

THE JAMES BLAIR



HISTORICAL REVIEW

The James Blair Historical Review

Volume III ~ 2012

VOLUME III ~ 2012

The James Blair Historical Review

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Cover: Detail. Thomas Whitcombe, *Battle of the Nile, Augt. 1st 1798, 1816*, National Maritime Museum, Greenwich, London. Image courtesy of the National Maritime Museum.

EDITOR'S NOTE:

The academic year opened with a rumble, quite literally. Between an earthquake and a subsequent hurricane, the College faced a beating from Mother Nature. Yet no weather-related phenomenon could deter William & Mary's exceptional history students, who produced a wide variety of scholarship in the semesters that followed. Now in its third year, the *James Blair Historical Review* wishes to recognize those students who exemplify the best of undergraduate history research.

From an analysis of letters of a Confederate soldier to the published works of an Egyptian scholar, this year's volume transports readers to the far regions of the globe. North America, Europe, and Africa all appear in the four published essays, acting not only as settings from which these histories unfold but gateways to further understanding of the authors' international interests. I commend these students for the breadth and quality of their research, and I look forward to what their future studies may bring.

The journal also had its own share of accomplishments this year. Among these achievements include its first constitution and website, recognition by the Office of Student Activities, and membership on the Publications Council. I am further proud of the journal's collaboration with the Lyon G. Tyler Department of History in the creation of a Best Essay Award. This \$300 scholarship will be awarded to the student whose published essay best embodies original research. Please join me in congratulating this year's winner, Tony Walters, whose essay on the letters of Charles Wills unquestionably deserves this honor.

My fellow editors and I would like to thank Professor Hiroshi Kitamura, the Publications Council, the Lyon G. Tyler Department of History, and our peer reviewers for their continued support over the past three years. We hope that this issue of the *James Blair Historical Review* will be one to remember and enjoy.

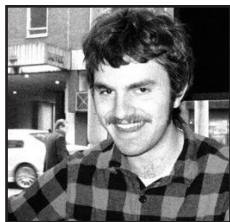
Sincerely,
Kyra Zemanick
Editor-in-Chief

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*The Editorial Board would like to congratulate
Tony Walters, winner of the James Blair
Historical Review 2012 **Best Essay Award** for
his analysis of Civil War documents in
“**The Wills Papers: Desertion in the Confeder-
ate Army through the Eyes of a Bedford Farmer**”*

ABOUT THE AUTHORS:



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The Wills Papers:

Desertion in the Confederate Army through the Eyes of a Bedford Farmer

Tony Walters

“Dear and affectionate Wife, this evening I seat myself to drop you a few lines to let you know I am well.”¹ So begin many of the letters Charles A. Wills sent to his wife Mary Jane Wills over the course of his military service with the Confederate States of America, beginning in February 9, 1863, and ending with his death on June 16, 1864.² Charles Wills was a farmer from Bedford County with a wife and three young sons when he felt compelled to enlist in the Confederate army, and he soon came to regret that decision. Wills’ letters to his wife, along with the few surviving letters that Charles received from his wife Mary Jane, serve on one level as a loving correspondence between husband and wife, filled with interesting details on specifics of war and home life during the Civil War. On a separate level, they provide a fascinating look at desertion during the time of the Confederacy, depicting how strongly he desired to return home to his family and how omnipresent desertion was in the Confederate army. The Wills papers provide an intimate look not only at the multiple causes for desertion for poor, rural Southwestern Virginians, but also causes for remaining in the army.

Desertion remains one of the less studied subjects covered by Civil War historians. Although it is a decidedly inglorious topic, it played a huge part of the Civil War and must be mentioned in most scholarship concerning the war’s military sphere. The seminal text for desertion as a primary topic is Ella Lonn’s 1928 book *Desertion During the Civil War*. Lonn thoroughly examines desertion in the armies of the North and the South, analyzing causes of desertion, methods used by deserters, methods to stop desertion, and how desertion affected the outcome of the war. Indeed, her research is impressive, drawing from a variety of state and public documents

as well as newspapers and military and personal reminiscences. However, the writing seems dated, with Lonn consistently referring to desertion as an “evil.” Furthermore, Lonn rarely questions the reliance of her sources, since it is doubtful that even official documents are safe to rely on for an issue as complex as desertion. A smaller study by Peter S. Bearman concerning local identities undermining army solidarity and increasing desertion proved a worthwhile supplement to Lonn’s work, and additional pieces like Mark Weitz’s *A Higher Duty* or Reid Mitchell’s *The Vacant Chair* offer more modern approaches to desertion. Their conclusions, albeit more detailed and reliable, are not different than the ones offered by Lonn.

The Wills letters lie at the center of this narrative. The collection of 47 letters exchanged between Charles and Mary Jane Wills make up an incomplete yet worthwhile correspondence between a Bedford farmer in military service and his wife left in charge of his farm. The letters are primarily composed of those from Charles to Mary as his company, the 1st Virginia Regiment, moved around Virginia and North Carolina. Though the letters comprise only a fraction of their correspondence, with few letters from Mary, they reveal mysteries about Charles and Mary’s relationship. For instance, their exchanges involve discreet hints and suggestions instead of explicit requests, such as Mary’s attempts to convince Charles to return home. Likewise, Charles’ habit of repeating details of Mary’s letters to him suggest how much he appreciated hearing from her. Lee A. Wallace’s *1st Virginia Infantry* regimental history provides important context to his letters.

Charles Admire Wills, affectionately known as “Ad,” began his tenure in the Confederate army with his enlistment on February 9, 1863, at the age of 34. He left behind a wife, Mary Jane, age 39, and three children: William, age 6, Charles, age 5, and Jesse, age 4. He enlisted in the 1st Virginia Regiment and was a member of Company I.³ He saw little military action until July of 1863, when he took part in the Battle of Gettysburg, where he was presumably wounded in the arm. Although the letters do not describe the battle, his first letter after Gettysburg, from Camp Winder Hospital

in Richmond, Virginia, and following letters complain of his loss of the use of his arm. After briefly being transferred to the Chimborazo Hospital, Richmond, he eventually resumed duty with his division, spending time at camps in North Carolina. He participated in the capture of Plymouth, which he wrote of in great detail, and also in the beginnings of military action around Petersburg, where he was killed on Drury's Bluff on June 16, 1864.

Charles' letters tended to share many similarities. Already noted was his habit of repeating information from his wife's letters to him in letters back to her, acknowledging what he thought of such information. He often spent time discussing his opinion of the war, especially prospects for peace. He regularly had instructions regarding the upkeep of the farm or questions about the state of the farm. He was sure to let Mary Jane know how much he missed her and the children. Finally, he always mentioned the Lord, asking for prayer and encouraging Christian ideals, sometimes for the majority of letters.

Within these standard writings lay details of his action and life in the Confederate army. Wills spoke of harsh conditions and items he wanted to be sent to him. He included prices of things he had bought, as well information regarding his pay and how much he could send home. He would describe typical details such as how many miles he had marched, what the weather was like, or what he had eaten recently. However, one of the more compelling recurring themes in his letters was desertion. Many of his letters included stories about deserters in his regiment, how they escaped and how some were punished. One of Mary Jane's letters to him included details about deserters in Bedford County. Coupled with his obvious yearning to return home, this focus on desertion clearly indicates that Charles strongly entertained the thought of desertion.

Lonn devotes an entire chapter in *Desertion During the Civil War* to identifying the general causes of desertion, and a great many of these reasons could apply to Wills. However, several of Lonn's theories should be discounted in the case of Wills. For instance, Lonn claims that soldiers who were conscripted or hired as substitutes were often the most likely to desert.⁴ According to

all sources, Wills enlisted in the Confederate army out of his own free will. An account of Charles' service by one of his descendants claims that "several years into the Civil War, Charles Admire felt that he must defend his land and the South."⁵ There are no complaints in his letters regarding the injustice of his situation, despite expressions of regret and desire to return home. It was likely that he was unaware of the magnitude of his commitment, as his first letter sent on February 15, 1863, told Mary Jane to stay happy because he hoped to return soon. "They say there's a very good prospect for peace," Charles wrote in the same letter, a sentiment that would change within the next few months.⁶ No matter how misguided he may have been in his enlistment, there is no evidence that supports any possibility of him joining the army against his will.

Lonn cites cowardice as another common reason for desertion.⁷ Though Charles may have been afraid of combat, there were no reasons to believe he was a coward. His participation in the Battle of Gettysburg, subsequent wound, and continued service despite having a useless arm qualified him as a brave and dedicated soldier. His action in the capture of Plymouth, as well as his eventual death in combat at Drury's Bluff, likewise suggests that cowardice was not a significant influence on his temptation to desert. Although he frequently wrote that he hoped to be kept out of battle, these statements may have been simply reassurances to his wife, whom he constantly asked not to worry about him.

Peter S. Bearman maintains that men deserted from the Confederate army because a strong sense of localism in their companies eroded nationalistic feelings as Southerners. This pattern did not appear to be the case with Charles, because his enlistment in the 1st Virginia Infantry was at Lynchburg in 1862, after the regiment had been well established with men from other regions. His letters indicate that while he had some friends from home in his regiment, the 1st was a very heterogeneous company. In fact, Charles' main sense of allegiance seemed to be to his family, not his county. Despite Lonn's emphasis on mountainous rural areas producing more deserters, a thorough analysis of Bedford County Civil War records do not reveal extraordinary rates of desertion rates compared to

general trends.⁸

Discounting a lack of agency and cowardice, Lonn's other causes of desertion seem to apply directly to Wills. One of the most common causes for desertion was the "lack of most ordinary necessities for the soldier—food, clothing, pay, and equipment."⁹ Wills' letters strongly support this statement. Many of his letters home include requests for things to be sent to him, such as tobacco, boiled eggs, and butter. To him, his requests were essential in supplementing his meager rations, as he suggests on February 22, 1864: "I fare as the rest do and very poorly at that, we draw a pound of pork 3 days and a pound of bread a day."¹⁰ Indeed, the lack of food in the army was enough to lead to the end of the war, as he expressed on March 25, 1864: "I think the war will end soon for want of something to eat, men think the south is in a better condition for peace than it ever was."¹¹

As for clothes and medical treatment, Wills endured less hardship. His letter sent on March 16, 1864, detailed that he had to throw out some of his clothes on account of having accumulated too much.¹² While he sometimes had to wait to draw clothes or blankets, he regularly reported sleeping comfortably in the winter. As for his wounded arm, Wills reported frequent visits to the doctor and plenty of medical attention. For instance, on March 18, 1864, he wrote about having a "tincture," a botanical mixture dissolved in alcohol often used medicinally.¹³ Although he ever regained the use of his arm, he appeared to receive appropriate medical attention, at least by the atrociously low standards of the Civil War.

Wills may have felt strongly about the war when he enlisted in the army, but as time passed, his feelings altered significantly. According to Lonn, a commonly held opinion amongst Confederate soldiers was that the war was "a rich man's war but a poor man's fight," and Wills' letters strongly confirm this sentiment.¹⁴ On June 12, 1863, he lamented, "It looks like there will never be peace any more for poor people the rich getting out of the war on every hand there is no chance for the poor to get out."¹⁵ Wills was not wealthy by any means, and the longer he spent in his regiment surrounded by privates of similar statuses, the more distanced he felt from the

upper class. He seemed to have little interest in the politics of the war, dryly remarking on March 28, 1863, that he did not plan to vote unless there was a peace party he could support.¹⁶ It is likely he was echoing the thoughts of those around him.

Consequently, the most pressing factor in Wills' desire to desert was homesickness and a desire to be with his family. Repeatedly, his letters express his longing for home, such as this example on April 30, 1863: "You wrote to me if you had 1000 worlds you would give them for me to be with you. I would give any sum if I could be with you Mary."¹⁷ The sense of yearning for his wife and children is at times overwhelming, and it is clear that he regretted leaving them immediately. All of his letters included statements about how much he missed his family, as well as how badly he wanted to come home. His desire to return home was made further obvious by his strong desire for Mary's letters. On May 28, 1863, Wills mentioned "I haven't received a letter since Sanders came down Mary not that I grumble but I want to read a letter from you very bad you are my only thought with the exception of the lord and our little children."¹⁸ He had friends amongst his fellow soldiers, but his strongest ties were unquestionably to his family.

