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EDITORS:

Christopher M. Breitweiser
Mitchell J. Easterhouse
Devin J. Gregorek
Eric A. Kent
John P. Panelli
Dyllon L. Staley
Eric D. Tarter

EDITORS-IN-CHIEF:

Ethan C. Osborne

FACULTY ADVISOR:

Dr. Edmund F. Wehrle

Letter from the Editor-in-Chief

As editor-in-chief of the 29th edition of *Historia*, I am beyond proud to present this year's volume to the Eastern Illinois University community. This collection of original student research and writing is the product of months of deliberation and preparation from both the students enrolled in HIS 4900: Historical Publishing and our fearless advisor Dr. Edmund Wehrle. This year's publication process was unique in terms of both the submitted articles and the makeup of our board of editors. With the vast majority of the editors being undergraduate students, a renewed vigor was brought to the entire process. From a pool of 53 submissions, the board was given the arduous task of selecting a mere ten papers for publication. Even though there were numerous worthy works not chosen for publication, the board is extremely pleased with the papers selected and their ability to maintain the award winning legacy of *Historia*. While the process was modified due to the unique and historical complications of our current time, each and every editor corresponded and cooperated with our authors in order to ensure the best possible piece of writing was published within the journal. In an effort to reflect the many trends in our discipline, we included a wide array of articles.

The board would like to thank Dr. Wehrle for his tact, wit, and patience throughout the entire process of publishing this year's edition of *Historia*. Without his guidance, dedication, and never ending knowledge, the publication of this issue would not have been possible. Modifying the editing process from a physical to digital medium, his ingenuity and drive is rivaled by few others. Additionally, the Eastern Illinois History Department faculty played a crucial role in motivating and instilling a deeper thirst for knowledge within their students through their respective courses. Particular thanks goes to Dr. Sace Elder, department chair. Without their guidance, the exemplary papers found within this volume would have never been written. With that said, we also wish to extend our thanks to each of the authors whose work fills the pages of this year's *Historia*.

And finally, the board thanks Thomas Hardy for his creation of this year's cover. Mr. Hardy was able to perfectly display the contrast in the wide variety themes found within the papers published, bringing together multiple concepts to form a single cohesive graphic.

- Ethan C. Osborne , Editor-in-Chief, *Historia* (vol. 29)

Table of Contents

Articles	Page
“The Poor People Lose Again:” Revisiting <i>San Antonio Independent School District v. Rodriguez</i> and the Continuing Battle for Equal Educational Funding <i>Josh Bill</i>	1
The Conquest and Romanization of Britain <i>Eric A. Kent</i>	11
Confronting the Bully: Kennedy’s Clash with Khrushchev at the 1961 Vienna Summit <i>Jason R. Musgrave</i>	16
The Lives of African Workers in the Panama Canal Zone <i>Abbey E. Turner</i>	23
Medieval Queerness: The “Unmentionable Vice” and its Relation to the Gender-Binary <i>Seth T. Fisher</i>	30
The Launching of Sputnik 1 <i>Andrew R. Laird</i>	37
Votive Animal Offerings in the Late and Greco-Roman Periods <i>Kathrine Gosnell</i>	42
Good Neighbors No More: How Economic Policy Led to the Cuban Revolution <i>Nicholas A. Kimsey</i>	48
“Until You Do the Job, No One Thinks You Can”: Women in the US Foreign Service in the Twentieth Century <i>Katherine B. Flugge</i>	54
Vow and Oath: The Treasonous Character of Elizabethan Anti-Catholicism <i>Jackson R. Melvin</i>	60
Book Reviews	

Review of <i>The Earth is Weeping: The Epic Story of the Indian Wars for the American West</i> , by Peter Cozzens <i>Mitchell J. Easterhouse</i>	64
Review of <i>American Colonial History: Clashing Cultures and Faiths</i> , by Thomas S. Kidd <i>Christopher M. Breitweiser</i>	65
Review of <i>The American Dream: in History, Politics, and Fiction</i> , by Cal Jillson <i>Ethan C. Osborne</i>	66

“The Poor People Lose Again:” Revisiting *San Antonio Independent School District v. Rodriguez* and the Continuing Battle for Equal Educational Funding

Josh Bill

Josh Bill, who recently completed his master's in History through Eastern Illinois University's online program for teachers, lives in Gurnee, Illinois. He wrote this paper as part of Dr. Lynne Curry's class on civil liberties. Josh is a government teacher at Waukegan High School and is president of the Waukegan Historical Society.

Demetrio Rodriguez did not need a law degree to recognize fundamental inequalities between the school his children attended and wealthier schools within the San Antonio Independent School District. Rodriguez matter-of-factly described the elementary school his children attended in the 1960s as “an old school all beat up and falling down. It had a lot of bats, and they could only use the first floor. Sometimes bricks would fall down. We had a lot of problems in that school.”¹ Indeed, these “problems” were exacerbated by the fact that just a few miles away, in the wealthier part of the same county, schools had far superior facilities and more highly-qualified teachers. Rodriguez and a concerned group of parents formed an association, organized demonstrations, and, eventually, drew the attention of the media and some lawyers. This group of parents challenged the way Texas funded its schools; they strove for a favorable ruling on Fourteenth Amendment grounds by arguing that education was a fundamental right and such inequalities that exist among schools just miles away violated the equal protection clause.²

After years of litigation, some stalling on the part of the Texas court system and legislature, and an initial ruling from a federal court in Rodriguez’ favor, the case, on appeal by the state of Texas, found its way to the United States Supreme Court in 1973. Despite the lower court’s ruling that education was a fundamental right and that the Texas legislature needed to move to remedy the funding disparity in the San Antonio school system, the legal team arguing on Rodriguez’ behalf was not optimistic. The justices on the Supreme Court—which less than two decades earlier had seemingly enshrined equal opportunities for students in school in *Brown v. Board of Education of Topeka*--no longer sat on the high court.

Only Justice William O. Douglas remained from the days of *Brown*. President Richard Nixon had the unusual opportunity of appointing four justices to the nation’s highest court in only four years in office, and although he had paid lip service to equalizing school funding, it was unclear if the justices he appointed would have any commitment to that goal.³ The answer came soon enough. Five years after Rodriguez had initially filed suit, the Court ruled that education was not a fundamental right; furthermore, the justices refused to interfere with local control over public education.⁴ Speaking to reporters from the *New York Times*, a disheartened Rodriguez summed up

¹ Peter H. Irons, *The Courage of Their Convictions: Sixteen Americans Who Fought Their Way to the Supreme Court* (New York: Penguin Books, 1988), 298.

² *Ibid.*, 285-293.

³ Justin Driver, *The Schoolhouse Gate: Public Education, the Supreme Court, and the Battle for the American Mind* (New York: Pantheon Books, 2018), 325.

⁴ *San Antonio Independent School District v. Rodriguez*, 411 U.S. 1, (1973), accessed July 5, 2019, <https://supreme.justia.com/cases/federal/us/411/1>.

the decision, lamenting “the poor people have lost again.”⁵ Understandably, Rodriguez’ frustration showed through his words, but a long-term analysis of the decision and its implications reveal a far more complex picture than Rodriguez realized in his moment of despair. Certainly, funding inequalities still plague public schools, but Rodriguez’ fight did not end on that early spring day in 1973 when the high court made its decision. While Rodriguez and many impoverished parents across the country wanted the Supreme Court to declare that education was a fundamental right and the federal courts would see to it that schools were funded equitably, the court’s inability to do this led to states funding schools in different ways; citizens have challenged the disparity in funding thanks to legal avenues opened through the Court’s language in *San Antonio Independent Schools v. Rodriguez*, with varying degrees of success.

Historical and Legal Context Prior to *Rodriguez*

Prior to World War II, the United States Supreme Court was hesitant to take cases involving public schools. In 1940, Justice Felix Frankfurter, writing for the Court’s majority in *Minersville School District v. Gobitis*, upheld a school district’s right to expel a student for refusing to salute the American flag. In a line that would be quoted in many briefs, including one argued on behalf of segregationists in *Brown*,⁶ Frankfurter recommended the Court’s avoid school policymaking, lest it appear like a school board.⁷ Although he was speaking for a case about religious freedom (or lack thereof), Justice Frankfurter had found a way to encapsulate the position of the Court on public school segregation from the Jim Crow years until *Brown*. In 1899, just three years after *Plessy v. Ferguson*, the Supreme Court in *Cummings v. Richmond County Board of Education* decided that it would not interfere in a Georgia school district’s decision to close its high school to black students. At that time, the United States Supreme Court, like much of the country, denied African Americans social equality. To the justices, education was a social right, not a political right, and, thus, was not protected by the language of the Fourteenth Amendment, which was written only for civil rights (something the justices also failed to apply in numerous cases, but that is a topic for another essay).⁸ Thus, black people in Richmond, Georgia, were left without adequate education, and the Court seemed unconcerned. In the rest of the South, segregation continued in public education, and schools for black children remained scanty, a fact the high court refused to publicly address until 1954.

The case we now know as *Brown v. Board of Education* was a class-action suit brought by the NAACP’s Legal Defense and Education Fund. The Court’s decision to integrate public schools across the United States ranks arguably as the greatest of the twentieth century. In rejecting *Plessy*’s doctrine of “separate but equal,” Chief Justice Earl Warren, writing for a unanimous Court, left no doubt that Jim Crow schools violated the Fourteenth Amendment. Famously the Court pronounced “separate educational facilities are inherently unequal.”⁹ While now a widely-celebrated decision, when *Brown v. Board* was first announced, southern newspapers like the *Jackson [Mississippi] Daily News* condemned the ruling and stoked fears that integrating races in the schools would quickly lead to interracial marriage and the “mongrelization of the human race.”¹⁰ Such racist fears were

⁵ Warren Weaver Jr., “Court, 5-4, Backs Schools in Texas on Property Tax: Holds State Laws Are Not Void Just Because Their Benefits ‘Fall Unevenly.’ Marshall in a Dissent Terms Ruling a Retreat from the Commitment to Equality of Opportunity,” *New York Times*, March 22, 1973, accessed July 10, 2019, ProQuest Historical Newspapers.

⁶ Driver, *The Schoolhouse Gate*, 12-13.

⁷ *Ibid*, 5.

⁸ *Ibid*, 29-37.

⁹ *Brown v. Board of Education of Topeka*, 347 U.S. 483, 495 (1954), accessed July 5, 2019, <https://supreme.justia.com/cases/federal/us/347/483>.

¹⁰ Driver, *The Schoolhouse Gate*, 248.

commonplace, since nearly half of the states in America had “antimiscegenation laws” on the books when the Court ruled in *Brown*.¹¹ These fears were even echoed, albeit in softer racial language, in a private conversation between Warren and President Dwight Eisenhower in advance of the Court’s decision.¹² The more liberal voices in the North, like the *New York Times*, sounded victory for “equality of all men and all children before the law.”¹³ Such differences in opinion represented the geographical and political split between the North and South, liberals and conservatives.

In *Brown*, the Court spoke with a unanimous voice, though some legal scholars, like Justin Driver, have argued that it might have hurt cases like *Rodriguez* in the long run. In order to reach unanimity, the court can use weaker language and, thus, when future cases of a similar nature are argued, it might be easier to chip away at precedent. In *Brown*, Warren had to convince some southern conservatives on the Court to go with a unanimous decision to try to “avoid inflaming southern resistance.”¹⁴ Southern resistance could not be avoided, but proponents of integration were happy that there was no observable division among the justices. Furthermore, while Driver may be right that if the Court could have made a stronger proclamation, such as declaring then and there education as a fundamental right, cases like those of Demetrio Rodriguez on behalf of his children might have been decided differently. Even with these considerations, however, the Court’s opinion in *Brown* was still packed with strong egalitarian language, as will be explored below.

Following the triumph of *Brown*, however, the Supreme Court largely failed in its attempts to promote equal education for all. This trend started almost immediately with the implementation decision known as *Brown II* where the Court ordered integration of schools “with all deliberate speed” – rather than immediately or setting a definitive timeline. These words left the door open for schools to take their time with integration. Indeed, the language left the South, in the opinion of legal scholar Ian Millhiser, “jubilant” there was no hurry to integrate.¹⁵ The vague timeline for implementation set out in *Brown II* allowed for the chair of the Richmond, Virginia, School Board and future Supreme Court Justice, Lewis Powell, to maintain segregated schools. Ultimately, such de facto segregation allowed the likes of Powell to “minimize the extent of integration.”¹⁶ While these sorts of strategies and countless others were employed by school districts in northern and southern parts of the United States, it was Powell’s commitment to local control of schools that weighed heavily in the *Rodriguez* decision.

With the passage of the Civil Rights Act, Voting Rights Act, and the Elementary and Secondary Education Act during the 1960s, the United States government seemed to recognize that often “local control” amounted to maintaining discriminatory laws, whether that be in public facilities, at the ballot box, or within the nation’s schools. The federal government began to take a more active approach in matters of education and civil rights.¹⁷ The Supreme Court seemed to be slowly abandoning Justice Frankfurter’s admonition against overseeing the nation’s school systems. By 1968, a unanimous Court ruled in *Green v. County School Board of New Kent County* that more than enough time had been given to schools to desegregate; now school systems must “come forward

¹¹ Peter Wallenstein, *Tell the Court I Love My Wife: Race, Marriage, and Law: An American History* (New York: St. Martin's Griffin, 2002), 253.

¹² Driver, *The Schoolhouse Gate*, 259.

¹³ *Ibid*, 246.

¹⁴ *Ibid*, 251-253.

¹⁵ Ian Millhiser, “What Happens to a Dream Deferred?: Cleansing the Taint of San Antonio Independent School District v. Rodriguez,” *Duke Law Journal* 55, no. 2 (2005): 420.

¹⁶ James E. Ryan, *Five Miles Away, A World Apart: One City, Two Schools, and the Story of Educational Opportunity in Modern America* (New York: Oxford University Press, 2010), 47-48.

¹⁷ Matthew Saleh, “Modernizing ‘San Antonio Independent School District v. Rodriguez’: How Evolving Supreme Court Jurisprudence Changes the Face of Education Finance Litigation,” *Journal of Education Finance* 37, no. 2 (2011): 108.

with a plan that promises realistically to work and... to work now.”¹⁸ Given this ruling, many believed that the United States Supreme Court would soon take a more active role in granting every student an equal education under the law. Unfortunately, politics got in the way.

A little more than one week after the Court’s decision in *Green*, an assassin murdered Senator Robert Kennedy, then campaigning for president of the United States. Just weeks before, James Earl Ray gunned down Dr. Martin Luther King Jr. at a Memphis hotel. With the country in turmoil, and what looked like an upcoming electoral victory for Republican Richard Nixon, Chief Justice Warren submitted his resignation, hoping that Johnson would replace him with a liberal judge. The president attempted to promote Associate Justice Abe Fortas to chief justice, but a senate filibuster prohibited Fortas from succeeding Warren. Eventually, it was Nixon who not only appointed Warren Burger as chief justice but insisted that he would be nominating “judicial conservatives” to the bench. This pledge, which Nixon had also made on the campaign trail to appeal to southern voters, was kept. By the time *Rodriguez* came before the nation’s highest court, Nixon had appointed four justices, who significantly changed the complexion of the Court.¹⁹ The progressive Warren Court that had not only desegregated schools, but had also, in the opinion of Mathew Saleh, “hinted strongly at an evolving [fundamental] right to education,”²⁰ was now gone. In its place sat conservatives who would tilt the balance of educational policy back to the states.

The *Rodriguez* Case: Background, Opinions, and Dissents

Across the United States today, schools mere miles from each other are unequally funded due to property tax revenue. As a general rule, wealthy communities with higher property values are able to provide their schools with more money, while poor communities with low property values sometimes struggle to fund schools at the most basic levels. This latter circumstance was the case in Demetrio Rodriguez’ community of Edgewood, which sat within San Antonio’s school district boundaries. It was not just a matter of dilapidated facilities, however. In 1968 the schools that Rodriguez’ children attended also lacked qualified teachers. Only eighty percent of the district’s teachers had a college degree; forty-seven percent of the teachers in Edgewood taught on emergency permits. Edgewood schools were 90 percent Latinx. The community suffered the lowest property values in the San Antonio Metropolitan Area.²¹

To provide the sharpest contrast possible, Rodriguez and his legal team compared the predominantly-Latinx community with a predominantly-white community called Alamo Heights. As Peter Irons explained, “the names alone illustrated the division – the Hispanic district at the city’s edge, and the Anglo district on its heights. Wealth looks down on poverty.”²² In the considerably wealthier Alamo Heights, 100 percent of the teachers had a college degree and the school systems there were able to spend \$594 per pupil compared to the \$356 Edgewood schools mustered. Further underscoring inequities, the counselor-to-student ratio at Alamo Heights was one counselor for every 645 students. Each Edgewood student had to rely on a counselor servicing 3100 other students.²³ Sometimes it is difficult to quantify what makes for a quality education. A dynamic

¹⁸ *Green v. County School Board of New Kent County, Virginia*, 391 U.S. 430, 439 (1968), accessed July 18, 2019, <https://supreme.justia.com/cases/federal/us/391/430>.

¹⁹ Earl M. Maltz, *The Coming of the Nixon Court: The 1972 Term and the Transformation of Constitutional Law* (Lawrence: University Press of Kansas, 2016), 1-2.

²⁰ Saleh, “Modernizing ‘*San Antonio Independent School District v. Rodriguez*,’” 108.

²¹ *San Antonio Independent School District v. Rodriguez*, 411 U.S. 85, (1973), accessed July 5, 2019, <https://supreme.justia.com/cases/federal/us/411/1>.

²² Irons, *The Courage of Their Convictions*, 286-287.

²³ Jeffrey S. Sutton, “*San Antonio Independent School District V. Rodriguez* and Its Aftermath,” *Virginia Law Review* 94, no. 8 (2008): 1963–1967.

teacher, regardless of salary and training, can make profound differences. Still, in terms of the Fourteenth Amendment's provision that a state must provide "equal protection of the laws," these statistics reveal that students in the Edgewood community were not getting equal educational opportunities because of unjust state laws that mandated school funds be drawn from the values of homes in the area. Thus, Rodriguez was clearly correct in his post-decision comments: poor people were indeed missing out.

Since Rodriguez intended to challenge a state law using the United States Constitution, rather than a state constitution, the case began in the United States District Court in San Antonio. When it was first heard, the district court suspended proceedings with instructions to the Texas legislature to try and work out a more equitable funding plan. After state lawmakers proved unable to do so, the District Court heard arguments from Arthur Gochman, the lawyer arguing on behalf of Rodriguez. Gochman posited education as a fundamental right. Poor people, he insisted, as well as Mexican Americans, amounted to distinct classes that required the court to engage in "strict scrutiny," which would force the state of Texas to come up with a "compelling reason" for the funding disparity. Gochman was victorious: the district court agreed with his arguments.²⁴ Interestingly, the court remained silent on Gochman's claims that Mexican Americans should be a suspect class (a class of individuals historically subject to discrimination). Several judges brought this issue up in oral arguments, but it did not seem to have factored into their final decision; the case would only determine whether wealth would be a suspect class.²⁵

While the state of Texas seemed surprised by the ruling, it did not waste much time appealing the decision to the United States Supreme Court.²⁶ During oral arguments, Charles Wright, on behalf of Texas, and, really on behalf of all the states which based school funding on property taxes, cautioned the court not to assume that money translated into successful educational outcomes. It was a mere coincidence that the case involved Latinx students, he explained (though he had the advantage of the U.S. District Court's silence on that issue). Finally, while he admitted to imperfections in funding, he argued courts should not supersede the responsibilities of state legislatures. Taking the podium, Gochman emphasized that the lower court was correct: education was, in fact, a fundamental right. He tried to link it to the Bill of Rights, explaining that education was crucial in the ability to engage in freedom of speech with eloquence and expertise. He also noted that the court must avoid a decision that would lead to two classes of citizens, a minimum class granted education but with no promise of equality, and a first class, which would receive a top-notch education only to be found in wealthy school districts. This took up a fairly short portion of his oral arguments, after which the justices peppered Gochman with questions and tried to get him to acknowledge the immense ramifications the case would have not just in Texas but in all of the states.²⁷ This line of questioning suggests that the newly-conservative court was hesitant to redefine school funding nationwide.

On March 21, 1973, the Supreme Court ruled 5-4 against Rodriguez. Writing the opinion for the divided Court was none other than Justice Lewis Powell. Nixon, who had appointed Powell little more than a year earlier, likely took a keen interest in how the new-look Court would rule. Powell, the opponent of national intervention as school board chairman in Richmond in the aftermath of *Brown*, did not disappoint the president. He rejected the lower court's finding that education was a fundamental right. Powell's seventy-page decision was loaded with warnings of the intrusion of the

²⁴ Irons, *The Courage of Their Convictions*, 285.

²⁵ "Oral Argument in *San Antonio Independent School District v. Rodriguez*," Oyez, accessed July 10, 2019, <https://www.oyez.org/cases/1972/71-1332>.

²⁶ Irons, *The Courage of Their Convictions*, 288.

²⁷ "Oral Argument in *San Antonio Independent School District v. Rodriguez*," Oyez, accessed July 10, 2019, <https://www.oyez.org/cases/1972/71-1332>.

judiciary into legislative affairs. He pled ignorance of school matters and instead insisted that educational issues were best settled by the experts in state laboratories.²⁸ Powell bowed to the legislature in a way proponents of states' rights would have cheered if such a lack of decorum was allowed in the marble halls of the Supreme Court. He argued that the court was "unwilling to assume for ourselves a level of wisdom superior to that of legislators, scholars, and educational authorities in 50 states."²⁹



President Nixon celebrating the confirmation of two Supreme Court judges on December 22, 1971: Lewis Powell on left, William Rehnquist on right. Courtesy of Richard Nixon Library, Yorba Linda, CA.

Justice Powell cited *Brown* and tried to reassure the public the court was not reversing precedent. Education was important, Powell proclaimed, but it was not fundamental. His rationale was that a right to education was not expressly listed in the Constitution itself.³⁰ Powell lamented that even indispensable rights such as education, food, or health care could not be granted "fundamental" status in a legal sense, for then the court would have to look at every case involving medical rights with strict scrutiny, a step he and the majority of the justices were unwilling to take.³¹ Considering Powell's history, as well as the politics of the president who nominated him to

the court, his decision was a reflection of his political makeup. Powell resented federal interference with the "neighborhood" (read segregated) schools he oversaw in Virginia. Nixon wanted to quell the rash of judicial activism in desegregation cases; here Powell obliged, insisting that fundamental rights must be explicitly listed in the Constitution, a claim that was false to anyone who had studied the court's decision for the years even before the liberal Warren Court.

Justice Thurgood Marshall, who had been sick during the oral arguments in this case, made up for lost time with a scathing dissent. In it, the lawyer who once argued on behalf of Linda Brown and countless African Americans two decades before *Rodriguez*, blasted the Court's decision as a betrayal of the principles of *Brown*. He recalled the words from *Brown*, where the judiciary recognized the fundamental value of an education in equipping students for success; the crucial segment of this decision from the Warren Court was that "where the state has undertaken to provide [education], it is a right which must be made available to all on equal terms." Marshall lambasted the decision insisting it would handcuff young students of color if they were not granted the right to an education on an equal footing with that of their wealthy, white peers.³²

Further challenging the Court's short memory, Marshall's heavily-footnoted dissent reminded the majority that there was ample precedent for enshrining a fundamental right not specifically referenced in the Constitution. He cited *Skinner v. Oklahoma* (1942) as an instance where the court determined that marriage and procreation were fundamental. For those on the court with an even shorter memory, Marshall pointed to the *Roe v. Wade* decision that had been written two months before the *Rodriguez* case.³³ Marshall likely could not help but take the decision personally. He feared the legacy of *Brown*, a legacy he played such an integral role in, might be undone in one decision.

²⁸ For an example of such language see *San Antonio Independent Schools v. Rodriguez*, 36-41.

²⁹ *Ibid*, 55.

³⁰ *Ibid*, 29-35.

³¹ Sutton, "San Antonio Independent School District V. Rodriguez and Its Aftermath," 1969.

³² Driver, *The Schoolhouse Gate*, 322-323.

³³ *San Antonio Independent Schools v. Rodriguez* at 100-101 (Marshall, dissenting).

By today's standards, little attention was paid to the fact that the litigants in this case (and the vast majority of students in the school) were Latinx. The argument was made by Gochman that the fact that the school district consisted mostly of Mexican-American students meant the court should consider ethnicity a suspect classification. Neither Powell nor Marshall paid any attention to this issue in the decision, except for Powell's passing reference to it in his factual summary at the beginning of his decision. In oral arguments, justices wondered about the impact the ethnicity of the students would have on the case (see above), but eventually, focused only on wealth classification. On that issue, once the court had dismissed the major argument and concluded that education was not a fundamental right, the court sidestepped the wealth issue, saying that the students in the district were "too amorphous and heterogeneous to constitute a suspect class."³⁴ Interestingly, had the lower court paid more attention to ethnicity, there might have been an argument that the Supreme Court would have had to consider. Given the conservative makeup of the court, as well as its deference to local control over schools, however, it is unlikely that this would have changed the outcome of the case.

