ONE

HISTORICAL CONTEXT OF THE SECOND AMENDMENT

The Anglo-American settlers' violent break from Britain in the late eighteenth century paralleled their search-and-destroy annihilation of Delaware, Cherokee, Muskogee, Seneca, Mohawk, Shawnee, and Miami, during which they slaughtered families without distinction of age or gender, and expanded the boundaries of the thirteen colonies into unceded Native territories.

The Declaration of Independence of 1776 symbolizes the beginning of the "Indian Wars" and "westward movement" that continued across the continent for another century of unrelenting U.S. wars of conquest. That was the goal of independence, with both the seasoned Indian killers of the Revolutionary Army and white settler-rangers/militias using extreme violence against Indigenous noncombatants with the goal of total domination. These forces were met with resistance movements and confederations identified with leaders such as Buckongeahelas of the Delaware; Alexander McGillivray of the Muskogee-Creek, Little Turtle and Blue Jacket of the Miami-Shawnee alliance; Joseph Brant of

the Mohawk; and Cornplanter of the Seneca, as well as the great Tecumseh and the Shawnee-led confederation in the Ohio Valley. Without their sustained resistance, the intended genocide would have been complete; the eastern half of the continent was "ethnically cleansed" of Native nations by 1850, through forced relocation to "Indian Territory" west of the Mississippi.

The program of expansion and the wars against Native American civilization and the agricultural societies of the vast valley of the Ohio River and the Great Lakes region began before the Declaration with the French and Indian War of 1754–1763,[1] which was the North American extension of the Seven Years' War between France and Britain in Europe. Britain's victory over France in 1763 led to its domination of world trade, sea power, and colonial holdings for nearly two centuries. In the Treaty of Paris, France ceded Canada and all claims east of the Mississippi to Britain. In the course of that war, Anglo-American settlers intensified their use of counterinsurgent violence, which the Anglo settler elite dubbed "savage wars," against Indigenous peoples' resistance to their incursions into the territories of the Ottawa, Miami, Kickapoo, and the confederations identified with Pontiac's leadership of the Great Lakes region, spreading to the Illinois and Ohio countries. By the end of the war, significant numbers of Anglo settlers had taken Indigenous lands beyond the colonies' boundaries, and land speculation was a road to riches for a fortunate few.

To the settlers' dismay, soon after the 1763 Treaty of Paris was signed, King George III issued a proclamation prohibiting British settlement west of the Allegheny-

Appalachian mountain chain, ordering those who had settled there to relinquish their claims and return to the kingdom's thirteen colonies. Soon it became clear that the British authorities needed far more soldiers to enforce the edict, as thousands of settlers ignored it and continued to pour over the mountains, squatting on Indigenous lands, forming armed militias, and provoking Indigenous resistance. In 1765, in order to enforce the Proclamation line, the British Parliament imposed the Stamp Act on the colonists, a tax on all printed materials that had to be paid in British pounds, not local paper money. The iconic colonial protest slogan "taxation without representation is tyranny" marked the surge of rebellion against British control but it did not tell the whole story, considering what the tax was for: to pay the cost of housing, feeding, and transporting soldiers to contain and suppress the colonies from expanding further into Indian territory. The complaints iterated in the Declaration largely focus on the measures used by King George to prevent his rebellious subjects from grabbing more land: "[King George] has excited domestic Insurrections [slave revolts] amongst us, and has endeavoured to bring on the Inhabitants of our Frontiers, the merciless Indian Savages [Indigenous nations resisting genocidal wars], whose known Rule of Warfare, is an undistinguished Destruction, of all Ages, Sexes and Conditions."

