made independence a Hutu-Tutsi issue in 1959. Recognizing the power of PARMEHUTU ideology in 1959, the CDR adapted it slightly to meet its needs.

Although anti-Tutsi sentiment of the early 1990s resembled the PARMEHUTU ideology of 1959, the CDR adapted its platform and added provisions in order to strengthen its contemporary appeal. The new ideology, known as PARMEHUTU-Cederism, or Hutu Power, argued that “the Hutu and Tutsi were racially different groups, that the Tutsis as a group were cunning and untrustworthy, and that the [domestic and exiled] Tutsi were the cause of all the problems in Rwanda at the time.”⁴⁰ Hutu Power accused the other political parties of conspiring with the Tutsi in exchange for power in the new government and argued that the CDR was the only defense of the Hutu nation.⁴¹ Like the MDR-PARMEHUTU in 1959, CDR claimed to represent the Hutu majority and proposed immediate solutions to the “Tutsi problem.”

The CDR blamed the October War of 1990 on the failures of the Social Revolution of 1959. Propaganda called the Tutsi “cockroaches, who were ruminating their defeat in 1959-1962 and [were] lurking to reconquer power by force, helped by the Tutsi who had not taken the path to exile.”⁴² As in the 1960s, the enemy was defined as, “Tutsi inside or outside the country, who are extremists or nostalgic for power . . . persons who give needed support to the enemy.”⁴³ Although the Hutu saw the 1959 Revolution as their shining achievement, they believed that the October War of 1990 arose from their failure to exterminate the entire Tutsi population. Extremists lamented that the Social Revolution had been left unfinished since “the Tutsi were ‘allowed to escape’ abroad, and their children [were] now returning.”⁴⁴ Such messages became increasingly frequent and radical throughout 1992 and 1993 as the Arusha Accords progressed and as the CDR found itself excluded from the transitional government.⁴⁵

Growing more and more desperate, the CDR began advocating for violent measures as they claimed that the Tutsi invasions were proof of their harmful intent and that “the Bible instructs you to kill a snake, lest it

⁴⁰ Luke Fletcher, “Turning Interahamwe: Individual and Community Choice in the Rwandan Genocide,” *Journal of Genocide Research* (2007): 26; Twaglimana, *The Debris of Ham*, 139.

⁴¹ Twaglimana, *The Debris of Ham*, 138.

⁴² *Ibid.*, 74.

⁴³ African Rights, *Death, Despair, and Defiance* (United Kingdom: African Rights, 1995), 39.

⁴⁴ *Ibid.*

⁴⁵ Twaglimana, *The Debris of Ham*, 114.

kill you.”⁴⁶ CDR utilized a highly effective propaganda program to lay the foundation for their definitive solution to the “Tutsi problem” by inciting fear for the survival of the Hutu nation and the protection of Hutu lives. As a result of their propaganda campaign, advocates of Hutu Power normalized genocide against the Tutsi and ethnic violence against women for the first time.

Propaganda

Propaganda served as the most powerful weapon of the CDR and was directly responsible for the normalization of genocide against the Tutsi and targeted ethnic violence against women. Although ethnic violence was not new to Rwanda, its magnitude and form were unprecedented and indicated the formation of new norms about the use of violence against the Tutsi.⁴⁷ As one Rwandan explained, CDR’s propaganda was “too well managed to leave us room for any other feelings.”⁴⁸ Particularly impressive and horrifying is the fact that the genocidaires successfully established new norms that directly conflicted with Rwanda’s traditional taboo of ethnic violence against women. The violence of the Rwandan genocide proves that “social norms are indeed reversible – that, under ruthless compulsion, ordinary people can engage in violence en masse.”⁴⁹ In order to understand how the CDR gained the trust and participation of the general population, one must first understand its propaganda machine.

In her article “Transforming the Moral Landscape: the Diffusion of a Genocidal Norm in Rwanda,” Lee Ann Fujii argues that first step in reshaping norms was to spread the genocidal message of Hutu Power far and wide through the use of propaganda.⁵⁰ The message of Hutu Power resonated with the population due to four critical factors of CDR propaganda: “repetition, reach, monopoly of the discursive space, and skillful use of evidence that lent credibility to the story.”⁵¹ Educated outside of the country, leaders of the propaganda movement understood how propaganda worked and used it effectively.⁵² Although widespread

⁴⁶ African Rights, *Death, Despair, and Defiance*, 42.

⁴⁷ Ravi Bhavnani, “Ethnic Norms and Interethnic violence: Accounting for Mass Participation in the Rwandan Genocide,” *Journal of Peace Research* (2006): 652.

⁴⁸ Jean Hatzfeld, *Machete Season: the Killers in Rwanda Speak* (New York: Farrar, Straus, and Giroux, 2005), 22.

⁴⁹ Bhavnani, “Ethnic Norms,” 667.

⁵⁰ Lee Ann Fujii, “Transforming the Moral Landscape: The Diffusion of a Genocidal Norm in Rwanda,” *Journal of Genocide Research* 6, no. 1 (2006): 100.

⁵¹ *Ibid.*

⁵² Eugenie Mukeshimana, Founder and Executive Director of Genocide Survivors Support Network, interviewed by author, February 1, 2012.

violence did not begin until April 1994, Hutu Power propaganda began in December 1990 and gained momentum through 1993. Newspaper and radio were the most influential forms of propaganda and fulfilled Fujii's four criteria.