The Constitution, Rights, and the Courts

There is an oft-quoted adage from Charles Evans Hughes, who once observed that "the Constitution is what the judges say it is, and the judiciary is the safeguard of our liberty and of our property under the Constitution."³⁵ Although this quotation was taken from a speech when Hughes was governor of New York, many use it in speaking about the Supreme Court due to Hughes' tenure as chief justice, which began more than two decades after the speech. Even though it grants the judiciary significant power, there is much truth to Hughes' commentary. Additionally, some, like Richard Randall, have attached a near-religious reverence to the court, arguing that Americans grant scriptural significance to the Constitution that is "interpreted by high priests – the justices of the Supreme Court – to guide us to realization of ordained liberties." Randall, however, realizes it is not that simple. A few sentences later, he admits that "equality may at times present obstacles for liberty, as liberty does for equality."³⁶ There is a strong connection between Randall's words and the *Rodriguez* case, which involved a class of people seeking a right that the Court undoubtedly had the right to grant. So, beyond the historical and political opinions summarized in this study, what other possible explanations could there be as to why the Supreme Court refused to declare education a fundamental right?

Although Thurgood Marshall's dissent has great emotional appeal, in a legal sense, there is more nuance to ponder. One might consider two cases he cited where the court identified fundamental rights not specifically mentioned in the text of the Constitution. In *Skinner v. Oklahoma*, a man was to be sterilized in accordance with Oklahoma law. In the era of eugenics, many thought that a criminal gene might be passed along through reproduction. Challenging on the grounds of the Equal Protection Clause, Jack Skinner, a convicted felon threatened with sterilization, persuaded the high court to declare that procreation was a fundamental right that was entitled to strict scrutiny.³⁷ In *Roe v. Wade*, the case built on the decision in *Griswold v. Connecticut* (1965), where Justice Douglas posited that one can infer a right to privacy from other rights in the Constitution, such as the Third

³⁴ Saleh, "Modernizing 'San Antonio Independent School District v. Rodriguez,'" 106.

³⁵ Charles Evans Hughes and Jacob Gould Schurman, *Addresses and Papers of Charles Evans Hughes, Governor of New York, 1906-1908* (New York and London, G. P. Putnam's sons, 1908), 139, accessed July 15, 2019, <http://archive.org/details/addressespapers00hugh>.

³⁶ Richard Randall, *American Constitutional Development* (New York, Longman, 2002), 15.

³⁷ Lynne Curry, *The Human Body on Trial: A Handbook with Cases, Laws, and Documents* (Santa Barbara: ABC-CLIO, 2002), 62-

and Fourth Amendments. The right to privacy in *Roe* was extended to allow a woman a right to an abortion.³⁸ This bears the question, then, why could the court protect certain rights, even subjecting them to strict scrutiny, in these cases but not in *Rodriguez*? After all, the claim of Arthur Gochman in his argument, and Marshall in his dissent, was that education was key to promoting quality freedom of speech and preparing young people for citizenship. The answer to this query seems to lie in positive versus negative rights in Constitutional law.

The *Skinner* and *Griswold* cases involved negative liberty: that is, a freedom that protects an individual from undue government intrusion. Due to the language and principles underscoring the Bill of Rights, which were designed as protections against the interference of government, the court seems more likely to uphold negative liberty. The *Rodriguez* case, on the other hand, involved a positive liberty: education. Positive liberty is a right granted by government action and “it assumes that inequalities of circumstance and condition, such as those resulting from poverty, deficiencies in education... need to be redressed” so that those impacted by them can experience genuine liberty.³⁹ Neither positive nor negative rights were mentioned in the lengthy opinions or dissents handed down in the *Rodriguez* case; in that decision, justices wielded different terminology, especially the notion of welfare. This politically-charged language was used several times in Justice Powell’s opinion. Given Nixon’s aversion to the “Great Society” programs of his predecessor and his avowed promise that his justices would promote “judicial restraint,” it becomes clearer why the same court might be willing to uphold a right to privacy in *Roe* to protect from the overreaches of the police state, but also be unwilling grant new rights that were not in danger of state overreach. In fact, the contrary was true: Powell, on behalf of the court, likely felt that making education a fundamental right would be the equivalent of the high court policing the nation’s schools.

When Justice Powell crafted his opinion in *Rodriguez*, he wanted to eliminate the possibility of welfare rights being written into the Constitution. This logic helped him to dispel the second element of the *Rodriguez* decision, which is that poor people should be considered a suspect class in the eyes of the court, thereby triggering strict scrutiny in judicial proceedings. Legal scholar James E. Ryan suggests that many people in the 1960s saw the Warren Court leaning towards treating financial discrimination in a similar way as racial discrimination. Here, the court side-stepped the issue, maintaining that a poor school district was different from a poor person. The court had spoken clearly that poor districts did not deserve suspect classification.⁴⁰ While Justice Powell looked to close the door on adding new rights into the Constitution, Justice Marshall kept the door open, encouraging, in his one-hundredth footnote, that this measure be challenged according to provisions in state constitutions that more definitively protected education.⁴¹ Though not known to be a soothsayer, Thurgood Marshall had adeptly predicted the next step in school funding reform.

Epilogue: Progress, Setbacks, and the Problems of “Equal” Education

Considering the political and juridical complexities, there was no guarantee that educational funding in the United States would have been any better off had Demetrio Rodriguez won his case, given the bureaucratic nature of both educational and legal institutions. While some scholars still urge the Court to reconsider problems such as those that plagued the San Antonio Independent School District in the 1960s and 1970s, others have recognized that schools and the students within them are likely better off without the courts regulating school funding. Indeed, there are major issues with education that equal spending alone cannot solve.

³⁸ Ibid., 65-73.

³⁹ Randall, *American Constitutional Development*, 16.

⁴⁰ Ryan, *Five Miles Away, A World Apart*, 139-141.

⁴¹ Driver, *The Schoolhouse Gate*, 324.

In legal scholar Ian Millhiser's 2005 angry rebuke of the Supreme Court's failure to create a level playing field for students, he insists that the continued negligence of the court since *Brown* have provided America's young people with no recourse to stand up for their academic needs. With righteous rage, Millhiser calls for "a progressive method of constitutional interpretation that allows the courts to meet a changing society with appropriately expanded rights."⁴² He documents the decline of the judiciary's willingness to stand up for the rights of racial and ethnic minorities from the weak *Brown II* directive to "the final nail in *Brown's* coffin," where the Rehnquist Court, in *Board of Education v. Dowell*, explained that court supervision of school integration was only a temporary measure.⁴³ The indignation of Millhiser is precisely why school funding might be better off challenged within individual states. His chastisement of conservative appointees to the bench and their failure to promote equal educational funding for all public-school students suggests that students across the country have suffered since conservative justices have proven unwilling to mandate equitable funding of schools across the nation.

In reality, states have been mildly successful in trying to close the funding gap between wealthy and impoverished students. Writing as the Sixth Circuit Judge on the United States Court of Appeals in 2008, Jeffrey Sutton reviewed the results of challenges in state courts since *Rodriguez*. The results were mixed. Since 1989, out of those who have advocated for equal educational funding, two-thirds have won. Sutton admits, however, that even when the plaintiffs won, states still struggled with ways to ensure a school funding system fair to all. He drew attention to Ohio, where citizens, through litigation, compelled state budgets to go from spending \$173 million on educational facilities to \$2.7 billion on facilities over the course of about ten years. In the Edgewood District of Texas, Demetrio Rodriguez, who died in 2013, would have startled to see progress on school funding. Through state challenges to property-tax funded schools, the Edgewood and Alamo Heights communities both "spent about \$8,600" per student by 2004. This prompted Sutton to argue that Rodriguez had won the case, but the decision just took thirty years and more challenges.⁴⁴ Yet it is not that simple to declare Rodriguez triumphant here. After all, while he might have been invested in his own children, he and his legal team were trying to change the system nationwide, across the board. Such a victory remains likely out of reach.

Matthew Saleh and James E. Ryan propose, in different works, that the state-court victories were symbolic at best. Saleh takes heart in the fact that perhaps another federal challenge will take place now that the Supreme Court has an "intermediate" level of scrutiny that falls in the middle of strict and rational-basis analyses.⁴⁵ Ryan notes that none of the legal challenges thus far have created a system that funds schools equally. He notes that despite victorious plaintiffs all over the country challenging educational disparities, "no court... has required that school district boundaries be redrawn in order to equalize the distribution of property wealth in districts. Nor has any court outlawed the use of local property tax altogether." The solution, Ryan tells us, involves either raising every district to the level of the highest spenders or limiting the amount of money that wealthy districts can spend.⁴⁶ Both would be highly controversial, and none of the state laboratories have come up with an equation that works for all involved.

There are some that rightly contend that equal funding does not cure the problems plaguing the American school system. Indeed, stories proliferate of funds grossly mismanaged and misallocated. Then there is the issue that while more money should secure better teachers, there is not always evidence that the best teachers are those paid the most. Furthermore, there are less

⁴² Millhiser, "What Happens to a Dream Deferred?," 407.

⁴³ *Ibid.*, 421-422.

⁴⁴ Sutton, "*San Antonio Independent School District V. Rodriguez* and Its Aftermath," 1973-1978.

⁴⁵ Saleh, "Modernizing '*San Antonio Independent School District v. Rodriguez*'" 122-124.

⁴⁶ Ryan, *Five Miles Away, A World Apart*, 153-154.

tangible cultural factors at work. School climates need to be turned around so that students in every school have a mindset for success. These are just a sampling of the issues that money will not solve in public education.

In the aftermath of the *Rodriguez* decision, Demetrio Rodriguez reflected on the daunting tribulations facing a growing America. He simultaneously answered with hope and despair. “I think they can be solved, but it will take years to do it,” he explained. “I guess I’m going to die and not get to see this thing resolved.”⁴⁷ In these wise though depressing words, it seems that Rodriguez shortchanged himself. He had been part of the solution, and, indeed, did see the funding issue resolved in his hometown in his lifetime, albeit at the end. Yet, without Rodriguez’ conviction to stand up for his children so that they could embrace their American dreams, the American people might not have taken notice of the issue as quickly. Certainly, many people realized inequities in their educational settings when they compared themselves to neighboring communities, but a high-profile Supreme Court case tends to ratchet up the action and rhetoric for change. Although we still await equal educational opportunities, as we do so, we should appreciate the role Demetrio Rodriguez played in demanding that education be seen as our fundamental right.

⁴⁷ Irons, *The Courage of Their Convictions*, 303.

The Conquest and Romanization of Britain

Eric A. Kent

Eric Kent is a senior history major, with minors in Art History, Asian Studies, Pre-Modern Global Studies, and Religious Studies from Lombard, Illinois. He wrote this paper for Dr. Lee Patterson's His 3150: Roman World. After graduation, Mr. Kent will be interning at the Ligzadro Lapidary Museum in Elmhurst, Illinois.

From the first time the Romans set foot in Britain until the end of the revolt by Queen Boudicca, the Romans relied on client kingdoms to maintain stability and control over Britain. Client kingdoms provided the Romans with an easy way to control autonomous states that safeguarded the frontier against barbarians. Client kings promoted Roman culture, art, architecture, and they became incorporated into the Roman economy. Through this promotion of Roman ideas and culture, tribes were eased into the process of becoming Roman. However, the Romans did not account for alliances created amongst some of their client kingdoms. These alliances formed out of opposition to growing Roman influence over trade and the “Romanization” of Britain. Inevitably, Romans sought to control and prevent these alliances. Eventually this led to conflict with the tribes on the island and ultimately to conquest of the British Isles.

The Romans began their expansion into the British Isles with Caesar and his Gallic Wars (58-50 BCE). Prior to this war, the Romans had no contact with the island. It was only after



Bust of Julius Caesar. Courtesy of the Metropolitan Museum, New York.

conquering the Gallic kingdoms, that Caesar, forced to attack tribes in Britain due to alliances with the Gauls, moved to invade Britain. Caesar recounts in his memoir, entitled *Gallic War*, how the Gallic king held land in Britain. “That the Suessiones were their nearest neighbors and possessed a very extensive and fertile country; that among them, even in our own memory, Divitiacus, the most powerful man of all Gaul, had been king; who had held the government of a great part of these regions, as well as of Britain,” wrote Caesar.¹ It is likely Caesar made the claim Divitiacus held land in Britain to prolong his war with the Gauls and annex their allies. An alliance, in fact, between the Belgic tribes, who had crossed the channel into Britain, and the Veneti of Brittany forced Caesar to cross the channel.² In 57 BCE, the Veneti surrendered to Caesar when he reached the northeastern part of France. However, they immediately rebelled, identifying the Romans as an economic threat.³ The alliance between the tribes began to prove troublesome for the Romans. Both tribes, with help of Celts from Britain, constantly harassed Caesar’s navy until he ultimately defeated their navy at Quiberon Bay.⁴ The Veneti and Belgic people then fled to Britain to escape Caesar’s harsh treatment in suppressing their rebellions.

¹ Caes, Gall. 2.4

² Howard H. Scullard, *Roman Britain: Outpost of the Empire* (London: Thames and Hudson Ltd, 1979), 25.

³ Scullard, *Roman Britain: Outpost of the Empire*, 25.

⁴ Scullard, *Roman Britain: Outpost of the Empire*, 25.

Prior to his arrival in Britain, the only knowledge that Caesar had of the island was that it was rich in tin and other minerals and that the Celtic tribes had aligned with the Veneti.⁵ But, there was more behind this drive to establish a foothold on the island than these reasons alone. Historian Peter Salway points out that “Britons had fought against him alongside some of the Gallic tribes, but this was surely an irritant rather than a *casus belli*.”⁶ Rather the knowledge Caesar had gained from fighting the tribes was to be used to reinforce his image and popularity.⁷ It was during his invasion, as Appian would point out in his *Gallic History*, that, “He crossed by taking advantage of the movement of the tide. As it rose the fleet was impelled by the waves, slowly at first, then more rapidly, until finally Caesar was carried with great swiftness to Britain.”⁸ Caesar became the first Roman to step foot on the island. However, to say Caesar crossed the channel with ease due to the rising of the tide is an exaggeration. In fact, his small force struggled against the violent storms in the English Channel that drove a number of his ships to wreck into the treacherous White cliffs of Dover 55 BCE.⁹ Forced temporarily to abandon his plans after the loss of his ships, Caesar voyaged back to Britain in 54 BCE with the help of civilian boats. By now British tribes had united under one leader, Cassivellaunus, who was forced to retreat due to Caesar following battle near the Thames.¹⁰ Caesar then installed Mandubracius as a client-king, and other tribes then began to surrender to the future Roman Emperor.¹¹ Thus Caesar established a Roman presence on the island, but his time there was cut short as he had to return to Gaul to quash revolts and he never returned to finish his conquest of Britain.¹²

Client kingdoms became crucial to maintaining the ‘frontier’ for the Romans. They often acted as a barrier between the Romans and so-called “barbarians.” In Britain, this included tribes Caesar had not subjugated who fought against each other for land, wealth, prestige, and power. Client kingdoms throughout the Roman world also provided tribute to the Romans for protection from the same barbarians with whom Rome often established client relations. However, within the client kingdoms, as will be mentioned later, infighting became a commonality as kings replaced kings and their heirs. The Romans would often allow the replacement of kings within these kingdoms as long as they maintained relationships established under previous rulers. Client kingdoms underwent a process known as “Romanization,” in which they became integrated into the Roman economy and often adopted Roman culture, architecture, language, and dress.

Although the Romans had established a presence in Britain in the form of client kings, Emperor Augustus did not actively pursue conquering the island. The reign of Augustus can be defined as a period of consolidation of current empirical borders and “civilizing” the people already living within the empire.¹³ That said, Augustus did allow client kings to reside in Rome as refugees when they were usurped. In one instance, he allowed the client king Eppilus to print his own coinage with the title of “Rex”; the coins included vine leaves over the ear on the coins like the Roman ones.¹⁴ This offers an early instance of the Celtic tribes becoming more Roman. By and large, many of the British chiefs had already surrendered to the Romans, making the island “Roman Country.”¹⁵ Rome believed that the overall economic growth of the tribes would be more beneficial

⁵ Scullard, *Roman Britain: Outpost of the Empire*, 25.

⁶ Peter Salway, *Short Oxford History of the British Isles: The Roman Era* (Oxford: Oxford University Press, 2002), 13.

⁷ Salway, *Short Oxford History of the British Isles: The Roman Era*, 13.

⁸ App. Gall. 1

⁹ Salway, *Short Oxford History of the British Isles: The Roman Era*, 14.

¹⁰ Salway, *Short Oxford History of the British Isles: The Roman Era*, 14.

¹¹ Scullard, *Roman Britain: Outpost of the Empire*, 26.

¹² Salway, *Short Oxford History of the British Isles: The Roman Era*, 15.

¹³ Robin G. Collingwood, *Roman Britain* (Oxford: Clarendon Press, 1932), 17.

¹⁴ Scullard, *Roman Britain: Outpost of the Empire*, 28-29.

¹⁵ Scullard, *Roman Britain: Outpost of the Empire*, 28.

to the empire if they were independent.¹⁶ But as their wealth grew, so did the interest of Roman emperors in Britain.

In his *Agricola*, Tacitus marveled at the British wealth: “Britain contains gold and silver and other metals, as the prize of conquest. The ocean, too, produces pearls, but of a dusky and bluish hue.”¹⁷ The Romans maintained these false revelries even as Caesar planned his invasion of the island. Caligula planned an invasion that never came to fruition. The motives for Claudius to expand into Britain can best be explained as a desire to acquire land, minerals, and overall wealth of Britain—as well as aspirations to control tribal affairs.¹⁸ Suetonius, however, in his *Divus Claudius*, claimed the invasion was also a way for Claudius to gain glory. “He undertook only one expedition, and that was of short duration. The triumphal ornaments decreed him by the senate, he considered as beneath the imperial dignity, and was therefore resolved to have the honor of a real triumph,” wrote Suetonius. “For this purpose, he selected Britain, which had never been attempted by any one since Julius Caesar, and was then chafing with rage, because the Romans would not give up some deserters.”¹⁹ While the search for glory in conquering new land motivated Claudius, the invasion was largely due to client kings replacing each other and driving their competitors from the island. By 43 CE, Eppilus’ brother Verica had taken control of the kingdom but would later be driven out by Cunobelinus, the king of Catuvellanum.²⁰ Verica had fled to Claudius for help, and this proved the deciding factor for Claudius’ invasion of Britain.²¹



Bust of Emperor Claudius “Britannicus.”
Courtesy of the Walters Art Museum, Baltimore,
Maryland.

The conquest of Britain was led by Aulus Plautius, Titus Flavius Vespasianus, and Emperor Claudius. After defeating the tribes and advancing further, the Catuvellauni and the Trinobantes both surrendered to the Romans. Following their surrender, Claudius then returned to Rome to hold his triumph, and take the title of “Britannicus.”²² Both Plautius and Vespasian would continue the advance into the Isles. When a tribe yielded to the Romans, they willingly became cooperative clients under their new Roman rulers. Some of the tribes included the Iceni, who later rebelled under the leadership of Queen Boudicca.²³ It is from this point on that the Romans established direct ownership over territory in the British Isles. Governors were established in the region to guard the frontier and maintain relations with the new client kingdoms. However, control later eroded due to the absence of Governor Plautius who had to return to Rome; his replacement, Publius Ostorius Scapula, would not arrive for another three years.²⁴

¹⁶ Scullard, *Roman Britain: Outpost of the Empire*, 28.

¹⁷ Tacit. *Agri*. 12.

¹⁸ Collingwood, *Roman Britain*, 18.

¹⁹ Suet. *Cl.* 17.

²⁰ Scullard, *Roman Britain: Outpost of the Empire*, 29.

²¹ Scullard, *Roman Britain: Outpost of the Empire*, 28.

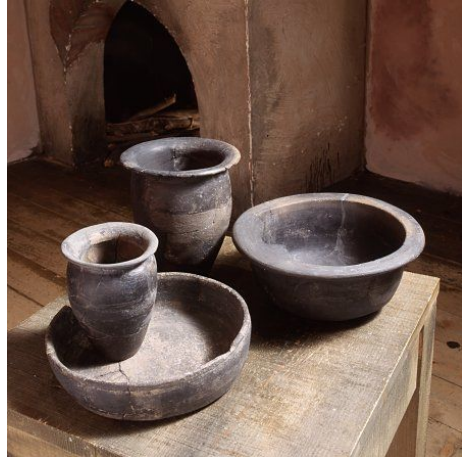
²² J.H. Ramsay, “Roman Advance in Britain and the City of Perth,” *The Scottish Historical Review* 19, (1922): 283.

²³ Ramsay, “Roman Advance in Britain and the City of Perth,” 284.

²⁴ Ramsay, “Roman Advance in Britain and the City of Perth,” 284.

Tribes that were both client kingdoms under the Romans and within the frontier began attacking each other and forming alliances to further their power.²⁵ The Iceni emerged as one of the strongest tribes to have survived the chaos; they refused to be disarmed and they had built up a large alliance chain.²⁶ Interestingly enough, the Iceni were also some of the most “Romanized” of the Celtic tribes. They, like Eppilus, labeled both their gold and silver coinage like the Romans, while their nobility was influenced by Roman textiles and pottery.²⁷ Once he arrived in Britain, Scapula would build a series of forts and turn against the Iceni to disarm and break the alliance of tribes. Scapula had conquered the largest civilized and “Romanized” area in Britain.²⁸

With the suppression of the Iceni and other tribes in the area, Scapula continued to push into Wales, where he was reinforced by another legion.²⁹ After his successes in Wales, Scapula settled his legions in Britain at Camulodunum. This town would later become the provincial capital and even have a temple dedicated to the emperor Claudius.³⁰



Durotriges tribe's burnished ware. Courtesy of the National Museum of Wales

By creating urban centers, the Romans changed the geo-political landscape of the British Isles. Prior to the establishment of Camulodunum, most of the British Isles consisted of villages spread-out across a vast landscape. With the settlement by the Romans, villages transformed into towns. Romans built walls to protect the inhabitants and buildings to serve administrative functions.³¹ Like the nobles of the Iceni, the tribes of Britain benefited from Roman technology, such as iron tools to help turn the soil for farming.³² Along with the introduction of administrative buildings and officials, came taxes. The Iceni became one of the most heavily taxed tribes by the Romans due to their

overall size of territory. This created a sense of resentment amongst the tribes and a desire to break free from the Romans. Tacitus explained:

Relieved from apprehension by the legate's absence, the Britons dwelt much among themselves on the miseries of subjection, compared their wrongs, and exaggerated them in the discussion. “All we get by patience,” they said, “is that heavier demands are exacted from us, as from men who will readily submit. A single king once ruled us; now two are set over us; a legate to tyrannise over our lives, a procurator to tyrannise over our property.”³³

The Iceni and other tribes in Britain began pushing back against the process of “Romanization.” By 54 CE, Emperor Claudius had died and was succeeded by his son Nero. The new emperor’s main interest was not in ruling nor the politics of the empire. He focused instead on music and the arts. Originally, he had little interest in holding the frontier of Britain. As historian C. Suetonius Tranquillus points out, the emperor “never entertained the least ambition or hope of augmenting and extending the borders of the empire. On the contrary, he had thoughts of

²⁵ Ramsay, “Roman Advance in Britain and the City of Perth,” 284.

²⁶ Ramsay, “Roman Advance in Britain and the City of Perth,” 284.

²⁷ Scullard, *Roman Britain: Outpost of the Empire*, 32.

²⁸ Collingwood, *Roman Britain*, 20.

²⁹ Ramsay, “Roman Advance in Britain and the City of Perth,” 285.

³⁰ Scullard, *Roman Britain: Outpost of the Empire*, 41.

³¹ Malcolm Todd, “The Small Towns of Roman Britain,” *Britannia* (1970): 115.

³² Todd, “The Small Towns of Roman Britain,” 115.

³³ Tacit. Agri 15.

withdrawing the troops from Britain, and was only restrained from so doing by the fear of appearing to detract from the glory of his father.”³⁴ However, Nero’s opposition to imperial expansion dramatically shifted after the death of King Prasutagus of the Iceni in 60 CE. Seeing no apparent heir to the Iceni throne, Nero proceeded to annex the kingdom of Iceni. This move was also driven by how “Romanized” the Iceni had become. Roman officials sent legions to seize the land from the Iceni nobility, and, in the process, Queen Boudicca’s daughters were violated. Infuriated, the whole tribe and all of its allies rose up in revolt against the Romans.³⁵

The Iceni were also allied to the Trinovantes, who also lost lands to Roman officials and Roman colonists near Camulodonum. The Trinovantes, in turn, were also in charge of maintaining the temple to Claudius and supporting his cult living on site.³⁶ The revolt targeted the high urban centers of Colchester (Camulodonum), Verulam, and London, all primarily Roman cities that were burnt to the ground by the revolt.³⁷ “Rousing each other by this and like language, under the leadership of Boudicea, a woman of kingly descent (for they admit no distinction of sex in their royal successions), they all rose in arms,” wrote Tacitus of the revolt. “They fell upon our troops, which were scattered on garrison duty, stormed the forts, and burst into the colony itself, the headquarters, as they thought, of tyranny. In their rage and their triumph, they spared no variety of a barbarian’s cruelty.”³⁸ The revolt destroyed the three cities and targeted Roman temples, graves, and administrative buildings. Roman civilians and soldiers settled along the frontier were slaughtered by the Iceni and their allies. It was not until Suetonius Paullinus raised a legion of Roman veterans who settled in the area that he was able to finally defeat the rebellious tribes.³⁹ However, Queen Boudicca was not captured by the Romans, instead, after this final defeat, she died either by poisoning herself or due to illness. Paullinus showed little mercy to the tribes as they surrendered to the Romans. “Excellent as he [Paullinus] was in other respects, his policy to the conquered was arrogant, and exhibited the cruelty of one who was avenging private wrongs,” explained Tacitus.⁴⁰ His inhumane actions led to his recall to Rome in 62 CE.⁴¹ Following his removal and the death of Nero, the Roman territory remained relatively peaceful aside from incursions from the North.⁴²

The Romans did not originally intend upon conquering, nor annexing the British Isles as a province. Nor did they expect their client kingdoms to adopt Roman culture, art, patronage, and technology only to turn their aggression towards their Roman overlords. Beginning with Caesar, the Romans faced challenges with alliances between tribes in Gaul and Britain. These alliances established by British tribes continued to plague the Romans after Caesar’s Gallic Wars. Because the Romans did not formally own territory on the British Isles, tribes freely allied with each other and conquered their neighbors. This led to tribes becoming more aggressive in driving their competitors away from Britain, including a Roman client kingdom. Claudius then was essentially forced to defend Roman client kingdoms, whereby he earned the title of Britannicus and established an era of peace in Britain. However, this era of peace did not last as Queen Boudicca destroyed cities and slayed many Romans leading to a final conquest of Britain that eliminated the last remaining tribes.