Wills' concern for his family extended into concern for his farm, for many of his letters include instructions or questions regarding agricultural work. In several letters, Wills advises his wife to plant Irish and sweet potatoes, enlist the aid of various family friends in plowing, and take good care of their hogs. Toward the end of their correspondence, Wills encouraged Mary to shell her corn and draw all the provisions she could, due to the Confederacy's worsening food conditions. There were no details too small for Wills, and it was apparent he wanted to resume his life on his farm.¹⁹

Yet knowing that his family endured hardships proved the most difficult for Wills. He regularly told Mary that if she was ill he would speak with his officers in order to obtain a furlough, although it was impossible. His concern for the farm seemed to be so that his family had enough to eat, and he seemed to send money home for his family fairly often. On May 18, 1863, Wills sent a dejected let-

ter explaining that 1000 Confederate dollars were only worth 120 in silver and gold and encouraged Mary to spend money sooner rather than later on supplies.²⁰ He bemoaned their fate on January 29, 1864, saying, "I don't see how the poor is to live they must look for there selves if they stay in the army, they will all starve I fear," as the inflationary prices of goods rose and the value of currency fell.²¹ Wills always expressed happiness whenever he heard friends or relatives had been to stay with Mary or help her with her work, and he regularly told her he would be home soon.

The letters he received from Mary did not help his resolve to stay in the army. Despite telling him that she was well, Mary regularly spoke of the difficulties of farm life and the toll it was taking on her. On May 22, 1863, she wrote to her husband, "I never seen as hard times in my life and I have all my business to attend to that I never had to do when you was here O how I miss you in everything I know I have the best husband in this world and Lord send you home to me I pray Ad."²² Wills could not have endured his wife's begging easily.

There were reasons to suspect Mary was actively encouraging Wills to desert. One telling detail was that deserters were a frequent topic of Wills' letters, as he explained their methods and their fates. While there are no explicit expressions of his desire to desert, his statement on May 24, 1864, was hardly innocent: "A man wants to see his family and he will make use of any way he can to get home."²³ Even more suspicious were requests for Mary not to write anything to him that she would not want anybody else to see. On February 22, 1864, after he described the execution of a deserter, Wills asked, "Mary don't wright anything they can make against me, they might get a letter when I aint here I might be sent to the hospital or somewhere."²⁴ Clearly, the couple was having discussions that could have gotten Wills in trouble with his superiors, and desertion was most likely the topic.

While the papers held all of Wills' reasons to desert, they likewise included the answers to why he did not desert. One reason appears to be his genuine belief that he could secure a furlough to see his family at some point during his service. He seemed quite

naïve in his earliest letters, asking Mary to visit him if she could except for when the army was on the move. Later he became more aware of the realities facing soldiers who wanted to see their families, and on March 25, 1864, he told Mary not to visit him in Goldsboro, North Carolina, since she would not be able to spend time with him while he was in his regiment. He was certain his officers would not give him time to spend with her.²⁵

However, Wills may have spent some time with his family during his service. A long gap between the letters dated August 18, 1863, and December 28, 1863, imply this point. While the letters may have been lost, letters around this time suggest Wills may have spent time with his family, either at home or at his hospital in Richmond. His letter dated July 23, 1863, his first since Gettysburg, told her not to worry, that he was in the hospital due to his “old complaint,” rheumatism.²⁶ On August 18, 1863, at Chimborazo Hospital, he wrote that he was feeling weak, had a bad feeling in his head, did not like the water, and that he desperately wanted to go home.²⁷ The subsequent letter was dated December 28, 1863, at which point Wills seemed to be back in army life. A section of this letter hinted that he may have been home during his break; for instance, he mentioned that a doctor asked him whether he had been home, and he told the doctor he had been.²⁸ Wills did not include clues in any other of his letters, but if he truly went home while feeling unwell after Gettysburg, this furlough likely contributed to his continued service in the Confederate army. Time spent with his family would have been a welcome break from the service and could have refreshed him with renewed vigor for combat. Although it is a possibility that Wills’ time with his family was not approved by the military, this supposed desertion was only temporary and did not prevent his return to service.

Wills’ decision to remain in the army ultimately resulted in his death, as it did to so many other poor Virginia farmers like him. Nonetheless, Wills remained surprisingly optimistic throughout the rest of his correspondence. Despite occasional disparaging comments such as “what good would the south do me after I am dead tho it may be the cause of my death yet” on February 12,

1864, he appeared to believe that he would not die during the war.²⁹ The source of his confidence was religion. If Wills had not been a devout Christian prior to his enlistment in the military, he certainly became one. Every single one of his letters devoted considerable space to religious thought, such as in a letter dated January 19, 1864: “Well Mary I don’t think that god will let me be killed in this war. I want you to be a Christian I want you to do the will of god.”³⁰ He often spoke of attending revivals and frowned upon “wickedness” in the army. Despite his lack of enthusiasm for the politics behind the war, he hoped that the war was for good and would make men give their hearts to the Lord.³¹ He regularly expressed confidence that the Lord would keep him safe, but if not, he believed that he would be reunited in Heaven with Mary. There is no reason to doubt that Mary was any less religious than Wills, but in most of his letters he advocated even greater dedication to God. The final letter in this collection, sent on April 29, 1864, finishes with strong religious sentiment: “Mary lets try to do better every day we live if we do anything through the day that we don’t think is right at night lets try to get forgiveness for it and the next day try to do better if we become Christians we must wean ourselves from sin.”³²

Reid Mitchell’s essay “Christian Soldiers? Perfecting the Confederacy” cast an appropriate light on Wills’ religion. Mitchell reviewed works by authors such as William W. Bennett and J. William Jones, who maintained that the Confederate army was overwhelmingly Christian and far more religious than the Union army. Mitchell’s work in part discounted the notion that the Confederate army was any more religious than the Union army and then analyzed the effects of religion amongst Confederate soldiers. Wills’ writings strongly support Mitchell’s conclusion: Confederate soldiers overwhelmingly used religion for comfort and to answer questions of death and suffering. Religion was rarely used to directly support the Confederate cause and generally had little to do with justification of the war. Indeed, Wills’ letters never tied God and the war together. He only concerned his religion with his personal and spiritual well-being. Therefore, while the comfort Wills received from his religion made army life more bearable, it was not

the deciding factor in whether or not he deserted. It is difficult to assume any form of religious affiliation affected desertion, considering strong religious devotion spread throughout both the Union and Confederate armies.³³ Moreover, there is no reason to believe that the religious condition of the over 300,000 men recorded as deserters during the war was significantly different than that of those who did not desert.³⁴

The more obvious motivation for his remaining in the army is that he felt he did not have a choice. The reason that many of his letters contained descriptions of the fates of deserters was likely because he was trying to explain to Mary how dangerous it would be for him to desert. While his early letters included descriptions of men effortlessly leaving the army or captured deserters in the guard house playing cards all day while “those who do right have the hardest time,” his later letters told of more serious consequences.³⁵ On June 26, 1863, Wills mentioned a deserter who was captured and shot, and in the same letter, he asked Mary not to write him anything she did not want others to see. On June 1, 1863, Mary had written that men were leaving the army in gangs, and home guards were trying to capture them but not having much success. She concluded that there were few who blamed men for going home to their families, which was the most obvious request for his desertion in this collection of letters. Yet despite his common expressions of a desire to return home and sympathy for deserters, Wills’ letters often included harsh stories such as that on February 22, 1864: “last week there was a man shot in this brigade, I was excused that day and never saw him shot, the hole brigade went out that is was ordered out they said he fell dead he is out of this worlds misery and I hope is in heaven.”³⁶ The 1st Virginia regimental diary contains numerous similar descriptions of punishments for desertion, including months of hard labor and public whippings.³⁷ Wills missed his family terribly, but he appeared to be more willing to take his chances with the army than as a deserter.

The 1st Virginia Infantry roster listed a total of 670 men absent or detached from service over its four-year existence, compared to 87 killed in battle and 230 wounded. An average of 35 men

were absent from roll call every two months, yet Wills never joined that number.³⁸ Wills' case supports Ella Lonn's work concerning desertion, as he did experience many of the same pressures to desert as she highlighted in her book. Yet his experience also provides an important contrast to Lonn's work because Wills never did desert. His letters shed light on several of the chief reasons a poor Virginia farmer with little investment in the war would ultimately not desert: fear of the consequences and moral fortitude. However, the pivotal factor in his resolve not to desert may very well have been his visit to his family while injured. Plenty of other soldiers decided to risk the consequences and desert anyway, but Wills' refreshing visit with his family coupled with his strong moral character strengthened his resolve to stay and fight. Indeed, his letters suggest that a taste of family could make all the difference between desertion and service. As such, by analyzing desertion through the eyes of an ordinary soldier, rather than solely through war records and officer reports as Lonn did, desertion becomes a much more complex issue. Did Wills' regiment list him as a deserter, only to have him return and fight bravely to his death? Did Wills receive leave to be with his family as an incentive to keep him in the army? The incomplete collection of letters between Charles and his wife raise as many questions as they answer, and only further studies concerning soldiers who received time with their families can confirm whether Wills' story was common or exceptional. Wills was a single soldier, but the story of this poor farmer highlighted how desertion was a complex and personal decision that did not hinge on any one factor Lonn mentioned in her book, but instead on all of them combined.

Endnotes

¹ Charles A. Wills to Mary J. Wills, April 30, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

² Linda Knight Wilson and June Marchman, "Charles Admire Wills," The Wills. net, http://www.thewills.net/charles_.htm.

³ *Ibid.*, n.pag.

⁴ Ella Lonn, *Desertion During the Civil War* (Gloucester, Massachusetts: Appleton-Century-Crofts, Inc., 1966), 6.

⁵ Wilson and Marchman, "Charles Admire Wills," http://www.thewills.net/charles_.htm.

⁶ Charles A. Wills to Mary J. Wills, February 15, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

⁷ Lonn, *Desertion During the Civil War*, 3-6.

⁸ Ann Chilton, *Remnants of War, 1861-1865: Civil War Records, Bedford County, VA* (Signal Mountain, Tennessee: Mountain Press, 1986), 76-81.

⁹ Lonn, *Desertion During the Civil War*, 7.

¹⁰ Charles A. Wills to Mary J. Wills, February 22, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

¹¹ Charles A. Wills to Mary J. Wills, March 25, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

¹² Charles A. Wills to Mary J. Wills, March 16, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

¹³ Charles A. Wills to Mary J. Wills, March 18, 1864, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

¹⁴ Lonn, *Desertion During the Civil War*, 14.

¹⁵ Charles A. Wills to Mary J. Wills, June 12, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

¹⁶ Charles A. Wills to Mary J. Wills, March 28, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

¹⁷ Charles A. Wills to Mary J. Wills, April 30, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

¹⁸ Charles A. Wills to Mary J. Wills, May 28, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

¹⁹ Charles A. Wills to Mary J. Wills, 1863-1864, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

²⁰ Charles A. Wills to Mary J. Wills, May 18, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

²¹ Charles A. Wills to Mary J. Wills, January 19, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

²² Mary J. Wills to Charles A. Wills, May 22, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

²³ Charles A. Wills to Mary J. Wills, May 24, 1864, Wills Papers, Manuscripts

and Rare Books Department, Swem Library, College of William & Mary.

²⁴ Charles A. Wills to Mary J. Wills, February 22, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

²⁵ Charles A. Wills to Mary J. Wills, March 25, 1864, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

²⁶ Charles A. Wills to Mary J. Wills, July 23, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

²⁷ Charles A. Wills to Mary J. Wills, August 18, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

²⁸ Charles A. Wills to Mary J. Wills, December 28, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

²⁹ Charles A. Wills to Mary J. Wills, February 12, 1864, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

³⁰ Charles A. Wills to Mary J. Wills, January 19, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

³¹ Charles A. Wills to Mary J. Wills, May 18, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

³² Charles A. Wills to Mary J. Wills, April 29, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

³³ Reid Mitchell, "Christian Soldiers? Perfecting the Confederacy," in *Religion and the Civil War*, ed. Randall M. Miller, Harry S. Stout, and Charles Reagan Wilson (New York: Oxford University Press, 1998), 297-309.

³⁴ Lonn, *Desertion During the Civil War*, 231-236.

³⁵ Charles A. Wills to Mary J. Wills, May 18, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

³⁶ Charles A. Wills to Mary J. Wills, February 22, 1863, Wills Papers, Manuscripts and Rare Books Department, Swem Library, College of William & Mary.

³⁷ Lee A. Wallace, Jr., *1st Virginia Infantry* (Lynchburg, Virginia: H. E. Howard, Inc., 1985), 54.

³⁸ Wallace, *1st Virginia Infantry*, 76-79.