As in the Social Revolution of 1959, published propaganda in the early 1990s shaped the development of Hutu extremist ideology and of the corresponding political party. Published in the Hutu newspaper *Kangura*, the "Hutu 10 Commandments" signaled a new wave of Hutu extremism rooted in the beliefs of PARMEHUTU ideology and preceded the development of the CDR. Single-handedly the most important publication of the 1990s, *Kangura* brought the Rwanda of the 1990s back to its 1957 version, when Hutu leaders wrote the Hutu Manifesto.⁵³ While not officially endorsed by President Habyarimana, it enjoyed financial and logistical support from high level officials including Felicien Kabuga, financial advisor to the president and Ferdinand Nahimana, the future President of the Board of Directions for Radio Television Libres des Mille Collines (RTL).⁵⁴ Although newspapers were expensive, political parties often bought newspapers and sent them to supporters throughout different communities.⁵⁵ *Kangura* reportedly enjoyed a circulation of approximately 10,000 and after April 1991 was printed free of charge by a national printing company.⁵⁶ By financially and logistically supporting *Kangura*, members of the CDR increased the reach of their propaganda. They also achieved a monopoly on the discursive space by making *Kangura* sensational and by using intimidation techniques against opposition newspapers. According to Eugenie Mukeshimana, Founder and Executive Director of the Genocide Survivors Support Network, "people would read [*Kangura*] because the language was unheard of culturally before. Political cartoons were very popular; people would buy it just for the cartoons because it was so different."⁵⁷ Even though literacy rates were very low, leaders of CDR and *Kangura* understood Rwandan culture and found ways to spread their Hutu Power propaganda.

Only some sixty-six percent of Rwandans were literate at the time of the genocide but those who could read were accustomed to reading for others.⁵⁸ It was normal for men to go to the bar after work to read or

⁵³ Thompson, *The Media*, 62.

⁵⁴ Article 19, *Broadcasting Genocide: Censorship, Propaganda, and State-sponsored Violence in Rwanda* (International Centre Against Censorship, 1996), 64.

⁵⁵ *The Media*, 81.

⁵⁶ Article 19, *Broadcasting Genocide*, 64.

⁵⁷ Mukeshimana, interview by author.

⁵⁸ *The Media*, 81.

collectively listen to *Kangura*.⁵⁹ In addition, political cartoons served to underscore the written word and were so graphic in most cases that misinterpretation was impossible.⁶⁰ The CDR ceaselessly wrote about the Social Revolution of 1959 and the implications of the October War of 1990 and Arusha Accords as evidence of Tutsi aggression. Although *Kangura* could not entirely normalize Hutu Power and genocidal violence to the degree that radio could, it reintroduced the concepts of PARMEHUTU ideology and helped to form Hutu Power ideology. In addition, *Kangura* normalized certain attitudes about the Tutsi and made open discussion about genocidal solutions to the “Tutsi problem” possible.

While *Kangura* served as the first medium for Hutu Power propaganda, radio remained much more effective and became the CDR’s most powerful weapon. Before the genocide, “radio ownership in Rwanda was high by African standards, nearly 60% in urban areas and close to 30% in rural . . . the Rwandan people [spent] all their time with a receiver struck to their ear.”⁶¹ Leaders of the CDR knew that radio was a central part of Rwandan life and used stations like Radio Rwanda and most notably, RTLM, to reach their audience and monopolize the discursive space. Oral tradition dominated Rwanda and “the impact of the spoken word is often much more compelling than written tracts. Poetry and song are particularly effective.”⁶² Independently owned but government approved, RTLM offered lively music and entertainment that appealed to the general population as relief from the formal and mundane government station, Radio Rwanda.⁶³ RTLM played “songs that could not be played on state radio, such as the virulently anti-Tutsi songs by pop star Simon Bikindi. The station would play these songs 10 to 15 times a day so that listeners could not help but learn them by heart.”⁶⁴ RTLM in particular made the concept of Hutu Power and genocidal violence normal by continually airing its propaganda through various forms of entertainment. Understanding the popular appeal of RTLM and the creative license of an independent station, Hutu leaders used *Kangura* to bolster listenership of RTLM. In Issue #46 of *Kangura*, an article entitled “RTLM: No Chance for the Tutsi” announced the arrival of RTLM, declaring it a “symbol of solidarity . . . a voice to arouse awareness in the majority of the population

⁵⁹ Mukeshimana, interview by author.

⁶⁰ *The Media*, 81.

⁶¹ Fujji, “Transforming the Moral Landscape,” 104.

⁶² African Rights, *Death, Despair, and Defiance*, 75.

⁶³ *The Media*, 113; Dina Temple-Raston, *Justice on the Grass: Three Rwandan Journalists, Their Trial for War Crimes, and a Nation’s Quest for Redemption* (New York: Free Press, 2005), 162.