³⁴ Suet. Nero 18.

³⁵ Scullard, *Roman Britain: Outpost of the Empire*, 42.

³⁶ Scullard, *Roman Britain: Outpost of the Empire*, 42.

³⁷ Collingwood, *Roman Britain*, 20.

³⁸ Tacit. Agri 16.

³⁹ Ramsay, “Roman Advance in Britain and the City of Perth,” 287.

⁴⁰ Tacit. Agri 16.

⁴¹ Ramsay, “Roman Advance in Britain and the City of Perth,” 287.

⁴² Ramsay, “Roman Advance in Britain and the City of Perth,” 287.

Confronting the Bully: Kennedy's Clash with Khrushchev at the 1961 Vienna Summit

Jason R. Musgrave

Jason Musgrave is a recent graduate of EIU, earning an M.A. in History through the online option for teachers. This paper was written for Dr. Edmund Wehrle's HIS 5320: Seminar in Diplomatic History in the Fall 2019 semester. Mr. Musgrave teaches history at Fairfield Community High School in Fairfield, Illinois, as well as dual credit courses through Frontier Community College, also located in Fairfield.

The history of the Cold War is laden with tense exchanges between world leaders. Standoffs, posturing, ideological grappling, and the constant threat of global war haunted daily life in the United States and the Soviet Union. The ebb and flow of brinkmanship and Détente made for uncertain diplomatic relations at best, and terrifying interactions at worst. Several sore spots—such as Cuba, Berlin, Korea, and Vietnam—seemed never to heal, remaining constant reminders of the precipice upon which the countries stood. Fortunately, paths to peaceful coexistence remained open throughout the struggle despite many close calls. An army of diplomats working around the clock was ultimately responsible for the relatively peaceful outcomes of the Cold War. However, on rare occasions, the leaders of the United States and the Soviet Union found it necessary—perhaps strategically advantageous—to meet face to face to simultaneously safeguard or advance their interests while pursuing a peaceful working relationship as the commanders of the world's two superpowers.

Such was the case for John F. Kennedy and Nikita Khrushchev in the summer of 1961. Fresh off of his election victory in 1960, Kennedy extended an invitation to Khrushchev and the two would meet in Vienna for their first and only face-to-face summit.¹ While no official agenda was established, and the summit was intended to serve as simply an opportunity to become acquainted, the meeting eventually hit a snag on one central issue: Berlin. Khrushchev arrived in Vienna ready “to perform an operation on this sore spot - to eliminate this thorn; this ulcer.”² In doing so, Khrushchev caught an unprepared Kennedy off guard, leading to a much tenser exchange than the president had expected. Most interpretations underscore Kennedy's weak performance at this moment. Yet, while Khrushchev seemingly dominated the summit with his aggressive nature and repeated ultimatums concerning Berlin, Kennedy was able to maintain American interests without

¹ The historiography of the Vienna Summit seems rather unanimous in its conclusion that John F. Kennedy was more or less throttled by Nikita Khrushchev, a contention this paper challenges. Historians agree that Khrushchev took the offensive early and never looked back. On the issue of Berlin, Khrushchev met any challenge from Kennedy with unending aggression and pressure, leaving the president's will virtually broken. Most of the disagreement in the historical record surrounds the reasons for Kennedy's apparent weak performance. Some historians focus a great deal on Kennedy's health, and especially the pharmaceutical cocktails with which he combatted his ailments, as a major contributing factor. Others focus on Kennedy's youthful inexperience and naiveté relative to the grizzled veteran Khrushchev. This lack of experience underpins accounts of poor diplomatic decision making on the part of President Kennedy and his brother Robert F. Kennedy. Still others chalk up Kennedy's performance to a lack of preparation, as he relied too heavily on his ability to charm his Soviet counterpart. The general conclusion that Kennedy was thoroughly “defeated” at Vienna is in need of reexamination. Kennedy's performance in Vienna was, by his own admission, poor. However, he did continue to lock horns with Khrushchev throughout their meetings, refusing to give any ground on the issue of Berlin. This paper examines those skirmishes and Kennedy's resolve throughout the summit, highlighting the president's successes in maintaining western rights in Berlin and preventing the outbreak of war over the divisive city.

² “Memorandum of Conversation,” June 4, 1961, *Foreign Relations of the United States* (hereafter *FRUS*), 1961–1963, Volume XIV, Berlin Crisis, 1961–1962, Charles S. Sampson, ed., (Washington, D.C.: Government Printing Office, 1993), doc. 32.

plunging the world into war by accurately assessing Khrushchev's predictable behavior and exercising a resolute demeanor and a continued commitment to West Berlin.

Planning and Preparation

Barely a month after his inauguration, Kennedy penned a letter to Khrushchev. He hoped, he wrote, "before too long" the two could "meet personally for an informal exchange of views."³ The letter arrived in March of 1961, but Khrushchev would not act on the invitation until May of that year. Unfortunately for Kennedy, planning and preparation for the summit took place in the aftermath of the failed Bay of Pigs invasion in April that year. Many diplomats and members of the media, believing that the failure in Cuba created an aura of weakness around the president, argued against moving forward with the summit. One American businessman worried that "you don't negotiate with somebody who has just given you a beating." Another believed that "Khrushchev will kick him around the block."⁴ Despite the concern of the public and warnings from his advisors, Kennedy pursued the summit meeting.

The president remained publicly committed to an informal exchange with the Soviet Premier. "No formal agenda is planned and no negotiations will be undertaken," explained Kennedy, in a speech only a few days before the summit.⁵ However, he planned to move ahead. American advisers, Soviet leadership, and other world leaders had already underscored the importance and potential dangers associated with Berlin when preparing for the momentous meeting between the two leaders. Policy Planning Staff member Henry Owen, assessing the situation for the State Department, noted, "Of all the problems the administration faces, Berlin seems to be the most pregnant with disaster."⁶ Former Secretary of State Dean Acheson and French President Charles de Gaulle both warned Kennedy that war, or at least a threat of war, might be necessary to combat Khrushchev's expected salvos on Berlin. Acheson went so far as to claim that the United States might, and should be willing, to use nuclear weapons to defend its rights to West Berlin.⁷ De Gaulle would not go to that extreme, but he too advised Kennedy to remain steadfast. "If [Khrushchev] wants war we must make clear to him he will have it," he told the president.⁸ Kennedy's advisers and American allies were gearing up for an exchange on Berlin when the leaders made their way to Vienna.

The same was true for Khrushchev. Less than two weeks before traveling to Vienna, the Soviet leader met with the United States ambassador to the Soviet Union, Llewellyn Thompson, to "test" his position on Berlin. Khrushchev himself noted some years later in his memoir that in the lead up to the summit he worried about Berlin, especially the emigration of young, highly qualified East Germans through the Western occupied zones. "I spent a great deal of time trying to think of a way out. How could we introduce incentives in the GDR to counteract the force behind the exodus of East German youths to West Germany?" he wrote.⁹ Khrushchev's concern with Berlin should have come as no surprise to American diplomats or Kennedy. The Soviet leader had been demanding change since the Eisenhower administration. Specifically, Khrushchev hoped to negotiate a peace treaty with East Germany, leading to a termination of American, British, and

³ Gaddin Bischof, Stefan Karner, and Barbara Stelzl-Marx, eds., *The Vienna Summit and Its Importance in International History*, The Harvard Cold War Studies Book Series (Lanham: Lexington Books, 2014), 14.

⁴ Michael R. Beschloss, *The Crisis Years: Kennedy and Khrushchev, 1960-1963*, 1st ed. (Edward Burlingame Books, 1991), 164.

⁵ Frederick Kempe, *Berlin 1961: Kennedy, Khrushchev, and the Most Dangerous Place on Earth* (G.P. Putnam and Sons, 2011), 204.

⁶ Kempe, 196.

⁷ Ted Sorenson, "The Personal Recollections of an Advisor in Vienna," in *The Vienna Summit and Its Importance in International History*, 350.

⁸ Kempe, *Berlin 1961*, 217-218.

⁹ Nikita Khrushchev, *Khrushchev Remembers*, trans. Strobe Talbott (Boston: Little, Brown, 1970), 454.

French contractual rights in West Berlin, rights which had been established as World War II came to a close. Western powers camped out in Berlin, along with a resurgent West Germany, prompted Khrushchev to press for urgent change. The CIA had already warned that Khrushchev's new approach to Berlin was "decidedly dangerous. . . The Soviet Union lost twenty million people to Hitler – ten percent of her population. . . Thus a prime concern of Khrushchev is to keep Germany weak, and this desire should not be underrated."¹⁰ Despite the apparent concern on both sides, Kennedy remained optimistic that the topic could be avoided during the summit, an optimism that would turn out to be unfounded.

In contrast to Kennedy's confidence for an informal, possibly cordial, exchange in Vienna, Khrushchev prepared to go on the offensive. When challenged at a meeting of the Soviet Presidium, he claimed that the Soviets would be able to assert their superiority in Berlin, and he refused to consider the possibility of compromise. So sincere was he in his willingness to force the issue, when discussing gifts to present to Kennedy he remarked, "One can exchange presents even before a war."¹¹ Perhaps putting on a show for his audience, Khrushchev also referred to Kennedy as a "son of a bitch," and highlighted the young president's lack of military resolve, no doubt a reference to the Bay of Pigs fiasco.¹² As such, the stage was set for a clash in Vienna. Despite repeated warnings to Kennedy that Khrushchev would take the offensive and attempt to force a change to the status quo in Berlin, historian Michael Beschloss notes that "Kennedy persisted in his fantasy that Khrushchev might be willing to live with the problem."¹³ Also, Kennedy arrived in Vienna confident that he could match wits with the Soviet leader, leading to an exhausting round of exchanges throughout the two-day summit.¹⁴

Day One

While discussion of Berlin was saved for the second day of the summit, when the leaders first met in Vienna on June 3, 1961, they began to set the tone of the event. Khrushchev had arrived ready to do battle, hoping to challenge American prestige abroad. According to historian Robert Dallek, Khrushchev "had not come to negotiate. He had come to compete."¹⁵ In early exchanges, Khrushchev needled Kennedy, claiming that he was responsible for Kennedy's election victory the previous year as a result of the delayed release of captured American airmen.¹⁶ Khrushchev also referred to the president's relative youth, comparing Kennedy's age to his own son's. While many have interpreted this as a dig at Kennedy's inexperience¹⁷, Khrushchev's interpreter, Viktor Sukhodrev, later claimed that he did not believe that Khrushchev was trying to demean Kennedy. Instead, he notes, "I saw the deep sadness in his eyes. I heard the tone in his voice," indicating that Khrushchev's comparison was more endearing.¹⁸ Regardless, it did not take long for Khrushchev to

¹⁰ Beschloss, *The Crisis Years*, 172.

¹¹ Kempe, *Berlin 1961*, 206-208

¹² Barbara Stelzl-Marx, "Two Days of Drama: Preparation and Execution of the Vienna Summit" in *The Vienna Summit and Its Importance in International History*, 269.

¹³ Beschloss, *The Crisis Years*, 176.

¹⁴ Both Beschloss and Kempe note a strict warning to Kennedy from Ambassador Thompson to steer clear of ideological debate with Khrushchev. A warning that Kennedy ignored.

¹⁵ Robert Dallek, *John F. Kennedy* (Oxford University Press, 2011), 37.

¹⁶ Kempe, *Berlin 1961*, 229.

¹⁷ David Reynolds, *Summits: Six Meetings That Shaped the Twentieth Century* (Basic Books, 2007), 196. Reynolds believes that Khrushchev's statement comparing Kennedy to his son was malicious. He claims that Khrushchev had not had a good relationship with his son. He writes, "For the Soviet leader to compare Kennedy to Leonid was therefore hardly a compliment. . . If the Soviet leader subconsciously saw his son across the table in Vienna, it helps explain why he found it hard to take Kennedy seriously."

¹⁸ Viktor Sukhodrev, "The Personal Recollections of Khrushchev's Interpreter in Vienna," in *The Vienna Summit and Its Importance in International History*, 358.

go on the offensive. The first sign of real friction came when Kennedy indicated that he wanted to avoid a miscalculation between the two countries, considering the enormity of the possible consequences. At the word “miscalculation,” Khrushchev erupted. “Miscalculation! All I ever hear from your people and your news correspondents and your friends in Europe and every place else is that damned word ‘miscalculation.’”¹⁹ Khrushchev’s early assertiveness left Kennedy playing defense throughout most of the summit.

Kennedy, on the other hand, seemed much more accommodating, pursuing a conciliatory tone. Early in discussions, he claimed that he was willing to accept communism where it already existed if the Soviet Union would refrain from any continued expansion. Besides, he conceded to Khrushchev that “Sino-Soviet forces and the forces of the United States and Western Europe” were “more or less in balance,” an admission that would draw praise from Khrushchev and furor from American Joint Chiefs back in Washington.²⁰ The first day of discussions left Kennedy reeling from Khrushchev’s early offense. The young American president found his Soviet counterpart “a little more unreasonable [than expected],” and he characterized Khrushchev’s reaction to the term “miscalculation” as going “berserk.” Kennedy made a note to refrain from using the word the next day.²¹ Khrushchev, on the other hand, left the first day’s exchanges feeling as though he had exposed his younger counterpart. His aide recalled that the leader gloated, “This man is very inexperienced, even immature.” Compared to Kennedy, Khrushchev blasted, President Eisenhower had been “a man of intelligence and vision.”²² The first day concluded with a formal dinner and musical performances where the two leaders and their entourages would have a brief respite before launching into more serious talks the next day.

Day Two

Berlin took center stage on the second day of the summit. Khrushchev again took the offensive, laying out Soviet plans with little regard to Kennedy’s or the West’s concerns. In the early discussions, Khrushchev argued that “the U. S. is unwilling to normalize the situation in the most dangerous spot in the world.” He continued, “The USSR wants to perform an operation on this sore spot – to eliminate this thorn; this ulcer.”²³ Khrushchev called upon the memory and sacrifices of World War II, mentioning the loss of his son and other relatives of his advisers seated at the meeting. Kennedy countered Khrushchev’s emotional appeal, mentioning the loss of his brother in the war. Nevertheless, Khrushchev pressed on, focusing on his primary diplomatic maneuver concerning Berlin; a commitment to sign a peace treaty with East Germany. Khrushchev wielded this pledge to corner Kennedy, forcing him to ostensibly reject peace in favor of aggressive action. Hoping to intimidate Kennedy, Khrushchev proclaimed, “The USSR will sign a peace treaty and the sovereignty of the GDR will be observed. Any violation of that sovereignty will be regarded by the USSR as an act of open aggression against a peace-loving country, with all the consequences ensuing therefrom.”²⁴

Khrushchev’s offensive posture at the summit now took on a threatening character. Kennedy, however, refused to be drawn into combat. He anchored his arguments in the concept of “contractual rights,” dating back to the four power agreements of World War II.²⁵ “The signing of a

¹⁹ Kempe, *Berlin 1961*, 227.

²⁰ Beschloss, *The Crisis Years*, 202; Kempe, *Berlin 1961*, 226.

²¹ Kempe, *Berlin 1961*, 236n 19

²² Reynolds, *Summits*, 206.

²³ “Memorandum of Conversation,” June 4, 1961, *FRUS*, 1961–1963, Volume XIV, Berlin Crisis, 1961–1962, doc. 32.

²⁴ *Ibid.*

²⁵ Beschloss, *The Crisis Years*, 216.

peace treaty is not a belligerent act. . . However, a peace treaty denying us our contractual rights is a belligerent act,” he patiently explained.”²⁶ The two leaders continued along this path throughout their conversation. Khrushchev reiterated that the Soviet Union intended to proceed with a unilateral peace treaty with East Germany after six months. Kennedy continued to defend Western interests, noting that America's reputation and trust in the United States hinged on Berlin. If he were to abandon the city, "U. S. commitments would be regarded as a mere scrap of paper."²⁷ Kennedy tried to impress upon Khrushchev the level of American commitment to Berlin by noting that the fate of West Berlin was tied to all of Western Europe. He reminded Khrushchev that the United States had fought two wars to defend Western Europe. “If we were to leave West Berlin, Europe would be abandoned as well. So when we are talking about West Berlin, we are also talking about West Europe,” Kennedy contended.²⁸

Kennedy's reasoning did not appear to have any effect on Khrushchev, and many historians see Kennedy's performance in these conversations as weak, leading Khrushchev to take an even more aggressive position moving forward. However, important parts of the exchange between the two in Vienna underscore Kennedy's resolve. As Khrushchev continued to push his plan for a unilateral peace treaty with East Germany, Kennedy refused to give ground. He conceded that Khrushchev and the Soviet Union were well within their rights to negotiate a treaty and surrender their rights to Berlin to the East Germans. “However,” he warned, “a peace treaty denying us our contractual rights is a belligerent act. . . What is a belligerent act is the transfer of our rights to East Germany.”²⁹ When Khrushchev reiterated that the Soviet Union would defend East Germany after a peace treaty with military force if necessary, Kennedy concluded their conversation, remarking ominously, that it “will be a cold winter.”³⁰ Kennedy may not have gotten the best of Khrushchev in their discussions, but he certainly did not emerge from the summit as a pushover concerning the fate of Berlin.

Much of the critique of Kennedy's performance in Vienna has roots in his characterization of the meeting in the immediate aftermath. After parting ways with Khrushchev, Kennedy met with *New York Times* reporter James “Scotty” Reston. The intrepid Reston described Kennedy as “shaken and angry” immediately after leaving Khrushchev.³¹ When asked how the meeting went, Kennedy answered, “Worst thing in my life. . . He savaged me.”³² He went on to explain to Reston why Khrushchev had been so aggressive. Reston recalled years later, “[Kennedy] felt sure Khrushchev thought that anybody who had made such a mess of the Cuban invasion had no judgment, and any president who had made such a blunder but then didn't see it through had no guts. Now, said the president, we have a problem.”³³ These admissions by Kennedy appeared signs of weakness and defeat. However, at least part of this exchange was a result of cool calculation. Before meeting with Reston, Kennedy told one of his aides that he intended to express “the seriousness of the situation, and the *New York Times* would be the place to do it. I'll give Scotty a grim picture.”³⁴ Thus, Kennedy deliberately described the summit pessimistically to Reston to lay the groundwork for possible poor relations moving forward. However, Kennedy advisor Ted Sorensen concluded, the president “underestimated the effect that Reston's report would have. . . and the extent to which that

²⁶ “Memorandum of Conversation,” June 4, 1961, *FRUS*, 1961–1963, Volume XIV, Berlin Crisis, 1961–1962, doc. 32.

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ “Memorandum of Conversation,” June 4, 1961, *FRUS*, 1961–1963, Volume XIV, Berlin Crisis, 1961–1962, doc. 33.

³¹ James Reston, “What Was Killed Was Not Only the President But the Promise,” *New York Times*, November 15, 1964.

³² Kempe, *Berlin 1961*, 257.

³³ James Reston, *Deadline: A Memoir*, 1st ed. (Random House, 1991), 291.

³⁴ Kempe, *Berlin 1961*, 256.

negativity would resonate for years thereafter."³⁵ It is impossible to know exactly how much of Kennedy's conversation and demeanor with Reston was theater, and despite the alleged pessimism, his determination was on display in this exchange as well. He told Reston, "If [Khrushchev] thinks I'm inexperienced and have no guts, until we remove those ideas we won't get anywhere with him. So we have to act."³⁶ Kennedy immediately went to work planning increases in both military spending and American presence in Germany.

Aftermath and Conclusion

Regardless of interpretation, historians agree that the exchanges between Kennedy and Khrushchev in Vienna were tense. In their introduction to *The Vienna Summit and Its Importance in International History*, editors Günter Bischof, Stefan Karner, and Barbara Stelzl-Marx liken the event to "four rounds of sparring" by a pair of "boxers," referring to the summit as an "unusually martial exchange on Berlin."³⁷ Khrushchev left the talks feeling victorious, even pitying Kennedy, who he thought was "deeply upset." He immediately engaged in a sort of victory tour, dancing and appearing "more exuberant and relaxed" than he had in years.³⁸ Khrushchev's interpreter later claimed that the Soviet leader summed up his impressions of Kennedy by saying, "well, if the Americans now have such a president, then I am sorry for the American people."³⁹

Yet Khrushchev would later remember the exchange differently. Despite his confidence in the aftermath of Vienna, Khrushchev came to realize that his aggressive tactics in Berlin did not elicit the desired effect. Confident that he had the upper hand, Khrushchev overplayed his hand in Cuba, eventually leading to his ouster from power.⁴⁰

Kennedy, on the other hand, would use Vienna as an important education. In one of his articles summing up the Vienna summit, Scotty Reston wrote that Kennedy "did not expect much and he did not get much, but he went away from here more experienced and he now rated more highly in the estimation of the men who watched these exchanges than he has at any time since he entered the White House."⁴¹ From that point on, Kennedy's stance on Berlin crystallized. He came to realize that Khrushchev would only recognize "the language of force."⁴² On July 25, Kennedy gave a speech from the Oval Office stating that Berlin had become "the great testing place of Western courage and will" and "we cannot separate its safety from our own." By August 3, Khrushchev became more concerned about a war over Berlin. He decided to abandon the planned peace treaty with Germany and instead gave his blessing to the "less inflammatory" barriers between East and West Berlin.⁴³ Critics of Kennedy often point to the Berlin Wall as evidence of his diplomatic failure at Vienna. However, considering the tense interactions at the summit, Kennedy himself was relieved. "It's not a very nice solution, but a wall is a hell of a lot better than a war," he concluded.⁴⁴

³⁵ Sorenson, 353.

³⁶ Kempe, *Berlin 1961*, 258.

³⁷ Bischof, Karner, and Stelzl-Marx, *The Vienna Summit and Its Importance in International History*, 18-22.

³⁸ Kempe, *Berlin 1961*, 254-255; Beschloss, *The Crisis Years*, 227.

³⁹ Sukhodrev, "Personal Recollection," 359. Perhaps time and Kennedy's assassination softened Khrushchev's opinion of the president. In his memoirs, Khrushchev claims that Kennedy "impressed me as a better statesman than Eisenhower." He also claimed that he "was very glad Kennedy won the election and I was generally pleased with our meeting in Vienna." *Khrushchev Remembers*, 458.

⁴⁰ Timothy Naftali, "A Difficult Education: John F. Kennedy and Nikita Khrushchev in Vienna," in *The Vienna Summit and Its Importance in International History*, 221.

⁴¹ James Reston, "Vienna Talks End," *New York Times*, 4 June 1961.

⁴² Naftali, 214.

⁴³ Reynolds, *Summits*, 215.

⁴⁴ Dallek, *John F. Kennedy*, 41.

Historical interpretations of Kennedy's performance in Vienna typically underscore his constant defensive stance and his negative report on the meetings. However, one cannot ignore the eventual outcomes, post-Vienna. Khrushchev, even though he left the summit as a victorious competitor, soon came to realize that Kennedy could not be bullied into submission. Kennedy's ominous prediction of a "cold winter" fortunately never came to pass as the Soviet leader would quickly roll back his vow to negotiate a unilateral peace treaty with East Germany. While the construction of the Berlin Wall came with a host of negative consequences, this relatively peaceful result should not be downplayed. If any doubt remained, Khrushchev's effort to place nuclear weapons in Cuba was also thwarted by Kennedy's hardened resolve in the wake of the Vienna summit. Despite the difficulties Kennedy confronted in his face-to-face showdown with Khrushchev, it is apparent that the exchanges had a profound impact on the two men's understandings of each other. The President understood that he could not depend on his charm and wit to persuade the Soviet Leader, relying instead on powerful posturing and the threat of force, while Khrushchev learned that he had fallen prey to his own miscalculation of Kennedy's determination. Khrushchev's faulty assessment of Kennedy's weakness, and Kennedy's correct assessment that Khrushchev would only understand the threat of force were perhaps the greatest take-aways from the summit.

The Lives of African Workers in the Panama Canal Zone

Abbey E. Turner

Abbey Turner is a senior social studies teacher licensure major from Forsyth, Illinois. She wrote this paper for Dr. Mark Dries' HIS 2500: Historical Research and Writing course. After graduation Ms. Turner will pursue a career teaching high school social studies.

