

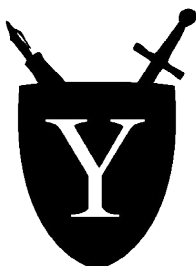


# THE YALE HISTORICAL REVIEW

AN UNDERGRADUATE PUBLICATION SPRING 2013







**SPRING 2013**  
VOLUME II  
ISSUE III

# THE YALE HISTORICAL REVIEW

## AN UNDERGRADUATE PUBLICATION

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### ON THE COVER:

“Funeral for Firefighters Killed in 23<sup>rd</sup> Street Fire”

Photographer: FDNY Photo Unit

Date: October 21, 1966

Source: New York City Fire Department

<http://www.flickr.com/photos/fdnyhome/6267395308/sizes/o/in/photostream>

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# LETTER FROM THE EDITORS

Events need not be a hundred or more years in the past, nor instantly recognizable, to qualify as historically significant. As the essays in the Spring 2013 issue of *The Yale Historical Review* reveal, the past century was one of extreme social change wrought by war, domestic political turmoil, international revolution, and tragedy, whose repercussions still linger today. The fight for civil rights did not play out just in the Supreme Court or at the lunch counters of Nashville; forms of minority disenfranchisement manifested themselves in censorship at internment camps for Japanese Americans during World War II, in urban planning decisions in Atlanta, Georgia, and – striking close to home – in recruitment efforts on our own campus at Yale.

This issue reminds us that there is no single narrative which defines any moment in our past, that history is comprised of multiple chapters and passages, and that there are both hidden dramas to well-reported events and unheralded experiences yet to be told. It is our duty and privilege as editors to bring such stories to light.

The image on our cover demonstrates that history is often recorded in pictures as well as words. The photograph was taken in the aftermath of a savage fire that raged on 23<sup>rd</sup> Street in Manhattan on October 17, 1966, and which, as Emily Ullmann '14 so compellingly relates, killed dozens of firefighters in the biggest tragedy to hit the city's fire department up to that point. Thomas Dethlefs '12 writes about the transformation of tear gas from a weapon of war to a method of civilian riot control. Jacob Anbinder '14 exposes in meticulous detail the racial segregation created by the mapping of the Metropolitan Atlanta Rapid Transit Authority (MARTA), while Jasmine Zhuang '13 argues that Yale students in the 1970s should get more credit for pushing the University to open its doors to minority students.

The Sandinistas in Nicaragua developed a more meaningful relationship with the Catholic Church than revolutionaries in Cuba did under Castro, according to Connor Kenaston '14, who offers potential explanations behind this difference. Finally, Danny Serna '13 exposes the censorship imposed on an internee-run newspaper at the Manzanar War Relocation Camp in California, an experience that robbed Japanese Americans of their constitutional rights to freedom of speech during World War II.

The way we write history is the way we remember it. But the impact of that writing multiplies with the reading, retelling, and new perspectives gained from the process of historical inquiry. These essays demanded that their writers try to imagine the experiences of others from a new vantage point. We believe they require nothing less of you, our readers.

Sincerely,

Noah Remnick, Ezra Stiles 2015

Annie Yi, Calhoun 2013

*Editors in Chief*

Andrew Giambrone, Pierson 2014

*Managing Editor*

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## **“GONE BUT NOT FORGOTTEN”** HISTORICAL MEMORY AND THE LEGACY OF THE 23RD STREET FIRE

Everyone remembers what happened on September 11, 2001, but few could attest to the events of October 17, 1966, when a fire on 23<sup>rd</sup> Street in Manhattan devastated New York City’s fire department like no other fire before it. As Emily Ullmann ’14 writes in this poignant and resonant essay, the 23<sup>rd</sup> Street fire was – until 9/11 – “*the* fire department tragedy... when men who were uncoordinated, ill-informed, and ill-equipped lost their lives.” Ullmann analyzes the way the Fire Department of New York (FDNY) and the families of the fire’s victims have remembered the tragedy, and masterfully links their stories to 9/11 and its aftermath.

---

By Emily Ullmann, TD ’14  
Written for “Disasters in America”

Professor Andy Horowitz

Edited by Spencer Weinreich and Margaret Coons

## “GONE BUT NOT FORGOTTEN”

The 9/11 Memorial was designed to be an awe-inspiring monument—to reflect the tragedy that had left New York City, the largest, most diverse city in the nation, “devastated beyond belief.”<sup>1</sup> Dedicated on the tenth anniversary of the 2001 attacks, the memorial’s magnitude and cost—eight acres of land for a site that cost \$700 million—were meant to create a “beautiful, dignified place” for “New Yorkers, Americans and people around the world...to pay tribute to the memory of the 2,983 men, women and children we lost in the tragic attacks of 9/11.”<sup>2</sup> Built atop Ground Zero, the memorial has a north and south pool in the place of the two towers, with the names of the victims etched around them. On the south pool, 343 names grouped together represent the victims of the Fire Department of New York City.<sup>3</sup> The names on the wall are organized by company, which seems a fitting way to remember a group of men who saw themselves as belonging to a brotherhood, willing to risk their lives for the people of New York.<sup>4</sup>

Among the 4.5 million visitors the 9/11 Memorial received in its first year in operation, many were firefighters—members of the FDNY whose close friends had been killed on that day.<sup>5</sup> September 11<sup>th</sup> was the worst tragedy in the fire department’s history, with more line-of-duty deaths than any other instance in the more than 150 years of the department’s service to the city.<sup>6</sup> The devastation was unprecedented. Entire companies were killed. Twenty-year-olds and seventy-year-olds, firefighters who had served for one year or for nearly a half a century lost their lives. As Thomas Von Essen, Fire Commissioner from 1996 to 2001 later explained, “I always took the death of a firefighter, any firefighter, hard. In this case, the victims included dozens of men I had counted as close personal friends.”<sup>7</sup>

Hanging on a nondescript brick wall between a LensCrafters and a hair salon about three miles uptown from Ground Zero, another memorial commemorates New York firemen who lost their lives in the line of duty. A bronze plaque with twelve names on it, measuring about one and a half feet on each side, serves as the only monument to the 23<sup>rd</sup> Street Fire, a 1966 fire that took the lives of twelve New York firemen. This year, as in years past, firefighters and family members gathered on the October 17<sup>th</sup> anniversary at the corner of 23<sup>rd</sup> Street and Broadway for a brief memorial service. For about one week following, a floral wreath continued to hang above the plaque as a way for family and friends to show their

<sup>1</sup> Von Essen, Thomas, and Matt Murray. *Strong of Heart: Life and Death in the Fire Department of New York*. (New York: Regan, 2002), 13.

<sup>2</sup> “Debate Surrounds Annual \$60M Cost of 9/11 Memorial.” *Breaking Washington DC News, US Politics News and Analysis*. Associated Press, 12 Sept. 2012. Web. 5 Nov. 2012. <http://washingtonexaminer.com/debate-surrounds-annual-60m-cost-of-911-memorial/article/feed/2029014>; National September 11 Memorial and Museum. *The National September 11 Memorial Opens to the Public*. N.p., 12 Sept. 2011. Web. <<http://www.911memorial.org/sites/all/files/September%2012%20Release%20FINAL.pdf>>.

<sup>3</sup> “Names Arrangement.” *9/11 Memorial*. N.p., n.d. Web. 8 Nov. 2012. <<http://www.911memorial.org/names-arrangement>>.

<sup>4</sup> Pickett, George. *The Brave: A Story of New York City’s Firefighters*. (New York, NY: Brick Tower, 2002), 26.

<sup>5</sup> “Commemorate 9/11 in Your Hometown.” *9/11 Memorial*. N.p., 12 Aug. 2012. Web. 8 Nov. 2012. <<http://www.911memorial.org/blog/commemorate-911-your-hometown>>.

<sup>6</sup> “FDNY - History of Fire Service.” *FDNY - History of Fire Service*. N.p., n.d. Web. 15 Oct. 2012. <[http://www.nyc.gov/html/fdny/html/history/fire\\_service.shtml](http://www.nyc.gov/html/fdny/html/history/fire_service.shtml)>.

<sup>7</sup> Von, Essen Thomas., and Matt Murray. *Strong of Heart*, 12.



“dedication to preserving [the] memories” of these twelve members of New York’s bravest. This wreath is the message of the family and friends: they will “never forget.”<sup>8</sup>

Before September 11<sup>th</sup>, the 23<sup>rd</sup> Street Fire on October 17, 1966 was the worst of its kind, a fire that devastated the FDNY and brought sympathy from the people of New York and from firefighters around the world. Until 2001, it was *the* fire department tragedy, “the fire department’s darkest date,” when men who were uncoordinated, ill-informed, and ill-equipped lost their lives.<sup>9</sup> It was a turning point in the history of both the department and fire safety standards and procedures.

This paper will seek to prove that in the 46 years since the 23rd Street Fire, while the facts of the fire have not changed, the way the FDNY and the families of the victims remember the fire has shifted. In the years immediately following the fire, its memory served as a catalyst for concrete safety changes, but by the late 1990s, the story of the fire had disappeared almost entirely. September 11<sup>th</sup> revitalized and altered the way the victims’ families and the department memorialize the 23<sup>rd</sup> Street Fire. In a post-9/11 world, the initial reaction of the fire department to line-of-duty deaths is to lionize firefighters and memorialize their deaths, making them into larger-than-life heroes instead of flawed human beings. With these changes, the 23<sup>rd</sup> Street Fire has come to be commemorated in a story of the victims as heroes and members of the ‘Bravest’ brotherhood, while the safety changes the fire initially precipitated have been largely forgotten.

The Fire Department of New York City is unlike any other fire department in the country. This is largely due to the cultural influence of the Italian and Irish immigrants and their descendants who have dominated the department for decades. In the early twentieth century, little education was required of firefighters, so immigrants facing discrimination and the lack of other employment opportunities flocked to the department, bringing their traditions with them. At the time it was an ‘old school’ group of family men with Irish brogues or Italian accents and names like O’Hagan and Reilly, Priore and Cassano.<sup>10</sup>

In the large contingents from the Irish and Italian communities, firefighting became a part of a family’s heritage as well. In the middle of the twentieth century, at the peak of this cultural dominance, the members of the department would “know the guys in your company...know the guys in other companies that you worked with...know the guys from the academy...for the people you know and the people you work with, that brotherhood is very real and very concrete.”<sup>11</sup> By the 1950s and 1960s, these Irish and Italian firefighters were not just members of the FDNY, but also veterans of World War II or the Korean War. These were men who were used to risking their lives for their country and committing themselves to a cause, regardless of the danger they inevitably would face. These men, like Korean War veteran Lieutenant Vincent Dunn, understood what it meant to put your life in the hands of your company.<sup>12</sup>

<sup>8</sup> “FDNY – Remembering the ‘23rd Street Fire’ October 17, 1966.” *Facebook*. N.p., n.d. Web. <<http://www.facebook.com/groups/294595092575/>>.

<sup>9</sup> Worth, Robert F. 2003. *A Grievous Day, Eclipsed by Sept. 11*. *New York Times (1923-Current file)*, Oct 12, 2003. <http://search.proquest.com/docview/92533472?accountid=15172> (accessed December 5, 2012).

<sup>10</sup> Joe Flood, phone interview, New Haven, Connecticut, October 2012.

<sup>11</sup> Joe Flood, interview, October 2012.

<sup>12</sup> Vincent Dunn, phone interview, New Haven, Connecticut, October 2012.

## “GONE BUT NOT FORGOTTEN”

One such man was John T. O’Hagan, a New Yorker of Irish descent, who entered the department in 1947 after fighting in the Pacific front of World War II. In 1964, after serving for 17 years, during which time he received no less than five meritorious commendations, O’Hagan became the youngest chief in the department’s history.<sup>13</sup> He represented both the old and the new of the department, what Dunn, a friend who served with him in the FDNY, described as an embodiment of the gutsiness and rich Irish culture of the old guard, as well as the battle-hardened fortitude and formal education of the newer firemen.<sup>14</sup>

It was out of such a history that the FDNY became known as a “brotherhood of the Bravest.” These were not simply men who worked together, but men who risked their lives together and became part of what firefighter George Pickett described as “a brotherhood that was the closest and best in America.”<sup>15</sup> Such a tight connection among the men in a company meant trust, giving each the security of knowing that the other men were watching out for him. It also meant that a loss of a firefighter was that much more painful. For most members of the FDNY, however, the benefit of the brotherhood far outweighed the potential sacrifice that all men accepted when they entered the service.

By the 1960s, many fire companies included a handful of firefighters who did not fit into the stereotypical Irish and Italian image. With changes in the department and the cultural traditions upon which it was built, room would open up for structural overhauls to take place as well. One major sign of these shifts occurred in November 1965, when, shortly after his election as mayor of New York City, John V. Lindsay appointed Robert O. Lowery as the Fire Commissioner of the FDNY. Though the fire commissioner appointment was generally related to party and politics, there was a lot at stake in the greater community when Lindsay’s appointment made Lowery the first black fire commissioner not only in New York City, but in any major American city.<sup>16</sup> Historically, the Fire Commissioner position has not always gone to men with experience in the department; Lowery, however, had twenty-four years of experience in positions ranging from Harlem firefighter to Deputy Commissioner.<sup>17</sup>

Beyond having experience in the department, Lowery had credibility and clout in the black firefighter community. In 1940, a year before Lowery took the Negro Civil Service Exam and joined the FDNY, Wesley Williams and a group of black firefighters created the Vulcan Society, a group organized to support the needs and challenges faced by black firefighters. The Vulcan Society became a relatively powerful force in the department, a sort of voting bloc that propelled forward policy changes and, in the case of Lowery, departmental

<sup>13</sup> James, George. “John T. O’Hagan, 65, Fire Chief And Fire Commissioner in the 70’s.” *The New York Times*. N.p., 03 Jan. 1991. Web. 10 Nov. 2012. <<http://www.nytimes.com/1991/01/03/obituaries/john-t-o-hagan-65-fire-chief-and-fire-commissioner-in-the-70-s.html>>.

<sup>14</sup> Dunn, interview, Oct 2012. ; New Fire Department Chief Named. (1964, Dec 16). *New York Times (1923-Current File)*. Retrieved from <http://search.proquest.com/docview/115956136?accountid=15172>.

<sup>15</sup> Pickett, George. *The Brave*, 26.

<sup>16</sup> Smith, Terrence. “Lindsay Selects A Negro To Head Fire Department; Lowery, Democrat, Will Be First of His Race to Hold That Commissionership.” *New York Times* 24 Nov. 1965.

<sup>17</sup> New Top Fireman. (1965, Nov 24). *New York Times (1923-Current File)*. Retrieved from <http://search.proquest.com/docview/116781764?accountid=15172>.

appointments.<sup>18</sup> After serving ten years as President of the society, Lowery reaped the rewards of his service to the community when the organization orchestrated a letter-writing campaign to encourage his appointment as Commissioner.<sup>19</sup> Although there were dissenting voices, Lowery's appointment was greeted as an effort that, as one Vulcan Society member put it, would convince "many thinking Negros [that the] administration would offer them the greatest opportunity of being incorporated in the mainstream of American life."<sup>20</sup>

Robert Lowery, though he was expected, by dint of his position, to represent all of the black firemen in New York City, was only one among a diverse group of men who comprised the Vulcan Society. Another member of the organization was Bernard A. Tepper, a black firefighter from Queens. Tepper, originally from Chicago, graduated with a degree from a technical institute and then, like so many of his FDNY peers, he joined the armed services in 1943, serving three years in the Army Air Corps.<sup>21</sup> With a technical degree and experience in the army that placed him among the ranks of the new guard of well-educated, well-trained firemen, Tepper joined Engine 18 in the West Village in 1955, at the age of 30.<sup>22</sup> By 1966, Tepper was a veteran whose work as a firefighter supported his wife and three children.<sup>23</sup>

At that time serving with Tepper in Engine 18 was James V. Galanaugh, a 27-year-old who had joined the department in 1962. Galanaugh, like Tepper, was well-trained thanks to a period of military service before joining the department. Unlike Tepper, however, Galanaugh was Irish and heir to the FDNY's custom of firefighting as a family tradition in the Irish community. In fact, Galanaugh's wife, Virginia, who lived with James and their children on Long Island, was the daughter of a firefighter who had been killed in the line of duty in 1955.<sup>24</sup>

At the time, it seemed as though Galanaugh might be on track to the same sort of departmental success of other, older Irish firefighters like Lieutenant John J. Finley. Known by the men of his unit, Ladder 7, as "Black Jack," Finley served for twenty-five years in the department before being appointed a lieutenant in 1962.<sup>25</sup> Although Finley's company was

<sup>18</sup> "History of the Vulcan Society." *Vulcan Society Inc. FDNY*. Web. 12 Oct. 2012. <<http://www.vulcansocietyfdny.org/History.html>>.

<sup>19</sup> Letters to John V. Lindsay. Nov. 1965. John V. Lindsay Collection, Manuscripts and Archives, Yale University, New Haven, CT

<sup>20</sup> Brent, William I. Letter to John V. Lindsay. 17 Nov. 1965. John V. Lindsay Collection. Manuscripts and Archives, Yale University, New Haven, CT

<sup>21</sup> "Tepper Triangle." *NYC Parks*. Web. 10 Nov. 2012. <<http://www.nycgovparks.org/parks/Qo84B/>>.

<sup>22</sup> "Bernard Tepper Triangle" Dedicated In Queens: "Tepper Triangle" Dedicated To Fireman Killed On Duty" *New York Amsterdam News (1962-1993)*; Jul 1, 1967

<sup>23</sup> Citizens and Public Bodies. *Fire Department – Award of \$17,983.98 to Widow of Deputy Chief Thomas A. Reilly*. New York: They City Record, 1967. Print.

<sup>24</sup> Cull, Frank. *The 23<sup>rd</sup> Street Fire as it Happened*.

<sup>25</sup> "May Their Souls Rest in Eternal Peace." *Trumpet: Uniformed Fire Officers Association* 19 (Oct. 1966): 3. Print.

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located in the East Village, Finley, like Galanaugh and many members of the Fire Department, lived in Long Island with his wife.<sup>26</sup>

Bernard Tepper, James Galanaugh, and John Finley were different ages, races, lived in different areas, and had different allegiances to companies and firefighter organizations, yet all were unified by their commitment to the Fire Department of New York. The nature of the department is such that three very different men came together on a regular basis to face danger and potential death. When a fire broke out in New York, engines and ladders throughout the city were called to the scene, which meant that Engine 18 and Ladder 7 could be thrown into a fatal fire at a moment's notice. This is exactly what happened on October 17, 1966.

On that Monday at 9:36 PM, Herbert Brown called the Fire Department from his apartment on the 4<sup>th</sup> floor of 7 East Twenty-Second Street, right across from the Flatiron Building and around the corner from the Wonder Drug Store. Smelling something burning and seeing a large quantity of smoke billowing out from the building, Brown phoned in the fire. After receiving the call, five fire companies responded, arriving at the scene as soon as they could. One of the companies was Engine 18, which meant that Galanaugh and Tepper were both heading towards the site, and another was Ladder 7, which meant that Lieutenant Finley was on his way as well.<sup>27</sup> Upon arrival, firefighters entered the Wonder Drug Store and inspected both the first floor and the cellar. With little visible fire in the area, it came as a shock when, as *the New York Times* would later report, at 10:39 PM, “all at once, with a thundering crash, a 20 by 5-foot section of the floor gave way. There was a burst of flame that rolled along the ceiling of the drugstore and flared out into the street.”<sup>28</sup>

What the firefighters had not realized at the time was that the cellar of the store extended beyond what they could see: a wall had been erected in the basement without the knowledge of the Department of Buildings. The wall served as a partition between two sections of the basement, which meant that although the firefighters believed that they had inspected the entire cellar, they had really only seen half of it. More than that, the half they did not see was the one in which a fire was raging.<sup>29</sup> Without realizing it, the firefighters in Engine 18 and Ladder 7 had been walking right above the fire as it was “burning in [the] cellar below a terrazzo floor [and] burned away the floor beams, although little heat and smoke penetrated the floor itself.” When the beams gave way, the floor collapsed “without any warning signs, and hurled ten firefighters...into [the] burning cellar.”<sup>30</sup> As the ceiling broke down, a flame burst upwards out from the cellar, engulfing an eleventh and twelfth fireman.

Almost instantly, twelve firefighters had been killed. All twelve men died not by fire, but by “asphyxia by inhalation of smoke.”<sup>31</sup> The twelve included 26-year-old Daniel Rey,

<sup>26</sup> O'Donnell, Michelle. “Oct. 17, 1966, When 12 Firemen Died.” *The New York Times*. N.p., 17 Oct. 2006. Web. 10 Oct. 2012. <<http://www.nytimes.com/2006/10/17/nyregion/17fire.html?pagewanted=all>>.

<sup>27</sup> Board of Inquiry, and Robert O. Lowery. *Fire at 7 East 22nd Street, New York City on October 17, 1966*. Rep. New York, NY. Print, 9-10.

<sup>28</sup> Alden, Robert. “‘Absolute Nightmare,’ Mayor Says.” *The New York Times* 19 Oct. 1966: Print.

<sup>29</sup> Board of Inquiry, and Robert O. Lowery. *Fire at 7 East 22<sup>nd</sup> Street*, 3-5.

<sup>30</sup> Dunn, Vincent. *Collapse of Burning Buildings: A Guide to Fireground Safety*. New Jersey: Penwell, 1988.

<sup>31</sup> Board of Inquiry, and Robert O. Lowery, *Fire at 7 East 22<sup>nd</sup> Street*, 15.

brother and son of firemen, who had joined the department earlier that year, and Deputy Chief Thomas Reilly, who had been in the department for nearly three decades. It also included James Galanaugh, Bernard Tepper, and “Black Jack” Finley.<sup>32</sup>

As the violent fire continued to rage, news spread rapidly of the twelve deaths. In addition to the on-duty firemen already present, twelve hundred firemen converged on the scene to control the fire that had taken twelve members from their brotherhood.<sup>33</sup> Commissioner Lowery, who was already at the scene, informed Mayor Lindsay of the disaster. Lindsay arrived at the scene in the early hours of the morning, “donned firemen’s ‘turn-out gear’...and sloshed through ankle deep water to where the firemen were believed to be trapped.”<sup>34</sup> Shortly thereafter, with the deaths confirmed, Lindsay, Lowery, and hundreds of firemen processed the tragedy with bowed heads and tears in their eyes.<sup>35</sup>

Among these firemen were Vincent Dunn and Manny Fernandez, two young members of the department. Fernandez, a member of Engine 18 and president of the firefighters’ Hispanic Society, had been hooking up hoses to fire hydrants when all but one responding member of his company were killed.<sup>36</sup> Dunn, witnessing the death and sadness all around him, felt confused, anxious, and regretful: he had nearly been sent into the building along with the twelve firemen. Instead, his good friend John Priore had entered. Now, Priore was dead.<sup>37</sup> According to Dunn, who was totally devastated by the loss, “everything I ever did in the fire service after that, was motivated by that fire.”<sup>38</sup> For both Fernandez and Dunn, their presence at the fire would reshape the way they thought about the fire department and change the course of their careers.

Notably absent from the scene was Chief John O’Hagan. As Commissioner, Robert Lowery attended the scene from an administrative perspective; though he was knowledgeable and experienced, he was unprepared to handle the tactical challenges a multiple-alarm fire presented. Such a task belonged to O’Hagan. The problem was that O’Hagan was in Chicago, meeting with the Chicago Fire Department on October 17.<sup>39</sup> Hearing of the fire, O’Hagan boarded a flight and got to the scene as rapidly as possible.

O’Hagan arrived at 23<sup>rd</sup> Street on the morning of October 18, as firemen removed the last of the bodies from the building. He spoke to the firemen and reporters at the scene and explained that the twelve men “never had a chance,” and that “this was the saddest day in the 100-year history of the fire department. I know we all died a little.” O’Hagan led a moment of silence for the hundreds of men still at the scene as each of the 300 New York firehouses sounded the “Four Fives”, the bell signal that all department members recognized to mean a line-of-duty death.<sup>40</sup>

<sup>32</sup> Cull, Frank. *The 23<sup>rd</sup> Street Fire as it Happened*.

<sup>33</sup> Board of Inquiry, and Robert O. Lowery. *Fire at 7 East 22<sup>nd</sup> Street*, 16.

<sup>34</sup> Egan, Cy. *World Journal Tribune* 18 Oct. 1966: Print.

<sup>35</sup> Cull, Frank. *The 23<sup>rd</sup> Street Fire as it Happened*.

<sup>36</sup> Ibid., 45.

<sup>37</sup> O’Donnell, Michelle. “Oct. 17, 1966, When 12 Firemen Died.” *The New York Times*.

<sup>38</sup> Dunn, interview, Oct 2012.

<sup>39</sup> Flood, Joe. *The Fires: How a Computer Formula Burned down New York City--and Determined the Future of American Cities*. New York: Riverhead, 2010. Print.

<sup>40</sup> “How Twelve Died in New York Fire.” *International Fire Fighter* (Oct.-Nov. 1966): 8-10. Print.

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Word of the fire continued to spread when newspapers across the country reported on the worst fire in FDNY history. Mayor Lindsay ordered all flags to fly at half-mast in New York City and people across the country expressed their sympathy and solidarity, including newspaper editorials and contributions for the children left behind.<sup>41</sup> The magnitude of the tragedy, both in terms of loss of life from the department’s perspective and in terms of media attention received meant that the department began to prepare for the funeral almost immediately.

The funeral, which was held on October 21, became a spectacle befitting the worst fire in department history. Fifteen-thousand firefighters, including “virtually every...fireman in the city,” as well as firefighters from places as far away as San Francisco, Anchorage, and Montréal, lined Fifth Avenue in uniform. Men stood at attention five deep on both sides of the street as taps played for a nearly silent crowd. A series of fire engines carried the twelve caskets as they slowly made their way to St. Patrick’s Cathedral and St. Thomas Episcopal Church.<sup>42</sup> In addition to the trucks and marching members of several companies, the twelve widows and nearly three-dozen children of the firefighters followed in the procession. Ginnie Galanaugh, one of the widows present, tried to understand the death of her young husband. Though the department and its firemen had given so much to the people saved in these deadly fires—an impact appreciated and commemorated in the grandiose funeral—the department had taken the man who mattered most to Ginnie Galanaugh.<sup>43</sup> Their supreme sacrifices, a point of pride for the city and the department, had devastated her and her family.

Picking up on the story of the fire as the worst of its kind in over a century, the New York media ran stories on the 23<sup>rd</sup> Street fire from all angles for weeks following the tragedy. The fire seemed to have the perfect combination of topics—a violent, destructive fire, heroic deaths of men on the line of duty, weeping widows—and papers like *The New York Daily News*, *The New York Times*, and *The New York Post* covered the fire in some capacity almost every day between the fire and the funeral, and then intermittently in the months that followed. Yet what began as a story of familial loss and a devastated brotherhood, with article titles like “‘Absolute Nightmare,’ Mayor Says” and “Our Brothers—We’ll Miss Them,” became a story of blame, negligence, and lawsuits almost immediately after the funeral.<sup>44</sup>

On October 31, only two weeks after the fire, *The World Journal Tribune*, a New York paper, ran a story titled “City Lags in Protecting Our Fire Fighters” that blamed outdated equipment, old and dangerous buildings, and insufficient training for an unnecessary tragedy.<sup>45</sup> Shortly thereafter, a group that included five of the widows filed a lawsuit, demanding a million dollars each for their husbands’ “wrongful deaths,” as well as for the “pain” said deaths had caused them.<sup>46</sup> Even though the Widows’ Fund created by the Fire Department in the week following the fire had collected about half a million dollars

<sup>41</sup> *New York Daily News* 20 Oct. 1966. Print.

<sup>42</sup> Greenspan, Arthur. *New York Post* 21 Oct 1966. Print.

<sup>43</sup> Millones, Peter. “Chaplains Carry Tragic News to Kin” *The New York Times* 19 Oct. 1966, Print.

<sup>44</sup> Alden, Robert. “‘Absolute Nightmare,’ Mayor Says.” *The New York Times* 19 Oct. 1966: Print; Ross, Don. “Our Brothers—We’ll Miss Them.” *World Journal Tribune* Oct. 1966, Print.

<sup>45</sup> Keller, Allan. “City Lags in Protecting Our Fire Fighters.” *World Journal Tribune* 31 Oct. 1966, Print.

<sup>46</sup> “\$1 Million Suits Filed by Fire Widows.” *World Journal Tribune* 30 Nov. 1966, Print.



when the suit was filed, the widows felt this was not enough.<sup>47</sup> With accusations and bitter lawsuits in the press, it was clear that the emotion surrounding the fire had changed. The city was no longer in mourning. The blame game had begun.

Meanwhile, as the fire department tried to resolve issues with the widows and lawsuits, Commissioner Lowery created a board of inquiry to investigate the cause of the fire, and by extension, the cause of the loss of life that was creating so much controversy. The final report, released in the spring of 1967, concluded that, “the death of the twelve firemen was not due to any fault or lack of existing equipment, nor to any unnecessary risk undertaken by any member of the Fire Department,” which enabled Lowery and the department to sidestep any sort of culpability. The blame, instead, was placed on the Department of Buildings. The conclusions of Lowery’s report explained that:

“the Board of Inquiry has found that lack of sufficient information regarding the construction, alterations, interconnections and occupancy of the building was one of the primary factors that contributed to this tragedy...we must eliminate this information gap...the inspection activities of the Building and Fire Departments must be better coordinated.”<sup>48</sup>

That this lack of knowledge and communication was at least partially to blame was clear. How could firefighters be expected to fearlessly plunge into a burning building if they had no knowledge—or worse, inaccurate knowledge—of the inside of the building and its structural weaknesses? In Lowery’s report, the board of inquiry did not place any blame on the fire department. As such, Lowery’s report suggested that he would not necessarily accept responsibility for providing better training of and, therefore, better protection for the members of the FDNY.

Others did, however, accept this challenge to reform and improve the department. For Fire Chief John O’Hagan, still embittered and filled with regret that he had not been at the fire when the twelve were killed, the 23<sup>rd</sup> Street Fire became a sort of turning point. The old ways of the department, when men would learn from each other on the job and improvise in even the most dangerous fires, were in need of improvement. O’Hagan understood with this fire behind him that firemen could prepare so that they would know exactly how to respond in any case. He would no longer allow the department to carry on as it had before; instead, he took the opportunity to change, creating standard operating procedures (SOPs) and a codification of techniques and plans to ensure that tragedy and death on such a scale would never happen again.<sup>49</sup>

Similarly, the 23<sup>rd</sup> Street Fire provoked a passionate response from Lieutenant Vincent Dunn, one of the young firemen who had witnessed the fire. Dunn, like O’Hagan, believed that such deaths were inexcusable and, more importantly, preventable. With research, planning, and an understanding of proper procedures, Dunn was confident that the potential tragedies of the future could be avoided. It was with this drive that he began to

<sup>47</sup> Keller, Allan. “Widow’s Fund Hits \$500,000.” *World Journal Tribune* 22 Nov. 1966, Print.

<sup>48</sup> Board of Inquiry, and Robert O. Lowery. *Fire at 7 East 22<sup>nd</sup> Street*, 23.

<sup>49</sup> Flood, Joe. *The Fires*, 62.

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study buildings and develop procedural recommendations to deal with fires in even the worst conditions.

O’Hagan and Dunn, although two of the loudest voices to press for departmental change, were not alone. The belief that improvements could save lives in the future led fire safety to become a focus for the department and the city.<sup>50</sup> Almost immediately, O’Hagan began to push for standardization of techniques and procedures, a system in which the old Irish brotherhood would have no more power and control than the new generation of fighters.<sup>51</sup> Institutional memory and the knowledge of battle-hardened veterans was not sufficient: it had not enabled Lowery to make a life-saving plan of action, nor had it saved the lives of those like Reilly or Higgins, who had been in the department for almost thirty years. O’Hagan, passionate about these changes, brought fire safety and preparedness to the attention of others in the city.

Within the two years after the 23<sup>rd</sup> Street Fire, these other voices outside of the FDNY began to recognize the importance of O’Hagan’s plans and strategies. O’Hagan’s SOPs were the first of their kind not only in New York, but in urban fire departments across the country.<sup>52</sup> This influence led people like the President of the Uniformed Firemen’s Association of Greater New York to write to Commissioner Lowery, imploring him to “review the Administration’s frighteningly negative posture on fire fighting manpower and equipment,” and to demand change and accountability.<sup>53</sup> In the same two year period, these changes grew to a level of national importance when, in 1968, President Lyndon Johnson signed the Fire Research and Safety Act, explaining that with so many “ill-trained and ill-equipped” firefighters, a system of “new studies into the causes of fires and into new methods of fire prevention and control” would be necessary in order to protect both lives and property.<sup>54</sup>

By 1969, when Mayor Lindsay spoke at the New York Fire Department’s Annual Memorial Services, the focus of the speech demonstrated what had been a clear change in departmental priorities. As the keynote speaker on the third anniversary of the 23<sup>rd</sup> Street Fire, Lindsay mentioned neither the twelve deceased firefighters, nor that tragic fire itself. Instead Lindsay stressed the steps the administration had taken, having “increased expenditures for new firefighting equipment” and strived to adapt and develop better techniques and practices.<sup>55</sup> Such was the shift that the fire and O’Hagan’s reaction had created in the FDNY: a memorial service had become a discussion on prevention for the future, instead of a

<sup>50</sup> Lindsay, John V. “Medal Presentation Fire Department of the City of New York.” New York. 5 June 1967. Speech.

<sup>51</sup> Flood, Joe. *The Fires*. 104.

<sup>52</sup> Flood, Joe. *The Fires*, 65.

<sup>53</sup> Ryan, Gerald R. Letter to Robert O. Lowery. 1 March 1968. John V. Lindsay Collection. Manuscripts and Archives, Yale University, New Haven, CT

<sup>54</sup> Johnson, Lyndon B. “Remarks Upon Signing the Fire Research and Safety Act of 1968.” Speech. Washington, D.C. 1 Mar. 1968. *The American Presidency Project*. Web.  
<<http://www.presidency.ucsb.edu/ws/index.php?pid=28700>>.

<sup>55</sup> Lindsay, John V. “New York Fire Department’s Annual Memorial Services at the Firemen’s Monument.” Fireman’s Monument, New York. 17 Oct. 1969. Speech.

celebration and lionization of those who had died. Memorializing of the firemen was clearly at play, but as a means to a safer end, instead of an end unto itself.

In the three years that had elapsed since the fire, life had gone on for those most affected by the deaths. The funds collected for the widows and their children had finally been distributed and the companies most devastated finally had new members to fill their ranks.<sup>56</sup> The fire, so shocking and captivating at the time, faded into memory, resurrected only every several years for an anniversary service. This is not to suggest that the twelve firefighters had been totally forgotten; in fact, on the tenth anniversary, the fire department announced the decision to name the streets at the then-new Fire Academy on Randall's Island after the twelve firemen.<sup>57</sup> Although this was a way to remember the individuals who had lost their lives, this also proved a poignant reminder of the department's dedication to training and safety. What better place to designate a Reilly Boulevard, Galanaugh Lane, and Priore Road than in the campus all future FDNY firemen would come to in order to learn the standard operating procedures and safety measures necessary to join the department?

The Randall's Island streets were not the only permanent memorials created in the 1980s in honor of the victims of the 23<sup>rd</sup> Street Fire: a bronze plaque, 25-by-31 inches, was dedicated in 1982. The plaque, initially placed in the sidewalk and later updated and mounted on the building that stands at the site—where a plaque remains to this day—listed the twelve firemen, along with the explanation that it was “dedicated to the memory of [the men] who made the supreme sacrifice in the discharge of their duties protecting life and property in the city of New York, October 17, 1966.”<sup>58</sup> The firemen had made the supreme sacrifice, but had done so out of a commitment to their responsibilities. Yet when memorial services had become only sporadic and attendance at those that were held was limited, it seemed that this duty had lost its meaning and the city had lost its appreciation for the sacrifices of the victims.

By 1986, the twentieth anniversary of the fire, there was little done to honor its memory. The loudest and often lone voice pushing for continued celebration of the twelve firemen was John O'Hagan. O'Hagan, by that point old and long past his tenure as Fire Chief, still felt passionately about the fire and the lessons that he had learned from it. Since the end of his FDNY career, O'Hagan had published *High Rise/Fire and Life Safety*, a book about fire safety and prevention in the tall, steel buildings that now made up so much of the New York skyline. In addition, O'Hagan had started his own fire safety consulting business.<sup>59</sup> Even twenty years removed from the event, O'Hagan refused to let the city forget: he advocated for making October 17<sup>th</sup> the day of the annual FDNY Memorial Services. As he explained, “October 17<sup>th</sup> should always be the first and most revered date on the New York City Fire Department calendar because it recalls the memory of the finest men that this Department had to offer and the responsibility that we have to their memory.”<sup>60</sup> The fire had given direction to his life and work both in the department and thereafter, so it devastated him to think it might be forgotten. While his books were taught at the fire academy, along

<sup>56</sup> Fire Department of New York. *Final Distribution of Funds*. New York. 1968. Print.

<sup>57</sup> Cull, Frank. *The 23<sup>rd</sup> Street Fire as it Happened*.

<sup>58</sup> Fire Department of New York. *Plaque to Honor 12 Firefighters Who Died in 1966 Five-Alarmers*. New York, 1982. Print.

<sup>59</sup> James, George. “John T. O'Hagan, 65, Fire Chief And Fire Commissioner in the 70's.” *The New York Times*. N.p., 03 Jan. 1991. Web. 10 Nov. 2012.

<sup>60</sup> Cull, Frank. *The 23<sup>rd</sup> Street Fire as it Happened*, 45.

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with *Collapse of Burning Buildings* (a 1988 book by Vincent Dunn that had been directly inspired by the 23<sup>rd</sup> Street Fire), his wishes to see the date memorialized were overlooked.

In effect, the fire disappeared from the public psyche by the 1990s. A small service to honor the twenty-fifth anniversary in 1991 was the first and last 23<sup>rd</sup> Street Fire memorial of that decade. In 1998, Manny Fernandez, the only member of Engine 18 to survive the fire, wrote Mayor Rudolph Giuliani with hopes of resurrecting the memory of the twelve firemen. Fernandez, who had created the Hispanic Society Medal in honor of the twelve men, begged to restore the medal, as it had fallen by the wayside.<sup>61</sup> Just like O’Hagan’s request over a decade before, Fernandez’s demand went unheeded by both Mayor Giuliani and the Fire Commissioner. The legacies of O’Hagan and Dunn’s safety research and advocacy had left an impact, but the names of the firefighters and even the fire itself had finally been forgotten.

The events of 9/11, only a few years later, violently forced the value of firefighter sacrifice back into the public consciousness. Television footage flashed images of firemen charging into the burning, collapsing buildings. Absent from the news broadcasts were scenes of firefighters running out of the towers: the two buildings had collapsed onto the first response FDNY teams as they had fought their way inside. By the evening of the eleventh, it had become evident that this was “the worst disaster in the New York Fire Department’s history,” leaving officials with no better way to determine the number of deaths than by moving “from firehouse to firehouse doing head counts.”<sup>62</sup> The count climbed into the hundreds on the first day, continuing to rise as bodies were removed from the site until the number eventually hit 343. In the days that followed, Fire Commissioner Von Essen held press conferences and attended hundreds of firefighter funerals, mourning these members of “the brotherhood of the bravest.”<sup>63</sup>

But as the department began a process of solemn recovery, there was no discussion of the failings of the department on that tragic day. Accusations of a lack of communication between the police and fire departments, resulting in only 23 police department casualties to the 343 from the fire department, were swept under the rug in a time of patriotism, as Americans came together in support of the city and the victims.<sup>64</sup> Gone within the first few years after the attacks were the stories of firefighters who, due to systems that lack proper coordination and preparation, charged valiantly into the twin towers shortly before they collapsed. Instead, the story of fire department has been “edited and presented as [a] hero stor[y],” in which the FDNY victims made the “supreme sacrifice” for their department, their city, and their country.<sup>65</sup>

<sup>61</sup> Fernandez, Manny. Letter to Rudolph Giuliani. 8 Oct. 1998. 23<sup>rd</sup> Street Fire Collection. Mann Library, Randall’s Island, New York, NY

<sup>62</sup> Fritsch, Jane. 2001. The response. *New York Times* (1923-Current file), Sep 12, 2001. <<http://search.proquest.com/docview/92097882?accountid=15172>> (accessed December 5, 2012).

<sup>63</sup> Golway, Terry. “Going Home.” *So Others Might Live: A History of New York’s Bravest : The FDNY from 1700 to the Present*. New York: Basic, 2002. 330-33. Print.

<sup>64</sup> Solnit, Rebecca. *A Paradise Built in Hell: The Extraordinary Communities That Arise in Disasters*. (New York: Viking, 2009), 213-4.

<sup>65</sup> Ibid., 201-2. ; “9-11 Tribute.” New York City Fire Department, n.d. Web. 10 Nov. 2012. <<http://www.nyc.gov/html/fdny/media/tribute/tribute.html>>.