⁶⁴ Fujji, “Transforming the Moral Landscape,” 104.

and protect their interests,” and implying that Radio Rwanda could no longer serve as the Hutu’s primary information resource.⁶⁵

Although the message began subtly, Tutsi and Hutu listeners remarked that RTLM focused heavily on the 1959 Revolution and:

emphasized the similarity between what was happening in 1994 and what had happened in 1959. It was a choice of going back to the slavery that had preceded 1959 or rising up and protecting one’s freedom, even one’s life . . . one could not trust any Tutsi civilian because it was not possible to know how deeply the RPF had infiltrated such people.⁶⁶

Appealing as a legitimate news source, radio ignited fears and called the Hutu people to action by continuously highlighting the October War of 1990 as evidence of Tutsi aggression. Although RTLM did not begin its broadcasts until 1993, radio further heightened the frenzy of Hutu Power and brought CDR propaganda to those unaffected by *Kangura*.

Women

To identify when and how attitudes toward women shifted as a result of propaganda, one must first examine how and why the original ones formed. Although Hutu and Tutsi women arguably had more in common than their male counterparts, Tutsi women held an exclusive place in society and experienced the genocide differently as a result. In Rwanda’s patriarchal society, men were responsible for the actions of their families, including female relatives.⁶⁷ Women, regardless of age, were dependents of their male relatives and were expected “to be protected, and managed, by their fathers, their husbands, and even their male children.”⁶⁸ Women had little importance politically and economically and were mainly cherished for their ability to bear children. Motherhood was *the* most critical social identity for women and their bodies were controlled as

⁶⁵ “RTLM: No Chance for the Tutsi,” *Kangura*, no. 46 (July 1993).

⁶⁶ *The Media*, 112.

⁶⁷ Jean Hatzfeld, *Machete Season: The Killers in Rwanda Speak*, Linda Coverdale, trans. (London: Picador, 2006) 108; Dina Temple-Raston, *Justice on the Grass: Three Rwandan Journalists, Their Trial for War Crimes and a Nation’s Quest for Redemption* (New York: Free Press, 2008), 34.

⁶⁸ African Rights, *Death, Despair and Defiance* 34.

“sexual and cultural markers of national boundaries.”⁶⁹ Sexuality was tightly regulated by male society but rarely discussed. Attitudes toward rape and other forms of violence against women reflected the extreme sexism of Rwandan culture as women were blamed for their victimization and were often forced to marry their rapist in lieu of legal recourse. As in most cultures, “there has always been violence against women however the cultural code was that they brought the violence upon themselves . . . if a woman was raped it was because she was at the wrong place, wrong time, and probably attracted the action because she did not dress appropriately.”⁷⁰ As a result of such intense social stigma, rape and other forms of gender violence were rarely reported since women could not marry once they were no longer virgins.⁷¹ Although sexual violence existed in Rwanda prior to the 1994 genocide, it is impossible to know how common it was since social pressure shamed most women into silence.

Even though sexual violence existed in Rwandan culture prior to the 1994 genocide, it transformed in its magnitude and form as a direct result of Hutu Power propaganda. Prior to 1994, Rwanda was not “characterized by a high incidence of rape—quite the contrary.”⁷² When ethnic hostility erupted during the 1960s and 1970s, women were generally spared from violence, although some were killed along with male relatives. During the 1959 Revolution in particular, Tutsi men were killed while their wives were spared and escorted to the border.⁷³ It is possible that sexual violence did occur during the ethnic violence of the 1960s and the 1970s and merely remained unreported; however, sexual violence in 1994 remained noticeably different even if this were the case. As one woman put it, sexual violence in 1994 “was extreme . . . [and before] it wasn’t widespread, it wasn’t done in the open.”⁷⁴ In order for behavior to change so radically in just twenty-years there had to be a distinct social change that allowed for former taboo behavior to become acceptable. This change can be attributed to propaganda which redefined ethnic boundaries and stripped Tutsi women of their traditional protection.

Traditionally, Tutsi women were protected from widespread ethnic violence due to their distinctive position in Rwandan culture. In

⁶⁹ Erin K. Baines, “Body Politics and the Rwandan Crisis,” *Third World Quarterly* (2003): 480, 482.

⁷⁰ Mukeshimana, interview by author.

⁷¹ Ibid.

⁷² Christopher Taylor, *Sacrifice as Terror: The Rwandan Genocide of 1994* (New York: Berg Publishers, 1999), 157.

⁷³ Mukeshimana, interview by author.

⁷⁴ Ibid.

pre-genocidal Rwanda, wars were carried out between men only. Women were not systematically raped or killed during times of violent unrest since they were ethnically “invisible” and were able to move around society freely.⁷⁵ According to Victor Karega of the Rwandan Ministry of Gender, Family, and Social Affairs, women were “always a link, a linkage, between different categories of people, because they were marrying from, or to, both sides.”⁷⁶ In such a patriarchal society, Rwandan women were perceived as sexed rather than ethnic and had little political value.⁷⁷ To the Hutu of the 1960s and 1970s, women were not worth killing since they held no ethnic or political value, although some women were sometimes killed alongside of male relatives.