The Panama Canal represents a feat of engineering that revolutionized the global trading system. It signaled the arrival of American industrialization and inventiveness in the early twentieth century. The canal would serve as an alternate trade route located between North and South America. Prior to its construction, the only sea route for trade was around the continents of North and South America. Of course, the canal could not have been constructed without a great number of laborers to complete this tremendous task. These workers had varying origins that traced back to different areas all over the world. However, African workers made up a clear majority of the labor force and faced specific challenges that made their experience in the Canal Zone extremely difficult. Factors such as segregation, harsh working conditions, and racial tensions, made life for African laborers in the Canal Zone more difficult compared to other workers.

The term "African laborer" can be mistakenly defined as a person with origins that traced back directly to the continent of Africa. However, African laborers in the Canal Zone came from many different countries and ethnic backgrounds. Some workers' ancestry traced back to Africa, but many workers had no direct connection to Africa due to migration over time. The classification of workers as African was based solely on skin color, so the term "African workers" was not always technically correct. A "worker" would be identified as simply white or black, with no other circumstances or factors being considered. For example, the great number of workers who were Jamaican or from the West Indies did not fit directly into the term of African workers, but they faced many of the same challenges as Africans due to their skin color. Many of the sources regarded black workers in the Canal Zone as African; therefore, this research classified any black laborers as African workers even though the term is not technically correct.

African laborers suffered the largest death toll out of all the minority groups working on the canal. This high number of worker deaths related primarily to factors such as disease and working conditions. The prejudices African laborers faced made their working and living conditions worse when compared to the living conditions of workers of other ethnicities. As historian Gustave Anguizola explains:

The living conditions of these workers were bad. The immigrant Negroes were housed in hastily constructed barracks which offered no security against mosquitos and other tropical insects and which soon after, because of the lack of care, deteriorated still further. With these facts in mind, enterprising Panamanian operators began to build new and more permanent quarters at Calidonia, San Miguel and Chorrillo, on the outskirts of Panama City, and in the North Side District at Colon, to which they invited the workers to move. These new homes at Colon suffered the same fate as had those in the Canal Zone. Inadequate care and faulty construction caused deterioration. As the size of the Negro families grew rapidly, their plight caused them to scorn both their American employers and their Panamanian hosts. Americans were guilty of un-qualified discrimination; the

Panamanians' fault lay in their hostility, for they continually reminded the Negroes of their unwelcome status in the Isthmus.¹

The living conditions that the African laborers experienced on a daily basis were only one of the many different factors which contributed to their overall hardships. Figure one, shown below, features recorded statistics from a U.S. government document entitled, “Annual Report of the Department of Sanitation of the Isthmian Canal Commission for the Year 1907.”² The chart shows that the number of black deaths was a great deal larger than the other races that resided within the Canal Zone. The large number of African deaths was not solely tied to the male African population. Figure one also indicates that both the number of black male and black female deaths was larger than the male and female deaths of other races.

White:	
Male.....	480
Female.....	171
Black:	
Male.....	1,958
Female.....	754
Chinese:	
Male.....	57
Female.....	2
Not stated:	
Male.....	5
Female.....	2
Sex unknown.....	6
Total.....	3,435

Figure One

Many different sources have shown that those within law enforcement were aware of the hardships of African workers. Harry A. Franck’s autobiography, *Zone Policeman 88*, recounts his observations from his time as a police officer inside the canal zone during the time of the construction of the canal. His autobiography drew attention to African laborers, showing how their living and working conditions varied from workers of other ethnicities. Prior to becoming a police officer, Franck worked as a census taker documenting demography in the Canal Zone. This job, part of his training to become a police officer, helped him to become familiar with the people who were living in the region of the Panama Canal Zone.

Like Anguizola, Franck discusses the poor living conditions of the Africans:

They live chiefly in windowless, six-by-eight rooms, always a cheap, dirty calico curtain dividing the three-foot parlor in front from the five-foot bedroom behind, the former cluttered with a van-load of useless junk, dirty blankets, decrepit furniture, glittering gewgaws, a black baby squirming naked in a basket of rags with an Episcopal prayer book under its pillow – relic of the old demon-scaring superstitions of Voodoo worship.³

¹ Gustave Anguizola, “Negroes in the Building of the Panama Canal,” *Phylon* 29, no. 4 (1968): 351–59, 353-354.

² Isthmian Canal Commission, “Annual Report of the Department of Sanitation of the Isthmian Canal Commission for the Year 1907,” (Washington: US Government Printing Office, 1908).

³ Harry Alverson Franck, *Zone Policeman 88: A Close Range Study of the Panama Canal and Its Workers* (New York: The Century Co., 1913), 40.

As Franck described, the living conditions for Africans consisted of poorly constructed homes and poor sanitation that only deepened the health issues in the Canal Zone. Influenza and Yellow Fever epidemics claimed the lives of many workers and poor living conditions only made the epidemics worse for the African population.

African laborers also faced discrimination that made life in the Canal Zone difficult without leading directly to the deaths of workers. Factors such as segregation could have led to racial violence, which in turn potentially led to laborer deaths. Segregation and the presence of Jim Crow laws were an aspect of life in the Canal Zone specific to the workers of African descent. Both segregation and Jim Crow laws had a huge impact on the daily lives of African workers. Franck states, “For though Uncle Sam may permit individual states to do so, he may not himself openly abjure before the world his assertion as to the equality of all men by enacting ‘Jim Crow laws.’”⁴ Although most of the working population was African, many saw Africans, or more specifically blacks, to be the lowest ethnic group within the Canal Zone.

Franck’s background as a census taker helped him develop a better understanding of the issues present in the Canal Zone. Census takers, like Franck, were challenged to identify whether a person was black or white, but this proved to be a difficult task. There was no specific standard of how dark a person had to be to be considered black. People in the Canal Zone struggled to find the line that divided black from white, and that confusion was reflected on census forms. “On our cards, after the query ‘Color?’ was a small space, a very small space in which was to be written quite briefly and unceremoniously ‘W,’ or ‘B’ or ‘Mx’ as the case might be. Uncle Sam was in a hurry for his census,” recalled Franck. He wondered if he might “stretch a shade – or several shades – and set [a canal resident] down as ‘white?’”⁵ Being labeled black, Franck realized, was to be condemned to a life of lower class living and racial segregation. He mentioned in his autobiography that a dark-skinned census taker that worked alongside him worried that if he classified a man who was a similar skin color to his own as black, he risked that he would be described as black as well. Franck also specified that the people of color in the Canal Zone were seen by others as one large group, yet they hardly operated as a sole unit due to their different origins. Franck mentions “French ‘niggers’ and English ‘niggers’ whom it is to the interest of peace and order to keep as far apart as possible.”⁶ While some people in the Canal Zone may have simply declared these workers as black, Franck recognized their differences and the fact that they were not a single homogenous group.

The factors that separated the African workers from other ethnic groups of laborers affected every aspect of the African laborers’ lives in the Canal Zone, which was best described as a working city similar to the coal and gold mining cities set up in the United States. The zone was where the laborers settled in order to live close to where they were working. However, African laborers faced segregation and a lower standing socially. Anguizola discussed division between African laborers and other ethnic groups of laborers:

But the Negroes brought to the Isthmus by the Canal, while not in trouble after 1930, remained, nevertheless, isolated in their own districts. Segregating themselves in several areas of Panama and Colon, the West Indians built their own schools, spoke English or French and taught their children religious and social mores based on ancient African rituals and folklore unknown to the Isthmians. Very few of them learned the language of the land or made an effort to socialize with either Panamanians or Americans.⁷

⁴ Franck, *Zone Policeman 88: A Close Range Study of the Panama Canal and Its Workers*, 11.

⁵ Franck, *Policeman Zone 88: A Close Range Study of the Panama Canal and Its Workers*, 68.

⁶ Franck, *Policeman Zone 88: A Close Range Study of the Panama Canal and its Workers*, 119.

⁷ Anguizola, “Negroes in the Building of the Panama Canal,” 357.

Every aspect of their lives was separated from other ethnic groups of laborers within the Canal Zone and their population was separated into districts. Figure two, shown below, features statistics from the “Annual Report of the Department of Sanitation of the Isthmian Canal Commission for the Year 1909.”⁸ These statistics demonstrate the fact that African laborers were seen as beneath all other ethnic minorities.⁹ This division of black from white separated the African laborers from the rest of the labor force.

DEATHS BY AGE, COLOR, AND SEX.

Age.	White.		Black.		Yellow.		Total.	
	M.	F.	M.	F.	M.	F.	M.	F.
Under 1 year.....	72	47	303	215	2	1	377	263
1 to 4 years.....	16	18	55	46	.....	.....	71	64
5 to 10 years.....	5	2	29	26	.....	.....	34	28
11 to 20 years.....	12	6	70	32	2	.....	84	38
21 to 30 years.....	60	13	340	117	2	.....	402	130
31 to 40 years.....	74	13	199	106	10	.....	283	119
41 to 50 years.....	53	9	159	48	7	.....	219	57
51 to 60 years.....	18	9	67	33	5	.....	90	42
61 to 70 years.....	6	6	36	17	6	.....	48	23
71 to 80 years.....	5	4	7	14	.....	.....	12	18
81 to 90 years.....	1	1	6	7	.....	.....	7	8
91 to 100 years.....	.....	.....	.....	1	.....	.....	.....	1
Unknown.....	6	1	27	6	1	.....	34	7
Total.....	328	129	1,298	668	35	1	1,661	798

Figure Two

The fact that the Canal Zone was turned into a city around the construction site itself meant that it was common for the workers’ families to live with workers in the Canal Zone. African laborers attempted to keep their ethnic traditions and way of life alive in the zone, which became a working city that provided basic services that an individual or family needed to make a life for themselves or even simply survive. Children were born there and schools had to be built to educate them. But these schools were segregated. As historian George W. Westerman explains:

It is to be noted, from the data on tuition fees, that there is no difference in tuition in colored and white schools at the junior college level. This would seem to imply that the educational offerings in these two-year institutions of higher learning are somewhat equal. However, further examination of this same data reveals a difference in tuition rates at the elementary and secondary school levels. Because of these differences, the question as to whether the two types of schools offer the same educational opportunities to white and colored students is extremely pertinent. It is a matter of record that thirty-two scientists and educators testified before the United States Supreme Court that segregation is harmful to both white and colored children.¹⁰

The children of African laborers were not given the same opportunities as children of other ethnicities. Segregation of schools was very similar to segregation in US schools during the 19th and

⁸ “Annual Report of the Department of Sanitation of the Isthmian Canal Commission for the Year 1909,” (Washington: US Government Printing Office, 1910), 10.

⁹ “Annual Report of the Department of Sanitation of the Isthmian Canal Commission for the Year 1909,” 10.

¹⁰ George W. Westerman, “School Segregation on the Panama Canal Zone,” *Phylon* 15, no. 3 (1954): 276–87, 280.

20th centuries. Like their US counterparts, schools for Africans in the zone were in fact not “separate, but equal.” Blacks were separated from other ethnic groups, and the conditions they lived in were not equal.

Historian Julie Greene also describes the variations in numerous aspects of life for African laborers within the Canal Zone:

In 1907 and 1908 the government had moved most African Americans off the gold roll and created for them a ‘special’ position on the silver roll that granted them certain privileges, like paid vacations, but classified them as colored and refused them many perks. Visible reminders of segregation were pervasive throughout the zone. These were matters of great concern to African Americans, and they came to a head in 1912 at a time when the Republican Party, Abraham Lincoln’s party, was in power in Washington and in charge of building the canal. This was not meant to be a southern – Jim Crow – operation. And yet in the name of empire and efficiency a thorough segregation system had been established, a system that trapped African Americans unjustly.¹¹

As the construction of the Canal continued, the division between whites and blacks in the Canal Zone only deepened. The major system of racial segregation in the Canal Zone that was described by Greene was called the gold and silver system. This arrangement determined where a laborer stood in the social system. A laborer who was classified as a gold roll laborer possessed the ticket to the best life within the Canal Zone. According to Greene:

The most important tool the U.S. government relied on for controlling and managing the Canal Zone’s workers and residents was a system of segregation, and this system reveals how Americans struggled to adapt domestic policies to the ‘strange needs’ of the isthmus. Although the origins of the segregation system are somewhat unclear, its roots apparently lay in long-standing practice on the U.S.-built Panamanian railroad to pay unskilled workers in the Panamanian silver and skilled workers with U.S. gold currency.¹²

The gold and silver system was created as a means to separate the large population of laborers into a social system, and it also helped to determine the pay rate of a laborer. “Initially, bosses would reward productive employees by shifting them, regardless of their race, ethnicity, or nationality, from the silver to the gold payroll. Gradually, it hardened into a system of segregation comparable in some ways to the U.S. practice of Jim Crow,” explains Greene. “Segregation came to shape every aspect of life in the Zone, from work to housing, leisure activities, sexual relationships, and shopping.”¹³ This system became the very foundation of segregation in the Canal Zone. This led inevitably, according to Greene, to a “more rigid and more emphatically – but never exclusively – a racial hierarchy.”¹⁴ The gold and silver system created segregation that acted as the foundation for the division between the races in the Canal Zone. A person who was a gold payroll worker had the ability to use the opportunity of the Panama Canal to create a better life for themselves, while African laborers were placed at the bottom of the social ladder in the Canal Zone. The color of a worker’s skin was a major characteristic that held them back from moving up in the social system.

¹¹ Julie Greene, *The Canal Builders: Making America’s Empire at the Panama Canal*, Penguin History of American Life (New York: Penguin Press, 2009), 101-102.

¹² Greene, *The Canal Builders: Making America’s Empire at the Panama Canal*, 62.

¹³ Greene, *The Canal Builders: Making America’s Empire at the Panama Canal*, 63.

¹⁴ Greene, *The Canal Builders: Making America’s Empire at the Panama Canal*, 64.

In many ways, the system that evolved in the zone resembled closely the Jim Crow laws and dictates throughout the American South. As historian John Biesanz explains, “it is noteworthy that Southern patterns of racial etiquette have been adopted by most Americans on the Zone, even though two-thirds of them now come from other parts of the United States. On the level of personal contact, most white Americans feel called upon to keep the Negro ‘in his place.’”¹⁵

Death rates among blacks in the Canal Zone also reinforce the argument that life was extremely difficult for Africans there. The “Annual Report of the Department of Sanitation of the Isthmian Canal Commission for the Year 1907” reports the death rates for the year by race (see *Figure Three*). For the year 1907, there were 10,709 white employees and 28,634 black employees of the Canal Commission and Panama Railroad Company, with 179 white workers and 953 black workers dying that year. The rate of deaths among African laborers was essentially double that of white laborers: the annual average per 1,000 was 16.71 for white employees and 33.28 for black employees. The report goes on to document how in 1907, 1,958 black men and 754 black women perished. This is an incredibly large death toll compared to 480 white men and 171 white women who died, or the 57 male and 2 female Chinese deaths.¹⁶ Clearly African laborers faced greater risks and were more likely to lose their lives while working or living in the Canal Zone region.

Figure Three

YEAR 1907.			
	Average number of employees.	Total deaths.	Annual average per 1,000.
White employees of the Canal Commission and Panama Railroad Company.....	10,709	179	16.71
Black employees of the Canal Commission and Panama Railroad Company.....	28,634	953	33.28
Total employees of the Canal Commission and Panama Railroad Company.....	39,343	1,132	28.77
	Average population.		
Panama.....	33,548	1,156	34.45
Colon.....	14,549	571	39.24
Canal Zone.....	54,036	1,708	31.60
Total population.....	102,133	3,435	33.63

NOTE.—The population and deaths as given for the cities of Panama and Colon, and for the Canal Zone, in the table above, include employees and civil population. Figures relating to number of employees are compiled from the pay rolls of the different months.

The year 1909 shows the death rates between white and black workers closing, although the majority of deaths in the Canal Zone remained African workers (see *Figure Four*). The “Annual Report of the Department of Sanitation of the Isthmian Canal Commission for the Year 1909” states that there were 11,662 white employees and 35,505 black employees for the year 1909. For that year, 115 white workers and 387 black workers died. The annual death rate per 1,000 was 9.86

¹⁵ John Biesanz, “Race Relations in the Canal Zone,” *Phylon* 11, no. 1 (1950): 26.

¹⁶ “Annual Report of the Department of Sanitation of the Isthmian Canal Commission for the Year 1907,” 9-10.

for white workers and 10.90 for black workers. The 1909 report also separates the causes of death. For example, the death could be considered caused by violence or disease. Seventy-five white workers died of disease and 40 white workers died of violence, while 281 black workers died of disease and 106 black workers died of violence.¹⁷ These statistics support the overall argument that life in the Canal Zone was extremely difficult for African laborers, who died in larger numbers. Not only were the working conditions more hazardous for the African laborers, but poor living conditions and poor sanitary conditions meant that disease was more common among African laborers as well. The fact that more African laborers died from violence compared to white workers reflects racial tensions within the Canal Zone.

Figure Four

The lives of African laborers within the Canal Zone region were incredibly difficult. While

DEATHS OF EMPLOYEES OF THE ISTHMIAN CANAL COMMISSION AND THE PANAMA RAILROAD.							
Color.	Average number of employees.	Total number of deaths from—			Annual death rate per 1,000.		
		Disease.	Violence.	All.	Disease.	Violence.	All.
White.....	11,602	75	40	115	6.43	3.43	9.86
Black.....	35,565	281	106	387	7.91	2.99	10.90
Total.....	47,167	356	146	502	7.53	3.09	10.64

DEATHS IN THE CITIES OF PANAMA AND COLON AND THE CANAL ZONE.			
Place.	Average population.	Total deaths.	Annual death rate per 1,000.
Panama.....	40,801	1,038	25.44
Colon.....	17,479	396	22.65
Canal Zone.....	76,900	1,025	13.33
Total.....	135,180	2,459	18.19

the African workforce came from locations all around the world, they all faced the common circumstance of being condemned to a life of hardship and struggle within the Canal Zone due to the color of their skin. Few could escape a social system that failed to address injustices. The statistics and records kept at the time regarding the deaths that occurred in the Canal Zone support the argument that life was more difficult for African laborers, at least in 1907, compared to other ethnic groups. Blacks were separated from the other workers, both physically and socially, and therefore, their circumstances were particular to their race. Jim Crow lived in the Canal Zone.

¹⁷ “Annual Report of the Department of Sanitation of the Isthmian Canal Commission for the Year 1909,” 9.

Medieval Queerness: The “Unmentionable Vice” and its Relation to the Gender-Binary

Seth T. Fisher

Seth Fisher is from Naperville, Illinois, and is currently working on his M.A. in history at Eastern Illinois University. This paper was written for Dr. Young's medieval society and religion class. Seth is currently reading materials preparing for his M.A. thesis.

It is impossible to study the area of sexual or queer studies in the medieval world without coming across the term “sodomite” or “sodomitical behavior” in some variation within the primary sources. Early medieval penitentials written by various bishops speak of sodomitical behavior as an act as craven as incest. The theologian Peter Damien would write with great contempt for the sodomite, who he believed threatened the whole of Christendom with subversive behaviors. Thomas Aquinas, the preeminent western philosopher in the thirteenth century, placed the “unnatural vice” alongside the act of bestiality. While there was a clear change over time in the understanding of sexuality within various medieval sources, this shift in medieval theology regarding sexuality had the added effect of further solidifying the gender-binary as a social construct.

Several Anglo-Saxon penitentials written during the 8th and 9th centuries help reveal early medieval feelings about sex and perceived sexual deviance. These penitentials were guidebooks to aid priests unsure of how to judge various actions seen as sinful. Common acts of penitence include long lengths of time spent fasting on bread and water or abstinence from the consumption of red meat. These penitentials were also locally sponsored as the pope in Rome was a far more distant entity in the 8th and 9th centuries before the reforms of Leo IX and Gregory VII. The various penitentials speak of the sodomite in vague terms, however. One states, “He who has intercourse with (an) animal or a male person is to fast ten years,”¹ while another states “Boys who fornicate between themselves.”² These acts of sodomy are always tagged alongside acts of bestiality or incest within the penitentials. One punishment from the penitentials reads as follows: “If anyone foully pollutes himself in unnatural ways, against God’s creation, through any practice, he is to repent that always so long as he lives, according to what the deed was.”³ Another penitential titled *The Old English Penitential* touches on the issue of age.

Concerning those men who fornicate illicitly, that is with animals, or soil themselves with young ones, or a man who has sex with another. The man who soils himself with an animal or the male who (fornicates) with another male in an irrational way if he is twenty years old, so that he can understand that shameful and evil thing, he is to desist and confess and fast fifteen years; and if he has a mate (wife), and he is forty years old and does such a thing, he is to desist

¹ “Scriftboc,” Anglo-Saxon Penitentials: A Cultural Database accessed November 20, 2019, <http://www.anglo-saxon.net/penance/?p=sexsame>.

² “Canons of Theodore,” Anglo-Saxon Penitentials: A Cultural Database, accessed November 20, 2019, <http://www.anglo-saxon.net/penance/?p=sexsame>.

³ “OE Handbook,” Anglo-Saxon Penitentials: A Cultural Database, accessed November 20, 2019, <http://www.anglo-saxon.net/penance/?p=sexsame>.

and fast for the rest of his life, and should not presume to receive God's body until his dying day. Young and ignorant men are to be severely beaten if they do such a thing."⁴

The sin carried more weight for the older sinner as it was assumed that one should have grown out of such behavior over time. This passage highlights that the conception of what homosexual means in the modern times had very little relevance in the medieval world. In the medieval era sodomites belonged in the same category as practitioners of bestiality. Concern over incest equated to concerns over sodomy and bestiality. These three sins always went hand-in-hand. These were unclean actions that required redemption, and there was a required confession of the sin. The emphasis in the penitentials was on the physical act of sodomy itself, it is seen as a lapse of judgement or taste. These acts of sodomy could be corrected, and behavior could be brought more in keeping with the "natural" order.

To be natural was to fit God's design for the world. To act against this natural order of things risked God's judgement as in the days of the Old Testament. This emphasis on the natural order of things came into prominence by the time of the papal reforms of the eleventh century. An eleventh century papal reformer named Peter Damien began his *Liber Gomorrhianus* with:

Four types of this form of criminal wickedness can be distinguished in an effort to show you (Pope Leo IX) the totality of the whole matter in (an) orderly way: some sine (sic) with themselves alone [masturbation]; some by the hands of others [mutual masturbation]; others between the thighs [interfemoral intercourse]; and finally, others commit the complete act against nature [anal intercourse]. *The ascending gradation among these is such that the last mentioned are judged to be more serious than the preceding. Indeed, a greater penance is imposed on those who fall with others than those who defile only themselves; and those who complete the act are to be judged more severely than those who are defiled through femoral fornication.* The devil's artful fraud devises these degrees of failing into ruin such that the higher the level the (unfortunate) soul reaches in them, the deeper it sinks in the depths of hell's pit.⁵

Damien stressed that while sodomy was still linked with other forms of "criminal wickedness," sodomy had now taken the chief position in terms of "defilement." Sodomy had become completely wicked and was seen with special hatred by Damien. He stated without question that those who participate in "the complete act against nature" were destined for eternal damnation. It was simple to see how he felt about sodomites, but the question becomes why? Why did this theologian feel so strongly about the sodomites he perceived within the church?

William E. Burgwinkle's text *Sodomy, Masculinity, and Law in Medieval Literature* offers a portrait of Damien which analyzes his antagonism towards sodomites. He feared that sodomites hid behind every closed curtain and within every shadow.⁶ Damien stressed that sodomy was akin to a cancer gnawing away at the church from within, a befouling wound that threatened all the faithful. It must be destroyed and all those who practice the immoral act brought into the open to be judged in the

⁴ "OE Penitential," Anglo-Saxon Penitentials: A Cultural Database, accessed November 20, 2019, <http://www.anglo-saxon.net/penance/?p=sexsame>.

⁵ Peter Damian, *Book of Gomorrah* ed. Pierre J. Payer (Waterloo: Wilfred Laurier University Press, 1982), 29.

⁶ William E. Burgwinkle, *Sodomy, Masculinity, and Law in Medieval Literature: France and England, 1050-1230* (Cambridge: Cambridge University Press, 2004), 53-65.

eyes of God.⁷ There was a paranoia in his fear of the sodomite, a sin which appeared as a gaping wound on the church, and so incensed was Damien that he wrote to Leo IX directly about his concerns over the vast number of apparent sodomites who Damien believed had infiltrated the church.

Was sodomy simply a lapse of judgement or was it a way of life? Peter Damien was not equipped with the knowledge we have today. It is highly doubtful if the term “homosexuality” could be explained to Damien as something that simply exists as is widely believed today. Without that modern framework, Damien would constantly be looking at the issue of sodomy only from the perspective of what was deemed “natural.”

It was the inversion of the “natural” that sodomites were accused of performing through their perceived sexual deviance. What does “natural” mean in the medieval context? Poet and clergymen Alain de Lillie’s *Complaint of Nature* offered a definition of “nature” and “natural.” Within his story Alain was visited by the feminine personification of nature herself and informed that sodomy was to act completely contrary to nature. Damien’s wrath was a hammer upon the sodomite, Alain’s was more a fine dagger.

Nature weeps, character passes away, chastity is wholly banished from its former high station, and become an orphan. The Sex of *active nature* trembles shamefully at the way in which it declines into *passive nature*. Man is made woman, he blackens the honor of his sex, the craft of magic Venus makes him of double gender...He, though made by Nature’s skill, barbarously denies that he is a man.⁸

Nature eventually let slip that she was only repeating original design. She was replicating God’s design.⁹ To engage in sodomitical acts was to act counter to nature, counter to God’s design. It was not enough to simply be labeled as a vice, as something that might be washed away through penance. The man was to lead, to be the active. The woman was to be led, to be the passive. To act in a manner against this “natural” order of things was to sin gravely. Individual efforts by reformers and clergymen were small acts against the backdrop of the whole of western Christendom, however. The sodomite would be further illuminated and condemned through the efforts of prelates and popes by the time of the Lateran Councils.