As this narrative was being shaped, the Fire Department made the 9/11 attacks the center of an effort to appreciate and memorialize the department. With so many members lost on that day—including both the Fire Chief and the First Deputy Commissioner—the fire department created funds, memorials, and events in honor of the firefighters who had been killed; chalkboards with the names of the men who had been on-duty on the morning of September 11 were even placed in the Metropolitan Museum of Art, making the commemoration of the deceased firefighters into a sort of cultural signifier.<sup>66</sup>

As the ashes finally settled around Ground Zero, and both the FDNY and City Hall began to shape the story of 9/11, the history of the 23<sup>rd</sup> Street Fire was once again brought to the attention of the public. In October 2003, two years after 9/11 and 37 years after the 23<sup>rd</sup> Street Fire, the *New York Times* ran a story about the memory of the 1966 fire and how that day, “once the fire department’s darkest date,” had lost its title as the worst fire, yet some people refused to let it be forgotten. The article described the fire as “fading into history,” despite the efforts of friends and family, including Manny Fernandez, who would continue to remember the fire. Fernandez, quoted in the article, explained that after trying to revive the tradition of memorial services that had faded away by the early 1990s, “when I started hearing the numbers after Sept. 11, I said to myself, ‘Well, 12 is nothing now.’ But that shouldn’t mean we forget these guys.” The news story ended on the solemn note that in spite of all of his requests, no formal, FDNY-organized services had been held in over a decade. It seemed, according to the article, as though that year there would be no official memorial ceremony, but that Fernandez would be the “one white-haired man [who] will stand near 23<sup>rd</sup> Street and Broadway, quietly reliving the night he cannot forget.”<sup>67</sup> Based on the history surrounding the 23<sup>rd</sup> Street Fire and the slow process of its erasure from memory, it would have seemed as though the article’s prediction would prove accurate; it did not.

Several years after the September 11 terrorist attacks, Manny Fernandez got his redemption. Finally, almost forty years after the fire, its story had been resurrected both in the news and in the FDNY’s collective historical narrative. *The New York Times* featured stories on the 23<sup>rd</sup> Street Fire in both the October 2003 article cited above and in October 2006, the 40<sup>th</sup> anniversary of the fire. Memorial services, with family, friends, and fellow firefighters in attendance, were held once again at the site of the fire each year on October 17<sup>th</sup>.<sup>68</sup>

The speeches made at these services were, however, no longer about SOPs or increased investment in safety; instead, they were about remembering the firemen who had made the supreme sacrifice. Fire Commissioner Nicholas Scoppetta, speaking at the 2006 memorial service explained that in the fire department, “we never forget the sacrifices that our members...are called upon to make.”<sup>69</sup> The men described by Scoppetta were heroes in a long line of FDNY firemen who had lost their lives on the line of duty, not ill-informed and

<sup>66</sup> Baker, Al. 2002. Mayor Promising Better Response to Catastrophes. *New York Times* (1923-Current file), Aug 20, 2002. <<http://search.proquest.com/docview/92225641?accountid=15172>> (accessed December 5, 2012).

<sup>67</sup> Worth, Robert F. 2003. A grievous day, eclipsed by sept. 11. *New York Times* (1923-Current file), Oct 12, 2003. <<http://search.proquest.com/docview/92533472?accountid=15172>> (accessed December 5, 2012).

<sup>68</sup> O'Donnell, Michelle. “Oct. 17, 1966, When 12 Firemen Died.” *The New York Times*. N.p., 17 Oct. 2006. Web. 10 Oct. 2012.

<sup>69</sup> Pyle, Richard. “FDNY Marks 40th Anniversary of Second-Deadliest Blaze.” *The Associated Press* [New York City] 17 Oct. 2006: Print.

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unprepared men who had unknowingly stumbled into the deadly trap that was a collapsing building. With a renewed interest in the legacy of the deceased firefighters, the fire department had begun to hold these annual services, as an important part of the department’s efforts to appreciate and memorialize line-of-duty deaths.

In recent years, those in attendance have included not only family and dedicated friends, like Manny Fernandez, but also the Fire Chief, the Commissioner, and dozens of firemen.<sup>70</sup> In 2011, the Fire Commissioner described the twelve victims as a “loss [that] was heart wrenching and the Department mourned like never before.” At the same service, the Fire Chief promised on behalf of the department to “do our best to honor them and remember them for years to come,” an ironic promise given so many years of neglect.<sup>71</sup> The 2011 service also stood out as the year when a new memorial plaque was presented at the site of the fire. The new plaque was, according to the inscription, “dedicated to the memory of the twelve brave FDNY members who made the supreme sacrifice at this site on October 17, 1966.” Below these words were the names of the men who had died and a final phrase, “gone but not forgotten.” The twelve victims were no longer men who had died “in the discharge of their duties;” instead these were brave men, heroes even, who would never be forgotten – despite the fact that they nearly had been.

With revitalized memorial services, the families of the firefighters have stepped in to ensure that the legacy is not lost. Among those in attendance each year is Brian Finley, grandson of John “Black Jack” Finley. Brian Finley attends these services not only to support his family, but also as a firefighter who represents Ladder 7 – his grandfather’s company – in the FDNY.<sup>72</sup> Finley has dedicated himself to preserving the legacy of the fire, even creating a Facebook group entitled, “FDNY – Remembering the ‘23<sup>rd</sup> Street Fire’ October 17, 1966.” Created by Finley in 2010, the group currently has nearly 900 members and 90 pictures, all meant to “honor the memory of th[e] twelve men.” Members of the group include Finleys, Priores, Galanaughs, Higgins, and Reillys, all in relation to the victims, but also hundreds of people who want to honor the firefighters and declare that we “will never forget...these brave men.”<sup>73</sup> New members join the page on a regular basis, suggesting that the memory of the fire, instead of fading, will continue to grow so that more and more people invest themselves in remembering the 23<sup>rd</sup> Street Fire and its victims as heroes.

Since the legacy of the fire has become inextricably linked to the twelve firefighters lost in the 23<sup>rd</sup> Street Fire, their names and deaths are memorialized each year. Speeches at the annual services are about brave men making the supreme sacrifice. Online memorial pages include pictures and names, an act that suggests a refusal to forget those lost. These memorials, however, do not include the books written by Vincent Dunn or John O’Hagan, nor do they include a list of the standard operating procedures and technical practices that were created in the aftermath of the fire. There is no mention of the investments made in

<sup>71</sup> Fire Department of New York. *FDNY Remembers the 23rd Street Fire on Its 45th Anniversary*. New York City Fire Department. Web.

<sup>72</sup> Fire Department of New York. *Remembrance Ceremony for 44<sup>th</sup> Anniversary of the 23<sup>rd</sup> Street Fire*. New York City Fire Department. Web.

<sup>73</sup> “FDNY – Remembering the ‘23rd Street Fire’ October 17, 1966.” Facebook. N.p., n.d. Web. <<http://www.facebook.com/groups/294595092575/>>.



department technology or the relationships established between the FDNY and the Department of Buildings that all occurred in the years after October 17, 1966.

After September 11, these safety topics, which had formed the basis for speeches by Mayor John V. Lindsey and departmental overhauls by Commissioner Robert Lowery and Chief O'Hagan, received little coverage in sources like *The New York Times* which had been so crucial to publicizing the criticism of the FDNY after 1966. It seems as though there is no place in the popular narrative of the 9/11 terrorist attacks for debates over failures with regards to safety, training, and preparation. The story of the FDNY on September 11 is now one of valiant heroes.<sup>74</sup> The rhetoric of brave men, saving innocent people after a terrorist attack, has been perpetuated by the FDNY, as it has come to terms with the mortality of the men who are expected to risk their own lives for those of civilians. Thus, the firefighters are not just seen as fighting a fire, but as fighting against an attack on civilian life as well. These men are heroes, not victims of poor departmental oversight; and when the firemen lost in the FDNY's worst fire are lionized, it becomes difficult to not treat the department's second worst fire in the same way.

It could be suggested that the 23<sup>rd</sup> Street Fire held its title as the worst fire so long because O'Hagan's restructuring and dedication to safety succeeded. Vincent Dunn seems to believe this is the case.<sup>75</sup> Not only was O'Hagan's impact felt in the structure of the department, but also in his work on high rise safety. According to Dunn, O'Hagan's book *High Rise/Fire and Life Safety* helped create a system that eventually influenced not only the FDNY, but the Department of Buildings as well. Yet some of O'Hagan's advice went unheeded. In the book, O'Hagan had warned of the safety hazards he saw in the ongoing building of what became the two tallest buildings on the New York skyline: the north and south towers of the World Trade Center. After the buildings were hit in 2001, Dunn, recalling O'Hagan's book, went back to read through the section on the towers. Dunn felt both regret and frustration upon rereading that "O'Hagan knew [the towers] would go down in five to ten minutes. I knew I should have read the book more closely."<sup>76</sup>

In the aftermath of the 23<sup>rd</sup> Street Fire, the FDNY was forced to shoulder much of the blame and learn from its mistakes. The department had to grow and develop in response to its failures. After 9/11, the blame for the death and devastation was assigned to terrorists—even to airport security—but not to the fire department. Without the same acknowledgement of responsibility, the stories of the FDNY's shortcomings could fade away, hidden behind tales of the valiant heroes who perished saving others' lives. In the absence of such pressure to reform, the FDNY has not and might not remember the importance of creating a legacy of safety improvements. No one, not even a firefighter and expert like Vincent Dunn, can know at what expense such forgetfulness will come.

<sup>74</sup> Solnit, Rebecca. *A Paradise Built in Hell*, 213-4.

<sup>75</sup> Dunn, interview, Oct 2012.

<sup>76</sup> Dunn, interview, Oct 2012.

## BIBLIOGRAPHY

### PRIMARY SOURCES

- Board of Inquiry, and Robert O. Lowery. *Fire at 7 East 22nd Street, New York City on October 17, 1966*. Rep. New York, NY.
- Dunn, Vincent. Phone interview, New Haven, Connecticut, October 2012.
- Facebook. “FDNY – Remembering the ‘23rd Street Fire’ October 17, 1966.” N.p., n.d. Web. <<http://www.facebook.com/groups/294595092575>>.
- Fire Department of New York. *Final Distribution of Funds*. New York, 1968. Print.
- . *Plaque to Honor 12 Firefighters Who Died in 1966 Five-Alarmers*. New York, 1982. Print
- . *Remembrance Ceremony for 44<sup>th</sup> Anniversary of the 23<sup>rd</sup> Street Fire*. New York City Fire Department. Web.
- Flood, Joe. Phone interview. New Haven, Connecticut, October 2012.
- John V. Lindsay Collection, 1944-1994. MS 592. Manuscripts and Archives. Sterling Memorial Library. Yale University. New Haven, CT.
- National September 11 Memorial and Museum. *The National September 11 Memorial Opens to the Public*. N.p., 12 Sept. 2011. Web. <<http://www.911memorial.org/sites/all/files/September%2012%20Release%20FINAL.pdf>>.
- . “Names Arrangement.” N.p., n.d. Web. 8 Nov. 2012. <<http://www.911memorial.org/names-arrangement>>.
- . “Commemorate 9/11 in Your Hometown.” N.p., 12 Aug. 2012. Web. 8 Nov. 2012. <<http://www.911memorial.org/blog/commemorate-911-your-hometown>>.
- Twenty-Third Street Fire Collection. Mann Library. FDNY Training Center. Randall’s Island, New York, NY.

### SECONDARY SOURCES

- Cull, Frank. *The 23<sup>rd</sup> St. Fire as it Happened*. New York, NY, 1993.
- Dunn, Vincent. *Collapse of Burning Buildings: A Guide to Fireground Safety*. New Jersey: Penwell, 1988.
- FDNY - History of Fire Service. “FDNY - History of Fire Service.” N.p., n.d. Accessed Oct. 15, 2012. <[http://www.nyc.gov/html/fdny/html/history/fire\\_service.shtml](http://www.nyc.gov/html/fdny/html/history/fire_service.shtml)>.
- Flood, Joe. *The Fires: How a Computer Formula Burned down New York City--and Determined the Future of American Cities*. New York: Riverhead, 2010.
- Golway, Terry. *So Others Might Live: A History of New York’s Bravest: The FDNY from 1700 to the Present*. New York: Basic, 2002.
- NYC Parks. “Tepper Triangle.” Accessed Nov. 10, 2012. <<http://www.nycgovparks.org/parks/Q084B/>>.
- Pickett, George. *The Brave: A Story of New York City’s Firefighters*. New York, NY: Brick Tower, 2002.
- Solnit, Rebecca. *A Paradise Built in Hell: The Extraordinary Communities That Arise in Disasters*. New York: Viking, 2009.

Von Essen, Thomas, and Matt Murray. *Strong of Heart: Life and Death in the Fire Department of New York*. New York: Regan, 2002.  
*Vulcan Society Inc. FDNY*. "History of the Vulcan Society." Accessed Oct. 12, 2012.  
<<http://www.vulcansocietyfdny.org/History.html>>.

## PERIODICALS

*Associated Press*  
*International Fire Fighter*  
*New York Amsterdam News*  
*New York Daily News*  
*New York Post*  
*The New York Times*  
*Trumpet: Uniformed Fire Officers Association*  
*World Journal Tribune*

## TITLE IMAGE

"The Scene at Broadway and 22<sup>nd</sup> Street on Oct. 17, 1966"

Photographer: Larry Morris

Date: October 17, 1966

Source: The New York Times

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## PLAIN UTOPIA

# THE MANZANAR FREE PRESS AND THE SUPPRESSION OF THE INTERNMENT NARRATIVE

In 1988, Congress and President Reagan apologized on behalf of the U.S. government for the internment of about 120,000 Japanese Americans following the attack on Pearl Harbor. In this essay, Danny Serna '13 discusses the prevalence of censorship at the Manzanar War Relocation Center, an internment camp whose administration suppressed the distribution of the Manzanar Free Press, the camp's newspaper, which had reported about protests in reaction to the killing and maiming of several internees. Using issues of the Press as well as more recent literature on the internment narrative, Serna's essay argues that such censorship prevented the internees from "developing an independent understanding and vocabulary through which they could articulate their experience" — a silence not broken until many decades later.

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On December 5, 1942, the administration of Manzanar War Relocation Center, an internment camp that housed thousands of Japanese Americans during World War II, arrested three men on suspicion of assault. One of these men was Harry Ueno, a leader among the camp's kitchen workers. Manzanar's administration claimed that Ueno had been named an attacker and a danger to the community, but Ueno's blockmates, and many others in the camp, grew to believe that the camp's director wanted Ueno jailed for speaking out against corrupt management.<sup>1</sup> On Sunday, December 6, almost 4,000 internees gathered in Manzanar's Block 22, where Ueno lived, to demand his release.<sup>2</sup> Reports say that the crowd grew ornery and camp security opened fire into the crowd. Two internees were killed, nine more wounded, sending the camp's 10,000 residents into a furor.<sup>3</sup> Like other protests of this scale, the incident at Manzanar attracted media attention: the staff of the Manzanar Free Press, the camp's twice-weekly newspaper, was on the scene. Yet their stories had only just come off the press when the camp administration yanked the papers away, preventing their distribution and thus impeding any efforts to provide public recognition or public discourse on the riots.

The experience of censorship was only one part of a wide repressive effort on the part of a United States government at war with Japan. Hundreds of thousands of Japanese Americans, known as Nikkei, lived on the West Coast of America in 1941, and despite the virulent racism unsheathed after Pearl Harbor, a government report found in Japanese Americans a "remarkable, even extraordinary degree of loyalty among this generally suspect ethnic group."<sup>4</sup> Nonetheless, in the months that followed, the government detained Japanese American residents throughout the West Coast under suspicion of espionage. On February 19, 1942, President Franklin D. Roosevelt's Executive Order 9066 permitted the military to construct special zones to house Japanese Americans of suspect loyalty; to these zones, the government "evacuated" 110,000 Japanese Americans living on the West Coast in 1942. This executive order marked the beginning of three years of internment for Japanese Americans, and a lifetime of unresolved questions and often-suppressed shame. Conversation about internment was scant during the 1950s and 1960s, be it in private, in public, or in the academy. But by the 1970s and 1980s the discussion resumed; internment narratives became speakable once again.

What kept this dialogue suppressed for so many years? Some former internees recoiled from discussions of their shame for cultural reasons. They sought to maintain their dignity, and most did so by pushing indignity into the past. But there were attempts to narrate the experience among internees in the first months of internment. At relocation centers across the West Coast, internees reported, wrote, and edited for newspapers intended, at least in name, to provide day-to-day updates on camp life and a forum for public discourse. Far from fostering an open, honest dialogue in camps, though, these newspapers suffered censorship and repression at the hands of camp administration. Through this

<sup>1</sup> David Hacker and Arthur Hansen, "The Manzanar Riot: An Ethnic Perspective" in *Voices Long Silent* (Fullerton: Japanese American Project, California State University, Fullerton Oral History Program, 1974), 44.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

<sup>4</sup> Michi Weglyn, *Years of Infamy* (New York: Morrow, 1976), 34; Curtis Munson, *Report on Japanese on the West Coast of the United States* (Washington, D.C.: United States Department of State, 1941), 1.

editorship the administration forced false narratives on internees that prevented them from developing an independent understanding and vocabulary through which they could articulate their experience. This paper will examine the pages of the Manzanar Free Press, paying attention to the variety of censorship present in its pages. The paper will consider retrospective accounts of internment, taking particular note of accounts from the editors of the Free Press, to mark discrepancies between the public internment narrative of the 1940s, and the narrative reborn decades later. By its conclusion, this paper will have engaged a number of questions about internment narratives: How did Nikkei reconcile their imprisonment with filial piety to Roosevelt, and how did *giri* play into their reaction to internment? What did camp administration allow in the Free Press? Why were former internees quiet about their experiences, and what drove them to start sharing their narrative decades after the last Nikkei left Manzanar for good?

In the years leading to internment, the Nikkei had established themselves as a major economic presence on the West Coast. Roughly 50 to 60 percent of California's Japanese Americans worked in agriculture<sup>5</sup>; though they accounted for only 2 percent of California's population, by 1920 Japanese-Americans produced 92 percent of the state's strawberries, 80 percent of its celery and 66 percent of its tomatoes.<sup>6</sup> Their farms were prodigious in their productivity.<sup>7</sup> Whether they studied engineering, education, or English, for those of Japanese descent in pre-war white America, farming and fruit stands were the "ultimate end of every college graduate."<sup>8</sup> Yet even in agriculture, racial attitudes of the period hindered the Nikkei – California's Proposition One, passed by voters in 1920, prevented Japanese Americans from purchasing land, restricting them to leases.

In the face of such racism, the Nikkei built parallel communities where their prospects extended far beyond agriculture. Converging in the "Japantowns" of major cities, they worked as lawyers, fishermen, architects, florists, and doctors. In spite of their isolation from the overall population, by 1940, one-quarter of college-age Nikkei, known as Nisei, in Washington state were enrolled in colleges and universities.<sup>9</sup> The Issei, the first generation of Nikkei to come to America, were the leaders; this aging generation, about 60 years old at the start of World War II, provided guidance and mentorship to the Nisei, the children of the Issei.<sup>10</sup> Generations removed from Japan, only 20 percent of Nisei had citizenship in both Japan and the United States, and many had never visited their ancestral homeland.<sup>11</sup>

<sup>5</sup> Ann Koto Hayashi, "Face of the enemy, heart of a patriot: Japanese-American internment narratives" (PhD diss., Ohio State University, 1992), 41.

<sup>6</sup> Hayashi, "Face," 41.

<sup>7</sup> *Ibid.*

<sup>8</sup> Weglyn, *Infamy*, 268.

<sup>9</sup> Louis Fiset, *Camp Harmony: Seattle's Japanese Americans and the Puyallup Assembly Center* (Urbana: University of Illinois, 2009), 19.

<sup>10</sup> Weglyn, *Infamy*, 42. Nisei and Issei are the Japanese terms for second and first generation overseas Japanese, respectively. Nisei (second generation) is understood as the first generation to be born and raised overseas.

<sup>11</sup> Audrie Girdner and Anne Loftis, *The Great Betrayal: The Evacuation of the Japanese-Americans During World War II* (New York: Macmillan, 1969), 78.



In his 1941 report to the President, Munson noted the Nikkei's dedication to community,. "The Japanese is the greatest joiner in the world," he wrote.<sup>12</sup> For pre-war Nikkei cultures, the inclination to join manifested in prominent, active newspapers. In Seattle, the Japanese American Courier shared an office with the local Japanese-American Citizens League. The Courier's editor, Jimmie Sakamoto, served as a community leader.<sup>13</sup> His editorials, starting with the first issue of the Courier in 1928, provided guidance to his community.<sup>14</sup> Sakamoto believed in combating racial hostility through the characteristically Japanese values of loyalty, persistence, acquiescence, and strong community bonds.<sup>15</sup> His words gained special resonance, and his leadership new significance, after the December 7, 1941, bombing of Pearl Harbor by the Japanese air force placed Nikkei in a precarious position.

After Pearl Harbor, mainstream newspapers shaped much of the dialogue around the Nikkei's fate. Some were friendly: in trying to diffuse the panic after Pearl Harbor, the Seattle Post-Intelligencer and New York Times both warned their readers not to judge loyalty based on "the slant of the eyelid,"<sup>16</sup> but to remember that "it is the slant of the heart that counts."<sup>17</sup> Racially charged as these claims are, they are claims of tolerance—and they paled in comparison to the propaganda churned out by William Randolph Hearst and Valentine Stuart McClatchy, two of the nation's largest publishers in a series of "crusades against the yellow peril."<sup>18</sup> Such vitriol came to violent climax in West Coast cities like Tacoma, where Japanese workers faced beatings, stonings, and robberies as they walked to work.<sup>19</sup> Racist attitudes permeated the highest levels of government: Henry Knox, the Secretary of the Navy and one of the most influential voices for internment, maintained, in spite of Munson's report, that there was "a considerable amount of evidence of subversive activity on the part of the Japanese prior to the attack."<sup>20</sup> He did not specify his evidence, but public opinion sided with Knox, not Munson, and on February 19, 1942, Roosevelt signed Executive Order 9066. The internment had begun.

In theory, Executive Order 9066 could have applied to any ethnic group whose kin were fighting the United States: it did not explicitly single out the Nikkei, but rather allowed the Secretary of War to "prescribe military areas in such places and of such extent as he or the appropriate Military Commander may determine, from which any or all persons may be excluded."<sup>21</sup> In reality, though, Executive Order 9066 did not apply to Italians or Germans — only to the Japanese Americans of the West Coast. In the spring of 1942, 110,000 Japanese Americans were evicted from their homes, stripped of their possessions, and sent to live in desert barracks. According to most accounts, they did so with the giri Munson referred to in his report; taking their cues from the Japanese American Citizens League, the Japanese were

<sup>12</sup> Munson, Report, 9.

<sup>13</sup> Fiset, Harmony, 33.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid., 23.

<sup>16</sup> Ibid.

<sup>17</sup> Girdner and Loftis, Betrayal, 12.

<sup>18</sup> Weglyn, Infamy, 29.

<sup>19</sup> Girdner and Loftis, Betrayal, 49-50.

<sup>20</sup> Weglyn, Infamy, 52.

<sup>21</sup> Franklin Delano Roosevelt, "Executive Order 9066," Washington, D.C., February 19, 1942.

accepting, even supportive, of the government's effort to send them away to camps. "The Japanese departed their homes cheerfully, knowing full well, most of them, that the measures was [sic] designed to help preserve the precious, kindly camaraderie among divergent races which is one of the country's great contributions to humanity," read one editorial in a Seattle-area newspaper.<sup>22</sup> Evacuation seemed an opportunity to assert loyalty to America. "If Japan wins this war we have the most to lose," wrote Chiye Mori, a Nisei internee held at Manzanar, "We hope America wins and quickly....We want to share the gloom of temporary defeats and the joys of ultimate victory. We are deeply concerned with our American citizenship, which we prize above all else."<sup>23</sup>

The spirit of cooperation remained when Nikkei arrived at internment camps, in spite of the Spartan conditions found in settlements constructed in three weeks to house a racial minority. This attitude was reflected on the pages of the Manzanar Free Press, one of many newspapers emerging in the first weeks of interment across the Pacific coast. The Topaz Times at Topaz Relocation Center near Delta, Utah; the Tulean Dispatch at Tule Lake in Northern California; the Gila News-Courier at Gila River War Relocation Center in Gila River, Arizona; and the Camp Harmony News-Letter at the Puyallup Assembly Center in Puyallup, Washington, all published their first issues in this time. These newspapers faced much the same obstacles—in most camps, the administration determined what could be published. Japanese-language stories were forbidden; the bulk of each paper's content included rules, regulations, announcements from the camp's management, births, deaths, and marriages—in short, anything that "served to improve morale and reduce feelings of isolation."<sup>24</sup>

The Manzanar Free Press, however, had grander aspirations. Its first issue struck an eager, optimistic tone, calling the internment of Japanese an "unparalleled experiment in American democracy." "This, to a newspaper man or woman, is plain Utopia," the paper's first editorial stated. "Politics are out! We don't have to worry about what our advertisers think! We will have no circulation worries."<sup>25</sup> This editorial promised to chart new, undefined ground in journalism: free from the editorial restraints of advertisers' interests, the paper could publish as it chose. Ignoring the obvious injustice of internment, the paper reframed "relocation" in a positive, hopeful narrative for internees. Many articles in the first few editions of the Free Press concentrated on a perceived race between Manzanar and the relocation center at Santa Anita for the largest population among internment camps. "Jockeying for position as the largest evacuation reception center, Santa Anita is temporarily in the lead with a population of 4,353 to Manzanar's 3,302," reported an article in the first issue, suggesting an interest in a race between internment camps to claim the largest interned population.

The paper's second issue, published on April 15, 1942,<sup>26</sup> continued the rosy threads of the first. Under the headline "Manzanar Holds First Election," the paper lauded the camp's

<sup>22</sup> Weglyn, *Infamy*, 78-9.

<sup>23</sup> Henry Ferguson, "Manzanar Nice Place — It Better Than Hollywood," *San Francisco News*, April 21, 1942, Accessed December 17, 2011, <<http://www.sfmuseum.org/hist8/manzanar1.html>>.

<sup>24</sup> Fiset, *Harmony*, 129.

<sup>25</sup> "Volume 1, Issue 1," *Manzanar Free Press*, April 11, 1942.

<sup>26</sup> "Volume 1, Issue 2," *Manzanar Free Press*, April 15, 1942.

first-ever election while ignoring its undemocratic nature. Although internees voted for candidates to become leaders of each internment block, camp management would select officials from among the candidates. The Free Press frequently reported important, truthful news, yet without fail spun the facts to further a narrative emphasizing Manzanar as a space of opportunity. In the pages of the Free Press, residents in the camp complained not about the drafty barracks or the lack of privacy, but about the lack of work. “I wish the office would let me have a plot to do some work,” a farmer from Block 5 complained. “Feel like a fish out of water....I’m willing to do anything,” a bartender said, unable to find use for his skills. Dated April 18, the third issue welcomed Manzanar’s first baby, “heralded by a lusty wail.”<sup>27</sup>

Although other camp papers were not allowed to run editorials of any color, the Free Press regularly printed editorials espousing Manzanar’s peculiar brand of opportunity. “It is hard to obliterate the past. The memories of men live on,” the third issue’s editorial stated. “But here at Manzanar we meet on common ground....Of such stuff is democracy made.”<sup>28</sup> An editorial in the paper’s fourth issue noted that trained architects and pharmacists who before internment were unable to find work due to the racial attitudes of the period could finally put their skills to use in Manzanar, while the fifth issue’s lead story returned to the race against Santa Anita and newcomer Arcadia to become the largest internment camp. “With this addition, Manzanar expects to nose out Santa Anita for the lead as the largest reception center—until the Arcadia camp gets its influx beginning May first. From here on it’ll be a neck and neck race.”<sup>29</sup> These first issues of the Manzanar Free Press take pains to paint camp as an exciting utopia.

This narrative provides a stark contrast with the stories internees told decades later. Before internment, Togo Tanaka edited the English section of California Nikkei newspaper *Rafu Shimpo*; years later, he reported widespread outrage at the government’s decisions. In a 1973 lecture at the University of California, Los Angeles, Tanaka told the audience about a meeting he had with California Governor Culbert Olson shortly after President Roosevelt issued Executive Order 9066. “Promise to give up your freedom, if necessary, in order to prove your loyalty,” Tanaka said Olson told him. “Then and now, to me that was an indefensible racist blow. I could understand it, but I could not accept it. And some of us present objected, and Walter Tsukamoto, then the national president of the Japanese American Citizens League, declared that this would be a betrayal of American constitutional principles.”<sup>30</sup> Though other Nikkei shared Tsukamoto’s principle-based objection to internment, for many the constitutional question came second to immediate physical concerns. So long as the Nikkei were assured they were not bound for concentration camps, so long as they were assured that they would not become prisoners of war, Weglyn writes, the Japanese accepted internment, and went peacefully. “This evacuation did not seem too unfair until we got right to the camp and were met with soldiers and guns and bayonets,” a Nisei told Weglyn. “Then I almost started screaming.”<sup>31</sup>

<sup>27</sup> “Volume 1, Issue 3,” Manzanar Free Press, April 18, 1942.

<sup>28</sup> Ibid.

<sup>29</sup> “Volume 1, Issue 5,” Manzanar Free Press, April 25, 1942.

<sup>30</sup> Togo W. Tanaka, “How to Survive Racism in America’s Free Society,” in *Voices Long Silent*, 95.

<sup>31</sup> Weglyn, *Infamy*, 79.

Indeed, confronted with half-built facilities, oppressive camp management, and brutal heat, internee opinion on internment soon soured. Tanaka recounted countless complaints about the first months at camp—no privacy, incomplete barracks, howling windstorms, two months of constant diarrhea from improperly prepared food.<sup>32</sup> “We had one objective: we wanted to get the hell out of there....[We] were dying of anxiety neurosis and frustration from seeing the barbed wire and watchtowers. There wasn’t a day when I didn’t try to figure out some way to get out of there. I think this was the overriding concern of the people.”<sup>33</sup> Even the pages of the *Free Press*, just a month into internment, demonstrate waning enthusiasm and mounting frustration. Santa Anita, Manzanar’s grand enemy back in April, filled to capacity in early May, ending the race between the two. The exuberance about the experiment in democracy that dotted the first issues of the *Free Press* slowly vanished as the issues passed. In its place came banal announcements about bans on possessing liquor or leaving camp.<sup>34</sup> Occasionally, the hopeful voice returned: the *Free Press* relished Manzanar’s first-ever Commencement exercises in honor of students from Bainbridge High School in Bainbridge, Washington, who continued their studies through correspondence.<sup>35</sup>

As the internment stretched into its third and fourth months, camp life reached some level of normalcy. By the end of June the camp established an Activity School for junior and senior high school students. The school offered Journalism, Life Science, Botany, Astronomy, Drama, Young Geologists, Book Club, Spelling Bee, Math Club, Junior Math Club, and the Young Citizens League.<sup>36</sup> In June, the *Free Press* added an extensive Japanese language section for the camp’s Issei, many of whom spoke little to no English. The Japanese section spanned two to six pages and presented the same content as the rest of the newspaper. It published uninterrupted until early July, when the paper began running a “Direct Translation of Japanese News and Bulletins” and the number of Japanese pages dropped to one or two an issue.<sup>37</sup> With the change in content came a change in leadership: Chiye Mori, a female journalist from Los Angeles who once worked with Tanaka, took over as the new editor.

Chiye Mori brought a loud perspective and controversial personality to the paper. Unlike most Nisei women, who were “very conservative,” Mori “smoked and swore and drank whiskey,” according to Sue Konitomi Embrey, a reporter who worked under Mori and went on to edit the *Free Press* herself.<sup>38</sup> In the newspaper office, Mori openly criticized Roosevelt and espoused communist views, making the *Free Press* a private bastion of leftism. In the *Free Press* office, ideas mattered. Embrey found Mori’s criticism of Roosevelt misguided, and thought that the internees should try to make the best of their situation rather than complain, but the open dialogue Mori espoused inspired Embrey to think more boldly. “I began to think you could have your own opinion and even criticize those in

<sup>32</sup> Tanaka, “How to Survive,” 97.

<sup>33</sup> Arthur Hansen, “Togo W. Tanaka” in Japanese American World War II Evacuation Oral History Project (London: K.G. Saur, 1994), 151, accessed December 17, 2011, <<http://tinyurl.com/6ro8t82>>.

<sup>34</sup> “Volume 1, Issue 8,” Manzanar Free Press, May 6, 1942.

<sup>35</sup> “Volume 1, Issue 20,” Manzanar Free Press, June 3, 1942.

<sup>36</sup> “Volume 1, Issue 21,” Manzanar Free Press, June 6, 1942.

<sup>37</sup> “Volume 1, Issue 33,” Manzanar Free Press, July 7, 1942.

<sup>38</sup> Diana Meyers Bahr, *The Unquiet Nisei: An Oral History of the Life of Sue Kunitomi Embrey* (New York: Palgrave Macmillan, 2007), 66.

government,” Embrey said.<sup>39</sup> Under Mori’s leadership, the Free Press covered the planned migration of hundreds of internees to Montana and Idaho to work the beet fields.<sup>40</sup> Mori’s paper reported on plans for new developments, including a proposed YMCA and the growth of the camp’s baseball league.<sup>41</sup> If not hard-hitting or editorially bold, the Free Press under Mori provided a voice for a community building itself from scratch.

But was it the voice the community wanted? Because of administration-imposed limitations, none of the candor that marked the Free Press office made it into the newspaper itself. Bob Brown, the camp’s public relations coordinator, held the final say over all content. While he did not censor often, the threat alone prevented the paper from taking risks. “We knew if we wrote about a certain thing, it wouldn’t get in the paper,” Embrey said. “The complaints of the internees were not voiced in the Free Press.”<sup>42</sup> Indeed, the paper consistently pushed a pro-government, pro-Americana agenda that jarred with the views of its editors. In light of Mori’s personal radicalism, some of the editorials run under her tenure seem disingenuous, even ironic. “Man’s universal love of art and beauty is inextinguishable,” she wrote in an editorial dated August 17, 1942. “Wherever beats the human heart, in the lush jungles of Bataan, along the muddy banks of the Yangtze, in the bomb-scarred Sevastopol, and even in Manzanar, man yearns for beauty.”<sup>43</sup> Could these melodramatic lines represent a flippant rejection of the administration and their triumphal narrative? Or could they, taken literally, be seen as a broad assertion of the human spirit present still in the camps? A whiskey-drinking, cigarette-smoking radical could not defeat the power structures in place at Manzanar that kept the camp’s one public voice from functioning freely; the paper could not uphold its original pledge to speak for the people of Manzanar. Yet in lines such as those above, one reads defiance.

Eventually Mori did defy Bob Brown and the administration, in her coverage of the aforementioned riots. Although two protesting internees were killed by police, the extant record of the Manzanar Free Press does not mention the incident. Chiye Mori and her team did, however, report on the riot; this reporting, and the issue of the Free Press that followed, marked the only time the newspaper subverted camp administration and published without censor. The administration quashed this publication, removed Chiye Mori to Tule Lake, and shut down the Free Press until Christmas, when the camp administration published a holiday edition. When the paper resumed regular publication in January, Bob Brown had been added to the top of the masthead, above the names of the paper’s new slate of editors. The Ueno “incident,” as most primary documents from the WRA called it, never received a mention in the pages of the Free Press thereafter.<sup>44</sup>

As 1943 went on, the Free Press furthered the distance between its reporting and the people it purported to serve. Bob Brown knew this — in fact, because censorship prevented the Free Press from providing a full account of life in the camp, Brown even commissioned internees Joe Masaoka and Togo Tanaka to prepare a “comprehensive documentary record”

<sup>39</sup> Ibid., 67.

<sup>40</sup> “Volume 2, Issues 40-49,” Manzanar Free Press, November, 1942.

<sup>41</sup> “Volume 2, Issue 18,” Manzanar Free Press, September, 1942.

<sup>42</sup> Bahr, *Unquiet*, 68.

<sup>43</sup> “Volume 2, Issue 12,” Manzanar Free Press, August 17, 1942.

<sup>44</sup> Hacker and Hansen, “Riot,” 46.

of the camp to describe “the evolving life of internees.”<sup>45</sup> Masaoka and Tanaka’s reports told a story of internment that would never reach the pages of the Free Press. While Masaoka and Tanaka privately wrote “very critical” reports protesting the low quality of food and housing in the camps, the Free Press continued to publish a narrative that glossed over the realities of camp life.<sup>46</sup> “Probably the farthest thing from the minds of most evacuees is the thought that Uncle Sam deliberately ‘had done us wrong’ in its decision to evacuate and send us to WRA projects,” an editorial in February 1943 stated.<sup>47</sup>

By this time, the Nisei “had endured every possible humiliation” — it had been a year of public criticism, public shaming, bad food, and lousy shelters for the Nikkei.<sup>48</sup> Just two months after the Manzanar riot, the government complicated matters with a proclamation: all internees age 17 or older who had not already applied for repatriation would be forced to sign a loyalty oath. The oath confused some internees, forced others into unfair dilemmas and angered nearly everyone. Two questions came under particular scrutiny:

No. 27. Are you willing to serve in the armed forces of the United States on combat duty wherever ordered?

No. 28. Will you swear unqualified allegiance to the United States of America and faithfully defend the United States from any or all attack by foreign or domestic forces, and forswear any form of allegiance or obedience to the Japanese emperor, to any other foreign government, power or organization?

The Issei, many of whom had lived in the United States for decades but were Japanese citizens, “recoiled in horror at the possibility of becoming men and women without a country.”<sup>49</sup> For the Nisei the loyalty question represented another link in an ever-growing chain of unjustified decisions by the government. “I said ‘no’ and I’m going to stick to ‘no.’ If they want to segregate me they can do it. If they want to take my citizenship away, they can do it,” one Nisei told Morris Oppler, the government’s community analyst in Manzanar. “If this country doesn’t want me they can throw me out. What do they know about loyalty?”<sup>50</sup> Born in Hawaii, this Nisei had never visited Japan and spent his entire life working on the West Coast. He and his wife lost \$10,000 in the evacuation, and as the government continued to poke and prod, looking for any trace of fidelity to the Japanese, he began to question his own loyalty for the first time.<sup>51</sup> Frustration ran high during this period, and in Manzanar, even Caucasian staff protested Question 28. None of this debate made the pages of Bob Brown’s Manzanar Free Press. The Free Press repeatedly referred to the loyalty oath as an “opportunity” for happy Americans to support their country.<sup>52</sup> The paper ran banner headlines about how internees could finally show just how much they loved Uncle Sam. One

<sup>45</sup> Bahr, *Unquiet*, 68-69.

<sup>46</sup> *Ibid.*

<sup>47</sup> “Volume 3, Issue 9,” Manzanar Free Press, February 5, 1943.

<sup>48</sup> Weglyn, *Infamy*, 135.

<sup>49</sup> *Ibid.*, 136.

<sup>50</sup> *Ibid.*, 138.

<sup>51</sup> *Ibid.*, 139.

<sup>52</sup> “Volume 3, Issue 14,” Manzanar Free Press, February 17, 1943.



mention of the crisis that emerged from the loyalty oath did show up in the Free Press. The February 17, 1943, edition includes an article headlined “Block Managers hear director,” which in its meager two paragraphs informs the reader that the camp held an “emergency meeting” regarding Question 28. The reader is not privy to what the director told the Block Managers, and instead learns only that internees who have changed their mind and would like to switch their answers can re-register without penalty.<sup>53</sup>

Eventually, those who answered “no” to Question 28 were relocated to the Tule Lake internment camp. After that, life at Manzanar, and on the pages of the Manzanar Free Press, entered a lull. Again the internees headed to the beet fields in Montana, and again the farmers did failed to provide adequate compensation. In this time the Free Press tacked farther and farther toward the administration’s views, replacing what was overly-rosy but truthful coverage with outright propaganda. An article discouraging camp residents from relocating to the Tule Lake segregation center reminded that Tule Lake would be a black mark on their children’s records. “Though transfer to the segregation center is not a punishment, it is nevertheless a very serious thing, and a matter to be considered carefully, since it will be very difficult to relocate on the outside after going, even voluntarily, to the segregation center,” one article stated, plainly, without attribution.<sup>54</sup> Adjacent to that article ran another with the headline, “Leaders Discuss Problem of Canadian Japanese.”<sup>55</sup> The Munson Report had debunked the idea of a “Japanese problem” years before, but starting in the fall of 1943 it began to enter even the pages of the Nikkei-produced Free Press with frequency. It is difficult to believe the Nikkei would refer to their presence on the West Coast as a “problem,” but the public voice of the people of Manzanar, the Manzanar Free Press, had lost any connection to its audience by fall 1943.

That same month, the Free Press issued a 20-page “pictorial supplement,” published on September 10, 1943. Envisioned as a snapshot of life in Manzanar, it amounted to little more than an elaborate public relations stunt, swapping honesty with euphemism. “In one year’s time there have sprung into being farms and workshops, homes and schools, churches and gardens,” wrote Project Director Ralph Merritt. “Like the design woven into a beautiful cloth, all these had a part in creating this new home of the people of Manzanar from the raw lands of the desert. But the triumph of Manzanar is not in the things that have been created, it is in the spirit of the people who have been tested by the winds of winter, by the heat of summer, by the loss of old homes and by the uncertainties of the future.”<sup>56</sup> The supplement’s absurd optimism was also clear in pictures. These featured images of women smiling as they pick out hats from the general store, men smiling as they look at opportunities to resettle in the Midwest, and nurses smiling as they tend to sick patients. One article, titled “Memories of Manzanar,” tells internees how they will consider their experience after the war’s end:

Impressions of Manzanar most likely to wander through our memories after this is all over: The blue-purple haze veiled over the Inyo mountains moments before sunrise, eye-catching to those hardy few early risers....Men, women and children lining up

<sup>53</sup> Ibid.

<sup>54</sup> “Volume 3, Issue 71,” Manzanar Free Press, September 4, 1943.

<sup>55</sup> Ibid.

<sup>56</sup> “Volume 4, Issue 1,” Manzanar Free Press, September 10, 1943.

patiently to the grimly closed door of mess halls...the hourly change of classes in block seven, sending swarms of chattering and laughing pupils to their next class rooms....The chattering of elderly Isseis as they reminisce over the carefree robust, adventurous early years in America....In bed after the storm, after the windows stop rattling, after the wind stops moaning, with the windows open and the cool night air softly billowing across your face.