Even though Tutsi women did not wield political or ethnic power, they did gain some leverage from sexualized myth. When the PARMEHUTU embraced and reinforced the racial policies of colonialism they accepted all aspects of the Hamatic Myth including perceptions of Tutsi sexuality and superiority.⁷⁸ Tutsi women were believed to have slender, long figures, smooth skin, polished appearance, and to hold the secrets of sexual gratification.⁷⁹ Marriage to Tutsi women symbolized status since it indicated that a Hutu man had acquired wealth in bovine capital, the most predominant form of wealth in Rwanda.⁸⁰ The limited availability of Tutsi women coupled with the fact that Europeans often became romantically involved with Tutsi rather than Hutu women reinforced the desirability and status of Tutsi women.⁸¹ Throughout Rwandan history, a Tutsi woman’s greatest asset was her sexuality but during the 1994 genocide it became her biggest curse and was responsible for her unique victimization.

Gendered Propaganda

Although gendered propaganda began in earnest in 1990, political action in 1983 provides the first example in which Tutsi women came under scrutiny for their sexuality. To many in Rwanda, gender relations in the 1980s were becoming decadent as many women began breaking out of

⁷⁵ Evelin Gerda Lindner, “Gendercide and Humiliation in Honor and Human Rights Societies,” *Gendercide and Genocide* (Nashville: Vanderbilt University Press, 2004), 47.

⁷⁶ Sharlach, “Women as Agents,” 393.

⁷⁷ Baines, “Body Politics,” 487; Mukeshimana, interview by author.

⁷⁸ Taylor, *Sacrifice*, 177.

⁷⁹ Hatzfeld, *Machete Season*, 110, 219.

⁸⁰ Taylor, *Sacrifice*, 167.

⁸¹ Taylor, *Sacrifice*, 171; Mukeshimana, interview by author.

their traditional roles and participating in public life.⁸² Rwandan society looked down on women who tried to gain access to resources through lovers or who tried to establish themselves independent of men and labeled them “loose women.”⁸³ Observing an alarming amount of independence from urban women, the Hutu elite emplaced reform programs aimed at these “loose women.”

While the Second Republic was best known for its economic reform, it was also responsible for a “Moral Revolution” that included the establishment of reform centers called *ingorora muco* (“morals straightening-out-centres”) in 1985.⁸⁴ Young urban women who dressed too fashionably and those with European boyfriends were incarcerated under charges of vagabondage and prostitution.⁸⁵ Although not specifically aimed at one ethnicity, many of the women were in fact Tutsi as a direct result of discrimination laws that prevented them from going to school, getting jobs, etc.⁸⁶ Barred from school or work as a result of the 1973 policy of *equilibre ethnique*, many Tutsi girls went to clubs in western attire to attract European men in the hopes of attaining marriage so that they could improve their life and gain access to things such as education and medicine.⁸⁷ The morality reforms of 1983 “planted the idea in the minds of many Rwandans that single Tutsi women were likely to be prostitutes.”⁸⁸ When newspapers and radio began to spread propaganda that presented Tutsi women as prostitutes for the RPF cause, the concept was not as far-fetched as it might have appeared in the past and quickly gained credence.

Genderized propaganda appeared even before the creation of the CDR and Hutu Power ideology. In December 1990, the extremist Hutu newspaper *Kangura* published “The Hutu 10 Commandments” in response to the October War of 1990 and the start of peace negotiations. Of the ten “commandments,” four directly or indirectly pertained to Tutsi women and their sexuality. They warned Hutu men against Tutsi women who were identified as enemies of the Hutu nation and friends to all Tutsi, including the RPF. *Kangura* argued that “[t]here is no way that you can send soldiers to go and fight against Inyenzi on the borders while you left some

⁸² Taylor, *Sacrifice*, 157.

⁸³ Villia Jefremovas, “Loose Women, Virtuous Wives, and Timid Virgins: Gender and the Control of Resources in Rwanda,” *Canadian Journal of African Studies* (1991): 382.

⁸⁴ Taylor, *Sacrifice*, 161.

⁸⁵ *Ibid.*

⁸⁶ *Ibid.*, 161; Mukeshimana, interview by author.

⁸⁷ Mukeshimana, interview by author.

⁸⁸ Taylor, *Sacrifice*, 162.

other ones in the interior of the country. Why not search for ‘accomplices?’”⁸⁹ Radically different from previous propaganda, *Kangura* set the tone for the 1994 Rwandan genocide. No longer was the scope of violence limited to male actors in Rwanda, but for the first time, included women who were identified as clear collaborators of the RPF. Hutu leaders expressed the belief that peace in the Hutu nation was impossible so long as Tutsi women survived and could serve as accomplices of exiled Tutsi.

Following the publication of “The Hutu 10 Commandments,” propaganda denouncing Tutsi women as RPF accomplices appeared more and more frequently. The pro-Hutu media argued that Tutsi women worked in direct support of Tutsi men who did not hesitate “to transform their sisters, wives, and mothers into pistols to conquer Rwanda.”⁹⁰ Reflecting on the Tutsi attacks of the 1960s, 1970s, and early 1990s, Hutu extremists decided that total extermination was the only way to ensure long-term peace for the Hutu majority. They believed that “[t]hose women that we did not kill in 1959 raised those sons that we are fighting right now. If we had killed them in 1959 we would not be having this war now.”⁹¹ This train of thought permeated throughout different levels of society as a result of Hutu propaganda and became popular quickly.