The Lateran Councils were of supreme importance as it was these councils where Church dogma was codified. At these councils, sodomy was officially denounced. Michael Goodich’s seminal text *The Unmentionable Vice* provides quotations from the third (1179) and fourth (1215) Lateran Councils. These councils were further efforts by the pope in Rome to assert his supremacy over all of Christendom by codifying church doctrine. Lateran Council III stated that “Whoever is caught involved in that incontinence which is against nature, and because of which ‘the wrath of God came upon the sons of disobedience’, and five cities were consumed in fire, if they are clerics, they should be deposed from clerical office and placed in a monastery to do penance; if they are

⁷ Ibid, 57. “(Damien) strays often into imagistic mode in an attempt to produce a more shocking, and more memorable effect on the reader. Indeed, while setting out biblical injunctions against sodomy, he dips frequently into the semantic field of disease and contagion, so as to appeal to the sensual and visual realms. Sodomy is a ‘deadly wound reeking in the very body of Holy Church.’ It is equated to gonorrhea, and leprosy, to a ‘vice that...slays modesty, strangles chastity, and slaughters virginity with a knife dipped in the filthiest poison.’”

⁸ Alain of Lillie, *The Complaint of Nature* accessed November 24, 2019, <https://sourcebooks.fordham.edu/basis/alain-deplanctu.asp>.

⁹ Alain of Lillie, *The Complaint of Nature* accessed November 24, 2019, <https://sourcebooks.fordham.edu/basis/alain-deplanctu.asp>. “Accordingly, obeying the command of the Ruler, in my work I stamp, so to speak, the various coins of things in the image of *the original*...Yet beneath the mysterious, divine majesty, I have so performed this work and service that the right hand of spiritual power should direct my hand in its application, since the pen of my composition would stray in sudden error, should it not be guided by the supreme Supporter.”

laymen, they are to be excommunicated and completely isolated from contact with believers.”¹⁰ Goodich makes note that the quotation from Lateran III is somewhat problematic as the sentence preceding “that incontinence which is against nature” speaks of priestly marriage, but reference to the destruction of Sodom and Gomorrah makes one think of sodomy. The Fourth Lateran Council stated: “That the morals and conduct of clerks may be improved, let all strive to live continently and chastely, especially those established in holy orders; let them seek to avoid completely the sin of lust – *particularly that on account of which the anger of God comes from heaven upon the sons of disobedience* – in order that they may be able to minister in the sight of Almighty God with a pure heart and clean body.”¹¹ Again, there is no clear reference to that “unutterable offense,” but mention of that particular punishment from God makes one think of Sodom. Here is the church itself taking a stance against the sin of sodomy, for to commit sodomy is to act counter to nature.

The idea of sodomitical behavior as counter to nature has been well established, but there is still the question of what sodomy was for the medieval clergy. Was the act of penetration the total of the “unutterable offense?” Was it simply a vice or possibly indicative of something more? There was the natural which was direct from the Creator and the unnatural which had already been punished with fire and brimstone. If this act of sodomy was so against nature then surely the opposite must be the correct path: for men to always be the ones in the active role, for women to always be in the passive role. This conception of the gender-binary was continuing to take shape as the sodomite was continually othered to show what was perceived as unnatural.

The debate over unnatural sexual relations would draw the attention of the most important medieval theologian as well. Thomas Aquinas’ *Summa Theologiae* and *Summa Theologica* both touched on the topic of “venereal lust.” Aquinas also approached the issues in terms far different than the zealotry of Damien or the artistic flair of Alain de Lillie. Aquinas would approach the question of what the “unnatural vice” was as a logician. The *Summa Theologica* asked the question “Whether the unnatural vice is a species of lust?” to which Aquinas wrote:

...wherever there occurs a special kind of deformity whereby the venereal act is rendered unbecoming, there is a determinate species of lust. This may occur in two ways: First, through being contrary to right reason, and this is common to all lustful vices; secondly, because, in addition, it is contrary to the natural order of the venereal act as becoming to the human race: and this is called “the unnatural vice”...by copulation with an undue sex, male with male, or female with female, as the Apostle states (Rm. 1:27): and this is called the “vice of sodomy.”¹²

Sodomy was, according to Aquinas, when copulation with the “undue sex” occurs. This was the clearest definition of sodomy as one can hope for. Aquinas listed the act of sodomy alongside the sins of autoeroticism and bestiality all as under the same category of lust. So long as the actions of the sodomite amounted to actions born of lust rather than seen as indicative of homosexuality, there could be no question for these medieval clergymen that sodomy was not and cannot be something like a sexual orientation.

It is foolish to assume that sexuality of any orientation can be labeled purely through physical actions. Yet it was the physical action that compelled the clergy to issue its label. There was no mention of same-sex romantic love; that was an impossible to men such as Damien or Aquinas. Reading letters of correspondence between male friends of the medieval era reveals that tender

¹⁰ Michael Goodich, *The Unmentionable Vice: Homosexuality in the Later Medieval Period* (Santa Barbara: Cilo Press, 1979), 43.

¹¹ *Ibid.*, 44.

¹² “Aquinas on Unnatural Sex,” Medieval Sourcebook, Fordham University, accessed November 21, 2019, <https://sourcebooks.fordham.edu/source/aquinas-homo.asp>.

feelings were sometimes shared between men, however. The poet and clergyman Baudri of Bourgueil lived from the mid eleventh to early twelfth century. His poetry spoke often of same-sex romance although in the ancient Greek sense. Baudri spoke of beautiful boys. “To a Youth Too Proud” contains phrases such as:

And the things which please or displease me about you certainly do so for good reason. Does someone ask what pleases or displeases me in you? Your appearance is pleasing because it is proper and handsome; So too your delicate cheeks, blond hair, and modest mouth. Your voice, sounding as sweetly as the nightingale's, Caresses and soothes our ears. It could be a boy's or a girl's...Your bright, clear eyes touch my breast and heart, for I believe those crystalline lights truly are a double star...*These are the things which ought to please me and others...*¹³

The content was rather explicit in its loving nature, of the beautiful boy so precious to Baudri's eyes. The piece continues with Baudri speaking of the “youth's” excessively proud nature, his arrogance. The latter half of the poem reads like a jilted lover informing their paramour that there are others that may be worth spending time with.¹⁴ The “youth's” features were indeed quite fetching, but so what? There were many attractive boys, many others that Nature has blessed with the gift of beauty. And yet no mention of that “unutterable offense.” Did Baudri love this too arrogant youth in the sense that seemed to so infuriate the earlier mentioned clergymen? There was no mention of the action itself within the poem or, indeed, in many of the medieval love poems. Did Baudri love this boy in the sense that he wished to establish a romantic interest or was it more carnal? The poem ends with Baudri stating that the “youth” may still earn redemption if his arrogant nature is amended.

If current understandings of sexuality are applied to this poem, then it would be quite easy to guess that it is merely a letter from one lover to another (the use of “boy” and “youth” are of concern however and raises questions on the issue of pederasty, but those questions fall outside the realm of this paper at present). The question then becomes – what was this relationship? It certainly was full of romantic content, tender in its language and desire to see a loved one shed their negative traits. Baudri was a clergyman though. He surely must have been aware that same-sex relations were “unnatural” in the eyes of the church. He surely knew of the hellfire visited upon Gomorrah. Another poem from Baudri titled “To a Man who Wanted to Leave Him” is here presented in full:

You prepare for your return – to revisit your homeland and see your family – you prepare for your return. You prepare for your return because duty requires it, and yet I wish that the gods would (keep) you from duty. O either let some event reunite the two of us, Or let the work (that) keeps me here keep you too. By going away you leave me now with nothing but tears, and like mine your face flows with them. But still, let what should nourish friends nourish us; Let us always hope, and in hope repeat this: Gracious gods will grant us better times¹⁵

¹³ *Medieval Latin Poems of Male Love and Friendship* trans. Thomas Stehling (New York and London: Garland Publishing, 1984), 39-43.

¹⁴ *Ibid*, 39-41. “But I do not praise your rude manners. Certainly a boy is bad who has such arrogant ways, And you scarcely think anyone worth a sidelong glance...Maybe you think that you rule the world all by yourself or that you stand out from all other boys...You are not the only pure boy, nor the only handsome one. You are chaste, but coldness has made many chaste. You are handsome, but nature creates many handsome men. Don't let boasting be one of your gifts from nature; Don't take credit for what nature has made. What she has given you for this hour she may give to many.”

¹⁵ *Ibid*, 51.

Again, the language is rather tender and sweet. Two friends united in mutual admiration for each other but frustrated by the work that keeps them separate. Is this romantic? There was no mention of explicit love within the text, but the modern gender-binary would definitely see these tender lines written by a man for another man as something outside the norm. Was it outside the norm of the medieval era? The clergymen were infinitely focused on the physical action of sodomy itself.

Baudri was not alone in writing tender words for friends. Other clergymen and poets also show that same-sex feelings were not exclusive to the physical actions of sexual intercourse. Marbod of Rennes (1035-1123) wrote, “You are losing more here than you are getting (in Chalonnnes). For what is as valuable as a boy who plays fair with his lover? He is even-tempered now but with further delays he’ll turn wicked.”¹⁶ Hilary the Englishman of the twelfth century wrote, “Beautiful boy, unparalleled boy, I pray look kindly at this letter sent by your suitor...Face to face with you, I am afraid to speak; Speech fails me and I am seized with silence...”¹⁷ Another prompt from Hilary read: “Golden hair, beautiful face, and white neck, Winning and sweet conversation – but why praise these things one by one? You are completely handsome; there is no flaw in you – Except this worthless decision to devote yourself to chastity.”¹⁸

The medieval clergy was sometimes indifferent to sodomy, sometimes overtly hostile, but always there was acknowledgement that sodomy was unnatural. Sodomy occurred often, however, as evidenced by the reformers like Peter Damien demanding something be done to cleanse the church of the sodomites. This demand raises the question as to what sodomy entailed. The early penitentials showed a general distaste for sodomy, but the details of the action are unknown. Damien offered a view very much in the “you’ll know the sodomite when you see them” mindset. Alain de Lille argued that when men act like women. Nature itself was repulsed for the divine creation is inverted, made wicked.¹⁹ Thomas Aquinas offered a much more definitive view of the sodomitical act as same-sex relations, the error was in acting counter to the divine structure of the world.²⁰

Women cannot penetrate other women nor can women penetrate men. The act of the passive receiving penetration was no longer at the forefront. Now a far more general understanding of sodomy emerged. The act of penetration, that “natural” argument, later was now no longer quite as applicable. This move towards the condemnation of same-sex relations and not just the passive male had the added consequence of reifying the gender-binary. Not only was it natural for men to act as men, but women must act as women and to act outside those two forms became increasingly taboo. Indeed, what was it but a trumped-up charge of cross-dressing that finally allowed for Joan of Arc to be tried and executed as a heretic? It is easy to see that many medieval prelates and theologians developed a clear hatred for sodomy and sodomites. Their reason being that it was the inversion of the “natural” order, an inversion of divine creation, for sodomites to engage in perceived sexual deviance. Concern over sodomites was originally rather slight but would come to absorb more attention from clergy. This added attention brought with it a sterner conception of the gender-binary where men were to be the active sex and women the passive. Men who were passive

¹⁶ Ibid, 31.

¹⁷ Ibid, 69.

¹⁸ Ibid, 71.

¹⁹ Alain de Lillie, *The Complaint of Nature* accessed November 24, 2019, <https://sourcebooks.fordham.edu/basis/alain-deplanctu.asp>. “The Sex of *active nature* trembles shamefully at the way in which it declines into *passive nature*. Man is made woman, he blackens the honor of his sex, the craft of magic Venus makes him of double gender...”

²⁰ “Aquinas on Unnatural Sex,” Medieval Sourcebook, Fordham University, *Nature* accessed November 24, 2019, <https://sourcebooks.fordham.edu/source/aquinas-homo.asp>. “...wherever there occurs a special kind of deformity whereby the venereal act is rendered unbecoming, there is a determinate species of lust. This may occur in two ways: First, through being contrary to right reason, and this is common to all lustful vices; secondly, because, in addition, it is contrary to the natural order of the venereal act as becoming to the human race: and this is called ‘the unnatural vice.’”

or women who were active were perceived as unnatural by medieval clergymen. It was in their quest to label the sin of sodomy where the clergy helped to create the gender-binary.

The Launching of Sputnik 1

Andrew R. Laird

Andy Laird, who finished his master's in Curriculum and Instruction through Eastern Illinois University's online program in 2020, lives in Peoria, Illinois, and teaches seventh grade social studies in Germantown Hills, Illinois. He wrote this paper in Dr. Edmund Wehrle's US Diplomatic history seminar.

“Now somehow, in some new way, the sky seemed almost alien. I also remember the profound shock of realizing that it might be possible for another nation to achieve technological superiority over this great country of ours.”¹

-Lyndon B. Johnson upon learning of the Soviet launching of Sputnik.

When the Soviet Union launched Sputnik 1 into orbit in 1957, most Americans shared Johnson's stunned reaction. Many could not believe that the Soviets not only had caught up to the Americans technologically, but had also passed them in a single move. While the general public experienced shock and awe with news of the Soviet advance, the United States government had been aware of Soviet progress. Few American officials, however, fully grasped the ramifications that would result in the launching of the unmanned spacecraft.

Years before Sputnik 1, the great powers of the world began to dedicate themselves to space science. After the United States dropped two atomic bombs on Japan at the end of World War II, long range missiles were the next logical step for many top military strategists. Dr. Lloyd Berkner, a leading American physicist, floated the idea of an International Geophysical Year, the ultimate goal of which was to launch a satellite to orbit the earth and allow researchers to collect information and data about the upper parts of the earth's atmosphere. While this idea later became an opportunity for the military to gain intelligence without risking lives, scientists, like Berkner, simply wanted to study parts of the earth that had yet to be explored.²

While US scientists were interested in the study of the upper atmosphere, most of their funding came from the federal government. At the National Security Council (NSC) meeting on September 15, 1955, the NSC agreed on several points that slowed US progress toward developing a satellite in favor of the development of intercontinental ballistic missiles. The notes of the meeting state:

(1) There would be the gravest repercussions on the national security and on the cohesion of the free world, should the USSR achieve an operational capability with the ICBM substantially in advance of the U. S. (2) In view of known Soviet progress in this field, the development by the U. S. of an operational capability with the ICBM is a matter of great urgency. (3) The American ICBM program was therefore a program of the highest priority above all others, except as directed by the President.³

¹ Elizabeth Howell, “Sputnik: The Space Race's Opening Shot,” Space.com. Space, August 22, 2018, accessed 8 August 2020, http://www.space.com/missionlaunches/sputnik_45th_anniversary_021004.html.

² Allan Needell, *Science, Cold War, and the American State* (Washington, D.C.: Smithsonian Institution, 2000), 322.

³ National Security Council, “Discussion at the 258th Meeting of the National Security Council, Thursday, September 8, 1955,” 15 September 1955, NSC Series, Box 7, Eisenhower Papers, 1953-1961 (Ann Whitman File), Dwight D. Eisenhower Library, Abilene, Kansas.

For the United States, the priority was military strength over scientific understanding; therefore, funding for the US satellite program, known as Project Vanguard, was not seen as a higher priority.

Two years later, on April 30, 1957, Percival Brundage, director of Bureau of the Budget, sent a memo to the president warning the satellite project was well over budget and recommended that no more funding should be provided. “The Bureau of the Budget has reviewed this problem with staff of the Department of Defense and the National Science Foundation. From the evidence at hand, the Bureau of the Budget believes that the project cannot go forward without additional funding.”⁴

Meanwhile the Soviets were moving ahead. The US Central Intelligence Agency (CIA) recently released close to sixty documents that detailed just how much the United States knew of the Soviets’ plans to launch an artificial satellite into orbit. Journalist Jacey Fortin detailed the release of memos, reports, and summaries sixty years after Americans first heard the beeps of Sputnik 1 on their ham radios. “U.S. intelligence, the military and the administration of President Dwight D. Eisenhower not only were fully informed of Soviet planning to launch an earth satellite but also knew a Soviet satellite would probably achieve orbit no later than the end of 1957,” concludes Fortin.⁵ The memos and reports not only show the United State knew of plans for a satellite, but that they were expecting it.

The Sputnik project was first discussed by the Soviets in May 1954. Two different documents were sent to Dmitrii Ustinov, the minister of Defense Industry, by Mikhail Tikhonravov detailing a design and purpose for an artificial satellite. Tikhonravov discussed at length how the satellite would have a “military significance.” He noted that while this first project would be just a “simple satellite,” future missions would entail humans traveling into space. Towards the end of May 1954, Sergei Korolev, one of the chief designers at the Scientific-Research Institute, requested permission from the Soviet government to begin work creating a satellite.

The Eisenhower administration seemed unfazed by the information provided by the intelligence community. Historian Walter McDougall looked back at the launching of Sputnik in his 1985 article “Sputnik, the Space Race, and the Cold War,” and he tried to explain why Americans lacked interest in gaining the prestige that would come along with the achievement of putting a satellite in space. At the top of the administration, Eisenhower was “indifferent to the prestige factor, members of his administration, especially Vice President Nixon, were not.”⁶ The focus for the United States was to instill its values onto countries that might lean towards the Soviets’ communistic agenda. “Competition for hearts and minds in the Third World was to be the essence of the new age of nuclear stalemate and peaceful coexistence. But an expensive race for prestige in outer space was still unacceptable,” wrote McDougall.⁷ The White House did not feel like the prestige was enough to put substantial funding into a satellite project. The president’s agenda had been focused on other avenues of bettering the Soviets, and he felt that the Vanguard Program was enough to keep pace with the Soviets.

One of the documents recently released by the CIA was sent by Herbert Scoville Jr., the assistant director for Scientific Intelligence, to Allen Dulles, director of Central Intelligence. It discussed the CIA’s financial support for the Earth Satellite Project. Scoville urged US support for the program by highlighting several points. First, “the importance of the program in connection with psychological warfare. The announcement of the US program for launching an earth satellite as

⁴ Percival Brundage, Director, Bureau of the Budget, to the President, “Project Vanguard,” 30 April 1957, Bureau of the Budget Files, Dwight D. Eisenhower Library, Abilene, Kansas.

⁵ Jacey Fortin, “When Soviets Launched Sputnik, C.I.A. Was Not Surprised,” *New York Times*, 6 October 2017.

⁶ Walter McDougall, “Sputnik, the Space Race, and the Cold War,” *Bulletin of the Atomic Scientists* 41, no. 5 (1985): 20–25.

⁷ McDougall, 22.

part of the International Geophysical Year has already caused favorable reactions abroad.”⁸ By framing his comments in terms of “psychological warfare,” Scoville highlighted the importance of beating the Soviets on a psychological level. The technological dominance enjoyed by Americans over the Soviets for decades was important. The Soviets had taken four years to catch up to the United States and to develop their own atomic bomb. It took the Soviets nine months to develop their own hydrogen bomb. The Cold War was only a few years old, and it “is essential that this initial success not be discounted by failure to actually launch a satellite within the time limit, or by permitting the Soviets to anticipate it with launching of their own due to our failure to press vigorously.”⁹ He urged Americans quickly to launch a successful satellite because if the Soviets were to beat the United States to a successful launch, the public would be upset. The assistant director of Scientific Intelligence also discussed the military strategy to beat the Soviets. “CIA has a long-term interest in the development of a true reconnaissance satellite, for which the vehicle contemplated by NSC 5520 would provide valuable data and experience,” he explained.¹⁰ By moving forward with a satellite program, the information the United States would have gathered would have been invaluable. Data regarding movement of troops, development of military around the world, and the location of nuclear missiles was critical for US intelligence.

On January 29, 1955, the director of the CIA detailed the importance of achieving an earth satellite vehicle first.

[T]here is little doubt but what the nation that first successfully launches the earth satellite, and thereby introduces the age of space travel will gain incalculable international prestige and recognition. In many respects it will be comparable to the first release of nuclear energy...Consequently, I feel the psychological impact of this development on friendly, neutral and Communist-controlled countries, particularly when we are anticipating a prolonged state of cold war, is one of the major arguments justifying its prompt development.¹¹

Clearly, the director knew that the Soviets were developing their own satellite and pushed the United States to take charge and become the first nation to launch a satellite. Again, the psychological impact comes to the forefront of the argument. To become the first nation to launch a satellite would impress and intimidate other countries around the world.

In May 1956, a detailed timeline memo was created by the CIA, which mapped out major Soviets statements on their satellite project. An August 1955 the memo stated “Professor L.I. Sedov, President of the Permanent Interagency Commission for Interplanetary Communications, Academy of Science...stated that the Soviets plan to put up satellite like the U.S. [sic] at about the same time and agreed that the Soviets felt it was possible to launch a large satellite as well as a small one.”¹² Early in the race to launch the first satellite, the Soviets were discussing not just putting one in space but multiple.

Later, the memo quotes Premier Nikita Khrushchev saying the Soviets “were ahead of the United States in preparation for space satellite and that United States conception of satellite was little more than a guided missile for military purposes.”¹³ The Soviets had not only caught up to the

⁸ Herbert Scoville, “CIA Financial Support for Earth Satellite Project,” nd, CIA Electronic Reading Room, accessed 15 August 2020, https://www.cia.gov/library/readingroom/docs/DOC_0002287889.pdf.

⁹ “CIA Financial Support for Earth Satellite Project.”

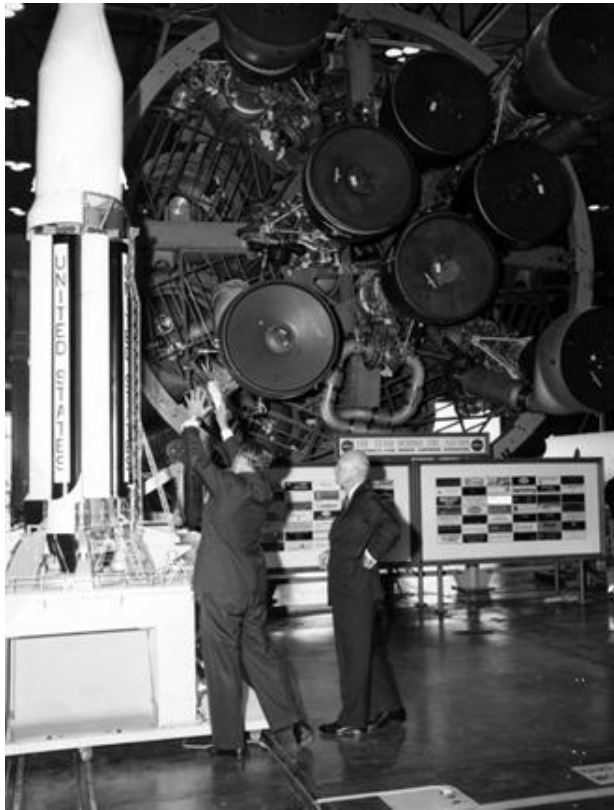
¹⁰ “CIA Financial Support for Earth Satellite Project.”

¹¹ Allen Dulles to Charles Wilson, 29 January 1955, CIA Reading Room, accessed 15 August 2020, https://www.cia.gov/library/readingroom/docs/DOC_0006513734.pdf.

¹² “Additional Information for DCI Briefing of NSC on Earth Satellite Vehicles,” 3 May 1956, CIA Reading Room, accessed 15 August 2020, https://www.cia.gov/library/readingroom/docs/DOC_0006687257.pdf.

¹³ “Additional Information for DCI Briefing of NSC on Earth Satellite Vehicles.”

United States in technology, but had moved past their rivals. Though this was not made public, this had to be a private concern to U.S. leaders because of the implications of being bested by the Soviets. However, at the end of the memo, U.S. leaders might have felt some relief. Sedov was referenced again in February 1956 as explaining that “it is possible that the Soviet Union will not have its earth satellites ready for firing during the international geophysical year. He believes that the US has put itself on the spot by its optimistic statements.”¹⁴



President Eisenhower tours the George C. Marshall Space Flight Center in Huntsville, Alabama, with Dr. Werner von Braun, September 8, 1960. Courtesy of the Dwight Eisenhower Presidential Library, Abilene, KA.

The problem that the United States encountered was the lack of detailed information available about the Soviet project. A memo from the National Security Council in January 1957 reviewed available information the United States had at the time. “In April 1955, the USSR announced the formation of the Permanent Interagency Commission for Interplanetary Communications...The public announcement was the first official indication that the USSR was actively engaged on problems associated with the launching of orbiting of earth satellite vehicles.”¹⁵ The evidence shows the basic parameters for what the Americans knew at the beginning of the project. However, the Americans still lacked specific details about the Soviet project.

The United States was aware, however, of the general level of attention the Soviets were giving to this major task. The National Security Council’s memo notes that “The six commission members named are among the leading Soviet scientists; their competence in such fields as astrophysics and nuclear research is internationally recognized.”¹⁶ The NSC explained that the Soviets were very focused on

the project and had assigned their top scientists to work on it. However, “we still do not have firm information on the number of vehicles, their size, and the Soviet launching plans ...The USSR will probably make a major effort to be the first country to orbit an earth satellite.A satellite vehicle possessing substantial reconnaissance capabilities of military value could probably be orbited in the period 1963-65.”¹⁷ The last part of the memo summed up the overall knowledge that the National Security Council was able to gather. The United States, internally, understood the parameters of the Soviet project, but lacked significant information for the specific purpose of the space crafts. Several of the declassified memos differ on essential details about the size, shape, and number of vehicles that the Soviets were developing.