ORIGINS OF HATRED:

The Rise of Political Anti-Semitism in Fin-de-Siècle Vienna

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At the turn of the twentieth century, imperial Vienna was commonly regarded as the cultural, economic, and political capital of East Central Europe. Under the control of Habsburg Emperor Franz Ferdinand, the city of two million boasted thriving intellectual and artistic communities, which produced thinkers and artists such as Sigmund Freud and Gustav Mahler. The perpetuation of “high culture and archaic institutions” on a continent trending towards modernity has prompted some historians to label the city as “an anachronism.”¹ Steeped in its traditional roots, Vienna possessed a thriving political scene dominated by Mayor Karl Lueger, a self-admitted anti-Semite, and the Austrian Christian Social Party. The prevalence of politics in the turn-of-the-century city drew criticism from American author Mark Twain, who noted, “the atmosphere is brimful of political electricity [...] all conversation is political [...] and out of this multitude of counsel you get merely confusion and despair.”² Early twentieth century Viennese politics contained increasingly radical and anti-Semitic aspects, which were influenced by the development of popular anti-Semitism within the city.

It was this traditional, yet radical political and social climate that prompted a young Adolf Hitler to note, “after the turn of the century, Vienna was, socially speaking, one of the most backward cities in Europe.”³ As a young man living in the imperial capital, Hitler fell under the influence of “the man and movement, which in those days guided Vienna’s destinies: Doctor Karl Lueger I and the Christian Social Party.”⁴ Lueger, a conservative Viennese mayor, is regarded by historians as one of Hitler’s early influences, primarily due to his use of energetic anti-Semitic polit-

ical speeches. Nevertheless, Lueger's devotion to anti-Semitism waxed and waned, prompting him to famously declare, "it is I who determine who is a Jew."⁵ Anti-Semitism permeated throughout the imperial city, significantly impacting the development of Austrian politics. However, what factors drove Karl Lueger, the Christian Social Party, and others to adopt a notion of political anti-Semitism that would influence the future of Viennese politics and the mind of a young Adolf Hitler?

This paper examines the social, political, and economic factors thought to contribute to the development of political anti-Semitism in turn-of-the-century imperial Vienna. After exploring the history and evolution of anti-Semitism within the Habsburg Empire, the paper will focus on the increase of political anti-Semitic thought and discourse within the capital. I will argue that the rise in political anti-Semitism at the end of the nineteenth century is attributed to the development and diffusion of popular anti-Semitism throughout the city. After analyzing the internal and external factors mentioned above, I will assert that economic factors had the most significant impact on the diffusion of popular anti-Semitism, mobilizing a large segment of the population and providing the necessary justification for the adoption of discriminatory legislation. Finally, I will provide a brief overview of the ideologies and policies of Mayor Karl Lueger, a figure who characterizes the manifestations and ambiguities of Viennese anti-Semitism.

While European political anti-Semitism dates back to the Roman Empire, anti-Semitism in Vienna and the Austrian Habsburg Empire arguably emerged during the twelfth century. Assessing the evolution of Viennese anti-Semitism, author Rebecca Wiener notes, "Jews have a mixed history, [...], raging from prosperity to persecution."⁶ Crusaders, acting with the blessing of the pope, massacred Sholom, the first recorded Austrian Jew and smith for Duke Leopold V, along with other Jewish immigrants in 1195.⁷ Additionally, King Rudolf I von Habsburg seized control of Jewish property through the Mandate on Property of Fleeing Jews (1268), which declares that the state will "take [...] into our

hands” all Jewish “possessions, belongings, and movable and immovable property.”⁸ However, religious persecution of Jews by Christians was common in Europe at this time. While anti-Semitism and Jewish persecution continued throughout the medieval period, it dissipated in Vienna, which “was one of the few cities that did not blame the Jews for causing [the Black Death].”⁹ Political anti-Semitism appeared throughout early modern Austria; however, its manifestation in political decrees was primarily religiously motivated, with the Catholic Church endorsing violence and policies against Jews.

Until the late nineteenth century, Viennese Jews experienced several centuries of relative success, gaining significant standing and influence within the city’s culture. The liberal policies of Emperor Joseph II, including the Edict of Toleration (1781), relaxed, but did not eliminate, some of the regulations passed by Empress Maria Theresa, a strict anti-Semite. Tolerant policies drew a wave of Jewish immigrants to Vienna, bringing a surge of professionals and intellectuals to the city, such as Sigmund Freud and Alfred Adler.¹⁰ Arguably, the rise in modern political anti-Semitic discourse coincided with a social, political, and economic backlash against Jewish intellectual and fiscal success in the capital. As historian Bruce F. Pauley notes, modern political anti-Semitism “was no longer simply an emotion or religious prejudice [...] but was now a political program and a justification for political action.”¹¹ Developed politically under Mayor Karl Lueger and the Christian Social Party, the popular Viennese anti-Semitic movement drew its motivation from a series of social, political, and economic factors.

Social backlash against Jewish intellectual and economic success contributed to the development of political anti-Semitism. Circulated through an increasingly radical and anti-Semitic press, social anti-Semitism manifested itself through intellectual, racial, and nationalistic discrimination. However, social and political anti-Semitism was neither as violent nor as prominent as that under the Third Reich. As Boyer notes, “the prewar Gentile might approach the Jewish community [...] with hostility, but also with

a grudging respect for their energy, industry, and general stability.”¹² In fact, at the turn of the century, Jewish scholars accounted for a third of all university students in Vienna.¹³ Nonetheless, Jewish intellectual success would serve as both a boon and a curse for the community. In the year 1875, Theodor Billroth, a prominent surgeon, incited an intellectual uprising against Jewish university students.¹⁴ Student groups, such as the *Leserverein der deutschen Studenten*, adopted increasingly nationalistic and racist policies, leading to increased prejudice against Jewish academics.¹⁵ The rise in intellectual Jewish discrimination can be attributed to increasingly nationalistic aspirations as well as to feelings of inadequacy amongst the Viennese population. Additionally, such emotions contributed to the development of racial anti-Semitic notions, influencing the overall creation of social anti-Semitism.

Intellectual discrimination was marginally tied into overarching notions of racial prejudice and social anti-Semitism, which were disseminated throughout the city by a radical political press. However, as noted by Boyer, “racism as the most extreme form of anti-Semitism was rarely to be found in Vienna.”¹⁶ In fact, the radical Viennese press was limited to “a subculture of crackpot journalists [...] located on the fringes of the power structure.”¹⁷ At the time, notions of biological differences and superiority remained nonexistent or confined to a small segment of the population. Additionally, the radical press remained continually in opposition to the domination of the liberal press, which was managed by Jewish owners and journalists. The prominence of the Jewish-dominated press prompted the nationalistic anti-Semite George von Schoenerer to sarcastically claim: “Long live our allies, the corruptible and Judaized Viennese press!”¹⁸ Nevertheless, the presence of minute levels of racial anti-Semitism contributed to the formation of another marginalized movement: nationalistic anti-Semitism.

Notions of racial anti-Semitism were associated with growing nationalistic movements, which viewed Jews as members of another nationality and therefore unsuitable for incorporation into a pan-German state. Yet, liberal nationalist factions ini-

tially drew Jewish supporters. The origins of popular racial and national anti-Semitism emerged under the influence of George von Schoenerer, who targeted intellectual and economic activities to foster nationalistic anti-Semitic movements.¹⁹ The Linz Programme, which demanded “the removal of Jewish influence from all sections of public life,” exhibits Schoenerer’s nationalistic aspirations; however, the program ultimately failed due to its radical anti-Semitic policies.²⁰ Nevertheless, the combination of nationalistic and racial anti-Semitism, two fringe movements, mobilized a small, but significant factor of Vienna’s population.

While social anti-Semitism contributed to the development of popular anti-Semitism through the mobilization of intellectual, racial, and nationalistic movements, political alterations in the late nineteenth and early twentieth century provided the means through which Jewish residents could receive legislative representation. However, an increasingly conservative political atmosphere, a product of the decline of liberalism within the Empire, also fostered the development of popular and political anti-Semitism. The turn of the nineteenth century brought the Jewish community several opportunities for legislative advancement. For example, the Austrian Constitution of 1867 decreed:

Article 1. For all natives of the various kingdoms and countries represented in the Reichsrat there exists a common right of Austrian citizenship. The law shall determine under what conditions Austrian citizenship is gained, exercised, and lost. Article 2. All citizens are equal before the law. Article 3. Public offices shall be equally open to all citizens. The admission of foreigners to public office is dependent upon their acquisition of Austrian citizenship.²¹

The obtainment of citizenship and the ability of Jews to run for public office altered Austria’s political system, which had traditionally excluded minorities. Additionally, Jewish political participation may have shocked the country’s elite classes, inciting a backlash of anti-Semitic discourse and propaganda. Political car-

toons from the period indicate a growing division within Austrian politics: the split between the Christian Social and Social Democrat Parties.²² With Emperor Franz Joseph's passage of universal male suffrage in 1908, Austrian Jewish males gained full access to the country's political sphere. The entrance of Jews into the Austrian political system accounts for the rise in political opposition to the Christian Social Party as well as the increase in anti-Semitic discourse.

Additionally, the conservative nature of Vienna's politics crafted a favorable environment for political and popular anti-Semitic dialogue. Despite church decline throughout Europe, the Catholic Church remained an influential figure within Viennese and Austrian politics. Like the contradictory nature of Viennese anti-Semitism, the church would identify "first with Jews and then hold the Jews responsible for them."²³ Anti-Semitism diffused from the church and infiltrated Vienna's political system, especially under the term of Mayor Karl Lueger. Catholic priests, working as "priest-journalists," contributed to the anti-Semitic press, speaking "at anti-Semitic public rallies" and authoring "numerous anti-Jewish tracts."²⁴ The increase in Jewish political participation only furthered the reactionary and anti-Semitic nature of the conservative movement, which sought to perpetuate its power in government.

Despite the impact of social and political factors, a series of economic changes in Austria arguably had the most significant effect on the rise of popular anti-Semitism. While the passage of new legislation and the dominance of conservative politics provided the essential foundations for the development of popular anti-Semitism, the economic depression of the early nineteenth century, the decline of Viennese artisans, allegations of Judaic fraud and laziness, and fears of economic competition contributed the necessary economic incentives to undertake popular and political anti-Semitic discourse. Unlike the preceding social and political factors, economic anti-Semitism mobilized Viennese industrial workers and white-collar businessmen, who comprised a significant percentage of the city's population. According to a

1900 census, there were 140,655 independent businessmen and 430,865 full-time workers in Vienna, comprising one-fourth of the city's population of two million.²⁵ Besides providing justification for anti-Semitism, the incorporation of the working class provided a large, supportive base for the movement's advancement.

The notion of the Jewish population as the "eternal scapegoat" factored into the justification and blame for the 1873 economic depression.²⁶ The economic crash, incited by rapid German industrialization and lax economic policies, primarily harmed local artisans and small investors.²⁷ The stock market crash also brought Europe and North America into a period of economic depression, thereby stalling European production and global markets. In the misery following the crash, "simple explanations, scapegoats [the Jews] were welcome."²⁸ However, the economic slump of the 1870s contributed more to the decline of liberal politics than it did to the rise of anti-Semitism in Austria. In neighboring Germany, anti-Semitic discourse resonated throughout the population, constructing the foundations for future political action and opposition.

By the late nineteenth century, Viennese artisans had experienced a significant financial decline. The effects of European industrialization and the 1873 depression impacted the artisan workforce, leading to a decreased production demand, and, therefore, decreased annual income. Food price inflation during the 1880s resulted in "the first stages of political anti-Semitism in Vienna."²⁹ Although not economically poor, an increase in the cost of living combined with a decrease in production quotas placed additional financial stress on the struggling artisans. Consequently, to combat economic stressors, the artisan movement adopted the use of political anti-Semitism. In this situation, artisans utilized existing federal structures to form "the anti-Semitic City Council delegation" and "anti-Semitic political clubs."³⁰ Working within the political structure, such organizations lobbied in favor of guild and industry protectionism. Arguably, the financial decline of the artisan workforce mandated the use of new political tactics, like anti-Semitism, to ensure their economic survival.

In an economically struggling society, Jewish shop owners, craftsmen, and professionals provided unwanted fiscal challenges. However, as Boyer notes, economic and social interaction initially tied the populations of Vienna “together in a thousand informal ways.”³¹ Under the capitalist system, economic competition fostered financial development, providing artisan industries with opportunities for growth and expansion. With increased economic challenges and the admission of Jews into the public service, “anti-Semitism found enormous support among thousands of Gentile employees, who competed with their Jewish colleagues for appointments, promotions, salary raises, and positions in institutions.”³² The prospect of job competition did not resonate well with the non-Jewish community, which already faced increased financial pressure. Although some private businesses banned Jews from its advisory and executive boards, a notion of anti-Semitism permeated throughout working-class Viennese society.³³

Traditional allegations of Judaic fraud and laziness comprised the Viennese artisan and working classes’ justifications for economic anti-Semitism. Crime statistics from imperial Vienna indicate, “Jews generally suffered a higher rate of convictions for misdemeanors in financial affairs.”³⁴ The relative prosperity of the Jews compared to the Gentile working class prompted Robert Pattai, a lawyer, to link Jewish economic success to the fabled “Jewish question”:

If we now see that today the Jews have, under the rule of their theories, risen to almost a hegemony in the economic sphere, then from this loftier point of view the Jewish question appears as but a symptom of general economic disease. Should it not be possible to cut the root of the Jewish question through these necessary reforms, then the discriminatory laws, [...] demanded from so many sides, will become necessary.³⁵

Although such speeches attempt to justify political anti-Semitism, they reveal the Viennese population’s inherent jealousy of Jewish

economic success. Additionally, turn of the century Vienna residents drew upon historical notions of fabled Jewish laziness. Such actions ultimately reveal a poor attempt to justify an increasingly hostile anti-Semitic attitude that would culminate following the First World War.