The hyper-sexualized nature of the Hutu Power propaganda campaign spread through Rwandan society with little resistance. Playing on stereotypes about Tutsi sexuality, Hutu propaganda accused Tutsi women of working as prostitutes and spies on behalf of the RPF.⁹² Cartoonists from *Kangura* depicted Tutsi women as “prostitutes capable of enlisting Western support for the RPF cause through the use of sexual charms” and included images of General Roméo Dallaire, the Force Commander of the United Nations Assistance Mission for Rwanda (UNAMIR) with hyper-sexualized Tutsi women.⁹³ Other cartoons showed Tutsi women with European men in sexual positions and circumstances that went against Rwandan norms. In one *Kangura* cartoon “not only are [anal intercourse, cunnilingus, and fellatio portrayed], but they are also being done in a group, something foreign to Rwandan sexual norms.”⁹⁴ By using cartoons like these, Hutu leaders implied that Tutsi sexual practices, in comparison with those of the Hutu, were immoral and that Tutsi women, like prostitutes, were sexually deviant and inclined to

⁸⁹ “Appeal to the Bahutu Conscience,” *Kangura*, no. 6 (December 1990).

⁹⁰ Des Forges, *Leave None*, 75.

⁹¹ Mukeshimana, interview by author.

⁹² Sharlach, “Women as Agents,” 394.

⁹³ Taylor, *Sacrifice*, 171.

⁹⁴ *Ibid.*, 173.

abnormal behavior. Already shrouded in sexual mystery, the Tutsi woman came to be defined by her supposed sexual deviancy and, for the first time, loyalty to her ethnic group. Hutu leaders hoped to degrade Tutsi women by portraying them as immoral accomplices of the RPF who were using sexuality in an underhanded attack on the Hutu nation. With this propaganda campaign, Hutu leaders hoped to discourage sexual fascination of Tutsi women that had traditionally shielded them from attack in the past. Sexualized propaganda increased the sexual allure of the Tutsi female but also fulfilled its purpose as Tutsi women became favorite targets of violence.

Although Hutu propaganda targeted all Tutsi in some form, the topic of Tutsi women became dominant. For the first time in Rwandan history, “women were targets of violence as much as, if not more than men.”⁹⁵ Women became viable targets for violence as a result of their supposed collaboration with the RPF. The RTLM presented 127 broadcasts (7.05%) alleging that Tutsis of the region were helping the RPF, twenty-four broadcasts (1.33%) alleged that invalids, women, and old men supported the RPF, and 106 broadcasts (5.89%) alleged that the RPF wanted control and power over the Hutu.⁹⁶ In addition, twenty-one broadcasts (1.36%) directly specified Tutsi females as tools of the RPF and viable targets for violence.⁹⁷ Hutu leaders argued that by garnering support for the RPF cause, spying for exiled Tutsis, and harming the Hutu nation, Tutsi women became legitimate targets of ethnic violence.⁹⁸ As the most beautiful and cunning of all the Tutsi “cockroaches,” Tutsi women were to be feared more than any other group and had to be killed.

Under the newly formed Hutu Power ideology, Tutsi women became the most dangerous threat to the Hutu nation. Racial purity, rather than just anti-Tutsi sentiment, became a critical component of the Hutu identity.⁹⁹ As traditional “‘liminoid beings’ Tutsi women were capable of undermining the categories of ‘Hutu’ and ‘Tutsi’ altogether.”¹⁰⁰ Understanding the dilemma that intermarriage presented to their genocidal scheme, Hutu extremists sought to change norms about ethnic

⁹⁵ *Ibid.*, 176.

⁹⁶ *The Media*, 119.

⁹⁷ *Ibid.*, 120.

⁹⁸ *Ibid.*, 123.

⁹⁹ Taylor, *Sacrifice*, 156.

¹⁰⁰ *Ibid.* The term *liminoid* is anthropological in nature and describes persons that lack permanent social status or rank. Women in traditional Rwandan society exchanged their father’s social status for that of their husband upon marriage and did not retain any true ethnic identity of their own. Intermarriage remained a viable option so long as women were categorized as liminoid since the ethnicity of the father mattered and not that of the mother.

membership. In the editorial “A Cockroach Cannot Bring Forth a Butterfly,” *Kangura* argued that Hutu men could no longer marry Tutsi women since the offspring of those unions retained the sneaky nature inherent to all Tutsi. Tutsi wives of Hutu men could no longer be trusted to change their nature, as their willingness to aid the RPF in the October War showed. For the first time in Rwandan history, women no longer appeared as limonoid beings. Their birth ethnicity came to be considered permanent and their loyalty to the RPF inherent to their ethnicity.

Once Tutsi women gained permanent ethnicity, Hutu leaders argued that Hutu men had a responsibility to reject these women and their sexuality for the sake of the nation. Hutu Power propaganda claimed that Tutsis used treachery to enslave the Hutu population after losing political control in 1959 and relied on their women to intermarry with prominent Hutus.¹⁰¹ Extremists called for an end to intermarriage and began advocating for the extermination of the treacherous Tutsi women. Hutu Power advocated the extermination of all Tutsi regardless of age or sex; messages that appeared in both print and radio media.¹⁰² According to one Rwandan woman, about ninety percent of propaganda targeted Tutsi women by attacking Hutu men that were associated with Tutsi women and by saying that they were accomplices of the RPF.¹⁰³ Women “worked at the bar so they would say that women were listening in on conversations at the bar to give the RPF information, that they were poisoning Hutu men at the bar.”¹⁰⁴ Although the propaganda may appear outlandish to some, many Rwandans accepted the possibility as a result of popular culture generated by western societies like the United States. Westernized entertainment often linked violence to sexuality and perpetuated messages of “[k]ill the [female] enemy.”¹⁰⁵ Many Rwandans had seen “James Bond” Cold War era films that depicted the use of hyper-sexualized female spies. These films reinforced the biblical story of Sampson and Delilah and aligned with Hutu Power propaganda.¹⁰⁶ Even though Rwandans recognized these films as fictional, they still normalized the concept of the