The pictorial supplement, as the above passage demonstrates, represents a break from the Free Press' stated purpose of providing fair, honest news to the community. Its staff had lost sight of the paper's June 9, 1942, declaration: "instead of being merely the mouthpiece of the administration, it strives to express the opinions of the evacuees in the solution of immediate and foreseen problems."<sup>57</sup> In truth, the paper frustrated and ignored internee voices. Internees often complained about the Free Press, calling its content "patronizing."<sup>58</sup>

The war pressed on for two more years, and the Nikkei remained behind gates. Schools grew in size; young couples had children. Some internees willing to resettle in the Midwest were permitted to do so. This eastward flow continued after WWII ended and the camps closed, ending years of Nikkei clustering in California, Oregon, and Washington. By 1960, there were more Nikkei in New York than in Oregon; 16,653 lived in Washington in 1960, compared to 14,074 in Illinois.<sup>59</sup> That same year, only 25 percent of California's Nikkei worked in agriculture – half of the prewar figure.<sup>60</sup> This was in part deliberate: after the war, some Nikkei felt that, prior to the war, they had not made sufficient efforts to integrate with white Americans.<sup>61</sup> This was the period in which Japanese Americans became a "model minority," quietly performing all the tasks of good citizens more effectively than native-born white Americans. Their divorce rate, unemployment rate, and crime rate were low, and the average Nikkei was better educated than the average white American.<sup>62</sup> During this period, most former internees stayed quiet about their experience in the camps. "We felt shamed," one activist recalled, "We could not bear to speak of the assault."<sup>63</sup> In this period, the characteristic silence of Nikkei became known as *enryo* syndrome, for a Japanese word meaning "restraint."<sup>64</sup>

Compounding this cultural reticence was the lack of a vocabulary requisite to speaking about the internment experience. "I didn't know how to talk about it," remembered Sato Hashizume, interned at Minindoka. "We were fed a lot of euphemisms, like instead of being forced to move – the forced removal – it was called 'evacuation.'...When I was trying

<sup>57</sup> "Volume 1, Issue 21," Manzanar Free Press, June 6, 1942.

<sup>58</sup> Bahr, *Unquiet*, 68.

<sup>59</sup> Girder and Loftis, *Betrayal*, 456.

<sup>60</sup> *Ibid.*

<sup>61</sup> Weglyn, *Infamy*, 274.

<sup>62</sup> Girder and Loftis, *Betrayal*, 455.

<sup>63</sup> Weglyn, *Infamy*, 273.

<sup>64</sup> *Ibid.*, 274.

to think about it and talk about it, I didn't know quite what to say.”<sup>65</sup> Recovering from traumatic experience, such as internment, requires the creation of a language through which it can be understood; without this language, the trauma remains internal and unresolved. Writing on the work of Holocaust survivor Primo Levi, political theorist Judith Butler emphasizes the centrality of “crystallization” in the process of waking from traumatic experience: “The trauma works to undo the painful memory as a bounded event, and the story, in crystallizing the memory, offers relief from precisely this traumatic encounter.”<sup>66</sup> Without a language in which to contain their experience, former internees could not find that relief.

The failure of the Free Press to construct an honest human narrative, coupled with a reluctance to speak about an experience perceived as shameful, hindered the development of a truthful public internment narrative. The absence of this narrative meant that for many, the trauma of internment remained unresolved and unbounded, leaving healing distantly in the future. For public discussion to begin, many internees needed a spark from third generation Nikkei: the Sansei, children of the Nisei. The Sansei had not taken any sort of loyalty oath, had never read the Manzanar Free Press, had learned of internment in the vernacular of the 1960s, and had conceived of their parents' imprisonment not as a shameful incident to be left in the past but as something immediately present and unjust. At the Sansei's urging, internment narratives emerged in the late 1960s with the publication of books like Jeanne Wakatsuki Houston's *Farewell to Manzanar*. In 1973, one interviewer asked Sue Kunitomi Embrey, a friend of the Houstons, what she thinks it means to say “farewell to Manzanar”: “I'm not sure, really, except that you can talk about what happened to yourself and talk about what happened to people as Asian immigrants,” she replied. “I think once you face it, know it's there, possibly find ways and tools of coping with it, I think then you can let go of the past and say ‘farewell.’”<sup>67</sup> The act of progressing required, in part, the dredging and airing of painful, shameful memories, so that individuals could not only share with others what they had experienced: they could understand it for themselves. The telling of these stories necessitated a new vocabulary removed from Bob Brown, the War Relocation Authority, and the Manzanar Free Press.

## BIBLIOGRAPHY

- Bahr, Diana Meyers. *The Unquiet Nisei: An Oral History of the Life of Sue Kunitomi Embrey*. New York: Palgrave Macmillan, 2007.
- Butler, Judith. “Primo Levi for the Present.” In *Refiguring Hayden White*. Palo Alto: Stanford University Press, 2009. 282-303.
- Ferguson, Henry. “Manzanar Nice Place — It Better Than Hollywood.” *San Francisco News*, April 21, 1942.

<sup>65</sup> “Telling Their Stories Oral History: Sato Hashizume,” last updated January 23, 2008, <<http://www.tellingstories.org/internment/shashizume/index.html>>.

<sup>66</sup> Judith Butler, “Primo Levi for the Present” in *Refiguring Hayden White* (Palo Alto: Stanford University Press, 2009), 293.

<sup>67</sup> Sue Kunitomi Embrey, “Manzanar — The Continuing Struggle” in *Voices Long Silent*, 189.

- Fiset, Louis. *Camp Harmony: Seattle's Japanese Americans and the Puyallup Assembly Center*. Urbana: University of Illinois Press, 2009.
- Girdner, Audrie, and Anne Loftis. *The Great Betrayal; The Evacuation of the Japanese-Americans during World War II*. New York: Macmillan, 1969.
- Hansen, Arthur, and Betty Mitson. *Voices Long Silent: an oral inquiry into the Japanese American evacuation*. Fullerton: Japanese American Project, California State University, Fullerton Oral History Program, 1974.
- Hayashi, Ann Koto. "Face of the Enemy, Heart of a Patriot: Japanese-American internment narratives." (PhD diss., Ohio State University, 1992).
- Manzanar Free Press. April 1942 – September 1945. Western Americana Collection. Beinecke Rare Books and Manuscripts Library. New Haven, Connecticut.
- Munson, Curtis. *Report on Japanese on the West Coast of the United States*. Washington, D.C.: United States Department of State, 1941.
- Roosevelt, Franklin Delano. "Executive Order 9066." Washington, D.C. February 19, 1942.
- "Telling Their Stories Oral History: Sato Hashizume," last updated January 23, 2008.  
<http://www.tellingstories.org/internment/shashizume/index.html>
- Weglyn, Michi. *Years of infamy: the untold story of America's concentration camps*. New York: Morrow, 1976.

### **TITLE IMAGE**

"Scene of Barrack Homes at This War Relocation Authority Center for Evacuees of Japanese Ancestry. A Hot Windstorm Brings Dust from the Surrounding Desert."

Photographer: Dorothea Lange

Date: July 3, 1942

Source: War Relocation Authority Photographs of Japanese-American Evacuation and Resettlement, Series 8, Manzanar Relocation Center

UC Berkeley, Bancroft Library

Identifier: Vol. 78, Section C, WRA no. -838

Retrieved online at

<http://sunsite.berkeley.edu/FindingAids/dynaweb/calher/jvac/figures/jC-838A.jpg>



# THE SOUTH SHALL RIDE AGAIN THE ORIGINS OF MARTA AND THE MAKING OF THE URBAN SOUTH

Despite serving the ninth largest urban area in the United States, the Metropolitan Atlanta Rapid Transit Authority (MARTA) was plagued by funding and political troubles from its inception. This included technical disruptions along the system's bus and train lines as well as derision from the population MARTA was designed to aid. In this essay, Jacob Anbinder '14 brilliantly discusses MARTA's failure to have "a meaningful impact" on Atlanta's economic development, and the continued existence of de facto segregation within the system itself.

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Written for "The American South, 1870 to the Present"  
Professors Glenda Gilmore and Andy Horowitz  
Faculty Advisor: Alan Plattus  
Edited by Stewart McDonald and Maude Tisch

## THE SOUTH SHALL RIDE AGAIN

Saturday, the thirtieth of June, 1979, started much like any other day for the people of Leland Terrace, a quaint street of single-family bungalows on the far eastern edge of Atlanta. By 10 a.m., the sun was well on its way across the cloudless sky, and the air began to shimmer with that unrelenting blend of heat and humidity that is summer in the South. At the end of the usually quiet block that morning a crowd of 1,500 eager Atlantans gathered around a train station that had not been there five years before. It was the start of a new era in Atlanta's history: MARTA's trains had arrived, and the South was about to take its first subway ride.

At the foot of Leland Terrace—now the parking lot for the East Lake MARTA station—all eyes were on the podium, where a band had just finished playing “Georgia on My Mind.” Finally, a group of politicians, transit officials, and members of the press boarded the gleaming new train. At 11:09, motorman J.M. Coach got the start signal, and the on-board computer began to inch the train forward. A cheer erupted from the passengers inside. Atlanta was officially home to the country's newest subway system.

But the celebration was short-lived. After traveling just a few feet out of the station, the train shuddered to a halt. In the lead car, passengers exchanged skeptical glances as representatives of the manufacturer, Société Franco-Belge, swore under their breath in French. An electrical issue with the computer, they said. Other problems were becoming apparent, too. Condensation was forming rapidly on the cars' air-conditioning units, causing water to drip down the interior walls of the train as if the upholstery were sweating. A passenger noticed that one of the door locks had failed, leaving a foot of open space through which he could stick out his hand into the summer sunshine. After some moments of wrangling with the computer, Motorman Coach decided to switch to manual mode, and the train began once again to lumber westward toward its terminus at the capitol. Officials were pleased with the unveiling, and retreated to the downtown Hilton for a lunch of steak tips and champagne. Problems and all, MARTA was now open for business.<sup>1</sup>

Across town that evening, a very different crowd gathered in the auditorium of the historically black Spelman College for a theatrical performance that, though on its face far less consequential than the inauguration of MARTA, revealed perhaps as much about the state of public transportation in Atlanta. The play was *Rapid Transit*, a story of ten Atlantans who meet on a city bus and witness an onboard confrontation between a jealous husband and his wife that turns violent and leads to the bus crashing. The show was a smash hit, not least because the public-transit setting—and the brief but memorable bonds that often form in such a situation—was one familiar to the largely black audience. “The play was a success because it was so real for the audience,” said the actor who played the bus driver, speaking to a reporter from *The Atlanta Daily World*. “It was something they encounter every day.”<sup>2</sup> It was a telling statement, one that probably did not apply to many of the mostly white people who had been at the East Lake station to ride the first MARTA trains. In fact, the white attendees who inaugurated the MARTA train had likely never ridden on Atlanta's public transit system before, and would likely never ride on it again. The contrast between the two images was stark: business executives, politicians, and suburban whites celebrated the opening of a shiny new train system they would rarely use, while blacks on the other side of

<sup>1</sup> Joe Ledlie, “MARTA Gets Big Rush in Debut,” *Atlanta Journal-Constitution*, July 1, 1979.

<sup>2</sup> Rozell Clark, “‘Rapid Transit’ Moves Audience at Spelman,” *Atlanta Daily World*, July 1 1979.

<sup>3</sup> American Public Transportation Association Annual Report, 2011; Metropolitan Atlanta Rapid Transit

town enjoyed a play about the fundamental role public transit had long played in their lives as Atlantans.

Before examining MARTA's shortcomings, however, it is important to note that the system has been a successful endeavor by some measures. It operates the eighth most-used subway system in the United States and the 14<sup>th</sup> most-used bus system, with about 200,000 daily riders apiece. Yet MARTA remains distinct among America's largest transit networks for its numerous and well-documented deficiencies. MARTA's finances are in a state of perpetual peril, and it is the only subway system in the country that does not receive any state government funding, due to compromises its backers had to make with state officials to ensure its construction. And though it serves the country's ninth-largest metropolis, it actually provides service to just two of the area's 13 counties. Furthermore, MARTA's role in the transportation habits of Atlanta residents drastically depends on the race of the residents in question. Less than five percent of white residents in the metro area use MARTA to get to work—instead, suffering through America's longest commute—while 30 percent of black residents take advantage of the system (a percentage that, were they the sole inhabitants of Atlanta, would rank their public-transit usage second in the country behind New York). As a result, a wry joke has developed among Atlantans explaining MARTA's acronym: Moving Africans Rapidly Through Atlanta. But perhaps most importantly, MARTA's construction has had no meaningful impact on Atlanta's development in the way a subway system should—encouraging the efficient transport of residents by promoting transit-oriented economic and residential growth around its stations.<sup>3</sup>

The main problem with the existing historiography of MARTA is that scholars have examined each of the system's shortcomings in a discrete fashion. John Bates, for example, has argued that the very low 15-cent bus fare that existed from 1972 to 1979 was ill-advised and ultimately did more harm than good to the nascent transit agency's finances. Larry Keating has concluded that the lack of strict zoning laws encouraging high-density development is the biggest reason for MARTA's ineffectiveness, since there have never existed any legal incentives to build near MARTA stations. And Howard Preston has argued that white Atlanta's infatuation with the automobile, which to this day is a major reason behind MARTA's racially homogenous ridership, has historical roots more intense and longstanding than in any other American city.<sup>4</sup> These scholars' arguments each have merit, but none alone provides a full appreciation of the causes behind MARTA's many problems. Instead, it is more useful to examine MARTA as just one chapter in Atlanta's transportation history, a history in which many strategies, obstacles, and mistakes reappear with disturbing

<sup>3</sup> American Public Transportation Association Annual Report, 2011; Metropolitan Atlanta Rapid Transit Authority, *Fiscal Year 2008 Annual Report*, accessed April 23, 2012, <<http://www.itsmarta.com>>. uploadedFiles/About\_MARTA/Reports/FY08%20Annual%20Report%20(2).pdf.; Robert D. Bullard, Angel O. Torres, and Glenn S. Johnson, eds. *Highway Robbery: Transportation Racism & New Routes to Equity* (Cambridge, Mass.: South End, 2004), 55.

<sup>4</sup> University of Georgia Department of Political Science, *Mass Transit Management: Case Studies of the Metropolitan Atlanta Rapid Transit Authority* (Athens, GA: Urban Mass Transportation Administration, 1981), III-1; Larry Keating, *Atlanta: Race, Class, and Urban Expansion* (Philadelphia: Temple University Press, 2001), 21; Howard L. Preston, *Automobile Age Atlanta: The Making of a Southern Metropolis, 1900-1935* (Athens, GA: University of Georgia Press, 1979), 37.

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regularity as an outgrowth of Atlanta's Southern heritage. Overreliance on small-government conservatism, general suspicion of the concept of urban planning, predominance of white rural interests in state politics, an incestuous relationship between business and government, a desire to portray Atlanta as cosmopolitan and not "backwards," and above all the problem of the color line—all of these issues are rooted in the history of the South, and all have haunted Atlantans from the launch of the city's first streetcar to its latest transit plans. With MARTA and other transportation decisions in Atlanta's history, these recurring themes have led to a variety of quick-fix and cosmetic planning solutions that were neither in the city's economic, nor its civic, interest. Atlanta's transportation problems are embedded in its Southern history, and if Atlanta is ever to have a truly effective transit system, its politicians, business leaders, and transit planners must confront the city's past rather than run from it.

Whether the MARTA officials at the opening ceremony knew it or not, the transit system they were inaugurating was in many ways the product of Atlanta's extensive history as a city built for the purpose of moving. The town that would become Atlanta (it was originally just called Terminus) was intended as a railroad link from the eastern port cities to the Midwest. Residents quickly rebuilt the city after its destruction in the Civil War, and by 1880 the city boasted a population three times larger than it had had in 1860.<sup>5</sup> This postwar growth was not unique to Atlanta, but the city managed to develop a civic "creation myth" that Atlanta was destined to rival the great Northern metropolises in economic and cultural power. This was the "Atlanta Spirit," which would persist well into the age of MARTA. Its main proponent in the late-nineteenth century was Henry Grady, editor of the *Atlanta Constitution*, who often called Atlanta "a Northern city in the South."<sup>6</sup> Grady's love for his city ran so deep that he devoted an intermittent column in his newspaper to reprinting anything positive other American newspapers printed about Atlanta. And whenever the *Constitution* wished to bestow praise, whether to a local fireman or Chattanooga's new sewer system, the highest compliment the editors reserved was that something or someone embodied "the Atlanta spirit."<sup>7</sup> This campaign proved effective in convincing many Northerners of Atlanta's urban ambition. "Those who have spoken of [Atlanta] as the Chicago of the South," wrote *Harper's*, "appear to have struck not very wide of the mark."<sup>8</sup>

The Atlanta Spirit was intertwined with the city's transportation infrastructure from its earliest days. Atlantans saw transport as a major way the city could compete with the North, especially in the biggest technological craze of the early twentieth century: the automobile. With the success of national auto shows in New York and Chicago, the *Constitution* noted in 1908, the time was ripe for Atlanta to present itself as the gateway to the emerging Southern market for cars. "The psychological moment is here, Atlanta has something which she can make a 'go,' and the automobile will furnish the motive power," said a 1908 editorial. Atlanta's auto show would be the first in the South, and would "bring Atlanta aggressively before the nation's eye."<sup>9</sup>

<sup>5</sup> United States Censuses, 1860-1880.

<sup>6</sup> Preston, 4.

<sup>7</sup> "The Atlanta Spirit that Overcomes All Obstacles," *Atlanta Constitution*, May 15, 1915.

<sup>8</sup> Preston, 6.

<sup>9</sup> "Auto Show Suggestion Meets With Approval," *Atlanta Constitution*, December 31, 1908; Preston, 20.



The exposition also marked the point at which the city's penchant for civic promotion and its transportation policies became intertwined with the influence of its downtown business elite, a relationship that existed during the planning of MARTA. Asa Candler, chief executive of Coca-Cola and an amateur racing enthusiast, agreed to promote the auto show as chairman of Atlanta's Chamber of Commerce (Candler would later become mayor). The show was held at Atlanta's new Auditorium-Armory in November 1909 and was a smash hit, attracting thousands of visitors. By 1917, one source estimated that the automobile industry in Atlanta brought an annual investment of \$50 million to the city. "This is only the beginning of the automobile in Atlanta," said Ivan Allen, Sr., one of the city's wealthiest business magnates.<sup>10</sup> To Ivan Allen, Jr., who as mayor would lobby hard for a rapid-transit alternative to the automobile 50 years later, his father's prediction would prove all too accurate.

Atlanta embraced the automobile early in its history for the explicit purpose of proving itself culturally on par with the urban centers of the North, and the effects of the city's pro-car attitude, which would later stymie MARTA, began to show immediately. By 1922, downtown traffic was so bad that forward-thinking citizens' councils began to demand that the city designate no-parking zones on certain parts of Peachtree and Whitehall Streets and construct "safety isles" that would protect people boarding and disembarking from streetcars. The automobile forced the city government to decide for the first time if it would adopt a proactive or a laissez-faire stance in regulating the city's transportation infrastructure. Ultimately, the city's downtown business leaders banded together and vigorously opposed the measure, claiming that the ordinance would be "harmful to the interests of the public and the retail merchants." The mayor sided with the businessmen, arguing that Peachtree and Whitehall would be a "ghost town" if the measure were adopted. The proposal was thwarted in the city council by one vote.<sup>11</sup>

The defeat of the 1922 plan saw Atlanta firmly establish an attitude of deference toward the interests of downtown business owners in its transit planning, an approach that continued into the MARTA era. But there had always existed one exception to the city's laissez-faire attitude on transportation: the racial aspects of transit policy. Georgia had been the first state in the South to segregate its streetcars, and a delicate dance of race and space existed on every ride in Atlanta thereafter. "If there was one white person sitting back there in the back where the colored ought to be, the Negro couldn't sit down till that white person got up and went to the front," recalled Roy Dunn, a blues musician. "He'd better not ask him to go up there, he'd get beat to death."<sup>12</sup> Indeed, after an early incident when a black man refused to move to the back of the car, conductors were permitted to carry revolvers. As a result, conductors killed black passengers (or "Streetcar Thugs," as the *Constitution* was

<sup>10</sup> "Greatest Crowd of the Week Will See Last Day of South's First Auto Show," *Atlanta Constitution*, November 13, 1909; Preston, 40.

<sup>11</sup> "Harsh Measures Urged to Prevent Traffic Offenses," *Atlanta Constitution*, November 22, 1922; "Council Defeats Traffic Measure After Tie Ballot," *Atlanta Constitution*, December 19, 1922.

<sup>12</sup> Clifford M. Kuhn, Harlon E. Joye, and E. Bernard West, *Living Atlanta: An Oral History of the City 1914-1948* (Atlanta: Atlanta Historical Society, 1990), 82; Kevin Kruse, *White Flight* (Princeton, NJ: Princeton University Press, 2007), 108.

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wont to call them) on several occasions as a result of minor altercations. Few were prosecuted.<sup>13</sup>

Given the hostile environment that Atlanta's blacks found aboard the Georgia Power-operated streetcars, the advent of the automobile proved beneficial to them. Though few could afford to own a car, in 1922 black Atlantans organized the Colored Jitney Bus Association as an alternative to the trolleys that could provide more comprehensive service within Atlanta's black neighborhoods. But Georgia Power president Preston Arkwright, faced with declining revenue in the mid-1920s, embarked on a campaign to eliminate the jitneys. In February 1925, he successfully convinced the city council to pass legislation banning any public transit vehicle that carried fewer than 17 people, ran within two miles of a streetcar line, or operated in any area the fire department deemed "congested." The day after this bill effectively outlawed jitneys, Arkwright took advantage of Georgia Power's new monopoly on buses to open express routes in all-white neighborhoods.<sup>14</sup>

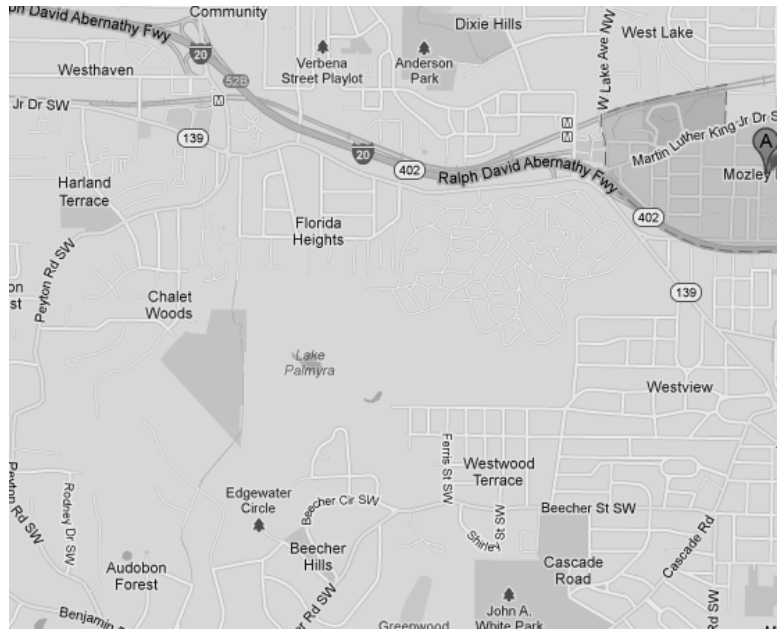


Figure 1: A former neighborhood evacuated to serve as a racial barrier  
(source: Google Maps)

Atlanta was not the only city to deprive black people of effective access to public transportation in this era. But the existence of a particularly virulent strain of racism in Atlanta's transportation-planning decisions in the first half of the twentieth century played a major role in the black community's negative perception of MARTA in the late 1960s. A map of the city itself reveals topographical oddities that point to a history of whites fearing black encroachment. When blacks began to move into the Westwood Terrace neighborhood, for example, panicky whites forced the city to zone part of the neighborhood as commercial, allowing them to tear down the houses there and establish a buffer between them and the black newcomers. This blank space of forest exists even today, a strangely placed park where streets dead-end before restarting again with the same names one mile south (see Figure 1).<sup>15</sup>

<sup>13</sup> "Negro Runs Amuck on West End Car," *Atlanta Constitution*, March 19, 1913; "Streetcar Thug Slain in Battle with Motorman," *Atlanta Constitution*, March 5, 1938.

<sup>14</sup> Ronald H. Bayor, *Race and the Shaping of Twentieth-Century Atlanta* (Chapel Hill: University of North Carolina Press, 1996), 170; Preston, 56.

<sup>15</sup> Miriam Konrad, *Transporting Atlanta: The Mode of Mobility under Construction* (Albany: State University of New York Press, 2009), 18.

The interstate highways, built in the 1950s and 1960s, allowed whites even more opportunity to establish barriers and tear down longstanding black neighborhoods. The Lochner Plan of 1948, the main blueprint for Atlanta's highway construction, was optimistic about the effect the highways would have on these "sub-standard" areas. "[The highways] are landscaped to give a park-like appearance to the entire improvement, enhancing the value of all property along the route," stated the report. "The neighborhoods in Atlanta through which it would be feasible to purchase suitable rights-of-way, being the most depreciated

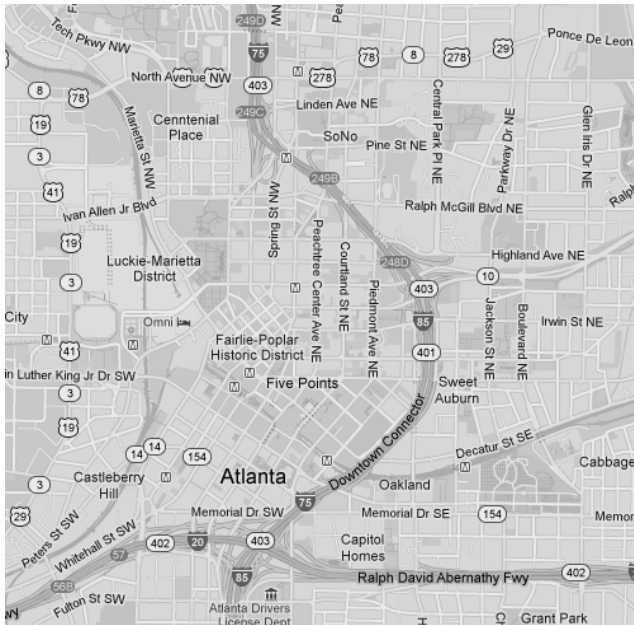


Figure 2: The Downtown Connector's curve  
(source: Google Maps)

and least attractive, are most in need of this rejuvenation.”<sup>16</sup> Later documents refer more candidly to the reality of highway placement. As one 1960 report stated: “There was an understanding that the proposed route of the West Expressway would be the boundary between the white and Negro communities.”<sup>17</sup> Indeed, it was no coincidence that just as blacks were beginning to buy houses in the south end of Mozley Park, the highway plan called for Interstate 20 to divide that neighborhood in two. Similarly, the Downtown Connector follows an almost vertical route through Atlanta, with the notable exception of a small eastward curve in the center of the city. The curve allowed the central business district to remain intact, while

simultaneously cutting the city center off from the traditionally black neighborhood of Sweet Auburn (see Figure 2). Estimates vary as to the number of people displaced by these various highway projects, but scholars generally agree that more than 90 percent of those removed were black.<sup>18</sup>

This history of transportation planning in Atlanta is important to remember because it is far too easy to evaluate MARTA as the product of a different age from the one described above. In reality, not much separates the MARTA era from that of streetcar violence, jitney wars, and downtown highway construction—chronologically or socially. To be sure, blacks in Atlanta made political and social progress in the 1940s and ‘50s. After the Supreme Court struck down Georgia’s white primary in 1946, black Atlantans quickly formed a Negro Voter League to organize their political strength; three years later, they already comprised more than a quarter of the electorate. As a result, some white politicians began to strike a more conciliatory stance on racial policy than before, particularly Mayor William Hartsfield, who

<sup>16</sup> H.W. Lochner & Co., *Highway and Transportation Plan for Atlanta, Georgia* (Chicago, 1946).

<sup>17</sup> Konrad, 18.

<sup>18</sup> Kruse, 68; Keating, 102.

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was fairly popular in Atlanta's black community and famously declared Atlanta the "City Too Busy to Hate."<sup>19</sup> But this unlikely alliance was one of pure necessity. Only two years separated the desegregation of Atlanta's buses from the city's first rapid-transit plan, but whites had not had a sudden change of heart. Rather, politicians could no longer afford to race-bait simply because white voters were fleeing Atlanta at astounding rates, scared of the city's newly enfranchised black populace. While the population in the city proper grew about ten percent between 1940 and 1950, nearby Cobb and Clayton Counties grew 60 percent and 100 percent, respectively.<sup>20</sup> As a result of white flight, Atlanta was quickly becoming a majority-black city. And whites who did stay were abandoning the city's public transit system en masse: by 1959, when the buses were officially integrated, blacks already made up 59 percent of rush-hour ridership. The reason was not complicated. To quote one white Atlantan in 1959: "There is nothing more intimate and integrated than a black nigger sitting beside a white girl on the trolley."<sup>21</sup>

Atlanta's new demographics played out in the mayoral election of 1961, when Ivan Allen, Jr., a racial moderate and the son of the businessman who predicted Atlanta's addiction to the automobile, defeated Lester Maddox, an ardent segregationist, thanks in part to the votes of black Atlantans. Allen's election also pointed to another demographic oddity of the era: most members of Atlanta "downtown establishment" had chosen to stay in the city even as their fellow whites fled. This downtown elite was a tightly knit community whose composition had changed little since the day Asa Candler was asked to promote the 1909 auto show. There was Robert Woodruff, Candler's successor at Coca-Cola; Richard Rich of Rich's Department Store,; the CEOs of Citizens and Southern Bank, First National and Trust Bank, and Haverty's Furniture, and Allen himself, heir to an office-supplies fortune.<sup>22</sup> To say that this group influenced Atlanta's policymaking would be an understatement—on more than one occasion, as in Allen's case, Atlanta's mayor came from their ranks. Their lobbying organization, Central Atlanta Progress, acted as a megaphone for their policy ideas, which focused on transforming Atlanta into "one of the more sophisticated and cosmopolitan cities in the United States," to quote Mayor Allen. And in the early 1960s, few accoutrements of a metropolis were more sophisticated and cosmopolitan than rapid transit. Cities from Washington and San Francisco to Toronto and Mexico City were embracing it. By joining them Atlanta could once more prove itself a city on par with those outside the South. Furthermore, a hub-and-spoke system based in the city-center would surely bring growth to the political establishment's downtown businesses.<sup>23</sup>

With Allen's election, this desire became official city policy. Just as Henry Grady's "Atlanta Spirit" had asked the city to embrace the automobile to prove itself as forward-thinking as Northern metropolises, Ivan Allen's "Forward Atlanta" campaign, as it was called, aimed rapid transit toward the same end. The literature from the Forward Atlanta era,

<sup>19</sup> Keating, 48; Ronald H. Bayor, *Race and the Shaping of Twentieth-Century Atlanta* (Chapel Hill: University of North Carolina Press, 1996), 30.

<sup>20</sup> Bayor, 188; United States Censuses, 1940-1950.

<sup>21</sup> Kruse, 116; Kuhn, 80.

<sup>22</sup> Truman A. Hartshorn, *Metropolis in Georgia: Atlanta's Rise as a Major Transaction Center* (Cambridge, Mass.: Ballinger, 1976), 12.

<sup>23</sup> Zachary M. Schrag, *The Great Society Subway: A History of the Washington Metro* (Baltimore: Johns Hopkins University Press, 2006), i.

archived at the National Transportation Library, reveals just how much of the pro-transit lobby was based on the idea of Atlanta as a futuristic, worldly city. “Giant new buildings reaching for the downtown sky...the ceaseless stirring and growing of a great metropolitan area,” said one pamphlet from 1960. “Million Atlanta is going to become Million Plus Atlanta in a hurry, and we had better prepare—NOW.”<sup>24</sup> Atlanta as a city in the “South” is never mentioned. Instead, the rapid transit system is portrayed the first in the “southeast.” Another brochure, titled “What YOU should know about RAPID TRANSIT,” features on its cover a subway train resembling the Disney World monorail on steroids, zooming hundreds of Atlantans down the tracks and into a brave new world. The writers declare that a transit system will “help bring order out of random growth,” then discuss the relative merits of every possible type of vehicle from subways to the Goodyear Carveyor, a system that would feature six-person gondolas traveling through giant glass tubes elevated above the streets of downtown Atlanta. The gondolas would move slowly enough to allow passengers to disembark for some shopping at Rich’s, or lunch at the S&W Cafeteria, and “while no such system has as yet been constructed,” the pamphlet notes, “all of the basic elements have been tested and proved practicable.”<sup>25</sup>

The first comprehensive plan for rapid transit in Atlanta, released the year of Allen’s inauguration by the Atlanta Region Metropolitan Planning Commission (ARMPC), was somewhat less futuristic than the Carveyor, but no less ambitious. The proposal called for 42 stations on 66 miles of mostly extant track to be completed by 1980, with branches extending as far as Marietta in Cobb County, Norcross in Gwinnett County, and Forest Park in Clayton County, all converging at a central station beneath downtown Atlanta’s Five Points. But the ARMPC authors were forthcoming about the difficulties such a subway faced. For it to work, they wrote, the system would have to exist “in harmony with and supplementary to the regional highways;” transport people as fast as or faster than a car; provide access to “major centers of employment and commerce,” and have “smooth-riding qualities...and a pleasing internal and external appearance.” The report also tackled the issues of funding and ownership, noting the likely difficulty of ensuring fairness for all regional participants. But given Atlanta’s growth potential, the authors concluded, its residents had little choice but to put aside their differences and come together to support public transportation: “The greatest single question for [Atlanta’s] citizens to consider is whether the region is to grow with a strong, conveniently accessible, central city complex, linked by rapid transit...or whether, without rapid transit, the region is to grow in expanding rings of solid urbanization with congestion in each new ring raising a barrier to accessibility to the old.”<sup>26</sup>

Even in these early stages, an Atlanta subway faced obstacles peculiar to its Southern locale. Most of the system’s funding would have to come from Atlanta-area counties, but Georgia’s conservative constitution dating back to 1945 did not permit counties to levy taxes for the purpose of public transportation. Atlanta politicians secured a referendum on a constitutional amendment for local transit-funding in the 1962 election, but Georgia’s

<sup>24</sup> Atlanta Transit System, Inc., *Rapid...Atlanta* (Atlanta: ATS, 1960), 1.

<sup>25</sup> Atlanta Region Metropolitan Planning Commission, *What YOU Should Know about RAPID TRANSIT* (Atlanta: ARMPC, 1960).

<sup>26</sup> Atlanta Region Metropolitan Planning Commission, *Implementing Rapid Transit for the Atlanta Metropolitan Region* (Atlanta: ARMPC, 1962).

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voters – three-quarters of them still rural – defeated the amendment at the polls.<sup>27</sup> To the pro-transit *Daily World*, the amendment's failure was shocking. "The proposed amendment was merely permissive legislation and it is difficult for us to see why voters didn't approve it," wrote the newspaper's editors a week after the election.<sup>28</sup> Voters would eventually pass the law two years later, but only after some electoral finessing whereby only Atlanta-area residents were allowed to vote on it the second time around. From the beginning, it was clear that the supporters of an Atlanta subway would have to fight tooth-and-nail on even the most basic transit-related issues.

The 1962 report also reflected a profound disconnect between the downtown businessmen and the rest of Atlanta on the issue of race as it related to transportation. With its sunny optimism and futuristic concepts, the ARMPAC plan clearly displayed a desire to put Atlanta's days of segregated transit behind it. But just three years after the buses had become integrated, the reality was that race relations in Atlanta were at their most fraught in decades. Three incidents from the early '60s illustrate the evident tension. In 1961, residents of Cobb County – known as the most conservative of Atlanta's suburban counties – founded the tiny town of Chattahoochee Plantation to take advantage of an arcane state law that would prevent Atlanta from ever annexing the rest of Cobb, so that white residents would not have to share their tax dollars or city services with African Americans. And the following year, 58,000 Atlanta voters turned out to reject a simple bond issue that would have paid for public works and a cultural center in Piedmont Park on the grounds that the funding would become "nigger money," as Mayor Allen recalled in his memoirs.<sup>29</sup>

The most notorious racial incident of the early '60s was the Peyton Road Affair. When a black doctor bought a house in the upper-middle class neighborhood of Cascade Heights, worried white residents proposed that the city block off Peyton Road to stop black "intrusion" further north. Mayor Allen thought that the barrier was a good compromise and ordered it built (see Figure 3). The barricade proved a public-relations fiasco for the "City Too Busy to Hate," inviting unfortunate comparisons to the Berlin Wall from black leaders



Figure 3: The Peyton Road Barrier  
(source: Atlanta History Center)

<sup>27</sup> Keating, 117.

<sup>28</sup> "A Failure Which Should Be Corrected," *Atlanta Daily World*, November 17, 1962.

<sup>29</sup> Charles Rutheiser, *Imagineering Atlanta: The Politics of Place in the City of Dreams* (London: Verso, 1996), 81; Ivan Allen Jr., *Mayor: Notes on the Sixties* (New York: Simon and Schuster, 1971), 70.

and the national media. Public pressure forced Allen to remove the barrier after just three months, and the decision to erect it haunted him for the remainder of his tenure. “I had forgotten an axiom that William B. Hartsfield once used,” Allen later wrote in his memoirs. “Never do anything wrong that they can take a picture of.”<sup>30</sup>

The ARMPC plan had called for Atlanta to break ground in eight years on a subway system that would unite the region, but white Atlantans had proven ready to entrench themselves at the first sign of black “intrusion.” This racial reality would almost certainly influence the outcome of the next referendum, in which voters would determine which Atlanta-area counties would participate in the Metropolitan Atlanta Rapid Transit Authority (MARTA), the new regional transportation administration. Faced with incidents like the Peyton Road Affair, Allen and his supporters must have known that the best way to ensure the referendum’s approval was to prevent white suburban voters from getting to the polls. They scheduled the vote for the week of Memorial Day, when many white suburbanites would be away on vacation. As a result, only half as many voters turned out compared to the 1964 amendment vote, and each of the six metro-area counties except Cobb agreed to join MARTA—though some did so by very slim margins. Not surprisingly, once MARTA was organized, the downtown elites moved to consolidate their power, naming Richard Rich of the department store fortune as MARTA chairman. There was only one black man on the board.<sup>31</sup>

The passage of the 1964 constitutional amendment for county funding and the 1965 referendum for participation in MARTA were hard-fought, but they gave MARTA supporters hope by demonstrating that segments of the population nominally supported rapid transit. Now that an Atlanta subway moved closer to reality, however, detractors began to emerge. Foremost among these was Atlanta’s black community, which was now approaching 50 percent of the electorate and had no intention of being steamrolled by the plans of the downtown establishment. The planned system notably underserved the city’s black neighborhoods, with three branch lines serving the majority-white north side and only one line serving the black south side. The biggest factor that contributed to this disparity was funding. Blacks may have comprised half of Atlanta’s population, but their power was concentrated in Fulton County. To encourage the suburban jurisdictions to join and finance MARTA, planners had designed the system to extend far into Cobb, DeKalb, and Clayton Counties, following ARMPC’s original suggestion that MARTA exist “in harmony with and supplementary to the regional highways.” The original plan, with 20 of its stations located outside the city, resembled a commuter railroad much more than a subway, and this design slighted African Americans living in Atlanta proper.<sup>32</sup>

MARTA’s boosters thus faced significant opposition as they approached the November 1968 date for the bond referendum that would give them the funding power to start construction on the subway. As a result of Cobb’s rejection of the 1965 referendum, the system MARTA proposed that year was a smaller 40-mile version, to be funded by a regional property tax. But when voters went to the polls that November, the only point of agreement

<sup>30</sup> Allen, 72.

<sup>31</sup> Clarence N. Stone, *Regime Politics: Governing Atlanta 1946-1988* (Lawrence, KS: University Press of Kansas, 1989), 74.

<sup>32</sup> ARMPC report

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between blacks and whites was that they all opposed the system as it stood. The referendum was defeated in every jurisdiction by 18 points or more, and two-thirds of blacks in Atlanta voted against the measure. It was such a stunning and embarrassing defeat for MARTA's supporters that few would have been surprised if MARTA had abandoned the idea of rapid transit thereafter. But the members of Central Atlanta Progress had a vision of a subway raising their city's national profile, and they were not to be deterred. Perhaps they would never win 72 percent approval among suburban voters as Washington's bond referendum had, but they were determined to win nonetheless. The downtown establishment vowed to regroup and push for another referendum within the next few years. "None of us should be ashamed of losing," said one member of the Chamber of Commerce to Chairman Rich after the defeat. "Our only problem is we are simply used to winning."<sup>33</sup>

Defeat at the polls was not MARTA's only problem in 1969. In April of that year, the consulting firm of Alan M. Voorhees & Associates reported to MARTA the results of a feasibility study that MARTA had commissioned prior to the '68 referendum. The findings were not good. The Voorhees Report concluded that the Atlanta metropolitan area was not dense enough to merit a subway system as extensive as the one MARTA proposed, and that if one were built, it would almost certainly be underused. Instead, Voorhees recommended 54 miles of express bus lanes and a significant expansion of Atlanta's bus system that would connect to a much shorter subway line running under Peachtree Street in the downtown core.<sup>34</sup> Though the proposal would have been far less expensive than a large subway system, the reaction to the report says much about MARTA's leaders' intentions at this point in the planning process: rather than alter the existing plans, its board pressured Voorhees & Associates to change its recommendations in the final draft of its report. The federal Urban Mass Transit Administration has since referred to the original version as the "suppressed report."<sup>35</sup>

Instead of following the Voorhees proposal, MARTA commissioned several internal assessments of its own to determine how best to win the next bond-issue attempt, scheduled for November 1971. The reports' authors determined that the key factors preventing the referendum's passage were lack of public education about MARTA; opposition from black communities; a property tax that alienated suburban voters, and the public's perception of MARTA as an elite organization. "The board's carefully developed image—detached, aloof, and non-political—did not generate positive responses from ordinary citizens," the assessment concluded. To succeed in '71, MARTA would have to move "away from the image of a downtown interest to a city-wide and representative body."<sup>36</sup> But exactly what constituted "representative" changed day by day. Blacks now made up more than half of the Atlanta electorate, and their decades-old alliance with moderate white politicians like Allen and Hartsfield was crumbling as a result. The effect of this political shift showed in the 1969 mayoral election when, after Allen declined to run for a third term, a Jewish populist named

<sup>33</sup> *Mass Transit Management*, I-10-16; Schrag, 131.