Consequently, the economic situation in imperial Vienna provided the necessary justification and means to achieve popular and political anti-Semitism. At the turn of the twentieth century, popular anti-Semitism resonated throughout the city, appearing in the conservative press as well as political and intellectual discourse. Arguably, the combination of social, political, and economic factors allowed for the development and diffusion of popular anti-Semitism throughout all sectors and social strata of the city's population. With the political and public sphere mobilized and supportive of anti-Semitism, the city's leaders, under the control of the Christian Social Party, could achieve the passage of anti-Semitic policies and legislation without major opposition.

The intricate origins of Jewish anti-Semitism in Vienna ultimately resulted in the election of Karl Lueger, a self-admitted anti-Semite and leader of the Austrian Christian Social Party, in 1897. Lueger's electoral victory represented a triumph for the church and the conservative party as well as for proponents of Jewish discrimination. However, his victory and use of fervent anti-Semitism drew concern from Emperor Franz Joseph, who expressed his reservations in an 1895 letter:

The day before yesterday I received the enclosed letter from Valier as well as the additionally enclosed letters of old princess Arenberg [...] in which Lueger and his party were most warmly recommended to me. Anti-Semitism is an uncommonly wide-spread sickness that has penetrated into the highest circles and the agitation is unbelievable. The core is actually good, but the excesses are terrible.³⁶

In fact, Franz Joseph would oppose Lueger's ascent to office, only accepting his victory following public outcry. The letter also re-

veals the diffusion of anti-Semitism throughout the social strata of Austrian society. By the time Lueger assumed power in 1897, “many Jewish occupation groups found themselves disadvantaged and ‘left out’ of the local political system,” thereby demonstrating the influence of anti-Semitic policies.³⁷

Under Lueger, anti-Semitism would flourish, yet the man himself would never become a “true anti-Semite.”³⁸ In fact, popular legend recounts how Lueger entertained and interacted with Jewish acquaintances. The ambiguous nature of Lueger’s personal anti-Semitic beliefs reveals the contradictory nature of Viennese anti-Semitism. Lueger was a man of opportunity, utilizing political anti-Semitism to maintain popular and political power. Author John W. Boyer supports this point, noting Lueger knew power “did not follow neat ethnic lines,” and therefore spent time “cultivating the wealthy and influential.”³⁹ The ideology of anti-Semitism among the masses may have contained more radical aspects, as demonstrated by the presence of social anti-Semite factors, including intellectual, racial, and nationalistic anti-Semitism. Additionally, Lueger, in a position of power, was not likely to be economically threatened by the influx of Jewish workers. However, his most significant challenge would be posed by the Social Democratic party, which was comprised primarily of Jewish politicians.

The progression of political anti-Semitism in imperial Vienna stemmed from an increase in popular anti-Semitism, which was influenced by a variety of social, political, and economic factors. Social factors, including the development of intellectual, racial, and nationalistic discrimination, incorporated a fringe, yet radical section of Viennese society into the mainstream anti-Semitic movement. The enfranchisement and incorporation of Jews into the political system posed a direct threat to the perpetuation of Christian power, prompting Viennese leaders to exclude Jews from political and civil processes. The city’s politically charged atmosphere created the necessary conditions for the expansion of anti-Semitism. However, the economic depression of 1873, the decline of Viennese artisans, the threat of competition from Jew-

ish tradesmen and workers resulted in the diffusion of traditional economic anti-Semitic accusations, including allegations of fraud and laziness. Arguably, these economic factors resulted in the mobilization of the working and middle class Viennese communities as well as provided the necessary justification to instigate political anti-Semitism. The election of Mayor Karl Lueger, an admitted, yet questionable anti-Semite reflects the achievements and concerns of the Viennese anti-Semitic movement. Ultimately, these origins of imperial Viennese discrimination and anti-Semitism laid the foundations for the development of Nazi ideology.

Endnotes

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- ⁴ *Ibid.*, n.pag.
- ⁵ John W. Boyer, “Karl Lueger and the Viennese Jews,” *The Leo Baeck Institute Yearbook* 26, no.1 (1981): 128.
- ⁶ Rebecca Weiner, “The Virtual Jewish History Tour – Vienna,” *Jewish Virtual Library*, American-Israeli Cooperative Enterprise, <http://www.jewishvirtual-library.org/jsourc/vjw/Vienna.html>.
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- ⁸ King Rudolf I von Habsburg, “Mandate on Property of Fleeing Jews, 6 December 1286,” *History of Austria: Primary Documents*, Brigham Young University, <http://user.cs.tu-berlin.de/~ohherde/rudolf1.html>.
- ⁹ Weiner, “Virtual Jewish History Tour – Vienna,” n.pag.
- ¹⁰ *Ibid.*, n.pag.
- ¹¹ Bruce F. Pauley, *From Prejudice to Persecution: A History of Austrian Anti-Semitism* (Chapel Hill: University of North Carolina Press, 1992), 27.
- ¹² John W. Boyer, *Political Radicalism in Late Imperial Vienna: Origins of the Christian Social Movement, 1848-1897* (Chicago: University of Chicago Press, 1981), 73.
- ¹³ Brigitte Hamann, *Hitler’s Vienna: A Dictator’s Apprenticeship* (New York: Oxford University Press, 1999), 327.
- ¹⁴ Boyer, *Political Radicalism*, 89.
- ¹⁵ *Ibid.*, 89.
- ¹⁶ *Ibid.*, 78.
- ¹⁷ *Ibid.*, 78.
- ¹⁸ Peter G. J. Pulzer, *The Rise of Political Anti-Semitism in Germany and Austria* (New York: Wiley, 1964), 147.
- ¹⁹ Robert S. Wistrich, “Socialism and Anti-Semitism in Austria before 1914,” *Jewish Social Studies* 37, no. ¾ (1975): 323.
- ²⁰ Pulzer, *Rise of Political Anti-Semitism*, 147.
- ²¹ “Fundamental Law Concerning the General Rights of Citizens,” *HNet*, Humanities and Social Sciences Online, <https://www.h-net.org/~habsweb/sourcetexts/auscon.htm>.
- ²² Pulzer, *Rise of Political Anti-Semitism*, 179.

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- ²³ Pauley, *From Prejudice to Persecution*, 39.
- ²⁴ *Ibid.*, 40.
- ²⁵ Boyer, *Political Radicalism*, 68.
- ²⁶ Jacob Katz, *From Prejudice to Destruction* (Cambridge, Massachusetts: Harvard University Press, 1980), 247.
- ²⁷ *Ibid.*, 281.
- ²⁸ Ritchie Robertson, *The Jewish Question in German Literature, 1749-1939* (New York: Oxford University Press, 1999), quoted in Edward F. Kravitt, "Mahler, Victim of the New Anti-Semitism," *Journal of the Royal Music Association* 127, no. 1 (2002): 77.
- ²⁹ Boyer, *Political Radicalism*, 58.
- ³⁰ *Ibid.*, 70-71.
- ³¹ *Ibid.*, 75.
- ³² *Ibid.*, 84.
- ³³ *Ibid.*, 84.
- ³⁴ *Ibid.*, 80.
- ³⁵ Pulzer, *Rise of Political Anti-Semitism*, 140.
- ³⁶ Richard S. Geehr, *Karl Lueger: Mayor of Fin de Siècle Vienna* (Detroit: Wayne State University Press, 1990), 92.
- ³⁷ Boyer, "Karl Lueger and the Viennese Jews," 125.
- ³⁸ Geehr, *Karl Lueger*, 14.
- ³⁹ Boyer, "Karl Lueger and the Viennese Jews," 126.

AND JUDGMENT BELONGETH TO GOD ALONE:

Al-Jabarti's Chronicle of Napoleonic Egypt

Stephen Hurley

On July 1, 1798, in the opening salvo of the young and ambitious Napoleon Bonaparte's first independent war of conquest, thousands of French troops disembarked from an armada assembled off the coast of Egypt. By noon the next day, Napoleon had conquered the ancient port of Alexandria, and after defeating the Mamluks at Shubrakhit and the Battle of the Pyramids, he took Cairo on July 21, establishing a French regime that would last until General Jacques-François Menou's surrender to the British in 1802.¹ Napoleon's presence in Egypt would ultimately have a number of lasting repercussions, including the destruction of the ruling Mamluk class, the eviction of Ottoman rule, and the establishment of the Muhammad Ali dynasty, which would continue to reign until 1952.² As a result, the Napoleonic invasion is often seen as the opening act of Egypt's modern era.³

In addition to serving as the catalyst for Middle Eastern modernity, Napoleon's Egyptian campaign marked the first direct meeting of post-revolutionary Europe and the Arab world.⁴ Although the Ottoman Empire had been in contact with Europe for centuries, and "even at the time of the invasion fifty or sixty French merchants resided in Egypt," the majority of Egyptians "had only the most rudimentary knowledge of European affairs."⁵ The French occupation of Egypt produced "shocking revelations" about the military expertise of France's modern army, the organization and effectiveness of her bureaucratic systems, and the intellectual capabilities of the team of scholars who had accompanied the expedition.⁶ Although Middle East scholar Thomas Philipp argues that the Napoleonic invasion was not an effective means of transmitting the ideas of the Enlightenment and French Revolution, the introduction of the imperialist and atheist French into the conservative and predominantly Muslim Egyptian society

nevertheless led to a cultural collision.⁷

Despite the large quantity of memoirs and observations available from French officers and scholars, the Arab response of the French occupation is principally, and almost exclusively, demonstrated in the writings of one man, ‘Abd al-Rahman al-Jabarti. A prominent Muslim scholar and member of the ‘*ulama*’, al-Jabarti chronicled the important events and his personal experience of the French occupation in three important works that provide a uniquely valuable account of the “encounter of an expanding modern Europe with non-European traditional societies as seen from a non-European perspective.”⁸ The first of al-Jabarti’s accounts, the *Ta’rikh Muddat al-Faransis bi Misr min Sanat 1213 ila Sanat 1216*, describes the period ranging from June to December of 1798, beginning with the arrival of Admiral Nelson in search of the French fleet and concluding with Napoleon’s continuing attempts to secure his rule in Egypt.⁹ Although the *Muddat al-Faransis* was “written under the trauma of an occupation which, for all Jabarti knew, was to become a permanent one,” it nevertheless presents al-Jabarti’s unabashed criticisms of the atrocities committed by the French in the course of their occupation as well as his emotional reactions to the conquerors themselves.¹⁰ At the same time, however, his scholarly respect for the French is apparent in his descriptions of his visits to the newly founded *Institut de l’Egypte*.¹¹

As mentioned, the *Muddat al-Faransis* opens with a description of the British fleet off the coast of Alexandria. Nelson’s fleet dispatches a delegation to warn the Egyptians that “the French had set out from their country with a great fleet...perhaps they will attack you suddenly and you will not be able to repel them.”¹² Although the British are under orders to “take, sink, burn or destroy” the French, the Egyptians refuse their offer of assistance, and the British depart.¹³ Ten days later, the French arrive and easily overwhelm Alexandria’s defenses, since “not only did [the Egyptians] not pay sufficient attention to the port but even removed what weapons and cannons were already there” out of fear that they might be used to rebel against the sultan, an oversight of

which al-Jabarti is sharply critical.¹⁴ While he is also critical of the Egyptian's decision to send to the Ottoman Sultan for aid, al-Jabarti's opinion of the French remains largely neutral and restricted to a factual account of their seizure of the city and imposition of taxes to fund their army.¹⁵

This level of objectivity and detachment in the chronicler's description of the French vanishes as soon as the French issue a proclamation in Arabic full of "inducements, warnings, [and] all manner of wiliness and stipulations."¹⁶ Al-Jabarti reprints the three-page proclamation in full before devoting six pages to detailing the dishonesty of the French and noting every single stylistic or grammatical error their deceitful announcement contains.¹⁷ This may seem excessive, however, "no one writes about the occupation of his country with any degree of tolerance or fondness," and as a well-educated *'alim* al-Jabarti would take pride in his mastery of the Arabic language.¹⁸ Furthermore, by discrediting the French occupiers' Arabic ability al-Jabarti further alienates them from the Egyptians over whom they rule and also provides further reason not to believe their claims to be Muslim, as Arabic is the only official language of the Qur'an.