¹⁰¹ Des Forges, *Leave None*, 75; “Editorial: A Cockroach (Inyenzi) Cannot Bring Forth a Butterfly,” *Kangura*, no. 40 (February 1993).

¹⁰² Sharlach, “Women as Agents,” 397.

¹⁰³ Mukeshimana, interview by author.

¹⁰⁴ *Ibid.*

¹⁰⁵ Oystein Gullvag Holter, “A Theory of Gendercide,” *Gendercide and Genocide* (Nashville, Tenn.: Vanderbilt University Press, 2004), 83.

¹⁰⁶ Mukeshimana, interview by author. For information about the importance of the biblical story of Sampson and Delilah in Rwanda and Burundi’s ethnic history see Liisa H. Malkki, *Purity and Exile: Violence, Memory, and National Cosmology among Hutu Refugees in Tanzania* (Chicago: Chicago University Press, 1995).

sexualized female spy or collaborator, propaganda which Hutu Power continually emphasized.

Why Sexual Violence?

In his book *Origins of the Rwandan Genocide*, Josias Semujanga asked, “[h]ow can we explain . . . the fixation of Cederist discourse upon the Tutsi woman? Would such a psychosis explain the high number of rapes during the genocide?”¹⁰⁷ Similarly, Erin Baines wrote in his article, “Body Politics and the Rwandan Genocide,” that “certain acts remain undertheorized such as why Hutu extremists raped and murdered women—persons historically conceptualized as ‘sexed’ rather than ‘ethnicised’ in Rwanda nationalist discourse.”¹⁰⁸ Although many discuss the statistics of sexualized violence and its aftermath, few attempt to explain why sexualized violence occurred in such a fashion and how it became acceptable.¹⁰⁹ By studying Rwanda’s political, social, and ethnic history, it appears that the Hutu elite intended for sexualized propaganda to dehumanize Tutsi women as prostitutes, spies, and foreign invaders, so that Hutu men would find it easier to kill them. Although Hutu Power successfully degraded Tutsi women, sexual violence arose as an unintended consequence of hyper-sexualized propaganda that inadvertently heightened sexualized fascination of Tutsi women.

Without doubt, the occurrence of sexual violence during the 1994 Rwandan genocide was widespread and exceptional in comparison with other outbreaks of ethnic violence. It could not have occurred without the October War of 1990 and the Arusha Accords of 1993, which caused fear in the Hutu community. Even though Hutu leaders pushed for the extermination of Tutsi women, sexual violence often occurred in combination with murder or in lieu of it as a result of gendered Hutu Power propaganda. Originally designed to make Tutsi women *less* appealing by highlighting their hyper-sexuality and immorality, the propaganda campaign threatened to derail its own genocidal plan as it encouraged men to participate in sexual assault rather than murder. Although motivations for sexual violence remain complex and often overlap, it is possible to identify four major motivations that encouraged men toward sexual violence: envious fascination of supposed Tutsi

¹⁰⁷ Semujanga, *Origins*, 246.

¹⁰⁸ Baines, “Body Politics,” 479.

¹⁰⁹ Sexual violence will be discussed in terms of its social acceptability rather than desirability, since Hutu Power propaganda does not explicitly indicate a desire for the mass sexual brutalization of Tutsi women and instead emphasizes the need for their extermination.

sexuality, the ability to have women who were normally unattainable, concepts about sex as the spoils of war, and the ability to kill women through AIDS or shame. Although other motivators likely existed, these four are the most common and explain the widespread use of sexual violence toward Tutsi women.

As a result of the Hamitic myth, most Hutu men had an envious fascination of Tutsi women and their sexuality. Although the Hutu propaganda program was largely successful at rewriting norms about violence toward Tutsi women, it could not “keep Hutu men from being attracted to, and occasionally establishing long-term sexual relationships with, Tutsi women.”¹¹⁰ This fascination was compounded by the fact that many Hutu men in positions of power maintained Tutsi wives even though Tutsi women presented an obvious danger to the racial purity of the Hutu nation.¹¹¹ Hutu women also believed the stereotypes about Tutsi women and often remained unopposed or supportive about the use of sexual violence on account of their jealousy.¹¹²

Although Hutu men were fascinated by Tutsi women, many also despised them for their reported arrogance toward Hutu men. Traditionally, Tutsi women only married wealthy Hutus, Europeans, or other Tutsis because of their wealth and social status, which led to the belief that they looked down upon the Hutu men. Prunier argues that a “lingering inferiority complex may partly account for the degree of sadism unleashed” by Hutu men against Tutsi women.¹¹³ Survivors recalled that many genocidaires would say, “[i]f there were peace, you would never accept me. . . . You Tutsi think you are too good for us.”¹¹⁴ These attacks also allowed men to reassert their masculinity during a period of economic uncertainty.¹¹⁵ Even though they could not inherit land or support their families financially, Hutu men were able to dominate Tutsi women, something that only successful Hutu men and Europeans had been able to do in the past. Seeing the Tutsi women as superior, sexual beings available to the common Hutu man for the first time, many saw sexual violence toward them as a spoil of war, as a reward for hard work in defense of the Hutu nation. During 1991 and 1992, Hutu men raped young women (regardless of ethnicity) as *umusanzu*, what the militia and soldiers

¹¹⁰ Taylor, *Sacrifice*, 170.