<sup>34</sup> Leon W. Lindsay, "\$2 billion Atlanta plan teams 'busways' and rapid transit," *Christian Science Monitor* (Boston), April 30, 1969.

<sup>35</sup> United States Congress: Office of Technology Assessment, *An Assessment of Community Planning for Mass Transit*, 37, accessed April 23, 2012, <<http://digital.library.unt.edu/ark:/67531/metadc39346/m1/1/?q=voorhees>>.

<sup>36</sup> Stone, 102.



Sam Massell cruised to victory while winning just a quarter of the white vote. Massell's election sent a strong signal to MARTA and the downtown establishment, and as one of Allen's final acts in office he appointed Jesse Hill, a prominent black leader, to the MARTA board. The following year, board members created the Citizens Transportation Advisory Committee, which held 13 meetings designed to engage Atlantans in the planning process, four of which took place in black neighborhoods.<sup>37</sup>

MARTA's board also made significant changes to the transit plan based on requests from black leaders. Among these requests were a guarantee of at least 35 percent minority representation in MARTA's workforce and a rail spur from MARTA's east-west line to the Perry Homes, Atlanta's largest housing project. MARTA countered by offering to build an express busway to Perry Homes instead of a rail line, demonstrating that though its board had been unwilling to follow Voorhees' cheaper suggestion entirely, they would not hesitate to foist it on a part of the system intended for African Americans. But the black negotiators managed to hold their ground, and it was ultimately agreed that the Perry Homes would get a subway station.<sup>38</sup>

There still remained the issue of funding. The 1968 plan had called for a county property tax, which drove away suburban white voters who saw themselves paying for a system that would be used mostly by inner-city blacks. Massell had campaigned on funding MARTA with an income tax, but that option appealed to whites even less. The only viable solution was a flat sales tax, a regressive solution that would disproportionately affect the city's (mostly black) poorer residents. Here, Massell saw an opportunity for compromise. He suggested a one percent sales tax, but in return, the bus fare would be lowered to 15 cents from 40 cents for at least seven years. For frequent bus riders, the vast majority of whom were black, the tax and the fare reduction would thus balance each other out. It was a major victory for Massell and MARTA's board, who now believed they had a plan that would appeal to suburbanites and inner-city residents.<sup>39</sup>

But the fight was not over yet. MARTA's bylaws required the state legislature to approve any funding plan, which would be difficult since its rural, white membership tended to view pro-Atlanta policy as equivalent to pro-black policy. In order to secure passage of the funding legislation, MARTA's board had to agree to a crippling series of compromises. First, Governor Jimmy Carter declared that Georgia itself would provide no money for MARTA, which would make the system the only one in the country not to receive any state funding. Then, Lt. Governor Lester Maddox (the segregationist who had run against Allen years before) threatened to hold the funding bill in committee unless the sales tax was reduced to 0.5 percent after ten years. The changes virtually guaranteed financial trouble for MARTA, but its board was in no position to argue with the state government, and the legislature passed the funding bill with its many alterations.<sup>40</sup>

MARTA's board could only hope now for an endorsement from Atlantans at the polls. That November, their wish was half granted. The effect of the concessions to black communities showed. This time, 55 percent of black voters supported the referendum for the

<sup>37</sup> Bayor, 42 and 191; *Assessing Electoral Defeat*, I-18.

<sup>38</sup> Keating, 125.

<sup>39</sup> "MARTA and the 15-Cent Fare," in *Assessing Electoral Defeat*.

<sup>40</sup> Ibid.; "Ga. House Approves Local Sales Tax for MARTA Use," *Atlanta Daily World*, March 12, 1971.

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subway system, a decisive victory in the city, but the white suburban counties remained defiant. DeKalb voters approved the measure, but Gwinnett and Clayton voters defeated it by almost 60 points. Even the parts of Fulton County outside Atlanta voted overwhelmingly “no.” Overall, more people across the region had voted against MARTA than for it for the second time in five years. But due to the structure of MARTA as delineated by its charter, those counties that had voted against funding still retained their seats on the MARTA board, and thus would be able to try and block decisions from being made among the pro-subway counties.<sup>41</sup>

MARTA had made significant changes and promises to win voter and legislator approval, and yet, it had ended up with a near-suicidal system of funding and only two counties in which it was allowed to build. To add insult to injury, Atlanta District Attorney Ben Camp filed a lawsuit shortly after the ’71 referendum alleging that the regional sales tax was unconstitutional. The Georgia Supreme Court rejected his argument by six votes to one the following April, but the fact that the MARTA funding was being challenged so soon after its approval indicated the prevailing sentiment of many in the Atlanta area.<sup>42</sup>

In 1972, MARTA formally acquired the Atlanta bus system, and in one bit of good news for the agency, the 15-cent bus fare proved immensely popular. The first month after its implementation, ridership increased 22 percent, and MARTA had to buy extra buses to meet demand. But Massell’s compromise had slashed the fare so much that farebox revenues remained 50 percent lower than they had been before the change. As a result, debate over the wisdom of maintaining the low fare began almost immediately, and in the balance hung MARTA’s promise to the black communities of Atlanta. For the moment, it seemed as if MARTA could barely afford to run the city’s buses, much less pay for the construction of a subway system. Suburban legislators recognized this fact, and, in January 1974, Representative Elliott Levitas of DeKalb County introduced a bill that required the agency to dedicate at least 50 percent of its revenue from the sales tax to funding construction of the rail line. This demand came despite the fact that due to the 15-cent fare, MARTA was earning about half as much money from ridership as similarly sized bus systems, yet Levitas’ law mandated that this pittance be used to cover the bulk of bus operations. MARTA’s financial troubles also invited greater oversight from skeptical state politicians. In February 1976, the Georgia legislature increased the size of MARTA’s board by four, and filled the new seats with the Commissioner of the Department of Transportation, the State Revenue Commissioner, and the Executive Director of the State Properties Commission, *ex officio* board members with little stake in the city of Atlanta.<sup>43</sup>

This was the bind in which MARTA found itself when, on February 19, 1975, 1,000 Atlantans gathered at the corner of DeKalb and Arizona Avenues to watch officials break ground on the first segment of MARTA’s east-west line. The stretch between Avondale and the state capitol had long been designated as the inaugural section of track, but where MARTA would build next nobody knew, as it was now being used as a pawn in negotiations

<sup>41</sup> Bayor, 194; Stone, 100.

<sup>42</sup> *Camp v. Metropolitan Atlanta Rapid Transit Authority*, No. 229 Ga. 35, slip op. at 27156 (Supreme Court of Georgia April 6, 1972), accessed April 23, 2012, <<http://www.lawskills.com/case/ga/id/130/47/index.html>>.

<sup>43</sup> Yvonne Shinhoster, “Bigger MARTA Board Seen as Local Peril,” *Atlanta Daily World*, February 8, 1976; “MARTA and the 15-cent Fare.”

regarding the system's finances. It was clear to MARTA's board that Atlanta's black leaders would be furious if the 15-cent fare were not preserved—a suspicion confirmed when, during a preliminary vote in April 1977 to raise the fare by ten cents, board member and civil rights leader Joseph Lowery publicly declared it “a move to hurt poor people.”<sup>44</sup> Further complicating the matter was the fact that Atlanta now had in the mayor's office Maynard Jackson, the first African American to occupy the post. Though Jackson would warm to white business interests later in his career, he took a populist stance in his first campaign and vowed to fight the fare increase, even going so far as to suggest that the city Utilities Committee block MARTA from closing streets to construct the subway if the bus fare were raised. In the meantime, however, MARTA needed to protect its other source of funding—the sales tax—as best it could. Early in 1977, MARTA's board asked the state legislature to extend the one-percent tax beyond its original expiration date of 1981. Seeing an opportunity to give their county priority in MARTA construction, legislators from DeKalb proposed a racially tinged solution: extend the tax and maintain the 15-cent fare through February 1979 as promised, but build a suburban line northward to Doraville before the spur to Perry Homes, even though the spur to the housing project ran from the east-west line already under construction. MARTA's four black board members, including the Rev. Dr. Lowery, were adamantly opposed to the changes. But between the out-of-towners appointed by the legislature and the Clayton and Gwinnett representatives who remained on the board, they were outnumbered. On January 9, 1978, MARTA voted eight to five to approve the compromise. Mayor Jackson was incensed. “Perry Homes got put on the back burner and [Atlanta got] no promise of help on the one percent sales tax,” he declared in an impromptu press conference. “The city has been nailed against the wall.”<sup>45</sup>

By the time Motorman Coach received the start signal on opening day the following year, little had changed in the relationship between MARTA and Atlanta's black communities. In fact, the state of the transit system in many ways resembled that inaugural train ride: futuristic and forward-looking on the outside, but beset by structural problems within. On paper, MARTA's board appeared to have kept all of the promises it made in the run-up to the 1971 referendum, but the fact that few blacks in Atlanta felt this way points to the difficulties of an entity as obtuse as a transit agency operating within a context as nuanced as race relations in the South. MARTA had maintained the 15-cent bus fare as long as it had promised to its own detriment, but consequently needed to raise the price of a ride the instant they could. That this increase happened so quickly and drastically—by 1982, the fare was four times what it had been in 1979—very quickly ruined the public perception of the agency's commitment to African Americans that MARTA had so painstakingly tried to establish.

Today, the MARTA subway system has grown to comprise 48 miles of track and 38 stations located, as a result of the various referenda of the '60s and '70s, entirely in Fulton and DeKalb Counties. But the broadsides against it have never stopped, and a 2005 *Atlanta Journal-Constitution* poll revealed that the reasons Atlantans dislike MARTA have changed little since the day the trains started rolling. Black Atlantans remain convinced that the transit authority continues to waste its time and money attracting suburbanites, which the system's

<sup>44</sup> Ibid.; “MARTA Breaks Ground for Construction,” *Atlanta Daily World*, February 18, 1975.

<sup>45</sup> Sharon Bailey, “15-Cent Bus Fare to Say to March '79,” *Atlanta Constitution*, January 10, 1978.

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latest major extension into the affluent areas of North Springs, Buckhead, and Sandy Springs did little to dispel.<sup>46</sup> “The North Springs trains are *always* air-conditioned and, for the most part, always on time,” wrote one respondent. “MARTA tries to cater to the white people in Alpharetta way more than the black folks in Decatur...if MARTA continues to see white people’s money as more valuable than mine, I will start driving to work.” Responses from those same suburbanites were even more blunt. “I ran up the stairs at Doraville and when I got to the train door, the driver shut the door in my face and yelled out, ‘Sorry, whitey,’” wrote one person. “I happily drive myself to work now and don’t have to be subjected to perverts and racists. I’ll sit in traffic any day.”<sup>47</sup>

MARTA is probably subject to more of this derision from the people it is supposed to serve than any other major transit authority in the United States. Add to this fact the system’s perilous funding structure and it can be difficult to believe that MARTA ever got off the ground at all. Ultimately, MARTA’s simultaneous success and failure both owe themselves to Atlanta’s uniquely Southern take on urban transportation planning. MARTA would not exist without the efforts of the downtown establishment, whose primary goal in promoting a subway system in the ‘60s and ‘70s was to make Atlanta seem less “Southern” and more sophisticated, and the cozy relationship between Atlanta’s businessmen and politicians inherent in its small-government conservatism that allowed this desire to become political reality. An effective subway was never really what the downtown establishment wanted. They desired a sleek subway, one that would raise their city’s international profile, and were willing to push voters over and over throughout the ‘60s and early ‘70s to get one. In doing so, however, they demonstrated a marked naïveté when it came to their fellow Atlantans willingness to accept a system that would unite black neighborhoods and white neighborhoods. What CAP and ARMPC’s members did not take into account was that up until that point, Atlanta’s transportation policy had been one of maintaining racial division. This policy did not stop when the MARTA era began. Rather, it lived on in the results of the various MARTA referenda. Whereas Washington voters had easily approved the plans for their new subway, MARTA never won a majority of the Atlanta-area vote in two separate attempts. Only the renewed support of blacks within Atlanta that MARTA enabled construction to begin, and even to get to that point, the authority had to make a financial concession in the form of the 15-cent bus fare that was extraordinarily detrimental to its short-term solvency.

In theory, MARTA could still have been an effective system if it had chosen thereafter to focus on the constituency that had embraced it: African Americans. But the authority’s ultimate reliance on the benevolence of state legislators prevented this shift from occurring. The Georgia legislature, an assembly dominated by white rural interests, hesitated to create a system that would help urban African Americans. Numerous legislators forced MARTA to accept a funding structure that favored wealthier whites and bylaws that gave suburban interests disproportionate influence. Ultimately, then, MARTA itself is not to blame for Atlanta’s transit woes. It could never have been a cost-effective system, because doing so

<sup>46</sup> Meanwhile, it is worth noting that MARTA still has yet to build the Perry Homes extension. The authority has never formally canceled the project—even though the Perry Homes themselves were torn down and replaced with mixed income housing years ago.

<sup>47</sup> “Highs and Lows of MARTA,” *Atlanta Journal-Constitution*, November 13, 2005.

would have contradicted the wishes of its establishment founders. It could never have been a comprehensive regional transit system, because doing so would have required white suburbanites to accept it. And it could never have been a system that met the needs of Atlanta's black communities, because doing so would have gone against the intentions of the Georgia legislature. "MARTA is a joke among those of us who have lived in other cities with good subway and mass transit systems," read one response to the *Journal-Constitution's* 2005 survey. "It is Atlanta wanting to look like a big city that knows what it is doing rather than what it is—a city that has [sprawled] in so many directions that it has no clue now which way is forward."

On its face, Atlanta has survived these deficiencies for the time being to become one of America's most prosperous metropolises with one of America's most prosperous black communities. Yet the same regional growth that stymied MARTA in the '70s continues to this day. In the 1990s, the population of Atlanta's suburbs was rising 100 times faster than in the city proper, and by 1999 downtown Atlanta accounted for just 13 percent of the region's office space. Last summer, an opportunity to reverse this sprawling trend presented itself in the form of "T-SPLOST," a referendum on a one-cent sales tax that would have funded the Atlanta BeltLine, a ring public transit with transit-oriented development based, like the original MARTA plan, on extant rail lines. Boosters have declared the project an opportunity for Atlanta to "change the way it thinks about itself." But this rhetoric is eerily similar to that used by the downtown businessmen to promote MARTA a generation ago; indeed, the chairman of the BeltLine's board is the CEO of Atlanta's largest energy company. In any event, on July 31, 2012, voters headed to the polls and soundly defeated the proposal by two-to-one margins in the Atlanta area, despite a multimillion-dollar public-relations campaign in support of it. The BeltLine transportation plans officially remain in progress. But if the new system is to succeed, Atlantans will not merely have to find a novel way to fund it, they will also need to address the fundamentally Southern issues that have recurred throughout their city's transportation planning history, issues of regionalism, conservatism, and, above all, race. Otherwise, Atlantans will be doomed to repeat their history, and the shopping malls and office parks will continue to rise along the highways like so many mountains beyond mountains.

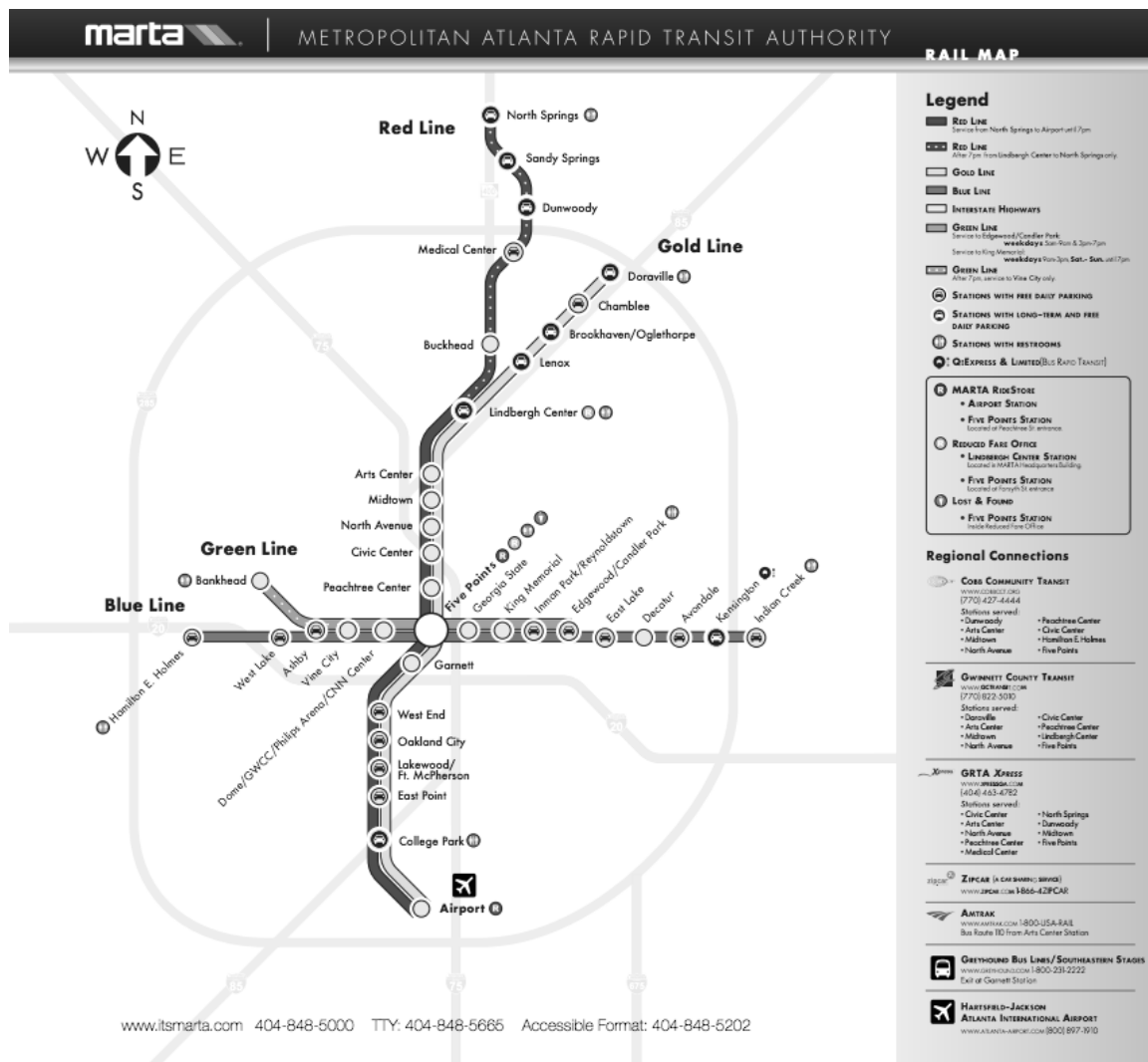


Figure 4: The MARTA map  
(source: MARTA)

## BIBLIOGRAPHY

### PERIODICALS

- Atlanta Constitution. "Auto Deals to Ask Chamber to Push Show." February 12, 1909.
- . "Auto Show Suggestion Meets With Approval." December 31, 1908.
- . "Council Defeats Traffic Measure After Tie Ballot." December 19, 1922.
- . "Greatest Crowd of the Week Will See Last Day of South's First Auto Show." November 13, 1909.
- . "Harsh Measures Urged to Prevent Traffic Offenses." November 22, 1922.
- . "Negro Runs Amuck on West End Car." March 19, 1913.
- . "Streetcar Thug Slain in Battle with Motorman." March 5, 1938.
- . "Three are Accused as Trolley Bandits." February 10, 1938.
- . "Traffic Committee Will Meet Tuesday." November 12, 1922.
- Atlanta Daily World. "Ga. House Approves Local Sales Tax for MARTA Use." March 12, 1971.
- . "MARTA Breaks Ground for Construction." February 18, 1975.
- Atlanta Journal-Constitution. "Highs and Lows of MARTA." November 13, 2005.
- Coleman, George M. "NAACP Suit Seeks MARTA Line to Perry Homes Area." Atlanta Daily World, December 6, 1979.
- Ledlie, Joe. "MARTA Gets Big Rush in Debut." Atlanta Journal-Constitution, July 1, 1979.
- Lindsay, Leon W. "\$2 billion Atlanta plan teams 'busways' and rapid transit." Christian Science Monitor (Boston), April 30, 1969.
- Shinoster, Yvonne. "Bigger MARTA Board Seen as Local Peril." Atlanta Daily World, February 8, 1976.

### NONPERIODICALS

- Alex Garvin & Associates. The Beltline Emerald Necklace: Atlanta's New Public Realm. Trust for Public Land: Atlanta, 2004.
- Allen, Frederick. Atlanta Rising: The Invention of an International City 1946-1996. Atlanta: Longstreet, 1996.
- Allen, Ivan, Jr. Mayor: Notes on the Sixties. New York: Simon and Schuster, 1971.
- Atlanta Region Metropolitan Planning Commission. Implementing Rapid Transit for the Atlanta Metropolitan Region. Atlanta: ARMPC, 1962.
- . Rapid Transit for Metropolitan Atlanta: A Special Summary Report. Atlanta: ARMPC, 1967.
- . What YOU Should Know about RAPID TRANSIT. Atlanta: ARMPC, 1960.
- Atlanta Transit System, Inc. Rapid...Atlanta. Atlanta: ATS, 1960.
- Bayor, Ronald H. Race and the Shaping of Twentieth-Century Atlanta. Chapel Hill: University of North Carolina Press, 1996.
- Bullard, Robert D., Angel O. Torres, and Glenn S. Johnson, eds. Highway Robbery: Transportation Racism & New Routes to Equity. Cambridge, Mass.: South End, 2004.
- , eds. Sprawl City: Race, Politics, and Planning in Atlanta. Washington: Island, 2000.

## THE SOUTH SHALL RIDE AGAIN

- Guess, George M., ed. *Public Policy and Transit System Management*. New York: Greenwood, 1990.
- Hamer, Andrew, ed. *Out of Cars/Into Transit: The Urban Transportation Planning Crisis*. Vol. 65. Atlanta: Publishing Services Division, Georgia State University, 1976.
- Hamer, Andrew Marshall. *The Selling of Rail Rapid Transit*. Lexington, Mass.: Lexington Books, 1976.
- Harmon, David Andrew. *Beneath the Image of the Civil Rights Movement and Race Relations: Atlanta, Georgia, 1946-1981*. New York: Garland, 1996.
- Hartshorn, Truman A. *Metropolis in Georgia: Atlanta's Rise as a Major Transaction Center*. Cambridge, Mass.: Ballinger, 1976.
- Hornsby, Alton, Jr. *Black Power in Dixie: A Political History of African Americans in Atlanta*. Gainesville: University Press of Florida, 2009.
- H.W. Lochner & Co. *Highway and Transportation Plan for Atlanta, Georgia*. Chicago, 1946.
- Keating, Larry. *Atlanta: Race, Class, and Urban Expansion*. Philadelphia: Temple University Press, 2001.
- Kemp, Michael A. *Transit Improvements in Atlanta--The Effects of Service Changes*. Washington: Urban Institute, 1974.
- Konrad, Miriam. *Transporting Atlanta: The Mode of Mobility under Construction*. Albany: State University of New York Press, 2009.
- Kruse, Kevin. *White Flight*. Princeton, NJ: Princeton University Press, 2007.
- Kuhn, Clifford M., Harlon E. Joye, and E. Bernard West. *Living Atlanta: An Oral History of the City 1914-1948*. Atlanta: Atlanta Historical Society, 1990.
- Leary, Robert M. *Central Atlanta Opportunities and Responses*. Atlanta: City of Atlanta Department of Planning, 1971.
- Metropolitan Atlanta Rapid Transit Authority. *Fiscal Year 2008 Annual Report*. Accessed April 23, 2012. <[http://www.itsmarta.com/uploadedFiles/About\\_MARTA/Reports/FYo8%20Annual%20Report%20\(2\).pdf](http://www.itsmarta.com/uploadedFiles/About_MARTA/Reports/FYo8%20Annual%20Report%20(2).pdf)>.
- Metropolitan Atlanta Transit Study Commission. *A Plan and Program of Rapid Transit for the Atlanta Metropolitan Region*. Atlanta: MATSC, 1962.
- Pomerantz, Gary M. *Where Peachtree Meets Sweet Auburn: The Saga of Two Families and the Making of Atlanta*. New York: Scribner, 1996.
- Preston, Howard L. *Automobile Age Atlanta: The Making of a Southern Metropolis, 1900-1935*. Athens, GA: University of Georgia Press, 1979.
- Rutheiser, Charles. *Imagineering Atlanta: The Politics of Place in the City of Dreams*. London: Verso, 1996.
- Schrag, Zachary M. *The Great Society Subway: A History of the Washington Metro*. Baltimore: Johns Hopkins University Press, 2006.
- Sjoquist, David L., ed. *The Atlanta Paradox*. New York: Russel Sage Foundation, 2000.
- Starbuck, James C., ed. *Background to Planning Metropolitan Atlanta, 1909-1973: An Indexed, Chronological Bibliography*. Vols. 587-588. Monticello, IL: Council of Planning Libraries, 1974.
- Stone, Clarence N. *Regime Politics: Governing Atlanta 1946-1988*. Lawrence, KS: University Press of Kansas, 1989.
- United States Congress: Office of Technology Assessment. *An Assessment of Community Planning for Mass Transit*.



<<http://digital.library.unt.edu/ark:/67531/metadc39346/m1/1/?q=voorhees>>.

University of Georgia Department of Political Science. *Mass Transit Management: Case Studies of the Metropolitan Atlanta Rapid Transit Authority*. Athens, GA: Urban Mass Transportation Administration, 1981.

## **TITLE IMAGE**

“Atlanta MARTA”

Photographer: Carlton Phelps

Source: LHSA – The International LEICA Society

Retrieved online at [http://www.lhsa.org/gallery/images/fullsize/gallery\\_438.jpg](http://www.lhsa.org/gallery/images/fullsize/gallery_438.jpg)



## **REDS, ROSARIES, AND REVOLUTIONARY GOVERNMENTS**

### **CHURCH-STATE RELATIONS IN CUBA AND NICARAGUA IN THE AFTERMATH OF REVOLUTION**

In this comparative essay, Connor Kenaston '14 analyzes the Catholic Church's role in the Cuban and Nicaraguan revolutions, arguing that the post-revolution Nicaraguan state had a more positive relationship with the Church than that of post-revolution Cuba. Kenaston thoroughly explains the varied reasons for this dynamic, citing external developments within the Church as well as the Sandinistas' attempt to learn from the mistakes of Fidel Castro, who created a cultural religion of communist ideology coupled with Christian symbols and discourse.

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By Connor Kenaston, DC '14  
Written for "Revolution & Cold War in Latin America"  
Professor Gilbert Joseph  
Edited by Spencer Weinreich and Tiraana Bains

On Sunday August 7, 1960, the Bishops of the Cuban Catholic Church declared in a letter read during Sunday mass throughout Cuba that “Catholicism and communism follow two totally opposed conceptions of the human being and of the world, views that will never be reconcilable.”<sup>1</sup> At this time, the Cuban Church was attempting to sway Fidel Castro’s revolutionary government from transforming Cuba into a communist state based on Marxist ideology. However, on December 1, 1961, Castro officially declared himself a Marxist-Leninist.<sup>2</sup> The decision to follow the doctrines of Karl Marx created tense relations with the Cuban Church and altered the landscape of the Cold War in Latin America for the rest of the century.

In contrast to the Cuban Bishops’ stance, nineteen years later six Nicaraguan Bishops signed a letter stating that if “socialism represents...the interests of the majority of Nicaraguans, and a model of a nationally-planned economy, fully and progressively shared, then we have nothing to object to.”<sup>3</sup> Though the terminology may differ because of the goals of the speakers and the connotations of “communism” versus “socialism,” the Nicaraguan Bishops’ statement seems contradictory to the Cuban Bishops’ declaration in 1960. The post-revolution Nicaraguan state clearly had a relationship to the Catholic Church that was dissimilar and more positive than that of the post-revolution Cuban state. This distinction can be attributed to external developments within the Catholic Church that narrowed the divide between the Nicaraguan Church and the Nicaraguan people as well as to the Sandinistas’ attempt to learn from Castro’s mistakes and consolidate power by religious pluralism, a policy they hoped would not provoke the United States.

The religious policies of Castro’s government in the early years of the revolution adopted a harsh, aggressive stance toward the Christianity partly because the Catholic Church at the time of the revolution was weak and unrepresentative of the majority of the Cuban population, despite most Cubans’ nominal identity as Catholic. Consequently, Castro created a cultural religion that sought to blend Castro and Christ by adopting Christian symbols and discourse until Castro effectively replaced the Church as the judge of morality. With this, the Castro government could eliminate spaces of discourse for the opposition.

Developments in the Latin American Church between 1959 and 1979, such as Vatican II and the Medellín documents, enabled the Nicaraguan Church to be more involved in the lives of most Nicaraguans; consequently, Christianity played a major role in the Sandinista revolution. This added religious fervor, ironically coupled with explicit advice from their experienced revolutionary role model, Fidel Castro, encouraged the Sandinistas to pursue more moderate religious policies. The Sandinistas sought to consolidate power by advocating pluralism which would create fewer enemies in Nicaragua and the United States. However, this pluralism ultimately sowed the seeds for their destruction as the U.S. and the Catholic hierarchy, with their preconceived notions of the Cold War as a conflict between superpowers, quickly condemned the Sandinistas who, with their pluralistic principles, were not able to silence the dissenters.

<sup>1</sup> Raúl Gómez Treto, *The Church and Socialism in Cuba*, trans. Phillip Berryman (Maryknoll, New York: Orbis Books, 1988) 31.

<sup>2</sup> *The New York Times*, “Castro Proclaims Belief in Marxism,” December 1, 1961.

<sup>3</sup> Nicaraguan Bishops, “Pastoral Letter (November 1979),” in *The Central American Crisis Reader*, ed. Robert S. Leiken and Barry Rubin, 211-214 (New York: Summit Books, 1987), 213.

Despite Cuba's historic identity as a predominantly Catholic nation, on the eve of revolution, the Catholic Church did not play a prominent role in the lives of most Cubans. As noted in historian Margaret Crahan's article "Salvation through Christ or Marx: Religion in Revolutionary Cuba," a 1960 survey found that 72.5% of Cubans claimed to be Catholic while 19% professed no religion.<sup>4</sup> And yet, in the same article, a different survey found that in the former Las Villas Province, close to 90% of the professed Catholic females and males had not attended any church service in the past month.<sup>5</sup> Though most Cubans identified as Catholic, the vast majority did not attend Mass on a regular basis.

A legacy of secularization, foreign influences in the Church, and the Church's limited vision all contributed to this lack of attendance. In her article "The 1899 Cuban Marriage Law Controversy," historian Enid Lynette Logan details the debate over Cuban nationalists' law that only civil marriages would be recognized by the state at the turn of the 20<sup>th</sup> century.<sup>6</sup> This debate exemplifies a legacy of secularization that existed in Cuba and could have contributed to the lackluster religiosity of Cuban Catholics. In his book, *The Church and Socialism in Cuba*, a prominent lay leader in the Cuban Catholic Church throughout the latter half of the 20<sup>th</sup> Century, Raúl Gómez Treto, wrote that "the bulk of the clergy, both diocesan and religious, was Spanish."<sup>7</sup> For a country that was on the verge of rupture over the issue of overthrowing foreign imperialism, this foreign influence made the Church something to which most Cubans could not relate. In addition, Treto also noted that many of the churches' ecclesiastical works were "concentrated in cities, and indeed in well-off neighborhoods."<sup>8</sup> By limiting their scope to primarily cities and non-poor areas, the Church was not seeking to serve the poor rural Cubans who composed the majority of the population.

Santería, a combination of West African spiritism and Roman Catholicism, provides another explanation for what Treto called a "divorce between the church and the people."<sup>9</sup> Though it has strong Catholic influences, the prevalence of Santería demonstrates the Church's lack of authority over Cuban Catholics. While a 1957 national survey of agricultural workers found that only one percent claimed Santería as their religion, a 1960 sample indicated that one quarter of the Cuban people engaged in spiritist practices.<sup>10</sup> These figures indicate the prevalence of Santería, and how nominal identification did not necessitate strict Catholic religious practices. The combination of a legacy of secularization, foreign clergy, a focus on cities, and Santería contributes to why Roman Catholicism maintained a weak foothold in Cuba on the eve of the revolution despite the fact most Cubans identified as Catholic.

<sup>4</sup> Margaret E. Crahan, "Salvation through Christ or Marx: Religion in Revolutionary Cuba," *Journal of Interamerican Studies and World Affairs*, Vol. 21, No. 1, Special Issue: The Church and Politics in Latin America (Feb., 1979), 162.

<sup>5</sup> Ibid., 167.

<sup>6</sup> Enid Lynette Logan, "The 1899 Cuban Marriage Law Controversy: Church, State and Empire in the Crucible of Nation," *Journal of Social History*, Vol. 42, No. 2 (2008): 469-494.

<sup>7</sup> Treto, *Church and Socialism in Cuba*, 10.

<sup>8</sup> Ibid., 13.

<sup>9</sup> Ibid., 34.

<sup>10</sup> Crahan, "Salvation through Christ or Marx," 166.

Consequently, the Church did not play an influential role in the revolution; nonetheless, in the revolution's immediate aftermath, the Church unanimously attempted to persuade Castro to steer away from communism.<sup>11</sup> At the National Catholic Congress in November 1959, lay leader José Ignacio Lazaga declared before Fidel Castro, the press, and an assortment of religious leaders that "Catholic thought is opposed to communist and Marxist teachings, and generally to all teachings that propose that the human being be subordinated to the totalitarian State."<sup>12</sup> This conference later held a rally in Havana's Plaza Cívica, a location that historian Lillian Guerra describes in her book, *Visions of Power in Cuba*, as a "primary visual stronghold of Fidel's power to draw crowds."<sup>13</sup> Over a million Catholics chanting "¡Caridad, Caridad, Caridad!" and the leader's refusal "to silence them so annoyed Fidel that he quickly decided to leave."<sup>14</sup> Adopting Castro's imagery of mass support, Cuban Catholics directly asserted that their support for the patroness of Cuba, La Virgen de la Caridad del Cobre, and their desire for Christian charity, not communism's handouts.

In order to consolidate power and shut out these dissident voices, Castro created a new cultural religion that Guerra describes as "Fidelismo." Castro used Christian discourse to shape and understand the revolution. A simple way to eliminate the opposition was by the firing squads which executed more than 150 people on charges of murder and other high crimes.<sup>15</sup> Castro justified these tactics by appealing to Christian values of justice and mission. He also continued to use religious spaces for his benefit, such as the use of Havana's historic Cathedral for a special Catholic mass to pray for the victims of an explosion in Havana harbor that is often attributed to the CIA.<sup>16</sup> In the first year and a half of the revolution, Castro emphasized Christian values and utilized Christian spaces in order to begin blurring the distinction between nationalism and religious faith.

Castro also utilized religious imagery to demonstrate how his revolution was an actualization of biblical teachings. For example, Castro's 1960 New Year's hike up Pico Turquino "became a penitential rite open to all Cubans who recognized the need to purge themselves of the political values of the past."<sup>17</sup> This hike became a spiritual pilgrimage for many Cubans. The Cuban government also engaged in "national oath-taking ceremonies.... [similar to] Catholic sacraments of baptism and confession in both content and form."<sup>18</sup> The government attempted to adopt and Cubanize Christian rituals. Leaders at Cuba's National Institute of Culture encouraged Christmas shoppers to buy Cuban wine, chicken, cookbooks, and homemade crafts, and the National Institute of Savings and Housing even "gave unsuspecting adult recipients houses on Kings' Day," similarly to how Cuban parents traditionally give their children gifts on Kings' Day.<sup>19</sup>

<sup>11</sup> Treto, *The Church and Socialism in Cuba*, 6.

<sup>12</sup> Ibid., 25.

<sup>13</sup> Lillian Guerra, *Visions of Power in Cuba: Revolution, Redemption, and Resistance, 1959-1971* (Chapel Hill: The University of North Carolina Press, 2012) 94.

<sup>14</sup> Ibid.

<sup>15</sup> *The Christian Science Monitor*, "Castro Defends Cuban Purge: Address at Lions Club," January 14, 1959.

<sup>16</sup> Guerra, *Visions of Power*, 125.

<sup>17</sup> Ibid., 139.

<sup>18</sup> Ibid., 146.

<sup>19</sup> Ibid., 98.

A picture taken by Elizabeth Sutherland in the 1960s shows an amateurish wall mural that clearly demonstrates Castro's use of Christian imagery. In the mural, Fidel Castro, Che Guevara, and another revolutionary are depicted as the three magi journeying to give gifts to the baby Jesus, depicted as Cuba.<sup>20</sup> This image demonstrates how Fidelistas used language and symbols that the people understood, and it shows how Cuban nationalism and Fidelismo were literally taking the place of traditional religious symbols. In 1960, government officials argued that "being a true disciple of Fidel made one a true disciple of Christ."<sup>21</sup> As this quotation and Sutherland's photograph demonstrate, Fidelismo meant that Christ and Castro were essentially one and the same.

By merging Christ and Castro, Fidelismo created an unambiguous vision of morality. In a speech on August 11, 1960, to the National Institute of Agrarian Reform administrators, Castro declared that "to betray the poor is to betray Christ. To serve wealth is to betray Christ. To serve imperialism is to betray Christ."<sup>22</sup> This quotation expresses not only how he used Christian discourse for his own purpose, but also how he passed judgment on who was good and who was bad. With this established, government officials and media "launched subtle critiques of autonomous activism, especially that sponsored by Catholic groups, as a source of unnecessary competition for the state."<sup>23</sup> With clear moral authority, the government now looked to increase its dominance by criticizing autonomous forms of moral activism, such as the Church.

To consolidate power, the "primary goal of leaders' discursive strategies throughout the first decade of the Revolution was to ensure that any legislative spaces, especially informal ones, would diminish or disappear," and this would have a polarizing effect on the Church.<sup>24</sup> Now, with an established sense of moral leverage, Castro began overtly opposing the Church, and his announcement that he was a Marxist-Leninist acted as a catalyst for polarization. The Church began to gradually lose members who believed the revolution actualized their Christian ideals, while it became a sanctuary for anti-revolutionaries. Treto argues that "increasingly people from the bourgeoisie, shopkeepers, artisans, and other social sectors unhappy with the revolutionary process, who had not been regular practicing Catholics, began to join up."<sup>25</sup> This process created a positive feedback effect: the more conservative the Church became, the more it opposed the government, which in turn attracted more dissatisfied conservatives and continued the cycle.

As the Church became increasingly conservative, the government insisted on limiting religious freedom. Though Archbishop of Havana Jaime Ortega stated in 1985 that the Church "was never persecuted and worship was always permitted," it is clear that it was targeted in other ways. In addition to closing the prominent conservative newspaper *Diario de la Marina*, which had allowed the Church to disseminate its news and opinions, the

<sup>20</sup> Elizabeth Sutherland, *The Youngest Revolution: A Personal Report on Cuba* (New York: Dial Press, 1969) 90.

<sup>21</sup> Guerra, *Visions of Power*, 146.

<sup>22</sup> Fidel Castro, "Fidel Blames Church Rift on U.S." (speech given at Concluding Session of Administrators of INRA, Havana, Cuba, August 11, 1960) *Latin American Network Information Center*. Accessed December 1, 2012. <<http://lanic.utexas.edu/project/castro/db/1960/19600811.html>>.

<sup>23</sup> Guerra, *Visions of Power*, 76.

<sup>24</sup> Ibid., 7.

<sup>25</sup> Treto, *Church and Socialism in Cuba*, 29.

government also placed restrictions on education, such as declaring degrees from some Catholic universities null and void.<sup>26</sup> Archbishop Ortega acknowledged that the “the church has felt restrictions, such as the prohibition of Catholic education in schools...[and] access to the communications media is limited.”<sup>27</sup> By limiting Catholic education and communications, the government impeded any evangelization or growth. The government continued its crusade against religious freedom by arresting church leaders. In response to a number of captured counter-revolutionaries being prominent Catholic leaders, the government insisted on “frequent arrests of catechists and lay leaders.”<sup>28</sup> Though these arrests may not have been life-threatening, they reminded Catholic leaders of the government’s persistent pressure to conform.