Despite al-Jabarti's criticisms, the French proclamation provides valuable evidence of the French attempt to win the support of the Egyptian people by justifying their campaign. The French claim that their invasion is the result of mistreatment of the French community by the Mamluks, in the course of ending which they also seek to liberate the Egyptians from Mamluk rule.¹⁹ In order to validate replacing the Mamluks as rulers, the French describe themselves as allies of the Sultan and offer their conquest of Rome, home of the Vatican, and the island of Malta, which was ruled by a Catholic order "who claimed that God the Exalted required them to fight the Muslims," as evidence that they are fellow devotees of Islam.²⁰ The proclamation was initially successful, leading "most of the rural population and fellahin" to believe that the "the French were accompanied by Pashas sent by the Sultan."²¹ Nevertheless, al-Jabarti himself was not deceived; he correctly interprets the French's Islamic gestures as indicat-

ing that “they do not agree...with any religion” and concludes his commentary on the French proclamation by requesting that God “hurry misfortune and punishment upon them...scatter their hosts, and disperse them.”²²

Al-Jabarti’s curse seems to have gone unheard as he next describes Napoleon’s defeat of the Mamluks at Shubrakhit and the Battle of the Pyramids and the ensuing conquest of Cairo. He describes the Mamluk army as characterized by pride, disorder, and cowardice, and states that it “altogether disappointed whatever hopes had been placed in it and brought upon themselves both the fires of Hell and disgrace.”²³ Toward the French army, on the other hand, he is openly complimentary, even stating that Napoleon’s soldiers “acted as if they were following the tradition of the Community (of Muhammad) in early Islam and saw themselves as fighters in a holy war.”²⁴ Although these comments are unusual, if not downright treasonous, al-Jabarti’s prestige and wealth as a leading *‘alim* meant that he “never had to ingratiate himself with anyone...and thus could be as critical and as disdainful in his writings as he pleased,” both toward the French and toward the Mamluks, who after all had begun their rule in Egypt as foreign occupiers.²⁵

After the battle, the Egyptian forces scatter and panic erupts as the citizens of Cairo attempt to flee before the French reach the city. Al-Jabarti describes the chaos in great detail, saying that “the people were in great confusion and perplexity in addition to the fear, panic, and alarm that possessed them” and how rich and poor alike took flight.²⁶ Those who had the means “carried...those possessions which were portable and necessary” while the less well-off “concealed their decision from their friends and neighbors, trying to escape from their relatives and companions, fearing less they say ‘Take me’ or ‘Carry me with you.’”²⁷ In addition to chaos and the threat of the French, once they had “left the gates of Cairo behind, and were in the open countryside the bedouin and fellahin confronted [the refugees], plundering most of them.”²⁸

The fall of Cairo marked the transition of the French role

in Egypt from invaders to occupiers. Having taken the capital, Napoleon next created three levels of government with which to run the country. While the military and civil service remained purely French, Napoleon also relied on the traditional Muslim elite to “cope with the daily administration of the capital” and to provide a façade of legitimacy to the French regime.²⁹ The most important element of this Egyptian government was the Diwan, a council of nine ministers inherited from the Ottoman administrative structure.³⁰ Al-Jabarti, who later was himself appointed to a Diwan, devotes a considerable portion of his chronicle to describing its operation.³¹

After issuing letters of safe conduct to the Egyptian notables who had fled, the French then begin to establish the Diwan, in keeping with the declaration in Napoleon’s proclamation that “the intelligent and virtuous and learned (*‘ulama’*) amongst them, will regulate their affairs, and thus the state of the whole population will be rightly adjusted.”³² Despite an initial ban on all persons of Mamluk blood, and the official pretext for the French invasion, they ultimately grant a number of important government positions to Mamluk sheikhs because “the people of Cairo feared only the Mamluk race.”³³ However, al-Jabarti immediately demonstrates the Diwan’s powerlessness in his description of the response to the continued looting of houses:

The French asked “Why are they doing this after we ordered you to guard the houses, to seal off the property of the Mamluks, and to stop those who oppose this effectively?” They replied “This is a matter which we had not the power to prevent, for indeed it is the business of the rulers.” So the Wali and the Agha went and declared safe-conduct, and asked the people to open the shops and to stop the plundering. But they did not stop...³⁴

In addition to its inability to control the behavior of the Egyptian people, the Diwan was also largely subject to the whims of the French.³⁵ When the French leveled duties on the Egyptians,

the Diwan occasionally succeeded in reducing the tax or extending the time allotted for payment, and it also convinced the occupation to follow the precepts of the Qur'an in determining matters of inheritance.³⁶ In the face of a final French decision, however, the Diwan remained powerless. Al-Jabarti describes its failure to prevent the execution of the *sharif* (descendent of Muhammad) Sayyid Muhammad Kurayyim and notes that its members were obliged to wear the tricolor revolutionary cockade in the presence of French officers.³⁷ More significantly, the Diwan was suspended throughout the duration of the Cairo uprising, indicating both its powerlessness to affect the Egyptian people and its uselessness as a ruling body to the French in times of strife.³⁸

While al-Jabarti nevertheless maintains a certain level of respect for the initial Diwan, which consisted of traditional Arab elites, this is not the case for its second incarnation, staffed by "six Copts and six Muslim merchants."³⁹ Such an arrangement was anathema to al-Jabarti's conservative Muslim worldview, and he describes the appointment of Christians and merchants unschooled in Islamic law to a ruling body as "establish[ing] a basis for malice, a foundation for godlessness, a bulwark for injustice, and a source of all manner of evil innovations."⁴⁰ As with the initial French proclamation, al-Jabarti again expresses his frustration by criticizing the literary style of the new Diwan's laws, exclaiming that they are "formulated in their stupid idiom and crude style, and all of them dedicated to one purpose, namely robbing people of their money by devious means and despoiling them of their real estate."⁴¹

Al-Jabarti's offense at the assignment of "Copts to judge over Muslims in cases where knowledge of the *shari'a* was requisite" touches on another Bonapartist inversion of the old order of which the Arab historian was unremittingly critical.⁴² Despite his public claims that he was an adherent of Islam, Napoleon remained "a Christian, son of a Christian" in the eyes of the Egyptians, and the minority Christian community benefitted extensively from his invasion.⁴³ Al-Jabarti describes how the Shami Christians and "resident Europeans" who acted as intermediaries

between the villages and the Diwan “profited from this situation, making promises and dire threats, playing tricks, and so on.”⁴⁴ The French also relied on Christians to ensure the collection of military and civil taxes:

...they appointed tax collectors (*sarrafs*) from among the Copts who went into the country like rulers wreaking havoc among the Muslims with arrests, beatings, insults, and ceaseless harassment in their demands for money. Furthermore they terrorized them with threats of bringing in the French soldiers if they did not pay up the determined amount quickly; all this occurred by means of Copt planning and trickery.⁴⁵

The religious tensions sparked by the favorable position granted to the Egyptian Christians, the inability of the Diwans to communicate the desires of the Egyptian population, and the continuing violence and oppression on the part of the French occupying forces all ultimately culminated in a massive uprising in Cairo on October 21, 1798. Interestingly, al-Jabarti is highly critical of the Egyptians who took up arms against the French, which noted Egyptian historian Afaf Lutfi al-Sayyid Marsot attributes to the “lack of logic, [and] the chaotic and base motives that he read into popular movements.”⁴⁶ He refers to the rebels as “rabble, ruffians,” and “riff-raff” with “no leader to guide them or chief to rule them” and characterizes the riots as “the deeds of the foolish among the subjects and those who do not consider the consequences of their actions.”⁴⁷ Al-Jabarti also criticizes the rebels’ lack of foresight in failing to appreciate the French preparations and military control of the city.⁴⁸

However, al-Jabarti’s disdain for the rebels pales in comparison to the rancor with which he describes the French reprisals. He depicts the French army’s entrance into the city as “a torrent rushing through the alleys and streets without anything to stop them, like demons of the Devil’s army.”⁴⁹ The French respond to the uprising by sacking the city and exterminating anyone they

suspected of aiding the resistance:

...they slaughtered many throwing their bodies into the Nile. During these two days (of revolt) and the following days so many people died that their number cannot be determined. Thus the injustice and obduracy of the unbelievers continued and they achieved their evil intentions toward the Muslims.⁵⁰

Even more than the widespread executions, al-Jabarti was repulsed by the French desecration of the mosque of al-Azhar, which had been used as a fortress by the rebels. The French shelled the mosque until “their ammunition was finished,” and then invaded the holy ground of the mosque itself, killing the students and destroying every religious artifact they could find.⁵¹ “On that night,” al-Jabarti laments, “the Lord’s host allowed the host of Satan to move freely.”⁵²

Despite his longstanding cynicism toward the French occupation, and his utter disgust at the atrocities committed by the French army in the wake of the Cairo uprising, al-Jabarti’s description of his visit to the French Institute is positively glowing. The Egyptian scholar “appreciated an interest in learning, wherever and by whosoever it was expressed”⁵³ and in the *Muddat* he openly praises the volume and variety of books the French have collected in their library and the devotion of the French scholars.⁵⁴ He is especially impressed by French scholarship about Islam, remarking that “The glorious Qur’an is translated into their language!” and that some French scholars even “know chapters of the Qur’an by heart.”⁵⁵ Despite the many layers of conflict and misunderstanding that have alienated the French occupiers from the Muslim elite, al-Jabarti nevertheless acknowledges the academic capabilities of Napoleon’s community of scholars.

From its first caustic description of Napoleon’s proclamation to the Egyptians through the glowing tribute to the knowledge displayed during his visit to the *Institut*, ‘Abd al-Rahman al-Jabarti’s *Ta’rikh Muddat al-Faransis* provides a series of unique

insights into Egyptian life under Napoleonic rule. As a prominent *'alim* responsible to no one for his own livelihood, al-Jabarti is able to criticize openly the failings of Egypt's Mamluk rulers' attempts to repulse the French invasion and to chronicle the many failures—as well as the occasional successes—of the Diwans instituted by Napoleon in order to provide a layer of Muslim government. However, al-Jabarti's criticisms are often colored by his own perspective as a member of the conservative Muslim elite, both in his descriptions of the Egyptians during the fall of Cairo and the uprising of October 1798, which are influenced by his elitism and disdain for the masses, and in his descriptions of the French rulers, which are influenced by his position “witnessing the occupation of his country by a military force that was alien in language, religion, and ethnicity.”⁵⁶

Nevertheless, al-Jabarti is a “historian of high professional standards,” and he both incorporates numerous French sources into his work and shows open admiration for the French tradition of scholarship.⁵⁷ Ultimately, al-Jabarti embodies Marsot's description of him and his contemporary historian Niquila al-Turk as “mirrors of the age, but mirrors that were slightly distorted and distorting.”⁵⁸ His chronicle is shaped by the virtues and prejudices of his worldview, but his historical professionalism impels him to provide an accurate account of the events of the occupation. At the same time, the very emotions that color his writing offer a compelling insight into the life of a people caught in a struggle between East and West, tradition and modernity, God and revolution.

Endnotes

¹ Alan Schom, *Napoleon Bonaparte* (New York: HarperCollins, 1997), 110-111, 123, 130.

² “Unable to reform them or win their allegiance, Muhammad Ali destroyed them.” William L. Cleveland, *A History of the Modern Middle East* (Boulder, Colorado: Westview, 2004), 66, 303.

³ Albert Hourani, *A History of the Arab Peoples* (New York: Grand Central, 1991), 265.

⁴ “It was the first major incursion of a European power into a central country of the Muslim world, and the first exposure of its inhabitants to a new kind of military power, and to the rivalries of the great European states.” *Ibid.*, 265.

⁵ Robert L. Tignor, introduction to *Napoleon in Egypt: Al-Jabarti’s Chronicle of the French Occupation, 1798*, trans. Shmuel Moreh (New York: Markus Wiener, 1993), 3.

⁶ *Ibid.*, 3.

⁷ “As a matter of fact, the whole French expedition, with its self-serving proclamations, was an unfit channel for the transmission of the ideational contents of the French Revolution and cannot be considered as the initiator of social and political change in Egypt.” Thomas Philipp, “The French and the French Revolution in the Works of Al-Jabarti,” in *Eighteenth Century Egypt: The Arabic Manuscript Sources*, ed. Daniel Crecelius (Claremont, California: Regina Books, 1990), 140.

⁸ *Ibid.*, 127.

⁹ Tignor, *Introduction to Napoleon in Egypt*, 5-6.