¹¹¹ *Ibid.*, 174.

¹¹² Hetzfeld, *Machete*, 111.

¹¹³ Taylor, *Sacrifice*, 176.

¹¹⁴ Baines, “Body Politics,” 488.

¹¹⁵ Adam Jones, “Gender and Genocide in Rwanda,” *Gendercide and Genocide*, (Nashville, Tenn.: Vanderbilt University Press, 2004), 100.

called a contribution to the “war effort.”¹¹⁶ By 1994, this concept was normal to soldiers and members of the Interhamwe and explains how they came to perceive sexual violence as the spoils of war. One rape survivor commented that the soldiers “thought it was their *recompense*. For those who had done well. For if you were the head of the mob, it was up to you to choose who you rape.”¹¹⁷ Even though both Hutu and Tutsi women fell victim to this practice, Tutsi women remained more desirable for their supposed ethnic superiority and often were the first to suffer.

Although both Hutu and Tutsi women suffered episodes of sexual violence, only Tutsi women were targeted specifically to contract AIDS or to “die of shame.” Women that were allowed to live after suffering sexual violence were told “they were spared only so that they could . . . ‘die of sadness,’ either because of the AIDS they had contracted or because they would be forced to raise a child conceived in a time of treachery.”¹¹⁸ Although advocates of Hutu Power called for the extermination of the Tutsi, murder was not necessarily needed to destroy Tutsi women. Sexual violence could destroy a Tutsi woman since stigmas against non-virgins and non-mothers could leave her unmarried and alone. According to Human Rights Watch, rape was part of the strategy to exterminate Tutsi; however, “unlike in the case of killings, there is no evidence that the architects of the genocide had prepared lists of women they wanted to see raped, nor indeed that specific instructions went out to the interahamwe that they should rape women.”¹¹⁹ Since Hutu leadership did not encourage or plan widespread sexual violence as they did the murders, this strategy most likely developed on an individual basis and spread over time.

Young men with HIV/AIDS may have identified sex as a more gratifying means of murder. On a national scale, sexual fascination threatened to derail the leaders’ genocidal plan since it could motivate Hutu men to keep Tutsi women alive as sex slaves. By presenting sexual violence as a tool of genocide after sexual assault had already become widespread, leaders of the genocide were able to overcome this problem. By presenting the trend as genocidal strategy, it allowed Hutu men to satisfy their sexual curiosity without abandoning the genocidal plan of eliminating Tutsi women from Rwanda. Of the four motivators, only the last is a calculated plan for the use of sexual violence in support of genocidal strategy and is the most popular theory about sexual violence in the 1994 genocide.

¹¹⁶ Twaglimana, *The Debris of Ham*, 153; Des Forges, *Leave None*, 215.

¹¹⁷ Scharlach, “Women as Agents,” 396.

¹¹⁸ Taylor, *Sacrifice*, 155.

¹¹⁹ Des Forges, *Leave None*, 215; African Rights, *Death, Despair, and Defiance*, 750.

Adoption of New Norms

Although the crux of this article centers on the establishment and adoption of new norms, one cannot pin point when these changes occurred. Statistics help to indicate that new norms were acted upon but do not reveal how long they existed in a dormant state or when they began to shift in the first place. Many scholars overlook the fact that Rwandan society was divided geographically and technologically and, as a result, did not experience change monolithically. Genocidal violence, and the norms that preceded it, erupted in a mosaic across the country. Some urban areas began targeting women for murder and sexual assault immediately due to the high accessibility of propaganda while many rural communities only began attacking women in mid-May due to propaganda's limited availability. Although it remains impossible to pin point the development and adoption of norms in Rwanda, statistics give some indication as to the timeline of violence.

Evidence suggests that in some areas, norms about sexual violence shifted in the years prior to the genocide. Between 1992 and 1993, Tutsi women were subjected to frequent sexual harassment and some to rape.¹²⁰ Tutsi women expressed anxiety about sexual assault and often took extra precautions to avoid it; some went so far as to wear pantyhose whenever they left the house.¹²¹ As the Hutu military fought against the RPF's invasion in 1991 and 1992, Tutsi women were regularly raped as proof of their loyalty to Rwanda and as compensation for the "war effort."¹²² Even though sexual violence did not become widespread until April or May 1994, these examples show that some Hutu men were beginning to see sexual violence against Tutsi women as acceptable years before the genocide even began.