The event that ultimately sealed Castro’s power against dissenters from the Church was the expulsion of 132 Catholic priests on September 17, 1961. One week prior, thousands of Catholics gathered for a religious procession from the parish house to the Cathedral in honor of the Patroness of Cuba. However, unlike previous years when the march consisted of only the local parish, in 1961 Bishop Eduardo Boza Masvidal mobilized the entire diocese. Hundreds of ardent pro-revolutionary citizens considered this action by the bishop to be a provocative display of political power which prompted a parallel gathering that accused the marchers of being counter-revolutionaries. Shots were fired and the marchers and protestors scattered. One of the bullets hit and killed a nineteen year-old named Arnaldo Socorro, and the following police investigation implicated several Catholic leaders, though their guilt remains disputed. The day of Socorro’s burial, the Ministry of the Interior accused the Catholic Church of harboring enemies of the state who conspired against the revolution. In response, Catholic priests throughout the island were arrested, and on September 17, 132 priests were shipped off the island. The deportation of priests ended the possibility that the counter-revolutionary action might take place from within the Church. It solidified Castro’s power, but it did so at the cost of the harsh disapproval of the international community.<sup>29</sup>

Vatican II and other external developments within the global Church between the Cuban and Nicaraguan revolutions created a vastly different religious environment in Nicaragua from that of pre-revolutionary Cuba. In his book, *Sandinista Strategy and Liberation Theology*, sociologist Joseph Morray argues that Vatican II changed Catholicism forever because in its attempts to make the Church more effective and relevant in a modern world, it “affirmed that the Church should commit itself to social activism in the cause of the poor.”<sup>30</sup> Celebrating Mass in vernacular languages and committing to social activism made the Church relevant to poor Nicaraguans. Vatican II was a crucial first step toward democratizing the Catholic Church in Latin America.

The Latin American Church needed to interpret the reforms of Vatican II and, in 1968, the Latin American Episcopal Council convened in Medellín, Colombia, to “search for a new and more dynamic presence of the Church in the present transformation of Latin

<sup>26</sup> Treto, *Church and Socialism*, 22.

<sup>27</sup> Jaime Ortega, “Interview on Church-State Relations in Cuba” (interview in Havana, Cuba, September 1985) in *The Church in Political Life* (Lima: Latin American Documentation, 1987) 32.

<sup>28</sup> Treto, *Church and Socialism in Cuba*, 35.

<sup>29</sup> Treto, *Church and Socialism in Cuba*, 45.

<sup>30</sup> Joseph P. Morray, *Sandinista Strategy and Liberation Theology* (Momouth, Oregon: Institutes for Theoretical History, 1992) 12.

America, in the light of the Second Vatican Council.”<sup>31</sup> Part of the problem was that the Cuban Revolution held wide popular support in Cuba despite opposition from the Church, and this discredited and shook Catholicism throughout Latin America.<sup>32</sup> Consequently, the bishops felt that the Church had to be more significant in the lives of the masses. The documents approved by the bishops, known as the Medellín Documents, energetically committed the Church to the poor and paved the way for the development of liberation theology and the Christian Base Communities.

The Medellín Documents clearly encouraged liberation theology by stating that the Church recognized the “situation of injustice that can be called institutionalized violence...and it is true that revolutionary insurrection can be legitimate.”<sup>33</sup> The Latin American bishops promoted ending this institutional violence by peaceful means, but they acknowledged that this is not always possible. Morray argues that liberation theology in the 1960s was “perhaps the single most crucial factor, in the shaping of a new strategy” for the Sandinista National Liberation Front (FSLN), and the resulting alliance between Sandinistas and liberation theology priests “gave a new legitimacy to the Sandinistas without forcing them to give up their reliance on armed struggle.”<sup>34</sup> Sandinista leaders would not disown the Church after the fighting ceased because of a sense of indebtedness to the Church’s contributions.

The Medellín Documents also officially sponsored organizations later known as Christian Base Communities. The Medellín Documents explicitly encouraged priests “to form from among their members small communities, truly incarnated in the poor environment.”<sup>35</sup> These community groups were encouraged to “consider their participation in the political life of the nation...as the practice of charity in its most noble and meaningful sense for the life of the community.”<sup>36</sup> These communities provided a vehicle for the Church to connect with poor Catholics like never before, but they also encouraged political consciousness and participation which would have a broad impact as well. Inspired by external developments in the global Church such as Vatican II and the Medellín Documents, the implementation of Christian Base Communities throughout Nicaragua made the Nicaraguan Church more in touch with the lives of poor parishioners on the eve of its revolution than the Cuban Church had been.

Because Christianity affected the lives of most Nicaraguans in a way that it did not in Cuba, it is no surprise that Christians played more of a role in the Nicaraguan revolution and revolutionary government. The FSLN’s official statement on religion in 1980 stated that “Christians have been an integral part of our revolutionary history to a degree unprecedented

<sup>31</sup> Nicaraguan Bishops, “Pastoral Letter (November 1979),” 123.

<sup>32</sup> Morray, *Sandinista Strategy and Liberation Theology*, 13.

<sup>33</sup> Catholic Bishops, “Medellín Declaration (1968),” in *The Central American Crisis Reader*, ed. Robert S. Leiken and Barry Rubin, 123-128 (New York: Summit Books, 1987), 127-128.

<sup>34</sup> Morray, *Sandinista Strategy and Liberation Theology*, 12, 16.

<sup>35</sup> Latin American Bishops, “Poverty of the Church,” (Medellín, Colombia 1968) in <http://www.shc.edu/theolibrary/resources/medpov.htm>.

<sup>36</sup> Latin American Bishops, “Justice,” (Medellín, Colombia 1968) in <http://www.shc.edu/theolibrary/resources/medjust.htm>



in any other revolutionary movement in Latin America and perhaps the world.”<sup>37</sup> Due to liberation theology, many peasant Nicaraguans believed their faith condoned using arms to combat injustice, and “many FSLN activists and combatants found in their interpretation of faith reasons for becoming involved in revolutionary struggle and therefore in the FSLN.”<sup>38</sup> Despite Pope John Paul’s conservatism and pushback against the Medellín Documents, liberation theology and its earlier justifications of violence for revolutionary change had already taken root.<sup>39</sup>

Many priests joined their congregants and used their positions to speak out against the injustices of the Somoza government. In a collection of notes detailing her experience in Nicaragua in the 1970s, American journalist Penny Lernoux stated that the Roman Catholic religious order of friars known as the Capuchins denounced the Nicaraguan National Guard’s massacre of 224 peasants in the northern rain forest.<sup>40</sup> The Capuchins’ efforts to speak out against the injustices of the government demonstrated the “Church’s solidarity with the people” and how it was “revitalizing the Catholic Church in Latin America.”<sup>41</sup> However these moments of solidarity had repercussions as Somoza and other military dictators “banned the words ‘Christian community’ as communist propaganda” which obviously Christians did not appreciate.<sup>42</sup> Even Bishop Obando y Bravo, who would become one the Sandinistas’ harshest critics, acknowledged in his message on August 3, 1978, that “unjust structures still supported by...pretensions of legality and resting upon institutionalized violence must be rejected and countered by all the power of Christian commitment.”<sup>43</sup> Christianity galvanized both laymen and priests for revolution.

Che Guevara, Fidel Castro, and the Cuban Revolution also inspired the Sandinistas. As found in Tomás Borge’s autobiography, *The Patient Impatience: From Boyhood to Guerrilla*, FSLN founder Carlos Fonseca even included Che in the opening phrase of an oath that all Sandinista militants were forced to take: “with my mind and heart fixed on the immortal patriotic example of Augusto César Sandino and of Ernesto Che Guevara.”<sup>44</sup> The Sandinista revolutionaries revered Che as the emblematic revolutionary. Similarly, Fidel Castro also played a key role in developing the Sandinista movement. Morray even writes that Castro ranked “first after Carlos Fonseca in the degree of influence on the developing Nicaraguan movement.”<sup>45</sup> Whereas the success of a past revolution overthrowing a military dictator backed by the U.S. and the selfless Che brought hope and inspiration, Castro

<sup>37</sup>FSLN National Directorate, “Official Statement on Religion by the FSLN National Directorate,” in *Faith and Revolution in Nicaragua*, trans. Phillip Berryman, 62-68 (Maryknoll, New York: Orbis Books, 1989) 64.

<sup>38</sup>FSLN National Directorate, “Official Statement on Religion,” 62.

<sup>39</sup> Morray, *Sandinista Strategy and Liberation Theology*, 16.

<sup>40</sup> Penny Lernoux, *Notes on a Revolutionary Church: Human Rights in Latin America* (Washington: Alicia Patterson Foundation, 1978), 85.

<sup>41</sup> *Ibid.*, 91.

<sup>42</sup> *Ibid.*, 87.

<sup>43</sup> Obando y Bravo, “The Current Situation (1978),” in *The Central American Crisis Reader*, ed. Robert S. Leiken and Barry Rubin, 180-181 (New York: Summit Books, 1987), 180.

<sup>44</sup> Tomás Borge, *The Patient Impatience: From Boyhood to guerilla: A Personal Narrative of Nicaragua’s struggle for Liberation*, trans. Russel Bartley, Darwin Flakoll, and Sylvia Yoneda (Willimantic, Connecticut: Curbstone Press, 1992) 248.

<sup>45</sup> Morray, *Sandinista Strategy and Liberation Theology*, 115.

brought pragmatic advice and necessary material support. The Nicaraguans realized from the beginning the benefits of learning from past revolutions and accepting Castro's help.

Sandinista leaders learned from Castro's experience by not propagating a rigid understanding of Marxism. In order to encourage a wide following during the revolution, according to a CIA memorandum in May 1979, Castro "urged [the Sandinistas] to play down the Marxist nature of their programs at this point and to offer to join with non-Marxists in forging a broad coalition."<sup>46</sup> The Sandinistas had already chosen Augusto César Sandino, a national martyr for anti-imperialism in the early 20<sup>th</sup> century who had rejected Marxism but was not an outspoken supporter of any political system, to be their namesake. This would not be the last time Castro would try to advise the Nicaraguans. This choice of name concealed the Marxist leanings of many of the FSLN leaders. In an interview with Nora Astorga, a Nicaraguan guerrilla fighter and ambassador to the United Nations, Astorga said "I studied Sandinismo and its values, I studied our own reality to start there in the search for answers, but I didn't study any Marxism....My ignorance about Marxism is quite deep."<sup>47</sup> Astorga's testimony reveals that even as a leader in the Sandinista movement, she was not fully aware of all the implications of Marxism. She, like many Nicaraguans, was not concerned with specific doctrinal aspects of Marxism, but chose to focus instead on Sandinismo.

Yet, the leaders of the FSLN could not conceal their Marxist leanings forever and later had to explain to the world that their version of Marxism did not contradict the teachings of Christianity. Father Ernesto Cardenal, a priest and Nicaragua's minister of culture, stated in an interview in *Playboy Magazine* in 1983 that, "as Christians, we don't think there should be any incompatibility with Marxism. One can be Marxist without being an atheist."<sup>48</sup> To come to such a conclusion, Cardenal and the Sandinistas could not have been following a hard line that religion is the 'opium of the people.' In fact, the Sandinistas created their own original form of Marxism. They did not proclaim that they were Marxist-Leninists like Castro did in 1961; rather, they maintained a unique form of Marxism that included religious tolerance which distinguished Nicaragua from Cuba and the Soviet Union. The intimate relationship between the masses and the Nicaraguan Church is a significant reason that Nicaragua did not imitate Cuba's adaptation of Marxism and intolerant position toward religion.

Despite his claims during his speech in Managua in 1980 that the Cubans "will never presume to tell the Sandinistas what they should do, giving and offering them uncalled-for advice," Castro did not adhere to this policy when in private.<sup>49</sup> *Country Under My Skin*, the memoir of former FSLN activist and poet Gioconda Belli, illustrates that Castro clearly intended to advise the Sandinistas. In Havana in 1979, immediately following the revolution, Belli recounts how she and other new leaders sat with Castro and discussed the differences between fighting and taking control: "It was obvious that [Castro] felt a kind of

<sup>46</sup> CIA, "Cuban Support for Central American Guerrilla Groups (May 1979)," in *The Central American Crisis Reader*, ed. Robert S. Leiken and Barry Rubin, 668-671 (New York: Summit Books, 1987), 671.

<sup>47</sup> Nora Astorga, "Nora Astorga: In Her Own Words," *Envío*, April 1988, 42.

<sup>48</sup> Claudia Dreifus, "Playboy Interview: The Sandinistas," *Playboy Magazine*, September 1983, 60.

<sup>49</sup> Fidel Castro, "Castro Address," (Managua, Nicaragua, July 19, 1980). *Latin American Network Information Center*. Accessed December 1, 2012. <<http://lanic.utexas.edu/project/castro/db/1980/19800719.html>>.

calling to be our mentor, to guide us down the arduous path of governing a nation...on one hand he didn't want to seem like he was telling us what to do, yet he left no doubt as to how he thought we should do things."<sup>50</sup> The Cubans felt inclined to support revolutions throughout Latin America and even in Africa; consequently, Castro felt an obligation to help the Sandinistas. Though he realized it was strategically beneficial for the Sandinistas to appear in public as fully in control and not Cuban puppets, Castro also felt that as the man with experience, he "wasn't there to listen, but to be heard."<sup>51</sup>

Ironically, another explanation for the Sandinistas' less radical approach to religion was based on explicit advice from Fidel Castro. In the *Playboy* interview, Cardenal stated that "Fidel has basically recommended moderation...he warned us against committing some of the errors Cuba did."<sup>52</sup> Cardenal's quotation indicates Castro's private admission of Cuba's mistakes, but it also proves that he encouraged the Sandinistas to be more cautious. Political scientists Thomas Walker and Christine Wade argue that Castro urged the Nicaraguans to retain good relations with the United States.<sup>53</sup> The Sandinistas sought to retain good relations by upholding one of the principles of democracy: religious freedom. Due to the geopolitical differences between Cuba and Nicaragua, Tomás Borge notes in the *Playboy* interview that "with our borders, we have a constant Bay of Pigs, in slow motion."<sup>54</sup> Borge meant that unlike Cuba, Nicaragua did not have water to buffer foreign invasion and infiltration so the Nicaraguans had to be more careful. Cuba's economy was struggling at this time due to harsh U.S. economic policy.<sup>55</sup> It was for these reasons that the Sandinistas "pursued policies strikingly different from those of Castro's Cuba, policies such as mixed economy, non-alignment, [and] pluralism."<sup>56</sup> Castro knew that it was of the utmost importance that Nicaragua maintain better relations with the United States than Cuba did, and the Nicaraguans heeded his advice, though somewhat in vain.

The Nicaraguans clearly heeded lessons from Castro's mistakes in terms of monitoring the politicization of religious events. The FSLN acknowledged that "if other political parties or individuals try to turn popular religious feasts or celebrations into political acts against the revolution (as has sometimes happened in the past) the FSLN declares its right to defend the people and the revolution under such conditions."<sup>57</sup> This reference, as indicated by the parenthetical, clearly referenced the events surrounding the death of Arnaldo Socorro in Cuba. Even though the Cuban officials dubiously blamed the death on Catholic leaders and used it as an opportunity to expel certain priests, this risky action poignantly made reconciliation with the United States impossible, which quickly hampered the Cuban economy.

<sup>50</sup> Gioconda Belli, *The Country Under My Skin: A Memoir of Love and War* (New York: Anchor Books, 2002) 271.

<sup>51</sup> *Ibid.*, 221.

<sup>52</sup> Dreifus, "Playboy Interview," 190.

<sup>53</sup> Thomas Walker and Christine Wade, *Nicaragua: Living in the Shadow of the Eagle* (Boulder: Westview Press, 2011) 203

<sup>54</sup> Dreifus, "Playboy Interview," 190.

<sup>55</sup> Charles Hanley, "Economic Woes Haunt Cuba's Quarter-Century Communist Rule," *The Hartford Courant*, December 31, 1983, 5.

<sup>56</sup> Morray, *Sandinista Strategy and Liberation Theology*, 45.

<sup>57</sup> FSLN National Directorate, "Official Statement on Religion," 66.

Another tactical reason for maintaining positive relations with the Church was that the Nicaraguans thought that the Church could help stabilize Sandinista power. Tomás Borge wrote in his autobiography that the Sandinistas feared “a wave of excessive reprisals against representatives of the Somoza regime would be unleashed,” but they hoped that “the Church should exercise a role of containment. Together, we would be able to neutralize the drama.”<sup>58</sup> Borge goes on to admit that “the essential thing was survival of the country...the Sandinista Revolution would not attack Christianity, but on the contrary would make efforts to form something closer than an alliance with the Nicaraguan Church.”<sup>59</sup> These quotations exemplify that, though the decision to not harass the Church may have been philosophical for some, it was also a deliberate strategic move for other Sandinista leaders. By forming an alliance with the Church, the Sandinistas hoped to stabilize a volatile nation. Nonetheless, this could have been a temporary policy for the Sandinistas, but Borge’s second quotation reveals that Sandinista policy toward religion was part of a long range plan. Once stabilized, the Sandinistas planned to use the Church to consolidate its power.

A cordial relationship with the Church helped consolidate Sandinista power because it did not isolate and chastise Nicaraguan Christians as in Cuba, which simply made the Cuban Church the principal vehicle for the opposition. Castro survived due to the weakness of the Cuban Church, but in the long run these actions isolated Cuba from the United States and the global Church. As Borge said in an interview, “ours is neither a Marxist nor a Christian revolution. This is a revolution in which Marxism and Christianity are integrated with all other ideologies. We believe in pluralism.”<sup>60</sup> Borge’s quotation indicates that the Sandinistas wanted to include people of all beliefs in their revolution. The Nicaraguan plan reflects Castro’s advice of moderation; the Sandinistas hoped to consolidate power not by aggressively crushing their opponents and emboldening a primary organ for dissent and criticism like Castro did, but by creating a pluralistic atmosphere so as to not isolate anyone or create any enemies.

The Sandinistas permitted people into the FSLN regardless of their religious beliefs, but they also permitted people who were not members of the FSLN to participate in the government. In Cuba, the only officially recognized party is the Cuban Communist Party which, for most of the 20<sup>th</sup> century, has denied membership to all those professing the Christian faith.<sup>61</sup> In stark contrast, the FSLN did not prohibit members, thereby broadening its support. In its official statement on religion, the FSLN clarified that “all those who agree with our objectives and aims, and who have the personal qualities our organization requires, have the right to be in our ranks, no matter what their religious beliefs may be.”<sup>62</sup> The Nicaraguan party was inclusive, not exclusive. In addition, the Nicaraguan government did not require that one had to be in the FSLN to serve the state. Borge stated that “we do not have people in government who want to destroy our revolution, but we do have members who are not in the FLSN.”<sup>63</sup> The Nicaraguans felt they had learned from the mistakes of the

<sup>58</sup> Borge, *Patient Impatience*, 265.

<sup>59</sup> Ibid., 266.

<sup>60</sup> Dreifus, “Playboy Interview,” 63.

<sup>61</sup> Morray, *Sandinista Strategy and Liberation Theology*, 54.

<sup>62</sup> FSLN National Directorate, “Official Statement on Religion,” 65.

<sup>63</sup> Dreifus, “Playboy Interview,” 63.

Cuban revolution not to isolate potential support and attempt to stay in favor with the United States, and they felt that political and religious pluralism was a way to accomplish that goal.

Unfortunately for the Sandinistas, pluralism came with a cost. Though Ramírez openly admitted that the Sandinistas gained a sense of “moral authority...from not executing prisoners,” this sense of moral authority did not last forever. The Sandinistas thought that with this authority they could censor the conservative elements of the Church that sought, in their opinion, to destroy the revolution. According to the US Department of State, the Marxist Sandinista government of Nicaragua pursued a campaign of religious repression that included “the closure of Radio Catolica, the banning of [a church bulletin known as] Iglesia and the censorship of articles from La Prensa...[that] prompted Cardinal Obando to write that the Sandinistas had ‘gagged and bound’ the Catholic Church in Nicaragua.”<sup>64</sup> The Sandinistas had attempted to silence, or at least muffle, the most ardent opposition, but with Ronald Reagan’s preconceived notions of the Cold War as a black-and-white East-West conflict, the United States quickly rebuked any human rights violations by a nation with unequivocal Marxist leanings.

Pope John Paul II brought harsh judgment on the Sandinista government based on his preconceived notions of Marxism as well. Journalist Penny Lernoux wrote in her book, *People of God*, that from the Pope’s perspective, “any concessions to Marxist theory inevitably lead to communist totalitarianism” based on his experience in Poland after World War II.<sup>65</sup> For this reason, when Pope John Paul II visited Nicaragua in 1984 and refused to pray for the Sandinista leaders, many Nicaraguans responded by “chanting Sandinista slogans and heckling the Pontiff.”<sup>66</sup> Ramírez argued in the *Playboy* interview that the Pope “got off the plane as an ideological conquistador” and that he broke several of their preconceived agreements.<sup>67</sup> The encounter with the Pope brought vast domestic and international criticism that played a role in souring the Nicaraguan economy and contributed to the swaying of public opinion which would ultimately bring about the FSLN’s downfall in 1990.

The differences between the Cuban Revolution’s relationship with the Cuban Church and the Sandinista Revolution’s relationship with the Nicaraguan Church can be attributed partly to differences in pre-revolutionary Cuba versus pre-revolutionary Nicaragua. Vatican II and the grassroots Catholic movements in Nicaragua made the Church more in tune with ordinary citizens than the Cuban Church had been. Additionally, Sandinista leaders learned from Castro’s successes and mistakes in Cuba; both governments were guilty of some censorship, but whereas Castro consolidated power by creating a cultural religion to essentially replace the Church and eliminate spaces of discourse for opposition, the Sandinistas attempted to consolidate power by including the Church in the movement and avoiding rigid understandings of Marxism. In an ironic twist, the Archbishop Ortega stated in 1987 that “a progressive change has taken place [in Cuba]. I believe that it is due in part to

<sup>64</sup> U.S. Dept. of State, “Attack on the Church: Persecution of the Catholic Church in Nicaragua,” (Washington: U.S. Department of State, 1986), 20.

<sup>65</sup> Penny Lernoux, *People of God* (New York: Viking Penguin Inc., 1989), 96.

<sup>66</sup> U.S. Dept. of State, “Attack on the Church,” 12.

<sup>67</sup> Dreifus, “Playboy Interview,” 140.

the participation of Christians in the Nicaraguan revolution.”<sup>68</sup> These two countries clearly affected each other, and yet, they developed dissimilar policies concerning religion. Sandinistas and Fidelistas maintained different relationships with the Catholic Church in the early years of their revolutionary governments, illustrating how political identity labels do not necessarily dictate a country’s actions.

## BIBLIOGRAPHY

- Astorga, Nora. “Nora Astorga: In Her Own Words.” *Envío*, No. 82 (April, 1988): 40-55.
- Belli, Gioconda. *The Country Under My Skin: A Memoir of Love and War*. New York: Anchor Books, 2002.
- Borge, Tomás. *The Patient Impatience: From Boyhood to guerilla: A Personal Narrative of Nicaragua’s struggle for Liberation*. Translated by Russel Bartley, Darwin Flakoll, and Sylvia Yoneda. Willimantic, Connecticut: Curbstone Press, 1992.
- Bravo, Obando y. “The Current Situation (1978).” In *The Central American Crisis Reader*, edited by Robert S. Leiken and Barry Rubin, 180-181. New York: Summit Books, 1987.
- Castro, Fidel. “Castro Address.” Speech given at the mass rally for the first anniversary of the Sandinista Revolution, Managua, Nicaragua, July 19, 1980. *Latin American Network Information Center*. Accessed December 1, 2012.  
<<http://lanic.utexas.edu/project/castro/db/1980/19800719.html>>.
- Castro, Fidel. “Fidel Blames Church Rift on U.S.” Speech given at Concluding Session of Administrators of INRA, Havana, Cuba, August 11, 1960). *Latin American Network Information Center*. Accessed December 1, 2012.  
<<http://lanic.utexas.edu/project/castro/db/1960/19600811.html>>.
- Catholic Bishops, “Medellín Declaration (1968),” in *The Central American Crisis Reader*, ed. Robert S. Leiken and Barry Rubin, 123-128. New York: Summit Books, 1987.
- CIA. “Cuban Support for Central American Guerrilla Groups (May 1979).” In *The Central American Crisis Reader*, edited by Robert S. Leiken and Barry Rubin, 668-671. New York: Summit Books, 1987. Originally published in *Congressional Record*, May 19, 1980.
- Crahan, Margaret. “Salvation through Christ or Marx: Religion in Revolutionary Cuba.” *Journal of Interamerican Studies and World Affairs*, Vol. 21, No. 1, Special Issue: The Church and Politics in Latin America (Feb., 1979): 156-184.
- Dreifus, Claudia. “Playboy Interview: The Sandinistas.” *Playboy Magazine*, September 1983.
- FSLN National Directorate. “Official Statement on Religion by the FSLN National Directorate.” In *Faith and Revolution in Nicaragua*. Translated by Phillip Berryman, 62-68. Maryknoll, New York: Orbis Books, 1989.
- Guerra, Lillian. *Visions of Power in Cuba: Revolution, Redemption, and Resistance, 1959-1971*. Chapel Hill: The University of North Carolina Press, 2012.
- Hanley, Charles. “Economic Woes Haunt Cuba’s Quarter-Century Communist Rule.” *The Hartford Courant*, December 31, 1983.

<sup>68</sup> Ortega, “Interview on Church-State Relations in Cuba,” 34.

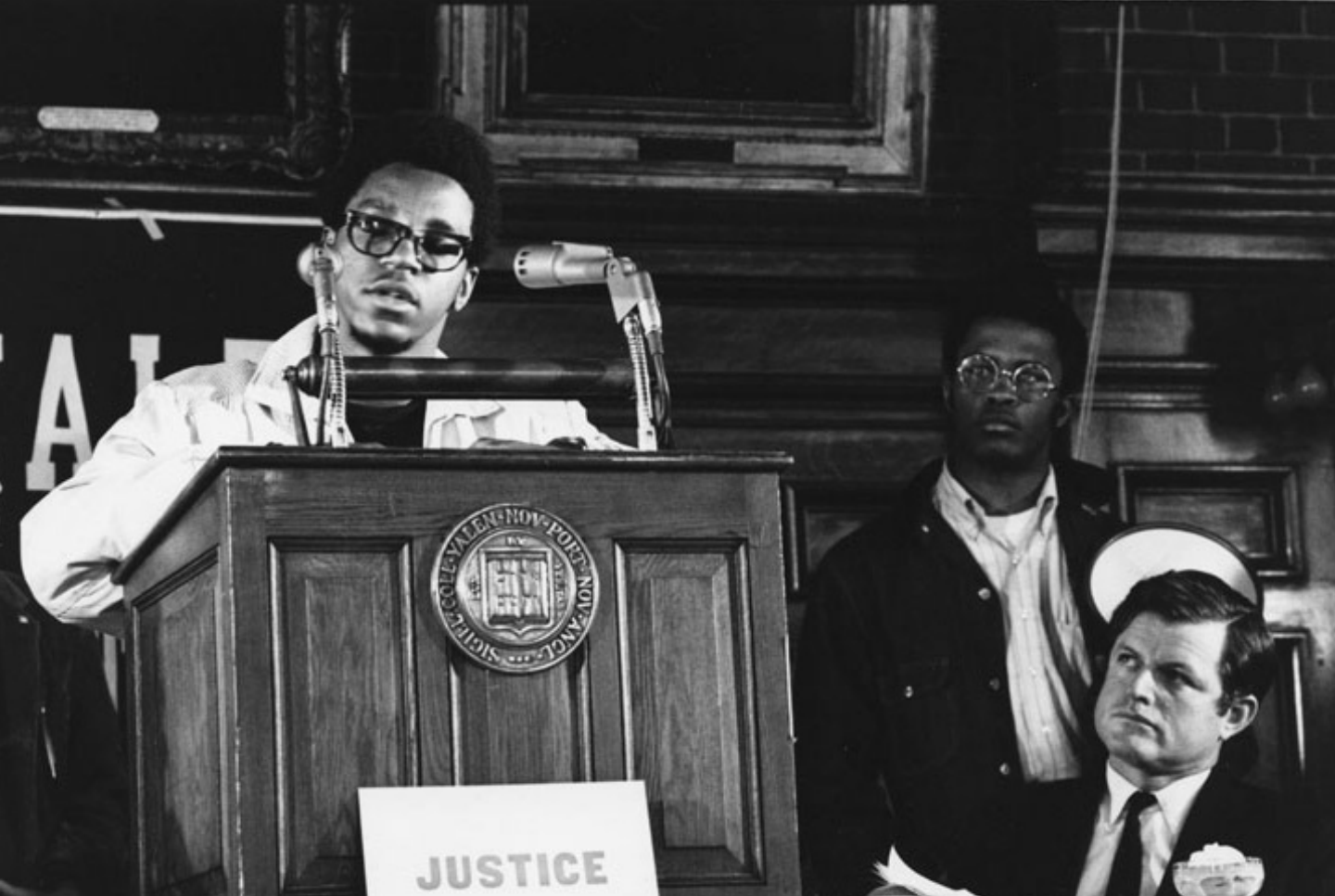
- Latin American Bishops, "Justice," (Medellin, Colombia 1968). *Spring Hill College Theology Library*. Accessed on December 1, 2012.  
<<http://www.shc.edu/theolibrary/resources/medjust.htm>>.
- Latin American Bishops, "Poverty of the Church," (Medellin, Colombia 1968). *Spring Hill College Theology Library*. Accessed on December 1, 2012.  
<<http://www.shc.edu/theolibrary/resources/medpov.htm>>.
- Lernoux, Penny. *Notes on a Revolutionary Church: Human Rights in Latin America*. Washington: Alicia Patterson Foundation, 1978.
- Lernoux, Penny. *People of God*. New York: Viking Penguin Inc., 1989.
- Logan, Enid Lynette. "The 1899 Cuban Marriage Law Controversy: Church, State and Empire in the Crucible of Nation." *Journal of Social History*, Vol. 42, No. 2 (2008): 469-494.
- Morray, Joseph. *Sandinista Strategy and Liberation Theology*. Momouth, Oregon: Institutes for Theoretical History, 1992.
- Nicaraguan Bishops. "Pastoral Letter (November 1979)." In *The Central American Crisis Reader*, edited by Robert S. Leiken and Barry Rubin, 211-214. New York: Summit Books, 1987.
- Ortega, Jaime. "Interview on Church-State Relations in Cuba." Interview in Havana, Cuba, September, 1985. In *The Church in Political Life*, 29-34. Lima: Latin American Documentation, 1987.
- Sutherland, Elizabeth. *The Youngest Revolution: A Personal Report on Cuba*. New York: Dial Press, 1969.
- The Christian Science Monitor*. "Castro Defends Cuban Purge: Address at Lions Club." January 14, 1959.
- The New York Times*. "Castro Proclaims Belief in Marxism." December 1, 1961.
- Treto, Raúl Gómez. *The Church and Socialism in Cuba*. Translated by Phillip Berryman. Maryknoll, New York: Orbis Books, 1988.
- U.S. Dept. of State. "Attack on the Church: Persecution of the Catholic Church in Nicaragua." Washington: U.S. Department of State, 1986.
- Walker, Thomas, and Wade, Christine. *Nicaragua: Living in the Shadow of the Eagle*. Boulder: Westview Press, 2011.

## TITLE IMAGE

"From Left Are: Then-Archbishop Bernard F. Law of Boston, Bishop James Malone of Youngstown, Monsignor David M. Gallivan, Cuban President Fidel Castro"

Source: Associated Press/The [Youngstown] Vindicator

Retrieved online at <http://www.vindy.com/photos/2010/jan/31/23754>



# NOT YOUR DADDY'S YALE

## THE DRIVE FOR MINORITY RECRUITMENT 1968-1974

Much of the praise for Yale's transformation from a bastion of old boy privilege to the diverse and multicultural institution it is today has been laden upon the administration of reformist University President Kingman Brewster, Jr., and his Director of Undergraduate Admissions, R. Inslee Clark, Jr. Closely examining the archives of Yale's various cultural houses – such as the African-American House and the Asian-American Cultural Center – Jasmine Zhuang '13 reveals that the demographic changes which began to take place at Yale nearly four decades ago largely resulted from student actions and protests, which sparked changes within the University's administration.

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By Jasmine Zhuang, CC '13  
Written for "Yale and America"

Professor Jay Gitlin

Edited by Jacob Anbinder and John D'Amico



Walking around the campus of Yale University today, it is not difficult for one to imagine the “Old Yale” of a century ago. The predominately Gothic architecture is reminiscent of a time long past, and today’s Yale students practice many of the same traditions as their predecessors, from cheering on their beloved Bulldogs at The Game to singing “Bright College Years” at graduation. The Yale men of the early twentieth century, however, would be shocked, perhaps even mortified, by the demographics of the current student body. Traditionally, Yale students represented America’s ruling elite: white Protestant males from preparatory schools, many from powerful families. “Diversity” meant the small proportion of students who attended public high schools. Over the second half of the twentieth century, the meaning of exclusivity and diversity evolved, marking Yale’s transition from “old” to “new.” Before the 1960s, Yale students could barely conceive of a campus with racial minorities in proportions comparable to the national population; Now, it is hard to imagine a campus without the current kind of diversity within the student body or the presence of minority student organizations and ethnic cultural centers. Over half of current Yale students graduated from public high schools, and racial and ethnic minorities comprise 44 percent of the college.

The transformation that the university underwent is obvious, but it remains unclear exactly who or what drove progressive change. Prominent Yale administrators such as President Kingman Brewster and Dean of Admissions R. Inslee Clark have received much of the credit for bridging the gap between “Old Yale” and “New Yale.” Nevertheless, placing the emphasis solely on men like Brewster and Clark ignores the contributions of the students themselves. In fact, Yale’s minority students played a key role in driving reform during the late 1960s and early 1970s, and it is questionable whether the transformation into the Yale we recognize today would have occurred had minority students themselves not advocated for change within the Yale student body, even under a liberal leader like Brewster. Far from playing a small role, minority student organizations provided the main impetus behind Yale’s admissions reform via their involvement in the university’s recruitment politics and policies. While the willingness of liberal administrators to challenge the status quo and the rising national importance of racial issues helped facilitate the students’ efforts, an overhaul of the admissions and recruitment system was by no means inevitable and likely would not have occurred in the absence of student advocacy.

Traditionally, Yale was a bastion of exclusivity, largely representing the elite of the American population. The college recruited from select “feeder” schools and gave strong preference to the sons of alumni. New England preparatory schools like Andover and Exeter were strongly represented, with up to fifty boys accepted each year, and students from smaller boarding schools also attended in large numbers. According to Nicholas Lemann, author of a book on the history of American meritocracy, Yale was “like a very big boarding school,” with a mostly homogenous student population.<sup>1</sup> Even when some diversity existed, students still led socially stratified lives, with Anglo-Saxon Protestants occupying a dominant position. According to Marvin Arons ’48, there was little diversity during his time at Yale. A

<sup>1</sup> Nicholas Lemann, *The Big Test: The Secret History of the American Meritocracy* (New York: Farrar, Straus and Giroux, 2000), 141.

quota of 100 Jews was in place, but the university housed them together and they had little social interaction with other students during their four years in New Haven.<sup>2</sup>

This is not to say that Yale completely excluded minority students until the 1960s. Yung Wing was the first Asian student to graduate from Yale College when he received his diploma in 1854, followed by Edward Bouchet (1874) and Henry Roe Cloud (1910), the first black and Native American graduates, respectively. The characteristics of early minority students, however, differed from those who matriculated beginning in the second half of the twentieth century. Sam Chauncey '57, for instance, recalls that during his days as an undergraduate, "there were at least half a dozen Asian students, probably all Chinese, and mostly from well-to-do American families."<sup>4</sup> These minority students thus fit into the Yale tradition of recruiting upper-class Americans, and it was not until the college began to admit minorities from poor to modest socioeconomic backgrounds that students even considered overhauling the admissions process.

Yale's transition from old to new was partly a response to broader societal changes. The first major turning point was World War II, which served as an equalizing force—men of all races and religions served the nation in war, and women temporarily replaced men in the workplace. A small decline in anti-Semitism, in part due to the persecution of Jews during the war, contributed to a slight liberalization of college admissions policies first for Jews and eventually for other racial minorities and women.<sup>5</sup> Still, quotas remained, and Yale continued to recruit mostly from a select group of high schools. It was not until the civil rights movement, the second historical turning point, that efforts to reform the recruitment process fully developed. Supreme Court decisions like *Brown v. Board of Education* (1954) and federal legislation such as the Civil Rights Act of 1964 challenged the inequalities of American society, and national organizations like the NAACP advocated for the rights of African Americans. This atmosphere of protest and revolution created the conditions for major change in American society in general, and for institutions like Yale in particular.

But despite the changing tides of society, much of the pressure for reform came from within the university itself. Chauncey, who became Assistant to President Brewster in 1963 and Secretary of the University in 1972, does not believe that change at Yale was a response to outside forces. In a recent email, Chauncey wrote that he did not believe Yale or its fellow universities "felt any real legal or institutional 'external' pressures" following the *Brown v. Board* decision, which applied only to public schools. Student groups of national scope such as the Student Non-Violent Coordinating Committee (SNCC) existed, but they did not directly target Yale in their protests. He believes that most of the pressure was internal, and originated with students, alumni, faculty, and members of the administration. William Sloan Coffin, the university chaplain from 1958 to 1975, was a particularly "important internal pressure-leader," Chauncey wrote. Frustrated with the gradual change of admissions in the 1950s and 1960s and impelled by faculty and minority students alike, Coffin advocated for more drastic improvements to the racial diversity of the student body than were currently taking place.

<sup>2</sup> Marvin Arons, in discussion with the author, November 13, 2012.

<sup>4</sup> Henry Chauncey, Jr., in discussion with the author, December 15, 2012.

<sup>5</sup> Marcia Graham Synnott, *The Half-Opened Door: Discrimination and Admissions at Harvard, Yale, and Princeton, 1900-1970* (Westport: Greenwood Press, 1979), 201.

It is thus possible to view Yale's major institutional changes as the product of a combination of internal and external historical factors. While the external forces may not have been explicit, the actions of Yale students, faculty, and administrators were themselves a response to society's growing recognition of racism and equal opportunity. President Brewster's willingness to change recruitment and admissions, for instance, stemmed from a sense that the reputation of the university was at stake. According to McGeorge Bundy, one of Brewster's closest friends and later the National Security Advisor, Brewster was troubled by Yale's failure to "convincingly demonstrate its commitment to the principle of equal opportunity."<sup>8</sup> Thus, the liberalization of Yale's admissions policies was part of an effort to ensure that Yale kept pace with society's changing ideals.

Alongside Brewster, the other administrator who represented Yale's changing attitude was R. Inslee Clark, Jr., the young alumnus Brewster appointed as Dean of Admissions in 1964. Around the time that Clark became dean, the gradual efforts to increase student diversity of Arthur Howe, his predecessor, had resulted in equal numbers of public and private high-school students for the first time in Yale's history. Nonetheless, the college still lagged behind its rivals in this respect: Harvard and Princeton had already achieved the same parity in the 1950s. Moreover, in the 1960s Yale accepted the lowest percentage of Jews of all the schools in the Ivy League. Clark dramatically revamped Yale's recruitment efforts. He doubled the number of schools the admissions office visited to 1,000 and emphasized "talent searching" at inner-city and rural high schools.<sup>9</sup> By 1968, Yale's position relative to other universities was reversed. That year, the number of graduates Yale accepted from prep schools was significantly lower than Harvard or Princeton, partly due to Clark's policy of searching for qualified students at public schools.<sup>10</sup>

But the push for reform, especially in terms of racial diversity, originated with minority students. During the civil rights movement, organizations formed at universities across the nation to represent the voice of minorities as students developed increasing political consciousness. At Yale, 14 black freshmen formed the Black Student Alliance (later known as the BSAY) in the fall of 1964 with the intent of creating an informal social network. Soon, however, they had expanded to include political activism in their activities.<sup>11</sup> Five years later, in late 1969, Asian American students under the leadership of Don Nakanishi '71 founded the Asian American Students Association (AASA). In a memorandum written to President Brewster, law student Peter Choy described the motivation behind the creation of AASA. In spite of "the notion that all [Asians]...are relatively well assimilated, and that what problems they may have are qualitatively and quantitatively minor" compared to those of other minority groups, Asian Americans struggled to find their place on campus, Choy wrote.<sup>12</sup> Some of AASA's founders had originally participated in on-campus political activism through existing ethnic support groups such as the Mexican-American Students Association, but recognized that they needed to call attention to their own unique needs.

<sup>8</sup> Geoffrey Kabaservice, *The Guardians: Kingman Brewster, His Circle, and the Rise of the Liberal Establishment* (New York: Henry Holt and Company, 2004), 265.

<sup>9</sup> *Ibid.*, 262, 264.

<sup>10</sup> *Ibid.*, 268.

<sup>11</sup> *Ibid.*, 328.

<sup>12</sup> David Todd, "Asian Americans Form Group, Sponsor Seminar, Recruitment," *Yale Daily News*, December 5, 1969.

Indeed, though their specific needs differed, minority organizations like the BSAY and AASA all recognized the importance of admissions recruitment to improving the representation of minority students at Yale. Being the most influential racially affiliated support group on campus, the BSAY was the first to participate in a series of meetings with the admissions office during the winter of 1968 and 1969. Though blacks were the largest minority group at Yale, the percentage of the student body that they represented was still lower than the national average of 12 percent. Thus, they demanded that blacks comprise at least 12 percent of the incoming freshman class of 1973, and proposed to help the admissions office achieve this by working as student recruiters.<sup>13</sup> In response, Brewster provided funding for twenty BSAY members to travel to inner-city high schools in February 1969. Due to their recruiting efforts, eighty additional black men and fifty additional women applied to Yale.<sup>14</sup> Black students communicated directly with potential applicants, and the university served as a logistical and financing body.