The key point was that the American leaders failed to fully understand the impact on their public of learning of Soviet advances. The propaganda that the Soviets were able to generate after

¹⁴ “Additional Information for DCI Briefing of NSC on Earth Satellite Vehicles.”

¹⁵ “NSC Briefing, Soviet Earth Satellite Capabilities,” 24 January 1957, CIA Reading Room, accessed 15 August 2020, https://www.cia.gov/library/readingroom/docs/DOC_0006687229.pdf.

¹⁶ “NSC, Briefing Soviet Earth Satellite Capabilities.”

¹⁷ “NSC, Briefing Soviet Earth Satellite Capabilities.”

the launching of Sputnik 1 shook the general public in the United States and created hubris in the Soviet Union. The general public in America reacted with deep fears, manifesting themselves in “[f]allout shelters, rabid anti-Communism, a sense of imminent danger from without and within.”¹⁸ Americans were turning against other Americans. The general public was neither prepared for the launching nor equipped to deal with the major defeat that the Soviets had just dealt them.

When the Soviet Union launched Sputnik 1 on October 4, 1957, it kick-started a space race that spanned several decades. While the race had already started in 1950 with the announcement of the International Geophysical Year, the United States did not prioritize the launching of a simple satellite like Sputnik 1, but focused on their missile systems and expanding its influence in third world nations that could have leaned pro-Soviet. The government of the United States knew several details about Soviet plans, but it lacked crucial information about the launching. The United States failed to realize the power of the tool of propaganda that exploded after the launching. The world was shocked to see the Soviet Union not only competing but surpassing the United States. Soviets had been behind in their development of the atomic and hydrogen bomb, but now frighteningly, they had leaped ahead and launched the first artificial satellite into orbit.

¹⁸ Robert D Launius, “Sputnik and the Origins of the Space Age,” NASA, accessed 10 January 2020, <https://www.history.nasa.gov/sputnik/sputorig.html>.

Votive Animal Offerings in the Late and Greco-Roman Periods

Kathrine Gosnell

Kathrine Gosnell is a senior history major from Mattoon, Illinois. She wrote this paper for Dr. Lee Patterson's HIS 3120: Ancient Egypt. After graduating from EIU, she plans on attending a graduate program specializing in Egyptian archeology with the goal of becoming a professional archeologist.

Religious practices differed over the vast territory of ancient Egypt. Egyptian religion had its core gods which united the different regions of Egypt, such as the sun god Ra or Osiris, god of the underworld. However, each town worshipped its own patron deity, and the animal cults of ancient Egypt helped to stimulate the local worship of different divine beings. Although most of his research discusses the Roman period, David Frankfurter, an historian specializing in religion and violence, provides relevant commentary on worship in ancient Egypt. He references Roman writers who described animal cults of the time. Communal life in Egyptian towns centered around local temples, dedicated to a specific deity or deities. Animal cults thrived because of the tremendous social and cultural power possessed by priests associated with local temples.¹ They inspired local loyalty and commitment to the traditions of the past. The cults also provided a way for the public to demonstrate their devotion to their traditional identity. Native traditions flourished as foreign rulers focused on national affairs, rather than the activities of local temples. In exploring native Egyptian identity, animal cults provide a valuable glimpse into the way citizens of Egypt maintained their traditions under foreign regimes.

Animal cult practices date from the earliest days of a united Egyptian state, possibly even the pre-dynastic era. The gods had human forms of course, but they had animal forms as well; examples include Anubis as a jackal or Horus as a falcon. The cults believed the gods chose a specific animal as the vessel for their soul. The animal lived within the temple, and priests treated them well. Early in the history of Egyptian religion, the pharaoh directed the worship of the gods and only he had access to them. As time progressed into the Middle and New Kingdoms, the nature of kingship changed. The pharaoh served a less important role as people contacted their patron gods directly, strengthening the animal cults. Practitioners made pilgrimages to a sacred site or temple connected with their god of choice. As historian Alan Lloyd explains discussing the general history of Egypt, an individual's moral being became extremely important in the late period, and offerings expressed their conviction that the average person could gain divine favor.² At the temples, pilgrims paid for the mummification of an animal connected with said deity to ensure the animal spent eternity with their god. In return for providing one of their animals' safe passage in the afterlife, the god granted what the pilgrim asked for, whether it be protection or an answer to a question.

The animal cults enjoyed support from the natives throughout Egyptian history, however, support increased considerably for the animal cults in the Late, Ptolemaic, and Roman periods. The common thread of a foreign ruler runs between each of these periods. Nenad Markovic and Mina Ilic suggest the increased activity within the animal cults is linked to the patronage of the foreign

¹ David Frankfurter, *Religion in Roman Egypt: Assimilation and Resistance* (Princeton: Princeton University Press, 1998), 107.

² Alan B. Lloyd, "The Late Period (664-332 BC)," in *The Oxford History of Ancient Egypt*, ed. Ian Shaw (Oxford: Oxford University Press, 2000), 384.

ruling powers as they sought to legitimize their positions.³ Focusing on the local sphere rather than the royal sphere, Salima Ikram suggests natives saw animal cults as an opportunity to return to core values and traditions as foreigners took positions of power.⁴ The massive resources put behind the care and mummification of these animals, as demonstrated at places like Fayum and the Ibis sanctuaries, gives credence to this interpretation.⁵ Yet, the massive spike of mummies, most of which were poorly mummified, supports the interpretation that votive animal offerings presented a convenient way to participate in the Egyptian traditions, but did not demonstrate any real religious conviction. Historians Francoise Dunand and Roger Lichtenberg argue selling mummies became a source of revenue for temples and the massive number of mummies is a sign of a thriving business rather than ritual devotion.⁶ The evidence can support any of the aforementioned arguments. However, the latter interpretations fail to fully acknowledge personal motivations and the cult's long lasting influence throughout Egyptian history. Votive animal offerings created an opportunity for Egyptians to reclaim their cultural identity and preserve their traditions.

In a discussion of ancient Egyptian animal cults, it is necessary to begin with the cult of Apis the Bull, the oldest and most prominent of the animal cults in Egyptian history. It enjoyed the support of the state throughout its long life, both from native and foreign ruling powers and reached the peak of its influence during the 1st century BCE. The Ptolemies in particular actively supported the cults.⁷ In the case of Apis, Ptah, the creator god of the city of Memphis, inhabited a special bull. After the previous bull died of natural causes, the incredibly rigorous selection process for the new one began. All bulls born within Egypt's borders were considered. Within Memphis, the bull resided in a temple with its own clergy, catering to its needs. Upon the bull's death, it received an extravagant mummification, similar to that of humans. The remains then found their way to the Serapeum in Saqqara, the burial place specially built for the remains of sacred bulls.⁸ Unfortunately, for various reasons, little is known about what was inside the Serapeum. When first excavated in the 1850s, excavators took poor notes, used now outdated digging techniques, and incorrectly dated artifacts. The Apis burials also showed signs of pillaging for the priceless artifacts buried with the bulls. Then in 1992, an earthquake made the structure unsafe for people. Only in 2012 was the structure repaired and deemed safe enough for archeologists.⁹

Currently, it is unclear if cows were sacrificed as votive offerings. It is known, however, that people left votive stele, or inscribed stone slabs, and this was not just limited to the common pilgrim. The Roman Emperor Diocletian in 288 CE left a stele offering to the Buchis bull at Hermonthis. Fortunately, Buchis Bull burials remain largely intact and demonstrate burial practices very similar to that of the Apis bulls.¹⁰ The votive stele from a Roman emperor demonstrated that the animal cults played an extremely important part of Egyptian religion and politics. From the foundation of Egypt, the cult held a powerful sway over the community. It held tremendous importance in every aspect of life. Foreign leaders recognized this, and they did their best to cater to the cult's needs, to a point anyway. Yet, this reflected on the people themselves. If the common

³ Nenad Markovic and Mina Ilic, "Between Tradition and Transformation: The Apis Cult under Cambyses II and Darius I (c. 526-486 BC), in *Tradition and Transformation in Ancient Egypt: Proceedings of the Fifth International Congress for Young Egyptologists 15-19 September, 2015, Vienna*, eds. Andrea Kahlbacher and Elisa Priglinger (Vienna: Austrian Academy of Sciences Press, 2018), 96.

⁴ Salima Ikram and Paul Nicholson, "Sacred Animal Cults in Egypt: Excavating the Catacombs of Anubis at Saqqara," *Expedition* 60 no. 3 (2018): 14-5.

⁵ Michal Molcho, "Crocodile Breeding in the Cults of the Graeco-Roman Fayum," *The Journal of Egyptian Archaeology* 100 (2014): 183-86.

⁶ Francoise Dunand and Roger Lichtenberg, *Mummies and Death in Egypt* (Ithaca: Cornell University Press, 2006), 122.

⁷ Nenad Marković, "The Cult of the Sacred Bull Apis: History of Study," in *A History of Research Into Ancient Egyptian Culture in Southeast Europe*, ed. Mladen Tomorad (Oxford: Arheopress, 2015), 135.

⁸ Dunand and Lichtenberg, *Mummies*, 108-12.

⁹ Marković, "The Cult," 137-38; Dunand and Lichtenberg, *Mummies*, 115.

¹⁰ Dunand and Lichtenberg, *Mummies*, 115.

people did not support it, the cult would have had little power or ability to play an important role in Egyptian life. Even foreign rulers recognized the cult of Apis as a national symbol, especially during the Late Period.¹¹ The cult stood as a symbol of their heritage, culture, and values, hence the cult of Apis enjoyed significant support towards the end of the Egyptian kingdom. It served as a way to unite all Egyptians and retain some of their cultural identity threatened by a foreign ruling class. It is true that foreigners also engaged in cult activities, but they did so because they recognized how the functioning of Egyptian society centered on the native traditions. To keep peace between themselves and the natives, foreign rulers needed to acknowledge and support the native Egyptian identity.



Photo of mummified cat from ancient Egypt. Courtesy of the National Smithsonian Museum

An elaborate mummification involved multiple types of animals other than bulls. Archeologists have found evidence that animal remains from dogs, cats, birds, and even crocodiles, also served as votive offerings. Various cities revered crocodiles, connecting them to the crocodile god Sobek. In Theadelphia, a stele dating from the Greco-Roman period showed a priest making an offering to a crocodile.¹² In the Fayum, the crocodile cult enjoyed an extremely strong following. Herodotus made note that people dressed their crocodiles in gold jewelry and bracelets. The natives pampered the reptiles and gave them special food, sometimes even sacrificial victims (Hdt. 2.69). Various temples and crocodile pools located in the area were home to massive caches of crocodile mummies. The sheer number of mummies present begs the question as to where all the crocodiles came from. There is evidence of crocodile hatcheries at Narmouthis, yet nothing is conclusive.¹³ It is unlikely that thousands of crocodiles could be bred in one area naturally. The animals must have been bred somewhere else or come from multiple places.

There is significant evidence of hatcheries for the bird cults, especially the Ibis cults. In this particular bird cult, a special priestly office called an “Ibis Feeder” oversaw the care of the living and preparations for the dead birds.¹⁴ It is feasible the Fayum had a similar position at their temples, but the evidence to support this has yet to be found. The need for a massive amount of crocodiles to offer up as votive offerings reflected massive demand. As foreign powers commandeered control of Egypt, people recalled their old traditions. They accepted and took seriously their individual piety, taking the time to travel great distances to reach sacred places, such as the Fayum area. There, practitioners paid a fee and communicated directly with their god, a dramatic departure from previous periods in which the pharaoh served as a middleman between the people and the gods. Later periods presented the opportunity for people to worship and seek favor of any god of their choosing. Personal piety rose to become an essential part of the Egyptian experience and contributed to the rise of priests within society.

Despite the language and cultural difference between the natives and foreigners living within the cities and towns of Egypt, the temples and pilgrimages created commonality between them. A properly functioning society depended on the cults as a unifying force, not only for the natives, but for the foreigners as well. The Catacombs of Anubis Project at the dog catacombs at Saqqara found evidence of foreigners actively participating in the animal cults. Researchers discovered a collection

¹¹ Marković, “The Cult,” 135.

¹² Dunand and Lichtenberg, *Mummies*, 116.

¹³ Molcho, “Crocodile Breeding,” 183-86.

¹⁴ Molcho, “Crocodile Breeding,” 186-87.

of documents written on sheets made from the papyrus plant, called papyri, during excavations of the Sacred Animal Necropolis at Saqqara from 1964-1971. The massive quantities of papyri written in Greek, demotic, and Aramaic are thought to be the remains of the temple archives.

Unfortunately, these pieces are largely fragmented in nature, likely because the priests thought of the papyri as unimportant and did not try to preserve it. In a preliminary report, H.S. Smith suggests the documents range in date from the 6th century BC to the early 3rd century BC. On the various pieces, there is clear evidence of foreign involvement in Egyptian religious life. A few referenced individuals with Iranian names or showed an association with the Iranian title of satrap; in some legal documents, foreign names appeared. One piece of papyrus contained an oracle-question that entirely dealt with the concerns of a foreigner. The papyrus addressed an Egyptian god, but unfortunately poor preservation makes it unclear as to which deity was being petitioned. Based on the context, the request probably came from someone with a Semetic background.¹⁵

The numerous papyri involving foreigners demonstrate that the communities around the temples, such as Memphis, possessed vibrant cosmopolitan cultures. This drew on the precedent of foreigners already engaging in Egyptian culture and religious practices prior to the Ptolemaic period. Despite the various foreign cultures active within the city centers, this proves that Egyptian tradition, devotion to the animal cults in particular, withstood outside cultural forces and inspired outsiders to participate. Foreigners recognized that to integrate themselves successfully into Egyptian society, particularly outside the larger and more accepting cosmopolitan communities, they needed to adapt to the strong native practices present. Alongside the texts lay the remains of several different species of animals, including ibises and baboons, all located together with votive offerings.

Based on the massive amount of items left in temples, Egyptologist Geoffrey Martin concludes that, for centuries, pilgrims flooded temples to leave an offering to their god or goddess of choice.¹⁶ People of many different ethnicities and backgrounds lived with each other and practiced devotion to the animal cults. Practitioners engrained the custom of leaving votive offerings to the animal form of the gods into the fabric of society. Various communities peacefully co-existed, allowing natives to maintain their cultural traditions and permitting foreigners to participate in these popular animal cults.

At present, according to current published research from the excavations at Saqqara, eight million animal mummies have been documented. Pilgrims paid for all of these mummies by coming to the temple to seek the gods' favor.¹⁷ As for the mummies, they range in quality with some still wrapped and others fully articulated. Adult mummies, located in niches in the walls, appear best preserved. It is possible these specimens lived in temples until they died natural deaths.¹⁸ However, most of the animals appear in poor condition. Excavators did note that the mixing of bones from various damaged specimens occurred as a result of looters searching for treasures and not necessarily from poor quality mummification practices. Researchers did not find any well decorated mummies, like that of the Apis Bull, at the site.¹⁹ The analysis revealed the dogs to be extremely young, ranging from newborn to a few weeks old. It is possible the Egyptians bred the dogs somewhere nearby for this purpose although archeologists have found no evidence to support this.

¹⁵ H.S. Smith, "Foreigners in the Documents from the Sacred Animal Necropolis, Saqqara," in *Life in a Multi-Cultural Society: Egypt from Cambyses to Constantine and Beyond*, ed. Janet H. Johnson, (Chicago: Oriental Institute of the University of Chicago, 1992), 295-98.

¹⁶ Geoffrey T. Martin, "Excavations in the Sacred Animal Necropolis at North Saqqara, 1971-2: Preliminary Report," *The Journal of Egyptian Archaeology* 59 (1973): 6.

¹⁷ Ikram and Nicholson, "Sacred," 14, 19.

¹⁸ Paul Nicholson, Salima Ikram, and Steve Mills, "The Catacombs of Anubis at North Saqqara," *Antiquity* 89, no 345, (June 2015): 655.

¹⁹ Nicholson, Ikram, and Mills, "Catacombs," 653-55.

Researchers suggest that pilgrims might have brought the dog offerings with them to give to priests, but as before, archeologists have no evidence to support this either.²⁰

It is generally agreed upon that pilgrims likely did not see the priests mummify the dogs. Researchers determined the majority of the dogs suffered an unnatural death. Many exhibited signs of starvation or drowning. The method of mummification appears as if the priests left the corpses outside to dry naturally before dipping the dogs in oils and carefully wrapping them. When the pilgrims passed through, they might have been led through a gallery and paid for the mummy that they liked the best. If this is the case, it is entirely possible that the patrons had no idea they paid for the mummies of young pups and not adults.²¹ This idea is supported by strangled canine mummies found at El-Deir. A pilgrim browsing the shelves in the temple would see one side of a mummy beautifully decorated. However, the side facing away from visitors hid the more mediocre painting, supporting the idea that pilgrims never handled the mummy and only picked it from a display.²² If this is the case, not seeing to the preparation personally does not mean the pilgrims did not demonstrate real devotion. After all, they still paid to cover the costs and allowed the animal to return to its god. Based on the number of mummies found within the catacombs, this business served as a huge part of the economy. The oils, wrappings, and procurement of the animals could not have been cheap. With animal catacombs located in Lower and Upper Egypt, the animal cults operated across the state. A lot of money went into the making of votive offerings, meaning there was plenty of business to go around. As foreign rulers came into power, it became clear that the natives needed an outlet. The Egyptians needed a way that showed their devotion to their gods and maintained their traditional core values in the wake of a changing world. The sheer volume of offerings demonstrate that people believed in the animal cults and retained their religious identities.

There is, however, a debate as to whether the animal cults truly aimed to preserve Egyptian traditions. Some historians believe that the increase in animals buried with honors during the later periods signaled a “regression in Egyptian religion,” or a general loss of importance for the burial rituals. These scholars assume that mass production meant the religious hierarchy placed a greater interest in monetary gains than demonstrating true devotion: the more mummies the temples sold, the more money they made. Votive offerings also offered greater ease and access, they provided effective substitutes to other drawn-out, complicated rituals and/or sacrifices. However, Dunand and Lichtenberg offer a different interpretation. They recognize that animal offerings have been found throughout Egyptian history. Yet these offerings only picked up in volume during the later periods. They suggest this demonstrates the economic success of votive offerings rather than reflecting declining piety. During the later periods, the general public had more access to individuals with mummification training and the cost of service possibly was cheaper as well. Pilgrims traveled with relative ease to temples that sold mummified votive offerings. Dunand and Lichtenberg argue the increased number of offerings is clearly not a regression of Egyptian tradition. Rather, votive offerings served an important economic function in Egyptian society while maintaining their ritual and spiritual significance.²³

Economics would also explain why false mummies have been found; bundles of linen in the shape of a real mummy. The fake mummies allowed priests to answer a high demand with an extremely cheap solution while still procuring a profit. However, there are some flaws with Dunand and Lichtenberg’s conclusion. It is clear a market for votive offerings existed. All the proof needed for this is the many millions of animal mummies located all over Egypt in catacombs. However, the number of mummies suggests that people returned again and again over many generations to make

²⁰ Ikram and Nicholson, “Sacred,” 19; Nicholson, Ikram, and Mills, “Catacombs,” 654-57.

²¹ Ikram and Nicholson, “Sacred,” 19.

²² Dunand and Lichtenberg, *Mummies*, 185-6.

²³ Dunand and Lichtenberg, *Mummies*, 122.

offerings. Pilgrimages became habitual and probably very costly. It is unlikely that people made trips over and over again to pay for votive offerings without motivation. Mass production resulted in an increased number of mummies and possibly made them available at a reduced cost. However, mass production also resulted in poor quality, and it must be remembered that cheaper does not always mean easily affordable. The idea that the Egyptians made pilgrimages repeatedly without underlying religious reasons to do so is unreasonable.

Many people over many generations felt it important to make offerings to their personal god. Of course, it is impossible to arrive at the exact reasoning behind their actions. Yet, by studying the remains of the offerings, an idea can be gained as to what their motivations might have been. In Egyptian religion, practitioners held certain animals in high esteem, as they held the soul of their patron god. Making an offering to the animal allowed cult practitioners to make an offering to their god by extension. To provide a burial and mummification of one of the god's animals upon its death would earn a pilgrim favor in the eyes of their chosen god. Animal cults held a high place in Egyptian society, especially the cult of the Apis bull. In the later periods, the cults gained prominence as an avenue of personal piety and worship. The pharaoh no longer served as a contact between the gods and the people. An individual only needed the motivation and will-power to travel to a sacred site and sacrifice some of their wealth. As foreigners came into power and threatened the purity of traditional values, votive offerings provided a way of strengthening these traditions. With each mummy purchased, Egyptians claimed their customs and heritage. Their identity would not be erased.

Good Neighbors No More: How Economic Policy Led to the Cuban Revolution

Nicholas A. Kimsey

Nicholas Kimsey is from Neoga, Illinois, and will be a Fall 2020 graduate of Eastern Illinois University. He wrote this paper with the guidance of Dr. Mark Dries for HIS 2500: Historical Research and Writing.

Throughout its history, Cuba has been the target of near constant economic exploitation. As it fought for independence from Spain in the late nineteenth century, Cuba found itself threatened by yet another foreign power: the United States. Following the passage of the Platt Amendment, American capitalists controlled the Cuban sugar industry; the amendment also included a declaration of military intent should America's grip on Cuban assets be threatened. The Platt Amendment remained in place until 1939, when President Franklin D. Roosevelt ended it as part of his Good Neighbor Policy (GNP). However, rescinding the amendment was hardly a sign of good faith, as Roosevelt had a powerful ally in the Cuban government by the name of Fulgencio Batista, who would become responsible for the most rampant corruption in Cuba in the mid-20th century. Corruption among the Cuban elite, along with reliance upon sugar as a primary export and manipulation by the United States, despite its so-called Good Neighbor policy, resulted in the Cuban Revolution in the late 1950s.¹

Cuba faced a long-term problem: its economy depended upon sugar. Its flourishing sugar industry became both a blessing and a curse. Since sugar made up the majority of the nation's exports, the Cuban economy found itself at the mercy of world's demand for sugar. The most devastating period for the Cuban economy came during the Great Depression. During this time, Cuba's exports of sugar more than halved.² Despite this, Cuba's economy remained undiversified; its reliance on the exportation of sugar continued to the extent that it made up roughly 80 percent of their exports.³ Attempts were made to diversify, but sugar remained Cuba's leading industry. Between 1925 and 1940 Cuba maintained its dependence on sugar. Government officials recognized the need to invest in other industries, but foreign capital remained heavily invested in sugar. Cuba's reputation as a prolific sugar producer led to a disparity of investments in other industrial areas. The island nation had little to no capital of its own to invest in other industries. As a result, this economic disaster-in-the-making threatened to escalate. Dependency on sugar continued to haunt Cuba throughout the 1950s. According to Pérez-Stable, sugar was foundational to Cuba's problems during the 1950s because the harvest cycle created periods of unemployment. Without a diversified economy, living standards and employment stayed low.⁴ This problem became obvious to those living within Cuba, but there were no clear solutions due to the lack of available capital in industrial sectors.

¹ The Cuban Revolution has often been relegated to being a smaller event within the larger Cold War chronology in the historiography. This essay is intended to show that the conditions for the Cuban Revolution came from within, and Cuba was not simply a pawn between the Soviet Union and the United States. The revolution came about because of socio-economic reasons rather than political reasons.

² Marifeli Pérez-Stable, *The Cuban Revolution: Origins, Course, and Legacy*, Second edition. (Oxford, UK: Oxford University Press, 1999), 15.

³ Oscar Zanetti, "El Comercio Exterior de la República Neocolonial," *Anuario de Estudios Cubanos: La República Neocolonial, Vol 1* (Havana: Editorial de Ciencias Sociales, 1975), 76-78, quoted in Pérez-Stable, 16.

⁴ Pérez-Stable, *The Cuban Revolution*, 14.

Nevertheless, an industrial class began to emerge. Rampant political corruption allowed a corrupt elite to further enrich itself. State investment in public services, development projects, and new government agencies aided Cuba's accumulation of capital. The outbreak of World War I and the simultaneous halting of Europe's beet sugar production jolted Cuba's economy. Optimistic industrialists began organizing by the mid-1920s under the National Association of Cuban Industrialists. The 1925 election of Gerardo Machado, a businessman who found some measure of success in the slowly growing economy, offered a sign that the tides were turning, and Cuba was finally on its way to diversifying its economy.

Machado was similar to many populists who sought power in Latin America over the 20th century. An aging general from Cuba's war for independence, he inspired a measure of patriotism among a portion of the population. In the years preceding the election of 1924, Machado found success as a capitalist with enterprises in sugar and construction; he also owned two newspapers and a bank. As president, Machado oversaw the passing of a bill that established protections for fledgling industries like distilleries and furniture manufacturers. These industries might have had a chance to develop and help diversify the economy had Machado not enacted these measures only two years before the Great Depression.