¹⁰ Afaf Lutfi al-Sayyid Marsot, “A Comparative Study of ‘Abd al-Rahman al-Jabarti and Niqula al-Turk,” quoted in *Eighteenth Century Egypt: The Arabic Manuscript Sources*, ed. Daniel Crecelius (Claremont, California: Regina Books, 1990), 116.

¹¹ “The one element that Jabarti admired in the French was their love of learning. He was amazed at their institute, its library, the manner of borrowing books, and the contents of the library, some of which he exclaimed ‘baffle the mind.’” *Ibid.*, 123.

¹² ‘Abd al-Rahman Al-Jabarti, “Al-Jabarti’s Chronicle of the First Seven Months of the French Occupation of Egypt, June-December 1798,” in Robert L. Tignor, *Napoleon in Egypt: Al-Jabarti’s Chronicle of the French Occupation, 1798*, trans. Shmuel Moreh (New York: Markus Wiener, 1993), 20.

¹³ Schom, *Napoleon Bonaparte*, 108.

¹⁴ Alexandria’s defenses were neglected to such an extent that when the city’s inhabitants “needed gunpowder to fire the cannon on the Feast...they could not even find enough to load it once so they had to buy powder from the drug-gist.” Al-Jabarti, *Chronicle*, 22.

¹⁵ “They believed that the ailing or sick man who had been bitten by a snake

would remain in his present state until the antidote would arrive from Iraq.”
Ibid., 23.

¹⁶ Ibid., 24.

¹⁷ Ibid., 24-33.

¹⁸ Marsot, “Comparative Study,” 117.

¹⁹ 19 “...for a long time the Sanjaqs who lorded it over Egypt have treated the French community basely and contemptuously...I have not come to you except for the purpose of restoring your rights from the hands of the oppressors and that I, rather than the Mamluks, serve God.” Al-Jabarti, *Chronicle*, 25-26.

²⁰ Ibid., 26.

²¹ Ibid., 35.

²² Ibid., 28, 33.

²³ Ibid., 38.

²⁴ Ibid., 36.

²⁵ Marsot, “Comparative Study,” 116.

²⁶ Al-Jabarti, *Chronicle*, 38.

²⁷ Ibid., 38-39.

²⁸ Ibid., 39.

²⁹ Schom, *Napoleon Bonaparte*, 147.

³⁰ “The highest officials of army and government met regularly in the palace in a council (divan) which made decisions of policy, received foreign ambassadors, drew up orders, investigated complaints and responded to petitions, particularly those dealing with abuses of power...” Hourani, *Arab Peoples*, 217.

³¹ Philipp, “Works of Al-Jabarti,” 138.

³² Al-Jabarti, *Chronicle*, 26.

³³ Ibid., 42.

³⁴ Ibid., 43-44.

³⁵ “The official function of the French-organized diwan was to rule the country and to represent the nation...In fact it was a body convened and dissolved at the pleasure of the French.” Philipp, “Works of Al-Jabarti,” 137.

³⁶ Al-Jabarti, *Chronicle*, 46, 82.

³⁷ Ibid., 58, 60.

³⁸ Ibid., 99.

³⁹ Ibid., 67.

⁴⁰ “He believed that there was order in the universe and that order was maintained through strict adherence to the dictates of Islam. Any departure from these norms [such as the French occupation or the appointment of Christians to rule over Muslims] would cause chaos and disturbance. The function of the ruler was to rule with the assistance of the ‘ulama’, who rendered advice (nasiha), and who oversaw the morals of society...” Marsot, “Comparative Study,” 119-122.

⁴¹ Al-Jabarti, *Chronicle*, 67.

⁴² Marsot, "Comparative Study," 119.

⁴³ Philipp, "Works of Al-Jabarti," 136.

⁴⁴ Al-Jabarti, *Chronicle*, 46.

⁴⁵ *Ibid.*, 54.

⁴⁶ Marsot, "Comparative Study," 125.

⁴⁷ *Ibid.*, 87.

⁴⁸ "Thus this deluded one forgot that he was a prisoner in the hands of the French, who occupied the fortress and its walls, the high hills and the low; fortifying them all with the forbidding instruments of war; such as cannons on carriages, rifles, carbines, and bombs." *Ibid.*, 83-84, 87.

⁴⁹ *Ibid.*, 93.

⁵⁰ *Ibid.*, 95.

⁵¹ "They plundered whatever they found in the mosque... They treated the books and Qur'anic volumes as trash, throwing them on the ground, stamping them with their feet and shoes. Furthermore they soiled the mosque, blowing their spit in it, pissing, and defecating in it." *Ibid.*, 93.

⁵² *Ibid.*, 87.

⁵³ Philipp, "Works of Al-Jabarti," 131.

⁵⁴ "...they would bring them all kinds of printed books in which there were all sorts of illustrations and cartes (kartat) of the countries and regions, animals, birds, plants, histories of the ancients, campaigns of the nations, tales of the profits including pictures of them, of their miracles and wondrous deeds, the events of their respective peoples and such things which baffle the mind... Whoever wishes to look up something in a book asks for whatever volumes he wants and a librarian brings them to him. Then he thumbs through the pages, looking through the book, and writes. All the while they are quiet and no one disturbs his neighbor." Al-Jabarti, *Chronicle*, 109.

⁵⁵ *Ibid.*, 110.

⁵⁶ Marsot, "Comparative Study," 115.

⁵⁷ Philipp, "Works of Al-Jabarti," 134

⁵⁸ Marsot, "Comparative Study," 118.

CONFLICT OF INTEREST IN THE YAZOO AFFAIR

Tracy Jenkins

Ethical constraints, even belief in the wrongness of corruption, are not universal. In recent years, United States presidential and congressional candidates, along with members of the Tea Party and 99% movements, have taken up the cry against corruption in government, joining a two-hundred-year tradition of opposition to corruption. This tradition stretches back to the late eighteenth and early nineteenth centuries, when several politicians, especially Southerners like James Jackson of Georgia and John Randolph of Roanoke, Virginia, loudly attacked the state of Georgia's sale of most of its western lands to companies with whom many of the state's legislators had ties. Before the "Yazoo Fraud" (I prefer the more neutral term "affair"), Americans felt ambivalent toward corruption based on conflicts of interest: some opposed it, but many others saw it as normal. However, in their opposition to the sale, Jackson, Randolph, and their allies drew on the new free market theory and Jeffersonian anti-aristocratic ideals and brought America off the fence. They turned the Yazoo sale into the first major nationally-important scandal in United States history and a conduit through which they reinforced anti-conflict-of-interest's position as a key part of American political culture, which it had taken during the era of the American Revolution. Congressional debates, speeches, correspondence, and newspapers document the Yazoo-era ideological wrangling over the importance of anti-corruption. Anti-Yazooists did not, however, work in a vacuum. Their opinions gained widespread acceptance because the decline of feudalism and the rise of capitalist and Enlightenment scientific mentality of segmentation had already been underway throughout the previous century, leading Americans to develop republican ideals they derived from study of classical antiquity. The Yazoo Affair tested Americans' resolve in putting their Revolutionary principles into action.

Most corruption cases in the United States involve conflicts

of interest, where one's involvement in one activity compromises one's ability to act impartially in another activity. Within government, conflicts of interest typically involve "sacrificing all public considerations to private advantage," as Stevens describes the actions of politicians involved in the Yazoo Affair.¹ The Georgian legislators who approved the 1795 Yazoo sale chose their own advantage by taking bribes rather than serving the interests of Georgians, who might have asked more money for the lands than the speculators paid. When a politician finds himself in a situation involving conflicts of interest, the American public expects him to remove himself from the decisions of government that are being made. Americans today incorporate this concept of conflict of interest as a part of our political culture. Because of the cultural constructs we have developed, Americans expect politicians to act fairly, and by that we mean impartially. In this way our political culture differs distinctly from other political cultures, which would treat as normal what most Americans would angrily label corruption.

By 1776 the British had developed a notion of conflict of interest, but still allowed close relationships between government and business and religion. Parliament directed the actions of the for-profit East India Company and the Anglican Church. Initially after independence, the conflict of interest concept played an equally ambivalent role in American political culture. During the anger over taxation in the 1760s and 1770s, many Americans had adopted sentiments against conflicts of interest as detrimental to the republican system of government that they fought to protect. However, until the Yazoo Affair Americans remained ambivalent as to how strongly to fight actual cases of conflict of interest. Through increasingly virulent language, opponents of the Yazoo sale placed new emphasis on anti-corruption beliefs, bringing them more firmly into American political culture.

Rather few scholars have written on the origins of the concept of conflict of interest, most focusing rather on developing remedies for it. Lankester identifies a case of the concept's historical development in Britain in the eighteenth century, prior to which Britons expected officials to partake in some form of self-inter-

est.² However, Lankester's historical brevity leads him to blanket statements like the argument that the benevolent altruism of the American founding fathers saved the early United States almost entirely from corruption; this is untenable romanticism.³ Like the other scholars on the topic, Lankester aims at progressive utility, attempting to understand how corruption is fostered so that we can remove it, but does so within a cultural evolutionist framework that treats uncritically the modern Western opposition to conflicts of interest and applies it universally. Wood provides a discussion of the background of the idea of conflict of interest as it relates to republicanism, but confines his treatment of the topic mostly to ideological rhetoric of the American Revolution rather than specific cases in which Americans actually applied the concept to governmental policy.⁴ We therefore need a more solid study of early applications of opposition to conflicts of interest.

In the United States, the Yazoo Affair marks the first major application of this form of anti-corruption, but scholarship on the affair has yet to address the conflict of interest issue. Stevens treats opposition to corruption as natural: "as was developed to them, step by step, the various means, and bribes, and machinations, which were set to work to bring over, or buy over, the members of the Legislature, to vote for these measures, their indignation rose higher and higher."⁵ Writing from within American political culture, Stevens takes the side of opponents to the Yazoo sale, calling it a "nefarious business."⁶ He fails to question the motives of both sides, lauding James Jackson while defaming the Yazoo speculators. Thus, although he includes many details of the events of the Yazoo Affair, his biases compromise much of his utility in determining the beliefs behind those actions. One also encounters difficulty verifying his sources because he cites none of them.

In his 1891 *The Yazoo Land Companies*, Haskins offers perhaps the first solidly historical account of the Yazoo Affair. He bases his account mostly on letters, public records, and newspapers of the Yazoo period and argues only what he can support, resisting the urge to jump to conclusions in the absence of documentation.⁷ Unlike Stevens, Haskins maintains a healthy balance in his account

and cites his sources. However, he shows interest mainly in what happened, offering little insight into the beliefs behind opposition or acceptance of the 1795 sale. Similarly, in his 1932 account, Heath focuses on events, avoiding “all the great principles and problems of government that became involved.”⁸ He, however, relies on a smaller number of more indirect sources: mostly on histories of Georgia and a few government records. Probably from the histories he uses, he adopts an antagonistic tone toward the Yazooists, using harsh language for these “corrupt and influential schemers.”⁹ Haskins and Heath’s “just the facts” approach and Heath’s biased, monochrome telling obscure the worldviews at play and in conflict in the Yazoo Affair. Magrath offers the only deep analysis of the Yazoo Affair, interpreting its significance to American constitutional law and focusing largely on the judicial aspects of the affair.¹⁰ In a critical and balanced telling of events, he describes many of the immediate cultural influences on the participants in the affair, but only as they pertain to the creation of constitutional law. No scholar of the Yazoo Affair has yet given intensive treatment of the issue of conflict of interest as it developed during the course of the affair. Given today’s discussions of corruption, both in the United States and abroad, such a treatment is in order.

Before Yazoo

In the decades before the Yazoo land sale of 1795, Americans developed an increasing sensibility toward conflicts of interest. Some spoke out more frequently and adamantly about the importance of electing officials to serve the public good rather than their own, but enforcement of this ideal remained lax.

A perusal of the index for “bribery” in the *Virginia Gazette* shows late development of concern about conflicts of interest. Bribery and related terms do not appear in the *Virginia Gazette* until 1769, though the paper ran in various forms from 1736 to 1780. When they do appear, the writers, who included people outside Virginia as well as those within it, rarely wrote about conflicts of interest within legislatures. The paper alleges three cases of the Brit-

ish attempting to bribe the Americans into ceasing their rebellion (which one can regard as somewhat legitimate as diplomacy);¹¹ one case of candidates for office offering bribes to voters;¹² one case of skimming by customs officials;¹³ one very general allegation of corruption in the British government as reason for leaving Britain,¹⁴ by which the author means corruption by the king of Parliament, an issue less relevant in the United States, where there is no king; and one recommendation of bribing the British generals to send the troops home and leave the colonists to themselves.¹⁵ The paper reports on only one case of conflict of interest in a legislature, the alleged bribing of Parliament, accompanied by the declaration “that there is no crime under heaven more enormous, more treacherous, and more destructive to the very nature of our government than that of bribing of Parliaments.” The *Gazette* actually ran this story twice in the same wording.¹⁶ If one can attribute most of the mention of bribery between 1774 and 1776, at least in part, to the unusual tensions of the American Revolution, then the Yazoo Affair marks a departure from pre-revolutionary levels of concern with corruption and the conflicts of interest that lie at the heart of it.