The admissions office had always faced pressure to admit certain groups, from legacies to athletes, but in general, it had not implemented any significant changes as a result. R. Inslee Clark told the *Yale Daily News* in 1969 that “pressures coming from all sides...tend to balance each other out.” But that year was different, not because the administration had dramatically changed its views, but because “the recruitment and acceptance of black students [had] become a potentially explosive issue” due to the forceful demands of BSAY members and indirect external pressure from the national civil rights movement.<sup>15</sup> The admissions office’s cooperation with the BSAY, however, did not lead directly to more comprehensive recruitment of all minorities. Indeed, the admissions office treated each minority group differently. “With blacks,” said one admissions committee member in 1969, “everyone is leaning over backwards to find applicants and admit them. Mexican-Americans, for example, should be treated the same way, but there isn’t as much attention to finding applicants.”<sup>16</sup> The admissions office did not pursue a policy to expand recruiting for minorities in general, instead choosing to respond to each minority group’s demands on a case-by-case basis as they arose. This suggests that the student groups, not Yale administrators, were indeed the primary instigators of admissions reform.

Partly inspired by the positive response of the admissions office to the BSAY’s demands, AASA members also sought permission to participate in minority recruiting. Like many black students, Asian Americans at Yale felt alienated from the rest of the university community. Despite the heralding of a “New Yale,” low- to middle-class Asian American students like Nakanishi (who attended a public school in East Los Angeles) felt like outsiders at a university still dominated by white prep school graduates. They identified the narrow scope of the university’s Asian American recruitment as a major problem. In 1969, Nakanishi told the *Yale Daily News* that “one problem with Yale College’s admissions of Orientals is that most come from prep schools and upper-middle-class, mainly white high schools, rather than from ghetto high schools.”<sup>17</sup>

<sup>13</sup> Steven Hiller, “How Black Students Arrived at Yale,” *Yale Daily News*, September 25, 1973.

<sup>14</sup> Jeffrey Gordon, “Pressures on Admissions,” *Yale Daily News*, April 4, 1969.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> Todd, “Asian Americans Form Group.”

Following the model of the BSAY, the AASA met with Director of Admissions John Muyskens on 26 November 1969, to request funding for recruitment trips. In a letter written to Brewster a few days later, Peter Choy noted that the underrepresentation of Asian Americans at Yale was “due to the apathy of Asian Americans to recruit other Asian Americans in the past, as well as the inadequacies of past recruitment efforts by the Undergraduate Admissions Office.” Not only did he question the university’s bias towards elite private schools, but he also asked why Yale admitted so few students from certain Asian ethnic groups, including Japanese, Filipino, and Korean Americans.<sup>18</sup> Recognizing that the university would not proactively implement change, the AASA proposed that it organize its own efforts in regions Yale had traditionally ignored. The university had already participated in similar negotiations with the BSAY the year before and had been pleased with the results, so Chauncey hardly hesitated in approving \$600 in funding, with the stipulation that the AASA follow the same guidelines as the BSAY.<sup>19</sup>

At the heart of the AASA’s recruitment campaign was a desire to change notions about Asians’ place at Yale. One of the recruitment flyers the group’s members handed out to high school students was titled “If your daddy was a Yale man, chances are you aren’t Asian American.”<sup>20</sup> Envisioning a Yale that reflected the demographics of mainstream society, they hoped to create a future in which Asians did not merely occupy the fringes of the Yale community, but would feel that they belonged to its inner circle. The campaign to improve Asian American recruitment continued into the 1970-71 school year with increased vigor. By the fall of 1970, AASA had created a Recruitment and Admissions Committee dedicated to working with the admissions office, chaired by Henry Hayase ’73. In contrast to Choy’s 1969 letter to Brewster, which acknowledged the shortcomings of both the admissions office and Asian American students themselves in minority recruitment, Hayase directly accused Yale of being complicit in perpetuating racial inequality. In a paper he wrote for an Asian American studies seminar, Hayase contended that the American system of higher education perpetuated prejudice and discrimination and “Yale College, to a certain extent, was also guilty of this practice.” At the same time, he argued that AASA could not merely criticize institutions like Yale, but had the responsibility to offer its own constructive alternatives.<sup>21</sup>

Believing that the Yale Corporation and the admissions office could not achieve a significant increase of minority students on their own, AASA’s solution proposed more active student involvement in the recruitment process. The organization requested \$2850, significantly more than the year before, to cover the costs of traveling to areas with underrepresented Asian Americans during winter break.<sup>22</sup> Yale administrators were quite open to acknowledging the flaws of the existing admissions system, and were willing to cooperate with student groups to implement institutional changes. In the fall of 1970, Sam Chauncey helped form an official Minority Recruitment Committee, which operated under

<sup>18</sup> Peter Choy to Kingman Brewster, Jr., 1 December 1969. Asian American Students Alliance, Yale University, Records (RU 1046), Manuscripts and Archives, Yale University Library (hereafter cited as AASA Records).

<sup>19</sup> Henry Chauncey, Jr. to John Muyskens, Jr., 9 November 1969. AASA Records.

<sup>20</sup> “If your daddy was a Yale man, chances are you aren’t Asian American,” n.d., AASA Records.

<sup>21</sup> Henry Hayase, “The Asian and the Asian American at Yale College, Classes of 1909 to 1967, classes of 1971 to 1974,” 21 September 1970. AASA Records.

<sup>22</sup> Central Committee of the Asian American Students Association (AASA) at Yale and Hayase to Muyskens, 1971. AASA Records.

the supervision of the admissions office. Chauncey believed that the university would benefit from supporting the minority undergraduates who offered their assistance in recruiting students from similar backgrounds. The administration, he recalled, was willing to support the initiatives of groups like the BSAY, from the establishment of a cultural center and a black studies program to participation in the recruiting process, as long as they promised to execute them at a high quality.<sup>23</sup> Hoping to prevent a messy amalgamation of individual group initiatives, Chauncey sought an organized plan of action for recruitment. In a May 1971 memo to student group representatives of the Minority Recruitment Committee, he expressed his unwillingness to provide any more funding until all agreed to such a system. Each group would designate five representatives to form an executive committee and undergo extensive training with the admissions office before they could interview and evaluate applicants.<sup>24</sup>

But even with the existence of the Minority Recruitment Committee, Yale's Latino student groups still felt that the university paid little attention to their requests, which made them doubt the sincerity of the "New Yale." After the *Yale Daily News* praised the university for recruiting more black and Asian American students in 1972, the Boricuas Unidos, a group representing Puerto Ricans at Yale, responded with a searing op-ed. They accused Yale of breaking its promises to its Latino students, writing that they had been "led to believe that the Puerto Rican recruitment drive was to be formulated and planned by the...students themselves, but...[it] has been preplanned and is obstructed by bureaucratic delays."<sup>25</sup> The Puerto Rican students' requests were similar to those of the BSAY and AASA, asking for funding for five recruiters to travel to Puerto Rico and three each in Chicago, New York, Boston, and Philadelphia.<sup>26</sup> The university, however, had apparently never responded to the group's written requests for meetings, causing them to publicly repudiate Yale's supposed commitment to minority recruitment and withdraw from the Minority Recruitment Committee.

In deciding how to respond to the issue of minority recruitment, the Yale administration had to consider pressures coming from all sides. Traditionally, admission to Yale was largely based on the expectation that a student could become a future leader in society, which was often linked to his family's wealth and social status. By the 1960s and the 1970s, however, a new degree of flexibility emerged from the growing culture of American meritocracy. Assistant Dean of Yale College Elisabeth Thomas wrote to Brewster in 1973, "Some of our previous working definitions of 'most qualified' have been too limited or too unsophisticated in the case of candidates from disadvantaged schooling or from different cultural traditions." The composition of American leadership was becoming increasingly diverse, so in order to adequately continue its mission of preparing students to be leaders, Yale had to accept more minority students. Perhaps more importantly, Thomas attributed the university's push to expand the scope of recruitment to internal pressure from minority student groups, admitting that "we pay attention to minority group candidates because we

<sup>23</sup> Chauncey, discussion.

<sup>24</sup> Memorandum from Henry Chauncey, Jr., 12 May 1971. Kingman Brewster, Jr., President of Yale University, Records (RU 11), Manuscripts and Archives, Yale University Library (hereafter cited as Brewster Records).

<sup>25</sup> Boricuas Unidos, "Open Letter to President Brewster," *Yale Daily News*, February 9, 1972.

<sup>26</sup> Puerto Rican Students at Yale to Muyskens, n.d. Brewster Records.

are told to.”<sup>27</sup> At the same time, Thomas did not want it to seem as if the administration were merely reacting to pressure, so she recommended that the university emphasize how the targeting of special groups was consistent with Yale’s longstanding traditions of service and leadership.

One of the most difficult tasks of progressive administrators like Brewster and Clark was balancing minority organizations’ demands and societal pressures against the powerful influence of alumni and the Yale Corporation. Alumni were fiercely protective of their conception of “Old Yale,” for nostalgic reasons and also for fear that liberal admissions policies would threaten their own sons’ chances of admission. They realized that admissions was a zero-sum game—since the university continued to accept the same number of students, more minorities meant fewer alumni sons. Similarly, the trustees of the Yale Corporation viewed the ascendancy of minorities as a challenge to their current status as America’s WASP elite. In a meeting with the Corporation in 1966, Clark defended his admissions policies by stating that the non-traditional students he sought to recruit represented the changing face of America. A Corporation member quickly retorted: “Look around you at this table...These are America’s leaders. There are no Jews here. There are no public school graduates here.”<sup>28</sup>

In spite of the negative response of the Corporation and alumni, student recruitment efforts, supported by the admissions office, yielded successful results. The *Yale Daily News* announced that the number of black applicants had increased to 170 for the class of 1971, and that seventy had been accepted—a 75 percent increase.<sup>29</sup> In 1973, the Committee of Undergraduate Admissions, reporting to the Association of Yale Alumni, also highlighted the statistical success of recruitment reform. The committee reported that the university had fulfilled its original goal of admitting minority students in proportions equal to the national average, which meant that as a whole, racial and ethnic minorities comprised 15 percent of the class of 1977.<sup>30</sup>

Ethnic organizations also understood that in order to improve their experience at Yale, they needed to do more than just increase the number of minority students admitted. Most importantly, the number of minority students admitted did not necessarily correspond to the number who matriculated. The *Yale Daily News* reported in September 1973 that the number of blacks admitted comprised 12 percent of the incoming freshman class, which satisfied the BSAY’s original demands. But because the yield rate for black students was a paltry 40 percent, the class ended up being only 7.5 percent black.<sup>32</sup> The admissions office attributed the poor yield rate to shortcomings in Yale’s financial aid program. Yale’s student aid was considered the “worst in the Ivy League,” and the university’s inability to meet the needs of its poorer students contributed to the sense that its commitment to minority recruitment was disingenuous. In discussions with the BSAY, the administration promised to provide financial support to any admitted black student. When it became clear that poor

<sup>27</sup> Elisabeth McC. Thomas to Brewster, 30 August 1973. Brewster Records.

<sup>28</sup> Kabaservice, *The Guardians*, 259.

<sup>29</sup> “Negro Admissions Set Record: 70 Blacks Among 1470 taken,” *Yale Daily News*, April 5, 1968.

<sup>30</sup> Committee of Undergraduate Admission, Report to the Board of Association of Yale Alumni, 24 August 1973. Brewster Records.

<sup>32</sup> Hiller, “How Black Students Arrived at Yale.”

students, including many blacks, would be unable to attend Yale without incurring massive debts, the BSAY grew increasingly dissatisfied. Associate Dean John Wilkinson recognized the danger that Yale's inadequate financial aid policies posed to black students' perception of the administration. "It is clear that many of the black students are convinced that the University is...consciously hypocritical in its efforts to recruit them and to support them adequately," he wrote to Brewster.<sup>34</sup> No matter how much money and effort went into minority recruiting, it would make no difference unless Yale could convince minority students that the university cared about their financial needs when it came to tuition.

Just as important as admissions and financial aid was the quality of life that minority students could expect from their years as undergraduates. In this context, both students and administrators realized that admissions reform was only a minor component of the transition from Old Yale to New Yale. Even after the university admitted unprecedented numbers of minority students beginning in the early 1970s, social and cultural life on campus still revolved around white students. A 1972 issue of *The People's Paper at Yale* revealed black students' anger at their continued sense of marginalization. One article explained that Yale's push to admit more black students was not based on their abilities, but "frankly...because it wants to buy you off...Yale recognized you as a threat...[it] wants to turn you into a little white boy."<sup>35</sup> Asian Americans were similarly disillusioned with their social experience at Yale. Vincent Nafarrete, head of AASA in 1973, told the *Yale Daily News*, "When I recruit I tell it to them straight: A Yale education will help you get a job, but it's not all that great living here."<sup>36</sup>

Skeptical of Yale's commitment to the issue, student groups emphasized the inextricable link between minority life on campus and admissions. A black sophomore provided the following analogy in a 1973 *Yale Daily News* article: "To bring a minority student here without...supportive services is like inviting someone to a restaurant and letting them starve...What's the point?"<sup>37</sup> The administration, too, recognized that it had to reform more than the admissions process in order to demonstrate its sincerity. "The single most potent recruiting agent we could have is a campus experience that constructively challenges the groups' interests and responds to any special needs," Thomas wrote Brewster in 1973, "and this requirement involves the entire fabric of the University, including curriculum, activities, and faculty staff appointments."<sup>38</sup> Minority groups, especially the BSAY, forcefully voiced these concerns, demanding more support services, the establishment of cultural centers, more minority faculty members, and a curriculum that included ethnic studies.

Today, organizations like the BSAY and AASA are significantly less involved in the undergraduate recruitment process. Nevertheless, the historical narrative of minority recruitment by the BSAY, AASA, and Latino groups like the Boricuas Unidos is part of a larger story that has contemporary implications. Throughout history, Americans have expected Yale and other elite universities to be drivers of change, but what they do not

<sup>34</sup> John Wilkinson to Brewster, 18 February 1970. Brewster Records.

<sup>35</sup> "Why Black Admits a Few Black Students," *The People's Paper*, Summer 1972. Black Student Alliance at Yale Records (RU 82), Manuscripts and Archives, Yale University Library.

<sup>36</sup> Curley, "Yale Lags in Attracting Minority Students."

<sup>37</sup> Curley, "Has Minority Recruiting Proved a Success?" *Yale Daily News*, October 30, 1973.

<sup>38</sup> Thomas to Brewster, 30 August 1973. Brewster Records.



always realize is that institutions like Yale are often reactors rather than actors. According to Sam Chauncey, “Yale can, of course, *change* policies and programs to prevent inequality. In a way it does not have to ‘challenge’ inequality in its own house. But to change things may involve convincing major constituencies—faculty, students, alumni, staff--or the change won’t occur.”<sup>39</sup> With a few exceptions, the leadership of Yale is quite conservative, and while the President and the administration can facilitate change, the push for reform in minority recruitment began with an often-underestimated group: the students themselves. It took their effort, alongside a perfect combination of proper societal conditions, internal pressure, and an administration willing to cooperate, for Yale to change the admissions traditions to which it had held fast for centuries. Slowly but surely, their efforts have ensured that with each passing class, it becomes less and less controversial to see blacks, Asians, or Latinos as the sons and daughters of Eli.

## BIBLIOGRAPHY

- Arons, Marvin. Discussion with author. November 13, 2012.
- Asian American Students Alliance, Yale University, Records (RU 1046). Manuscripts and Archives, Yale University Library.
- Black Student Alliance at Yale Records (RU 82). Manuscripts and Archives, Yale University Library.
- Chauncey, Henry, Jr. Discussion with author. November 13, 2012.
- . Discussion with author. December 15, 2012.
- Curley, John. “Yale Lags in Attracting Minority Students.” *Yale Daily News*, November 2, 1973.
- . “Has Minority Recruiting Proved a Success?” *Yale Daily News*, October 30, 1973.
- Gordon, Jeffrey. “Pressures on Admissions.” *Yale Daily News*, April 4, 1969.
- Hiller, Steven. “How Black Students Arrived at Yale.” *Yale Daily News*, September 25, 1973.
- Kabaservice, Geoffrey. *The Guardians: Kingman Brewster, His Circle, and the Rise of the Liberal Establishment*. New York: Henry Holt and Company, 2004.
- Kingman Brewster, Jr., President of Yale University, Records (RU 11). Manuscripts and Archives, Yale University Library.
- Lemann, Nicholas. *The Big Test: The Secret History of the American Meritocracy*. New York: Farrar, Straus and Giroux, 2000.
- “Negro Admissions Set Record: 70 Blacks Among 1470 taken.” *Yale Daily News*, April 5, 1968.
- Synnott, Marcia Graham. *The Half-Opened Door: Discrimination and Admissions at Harvard, Yale, and Princeton, 1900-1970*. Westport: Greenwood Press, 1979.
- Todd, David. “Asian Americans Form Group, Sponsor Seminar, Recruitment.” *Yale Daily News*, December 5, 1969.

<sup>39</sup> Chauncey, e-mail message to author, December 15, 2012.

**TITLE IMAGE**

“Ralph Dawson Speaking with Senator Edward Kennedy, Democrat of Massachusetts, and Undergraduate Kurt Schmoke Standing behind Kennedy”

Photographer: Yale Alumni Magazine photographer

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# TEAR GAS AND THE POLITICS OF LETHALITY EMERGING FROM THE HAZE

In his prize-winning senior essay, Thomas Dethlefs '12 details the legal, scientific, and political problems associated with tear gas — a technology used since the Vietnam War both as a means of civilian riot control and a military weapon. The author argues that American domestic and military policies nominally transformed the weapon from “tear gas” to “riot control agent” during the 1960s, in response to political considerations about the Vietnam War rather than discoveries about the compound’s chemical properties. In addition to its gripping content, Dethlefs’ essay displays a masterful use of various historical methodologies, demonstrating the importance of analyzing a topic through multiple lenses.

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By Thomas Dethlefs, ES '12  
Senior Essay for the History Major  
Winner of the Edwin W. Small Prize  
Faculty Advisor: Bill Rankin  
Edited by Katherine Fein and Trevor Davis

## TEAR GAS AND THE POLITICS OF LETHALITY

In 1969 President Richard Nixon unilaterally renounced the production and stockpiling of biological weapons and declared the intent of the United States to ratify the 1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous, or Other Gases, and of Bacteriological Methods of Warfare. Nixon's announcement signaled an unparalleled breakthrough in chemical and biological weapons disarmament amidst Cold War tensions and third world conflict, but failed to achieve its full potential as a new policy. When Nixon submitted the Geneva Protocol for consideration and ratification in the Senate in August of 1970 he included a memorandum that clarified, "as a matter of US policy, nonlethal agents are not in the US definition of chemical weapons."<sup>1</sup>

This reservation over nonlethal tear gasses, which were at the time extensively used in Vietnam, marred its acceptance in Congress. Although it was not a formal legal assertion, Nixon's statement proved unacceptable to the Senate Foreign Relations Committee in light of the 80-3 UN General Assembly vote two years previously that the Protocol covered tear gas.<sup>2</sup> Senator James W. Fulbright replied with a letter asking Nixon to reconsider the administration's interpretation given "the fact that the overwhelming majority of the nations of the world agree...that tear gas and herbicides should be prohibited under the Geneva Protocol."<sup>3</sup> With military operations scaling back in Vietnam and effective weaponry at a premium, the administration disregarded Fulbright's request.

Ratification of the 1925 Geneva Protocol would not receive approval until 1975, a full half-century after it was first proposed. Like Nixon had done five years earlier however, President Ford attached a memorandum specifically directing US interpretation of the Protocol. In Executive Order 11850, Ford ensured the US maintained virtually the same policy it had pursued in Vietnam, only limiting the use of tear gas in war to situations that resembled riot control.<sup>4</sup>

The US has repeatedly reached a divergent legal understanding of tear gas since it first garnered Nixon's attention during the Vietnam War. Even as recently as the Chemical Weapons Convention in 1993 the US conclusion has differed from that of the rest of the world. While the final draft of the Convention specified each State Party would "undertake not to use riot control agents as a method of warfare," the US maintained the latitude to unravel the provision on its own accord.<sup>5</sup> The Senate's interpretation of the tear gas issue again enabled its use in certain "riot control situations" and requested a new Executive Order outlining the divergent US policy.<sup>6</sup>

Scholarly literature has produced a range of studies on legal and moral attitudes towards chemical weapons. Indeed, among the countless technologies of warfare chemical

<sup>1</sup> Malcolm Dando, *A New Form of Warfare: The Rise of Nonlethal Weapons*, (Washington: Brassey's Publications, 1997), 80.

<sup>2</sup> Senate Committee on Foreign Relations, *The Geneva Protocol of 1925: Hearings before the Committee on Foreign Relations of the United States Senate*, 92nd Cong., 1st sess., March 1971, 433.

<sup>3</sup> Ibid.

<sup>4</sup> Executive Order 11850, <<http://www.archives.gov/federal-register/codification/executive-order/11850.html>>.

<sup>5</sup> Organization for the Prohibition of Chemical Weapons, *Convention on the prohibition of the development, production, stockpiling, and use of chemical weapons and on their destruction*, Paris 13 January 1993, Article 1(5).

<sup>6</sup> J.P. Perry Robinson, "Nonlethal Warfare and the Chemical Weapons Convention," *Science & Technology Policy Research*, University of Sussex, 2007, <<http://www.sussex.ac.uk/Units/spru/hsp/Papers/421rev3.pdf>>.

weapons stand out as a category of weapons that has been especially stigmatized and studied.<sup>7</sup> Press reports, academic inquiries, and even public attitudes have generally recognized chemical weapons as particularly morally illegitimate. This has caused a focus on modes of destruction more lethal than tear gas. Since tear gas has all too often been relegated to the margins of the main theater of scholarship – the study of lethal agents – the historiography of chemical weapons has been divided into superficially separate lethal and nonlethal spheres. As we will see however, the divisions between lethality and nonlethality are not so rigid. Because previous scholars have overlooked these issues they have taken for granted the flexible nature of tear gas. A focused study of this subject can thus inform our understanding of chemical weapons in general by acknowledging a more fluid definition of lethality.

Tear gas may not pose as serious an issue as more toxic chemicals but it has nonetheless occupied an influential place in political considerations. Its status as a nonlethal agent has placed it in an indefinite sphere of interpretation that has hindered the development of a comprehensive arms control agreement. This grey area in international law has persisted since World War One when French forces circumvented the Hague Convention's restriction on poisonous gases by deploying tear gas. While the majority of the nations of the world resolved to prohibit tear gas in warfare in the years since 1918, the US developed a different policy regarding the standard tear gas agent chlorobenzalmalononitrile, or CS as it is commonly referred to.

Why is it that the US reached a different conclusion on CS than the rest of the World? How and why do we understand certain weapons systems differently than other technologies of war? What shapes our conception of technology and its purpose in the first place?

These questions are the premise of this paper. To this end it argues that the battlefield use of tear gas in Vietnam transformed the agent into something altogether different from its pre-Vietnam conception. This in turn equipped the US to develop its divergent and hardline interpretation on the use of CS in warfare. The paper approaches this transformation through a look at the political process of naming and the meaning behind shifting terminologies. While CS was initially labeled a “tear gas,” the US constructed the entirely new term “riot control agent” in the late 1960s to emphasize its association with law enforcement. The implications of this new category of chemical weapons allowed the US to reach its current policy on CS.

This paper is arranged chronologically around four sections. The organization is designed to capture the systemic shifts in the meaning of tear gas alongside the politically constructed ones. By highlighting the changing classification of CS we can see what goes into the formation of a name. While one might think that new categories of a technology might reflect scientific improvements, the structure of this paper shows the more complex political considerations behind a name. As we will see, the term riot control agent was a politically derived classification and not a scientifically based one.

The essay begins by examining the legal and toxicological definitions of tear gas before the Vietnam War. As a nonlethal weapon, CS was often overlooked by international arms control agreements. This resulted in conflicting baseline interpretations on the legitimacy of tear gas in warfare. The chemistry of tear gas also added to the lack of clarity surrounding the

<sup>7</sup> Richard M. Price, *The Chemical Weapons Taboo*, (Ithaca: Cornell University Press, 1997), 1.

agent since medical and military definitions of toxicity often proved incompatible. Together these ambiguities led to the domestic entrenchment of tear gas among the chemical industry and police forces. From this base grew a tendency to regard the agent as a principally civilian compound even though it had originally been developed as a military weapon.

The second section of the paper looks at the combat effectiveness of CS during the Vietnam War. The inherent flexibility of the agent allowed for its use in a wide range of military operations. During the 1960s it increasingly became employed as an accessory to lethal weapons. By failing to keep tear gas free from association with lethal tactics, the US undermined its status as a nonlethal agent. Vietnam thus transformed CS by exposing the contingencies that accompany a technology in different contexts.

The third part moves away from the systemic changes in the meaning of tear gas towards an examination of the politically constructed changes. Because every technology of importance implies a political commitment, the Johnson Administration had to respond when the battlefield use of CS became public controversy in 1965. The government response attempted to create a humanitarian understanding of tear gas in combat by reverting the public understanding of CS back to its pre-war riot control connotations. This posturing created the term riot control agent and resulted in a new American doctrine on chemical weapons which classified riot control agents outside the category of chemical weapons.

The final section explores the legal process through which this politically constructed understanding of CS became official US policy. The two separate systems of scientific advice in the executive and legislative branches gave way to different conclusions regarding US policy on riot control agents. While Congress resolved to limit CS in warfare, the Nixon and Ford administrations took a hardline stance. Ultimately, ratifying the half-century-old Geneva Protocol proved more important to Congress than objecting to any reservations over the use of CS. As a significant global player the US had the political latitude to ratify legislature like the Geneva Protocol or Chemical Weapons Convention but still form its own opinions on sub-clauses such as the ruling on tear gas.

By properly contextualizing the shifting classification of tear gas all due complexities can remain fully intact. The years leading up to a divergent policy regarding tear gas did not have a single chronology, a rising and falling narrative, or an obvious pivot point. Rather, the US experienced competing and intertwining events in different theaters and different home fronts that served to remodel normal modes of policy formation. Tear gas ultimately complicates the history of chemical weapons and in doing so provides a new type of clarity that acknowledges an incomplete and shifting understanding of something as specific and immutable as a basic chemical structure.

### **LOADED DOWN WITH OLD FREIGHT: PUBLIC CONCEPTIONS OF TEAR GAS BEFORE VIETNAM**

When chemical weapons have been employed on the battlefield, tear gas has often led the way. Although the German release of chlorine at Ypres is often considered the first use of chemical weapons in World War One, French forces introduced the lachrymatory, or tear-inducing agent xylol bromide four months earlier.<sup>8</sup> In 1935 the Italian army threatened the

<sup>8</sup> Brooks E. Kleber and Dale Birdsall, *The Chemical Warfare Service: Chemicals in Combat*, (Washington: Center of Military History, U.S. Army, 1966), 7.

chemical weapons taboo which had arisen in the wake of WWI and experimented with tear gas grenades in the Italo-Ethiopian War. In the 1960s Egypt employed CN, an early version of CS gas, in the North Yemen Civil War before moving on to more lethal agents.

British and American forces have also used tear gas in a first use capacity within the last half-century. The Royal Marines field-tested the new CS compound to protect British interests during the 1958 conflict in Cyprus, but did not employ any other form of gas.<sup>9</sup> While Britain had ratified the Geneva Protocol, political concerns over unnecessary casualties and the destruction of property proved stronger than legal obligations.<sup>10</sup> This proved especially true as the use of CS became widespread during decolonization in the early 1960s.<sup>11</sup>

The US deployed the older agent CN during the Korean War. Here, the US found tear gas indispensable in the context of President Truman's guarantee that the Korean conflict would be a limited operation not involving nuclear weapons.<sup>12</sup> A decade later General Rothschild advocated the legitimacy of tear gas because "there was no need to increase [war's] horrors by prohibiting the use of weapons which could mean shorter fighting and less death."<sup>13</sup>

After the first deployment of tear gas by American forces in the international arena the agent had already begun to demarcate an impression on the minds of US officials. Following the Korean War in the mid 1950s a perceptible shift in Defense and State Department attitudes towards chemical weapons became evident.<sup>14</sup> Military authorities were departing from a doctrine of massive retaliation to one of flexible response and the versatility of tear gas and chemical weapons in general were looked upon as suitable to this new strategy.

Thus when the British military recommended CS as an effective and inexpensive addition to the US arsenal at the 1958 Tripartite Conference the US Chemical Corps established a crash program to test and further develop the compound.<sup>15</sup> Within several

<sup>9</sup> John Norris and Will Fowler, *NBC: Nuclear, Biological, and Chemical Warfare on the Modern Battlefield*, (Herndon, Va.: Brassey's, 1997), 25.

<sup>10</sup> James W. Hammond, *Poison gas: The Myths Versus Reality*, (Westport, CT: Greenwood Press, 1999), 57.

<sup>11</sup> Brian Rappert, *Non-lethal Weapons as Legitimizing Forces?: Technology, Politics, and the Management of Conflict*, (Portland, OR: Frank Cass, 2003), 37.

Between 1960 and 1965 the new CS agent was used on 124 different occasions by British colonial police forces. Stockholm International Peace Research Institute, *The problem of chemical and biological warfare; a study of the historical, technical, military, legal and political aspects of CBW, and possible disarmament measures*, vol. 1, (New York: Humanities Press, 1971-1975), 212.

<sup>12</sup> Al Mauroni, *Chemical demilitarization: Public Policy Aspects*, (Westport, CT: Praeger, 2003), 54. A description of CS use in Korea can be found here:

Walter G. Hermes, *Truce Tent and Fighting Front*, (Washington: Government Printing Office, 1996), 240, <<http://www.history.army.mil/books/korea/truce/ch11.htm>>.

<sup>13</sup> House Committee on Foreign Affairs, *Chemical-Biological Warfare: U.S. Policies and International Effects: Report of The Subcommittee on National Security Policy And Scientific Developments*, (Washington: Government Printing Office, 1970), 27-28.

<sup>14</sup> Linda C. Fentiman, *When Smoke Gets in Your Eyes: Proposed Ratification by the United States of the Geneva Protocol on Chemical-Biological Warfare*, (New York: Pace University School of Law Publications, 1974), 177.

Rappert, *Legitimizing Forces?*, 251.

<sup>15</sup> Robert Harris and Jeremy Paxman. *A Higher Form of Killing: The Secret History of Chemical and Biological Warfare*, (New York: Random House, 2002), 197.

## TEAR GAS AND THE POLITICS OF LETHALITY

months CS completely supplanted CN as the standard tear gas in the army's arsenal.<sup>16</sup> Six years later US forces began employing CS in Vietnam and would eventually deposit a total 15,318,000 pounds of the agent between 1964 and June of 1969.<sup>17</sup> As Harvard Professor of biochemistry Matthew Meselson pointed out before a Senate committee in 1970, this was enough to cover more than all of Vietnam in a field of effective concentration.<sup>18</sup>

Despite its recurring use, tear gas has occupied a grey area in international law since the Washington Naval Treaty of 1922. Without a tangible legal basis tear gas has not been subject to the same sense of taboo as more lethal chemical weapons. This has eroded the restraints limiting its use and made tear gas available for deployment in the Vietnam War.

While US officials attempted to prohibit all gases in warfare after WWI, the Washington Naval Treaty never came into force as France rejected the provisions regarding submarine use. International efforts for a comprehensive ban on gas warfare were redoubled with the Geneva Protocol of 1925. This accord formed the basis for chemical weapons control in the international arena until the ratification of the Chemical Weapons Convention in 1997. Various reservations regarding the system of reciprocity however limited the protocol to establish a basic no-first-use agreement between signatory states.<sup>19</sup> Ultimately the treaty banned "The use in war of asphyxiating, poisonous or other gases and all analogous liquids, material and devices, having been justly condemned by the general opinion of the civilized world."<sup>20</sup>

Within the truncated text of the Protocol there is a network of ambiguities regarding tear gas. This partially arises from language differences between the original French text and the English version which reference "asphyxiating, poisonous and other gasses" versus "gas asphyxiants, toxiques ou similaires."<sup>21</sup> The distinctions between these two versions is primarily one of scope where the English "other" is less suggestive of gases associated with these lethal agents. Given this disparity the French considered tear gas to be covered by the protocol from the first draft, which could conceivably establish an approximate baseline legal interpretation even though it failed to clarify the matter at the time.<sup>22</sup>

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The Army's ENSURE program (expedited non-standard urgent requirement for equipment) accelerated CS through the normal research and development cycle.

Dando, *A New Form of Warfare*, 83.

<sup>16</sup> Harry Salem and others, *Chemical Warfare Agents: Toxicity at Low Levels*, ed. Satu M. Somani and James A. Romano, (New York: CRC Press, 2001), 11.12, 11.29.

Harry Salem and others, *Medical Aspects of Chemical Warfare*, ed. Marth K. Lenhart, (Washington: US Government Printing Office, 2008), 444.

<sup>17</sup> House Subcommittee of the Committee on Appropriations, *Department of Defense Appropriations for 1970: Hearings Before a Subcommittee of the Committee on Appropriations*, 91st Cong., 1st sess., April 1969, 124, 108.

<sup>18</sup> Senate Subcommittee of the Committee on Appropriations, *Department of Defense Appropriations for Fiscal Year 1971: Hearings Before a Subcommittee of the Committee on Appropriations*, 91st Cong., 2nd sess., February 1970, 1143-1158.

<sup>19</sup> Detter, *Law of War*, 256.

<sup>20</sup> Ibid., 254.

<sup>21</sup> Ibid., 256.

<sup>22</sup> Dando, *A New Form of Warfare*, 74.



Beyond the obvious complications inherent in translation there is also a significant semantic element in the interpretation of the Geneva Protocol. The lawfulness of tear gas for domestic purposes clouds its legality in warfare but more particularly in equivocal circumstances like rioting prisoners of war or humanitarian intervention. The Protocol's directive to limit only international conflict thus has further implications for understanding the legal status of tear gas. Since it is permitted for domestic use, the sense of taboo around tear gas has been additionally eroded. Domestic legality also entails production, which placed the agent within the public sphere and made it commercially available.<sup>23</sup> Together, the unclear legal status of tear gas combined with its domestic validity served to undermine the overall clarity of the Geneva Protocol.

Development of new and more advanced lachrymatory agents added to this ambiguity. In WWI the precursors to modern tear gas were significantly more toxic and thus potentially lethal. Advances in chemistry and production methods replaced these earlier agents with more refined and innocuous compounds like CS. Britain, for instance, briefly considered the possibility that modern CS was so "mild" relative to earlier lachrymatory agents that when the Protocol was drafted tear gas implied something altogether different from the present.<sup>24</sup>

The US in particular faced additional obstacles in establishing a tangible legal understanding of tear gas in war. Despite widespread opposition to chemical weapons following WWI, the concerted lobbying efforts of chemical warfare supporters prevented ratification of the Geneva Protocol in the Senate. The Army's Chemical Warfare Service mobilized the chemical industry in opposition to the Protocol.<sup>25</sup> In the 1926 Senate debate on ratification of the Protocol chemical weapons were asserted to be a more humane method of warfare with tear gas cited as a prime example of this moral advantage. Senator David A. Reed of Pennsylvania referenced the domestic and ethical legitimacy of tear gas as a method of warfare:

This treaty would stop us from using [tear] gas against the next savage race with which we find ourselves in war, and would compel us to blow them up, or stab them with bayonets, or riddle them and sprinkle them with shrapnel, or puncture them with machine gun bullets, instead of blinding them for an hour or so until we could disarm them. This is the "humanity" that is attempted to be worked out by the Geneva Protocol.<sup>26</sup>

The functionality of the Geneva Protocol was markedly undermined by the absence of the US from the list of ratifying parties. The failure to sanction this agreement solidified the unilateral and isolationist course the US had begun to take after the First World War. Having never officially retracted its signature however, the US, it can be argued, was bound

<sup>23</sup> J.B. Neilands et al, *Harvest of Death: Chemical Warfare in Vietnam and Cambodia* (New York: The Free Press, 1972), 65.

<sup>24</sup> Detter, *Law of War*, 257.

<sup>25</sup> Interest groups such as the Veterans of Foreign Wars, the American Legion, the American Chemical Society coordinated with the Chemical Warfare Service in opposing the Protocol.

<sup>26</sup> House Committee on Foreign Affairs, *Chemical-Biological Warfare: U.S. Policies and International Effects: Report of The Subcommittee on National Security Policy And Scientific Developments*, (Washington: Government Printing Office, 1970), 41.

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by customary law to abide by the convention of civilized states.<sup>27</sup> This internal ambiguity magnified the already unclear text of the Protocol.

In terms of establishing policy, there is no definitive record of a set US stance on chemical weapons. In fact, only one clarification has been made concerning chemical weapons. As a classified report to the National Security Council stated in 1969, "There is no document that sets forth National Policy in this field...the only public statement of policy by a President was Roosevelt's 1943 statement which emphasized no-first-use of poisonous gases."<sup>28</sup> Other than this assertion concerning chemical weapons in general, no objection was raised regarding the common, albeit vague, understanding that the Geneva Protocol covered tear gas. As arms control expert Jozef Goldblat has emphasized, the unspoken stance on tear gas between 1925 and 1963 should have served to standardize policy in accordance with the general understanding of the Geneva Protocol.<sup>29</sup>

At this point the US had also never excluded tear gas from the concept of chemical weapons. Both the *Army Field Manual* and the 1963 *Dictionary of US Military Terms* define one possible consequence of war gas as producing an "irritant effect on the human body."<sup>30</sup> Until the time of the Vietnam War the relevant technical manuals were in accordance with this understanding that irritant compounds such as tear gas were a subcategory of chemical warfare agents, and thus covered by the Protocol.<sup>31</sup>

Tear gas clearly falls within a controversial legal spectrum in the context of the Geneva Protocol. Given its status as non-lethal agent, there was no concrete conclusion on the legality of CS in warfare until 1969 when the UN General Assembly embraced the issue. Although Britain joined France in explicitly agreeing that the Protocol covered tear gas at the 1930 Disarmament Conference, it discreetly backed away from this interpretation in the two decades following the conference.<sup>32</sup> Nonetheless Britain made no formal reservation to this effect and ultimately advocated against tear gas in the 1969 UN vote, despite having deployed it in Northern Ireland and Cyprus during the previous two decades.<sup>33</sup> Although there is certainly an argument that tear gas was indeed prohibited by international law, at the very least its status was exceedingly convoluted as the US entered the second half of the twentieth century.

In addition to the legal complexity of tear gas, its chemical properties further break down attempts at a definitive classification. This contributed to the general ambiguity surrounding the agent. Between the criteria for toxicity and the very idea of non-lethality in a weapon based on atmospheric concentration the possibility of a uniformly graded

<sup>27</sup> Dando, *A New Form of Warfare*, 74.

<sup>28</sup> Interdepartmental Political-Military Group, *Report to the National Security Council: U.S. Policy on Chemical and Biological Warfare and Agents*, 00057 Vol., 1969, 9.

<sup>29</sup> Jozef Goldblat, "Permitted Weapons?," *Bulletin of the Atomic Scientists*, Vol. XXVI #4, (April 1970), 13. Goldblat also wrote the canonical Stockholm International Peace Research Institute study on this question.

<sup>30</sup> Will D. Verwey, *Riot Control Agents and Herbicides in War: Their Humanitarian, Toxicological, Ecological, Military, Polemological, and Legal Aspects* (Leyden: A.W. Sijthoff, 1977), 70.

<sup>31</sup> Senate Committee on Foreign Relations, *The Geneva Protocol of 1925: Hearings before the Committee on Foreign Relations of the United States Senate*, 92nd Cong., 1st sess., March 1971, 433.

<sup>32</sup> Detter, *Law of War*, 257.

<sup>33</sup> Norris and Fowler, *NBC*, 25.

understanding proved quite difficult. Comparisons between outwardly analogous tear agents such as CN, or the more sophisticated CS can prove immensely difficult.<sup>34</sup> Such a comparison incorporates analyses of everything ranging from the context of its deployment to the physical conditions of the victim. Regardless of these difficulties the technical documentation of chemical weapons generally makes a distinction between toxic and nontoxic agents.<sup>35</sup> This provides a starting point for evaluating the chemical properties of tear gas.

The concept of toxicity, however widely used, has had no authoritative definition in any international legal medium.<sup>36</sup> Both the Washington Naval Treaty and Geneva Protocol for instance prohibit asphyxiating or poisonous gases as well as those analogous to these effects, including toxic substances. This phrasing would suggest lethality as a primary measure of toxicity. The term when referred to in military and medical definitions often implies something different altogether.<sup>37</sup> Between these two disciplines there exists a general divide between their approaches to toxicity.

In American military usage toxic is a generic term indicating an injurious or impairing but not necessarily lethal effect that may be of a radiological, biological, or chemical source.<sup>38</sup> In a broader scope of reference the 1965 *Joint Chiefs of Staff Dictionary* defines a chemical agent as “producing lethal or damaging effects on man” through its chemical properties.<sup>39</sup> Taking these two separate descriptions into account together would suggest that all chemical agents are toxic since they all, according to the Joint Chiefs of Staff definition, have a damaging effect. Without further comment such an understanding of toxicity could unsurprisingly contribute to a number of different and possibly contradictory classifications of tear gas. Perhaps due to this equivocal understanding of toxicity, lethality presents the primary dividing line in the military classification of chemical weapons. In the pre-Vietnam era a toxic chemical agent was thus intended to create casualties whereas non-toxic agents such as CN or CS were expected to not create casualties if properly used.<sup>40</sup>

Medical and scientific sources on the other hand generally approach toxicity in the scale form. *Dorland's Illustrated Medical Dictionary* defines toxicity as a “degree of virulence” which would make the distinction between toxic and nontoxic basically useless in a discussion of chemicals intended to either kill or disable.<sup>41</sup> Some sources, like *Stedman's Medical Dictionary*, further specify the exact dosage at which a substance becomes toxic. In this definition, toxicity occurs when a single dose of 1 gram or less is capable of producing

<sup>34</sup> CN is the abbreviation for chloroacetophenone and CS is the abbreviation for chlorobenzalmalononitrile.