For the majority of Cuba's history, sugar has been the primary feature of its economy. This symbiotic relationship intensified with both world wars, as beet sugar producers in Europe acted as one of Cuba's market rivals. According to a report written in 1938:

Sugar received the full impact of the economic dislocation of the war. Both the United States and Cuba had striven to relieve the serious shortage among the allied nations.... American capital poured into Cuba to build and operate new sugar mills; and production was stimulated in the insular areas. During the following decade, production far outran consumption, and as surpluses accumulated, prices gradually dropped to unremunerative levels. Meanwhile an increase in European beet sugar production to the pre-war norm drastically reduced the world market for Cuban sugar which the war had developed. Nevertheless, Cuban production increased steadily, for many of the Cuban sugar properties which had fallen into American hands during the speculative bubble and sharp deflation immediately following the Armistice were being operated by more efficient methods and machinery. In this country the tariff on sugar was raised three times to protect the domestic industry. Disproportionate returns to the insular areas, where sugar could be produced more cheaply than on the continent, and a consequent increase in production, resulted....With the onset of the depression, consumption sharply declined....By 1932, the price of raw sugar had reached an all-time low.⁵

Although attempts were made to relieve Cuba's ailing economy, the island nation remained hopelessly based on sugar. The U.S. Sugar Act would be passed under the leadership of President Roosevelt in response to this crisis as part of his Good Neighbor Policy, but this act caused new problems of its own.

President Roosevelt's Good Neighbor Policy transformed the relationship between Cuba and the United States until the revolution of 1959. The GNP essentially amounted to a shift from military intervention in Latin America to economic coercion. This drastically affected Cuba, where military intervention by the United States had become instrumental in the war of independence against Spain in the latter half of the 1890s. Americans forced a stipulation into the Platt

⁵ "The Sugar Act of 1937," *The Yale Law Journal* 47, no. 6 (1938): 982-83.

Amendment which stated it would exercise the right to intervene to ensure “the maintenance of a government adequate for the protection of life, property, and individual liberty.”⁶ Originally viewed optimistically as a kind of paternal concern for a younger neighboring nation, it preserved the possibility of military force to protect American investment in the form of property.

President Roosevelt, being very fond of the name of the Good Neighbor Policy, hid the new threatening force that drove his policy. A new kind of force was hidden behind a strained smile and an all-too-firm shake of the hand rather than laid bare at the end of a bayonet. In a letter written by Secretary of State Cordell Hull to Ambassador Sumner Welles, the secretary stressed that, “It must be clearly understood, however, that any efforts of the Government of the United States exerted in this direction are not to be construed as measures of intervention.” Instead America’s new policies were “intended to prevent the necessity of intervention. They are measures to be taken in view of the responsibilities assumed by the United States under its treaty relations with Cuba...and for the purpose of assuring the maintenance of Cuban independence and Cuban sovereignty.”⁷ In other words, diplomatic pressure would be utilized instead of direct military intervention. Hull wrote this in response to the crumbling dictatorship of Cuba’s leadership.⁸ Machado, who spearheaded economic reforms during part of his tenure as president, faced the misfortune of being president of Cuba at the onset of the Great Depression. His administration descended into dictatorship when he moved to amend Cuba’s constitution to allow him to run for a second term and to crack down on newspapers which criticized him.

The response by the Roosevelt administration to the deterioration of the Machado regime provides a valuable example of the GNP in action. In the face of mounting public unrest against Machado’s regime, American diplomats worked behind the scenes to organize a provisional government in Cuba. However, their decision-making showed a certain lack of understanding of the Cuban people. In an article written for *The Hispanic American Historical Review*, historian E. David Cronon observed that choosing General Herrera, a high official already associated with the corrupt Machado regime, to establish the provisional government was initially preferred by certain US officials because of his friendliness to American interests. American officials, like Ambassador Welles, believed the people of Cuba would be satisfied by simply replacing the head of the government instead of organizing new elections.⁹ Welles wanted someone other than Machado to head the provisional government, and this fundamental lack of understanding characteristic of an outsider looking into strangers’ affairs, is emblematic of the GNP as a whole. Rather than defend a nation’s right to self-determination, the GNP was intended to secure conditions beneficial to the United States.

The new regime, headed by Carlos Manuel de Céspedes, lasted less than a month before “the Sergeants’ Uprising,” led by future dictator Fulgencio Batista. Alarmed, Ambassador Welles sought U.S. military intervention, but both Roosevelt and Secretary of State Hull pushed back. They agreed to send several warships to Cuba but declined to grant Welles his request for a detachment of marines.¹⁰ Welles repeatedly requested military intervention, to the continued dismay of Roosevelt and Hull, who appeared to better understand the wider implications of military action for relations with other Latin American nations. Mexico and Argentina are two examples of countries nervously watching the events unfold in the Caribbean.¹¹ American trade with foreign nations including those

⁶ The Platt Amendment.

⁷ Cordell Hull, *The Secretary of State to the Appointed Ambassador in Cuba (Welles)*, accessed May 1, 2019, <https://history.state.gov/historicaldocuments/frus1933v05/d241>, cited in Cronon, 539.

⁸ E. David Cronon, “Interpreting the New Good Neighbor Policy: The Cuban Crisis of 1933,” *The Hispanic American Historical Review* 39, no. 4 (1959): 539.

⁹ Cronon, 544.

¹⁰ Cronon, 547.

¹¹ Cronon, 550–52.

in Latin America and South America declined during the Great Depression. America's ambassador to Mexico warned Roosevelt that in the event of military action in Cuba, "Our country has all to lose, both in the cost of intervention and in the loss of those growing friendly relations which mean so much to our country both in sentiment and in increased commerce."¹² Political stability was preferable to the United States because it benefitted trade. Commerce was at the heart of the Good Neighbor Policy, as the United States was recovering from the Great Depression and continued to do so until World War II.

In the interest of stability, Washington prepared to recognize the newly appointed provisional president, Ramón Grau San Martín, despite the outspoken opposition by deposed government officials. This came despite the expressed wishes of Ambassador Welles, who had said of Grau: "He is utterly impractical and appears to be obsessed with the idea that the soldiers are so



Fulencio Batista. Courtesy of the Cuban Studies Institute

devoted to the ideals of the 'revolution,' as he terms the mutiny, that they will take it upon themselves without any orders to maintain order and to guarantee life and property."¹³ Welles' continuing resistance to the leadership of Grau and the provisional government eventually led to the appointment by General Batista of Colonel Carlos Mendieta, a more conservative figure than Grau.¹⁴ For Welles and other Americans who feared an omnipresent red menace, Mendieta's appointment offered a sigh of relief. As a compromise, the Platt Amendment was repealed under Mendieta's administration in 1934.

The economic woes of the 1930s drove Cuba to become more reliant on sugar. As an emergency measure, Cuba signed a treaty with its domineering trade partner to the north. The U.S. Sugar Act of 1934 established annual quotas for sugar producers that gave Cuba a larger share of the market. Unfortunately, this quota was based on Cuba's production from 1931 to 1934, a period that was particularly harsh for the country's sugar industry due to the political instability.¹⁵ The Americans revised this act several times, notably, in 1956. The revisions in 1956 favored domestic producers of sugar at the expense of Cuban producers. Historians Alan Dye and Richard Sicotte wrote, "Domestic producers, for the first time, were awarded an explicit share of the increase in the U.S. market; they were given priority in reallocations of deficits; and full-duty foreign suppliers were awarded a larger share in future market growth. All of these were at the expense of market rights formerly assigned to Cuba."¹⁶ The year 1956 marked the beginning of a second armed struggle led by the Castro brothers, along with Ernesto "Che" Guevara.¹⁷

The Cuban Revolution was primarily socio-economic in its motivations and goals. The United States continued to foster a one-sided economic relationship with Cuba. After the end of the Platt Amendment, legislation like the U.S. Sugar Act and the Reciprocal Trade Agreements Act, cemented Cuba's dependence upon the United States.¹⁸ The Reciprocal Trade Agreements Act

¹² Josephus Daniels, Letter to President Roosevelt, quoted in Cronon

¹³ Welles, Telegram to Secretary of State, 5 Sep 1933, cited in Cronon

¹⁴ Brenner and Eisner, *Cuba Libre*, 53.

¹⁵ Pérez-Stable, *The Cuban Revolution*, 19–20.

¹⁶ Alan Dye and Richard Sicotte, "The U.S. Sugar Program and the Cuban Revolution," *The Journal of Economic History* 64, no. 3 (2004): 683.

¹⁷ Brenner and Eisner, *Cuba Libre*, 71.

¹⁸ Brenner and Eisner, *Cuba Libre*, 57.

effectively allowed President Roosevelt to lower tariffs on trade with Cuba, making the United States the preferred trade partner over European nations. This accomplished with Cuba what the Monroe Doctrine attempted to do with the entirety of Latin America: it widened the gulf between Cuba and Europe and encompassed it in the American sphere of influence.

The Reciprocal Trade Agreements Act would worsen the effects of the unfavorable revisions made in 1956 to the U.S. Sugar Act. Dye and Sicotte wrote:

It was not feasible for Cuba to compensate for its losses in the protected U.S. market by shifting sales to the rest of the world. The non-U.S. world market was segmented into several preferential markets, where, like the United States, the major sugar-consuming countries in Europe protected domestic and former colonial production. Besides the United States, Cuba had no other preferential access, and it faced prohibitive protection in markets other than the residual “world” market; yet Cuban exports already accounted for nearly 3 million of the roughly 6 million short tons normally sold in that market. If Cuban producers had shifted another 1 million tons from the U.S. market into that market (the five-year projected differential loss in sales volume caused by the 1956 revision), the additional exports would have increased the supplies on the residual market by 17 percent...this implies a fall of 106 percent or more in the price of sugar in the residual market. Moreover, the act of shifting exports would have violated Cuba’s quota under the International Sugar Agreement, for which Cuba was the leading advocate.¹⁹

Cuba’s economy stayed relatively strong during the latter half of the 1950s. However, economists continued to warn that such fortunes were short-term and may not continue.²⁰ Although the market was doing relatively well, it remained highly unpredictable. Poverty and instability remained features of Cuban life.

Under Batista, Cuba saw a great increase in opulence. However, like the United States’ own Gilded Age, this thin veneer of gold concealed a dark core of lead. Cuba’s wealth remained in the



Cuban soldiers patrolling streets after Batista's coup. Courtesy of HistoryMiami Museum

hands of Batista’s supporters, and the Cuban masses saw little benefit for themselves. Despite widespread unpopularity, Batista managed to retain power through the support of the United States. The United States did not seem to care about Batista’s disregard for human rights; in fact, it encouraged the suppression of communist activity. Enforcement of anti-communism, favoritism for American investors, and the promise to hold elections secured American support.²¹ The promise to hold elections is noteworthy, as Batista ascended to power using force in 1952. Despite this, Batista agreed to all three promises and fulfilled the first two during

his rule.

¹⁹ Dye and Sicotte, “The U.S. Sugar Program and the Cuban Revolution,” 696.

²⁰ Dye and Sicotte, 697.

²¹ Brenner and Eisner, *Cuba Libre*, 63.

Batista's regime fell in 1959, shortly after the withdrawal of American support. With Castro's popular revolution, Cuba for the first time, determined its own path without the intervention of the United States. The United States continued to create tensions within Cuba to undermine Castro's regime, but the revolution held strong. Cuba resisted the transition from the Good Neighbor Policy to a mixed approach using both military intervention and economic coercion. Today, the state stands independently even after the transition in leadership from the Castro brothers to the current leader, Miguel Díaz-Canel. Despite being separated by ninety short miles of open water, Cuba and the United States have long since changed neighborhoods.

“Until You Do the Job, No One Thinks You Can”: Women in the US Foreign Service in the Twentieth Century

Katherine B. Flugge

Katherine Flugge is a graduate student in history from Champaign, Illinois. She wrote this article for Dr. Edmund F. Wehrle's HIS 5320: Seminar in Diplomatic History. This fall she begins her nineteenth year as a Social Studies teacher at Central High School in Champaign, Illinois.

The ratification of the Constitution created the Department of State in 1789, but it was not until 1922 that a woman entered the Foreign Service, not until 1949 that a woman was appointed ambassador, and then not until 1997 that Madeleine K. Albright became the first woman Secretary of State. In the introduction to his 1995 book, *Changing Differences: Women and the Shaping of American Foreign Policy, 1917-1994*, historian Rhodri Jeffreys-Jones notes that “[b]ecause little has been written about women and foreign policy the historiography of the field is immature.”¹ While the historiography has developed significantly since 1995, there remains much research to be done. The roles women played within the Foreign Service varied significantly over the course of the twentieth century, as evidenced by the changing nature of positions available to them. Employment opportunities for women in the Foreign Service ranged from largely clerical and secretarial roles early on, to full ambassadorships by midcentury, and eventually to the position of Secretary of State. This paper examines the shifting nature of women’s roles in an official capacity in the Foreign Service over the course of the twentieth century, as women sought more significant and influential positions. Additionally, it highlights the resolve and determination exhibited by the women in their efforts to achieve these goals, despite the heavily institutionalized sexism they encountered along the way.

In order to trace the history of women in the Foreign Service, it is necessary to step back to the creation of the Department of State in 1789 and examine the broader history of American diplomacy. Initially, the founders of the United States were wary of diplomacy, as it “smacked of lies and deceit and skullduggery, of which they had had quite enough with the British.”² To that end, the first (male, obviously) diplomats America sent abroad were not titled *ambassadors*, but rather went by the lesser label of *minister*. This often created embarrassment for the ministers, as they were always ranked lower than all other countries’ ambassadors. Congress corrected this in 1893, with the passage of an act declaring “that the president could raise the rank of his envoy whenever he learned a foreign country was prepared to send an ambassador to the United States.”³ Within a relatively short period of time, a U.S. ambassador was appointed to serve in most countries with a diplomatic relationship with the United States, regardless of size or geopolitical influence.

In terms of rank-and-file diplomats, while the Department of State has been in existence since 1789, it was not until 1915 that the “profession of diplomacy” existed.⁴ Women’s official entry into diplomacy was unthinkable prior to the passage of the Nineteenth Amendment in 1920 granting

¹ Rhodri Jeffreys-Jones, *Changing Differences: Women and the Shaping of American Foreign Policy, 1917-1994* (New Brunswick: Rutgers University Press, 1995), 4.

² Ann Miller Morin, *Her Excellency: An Oral History of American Women Ambassadors*, Twayne’s Oral History Series 14 (New York: Twayne Publishers, 1995), 7.

³ Morin, *Her Excellency*, 7.

⁴ Morin, *Her Excellency*, 8.

them the right to vote, and in 1922 a woman by the name of Lucille Atcherson applied to take the diplomatic entry exam, took and passed it, and then shortly thereafter applied to go overseas. Historian Ann Miller Morin writes that this “set off alarms at the State Department, where officials stalled, unwilling to permit such a dangerous precedent.”⁵ It was not until three years later that the State Department placed Ms. Atcherson overseas, as the third secretary of the legation at Berne, Switzerland. She was, *The New York Times* reported, “well equipped for the work,” after three years of training within the State Department.⁶ Despite this positive write-up, at the time there was considerable hostility toward women diplomats serving within the Foreign Service. The 600 male foreign service officers in the Department of State pushed back against women entering the service with claims that women would be unable to handle the difficult climates, that customs and social restrictions of foreign nations would “preclude women from serving in public positions,” and that women could not handle “consular work involving seamen because they couldn’t inspect ships or associate with rough sailors.” Therefore women could not meet the requisite of “worldwide availability.”⁷ These protests were dismissed by Secretary of State Charles Evans Hughes, who determined that women applicants to the Foreign Service be entitled to “fair and impartial treatment,” and that “it would only be a question of time before women would take their place in diplomacy and consular work just as in other professions.”⁸

Another concern raised by some men within the Foreign Service was the likelihood that women diplomats, “especially the attractive and accomplished woman sure to be appointed, would sooner or later succumb to the temptation of marriage, which would either entail her resignation or would cause other complications.”⁹ This argument obviously contributed to some of the more subjective questions on the oral portion of the Foreign Service examination during this time, including “Do you expect to marry someday?” which, if answered in the affirmative, could be considered a disqualifying factor.¹⁰ It was not until 1971, in fact, that the Department of State officially dropped that particular question on the oral examination.¹¹ No doubt as a result of this hostility toward women in the Foreign Service, during the years 1930 to 1945, no woman passed the oral examination, despite passing scores on the written portion. Ostensibly, State Department officials wanted to determine women’s “usefulness” within the Foreign Service, and found all the women candidates lacking in this category.¹² There were, however, two women who passed the examination prior to this time period, Constance Harvey and Frances Willis, both of whom remained in the service after 1930, with Harvey eventually becoming the first U.S. woman consul general, and Willis the first female Foreign Service officer to become an ambassador. Lucille Atcherson resigned her post in Panama in 1927 to marry a surgeon from Chicago.¹³

America’s involvement in World War II provided new opportunities for women to enter into the workforce, and the Foreign Service was no exception. It was during this time that Jean M. Wilkowski began her career in the service, with her first post assignment as vice consul in Port of Spain, Trinidad, in the British West Indies.¹⁴ “Let me tell you young lady, you don’t know how lucky

⁵ Morin, *Her Excellency*, 8.

⁶ “First Woman Named for Diplomatic Post; Miss Atcherson Going to Legation at Berne,” *New York Times*, April 16, 1925.

⁷ Morin, *Her Excellency*, 8.

⁸ Homer L. Calkin, *Women in the Department of State: Their Role in American Foreign Affairs* (Washington, D.C.: Department of State, 1978), 70.

⁹ Herbert Wright, “Can a Woman Be a Diplomat?,” *The North American Review* 248, no. 1 (1939), 101.

¹⁰ Morin, *Her Excellency*, 8.

¹¹ “Marriage Restrictions Eased for Women in the Foreign Service,” *New York Times*, August 16, 1971, 17.

¹² Calkin, *Women in the Department of State*, 77.

¹³ “Dr. G.M. Curtis to Marry: Surgeon Announces His Engagement to Miss Lucille Atcherson,” *New York Times*, September 20, 1927.

¹⁴ Jean M. Wilkowski, *Abroad for Her Country: Tales of a Pioneer Woman Ambassador in the U.S. Foreign Service* (Notre Dame: University of Notre Dame Press, 2008), 17.

you are;" a State Department official told her during her initial interview. "[I]t's wartime, and all the men have gone into the services. We are literally scraping the bottom of the barrel and taking in 4-Fs and women!"¹⁵ Wilkowski claims to not have been offended by this statement, "because in those days men always took precedence over women."¹⁶ This attitude of resignation on the part of women Foreign Service officers when faced with sexist attitudes from their male counterparts is a recurrent theme in the recollections of women who served during this time period.

The end of World War II brought with it many changes to the United States and its institutions, as it became a major power in world politics. Increases in power brought increased responsibilities, which required more personnel in the Foreign Service. This, in turn, opened additional opportunities for women to serve their country abroad. In 1945, Mary S. Olmstead took the examination for admittance into the Foreign Service Officer program, despite misgivings about her chances of obtaining employment there, as the State Department's "biases were well known."¹⁷ Olmstead passed the examination and was appointed a vice consul in the American Consulate General in Amsterdam, beginning a 35 year career in the Foreign Service.

In 1946 Congress passed the Foreign Service Act, which "established the goal that the Foreign Service should be broadly representative of the American people" and as a result, during the 1950s and 1960s more women were admitted into the Department of State.¹⁸ A 1950 article in *The Modern Language Journal* noted this change in policy: "[i]f we are to be realistic, we will acknowledge at the outset that there is a tremendous difference as to the opportunities for the two sexes, but before we conclude we may be able to show that the outlook for women is less gloomy than many of them...have thought."¹⁹ Constance Harvey was still in the Foreign Service at this point, stationed as a vice consul in Zurich; she was then assigned to Greece after World War II ended. Harvey served as a vice consul for 17 years before being elevated to consul, an unusually long time compared to her male counterparts.²⁰ While stationed in Milan, the embassy in Rome requested she be sent to Malta to fill in for the officer there, but her chief would not let her go, as he did not approve of a woman taking charge of an office. Later in life, Harvey reflected that much of her early work in the Foreign Service involved tasks she felt were beneath her abilities, and while she knew she was being discriminated against, she "didn't expect to have anything else."²¹

Jane Abell Coon, who entered the Foreign Service in 1957 recalled a similar feeling: "back in the '50s, you accepted the fact that you were a woman and therefore it was going to be more difficult to compete. I didn't particularly get upset by it. It was just part of the environment."²² Indeed, despite official efforts by the State Department to rectify their reputation as a boys' club, a culture of sexism remained. Speaking at a conference in 1957, director of the Passport Office Frances G. Knight stated, "[t]here is not the slightest question in my mind but there is considerable discrimination against women as they move up into the echelons of administration and operations, which men have long since considered their domain. Let a job get some prestige, publicity and recognition together with a substantial compensation, which could be more attractive to men - and

¹⁵ Wilkowski, *Abroad for Her Country*, 16.

¹⁶ Wilkowski, *Abroad for Her Country*, 16.

¹⁷ "Interview with Mary S. Olmstead" in Nancy E. McGlen and Meredith Reed Sarkees, *Women in Foreign Policy: The Insiders* (New York: Routledge, 1993), 16.

¹⁸ Nancy E. McGlen and Meredith Reed Sarkees, *Women in Foreign Policy: The Insiders* (New York: Routledge, 1993), 63.

¹⁹ Irene Zimmerman, "Language Occupations - The Foreign Service." *The Modern Language Journal* 34, no. 4 (April 1950): 305.

²⁰ "Interview with Constance Harvey" in Ann Miller Morin, ed., *Her Excellency: An Oral History of American Women Ambassadors*, 20.

²¹ Constance Harvey in Morin, *Her Excellency*, 28.

²² Jane Abell Coon, Women in the Foreign Service, 2012, Foreign Affairs Oral History Collection, accessed 21 August 2020, <https://adst.org/wp-content/uploads/2012/09/Women-in-the-Foreign-Service.pdf>.

you might as well be in the jungle as far as survival is concerned.”²³ Susan M. Klingaman, who entered the Foreign Service in 1962, provides another illustration of this tension. “A recruiter from the State Department Foreign Service came to Oberlin College to speak at a career day,” she recalled. “I went to that session; it must have been my junior or maybe my senior year. This State Department speaker was a woman, probably from the personnel office. She said to the audience very frankly that the Foreign Service was not a place for a woman. She did not recommend it.”²⁴ Despite these critical assessments of the Foreign Service’s treatment of women, the number of women taking the Foreign Service examination continued to increase, and by 1972, compared to men, a greater percentage of women who passed the written examination also passed the oral examination.²⁵

Positions within the Foreign Service were organized into different roles known as “cones.” During this time period most women Foreign Service officers worked in the consular, administrative, or economic cones, rather than the political cone. The political cone was the most “influential and career-enhancing,” and officers from this cone experienced a “higher rate of advancement to and within the Senior Foreign Service.”²⁶ Some women who served during this time later speculated that lingering beliefs that women would marry and resign their appointments explained why few women got appointments to the political cone. “They [the Department of State] were still not sure of us. They didn't really expect us to stay, because then the rule was still if you were married, you had to resign if you were a woman. And so they weren't so sure of us and they weren't so sure they wanted to waste their time teaching us anything, because we were all going to go off and get married and then we would be lost to the service,”²⁷ reflected Mary A. Ryan, who entered the Foreign Service in 1966. Although this was actually never a formal rule within the State Department, little was done to dispel the rumor. In interviews conducted later with women who entered the Foreign Service before 1970, many recalled that message being reinforced.

Beyond the institutional discrimination that many women faced in terms of cone assignment and marital status, women still faced explicit sexism from men in the form of harassment or outright hostility. Ryan recalls her experiences with the consul general in Tel Aviv, where she served from 1967 to 1969: “the consul general [CG], Cliff English, did not like women officers even though (or because) he had two women officers on his permanent staff. He was always snippy about his female officers; his predilections were well-known in the embassy, and many advised me not to go to the consular section. So he was not pleased by my assignment, but my immediate boss protected me from the CG; I kept out of his way.”²⁸ Allison Palmer, a career Foreign Service officer who eventually managed to obtain a political cone assignment, was originally assigned as political officer at Dar Es Salaam, Tanzania, and then to Uganda. Each assignment, however, was cancelled because the ambassadors there refused to have a woman officer.²⁹ Mary Olmstead, who in 1974 was still in the Service, applied to open a new consulate in Port Moresby, Papua New Guinea and immediately faced opposition: The prevailing attitude seemed to be “[h]ow could a woman in her fifties open a

²³ Calkin, *Women in the Department of State*, 121.

²⁴ Susan M. Klingaman, *Women in the Foreign Service*, 2012, Foreign Affairs Oral History Collection, accessed August 21, 2020, <https://adst.org/wp-content/uploads/2012/09/Women-in-the-Foreign-Service.pdf>.

²⁵ Calkin, *Women in the Department of State*, 117.

²⁶ McGlen and Sarkees, *Women in Foreign Policy*, 90.

²⁷ Mary A. Ryan, *Women in the Foreign Service*, 2012, Foreign Affairs Oral History Collection, accessed August 21, 2020, <https://adst.org/wp-content/uploads/2012/09/Women-in-the-Foreign-Service.pdf>.

²⁸ Mary A. Ryan, *Women in the Foreign Service*, 2012, Foreign Affairs Oral History Collection, accessed August 21, 2020, <https://adst.org/wp-content/uploads/2012/09/Women-in-the-Foreign-Service.pdf>.