During the revolution, however, the concept formed a key factor in political discourse. As Wood notes, “the sacrifice of individual interests to the greater good of the whole formed the essence of republicanism and comprehended for Americans the idealistic goal of their Revolution.”¹⁷ However, Wood may overstate the universality of adherence to this republican value in America during and immediately after the Revolution. During the infancy of the United States, conflicts of interest occurred frequently, especially in land sales. Ohio Company of Associates member Manasseh Cutler, after agreeing to General Arthur St. Clair’s ascension as governor of the newly-created Ohio Territory in 1787, signed a land sale with St. Clair and the company’s secretary, Major Winthrop Sargent, granting the company of 1,500,000 acres for \$1 million in government securities worth \$180,000 in specie.¹⁸ In this case, St. Clair presumably felt he owed Cutler for his position. Moreover, then-Secretary of the Treasury of the United States William Druer held \$30,000 of stock in the same Ohio Company.¹⁹ Magrath cites

influence peddling as a common occurrence within land sales in the infancy of the United States.²⁰ In Georgia, the state's governors regularly ignored restrictions on the size of land grants, mixing service of the public with service of individuals.²¹ They also sold non-existent land or re-sold lands multiple times: 1796 records showed 29,097,866 acres owned in Georgia's established counties where only 8,717,960 acres actually existed.²² Like an airline over-booking a plane, this over-selling of the land helped put money in Georgia's coffers but what benefitted the government did not necessarily benefit the people, who suffered when they arrived to find that their lands either did not exist or that someone else already lived there. Conflicts of interest were thus rife in early American history, and until the Yazoo Affair, although many opposed them in principle, few backed up with action the republican ideal of putting the good of the state before one's personal benefit. Many Americans continued to view this type of corruption as normal and, to some degree, acceptable. Opposition to conflicts of interest was certainly not as intense as it would become. The Yazoo Affair changed that situation, as a few politicians seized on conflict of interest as an issue by which to advance their careers.

The Yazoo Affair

The 1795 Yazoo sale originated quite unremarkably as a means for Georgia to pay off its Revolutionary War debts. In the 1780s, the treaty ending the Revolutionary War left Georgia in possession of vast lands between the Chattahoochee and Mississippi Rivers that eventually became the states of Mississippi and Alabama. Saddled with war debts and continuing state expenses, Georgian politicians began looking to sell these western lands to private owners. The Georgian legislature established a County of Bourbon in 1785 bordering on the Mississippi River above and below Natchez and appointed officials for a county government, but repealed the act three years later under the pressure of conflicting land claims from Spanish and British land grants and settlers already living there. After that failure, several men organized a se-

cret society called the Combined Society with the express purpose of buying land from Georgia and turning a profit. Once word got out of the plans, the society disbanded, presumably because they had nefarious intent. Some later speculators intended to form a new state, break off from the United States, and join the Spanish Empire.²³ In 1789, Georgia again attempted to sell a portion of its western lands, this time to the Virginia, Tennessee, and South Carolina Yazoo companies. However, when the companies attempted to pay in devalued paper currency John Meals, the Georgia state treasurer, rejected their payments. The deal broke down and Georgia refunded the deposits it had previously accepted. The South Carolina Yazoo Company began a suit against Georgia for breach of contract, but the United States Congress soon passed the Eleventh Amendment to the Constitution in March of 1794, barring private suits against states. This amendment left the South Carolina company no choice but to accept Georgia's refusal to complete the sale.

On January 7, 1795, Georgia finally managed to sell its western lands, granting the Georgia, Georgia Mississippi, Upper Mississippi, and Tennessee companies 35 million acres, two thirds of Georgia's western lands, for \$500,000 in specie. All but one legislator who voted for the sale held bribes of money or shares from the companies purchasing the lands.²⁴ In this respect, the Yazoo sale did not differ significantly from earlier land deals. Moreover, few initially seemed to worry about the conflict of interest inherent in the overlap of making money and making policy. When "one representative, Thomas Raburn, was jokingly criticized for selling his vote for a mere \$600 while his colleagues were getting \$1,000, he blandly replied that 'it showed he was easily satisfied and was not greedy.'"²⁵ The tones of those involved in this interchange and Raburn's response indicate concern over excessive corruption, not corruption in general, and a passing concern at that.

The Georgia Governor William Ewen vetoed the first 1795 Yazoo bill but said nothing in his reasons about corruption, arguing rather that the time had not yet come to sell the land, that too little was reserved for Georgia's citizens, that monopolies might not be in everyone's best interest, and that the sums offered were too

small.²⁶ Among the earliest opponents of the sale, even before its completion, William H. Crawford of Columbia County wrote a petition that “we do conceive it to be bad policy to give a grant to the company purchasing before the full amount of the purchase-money is paid” but said nothing about corruption.²⁷ Possibly the news of bribery had yet to come out from under the table, but the low sale value should have alerted someone to possible bribery. One would expect some sort of speculation on it if all Americans were as committed to opposing conflicts of interest as they became by the end of the affair.

At first, even James Jackson, to become the most vocal Georgian in opposition to the bill, voiced no fears over conflicts of interest. He had been silent in the 1780s and 1790s as other illegal land sales went through in Georgia and, now late in his political career, had never made opposition to conflicts of interest a significant part of his activities. In fact, a few months before the 1795 sale Jackson wrote his friend John Milledge that “I have actually a good mind to...leave Congress and Congress things, turn speculator and go snacks at home with the best of them. There is a damn sight more to be got by it, depend on it, and I have not got one sixpence ahead, since I undertook [being a Congressman].”²⁸ One can only guess as to whether Jackson referred to the profitability of speculation in general or the profitability of bribe-taking in general, or the bribery associated with the then-approaching 1795 Yazoo sale. However, he demonstrated in this letter of November 2, 1794, no opposition at all to conflicts of interest in politics. Jackson supported the 1795 sale, until suddenly, almost two months after the long-anticipated sale concluded, he condemned “the rapacious grasping of a few sharks” and decided to resign his post as United States Senator and “at risk of life and fortune go home and break down the speculation.”²⁹

Jackson’s sudden change of heart against the Yazoo sale could stem immediately from the outbreak of news about the bribery of the legislature by the land companies involved, which must have occurred by early March, 1795. However, people rarely make major changes in their lives for a single reason and his likely moti-

uations indicate considerable conflicts of interest. In addition to his brewing discontent with his work in the United States Senate, Jackson had a friend in the Georgia Union Company, John Wearat, who had directed the company in its unsuccessful bid to become part of the 1795 Yazoo deal.³⁰ Jackson may have seen in undoing the 1795 sale an opportunity to give his friend, and perhaps himself, a second chance at speculating in Georgia's western lands. Ultimately, however, Jackson must have seen a move to Georgia to campaign against the Yazoo sale as an opportunity for political power. Upon his return home Jackson took the leading role in organizing anti-Yazooists and led them in sweeping elections that fall.

Jackson and his fellow anti-Yazooists immediately set up a committee to investigate the Yazoo sale's legitimacy. Given his connections to the Georgia Union Company and his use of the Yazoo issue to rocket himself to leadership in the Georgia assembly, Jackson should, perhaps, by his own logic, have recused himself from the committee. How could he have ever found the sale innocent, now that he had taken a stand of career importance against it? Yet Jackson proved that campaign rhetoric need not match one's actions: he chaired the committee. Another member of the committee, William Few, joined Jackson in hypocrisy, for he had actually *been* one of the organizers of the Georgia Union Company.³¹

Amidst an atmosphere of allegations of wrongdoing, Governor Ewen felt compelled to defend his innocence in the same terms as those in which it was attacked:

Endeavors have been made to calumniate my character by false reports, such as—"that the motives which induced me to give my assent to the second act proceeded from private interest, regardless of the sacred duty I owed to the station I filled..." Conscious of the purity of my intentions, and supported by the justice and integrity of my actions, I have treated with silent contempt those base and malicious reports.³²

He writes that once the legislature addressed his initial con-

cerns with the Yazoo sale, “I think there is no man of cool, dispassionate reflection, that would have refused his assent to it for any reasons short of a clear proof of corruption in its passage through the Legislature, and *no such information ever came to my knowledge*.”³³ The governor’s remarkably cogent defense corroborates Wood’s demonstration that some Americans, at least, had a fully-formed sense of conflicts of interest by the time of the Yazoo Affair. Rather than a radical turning point, the affair marked the opportunity for broad implementation of feelings that had been brewing.

By the time the Georgia legislature issued the Repeal Act, most of the speculators in the land companies had sold the land to other buyers. The New England Mississippi Land Company purchased 11,000,000 acres from the Georgia Mississippi Company for \$1,138,000 the same day the Repeal Act passed, leaving the latter company with a 650% profit.³⁴ This situation complicated the repeal, for many of the secondary and, later, tertiary buyers, having done nothing wrong, refused to give up their claims. One cannot be sure how many later buyers knew about the bribery of the Georgia legislature, nor how many cared. These later sales made the Yazoo Affair nationally significant and Americans from all corners commented on it. Within three months of the 1795 sale, Philadelphia’s *Aurora*, the United States’ leading Republican newspaper, called Yazoo “melancholy proof of the depravity of human nature.”³⁵ Thus the preoccupation with conflict of interest easily spread beyond Georgian borders. Many Americans had apparently been contemplating conflict of interest for some time, but the Yazoo Affair brought it into sharp focus for perhaps the first time.

Most Georgians joined Jackson and his team in opposition to the Yazoo sale. A Chatham County grand jury issue a statement congratulating “our fellow citizens [in the legislature] ... which declared the said pretended sale, constitutionally null and void, as fraudulent and corrupt” and encouraged the election of anti-Yazooists in the 1796 election.³⁶ Sharing a Jeffersonian hatred of merchants, the Chatham County grand jury declared its hatred for speculators, “a few men, who are void of principle and honour, who would sacrifice their country and its rights to increase their

own property.”³⁷ These anti-Yazooists built their arguments around distrust of the imbalances of power created by complex markets in which middlemen and financiers made money without, allegedly, having worked for it. Building from Revolutionary ideals, they wanted a land where personal virtue determined politicians’ actions. The Yazoo Affair gave its opponents an opportunity to define virtue as lack of conflicts of interest.

Americans from other states joined the Georgians. In 1797 Connecticut’s Abraham Bishop called the affair “aiming with feathers [pens] to cut throats, and on parchments to seal destruction,—these are the robbers of modern days.—they bring desolation among our farmers.”³⁸ The nation divided between Federalists strongest in the north, who generally supported the Yazoo sale out of a mercantilist conception of “an alliance of government and wealth,”³⁹ and Republicans, strongest in the south, generally anti-Yazooist out of laissez-faire economics⁴⁰ and a desire to let Georgia decide Georgia’s issues. Ownership of the Yazoo lands became a standoff, with anti-Yazooists on one side declaring the 1795 sale null and void and claimants and their supporters (the Yazooists) on the other side arguing that the legislature had no power to undo a sale and that claims upon the 1795 sale stood as valid.

In 1803, after discussions beginning in 1798, the United States federal government inherited the problem when it bought the land from Georgia and shifted the debate over the Yazoo issue to Congress. There, proponents and opponents further entrenched their positions and tensions continued to climb, elevating the nation’s attention to the affair and thus its impact on the American public. In Congress, despite all the talk of corruption since 1795, congressmen only rarely bowed out due to conflicts of interest. While Congress debated buying the land in 1800, Representative Samuel Sewall of Massachusetts, a Yazoo claimant for 113,000 acres via the New England Mississippi Company, “reported to the House the findings of a committee appointed to study the petitions of certain Yazoo claimants who sought compensation.”⁴¹ He recommended [not surprisingly] that their claims be honored.⁴² Only later, when others challenged his impartiality, did he abstain from

voting on the Yazoo issue.⁴³ James Gunn, leading organizer of one of the Yazoo companies, continued to head a Senate committee dealing with Yazoo issues.⁴⁴ Samuel Dexter, a congressman from 1792 to 1797 and secretary of war under President Adams, also served as “one of the [New England Mississippi] company’s organizers and major directors and purchased rights to over 1 million acres.”⁴⁵ Gideon Granger, Jefferson’s postmaster general, had a stake of 160,000 acres in the same company and was half of a two-man team leading Yazoo claimant lobbying during the Jefferson administration. No one said that he had unfair access to the president. At the most extreme, Joseph Story entered the House of Representatives in 1808 after lengthy service as the New England Mississippi Company’s paid lobbyist in Washington. On his election, Ezekiel Bacon wrote Story, “I shall with much pleasure resign into your hands next winter the sole management of Yazooism in the national councils,”⁴⁶ indicating that he expected Story to continue his lobbying from within the House.⁴⁶ After thirteen years of talk about Yazoo corruption, American political culture remained effectively unchanged.