While sexual assault against Tutsi women began in the years preceding the Rwandan genocide, it appears that norms about their murder did not shift until the start of or during the course of the genocide. Although Rwanda suffered small outbreaks of ethnic violence between 1990 and 1993, violence was largely limited to Tutsi men. In some communities, this trend continued into the opening stages of the genocide. Many survivors testify that, in the beginning of the genocide, Tutsi women were spared from murder and directed back to their homes specifically because of their traditional lack of ethnicity.¹²³ These accounts show that some regions of Rwanda still clung to the old norm in which ethnicity was

¹²⁰ Taylor, *Sacrifice*, 157.

¹²¹ *Ibid.*, 9.

¹²² Article 19, *Broadcasting Genocide*, 153.

¹²³ Jones, "Gender and Genocide in Rwanda," 111.

reserved for men. Although the Hutu population took a significant amount of time to adopt new norms about the use of ethnic violence toward Tutsi women, an examination of propaganda shows that the Hutu elite intended for and encouraged the murder of Tutsi women as early as 1990. Despite their initial resistance, the Hutu majority quickly adopted and implemented new norms of ethnic violence after the assassination of President Habyarimana.

It appears that a major catalyst was needed to push Hutu men into accepting and participating in the murder of Tutsi women. President Habyarimana's assassination on April 6, 1994 served as the perfect spark, triggering mass violence against Tutsi men and women. Rampant murder and sexual assault erupted in regional pockets between early mid-April and mid-May and continued through the end of the genocide.¹²⁴ Even though murder and sexual assault began in a mosaic fashion, most accounts agree that by late May murder and sexual assault of Tutsi women had become normal through Rwanda. The development and adoption of norms allowing for the murder of Tutsi women required considerable time and effort since they directly conflicted with traditional Rwandan taboos and perceptions of ethnic membership. By comparison, sexual violence norms formed much more naturally, developing without specified effort from the Hutu elite. Given Rwanda's sexist culture and prevailing ethnic stereotypes about Tutsi sexuality, it is not surprising that it required little time and no specific effort to shift norms about sexual violence.

Conclusion

Although evidence of widespread sexual violence indicates a collaborative effort to use it as a genocidal tool, it appears that sexual violence was an indirect byproduct of Hutu Power propaganda designed to mark Tutsi women for murder. Bent on derailing the Aursha Accords by any means necessary and retaking power, Hutu leaders launched a powerful propaganda campaign between 1990 and 1994 aimed at normalizing violence toward all Tutsi regardless of age or sex in order to enact a permanent solution to the Tutsi-Hutu problem. Playing on the fears of the population, Hutu leaders enacted a contemporary version of the PARMEHUTU ideology known as Hutu Power. The extremist leaders warned that domestic Tutsi and RPF forces hoped to invade Rwanda,

¹²⁴ Mary Kayitesi Blewitt, "Survival Against the Odds," *Survivors Fund*, <<http://survivors-fund.org.uk/resources/survival-against-the-odds/>>, (accessed April 2, 2012); and Taylor, *Sacrifice*, 152.

reverse the social and economic progress of the Hutu nation, and enslave the Hutu majority.

Hutu leaders argued that the only way to established sustainable peace in the Hutu nation was by exterminating the entire Tutsi population, a move that they failed to do in 1959. Hutu Power propoganda targeted Tutsi women for the first time as members of the Tutsi ethnicity and marked them as hyper-sexual accomplices of the RPF. Print and radio propoganda warned against Tutsi women who used their sexuality to gain European support for the RPF cause and as spies against Hutu men that had relationships with them. Even though this propoganda was designed to degrade Tutsi women, as Hamitic prostitutes and immoral spies in order to normalize their murder, it also strengthened their sexual appeal and made them targets of sexual deviancy including rape, sodomy, forced incest, and group sex. Almost all Tutsi women who survived are believed to have been raped, proving that sexual violence was extremely common and culturally acceptable. Although widespread sexual violence did not begin until April and May of 1994, sexual attacks against Tutsi women occurred in between 1991 and 1993, signaling a shift in sexual norms prior to the 1994 genocide.

In general, Hutu men used sexual violence for four reasons: envious fascination of the Tutsi women's sexuality, the ability to have women normally unavailable, sex as a spoil of war, and calculated efforts to kill Tutsi women slowly from AIDS or shame. Even though sexual violence ultimately served as a highly destructive genocidal tool, it appears that its development was inadvertent and threatened to derail the Hutu elite's genocidal plan of murder. Although the Hutu elite waged a three-year propoganda campaign to normalize the slaughter of Tutsi women, Hutu men more readily accepted new norms about sexuality than about ethnic murder. Survivor testimony shows that women were not killed until April or May of 1994 whereas sexual violence began years earlier. In order to enact their genocidal plan, the Hutu elite had to directly challenge Rwandan traditions about ethnic violence and ethnic membership with intense propoganda. After studying Hutu Power propoganda, it becomes apparent that the intent was for the extermination of all Tutsi accomplices. The Hutu elite identified Tutsi women as the most dangerous group of accomplices and accused them of using their sexuality in order to pursue the interests of their ethnicity. Although Hutu Power propoganda successfully normalized ethnic violence against Tutsi women, the Hutu elite was unable to control the manner of violence used. Hutu Power's hyper-sexualization of Tutsi women through propoganda and ethnic myth heightened Hutu men's sexual fascination with the beautiful enemy, making sexual assault far more appealing than asexual murder.

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