<sup>35</sup> Gordon M Buck, *International Handbook on Chemical Weapons Proliferation*. (Westport, CT: Praeger Publishers, 1991), <<http://psi.praeger.com/doc.aspx?d=/books/questia/b703463/b703463-sect10.xml>>.

<sup>36</sup> Verway, *Riot Control Agents*, 20.

<sup>37</sup> Salem, *Toxicity At Low Levels*, 11.2.

<sup>38</sup> Frederic J. Brown, *Chemical warfare: A Study in Restraints*, (Princeton, NJ: Princeton University Press, 1968), xviii.

<sup>39</sup> Ibid.

<sup>40</sup> Albert J. Mauroni, *America's Struggle with Chemical-Biological Warfare* (Westport, Connecticut: Praeger, 2000), 263.

Stockholm International Peace Research Institute, *The problem of chemical and biological warfare; a study of the historical, technical, military, legal and political aspects of CBW, and possible disarmament measures*, vol. 2, (New York: Humanities Press, 1971-1975), 123.

<sup>41</sup> *Dorland's Illustrated Medical Dictionary*, (Philadelphia: W. B. Saunders, 1981), 1379.

damaging effects to the human body.<sup>42</sup> CS becomes intolerable at a concentration of 10 milligrams per cubic meter and lethal at 52 grams per cubic meter.<sup>43</sup>

Among these various concepts, toxicity can generally be understood as a variable condition since it is determined by not only the properties inherent to the chemical, but also its quantity and route of entry into the body. As we know, every chemical substance can prove toxic with the only difference being the concentration at which the compound becomes harmful. Salt or sugar when digested in significant enough quantities for instance can prove fatal. Since virtually every chemical can be defined as lethal in sufficient dosage, nothing is categorically nonlethal. With this perspective the concept of field concentration becomes a primary method for determining toxicity in chemical weapons.

These two different approaches to understanding toxicity highlight the difficulties of accurately presenting the technical aspects of chemical weapons. The chemical characteristics of tear gas eclipse the boundaries of a single definition of toxicity and, as a result, have provoked a number of puzzling statements like that of arms expert Philip Windsor who published an article on the legal position of gas in warfare in 1965. In his report Windsor termed CS “noxious but not toxic” and subsequently admitted, “the definition of a war remains as confused as ever, and the definition of a gas is becoming still more difficult.”<sup>44</sup>

The central vein of this discussion so far has been a question of defining toxicity in a general sense. Transferring this from a general level to a specific one can help us examine the exact toxicity of a particular substance. In this light a comparison between CN and CS, the two primary agents of the twentieth century, follows. The development trend in lachrymatory compounds after WWI can be divided into three main focuses. These include improvements in ocular and respiratory irritancy, the duration before the onset of these effects, and the safety factor or difference between an effective concentration and a lethal concentration.<sup>45</sup>

Chloroacetophenone (CN) was specifically developed during the First World War as a military agent. Although the Chemical Warfare Service was unable to begin production until after the war had ended, CN became the main training agent in the US.<sup>46</sup> It also gained popularity among law enforcement agencies and to this day constitutes the principle ingredient of Mace. Alternately, chlorobenzalmalononitrile (CS) was first synthesized in 1928 by two scientists at Middlebury College.<sup>47</sup> CS was not developed in the US until the late 1950s however when it was recommended by the British police.

<sup>42</sup> Thomas L. Stedman, *Stedman's Medical Dictionary: A Vocabulary of Medicine and its Allied Sciences, with Pronunciations and Derivations*, (Baltimore: Williams & Wilkins Co., 1966), 1271.

<sup>43</sup> B.P. McNamara and others, *Toxicology of Riot Control Agents CS, CN, DM*, (Aberdeen Proving Ground, MD: Edgewood Arsenal Research Laboratory, 1969), 11.

<sup>44</sup> Phillip Windsor, “Gas: An ISS View,” *Survival: Global Politics and Strategy*, no. 7:3, 1, <<http://dx.doi.org/10.1080/00396336508440535>>.

<sup>45</sup> McNamara, *Toxicology of Riot Control Agents*, 8.

<sup>46</sup> All military trainees are exposed to CS to instill confidence in the effectiveness of gas masks.

Eugene J. Olajos and Harry Salem, “Riot Control Agents: Pharmacology, Toxicology, Biochemistry and Chemistry,” *Journal of Applied Toxicology*, no. 21 (2001), 2.

<sup>47</sup> Stockholm International Peace Research Institute, *The problem of chemical and biological warfare*, vol. 1, 69. Olajos, “Riot Control Agents,” *Journal of Applied Toxicology*, 4.

If approached from the more flexible medical definition of toxicity, the main difference between these agents is the concentration levels at which they become lethal. In 1969 Edgewood Arsenal, the Chemical Warfare Service's principal research laboratory, published an exhaustive classified report on the toxicology of riot control compounds. According to the study CN reaches an intolerable concentration at approximately 100 milligrams per cubic meter and can produce a lethal effect at concentrations above 7,000. CS, which triggers an irritant effect about ten times stronger than that of CN, becomes intolerable at approximately 10 milligrams per cubic meter and lethal at concentrations over 52,000. The safety factor for CS thus exceeds CN at 5,200 milligrams per cubic meter to 70 milligrams per cubic meter, respectively.<sup>48</sup>

These statistics would suggest the apparent benign nature of chloroacetophenone and chlorobenzalmalononitrile to a casual observer. As a variety of scientific and even military sources have pointed out however, concentration on the battlefield or even in the context of a domestic riot is a highly variable and difficult to control factor.<sup>49</sup> After dissemination, usually by means of vaporization through an explosive charge, the agent is exposed to the combined effects of proximity, temperature, and humidity among a vast array of other factors.

An important lesson that was overlooked in the wake of the devastation of the First World War was that the fog of war does not easily accommodate fine distinctions between lethal and nonlethal chemical agents. The standard M7A3 grenade, which has been widely used among military and police forces, disperses CS at a rate that can result in concentrations upwards of 5,000 milligrams per cubic meter in the immediate vicinity.<sup>50</sup> In an enclosed space such a concentration can build up quickly and cause significant toxic effects.<sup>51</sup> As a comparison point mustard gas killed less than fifty percent of those exposed without a respirator for periods over sixty minutes.<sup>52</sup> This occurred at an average battlefield concentration of about 30 milligrams per cubic meter.<sup>53</sup>

<sup>48</sup> McNamara, *Toxicology of Riot Control Agents*, 11.

Determining an agent's intolerable concentration depends on a subject's willingness to endure the contaminated atmosphere in the testing chamber. Extremely motivated soldiers can thus endure concentrations beyond this value.

Olajos, "Riot Control Agents," *Journal of Applied Toxicology*, 9.

<sup>49</sup> Verway, *Riot Control Agents*, 22-28.

Olajos, "Riot Control Agents," *Journal of Applied Toxicology*.

Salem, *Toxicity At Low Levels*, 11.9.

<sup>50</sup> *US Army Multi-Service Doctrine for Chemical, Biological, Radiological, and Nuclear Operations: Field Manual 3-11*, (Washington: Department of the Army, 2011), Appendix B, 1.

Stockholm International Peace Research Institute, *The problem of chemical and biological warfare*, vol. 1, 209.

Verway, *Riot Control Agents*, 24.

<sup>51</sup> Salem, *Toxicity At Low Levels*, 11.41.

Olajos, "Riot Control Agents," *Journal of Applied Toxicology*, 1.

<sup>52</sup> Geoffrey Miller, *The Medical Front WWI*, <<http://www.vlib.us/medical/HMSO/chapter2.htm#15>>.

For a list of WWI agents and lethal concentrations see

Stockholm International Peace Research Institute, *The problem of chemical and biological warfare*, vol. 1, 86.

<sup>53</sup> Tim Bullman and Han Kang, *A Fifty Year Mortality Follow-up Study of Veterans Exposed to Low Level Chemical Warfare Agent, Mustard Gas*, (New York: Elsevier Science, 2000), 2.

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Environmental factors can not only shift a cloud of tear gas in directions which cannot be predicted, but they can also considerably influence the potency of the agent.<sup>54</sup> Another classified report from Edgewood Arsenal attempted to investigate the effects of tropical climates on CS exposure. Of the various results reached, the study concluded, “The doses of CS required to produce erythema under these [temperate] conditions are significantly higher than in a tropical environment...The lowest effective doses were 1,515 (tropical) and 21,060 (temperate) milligrams per cubic meter.”<sup>55</sup> Besides the intensifying effect of tropical conditions, it must also be noted that the later number of 21,060 milligrams per cubic meter, achieved in a controlled exposure chamber, is almost half the lethal dosage for CS.

Beyond the environmental factors that influence bodily responses to CS, the physical conditions of the victim can also alter the seriousness of an agent’s effects. Respiration rate for instance can vary from ten liters per minute in a resting adult to up to seventy liters in one who is highly active, as troops often are when in combat.<sup>56</sup> Since the combined effects of environment and individual factors can markedly alter the damaging potential of CS, toxicity and even the lethality of tear gas cannot be adequately discussed in static terms.

As is clearly apparent, one of the major difficulties in the discussion of any weapons system is the presentation of its technical aspects. Accordingly a single chemical formula does not do justice to the contextual complexity of tear gas. It must therefore be recognized that a classification based on physiology or intended use is by no means rigid. Likewise a focus on chemistry does not provide a clear understanding of tear gas either.

Instead, one must take into account the context of deployment to fully cope with the shifting implications of this immutable chemical structure. Toxicity is not just based on chemistry. It actually begins with context. This context in itself is an elastic condition and so classification is bound up with the specifics of how it happens to be deployed just as much as the attributes inherent to its chemical structure. While the chemical itself is immutable, the context of its use is not. As such the mutability of context makes tear gas vulnerable to political manipulation. Only with such a perspective can we see that such nebulous statements as “noxious but not toxic” are a direct result of the difficulty in defining tear gas.<sup>57</sup>

The industrial production and transferal of tear gas to the domestic realm in the two decades after WWII added to its legal and chemical ambiguity by legitimizing the compound in the eyes of the public. This process of institutionalization and validation occurred in both an international context, as in Korea, and at a domestic level. Because the Geneva Protocol only prohibited tear gas internationally it divided the political world into distinct domestic

<sup>54</sup> *Extracts From The Report Of The Secretary-General: Chemical And Bacteriological (Biological) Weapons And The Effects Of Their Possible Use*, (New York: UN Publishing Service, 1969), 1, <[http://www.unog.ch/80256EDD006B8954/\(httpAssets\)/83669D9CB32C9F33C125718B0034C413/\\$file/Extra](http://www.unog.ch/80256EDD006B8954/(httpAssets)/83669D9CB32C9F33C125718B0034C413/$file/Extra%20ct_UNSG-1969.pdf) ct\_UNSG-1969.pdf>.

<sup>55</sup> Alfred Hellreich and others, *An Evaluation of the Irritant Potential of CS Aerosols on Human Skin Under Tropical Climatic Conditions*, (Aberdeen Proving Ground, MD: Edgewood Arsenal Research Laboratory, 1969), 18.

Erythema is generally a negligible symptom usually disappearing in a matter of days. In chemical testing it is used as a harmless benchmark of irritancy.

<sup>56</sup> Verway, *Riot Control Agents*, 26.

<sup>57</sup> Windsor, “Gas: An ISS View,” *Survival*, 1.

and international spheres and created a set of expectations for domestic versus international violence. Consequently the experience of tear gas in Korea combined with the establishment of a relationship between military, industrial, and law enforcement groups to on the one hand create a stable production system, and on the other hand a legitimized view of the riot control capabilities of tear gas.

The domestic legitimization of tear gas began in the early 1940s. At this time the US had begun to rebound from its isolationist track and the threat of the Second World War encouraged new research in a broad range of weapons systems. In line with this trend the Chemical Warfare Service erected its first modern manufacturing plant in 1941. Part of the Edgewood Arsenal complex in Maryland, the plant had a rated capacity of one ton of CN per day.<sup>58</sup> This became the sole plant of the Chemical Warfare Service during WWII meaning the US relied heavily on tear gas as its leading chemical agent.<sup>59</sup> During this period more research was conducted on CN than any other compound.<sup>60</sup>

Since the chemical weapons taboo was not broken during WWII such a strategy proved effective as CN-based munitions stockpiles could be easily converted for police use. Two years after CN production began the Provost Marshall General requested assistance from the Chemical Warfare Service in equipping police with tear gas grenades for domestic riot control.<sup>61</sup> Between military preparedness and a growing law enforcement contingent the Chemical Warfare Service produced at Edgewood Arsenal and purchased from the Lake Erie Chemical Co. over one million pounds of pure chloroacetophenone during the war.<sup>62</sup> While most of the compound went into storage, the service also began producing 10,000 riot grenades annually for police armaments.<sup>63</sup>

The linkages between the military and chemical industry were not limited to production. Development of new weapons systems occurred on both sides of the military-industrial relationship. Since both CN and CS are water-insoluble crystalline solids they were suitable to a wide range of experimentation in the late 1950s. While Edgewood Arsenal spearheaded the research and development of CN, and CS after 1958, the chemical industry thoroughly cooperated. This linkage between military and commercial development of tear gas is perhaps best represented by the success of the Industrial Liaison Program which the US Army Chemical Corps established after WWII.<sup>64</sup> Through this program the army received hundreds of suggestions a month for potential incapacitating compounds from drug and pharmaceutical companies during the late 1950s.<sup>65</sup>

Always aware of the deep-rooted resentment of chemical weapons, the Chemical Corps worked to legitimize these weapons in the public eye. This not only validated chemical weapons research, but further associated tear gas with the domestic sphere. As the Chemical

<sup>58</sup> Leo P. Brophy, Wyndham D. Miles, and Rexmond C. Cochrane, *The Chemical Warfare Service: From Laboratory to Field*, (Washington: Center of Military History, U.S. Army, 1959), 70.

<sup>59</sup> Ibid.

<sup>60</sup> Stockholm International Peace Research Institute, *The problem of chemical and biological warfare*, vol. 1, 59.

<sup>61</sup> Brophy, *From Laboratory to Field*, 72.

<sup>62</sup> Ibid., 71.

<sup>63</sup> Ibid., 72.

<sup>64</sup> The Chemical Warfare Service was renamed the US Army Chemical Corps in 1946.

<sup>65</sup> House Committee on Science and Astronautics, *Chemical, Biological, and Radiological Warfare Agents: Hearings before the Committee on Science and Astronautics*, 86th Cong., 1st sess., June 1959, 36.

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Corps proclaimed in its 1957 public relations campaign, the combined research efforts of the military and industrial sectors produced a large variety of byproducts which made significant contributions to the general welfare of the nation. According to one of the leading scientists at Edgewood Arsenal, these contributions included the development of rodenticides, fungicides, pesticides, protection against industrial gasses, the treatment of heavy metal poisoning, the creation of the entire aerosol industry, and countless pharmaceutical drugs and medical applications.<sup>66</sup> By stressing a value neutral understanding of technology the Chemical Corps was able to naturalize chemical research and development for warfare.

The Corps also made significant contributions to the academic sphere, further highlighting the benefits of its work. In 1955 alone the Corps published over six hundred articles in publicly available scientific journals.<sup>67</sup> The inherent dual application of chemical research gave credence to the Corps' claim that "There are few branches of the Army whose military activities are more readily reflected in peacetime benefits than those of the Chemical Corps."<sup>68</sup>

Other branches of the government beyond the Army began to more thoroughly embrace the crossover benefits of chemical weapons research during this period. In 1959 the Department of Defense set aside increased funds for defensive chemical research which, it was noted, could also be used towards public medical applications.<sup>69</sup> At an annual operating budget of less than \$40 million, the Chemical Corps was one of the most inexpensive yet productive components of the Cold War military-industrial complex.<sup>70</sup> This prompted one congressman to comment before the House in 1959 that at "one-thousandth of the defense budget of the United States it would seem to be a very wise investment to the nation to increase that to three one-thousandths of the defense budget for the tremendous significance that it would have to our future."<sup>71</sup> At such a relatively negligible figure the Chemical Corp was programmed for a five year increase in expenditures. During President John F. Kennedy's brief tenure in office the total spending for research alone quadrupled, reaching \$158 million by fiscal 1964.<sup>72</sup>

In addition to and partly as a result of the entrenchment of tear gas at an industrial level, police forces nationwide began to adapt irritant chemicals for riot control. Universal training with chemical agents among civilian agencies did not gain full momentum until 1965 but military advisors began advocating for police use of tear gas in the late 1950s.<sup>73</sup> One of the key proxies in this transfer was Colonel Rex Applegate who developed the modern doctrine of riot control. Beginning in 1960 he worked with the US Army Military Police School to

<sup>66</sup> Carl B. Marquand, *Contributions to Better Living from Chemical Corps Research*, (Abderdeen Proving Grounds, MA: Army Chemical Center, 1957), 1.

<sup>67</sup> *Ibid.*, 3.

<sup>68</sup> *Ibid.*, 1.

<sup>69</sup> Senate Subcommittee of the Committee on Appropriations, *Department of Defense Appropriations for 1959: Hearings before the Subcommittee of the Committee on Appropriations*, 85th cong., 2nd sess., June 1959, 839.

<sup>70</sup> House Committee on Science and Astronautics, *Chemical, Biological, and Radiological Warfare Agents: Hearings before the Committee on Science and Astronautics*, 86th Cong., 1st sess., June 1959, 42.

<sup>71</sup> *Ibid.*, 42, 47.

<sup>72</sup> Stockholm International Peace Research Institute, *The problem of chemical and biological warfare*, vol. 2, 204-205.

<sup>73</sup> Rex Applegate, *Riot Control: Materials and Techniques*, (Harrisburg, PA: Stackpole Books, 1969), 128.



provide lectures at police academies across the nation and published a number of articles in *Army*, *Police Chief*, and *Law & Order* on the topic of riot control.<sup>74</sup> During the next decade the National Sheriffs Association, FBI, National Guard, and the police departments of several major cities including the NYPD and LAPD hired Applegate as a consultant for dealing with the protests of the 1960s.<sup>75</sup> Government support for adapting CS to applications beyond warfare during this period had significant consequences for the public perception of tear gas.

While tear gas was first synthesized and developed as a military compound, the decade leading up to the Vietnam War saw the growth of an American disposition to regard the agent as a principally civilian compound. The matrix of legal ambiguities, shifting chemical implications, and the domestic institutionalization of CS laid the foundations for the conception of tear gas as a riot control material. Its status as a non-lethal chemical agent impeded the international community from reaching a concrete conclusion on the legitimacy of tear gas in warfare before the 1960s.

Despite the fact that the US military designated tear gas a chemical weapon, the legal uncertainty allowed for the chemical characteristics of the compound to encourage a different series of assumptions; namely that tear gas was developed and produced for the purpose of containing riots. Again this occurred despite the fact that in most major instances of international deployment, with the notable exception of the 1952 Korean incident, tear gas had been used as a tactical military weapon. This inconsistency between the real and imagined narrative of tear gas was not the result of a deliberate shift in perspective but rather a subtle revision of the general public expectations of the agent. The largely unrecognized institutional structures and habits that grew up around tear gas during this period produced the basic conceptual framework for political decision making in the following decades.

The public attitude towards this newly adopted CS agent in the late 1950s was thus disconnected from the realities and long history of chemical warfare. In terms of both legal and chemical classification tear gas was taken at face value and not considered on an abstract level beyond its acquired reputation as a civilian compound.

While the public thought of tear gas as an instrument of riot control, government officials were aware of the political implications that go into a name. In fact the pentagon itself was alert to both the rhetorical liability and the political benefits behind different understandings of tear gas. A look at the policy recommendations made by a Defense Department task group in 1959 reveal the political considerations that go into naming new technologies. This task group recommended, "Many emotional involvements have grown up around the concepts of chemical and bacteriological warfare, stemming from sources as diverse as World War I propaganda and man's long fight against disease. It would be well not to load this new [CS] agent down with such old freight."<sup>76</sup> Here it is clearly evident that despite the various ambiguities surrounding tear gas, the divisions of the government responsible for technological development were cognizant of its long-term associations and meanings.

<sup>74</sup> Ibid., 8.

<sup>75</sup> Ibid., 7.

<sup>76</sup> Rappert, *Non-lethal Weapons as Legitimizing Forces?*, 251.

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Because every technology implies a set of political commitments, the understanding of tear gas as a method of riot control gained significant traction in the late 1950s. While this occurred in a natural and unprompted way before the 1960s, the grounds for a different conclusion on tear gas were laid during this time. The task group suggestions that CS not be called a chemical weapon but instead “accepted as an extension of the basic philosophy of riot control to a larger sphere” show that the political construction of tear gas had clear desirability.<sup>77</sup> This report recognized the political environment in the late 1950s and set the stage for chemical weapons policy in the Vietnam War.

### LETHAL CONTINGENCIES: THE DEPLOYMENT OF TEAR GAS IN THE VIETNAM WAR

The indistinct status of CS in the legal, chemical, and political spheres enabled its low level authorization for military use in Vietnam. The uncertainties of the security requirements in third world conflict made for a dynamic and supportive political system.<sup>78</sup> On top of this a stable manufacturing base facilitated the supply of CS with a minimum mobilization of the chemical industry.<sup>79</sup> The initial ordnance supplied to South Vietnamese forces beginning in early 1962 thus merely required the redirection of storage and testing reserves under the coordination of the Department of Defense’s Military Assistance Program.<sup>80</sup> Because all trainees in the US Army undergo respirator assurance training with CS to instill confidence in the protective capability of their mask, tear gas grenades were the most commonly encountered chemical agent among military personnel bound for Vietnam.<sup>81</sup> The US military could thus deploy CS without disrupting the usual chain of command in order to acquire a sufficient supply line of CS.

In addition to the straightforward acquisition of tear gas there was also no directive mandating the procedure through which it might be authorized for combat use. The decision, or lack thereof, to use chemical weapons in Vietnam was consequently made without great deliberation or high-level authorization. The relevant military literature, while not an official endorsement for use, reflected the lawful view of tear gas in warfare. The 1956 *Army Field Manual 27-10: The Law of Land Warfare*, the preeminent document for determining subordinate armed forces policy, provides the most insight into the military’s interpretation on the deployment of tear gas. This document notes: “The United States is not a party to any treaty, now in force, that prohibits or restricts the use in warfare of toxic or non-toxic gases.”<sup>82</sup> While this points to just one of many interpretations regarding US commitment to the Geneva Protocol, it at the very least opened up the possibility for considering tear gas and other chemical agents for deployment in Vietnam.

<sup>77</sup> Ibid.

<sup>78</sup> Nick Lewer and Steven Schofield, *Non-Lethal Weapons: A Fatal Attraction?*, (London: Zed Books, 1997), 44.

<sup>79</sup> Ibid., 33.

<sup>80</sup> Stockholm International Peace Research Institute, *The problem of chemical and biological warfare*, vol. 1, 214.

<sup>81</sup> Joseph J. Hout, “Evaluation of CS (o-Chlorobenzylidene Malononitrile) Concentrations During U.S. Army Mask Confidence Training,” *Journal of Environmental Health*, vol. 24:3 (2011), 1.

<sup>82</sup> *US Army The Law of Land Warfare: Field Manual 27-10*, (Washington: Department of the Army, 1956), Section 38.

The specifics of how tear gas was first authorized for military operations are still not entirely clear.<sup>83</sup> An official investigation into the matter would not begin until well after reports of gas warfare in Vietnam became public controversy in March of 1965. Congressman Robert W. Kastenmeier's correspondence with the Secretary of the Army provides perhaps the most revealing explanation of how CS munitions reached the forests of Vietnam: "The use [of CS] as such had not been cleared at the White House or the very highest levels, the State Department or Pentagon, but was considered at some point at a low level and put into instructions by field commanders."<sup>84</sup> Even if the exact channels of authorization are unclear, employing CS in Vietnam did not warrant high-level approval, even for the procurement of 375,000 pounds in 1964, the first recorded year of field deployment.<sup>85</sup> While chemical weapons have been subject to one of the most robust taboos in the history of warfare, the conception of tear gas as a non-military instrument of riot control led to its deployment in Vietnam.<sup>86</sup>

While the lack of resistance to tear gas, both in terms of acquisition and policy, was a function of the legal and chemical assumptions that had come to characterize the agent, the widespread use of CS in Vietnam presented an entirely new and concrete impression to the US government. From 1964 to 1969 CS gained a substantial and successful track record with enough tactical significance to influence US policy towards chemical weapons. The experience of use during this period grounded the supposed benefits of CS in a tangible and affirming reality. In fact the flexible and ill-defined categorization that had produced so many inconsistent and ambiguous notions tear gas before the war were really just representative of the agent's versatility and field effectiveness across an enormous range of applications.

The first official report acknowledging the military benefits of CS occurred in 1964. After a debriefing on its defensive use General William Westmoreland informed senior advisors that CS had tactical potential and recommended it be employed to protect all US Air Force bases.<sup>87</sup> As hostilities escalated during the fall of 1965 this grew to new levels of deployment, both in terms of the range of tactics and the tonnage used. As the versatility of CS became more apparent, the agent gained widespread use in regular combat operations.

Although the international norm generally considered tear gas illegal in warfare, the US maintained an open policy on nonlethal chemical weapons. Despite the public understanding of tear gas as a civilian instrument for riot control, the military maintained its original conception of the agent as a chemical weapon. In a classified report to the National Security Council (NSC), the Interdepartmental Political-Military Group listed the pros and cons of regulating CS in warfare to more accurately reflect its riot control capabilities. The problem with restricting CS for use in "humanitarian purposes" it pointed out, was that, "implementation of this principle would cast doubt on the legality of our present use of tear

<sup>83</sup> Stockholm International Peace Research Institute, *The problem of chemical and biological warfare*, vol. 1, 186.

<sup>84</sup> Senate Committee on Foreign Relations, *Chemical and Biological Warfare: Hearings before the Committee on Foreign Relations*, 91st Cong., 1st sess., April 1969, 149.

<sup>85</sup> House Subcommittee of the Committee on Appropriations, *Department of Defense Appropriations for 1970: Hearings before the Subcommittee of the Committee on Appropriations*, 91st Cong., 1st sess., April 1969, 124.

<sup>86</sup> Price, *The Chemical Weapons Taboo*, 3.

<sup>87</sup> Stockholm International Peace Research Institute, *The problem of chemical and biological warfare*, vol. 1, 186-187.

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gas in Vietnam.”<sup>88</sup> While this underscores the fact that US policy on chemical warfare in Vietnam was indeed in a legal grey area, it also permitted field commanders to extensively deploy tear gas in increasingly offensive modes. Claims by US officials during the 1960s regarding the humanitarian benefit of using CS in situations with intermingled enemy troops and civilians were likely valid, but only half the story.<sup>89</sup>

While CS use continued in its initial defensive purpose of protecting US bases and supply lines, the military advantages became all too apparent. In the same classified memorandum mentioned above the NSC was informed, “CS has been found to be increasingly effective by military commanders in Vietnam...Sixteen hundred tons have been expended in the past 18 months.”<sup>90</sup> This rate of deployment is equivalent to nearly six thousand pounds of raw CS powder disseminated on a daily basis between early 1968 and the fall of 1969.

Along with this escalation in deployment came new developments in tear gas technologies. In testimony to the advantages of chemical-military industrial cooperation, companies such as Du Pont conducted experiments with the production process of chlorobenzalmalononitrile which eventually led to the development of new forms of CS.<sup>91</sup> These formulations known as CS1 and CS2 consisted of a micronized CS powder treated with a silicone coating which enabled the agents to remain active in the field for as long as forty-five days.<sup>92</sup>

New configurations of CS combined with the lack of a directive limiting its deployment in warfare allowed for the distribution of the compound to almost every type of weapons delivery system in use in Vietnam.<sup>93</sup> By 1966 US forces had the capacity to disperse CS over any size area from any distance. This could all occur in close coordination with conventional firepower as well. The primary methods of this expanded use can be summarized under three basic headings: terrain denial, aerial dispersal, and direct engagement during combat. Several of the major weapons systems included pure CS1 and CS2 for terrain restriction, a variety of bombs, rockets, artillery, and aerial sprayers designed for large-scale dispersal, and for close combat operations XM23 handheld dispersers nicknamed “Handy Andy” and the infamous M106 “Mighty Mite” pumps. In addition to the

<sup>88</sup> Interdepartmental Political-Military Group, *Report to the NSC*, 00057 Vol., 33.

<sup>89</sup> John W. Finney, “Rusk Defends Use of Non-lethal Gas in Vietnam,” *New York Times*, March 25, 1965, front page.

<sup>90</sup> For comparison to early figures this is 3,200,000 pounds of CS.

Interdepartmental Political-Military Group, *Report to the NSC*, 00057 Vol., pg. 24

<sup>91</sup> Brophy, *From Laboratory to Field*, 71.

<sup>92</sup> Salem, *Toxicity At Low Levels*, 11.12.

Harry, *Medical Aspects of Chemical Warfare*, 443.

Detailed chemical characteristics of CS, CS-1, and CS-2 can be found in John Norris and Will Fowler, *Nuclear, Biological, and Chemical Warfare on the Modern Battlefield* (London: Brassey’s, 1997), 25.

<sup>93</sup> House Subcommittee on National Security Policy and Scientific Developments, *Chemical and Biological Warfare: U.S. Policies and International Effects*, 91st Cong., 1st sess., November 1969, 288.

standard M7 series grenade, a total of over twenty delivery systems were in combat use or field-testing by 1969.<sup>94</sup>

The procurement figures for CS between 1964 and 1969 point to terrain denial as one of the most prominent uses of CS, at least in terms of raw tonnage deployed. During this period US forces deployed over ten million pounds of CS1 and CS2 to prevent the reoccupation of tunnels and other North Vietnamese fortifications.<sup>95</sup> These extremely durable and waterproof compounds would persist in the field for a number of weeks until supporting engineer troops could permanently disable the captured structure. During the withdrawal from Cambodia in June of 1970 retreating US forces even found this crystallized form of CS ideal for canalizing enemy troops into specific routes to increase their vulnerability.<sup>96</sup>

In addition to terrain denial the flexibility of CS allowed for its use in more tactical situations. Given the role of helicopters in Vietnam, aerial dispersal accounted for a major proportion of the total CS consumption. A variety of dispensers equipped for helicopter deployment were instrumental in preparing landing zones during the war. While aerial dispersal significantly helped to suppress enemy fire near landing zones, large-scale CS deployment also commonly occurred as an accessory to lethal weapons. At the 1969 House Chemical and Biological Warfare Hearings Assistant Secretary of Defense Han Swyter testified:

We are using CS against enemy troops to drive them into the open so that conventional artillery and bombs can kill them. These are not intermingled situations. CS is used in the hope that it will improve the effectiveness of our conventional weapons. In effect we are using CS to kill enemy troops.<sup>97</sup>

While CS was developed and understood during the 1950s as a nonlethal and even civilian agent designed for riot control, it acquired a more lethal role over the course of the war in Vietnam. The inherent flexibility of the compound allowed its use in direct engagement with the enemy during offensive combat operations.

Although a smaller amount of CS was deployed in infantry combat, this was also the most potentially lethal context for its use. “Mighty Mite” air-compressors were used to pump tunnel systems with clouds of CS, flushing enemy forces out into the open. While this technique had clear value if the tunnel contained noncombatants, it proved more effective than conventional weapons to clear the stronghold. In such scenarios the deep recesses of a tunnel were significantly more accessible to a cloud of CS than fragmentation weapons thrown in the entrance. While there is a large gap between the effective and lethal

<sup>94</sup> Senate Subcommittee of the Committee on Appropriations, *Department of Defense Appropriations for Fiscal Year 1971: Hearings Before a Subcommittee of the Committee on Appropriations*, 91st Cong., 2nd sess., February 1970, 1143-1158.

House Subcommittee of the Committee on Appropriations, *Department of Defense Appropriations for 1970: Hearings Before a Subcommittee of the Committee on Appropriations*, 91st Cong., 1st sess., April 1969, 125..

<sup>95</sup> *Ibid.*, 124.

<sup>96</sup> Interdepartmental Political-Military Group, *Report to the National Security Council: U.S. Policy on Chemical and Biological Warfare and Agents*, 00057 Vol., 1969, 23.

<sup>97</sup> Senate Committee on Foreign Relations, *Chemical and Biological Warfare: Hearings before the Committee on Foreign Relations*, 91st Cong., 1st sess., April 1969, 95.

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concentration for CS, deploying a standard dosage would be nearly impossible in such applications.<sup>98</sup>

Despite the combat effectiveness of CS, its use had transformed the agent into something altogether different from its pre-Vietnam conception. In the long term contingencies of historical understanding, CS at this time most closely approximated the use of early lachrymatory agents in WWI. Brigadier General Amos Fries, who spearheaded the Chemical Warfare Service after the First World War, wrote about tear gas in 1921:

The low concentration required makes this form of gas warfare very economical as well as very effective...one good lachrymatory shell will force wearing the mask over an area that would require 500 to 1,000 phosgene shells of equal size to produce the same effect...So great is the harassing value of tear and irritant gases that the next war will see them used in quantities approximating that of the more poisonous gases.<sup>99</sup>

Part of the equation for understanding the advantages of tear gas in warfare is that it is generally nonlethal. In the complex engagements modern combat, the imprecise divisions between friendly and enemy forces makes the use of lethal gases a high risk operation. Without trench warfare, enormous clouds of lethal chemicals lose their tactical value. CS was thus an ideal compromise, capable of clearing helicopter landing zones without endangering US troops beyond a few minutes of incapacitation if their mask malfunctioned.

In all the above uses, CS could be deployed as an accessory to conventional weapons and in some of the more extreme cases involving high concentration had the potential to kill the enemy outright. As weapons experts have emphasized, one of the greatest risks in the use of nonlethal weapons is failure to keep the technology free from association with lethal tactics.<sup>100</sup> Admiral William E. Lemos disclosed before the Department of Defense in 1969 that no such concern over context existed in the military doctrine on nonlethal weapons: “The guidance [covering the use of CS] is quite general. It is completely consistent with the US policy that riot control agents have no prohibition in their use.”<sup>101</sup>

Without restraining guidelines these contexts consisting of poorly ventilated tunnels, restricted terrain, and the carpet dispersal of CS fundamentally changed the dynamics for understanding the compound. New contexts opened up a whole new range of implications and technological significance. Without a clear cut objective or benchmark to establish CS as a nonlethal agent, there arose an enormous potential for abuse. This all occurred as a result of the mutual definition of context and technology. Any technical categorization of a weapons system, such as the degree of lethality, relies on assumptions about how it will be used in the field. A single M7 CS grenade thus means something entirely different when deployed at the 1969 Bloody Thursday riots in Berkeley, than when 168 of them are

<sup>98</sup> Dando, *A New Form of Warfare*, 79.

<sup>99</sup> House Subcommittee of the Committee on Appropriations, *Department of Defense Appropriations for 1970: Hearings Before a Subcommittee of the Committee on Appropriations*, 91st Cong., 1st sess., April 1969, 1153.

<sup>100</sup> Lewer, *A Fatal Attraction?*, 64.

<sup>101</sup> House Subcommittee of the Committee on Appropriations, *Department of Defense Appropriations for 1970: Hearings Before a Subcommittee of the Committee on Appropriations*, 91st Cong., 1st sess., April 1969, 239.

simultaneously discharged from the helicopter-mounted M3 canister launcher system in Vietnam.<sup>102</sup> A reductionist view of technology in isolation, as had been the case in the 1950s, overlooks the contingencies and shifting notions that accompany different contexts.

Battlefield deployment of CS noticeably altered the proposed effects of the compound, despite its unchanging chemical properties. While toxicity is a particularly difficult characteristic to establish in a compound, the substantial use of CS in Vietnam created a wide divergence from the estimated effects of the agent. It is doubtful that CS used in its assumed riot control capacity could require the deployment of over fifteen million pounds. This amount was equivalent to a quarter of the entire US stockpile of lethal chemical weapons and it constituted enough tear gas to cover all of Vietnam in a field of effective concentration.<sup>103</sup> Such a different context in terms of scale and methods of dispersal undercut the basic arguments for CS as a nonlethal weapon. Without strict rules governing its employment, tear gas cannot be contained to a singular definition.

In addition to these contextual issues, scientific concerns began to surface during 1960s over the toxicity of the thermal degradation products of CS.<sup>104</sup> Since CS was most frequently delivered through high-temperature heat dispersion which vaporized the crystalline solid into an airborne gas, chlorobenzalmalononitrile had to undergo a chemical reaction to be deployed. As a number of studies have shown, this produces a host of semi-volatile organic air contaminants.<sup>105</sup> Of particular note among the various CS-derived compounds that have been observed is chlorophenylpropynenitrile which is indicative of the loss cyanide from the CS molecule.<sup>106</sup> Since only eight of the twenty identified thermal degradation products have undergone acute toxicity studies even now, the dispersal methods used in the Vietnam War provided yet another context which brought the agent's lethality into question.

In any case, the characteristics of CS munitions systems combined with the operational circumstances of their deployment resulted in highly variable field concentrations. More

<sup>102</sup> Ibid., 123.

Stockholm International Peace Research Institute, *The problem of chemical and biological warfare*, vol. 1, 193.

<sup>103</sup> Interdepartmental Political-Military Group, *Report to the NSC*, 00057 Vol., 13.

Senate Subcommittee of the Committee on Appropriations, *Department of Defense Appropriations for Fiscal Year 1971: Hearings Before a Subcommittee of the Committee on Appropriations*, 91st Cong., 2nd sess., February 1970, 1148.

<sup>104</sup> Woodrow W. Reaves and Julius B. Miller, *Pyrotechnic Thermal Generation: CS Mixtures*, (Aberdeen Proving Ground, MD: Edgewood Arsenal Research Laboratory, 1966).

Timothy A. Kluchinsky and others, "Formation Of 2-Chlorobenzylidenemalononitrile (Cs Riot Control Agent) Thermal Degradation Products At Elevated Temperatures," *Journal of Chromatography*, Vol. 952 (2002) 205–213.

<sup>105</sup> Harry, *Medical Aspects of Chemical Warfare*, 444–447.

Timothy A. Kluchinsky, "Identification of CS-derived Compounds Formed During Heat Dispersion of CS Riot Control Agent and the Temperature Ranges Associated with their Formation," (PhD diss., Uniformed Services University of the Health Sciences, 2001), 3.

<sup>106</sup> Ibid., 4.

Timothy A. Kluchinsky, *Liberation Of Hydrogen Cyanide And Hydrogen Chloride During High-Temperature Dispersion Of Cs Riot Control Agent*, (Bethesda, MD: Uniformed Services University of the Health Sciences), 1.

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often than not these exceeded the minimum irritating dosage. The tear gas which was humane for domestic police enforcement took on a significantly less humane function in combat. This further highlights the separation of the domestic and international spheres when dealing with violence and technology. The issue of lethality on the battlefield transformed the agent into something different from its pre-Vietnam conception. This conception of tear gas equipped the US to develop its divergent and hardline interpretation on the use of CS in warfare.

### RIOT CONTROL AGENTS: THE POLITICAL CONSTRUCTION OF NEW POLICY

The extensive use of CS in Vietnam fundamentally changed the meaning of tear gas. When Pulitzer Prize winning journalist Peter Arnett broke the story about CS in Vietnam during the spring of 1965, his article ignited domestic and international reaction.<sup>107</sup> Although tear gas was officially considered an instrument of law enforcement, this concept was clouded by international headlines proclaiming gas warfare. In addition to a whirlwind of Soviet propaganda condemning the US, even the British Prime Minister Harold Wilson expressed concern.<sup>108</sup> In addition to a whirlwind of Soviet propaganda condemning the US, even the British Prime Minister Harold Wilson expressed concern.<sup>109</sup> Domestic opposition ranged from a critical New York Times editorial to a letter sent to President Lyndon B. Johnson by House Republicans protesting the use of gas.<sup>110</sup> The government response to this controversy began a long process of political construction to revert public understanding of tear gas to its previous riot control connotations and thereby defend its use in Vietnam. Because CS had proven such an effective technological addition to the battlefield, its use required a political commitment. To support the military use of CS, Secretary of State Dean Rusk led a public relations campaign to denigrate the issue by separating military gases from tear gas.

The disassociation of chemical weapons and CS resulted in the creation of a wholly new rhetoric surrounding the agent. In fact, the Johnson administration took elaborate steps to categorically deny that the US was using chemical weapons or engaging in chemical warfare at all. As Rusk stated in a March 24, 1965 press conference:

We are not embarking upon gas warfare in Vietnam. There has been no policy decision to engage in gas warfare in Vietnam. We are not talking about agents or weapons that are associated with gas warfare. We are not talking about gas that is

<sup>107</sup> David A. Copeland, *The Greenwood Library of American War Reporting: Volume 7, the Vietnam War & Post-Vietnam Conflicts* (Westport, Connecticut: Greenwood Press, 2005), 106.

Seymour Melman, *In the Name of America: The Conduct of the War in Vietnam by the Armed Forces of the United States as shown by Published Reports*, (Virginia: Turnpike Press, 1968) contains a substantial collection of press reports documenting CS in Vietnam.

<sup>108</sup> Jeanne Guillemin, *Biological Weapons: From the Invention of State-Sponsored Programs to Contemporary Bioterrorism*, (New York: Columbia University Press, 2005), 116.