Even if few things changed, it was not for want of trying. Republican John Randolph of Roanoke, Virginia, led Congressional anti-Yazooism. An aggressive anti-capitalist and proponent of states’ rights and agriculture, Magrath calls Randolph “more Jeffersonian than Jefferson.”⁴⁷ Randolph also experienced periodical insanity that enhanced his rhetorical brilliance, only enabling him to heighten the emotion of his attacks on the Yazooists. In an 1805 speech published in the *National Intelligencer*, Randolph alleged that Senator James Gunn and Supreme Court Justice James Wilson, by that time deceased, had died because “private character, always dear, always to be respected, seems almost canonized by the grave. When men go hence their evil deeds should follow them, and, for me, might sleep oblivious in their tomb.”⁴⁸ In such a way Randolph elevated the stakes of the Yazoo Affair to the afterlife, exacerbating the rhetoric of anti-conflict-of-interest politics. Increases in the strength of rhetoric in legislatures affect the wider public when the press publicizes them, as in this case. Randolph’s

emotional anti-Yazooist stance probably stirred the emotions of the *National Intelligencer's* readers, causing anti-corruption to move closer to the center of American hearts and minds. Randolph forced his readers to take a stand on this particular case, but ultimately the decision lay not with the public.

The United States Supreme Court upheld the Yazoo claimants' titles in *Fletcher v. Peck* in 1810, ruling that whatever the rightness or wrongness of the 1795 sale, it could not be undone, but debate continued on the Yazoo issue and vicious rhetoric persisted unabated, continuing to attract national attention to the Yazoo conflicts of interest. Not until 1814 did Congress finally settle with the claimants and lay the matter, for the most part, to rest. In that year Congress set aside lands and up to \$5 million to compensate the claimants for their purchases and the lost productivity during the period of the controversy. But before they reached that final decision the extremity of rhetoric, particularly from anti-Yazooists, reached new heights. In the final debate of March, 1814, George Troupe, Randolph's replacement as lead anti-Yazooist, held forth a gloriously incomprehensible tirade, in direct conflict with the *Fletcher v. Peck* ruling, that giving the speculators any sort of compensation would "legalize fraud and corruption." He stated,

Do not believe, sir, that the corruption in which this transaction was engendered was a corruption of any ordinary character; it was a corruption without example in history; may it never find a parallel! Not merely were the corrupted corrupted by the corrupters—the corrupters cheated the corrupted—the corrupters cheated one another, and the corrupters, as they say, cheated these claimants.⁴⁹

Meanwhile, John Epes turned to allegorical extremes: "Polyphemus in his den, wallowing in human gore, was not a more odious and detestable animal than a Yazoo speculator."⁵⁰ The compensation bill became law on the 31st of that month, but it left behind it a trail of violently polarized rhetoric, increasingly vehement on the part of the anti-Yazooists, whose vivid attacks on conflicts

of interest from 1795 to 1814 enlivened American interest in anti-corruption. In the end, the anti-Yazooists lost the battle against the 1795 sale, but they succeeded in focusing American attention on the issues of corruption at a level previously unmet. In doing so they forced Yazooists to drop support for the original sale's legitimacy from their arguments by the early 1800s. Anti-Yazooists also deepened the entrenchment of conflict of interest as a fundamental concept in American political rhetoric.

Broader Contexts

A brief historical comparison of American and British political cultures in the early modern period may help illuminate the relationship between individuals and larger forces in changing structures of perception of, and active opposition to, conflicts of interest. Americans came to view corruption as a problem at approximately the same time as did the British, in part because the two societies shared in many socio-economic developments during the eighteenth century, during most of which Britain held what became the United States as its colonies. If James Jackson, the initial principle driver behind the anti-Yazooist cause that brought opposition to conflicts of interest into the heart of American political culture, acted largely for selfish motives, a host of others took up his cry because American society, like British society, was already moving into a form of democracy in which Americans found support for an anti-corruption ideology.

At the start of the early modern period, before the founding of Jamestown, Britain and most of Europe operated under a medieval feudal system of government that slowly declined throughout the period due to the rise of the modern state and of capitalist economic structures. Feudalism existed as a kind of patron-client social contract in which a group accepted the rule of a noble in exchange for services the noble rendered to them like protection, construction of mills, maintaining the peace, and adjudicating disagreements.⁵¹ For example, a noble's vassals accepted the noble's right to charge rates at the mill that benefitted him because he had put forth the

money to build it. Although by the time of the colonization of British America the feudal system was in decline in Britain, elements of it survived into the eighteenth century and Americans initially shared in at least part of Britain's feudal social structure and culture.⁵² For example, Lord Fairfax lived on a large estate in northern Virginia, while Carolina's 1669 constitution set 1/3 of the colony's landmass aside for eight signatories for colony proprietors, who were expected in return to serve as "admirals, chamberlains, chancellors, constables, chief justices, high stewards, and treasurers," as well as eight baronies for nobles.⁵³ In Britain, the breakdown of feudalism included a differentiation of power⁵⁴ and decline of noble privilege to the point where by the late 18th century many considered noble privilege as "an outmoded abuse."⁵⁵

By this time, Britons and Americans also began to widely adopt free market economic theory. Adam Smith first published *The Wealth of Nations* in 1776 and his arguments about the non-involvement of government in business affairs stewed for several years in the great cooking pot of the American Revolution. Smith argued against a relationship between government and business that had developed during feudalism, in which actors participated in both realms. His arguments about the ineffectiveness of such a relationship could easily turn into arguments against the involvement of business in politics. British Americans, who discarded nobility altogether in the Revolution, tore down feudalistic government structures even further than their British cousins. However, these circumstances reveal not necessarily that Americans would have inevitably declared feudalistic privileges as conflicts of interest and moved against them, but that separation from Britain provided an opportunity for Americans to re-write their political structures and their political culture.

As early as the latter seventeenth century, British and American political writers began to view conflicts of interest as detrimental to the workings of government, and they further developed these views in the century before the Yazoo Affair. The English Civil War and Glorious Revolution marked a separation of powers between the parliament and the monarch, but in the years that followed the

men and women on the throne exerted enough power that could lead England to ruin. As Wood writes,

A poison had entered the nation and was turning the people and the government into “one mass of corruption.” One the eve of the Revolution the belief that England was “sunk in corruption” and “tottering on the brink of destruction” had become entrenched in the minds of disaffected Englishmen on both sides of the Atlantic.⁵⁶

However, the experiences of the Civil War and Revolution had at that time given Englishmen over only to thinking about conflicts of interest between branches of government. In addition, when some, drawing on Classical writings, championed “frugality, industry, temperance, and simplicity—the rustic traits of the sturdy yeoman,” which they believed threatened by excessive wealth of the kind that produced ““minds stupified, and bodies enervated, by wallowing for ever in one continual puddle of voluptuousness,”” the writers focused largely on the corrupting power of too much wealth, not specifically the relationship between business and government that we recognize today as the basis for conflicts of interest.⁵⁷

Yet, in the era of the American Revolution, many Americans began to redefine the ideal from which corruption guided men, redefining corruption in the process. They began to argue that republicans ““instructed from early infancy to deem themselves the property of the State...were ever ready to sacrifice their concerns to her interests.””⁵⁸ Throwing off nobility and adopting capitalist democracy, Americans began to write of conflicts of interest in the sense in which they applied to the Yazoo Affair, and in the sense that we now know them.

Although the 1795 Yazoo sale involved no nobles, it displayed a few vestigial characteristics of feudal structures. Under feudalism, the king granted land to nobles, but could not grant land to himself because he already owned it all. However, under democracy one could conceivably grant lands to oneself. Nobles could,

under feudalism, also buy nobility, which usually came with land grants, and did so increasingly during the seventeenth and eighteenth centuries, in a way not dissimilar to that in which the Yazoo land companies bought the Georgia legislature. Thus the Yazoo sale represented a different kind of government carrying a quite similar kind of land grant. In fact, early in his anti-Yazoo campaign, James Jackson called the sale founded on ““principles of aristocracy.””⁵⁹ Americans had to decide, in the late eighteenth century, how different from their British heritage they wanted to be. As Lankester writes, Britain at the time was also moving away from feudalism and its acceptance of corruption as normal.⁶⁰ However, with the encouragement of Jackson, Randolph, and their fellows, Americans took the step toward anti-corruption on their own. Anti-Yazooists built, in their rhetoric, a channel through which Americans guided the democratic, free-market ideas of the times, moving opposition to conflicts of interest into the place it now holds in American political culture. Thus, the history of the Yazoo Affair demonstrates that individuals play the key roles in effecting paradigmatic cultural change. Americans might not view conflicts of interest in such a negative light today if Anti-Yazooists had not objected so vocally to them in the late eighteenth and early nineteenth centuries.

Endnotes

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- ² Tim Lankester, "Conflicts of Interest: A Historical and Comparative Perspective," Conference Paper, ABD/OECD Anti-Corruption Initiative for Asia-Pacific 5th Regional Seminar: Conflict of Interest—A Fundamental Anticorruption Concept, August 2007, 5-6.
- ³ *Ibid.*, 9.
- ⁴ Gordon S. Wood, *The Creation of the American Republic, 1776-1787* (Chapel Hill: University of North Carolina Press, 1969).
- ⁵ Stevens, *A History of Georgia*, 478.
- ⁶ *Ibid.*, 479.
- ⁷ Charles Homer Haskins, *The Yazoo Land Companies* (New York: Knickerbocker, 1891), 12-13.
- ⁸ William Estill Heath, "The Yazoo Land Fraud," *Georgia Historical Quarterly* 16, no. 4 (1932): 274.
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- ¹² *Virginia Gazette*, April 28, 1775, 2; "So much of the ordinance for the election of DELEGATES, and COMMITTEE-MEN, as relates to the election of the latter," *Virginia Gazette*, September 22, 1775, 1.
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- ¹⁵ "Extract of a letter from Germany, August 10, 1775," *Virginia Gazette*, January 27, 1776, 1.
- ¹⁶ *Virginia Gazette Supplement*, June 23, 1775, 1; *Virginia Gazette*, June 24, 1775, 1.
- ¹⁷ Wood, *The Creation of the American Republic*, 53.
- ¹⁸ William Frederick Poole, *The Ordinance of 1787 and Dr. Manasseh Cutler as an Agent in its Formation* (Cambridge, MA: Welch, Bigelow, & Co., 1876), 24; A. M. Sakolski, *The Great American Land Bubble* (Auburn, AL: Ludwig von Mises Institute, 1966), 103.
- ¹⁹ Sakolski, *The Great American Land Bubble*, 102-104.
- ²⁰ Magrath, *Yazoo*, 16-19.
- ²¹ *Ibid.*, 3.
- ²² *Ibid.*
- ²³ Haskins, *The Yazoo Land Companies*, 9-13.

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- ²⁴ Magrath, *Yazoo*, 7.
- ²⁵ Quoted in Magrath, *Yazoo*, 6.
- ²⁶ Stevens, *A History of Georgia*, 469-470.
- ²⁷ Quoted in *Ibid.*, 477-8.
- ²⁸ Quoted in and brackets by Magrath, *Yazoo*, 7.
- ²⁹ Quoted in *Ibid.*, 10.
- ³⁰ Magrath, *Yazoo*, 12.
- ³¹ *Ibid.*
- ³² Quoted in Stevens, *A History of Georgia*, 482.
- ³³ Quoted in *Ibid.*, 483.
- ³⁴ Magrath, *Yazoo*, 15.
- ³⁵ Quoted in *Ibid.*, 18.
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- ³⁷ *Ibid.*, 59.
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- ³⁹ *Ibid.*, 27.
- ⁴⁰ *Ibid.*, 28.
- ⁴¹ *Ibid.*, 38.
- ⁴² *Ibid.*, 214.
- ⁴³ *Ibid.*, 34.
- ⁴⁴ *Ibid.*, 33-4.
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- ⁴⁶ *Ibid.*, 39.
- ⁴⁷ *Ibid.*, 40.
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- ⁵⁰ *Ibid.*
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- ⁵⁸ John Warren, *Oration, Delivered July 4th, 1783* (Boston: John Gill, 1783),

7-8, quoted in Wood, *The Creation of the American Republic*, 53.

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