²⁹ Alison Palmer in McGlen and Sarkees, *Women in Foreign Policy*, 116. Palmer filed suit against the State Department in 1972, alleging discrimination based on sex; she won this case and then in 1976 filed a class action lawsuit alleging a pattern of sex discrimination within the Department. Neither suit ended discrimination based on sex within the State Department, however.

new post when the task called for a man in his thirties?”³⁰ Olmstead, having served in the State Department for almost thirty years at that point, was facing both sexist and ageist discrimination. Determined, she lobbied for her assignment with the right individuals and eventually won appointment as consul general to Papua New Guinea, eventually receiving the title of ambassador when the country gained independence.³¹ Harriet Elam-Thomas, who served in the State Department for 42 years, including as United States ambassador to Senegal, remembers her experiences with discrimination in this way: “[w]henver I encountered colleagues in diplomatic settings, they were usually men. I saw very few women -- and even fewer women of color. Wearing a skirt in the Foreign Service was ten times more difficult than having brown skin.”³²

Gender discrimination also came in the form of sexual overtures and harassment faced by women at the hands of male colleagues. “Most of the time it was a very male environment. At almost all meetings that you went to there might be one other woman, if it was a small meeting of ten people or so,” recalled Judy C. Bryson, who began her government career in 1966. “Being a woman in the State Department in the professional category was in its infancy at that time. So it really was something that you had to be conscious of, had to be very careful.”³³ In another interview, former diplomat Anne O. Cary, reflected on the sexual advances many women Foreign Service officers encountered. “I felt partly it was the confusion because people really weren't so used to women in these roles and when you put a male and female in a role that they are used to, such as a lunch or something, they put it into a social context and there are certain men who believe such situations call for a pass,” she recalled.³⁴ Sexual harassment in the Foreign Service has historically been widespread, with some studies finding that the “largest proportion of women employees in any government agency, 52 percent, claimed to have experienced sexual harassment while working in the State Department,” even after the Department issued its first official policy statement on sexual harassment in 1981.³⁵

Throughout the 1980s, women continued to make inroads within the Department of State and the Foreign Service. President Ronald Reagan appointed Jeane Kirkpatrick as ambassador to the United Nations in 1981, and asked her to serve on his National Security Planning Group, the inner council of the National Security Council, as well. However, Kirkpatrick faced significant resistance at the time from men in the Reagan administration who refused to accept her as an expert in foreign policy, despite her extensive background.³⁶ “I didn’t really know the extent to which the diplomatic corps of the world and the diplomatic profession are an exclusive male preserve,” Kirkpatrick recalled.³⁷ Reminiscing later in life about her time in the Reagan administration, Kirkpatrick described how some of her male colleagues opposed her appointment, complaining that they could not work with her the same way because “she just isn’t one of the boys.”³⁸ Despite these misgivings on the part of some of her male colleagues, Kirkpatrick served as permanent representative to the United Nations longer than any other ambassador since Adlai Stevenson, and could have stayed longer, had she wished.³⁹

³⁰ Morin, *Her Excellency*, 92.

³¹ Mary S. Olmstead in McGlen and Sarkees, *Women in Foreign Policy*, 20.

³² Harriet Lee Elam-Thomas and Jim Robison, *Diversifying Diplomacy: My Journey from Roxbury to Dakar*, ADST-DACOR Diplomats and Diplomacy Series (Lincoln: Potomac Books, an imprint of the University of Nebraska Press, 2017), 4.

³³ Judy C. Bryson, *Women in the Foreign Service*, 2012, Foreign Affairs Oral History Collection, accessed August 21, 2020, <https://adst.org/wp-content/uploads/2012/09/Women-in-the-Foreign-Service.pdf>.

³⁴ Anne O. Cary, *Women in the Foreign Service*, 2012, accessed August 21, 2020, <https://adst.org/wp-content/uploads/2012/09/Women-in-the-Foreign-Service.pdf>.

³⁵ McGlen and Sarkees, *Women in Foreign Policy*, 102.

³⁶ Morin, *Her Excellency*, 249.

³⁷ Jeane Kirkpatrick in Morin, *Her Excellency*, 250.

³⁸ Jeane Kirkpatrick in McGlen and Sarkees, *Women in Foreign Policy*, 58.

³⁹ Morin, *Her Excellency*, 261.



First Lady and future secretary of State Hillary Rodham Clinton, Chelsea Clinton, and Secretary of State Madeleine Albright at the Obel Rachel Synagogue, Shanghai, July 1998. Photo courtesy of National Archives.

At the close of the twentieth century, after decades of small, and sometimes larger gains, a woman finally achieved the position of Secretary of the Department of State. In 1997, Madeleine K. Albright became the first woman to hold this position. President Bill Clinton appointed Albright, at the urging of his wife, Hillary Clinton, who would go on to serve in the same role under President Barack Obama. In her 2003 memoir, *Madame Secretary*, Albright recalled that from the outset of her time in government, she had to deal with the problem of operating in a predominantly man's world.⁴⁰ According to Albright, foreign officials were more likely to respect her position as a woman secretary of State than men in her own government. Early in her career, during the Carter administration, Albright often had the experience of making a point during meetings and having it dismissed as stupid, "only to have some man make the same point -- and be considered clever."⁴¹ When word spread of her possible appointment as the first woman secretary of State, the chorus of (mostly male) voices of opposition disturbed her. Albright hesitated

to blame this opposition on discrimination, instead seeing it as "a combination of factors including the historic male monopoly on the post, a feeling of men being more comfortable with men, and concerns I hoped were misplaced about my qualifications. These issues were not unique to me: every 'first' woman or minority has confronted them... Until you do the job, no one thinks you can."⁴² Not long after being sworn in, Albright was introduced to an audience by former Secretary of State Henry Kissinger. He welcomed Albright into the "fraternity" of those who had held that position. "Henry, I hate to tell you, but it's not a fraternity anymore," she shot back.⁴³ As secretary of State, Albright recognized the challenges facing women in the Foreign Service and worked to provide more opportunities during her tenure. Ambassador Harriet Elam-Thomas recalled with gratitude a time when Albright sent back a list of ambassadorial assignments to the President "because it did not include enough women."⁴⁴ Albright was the first woman secretary of State, but she was not the last. In 2005, President George W. Bush appointed Condoleezza Rice to the position, followed by Hillary R. Clinton, appointed by President Barack Obama.

Tracing the history of women's roles within the Foreign Service and Department of State over the course of the twentieth century offers new perspectives on both American diplomatic history and the changing nature and history of women's employment opportunities, as well as their reception by their male and female colleagues. From the 1920s on, women in the Foreign Service faced derision, suspicion, and outright hostility from many of their male (and female) colleagues. Despite institutionalized sexism, women who sought to serve their country in a diplomatic role persevered. The legacies of women such as Lucile Atcherson, Constance Harvey, and Frances Willis live on in the thousands of women who have served their country as members of the Foreign Service, as consuls and ambassadors, and for three women, as secretary of State.

⁴⁰ Madeleine Albright and Bill Woodward, *Madame Secretary* (New York: Harper Collins, 2003), xii.

⁴¹ Albright and Woodward, *Madame Secretary*, 100.

⁴² Albright and Woodward, *Madame Secretary*, 221.

⁴³ Albright and Woodward, *Madame Secretary*, 342.

⁴⁴ Elam-Thomas and Robison, *Diversifying Diplomacy*, 4.

Vow and Oath: The Treasonous Character of Elizabethan Anti-Catholicism

Jackson R. Melvin

Jackson Melvin is a junior history major from Christopher, Illinois. He wrote this paper for Dr. Newton Key's HIS 3100: History of England, 1066-1688. After graduation, he plans on attending a graduate program in Premodern History.

If there is a unifying theme of the Tudor Era in the popular imagination, it is religious persecution. Its victims were those who opposed the religious standing of the ever-changing monarchs. Edward VI dealt with Catholics harshly. Mary I turned her assaults to Protestants. Henry VIII persecuted both. It becomes easy when presented with this panoply of persecutions to lump them together, ascribing them the same fundamental character. However, the character of the Catholic persecution in the latter half of Elizabeth I's long reign bears a fundamental distinction.



Queen Elizabeth I.
Courtesy of the National Archives, UK.

The Protestant government's accusations and the Catholic opposition's defenses were less focused on religious differences than with political threats. Fear of Catholics was not entirely unwarranted, as some Catholic leaders of the era did harbor treasonous goals, often facing execution as a result. This is contrasted with the Elizabethan government's response to the threat presented by Puritans and radical Protestants, a religious threat largely absent a political dimension. While Catholics were certainly considered heretics, late Elizabethan anti-Catholicism was rooted more in fears of Papists as potential traitors to the crown and country.

Published in 1582, shortly after the events it describes, William Allen's account of the martyrdom of William Filby is demonstrative of the connection between treason and Catholicism. Filby's execution itself is noteworthy, especially in the charges and method of killing the man and his cohorts. Firstly, they were hanged. Traditionally, the punishment for heretics was to be burned at the stake, as Protestants were *en masse* under Elizabeth's predecessor Mary I.¹ Hanging was a traitor's punishment, one much more political than religious in nature. This was borne out by the charges against Filby et al., namely, that he was "a traitor... sworn to the Queen's sworn enemy," the Pope, who had "deposed her by his bull."² Filby was even offered the opportunity to confess and receive mercy from her, which he rejected, saying that he "had never offended her."³ Though Allen's "Historie" claims to be a simple retelling of Filby's martyrdom, it shows itself to be a Catholic apologia, especially in celebrating Filby's words and actions shortly before his execution. In this section, Filby repeatedly praised for his loyalty to Elizabeth and his lack of allegiance to her enemies. He prayed for the Queen shortly

¹ Robert Bucholz and Newton Key, *Early Modern England 1485-1714: A Narrative History* 2nd ed. (Chichester: Wiley-Blackwell, 2009), 111-12.

² "William Allen on the Martyrdom of Fr. William Filby" (1582), from *Sources and Debates in English History*, ed. Newton Key and Robert Bucholz (Chichester: Wiley-Blackwell, 2009), 91.

³ *Ibid.*, 91.

before his execution, asking for “a long and quiet reign,” and to “preserve her from her enemies,” among whom he did not count the Pope.⁴ A preacher on the scene named Charke disagreed, charging Filby as an enemy of the Queen by virtue of his loyalty to the Pope. Interestingly, Filby did not rebut the accusation. He instead argued that, despite his priesthood, he was not sworn to follow the Pope politically; he swore “a vow and not an oath.”⁵ That is a religious rather than political acknowledgment of papal authority. Allen was responding to a common accusation against Catholics: that they were politically subservient to a foreign power. Filby never disavowed his theological commitments, and indeed the accusations against him remained purely in the realm of politics. Allen was attempting to downplay the political elements as much as possible, presenting them merely as theological and religious conflict, not worthy of the accusations given of high treason.

Allen's sincerity and verity in his defense come into question when examining his biography. While born and educated in England, he fled the country upon the Protestant Elizabeth's accession, and quickly became a leading figure amongst the English Catholic exiles, founding and leading the English College at Douai (where Filby was educated).⁶ Allen rose through the Catholic hierarchy, eventually becoming a cardinal with the ear of Pope Sixtus V himself, power which he promptly used to advocate for Sixtus' deposition of Elizabeth and call for her subjects to rebel against her.⁷ In general, his many political intrigues benefitted Philip II and the Spanish, who provided funding for his English college and support for his appointment as cardinal.⁸ Most prominently, he encouraged English defection with his writings during the invasion of the Spanish Armada and was set to become the new Archbishop of Canterbury under the Spanish regime.⁹ Allen was a political threat to Elizabeth. His position of leadership, both among English Catholics and the Church as a whole, naturally engendered suspicion among the people who followed him, i.e. Catholics.

Other documents of the time show that the Elizabethan government was acutely aware of the political threat posed by Catholics like Allen, especially as war with Spain erupted in 1585. In his account of the Spanish War, William Camden stated that several of the Queen's advisors warned her that “the Spaniards abroad were not so much to be feared as the Papists at home.”¹⁰ The language itself is telling here. Many documents of the time, including this one, favor “Papist” over “Catholic,” emphasizing their supposed loyalty to the Pope in Rome over theological differences. Elizabeth heeded their advice, but not to the fullest extent, imprisoning several Papists at Wisbech rather than executing them.¹¹ However, her actions indicate an active fear of Popish plotting to aid foreigners in invading England. Further, the fact that her advisors were willing to execute the heads of the English church shows how seriously her administration took the threat. Indeed, Elizabeth counseled her deputies and fellow monarchs to be watchful of Catholics within their realms, as they may betray them for Spain.¹²

The overwhelmingly political fear of Catholics is corroborated by a parallel account of Filby's execution written by Anthony Munday. This account clearly came from a Protestant perspective, with “traytour” being used in place of Allen's martyr.¹³ Conspicuous by its absence is

⁴ Ibid., 91.

⁵ Ibid., 91.

⁶ Eamon Duffy, “Allen, William (1532–1594),” in *Oxford Dictionary of National Biography*, ed. Matthew, H. C. G., and Brian Harrison, (Oxford: Oxford University Press, 2004) 315.

⁷ Duffy, “Allen,” 318-19.

⁸ Ibid., 318.

⁹ Ibid., 319.

¹⁰ William Camden, “Annals,” (Latin, 1615; English, 1635) from *Sources and Debates*, ed. Key and Bucholz, 87.

¹¹ Camden, “Annals,” *Sources and Debates*, 87.

¹² Ibid., 87.

¹³ Anthony Munday, *A briefe and true reporte, of the execution of certaine traytours at Tiborne, the xxxiii. and xxx. dayes of Maye. 1582*, (1582).

the word “heretic.” The account itself is surprisingly similar to that of Allen, though much briefer, with Filby refusing to renounce the Pope in much the same manner as Allen relates.¹⁴ However, rather than the saintly superiority exhibited by Filby in Allen’s account, the Protestants got the better of him in Munday’s version. There, Filby rejected the charge of treason and claimed religious persecution but was presented with “sufficient proofes” and “Trayterous aunswers... subscribed with his owne hande” that rendered his argument hollow.¹⁵ This stands in direct refutation of Allen’s insistence of merely religious persecution. Munday stood outside of Elizabeth’s inner circle and printed this work in blackletter, which served a more common audience. Still, his attacks on Catholics were more political than religious, indicating that the political dimension of Catholic persecution extended far beyond the walls of Elizabeth’s court.

This commonality extended to the visual record of Elizabethan England as well, as indicated by an illustration in the 1576 publication *The third new yeeres gift and the second protest and the first proclamation of outlawry* (see Fig. 1), a document that praised the resumption of persecution by Elizabeth’s government. In the center of the image sits the Pope atop a scaffold, grinning menacingly. He overlooks his lieutenants below him, likely Jesuits, the shock troops of the church after the Counter-Reformation. The four men are armed with diverse weapons, a musket, a sword, and what looks to be the kindling of a fire. The implication here was the Pope rules through violence and murder. Only one of these, the fire, was explicitly religious, with the sword and musket serving as tools of secular power. The Pope himself sits upon the scaffold, a place of execution associated with treason and punishment by the state. This image contained a clear anti-Papist message, and the strong association with political violence is unmistakable.

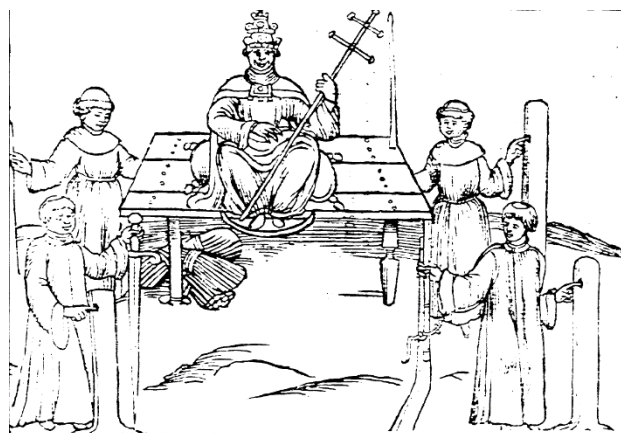


Figure One: *The third new yeeres gift and the second protest and the first proclamation of outlawry* (1576)

To further demonstrate the distinction of Catholic persecution, one might contrast it with the concurrent persecution of Puritans and more radical Protestants. While it was popular at the time to speak of these two factions as two sides of the same coin, the Elizabethan government’s methods in persecuting and combating the Puritans were markedly different from its approach to Catholics. For example, one can look to John Field and Thomas Wilcox, who admonished Parliament to “take away the lordship, the loitering, the pomp, the idleness and livings of bishops,” and many other such “signs of popish priesthood.”¹⁶ This represented a direct threat to the Elizabethan religious settlement, coming from a heterodox theology, much as would come from the Catholic critics of the settlement. However, unlike many of these Catholics, Field and Wilcox, while incarcerated, were not summarily hanged as traitors for daring to challenge the religious status quo.

Another example of this distinction comes from Archbishop Edmund Grindal of Canterbury. While, not as radical as Field and Wilcox, Grindal had some reformist tendencies, especially as concerned the growing phenomenon of prophesying, that is, the convening of clergy and laity to discuss the faith. Grindal regarded this as an effective means to increase evangelical efficacy and combat the “papisty and ignorance of God’s word through want of often teaching,”

¹⁴ Anthony Munday, *Breefe and true reporte*.

¹⁵ *Ibid.*, 88.

¹⁶ John Field and Thomas Wilcox, *First Admonition to the Parliament* (1572), from *Sources and Debates*, ed. Key and Bucholz (2009), 92-93.

that caused the northern rebellion.¹⁷ Elizabeth and her government disagreed likely fearing a step towards Presbyterianism. She outlawed the practice in a general letter to her bishops, upon pain of “example or reformation.”¹⁸ Such a fate was in store for Grindal, as he was suspended from his episcopal duties shortly thereafter. But Elizabeth’s punishments stopped there, and she eventually forgave him shortly before his death.¹⁹ This marks a significant departure from her Catholic policy.

What is the reason for this double-standard? Unlike the “Papists,” the “Puritans” were not inextricably beholden to a Pope who represented a very real political threat, nor to England’s greatest international rival, Spain. Their disagreement was seen as fundamentally theological, not political. They advocated reform within the church, and this threat to Elizabeth’s Queenly sovereignty had to be punished, but the threat of them betraying England to a hostile and active enemy power was non-existent. The fact that Elizabeth felt the need to respond to “prophesying” is also telling. The conflict with radical Protestants was one that originated from within the Church of England, not from an outside force. Puritan leaders were not, as Filby was, educated abroad, at the behest of foreigners actively plotting to overthrow the political and religious settlement of Elizabeth’s reign. They were instead native Englishmen, much closer to the religious establishment. These documents demonstrate that Puritans, even at their worst, could only be heretics. Catholics could be—and certainly were—seen as, traitors to their nation and queen.

It is easy for moderns to condemn the Elizabethan persecutions of Catholics as simple religious bigotry. However, when the documents of the time are examined, a much subtler and more nuanced view emerges. The tenor of accusation against Catholics was overwhelmingly political, rather than religious. At the same time, the most efficacious strategy for Catholic apologists was denying this factor and framing it as a religious conflict. By examining conflict with Puritans, it can be demonstrated that the treatment of Catholics was unique among religious dissidents – but not so among traitors. Catholics like William Allen and the power he exerted engendered a deep fear within the Elizabethan state of Popish plotting, both at the upper levels of her government and amongst the common people. This fear would be increased throughout the reigns of the Stuarts, abetted by further threats of Catholic treason by a minority, and would become a defining motif of Early Modern England.

¹⁷ Archbishop Grindal to Elizabeth on prophesyings (December 20, 1576), from *Sources and Debates*, ed. Key and Bucholz (2009), 94-95.

¹⁸ Elizabeth on the “unlawful assemblies of a great number of our people out of their ordinary parishes ... called prophesyings (May 7, 1577), from *Sources and Debates*, ed. Key and Bucholz (2009), 96.

¹⁹ *Sources and Debates in English History*, eds. Newton Key and Robert Bucholz.

Review of *The Earth is Weeping: The Epic Story of the Indian Wars for the American West*, by Peter Cozzens (New York: Knopf, 2016)

Michell J. Easterhouse

The Frontier and Native Americans stand out to many as the true essence and soul of America. Historical narratives that explore this topic have always captured popular imagination. The work of historian and retired Foreign Service officer Peter Cozzens has explored early American historical figures and events that helped shape this nation. In his book, titled *The Earth is Weeping: The Epic story of the Indian Wars for the American West*, Cozzens explores conflicts of the mid to late eighteen-hundreds and key figures of the ever-expanding American West. As the United States grew, it constantly pushed back and relocated indigenous Indians to make room for the American dream. The author truly captures both viewpoints, Indians and whites, in this work. Focusing on military history, he also captures the struggles of key players on both sides. He gives these historic figures a voice of their own and a personality often missing in history books. As such, Cozzens manages to balance out studies that have tilted one way or the other. His style and research reflect his mastery of the subject and his passion for writing and history. His study shines a spotlight on major figures such as Red Cloud, Crazy Horse, and Sitting Bull that many history textbooks overlook.

The Earth is Weeping is a great book that deals with a topic that is dark and truly sad. But Cozzens refuses to acknowledge the killing of Indians was genocide, which I personally found disappointing. Still it is a good book with an interesting topic and great content.

**Review of *American Colonial History: Clashing Cultures and Faiths*, by
Thomas S. Kidd (New Haven: Yale University Press, 2016)**

Christopher M. Breitweiser

In his recent textbook on the history of Colonial America, Baylor University historian Thomas S. Kidd explores the conflicts between diverse European settlers and Native Americans through the lens of religion. Applying a religious angle makes a great deal of sense because many of the Europeans came to America to build a new life away from religious persecution, and all parties held strong religious convictions. It is no secret that colonists and Indians often opposed each other on religious (and other) grounds. Kidd approaches the issue in a way that is clear and coherent, and he harnesses both primary and secondary sources to reinforce his arguments. Kidd also discusses the differences in the cultures between Europeans and Native Americans, as religion, culture and conflict often go hand-in-hand.

One compelling point to Kidd's argument emerges from a journal entry made by Christopher Columbus. In it Columbus mentions his hope that Spain would make so much money in the New World that it could wage a crusade to take back Jerusalem. "Columbus's studies suggested to him that once Christians conquered Jerusalem, the stage would be set for Christ's return," Kidd explains (12). Clearly this meant a great deal to Columbus on a religious level and helps us to understand his motivations leading up to the conflicts between Native Americans and Europeans. This argument, about the religious basis of tensions, runs through the rest of Kidd's analysis.

Kidd's claim that Europeans and Native Americans were destined to clash due to their religious and cultural differences is well laid out and explained clearly and coherently. Beginning with the first encounter between Europeans and the Native Americans, and spanning all the way to the Seven Years War, Kidd explains what sets both groups apart and conveys how these positions grew even further apart as time went on.

**Review of *The American Dream: in History, Politics and Fiction*, by Cal Jillson
(Lawrence, KA: University of Kansas Press, 2016)**

Ethan C. Osborne

In his new book, renowned scholar of American politics and professor of political science at Southern Methodist University, Dr. Cal Jillson goes beyond traditional studies of politics and history in examining the creation of the notion known as “the American Dream.” *The American Dream: in History, Politics, and Fiction* examines the intersections between politics and literature in developing the surprising gap that exists between fiction and reality in the realization of the “American Dream.” Harnessing a wide variety of credible sources, both literary and historical, Jillson’s interconnected narrative of American political and literary history details how the American dream continues to resonate today around personal achievement and to reflect gendered norms, racial bias, and cultural differences.

Yet, at its heart, Jillson’s work argues that a key distinction exists between what the American Dream is, who it is meant for, and how it can be achieved. Bridging the gap between the idealistic rhetoric of politicians and the realist writings of authors, his study spans the founding of the Massachusetts Bay Colony to the final term of President Barak Obama. Offering a surprising conclusion, this work finds that it is the great politicians of our nation, not literary authors, who offered and defined a romantic, fictitious ideal of American possibility for all. Jillson argues that great American authors—such as James Fenimore Cooper, Herman Melville, Harriet Beecher-Stowe, Mark Twain, F. Scott Fitzgerald, John Steinbeck, and Toni Morrison—manifest the disparity that existed within the reality of the American Dream.

Jillson describes the American Dream as an ideal or promise that “all who are willing to strive, to learn, to work hard, to save and invest will have every chance to succeed and to enjoy the fruits of their success in safety, security, and good order” (6). However, the works of many seminal American authors show that this ideal is not inclusive. These writers describe members of American society that are subordinate and not able to even catch a glimpse at that dream. Jillson poignantly argues that while opportunity did in fact exist for many, it was not for all. Through nuanced analysis, Jillson describes how many of America’s great novels shed doubt on the attainability of the American Dream because of gender, racial, or cultural barriers. Confronting the challenges that these narratives present to our American creed, Jillson provides a needed reexamination of the American Dream. He posits that the American dream is not one single concept. Throughout time, it has and will mean different things to different people—both within this nation and the world. Recognizing the dream’s past interpretations as “the city on a hill and its golden door, the balance between the dollar and the man, and the fairly run footrace” (262), Jillson aims to include those once forgotten members of the dream. An ambitious undertaking, this work provides a framework for rethinking American history, literature, and politics. Helping readers gain a more fundamental understanding of the relationship between American literature and the social and economic aspirations of the American people as a whole, Jillson challenges the meaning of the American Dream in our politics and culture. What we believe about the American Dream reveals as much about its limits as its possibilities, and Jillson’s reimagination exposes new limits and possibilities for those not previously included in the dream.