<sup>109</sup> Clyde H. Farnsworth, "Wilson Parries Criticism, Many Nations Aroused," *New York Times*, March 23, 1965, A2.

<sup>110</sup> Neilands et al, *Harvest of Death*, 130.



prohibited by the Geneva Protocol of 1925...[T]hese weapons [will] be used only in those situations involving riot control or situations analogous to riot control.<sup>111</sup>

Although a detailed description of the humane effects was given, Rusk exclusively referred to the chemicals used in Vietnam as “riot control” or “tear inducing agents.”<sup>112</sup> This statement marked one of the earliest uses of the term “riot control agent.” Although tear gas had been regarded as a possible method of riot control since the end of WWII, it was not until the Defense Department task group suggestions in 1959 that a conscious effort was made to extend “the basic philosophy of riot control to a larger sphere.”<sup>113</sup> This established the notion of typifying tear gas as a riot control agent and allowed the Johnson administration to substantially divorce the use of CS in Vietnam from chemical warfare. Such a scheme altered the meaning of CS on two levels. Not only was CS relabeled under the guise of riot control agent; it was also relegated to a category of military implements distinct from actual weaponry.

This political construction was a rhetorical exercise. Assistant Secretary of Defense Han Swyter pointed out before a Congressional committee in 1969: “The President attempted to separate CS and other so called riot agents from other incapacitating chemicals. This is merely semantics.”<sup>114</sup> By end of the decade, however, the classification of tear gas as a riot control agent and not a chemical weapon had become cemented as convention. In fact, beginning in the summer of 1965 American troops were instructed to discuss “tear gas” and not just “gas” when confronted by reporters.<sup>115</sup> Such elaborate steps to differentiate CS from gas warfare even took place as staged demonstrations comparing the humane benefits of tear gas to the inhumane effects of other military implements. One such display of CS, which Saigon widely publicized to field reporters, prompted one correspondent writing for the Washington Post to remark, “The operation was mounted with as much detailed planning in public relations as normally goes into a major operations assault.”<sup>116</sup>

The US government could also more easily defend riot control agents by highlighting their humanitarian benefits. To a non-expert, flushing North Vietnamese troops out of a tunnel using tear gas instead of fragmentation weapons would indeed appear more humane. Comments emphasizing the reduction in casualties or the benefits when dealing with intermingled military and civilian populations contributed to the positive conception of tear gas.<sup>117</sup> Because the benefits of CS were easily depicted through a one-dimensional humanitarian argument, the public conception of riot control agents failed to incorporate the full moral and political implications of the compound. The new American definition of chemical warfare was not a military or scientific construction, but a politically derived one.

<sup>111</sup> John W. Finney, “Rusk Defends Use of Non-lethal Gas in Vietnam,” *New York Times*, March 25, 1965, front page.

<sup>112</sup> Ibid.

<sup>113</sup> Rappert, *Legitimizing Forces?*, 251.

<sup>114</sup> Senate Committee on Foreign Relations, *Chemical and Biological Warfare: Hearings before the Committee on Foreign Relations*, 91st Cong., 1st sess., April 1969, 95.

<sup>115</sup> Finney, “Rusk Defends Use of Non-lethal Gas in Vietnam,” front page

John Maffre, “U.S. Publicizes Tear Gas Attack in Vietnam,” *New York Times*, October 9, 1965, A1.

<sup>116</sup> Ibid.

<sup>117</sup> Ibid., 23.

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This campaign to construct CS as a riot control agent diminished domestic public opposition so that the use of CS in military operations could continue as it had before the controversy. Although in 1965 the Johnson administration guaranteed that CS would be used solely for riot control purposes, the 1969 classified report to the National Security Council revealed that this promise never actually became policy.<sup>118</sup> Despite this divergence between the real and publicized use of tear gas, the political construction of the compound proved successful. The controversy over dioxin and herbicide use diverted a good deal of attention away from the more familiar and less threatening category of riot control agents. While Agent Orange had obvious environmental and health effects with no clear moral benefit, the properties and rhetoric behind tear gas facilitated a much more positive public view of the chemical.

If the deployment of CS in Vietnam altered the meaning of tear gas, the increased use of the compound in a law enforcement capacity in the late 1960s aided this process of political construction. Domestic use accustomed the public to tear gas and further established its status as an agent intended for riot control. The domestic institutionalization of tear gas is most evident in the 1969 Bloody Thursday riots in Berkeley, California. Here the National Guard used CS with the same methods devised for application in Vietnam.<sup>119</sup> The shootings at Kent State a year later further exposed the American public not only to violence but to an experience of chemical warfare reminiscent of that in Vietnam.<sup>120</sup> Such domestic use of CS kindled public protest towards riot control agents and chemical weapons in general. This occurred as the use of CS to suppress rioters was noted across the country in the protest-aware media. While interest in CS domestically and in Vietnam between 1966 and 1969 was minimal in comparison to Agent Orange, the events at Berkeley and Kent State propelled riot control agents back into public consideration.<sup>121</sup>

Media images of clouds of tear gas released from helicopters and grenades were a striking demonstration that, as Martin Luther King said in 1967, “The bombs that fall in Vietnam explode at home.”<sup>122</sup> One such example of a helicopter releasing a cloud of tear gas can be seen in Figure 1.<sup>123</sup> The deployment of tear gas on university



Figure 1: On May 20, 1969 a National Guard helicopter dropped tear gas on Berkeley's campus.

<sup>118</sup> Interdepartmental Political-Military Group, *Report to the NSC*, 00057 Vol., 33.

<sup>119</sup> Detailed description available from W.J. Rorabaugh, *Berkeley at War: The 1960s* (Oxford: Oxford University Press, 1989), 163.

<sup>120</sup> James A. Michener, *Kent State: What Happened and Why*, (New York: Random House, 1971), 57.

<sup>121</sup> House Committee on Foreign Affairs, *Chemical-Biological Warfare: U.S. Policies and International Effects: Report of The Subcommittee on National Security Policy And Scientific Developments*, (Washington: Government Printing Office, 1970), 464.

<sup>122</sup> James M. Washington, *A Testament of Hope: The Essential Writings and Speeches of Martin Luther King* (Harper, 1990), 323.

campuses and at events like the 1969 Moratorium in Washington, DC, thrust riot control agents into the public eye. While such events substantiated the idea of the war come home, they also firmly established the institutional structure and public expectations surrounding tear gas. Just as the experience of CS in Vietnam had left an indelible impression on the US military, domestic exposure to the agent accustomed the public to its use.

Public exposure to CS also allowed the military to associate its own use of gas with the more favorable law enforcement notion of CS. As George Bunn, the first general counsel for the US Arms Control and Disarmament Agency, noted before Congress in 1969, "The Army does this because...if they can establish that this gas is used domestically, or at least is stocked by police departments all around the country, then it becomes more acceptable for use in combat."<sup>124</sup> Domestic use of CS resulted in validation at an institutional level. The President's Commission on Campus Unrest reported in 1970, "The Department of the Army, which has the responsibility for outfitting and arming the Guard, should ensure that its members are provided with tear gas."<sup>125</sup> Thus, CS underwent a dual evolution in the domestic and international spheres during the 1960s. Despite two different objectives at home and abroad, by the end of the decade the general understanding of CS had become increasingly aligned with its domestic and law enforcement conception. Conversely the weaponized side of the compound had been thoroughly deemphasized. The politicization of these domestic events meant the idea of riot control remained the predominant framework for understanding CS. Even further legitimacy was afforded CS as groups like the US National Science Foundation concluded that, other than the traditional nightstick, riot control agents were the only nonlethal weapons in effective and widespread police use.<sup>126</sup>

This heightened awareness of tear gas highlights an unusual correlation between the two forms of chemical weapons employed in Vietnam. CS and herbicides faced virtually opposite trajectories in terms of public relations during the war. While tear gas faced criticism early on in 1965, Agent Orange only began to receive widespread disapproval once it became linked with birth defects several years later.<sup>127</sup> Although scrutiny of chemical weapons grew more severe, the controversy over herbicides sidelined any renewed concern over tear gas.<sup>128</sup> The process of legitimization begun by the Johnson administration caused the domestic use of CS to be assimilated into a broader concern over Agent Orange and chemical weapons in general.

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<sup>123</sup> Picture This: California's Perspectives on American History, Unforgettable Change: The 1960s: People's Park Fights UC Land Use Policy; One Dead, Thousands Gassed, <<http://museumca.org/picturethis/pictures/helicopter-sprays-tear-gas-demonstrators-university-california-berkeley-campus>>.

<sup>124</sup> House Committee on Foreign Affairs, Chemical-Biological Warfare: U.S. Policies and International Effects: Report of The Subcommittee on National Security Policy And Scientific Developments, (Washington: Government Printing Office, 1970), 464.

<sup>125</sup> The Report of the President's Commission on Campus Unrest, (New York: Arno Press, 1970), 176.

<sup>126</sup> Security Planning Corporation, Nonlethal Weapons for Law Enforcement, (National Science Foundation, 1972), <<https://www.ncjrs.gov/App/publications/Abstract.aspx?id=147861>>.

<sup>127</sup> Edmund Russell, War and Nature: Fighting Humans and Insects with Chemicals from World War I to Silent Spring (Cambridge: University of Cambridge Press, 2001), 226.

<sup>128</sup> National headlines covering chemical weapons tripled between 1968 and 1969. Mauroni, America's Struggle with Chemical-Biological Warfare, 45.

### SCIENTIFIC ADVICE AND POLICY FORMATION IN CONGRESS AND THE WHITE HOUSE

The systems of technical advice and decision making in the executive and legislative branches enabled the politically constructed idea of riot control agents to become official US policy. Whereas Congress initially resolved to ban tear gas in warfare, the executive branch took stock of its position and realized it could pursue a divergent policy on CS without any real repercussions. With this hardline-realist stance the Ford Administration pushed for the ratification of the Geneva Protocol while maintaining a reservation over tear gas.

The international and domestic events of the 1960s set the stage for congressional inquiry into chemical weapons. As opposition to the Vietnam War turned to protest in the late 1960s, all aspects of the conflict became increasingly contentious. Although the military deployment of CS came to naught when the US left Vietnam in defeat, the conflict left unresolved problems about chemical warfare policy. Additionally, the controversies over Berkeley and Kent State also ignited a sense of public involvement. Several media outbursts over the mismanagement of highly lethal nerve agents and outdated WWI gases added to this commotion over chemical weapons during this time. The politicization of gas warfare prompted the National Security Council and Congress to conduct separate reviews of US chemical weapons policy.<sup>129</sup>

The sources of technical knowledge in these investigations point to an asymmetrical system of advice. The Executive branch relied disproportionately on internal reports while Congress engaged in a wider scope of technical recommendations. For the executive branch the experience of using CS in Vietnam colored the input of the agencies involved in the review. The habits and institutional structures that arose from the extensive military deployment of tear gas entrenched the agent with the White House and Pentagon. In Congress on the other hand, civilian and other non-military opinions contributed to a more critical understanding of riot control agents. The route to these two policy conclusions is best illustrated through a case study comparing the executive branch policy review, coordinated by the NSC, with Congressional sources of advice such as Harvard Professor of biochemistry Matthew Meselson.

While the executive branch review was predisposed to a favorable conclusion on tear gas, the NSC actively decided to support the agent as well. The policy review was inclined to support CS because it relied primarily on reports from groups like the President's Science Advisory Committee, the Department of Defense, and the Intelligence Community.<sup>130</sup> These agencies generally supported the opinion that CS had proven effective in Vietnam and the State and Defense Departments also provided persuasive interpretations that the Geneva Protocol did not cover riot control agents.<sup>131</sup> While legal advisors did warn that such an

<sup>129</sup> Since the Chemical Warfare Service had taken over management of the US chemical-biological warfare capability in 1946 the program had never been subject to thorough high level review.

Guillemin, *Biological Weapons*, 122-123.

<sup>130</sup> Edgewood Arsenal supplied the technical reports on CS to these agencies.

McNamara, *Toxicology of Riot Control Agents*, 81-82.

Senate Committee on Foreign Relations, *The Geneva Protocol of 1925: Hearings before the Committee on Foreign Relations of the United States Senate*, 92nd Cong., 1st sess., March 1971 432.

<sup>131</sup> Stockholm International Peace Research Institute, *The problem of chemical and biological warfare*, vol. 1, 193.

interpretation could conflict with the 1969 80-3 UN ruling on tear gas, the NSC considered such opinions advisory and not legally binding.<sup>132</sup> By virtue of the entrenchment of tear gas with the agencies involved in reviewing US policy, the NSC was predisposed to support its use in warfare.

The NSC report to the President on chemical warfare policy also concentrated on the military utility of riot control agents and chose to disregard their legal and toxicological implications.<sup>133</sup> In the context of third world conflict and the increasingly complex engagements of modern combat CS had proven highly flexible. Just as interpretations of tear gas shifted over time, contemporary warfare has also been subject to new conceptual frameworks. As the Cold War illustrated, the boundaries of violence are constantly changing. In the late twentieth century peacekeeping missions, humanitarian intervention, and non-state conflict were beginning to become just as likely as conventional warfare between two nations.<sup>134</sup> The ability to use tear gas in an unrestricted manner proved a vital concern in the NSC report.<sup>135</sup>

The system of advice in the executive branch combined with the realist sentiment of the NSC to encourage a hardline and divergent policy on riot control agents. Within this framework it was determined a worthwhile maneuver to officially label CS a riot control agent and remove this from the category of chemical weapons. When in 1969 President Nixon resubmitted the Geneva Protocol for ratification in the Senate, he did so with the understanding that “this renunciation [of the first use of lethal chemical weapons] does not apply to the use of riot control agents.”<sup>136</sup> As we can see CS had a significant degree of support embedded into the executive system. This was not the case in Congress.

CS entered the legislative system through a confluence of not only technical, but also rhetorical data. The new definition of tear gas affected public opinion and established the foundation for policy discussions on chemical weapons. Because the language used to describe a technology directly influences how it is approached and understood, everything from the legislative to moral interpretations of tear gas were colored by the new American doctrine of chemical weapons. Although policies are rightly subject to constant innovation, in the case of riot control agents there was no such scientific background. Instead the classification of CS as separate from chemical weapons was the product of political concerns.

While CS was consistently referred to as a riot control agent, what this exactly meant was repeatedly unclear in committee hearings during the late 1960s and early 1970s. Members of Congress had to work within this artificial framework which did little to differentiate the compound chlorobenzalmalononitrile from the term riot control agent, which covered several different chemical agents in 1969.<sup>137</sup>

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Guillemin, *Biological Weapons*, 124.

<sup>132</sup> Henry A. Kissinger, *Memorandum for the President: Issues for Decision re Submission of the Geneva Protocol to the Senate for its Advice and Consent to Ratification*, 00075 Vol., 1970, 4.

<sup>133</sup> Interdepartmental Political-Military Group, *Report to the NSC*, 00057 Vol., 20-22.

<sup>134</sup> Price, *The Chemical Weapons Taboo*, 172.

<sup>135</sup> Interdepartmental Political-Military Group, *Report to the NSC*, 00057 Vol., 32-34.

<sup>136</sup> Henry A. Kissinger, *National Security Decision Memorandum 35: United States Policy on Chemical Warfare Program and Bacteriological/Biological Research Program*, 1969, 1.

<sup>137</sup> McNamara, *Toxicology of Riot Control Agents*, 7.

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Expert witnesses like Professor Matthew Meselson aided Congress in untangling these ambiguities. For instance Meselson identified the chemical used in Vietnam as “super tear gas” before the Senate Committee on Foreign Relations.<sup>138</sup> As he explained however the “designation tear gas was misleading” since its primary effect was on the lungs, and not the eyes.<sup>139</sup> The various terms and classifications which had accumulated around CS proved difficult in the context of Congressional hearings. Discussions on the differences between CS and CN for instance were often reduced to less than minute, only describing CS as “quicker acting” and “statistically less toxic” than CN.<sup>140</sup>

The role of expert advice in Congress proved crucial for dealing with such convoluted subjects. Since a proper grasp of a weapons system is based on legal, technical, and military considerations, congressional judgment relied heavily on expert statements from these fields. As a renowned biologist and consultant for the Arms Control and Disarmament Agency Meselson provided crucial information and perspective on tear gas and herbicide use in Vietnam for numerous congressional committees.<sup>141</sup> He was not however invited to participate in the NSC policy review. As another technical advisor for congress observed, NSC officials who attended a Pentagon briefing on chemical and biological weapons could have learned much more about both CS and herbicides if they had instead attended a conference at MIT on the same day where Meselson spoke.<sup>142</sup> Despite the rhetorical framework surrounding CS, this less parochial approach to scientific advice enabled Congress to settle on an understanding of tear gas that opposed Nixon’s reservation over the agent.

The Senate Committee on Foreign Relations eventually adopted Meselson’s exact recommendations for US policy on riot control agents in warfare.<sup>143</sup> In a letter to the President Senator James Fulbright revealed, “Having heard a number of expert witnesses on all aspects of the Protocol many Members now consider that it would be in the interest of the United States to ratify the Protocol without restrictive understandings.”<sup>144</sup> This disagreement over the legality of riot control agents deferred ratification of the Protocol until Nixon left office and the challenge of ratification was thus passed on to the Ford administration.

While the policy on tear gas was indeed troubling to Congress, ratification of the half-century-old Geneva Protocol proved a more salient issue. Ford succeeded in passing the

<sup>138</sup> Senate Committee on Foreign Relations, *Chemical and Biological Warfare: Hearings before the Committee on Foreign Relations*, 91st Cong., 1st sess., April 1969, 7.

<sup>139</sup> Senate Subcommittee of the Committee on Appropriations, *Department of Defense Appropriations for Fiscal Year 1971: Hearings Before a Subcommittee of the Committee on Appropriations*, 91st Cong., 2nd sess., February 1970, 1147.

<sup>140</sup> House Committee on Foreign Affairs, *Chemical-Biological Warfare: U.S. Policies and International Effects: Report of The Subcommittee on National Security Policy And Scientific Developments*, (Washington: Government Printing Office, 1970), 240.

<sup>141</sup> Guillemin, *Biological Weapons*, 118.

<sup>142</sup> Joel Primack and Frank von Hippel, *Advice and Disent: Scientists in the Political Arena*, (New York: Basic Books, 1974), 273.

<sup>143</sup> Senate Committee on Foreign Relations, *The Geneva Protocol of 1925: Hearings before the Committee on Foreign Relations of the United States Senate*, 92nd Cong., 1st sess., March 1971 433.

<sup>144</sup> Ibid.

Protocol through the Senate in 1974, although this ratification was again marred by compromises regarding riot control agents. As proclaimed in Executive Order 11850, the US maintained virtually the same policy it had pursued in Vietnam, only limiting the use of tear gas to riot control situations.<sup>145</sup> Without a renewed motive to refine this policy, Executive Order 11850 came to determine US stance on riot control agents in the two decades leading to the 1993 Chemical Weapons Convention.

The separate systems of technical advice and decision making in the executive and legislative branches enabled the US to reach this policy as defined by Executive Order 11850. While the Congressional policy formation process sought to align the US interpretation on CS with the rest of the world, the structure of decision making in the executive branch pressured for a less restrictive unilateral stance. With the political latitude that befits a global superpower, the US could take a hardline stance and ratify the Geneva Protocol while disregarding the ruling on tear gas.

## EMERGING FROM THE HAZE

The complex multilayered implications of tear gas placed it in an indefinite sphere of interpretation which ultimately led the US to form a different understanding of the agent than the rest of the world. The ambiguities surrounding tear gas stem from sources as diverse as the Geneva Protocol and variable definitions of toxicity. The indefinite status in these two spheres combined with the institutionalization of CS domestically to permit the low level authorization for military use. I have argued that the battlefield use of tear gas in Vietnam transformed the agent into something altogether different from its pre-Vietnam conception. This in turn allowed for the construction of an artificial framework that lent itself to a divergent interpretation. By removing the “old freight” associated with chemical weapons the US could pursue a hardline unilateral policy on tear gas in warfare.<sup>146</sup>

This argument is based on the premise that institutions and meanings are contingent structures, subject to chance occurrences, planned constructions, and ever-changing reinterpretations. This allowance for contingency seems appropriate for filtering through the haze produced by riot control agents. In testimony to the inherent flexibility of CS, the agent has figuratively gotten in our eyes and masked its deeper implications.

Such a foundation for analysis differs from the current literature on chemical and nonlethal weapons. During the twentieth century tear gas evolved almost as dramatically as the nature of warfare. Behind this transformation lies a high potential for abuse. Because scholars have divided the study of chemical weapons into lethal and nonlethal spheres they have taken for granted the shifting boundaries that define tear gas. As generally befits the discourse over methods of warfare, concerns over more overtly destructive weapons have resulted in an ambivalence to nonlethals.<sup>147</sup> If the evaluation of tear gas is framed in terms of casualty reduction for instance, it is likely that the conclusions to this question will be supportive of the agent. If more probing questions are asked however, tear gas can be seen from a variety of angles, not all of them so positive.

<sup>145</sup> Executive Order 11850, <<http://www.archives.gov/federal-register/codification/executive-order/11850.html>>.

<sup>146</sup> Rappert, *Legitimizing Forces?*, 251.

<sup>147</sup> Ibid., 252.

What are these questions? For one, they take issue with the legal, toxicological, and contextual definitions. These provide a base for getting at the morality behind different technologies. I have endeavored to approach tear gas with this more comprehensive strategy. This has opened up contentions about meaning and legitimacy which has ultimately revealed how the US has come to regard tear gas differently than the rest of the world.

With this framework firmly established we can see the full legacy of the Vietnam War on the political understanding of tear gas. The construction of the term riot control agent, it turns out, wasn't just a mop up job to apologize for the military deployment of CS. Instead, the term continues to reflect US policy even now. This can be seen in the reservations adopted in the ratification of the Chemical Weapons Convention in 1993.<sup>148</sup> Even more recently in 2003, the Bush Administration deployed the CS in Iraq. These recent instances of a divergent conclusion on CS highlight the continuing problems of US chemical weapons policy.<sup>149</sup> From these events arises the question of how to deal with such issues surrounding the use of technology in the international sphere. The answer is that when we consider US policy, we must think in terms of long-term constructions and recognize that these difficulties cannot be answered by a purely scientific question.

### BIBLIOGRAPHY

- "Arrests in Berkeley," *Sun Reporter*, sec. Page 2: Complete. May 24, 1969.
- Applegate, Rex. *Crowd and Riot Control*. Harrisburg, PA: The Stackpole Company, 1964.
- . *Riot Control: Materials and Techniques*. Harrisburg, PA: Stackpole Books. 1969.
- Association of the United States Army. *A Chink in Our Armor: The Urgent Need for Chemical Weapons*. Arlington, VA: Association of the United States Army, 198-?.
- Brophy, Leo P., Miles, Wyndham D. and Rexmond C. Cochrane. *The Chemical Warfare Service: From Laboratory to Field*. Washington: Center of Military History. U.S. Army. 1959.
- Brown, Frederic J. *Chemical Warfare: A Study in Restraints*. Princeton. NJ: Princeton University Press. 1968.
- Buck, Gordan M. *International Handbook on Chemical Weapons Proliferation*. Westport. CT: Praeger Publishers. 1991.
- <<http://psi.praeger.com/doc.aspx?d=/books/questia/b703463/b703463-sect10.xml>>.
- Bullman, Tim, and Kang, Han. *A Fifty Year Mortality Follow-up Study of Veterans Exposed to Low Level Chemical Warfare Agent. Mustard Gas*. New York: Elsevier Science. 2000.
- Copeland, David A. *The Greenwood Library of American War Reporting: Volume 7, the Vietnam War & Post-Vietnam Conflicts*. 7 Vol. Westport, Connecticut: Greenwood Press, 2005.

<sup>148</sup> Robinson, "Nonlethal Warfare," *Science & Technology Policy Research*.

<sup>149</sup> George Monbiot, "Chemical Hypocrites," *The Guardian*, 8 April 2003, pg. 2.

A Wikileaks report points to the possible large-scale deployment of nonlethal chemical agents up through 2007. This can be accessed at:

<[http://www.wikileaks.org/wiki/US\\_violates\\_chemical\\_weapons\\_convention](http://www.wikileaks.org/wiki/US_violates_chemical_weapons_convention)>.



- Dando, Malcolm. *A New Form of Warfare: The Rise of Nonlethal Weapons*. Washington: Brassey's Publications. 1997.
- Detter, Ingrid. *The Law of War*. Cambridge: Cambridge University Press, 2000. Print.
- Dorland's Illustrated Medical Dictionary*. Philadelphia: W. B. Saunders. 1981.
- Executive Order 11850. <<http://www.archives.gov/federal-register/codification/executive-order/11850.html>>.
- Extracts From The Report Of The Secretary-General: Chemical And Bacteriological Biological Weapons And The Effects Of Their Possible Use*. New York: UN Publishing Service. 1969.  
<[http://www.unog.ch/80256EDD006B8954/httpAssets/83669D9CB32C9F33C125718B0034C413/\\$file/Extract\\_UNSG-1969.pdf](http://www.unog.ch/80256EDD006B8954/httpAssets/83669D9CB32C9F33C125718B0034C413/$file/Extract_UNSG-1969.pdf)>.
- Farnsworth, Clyde H. "Wilson Parries Criticism, Many Nations Aroused." *New York Times*, sec. A2. March 23, 1965.
- Fentiman, Linda C. *When Smoke Gets in Your Eyes: Proposed Ratification by the United States of the Geneva Protocol on Chemical-Biological Warfare*. New York: Pace University School of Law Publications. 1974. 177.
- Finney, John W. "Rusk Defends Use of Non-lethal Gas in Vietnam" *New York Times*, sec. Front Page: The New York Times. March 25, 1965.
- Goldblat, Jozef, "Permitted Weapons?" *Bulletin of the Atomic Scientists*. Vol. XXVI #4. (April 1970) Google Book Search. Web. 11/20/2011.
- . *Arms Control Agreements: A Handbook*. New York: Praeger, 1983.
- . *Arms Control: The New Guide to Negotiations and Agreements*. London: Sage Publications, 2002.
- Guhin, Michael A. *National Security Council Memorandum for Dr. Kissinger regarding Conversation with Matthew Meselson*. 00217 Vol. 1970. Digital National Security Archive.
- Guillemin, Jeanne. *Biological Weapons: From the Invention of State-Sponsored Programs to Contemporary Bioterrorism*. New York: Columbia University Press. 2005.
- Hammond, James W. *Poison Gas: The Myths Versus Reality*. Westport. CT: Greenwood Press. 1999.
- Hammond, William H. *Public Affairs: The Military and the Media, 1962-1968*. Washington: Superintendent of Documents, U.S. Government Printing Office, 1988.
- Harris, Robert and Paxman, Jeremy. *A Higher Form of Killing: The Secret History of Chemical and Biological Warfare*. New York: Random House Trade Paperbacks, 2002.
- Hellreich, Alfred, and others. *An Evaluation of the Irritant Potential of CS Aerosols on Human Skin Under Tropical Climatic Conditions*. Aberdeen Proving Ground. MD: Edgewood Arsenal Research Laboratory. 1969.
- Hermes, Walter G. *Truce Tent and Fighting Front*. Washington: Government Printing Office. 1996. <<http://www.history.army.mil/books/korea/truce/ch11.htm>>.
- Hoffman, David E. *The Dead Hand: The Untold Story of the Cold War Arms Race and Its Dangerous Legacy*. New York: Anchor Books, 2009.
- House Committee on Foreign Affairs. *Chemical-Biological Warfare: U.S. Policies and International Effects: Report of The Subcommittee on National Security Policy And Scientific Developments*. Washington: Government Printing Office. 1970.

## TEAR GAS AND THE POLITICS OF LETHALITY

- House Committee on Science and Astronautics. *Chemical, Biological, and Radiological Warfare Agents: Hearings before the Committee on Science and Astronautics*. 86th Cong. 1st sess. June 1959.
- . *Research in CBR (Chemical, Biological, Radiological Warfare): Report of the Committee on Science and Astronautics*. Washington: Government Printing Office, 1959.
- House Committee on Science. *Scientific and Technical Advice for the U.S. Congress: Hearing before the Committee on Sciences*. 109th Cong. 2nd sess. July 2006.
- House Subcommittee of the Committee on Appropriations. *Department of Defense Appropriations for 1959: Hearings before the Subcommittee of the Committee on Appropriations*. 85th Cong. 2nd sess. 1958.
- . *Department of Defense Appropriations for 1970: Hearings Before a Subcommittee of the Committee on Appropriations*. 91st Cong. 1st sess. April 1969.
- House Subcommittee on National Security Policy and Scientific Developments. *Chemical and Biological Warfare: U.S. Policies and International Effects*. 91st Cong. 1st sess. November 1969.
- Hout, Joseph J. "Evaluation of CS o-Chlorobenzylidene Malononitrile Concentrations During U.S. Army Mask Confidence Training." *Journal of Environmental Health*. vol. 24:3 2011.
- Interdepartmental Political-Military Group. *Report to the National Security Council: U.S. Policy on Chemical and Biological Warfare and Agents*. 00057 Vol. 1969. Digital National Security Archive.
- Joint Chiefs of Staff. *Dictionary of the United States Military Terms for Joint Usage*. Washington: U.S. Government Printing Office, 1964.
- Kallis, E.M. *Report No. 81-97 F: Chemical Warfare: A Primer on Agents, Munitions, and Defensive Measures*. Washington: Congressional Research Service, 1981.
- Ketchum, James S. *Chemical Warfare: Secrets Almost Forgotten, A Personal Story of Medical Testing of Army Volunteers with Incapacitating Chemical Agents During the Cold War (1955-1975)*. Santa Rosa, CA: ChemBooks Inc., 2006.
- Kissinger, Henry A. *Memorandum for the President: Issues for Decision re Submission of the Geneva Protocol to the Senate for its Advice and Consent to Ratification*. 00075 Vol. 1970. Digital National Security Archive.
- . *National Security Decision Memorandum 281: Ratification of the Geneva Protocol of 1925 on Gas Warfare*. 1974. Digital National Security Archive.
- . *National Security Decision Memorandum 35: United States Policy on Chemical Warfare Program and Bacteriological/Biological Research Program*. 1969. Digital National Security Archive.
- Kleber, Brooks E., and Birdsell, Dale. *The Chemical Warfare Service: Chemicals in Combat*. Washington: Center of Military History. U.S. Army. 1966.
- Klein, Joel M., and Wilcox, James D. *Pelletized CS-2 For Terrain Denial*. Aberdeen Proving Ground, MD: Edgewood Arsenal Research Laboratory. 1972.
- Kluchinsky, Timothy A. "Identification of CS-derived Compounds Formed During Heat Dispersion of CS Riot Control Agent and the Temperature Ranges Associated with their Formation." PhD diss. Uniformed Services University of the Health Sciences. 2001.

- . *Liberation Of Hydrogen Cyanide And Hydrogen Chloride During High-Temperature Dispersion Of Cs Riot Control Agent*. Bethesda, MD: Uniformed Services University of the Health Sciences.
- . "Formation Of 2-Chlorobenzylidenemalononitrile Cs Riot Control Agent Thermal Degradation Products At Elevated Temperatures." *Journal of Chromatography*. Vol. 952. 2002.
- Kolko, Gabriel. *Anatomy of a War: Vietnam, the Unites States, and the Modern Historical Experience*. New York: Pantheon Books, 1985.
- Lewer, Nick and Schofield, Steven. *Non-Lethal Weapons: A Fatal Attraction?*. London: Zed Books, 1997.
- Maffre, John. "U.S. Publicizes Tear Gas Attack in Vietnam." *New York Times*. October 9, 1965. A1.
- Marquand, Carl B. *Contributions to Better Living from Chemical Corps Research*. Aberdeen Proving Grounds. MA: Army Chemical Center. 1957.
- Mauroni, Albert J. *Chemical demilitarization: Public Policy Aspects*. Westport, CT: Praeger. 2003.
- . *America's Struggle with Chemical-Biological Warfare*. Westport, Connecticut: Praeger, 2000.
- McNamara, B.P., and others. *CS: A Study of Carcinogenicity*. Aberdeen Proving Ground. MD: Edgewood Arsenal Research Laboratory. 1973.
- . *Toxicology of Riot Control Agents CS. CN. DM*. Aberdeen Proving Ground. MD: Edgewood Arsenal Research Laboratory. 1969.
- Melman, Seymour. *In the Name of America: The Conduct of the War in Vietnam by the Armed Forces of the United States as shown by Published Reports*. Virginia: Turnpike Press, 1968.
- Meselson, Mathew, ed. *Chemical Weapons and Chemical Arms Control: Papers and Discussion from A Conference at the American Academy of Arts and Sciences*. New York: Carnegie Endowment for International Peace, 1978.
- . "Tear Gas in Vietnam" *Bulletin of the Atomic Scientists*. Vol. XXVII #3. May 1971. Google Book Search. Web. 2/2/2012.
- Michener, James A. *Kent State: What Happened and Why*. New York: Random House. 1971.
- Miller, Geoffrey. *The Medical Front WWI*.  
<<http://www.vlib.us/medical/HMSO/chapter2.htm#15>>.
- Monibiot, George. "Chemical Hypocrites" *The Guardian*. sec. 2: . April 8, 2003.
- Morgan, Granger M., and Peha, Jon M., ed. *Science and Technology Advice for Congress*. Washington: Resources for the Future, 2003.
- National Security Council. *Summary Notes of the 550th NSC Meeting March 26, 1965; 1:15 to 2:40 PM*. 01468 Vol. 1965. Digital National Security Archive.
- Neilands, J. B. *Harvest of Death: Chemical Warfare in Vietnam and Cambodia*. New York: The Free Press, 1972.
- Nixon, Richard. *National Security Decision Memorandum 44: United States Policy on Toxins*. 1970. Digital National Security Archive.
- . *National Security Decision Memorandum 78: Authorization for Use of Riot Control Agents and Chemical Herbicides in War*. 1970. Digital National Security Archive.

## TEAR GAS AND THE POLITICS OF LETHALITY

- Norris, John and Fowler, Will. *Nuclear, Biological, and Chemical Warfare on the Modern Battlefield*. London: Brassey's, 1997.
- Olajos, Eugene J. and Salem, Harry. "Riot Control Agents: Pharmacology. Toxicology. Biochemistry and Chemistry." *Journal of Applied Toxicology*. no. 21. 2001.
- Organization for the Prohibition of Chemical Weapons. *Convention on the prohibition of the development, production, stockpiling, and use of chemical weapons and on their destruction*. Paris. 13 January 1993.
- Picture This: *California's Perspectives on American History. Unforgettable Change: The 1960s: People's Park Fights UC Land Use Policy; One Dead, Thousands Gassed*. <<http://museumca.org/picturethis/pictures/helicopter-sprays-tear-gas-demonstrators-university-california-berkeley-campus>>.
- Price, Richard M. *The Chemical Weapons Taboo*. Ithaca: Cornell University Press, 1997.
- Primack, Joel, and Hippel, Frank von. *Advice and Dissent: Scientists in the Political Arena*. New York: Basic Books. 1974.
- Rappert, Brian. *Non-Lethal Weapons as Legitimizing Forces?: Technology, Politics and the Management of Conflict*. London: Routledge, 2003.
- Raymonds, Jack. "Decision on Gas Not Presidents, White House Says" *The New York Times*, sec. Front Page. March 24, 1965.
- Reaves, Woodrow W., and Miller, Julius B. *Pyrotechnic Thermal Generation: CS Mixtures*. Aberdeen Proving Ground. MD: Edgewood Arsenal Research Laboratory. 1966.
- Rengstorff, Roy H. *The Effects of the Riot Control Agent CS on Visual Acuity*. Aberdeen Proving Ground, MD: Edgewood Arsenal Research Laboratory. 1968.
- Robinson, Julian P. *SIPRI Chemical Warfare Arms Control: A Framework for Considering Policy Alternatives*. London: Taylor & Francis, 1985.
- Robinson, Perry J.P. "Nonlethal Warfare and the Chemical Weapons Convention." *Science & Technology Policy Research*. University of Sussex. 2007.  
<<http://www.sussex.ac.uk/Units/spru/hsp/Papers/421rev3.pdf>>.
- Rorabaugh, W. J. *Berkeley at War: The 1960s*. Oxford: Oxford University Press, 1989.
- Russell, Edmund. *War and Nature: Fighting Humans and Insects with Chemicals from World War I to Silent Spring*. Cambridge: University of Cambridge Press, 2001.
- Salem, Harry, and others. *Chemical Warfare Agents: Toxicity at Low Levels*. Edited by M. Somani and James A. Romano. New York: CRC Press. 2001.
- . *Medical Aspects of Chemical Warfare*. Edited by Martha K. Lebert. Washington: US Government Printing Office, 2008.
- Security Planning Corporation. *Nonlethal Weapons for Law Enforcement*. National Science Foundation. 1972.  
<<https://www.ncjrs.gov/App/publications/Abstract.aspx?id=147861>>.
- Senate Committee on Armed Services. *Authorization for Military Procurement, Research and Development, Fiscal Year 1971, and Reserve Strength: Hearings before the Committee on Armed Services*. 91st Cong. 2nd sess. March 1970.
- Senate Committee on Foreign Relations. *Chemical and Biological Warfare: Hearings before the Committee on Foreign Relations*. 91st Cong. 1st sess. April 1969.
- . *The Geneva Protocol of 1925: Hearings before the Committee on Foreign Relations of the United States Senate*. 92nd Cong. 1st sess. March 1971.

- Senate Subcommittee of the Committee on Appropriations. *Department of Defense Appropriations for 1959: Hearings before the Subcommittee of the Committee on Appropriations*. 85th cong. 2nd sess. June 1959.
- . *Department of Defense Appropriations for Fiscal Year 1971: Hearings Before a Subcommittee of the Committee on Appropriations*. 91st Cong. 2nd sess. February 1970.
- Shalom, Stephen R. *Imperial Alibis: Rationalizing US Intervention After the Cold War*. South End Press, 1999.
- Shulgin, Alexander T, and The Dow Chemical Company. *2,3,5,6-Pentachloro-benzylidene Malononitrile*. US3250798. United States Patent Office. 1966.  
<<http://www.google.com/patents?id=sidIAAAAEBAJ&printsec=frontcover&dq=3,250,798&hl=en&sa=X&ei=Mcd5T9CZDqPnoQG8zMG1DQ&ved=oCDQQ6AEwAA>>.
- Special Subcommittee On the National Science Foundation. *Chemical and Biological Weapons: Some Possible Approaches for Lessening the Threat and Danger*. Washington: Government Printing Office, 1969.
- Spiers, Edward M. *Chemical Warfare*. London: The MacMillan Press, 1986.
- Stedman, Thomas L. *Stedman's Medical Dictionary: A Vocabulary of Medicine and its Allied Sciences with Pronunciations and Derivations*. Baltimore: Williams & Wilkins Co. 1966.
- Stine, Deborah D. *Science and Technology Policymaking: A Primer*. Washington: Congressional Research Service, 2009.
- Stockholm International Peace Research Institute. *The problem of chemical and biological warfare; a study of the historical. technical. military. legal and political aspects of CBW. and possible disarmament measures*. vol. 1. New York: Humanities Press. 1971-1975.
- . *The problem of chemical and biological warfare; a study of the historical. technical. military. legal and political aspects of CBW. and possible disarmament measures*. vol. 2. New York: Humanities Press. 1971-1975.
- The Report of the President's Commission on Campus Unrest*. New York: Arno Press. 1970.
- The White House. *Memorandum For Dr. Henry A. Kissinger 22 December 1969*. 00064 Vol. 1969. Digital National Security Archive.
- Tucker, Jonathan B. *War of Nerves: Chemical Warfare from World War I to Al-Qaeda*. New York: Anchor Books, 2006.
- United States Army Center of Military History. *The United States Army and the Korean War [electronic resource]*. Washington: Center of Military History, 2002.
- United States Comptroller General. *Report to the Committee on Foreign Affairs House of Representatives: Chemical Warfare, Many Unanswered Questions*. Gaithersburg, MD: U.S. General Accounting Office, 1983.
- US Army Multi-Service Doctrine for Chemical. Biological, Radiological, and Nuclear Operations: Field Manual 3-11*. Washington: Department of the Army. 2011.
- US Army The Law of Land Warfare: Field Manual 27-10*. Washington: Department of the Army. 1956.
- US Department of Defense. *Joint Publications 1-02: Department of Defense Dictionary of Military and Associated Terms*. Washington: Government Printing Office, 2011.

## TEAR GAS AND THE POLITICS OF LETHALITY

- Verwey, W. D. *Riot Control and Herbicides in War: Their Humanitarian, Toxicological, Ecological, Military, Polemological, and Legal Aspects*. Leyden: A W Sijthoff, 1977.
- Vien, Nguyen K., ed. "How is Chemical Warfare Waged by the Americans in Viet Nam?: The Immediate and Long-term Consequences of Chemical Warfare." *Vietnamese Studies*. No. 29. 1971.
- Washington, James M. *A Testament of Hope: The Essential Writings and Speeches of Martin Luther King*. Harper, 1990.
- Weimer, J.T., and others. *Toxicity of O-Chlorobenzylidene Malononitrile (CS) in Trioctylphosphate (TOF) Solutions*. Aberdeen Proving Ground, MD: Edgewood Arsenal Research Laboratory. 1969.
- Windsor, Phillip. "Gas: An ISS View." *Survival: Global Politics and Strategy*. no. 7:3. <<http://dx.doi.org/10.1080/00396336508440535>>.

### TITLE IMAGE

"Air Raid Wardens Demonstrate a Gas Mask Designed for the Elderly and Those with Chest Complaints during a Mock Gas Attack in Which Tear Gas Was Released, London, April 5 1941"

Date: April 5, 1941

Source: Hudson/Topical Press Agency/Getty Images

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