By the early 1770s, terrorism waged by Anglo-American settlers against even Christianized Native communities within the colonies, and violent encroachment on those outside the colonial boundaries, raged, and illegal speculation in stolen Indian lands was rampant. In the southern colonies

especially, farmers who had lost their land in competition with larger, more efficient, slave-worked plantations rushed for Native farmlands over the mountain range. These militant settlers—"rangers"—thus created the framework for the United States to appropriate Native territories and attempt to eradicate Indigenous nations across the continent for the following century. Illegal squatter-settlers, always with practiced Indian killers in the lead, initially depended on colonial militias for support; after the War of Independence they relied on the U.S. military to protect their settlements. During the war years of 1774–1783, the secessionists' parallel wars against Native nations were, in military historian John Grenier's words, "waypoints in the development of the first way of war. In them, we find the same elements—necessity and efficiency, the uncontrollable momentum of extravagant violence, and the quest for the subjugation of Indians—that had defined the first way of war throughout the colonial period."[2]

In a book first published in 1876 but written decades earlier, historian Joseph Doddridge (1769–1826), a minister and early settler in the Ohio Country, wrote:

> The early settlers on the frontiers of this country were like Arabs of the desert of Africa, in at least two respects; every man was a soldier, and from early in the spring till late in the fall, was almost continually in arms. Their work was often carried on by parties, each one of whom had his rifle and everything else belonging to his wardress. These were deposited in some central place in the field. A sentinel was stationed on the outside of the fence, so that on the least alarm the whole company repaired to their arms, and were ready for combat in a moment.[3]

The Second Amendment thus reflects this dependence on individual armed men, not just in terms of a right to bear arms, but also as a *requirement* to bear arms, which was crucial to the integrity of the state and the conception of security achieved through a relationship between state and citizen.

In 1783, the British withdrew from the fight to maintain sovereignty over their thirteen colonies, not due to military defeat, but rather in order to redirect their resources to occupy and colonize South Asia. Britain's transfer of its claim to Indian Country west of the colonies spelled a nightmarish disaster for all Indigenous peoples east of the Mississippi, and ultimately all of North America that would be claimed and occupied by the United States. Britain's withdrawal in 1783 opened a new chapter of unrestrained racist violence and colonization of the continent.

The creation of the United States Constitution began in 1785, but the document was not approved by all the states and in effect until 1791. Meanwhile, the interim Continental Congress got to work on a plan for colonization over the mountain range. The Land Ordinance of 1785 established a centralized system for surveying and distributing land, with seized Native lands being auctioned off to the highest bidder. The "Northwest" (referring to the Ohio country) Ordinance of 1787 set forth a colonization procedure for annexation via military occupation, transforming to civilian

territorial status under federal control, and finally, statehood. These were the first laws of the incipient republic, revealing the motive for those desiring independence. It was the blueprint for the taking of the North American continent, with lines of future settlement reaching the Pacific on the maps. The maps contained in the land ordinances, which laid out land in marketable square-mile plots, were not new; they were the products of pre-Revolutionary colonial elites, including George Washington, who as leader of the Virginia militia took armed surveying teams illegally into Ohio country, making him one of the most successful land speculators in the colonies. The wealthiest colonists were all speculators; acquiring land and enslaving people provided the very basis of the economy of the first nation born as a capitalist state, and by 1850, it was the wealthiest economy in the world.

In 1801, President Thomas Jefferson aptly described the new settler-state's intentions for horizontal and vertical continental expansion as an "empire for liberty," stating: "However our present interests may restrain us within our own limits, it is impossible not to look forward to distant times, when our rapid multiplication will expand itself beyond those limits and cover the whole northern, if not the southern continent, with a people speaking the same language, governed in similar form by similar laws." This vision of Manifest Destiny found form a few years later in the Monroe Doctrine, signaling the intention of annexing or dominating former Spanish colonial territories in the Americas and the Pacific, which would be put into practice during the rest of the century, while carrying out brutal wars of

extermination and expulsion of Native peoples to complete the continental shape of the United States today.

Taking land by force was not an accidental or spontaneous project or the work of a few rogue characters. The violent appropriation of Native land by white settlers was seen as an individual right in the Second Amendment of the U.S. Constitution, second only to freedom of speech. Male colonial settlers had long formed militias for the purpose of raiding and razing Indigenous communities and seizing their lands and resources, and the Native communities fought back. Virginia, the first colony, forbade any man to travel unless he was "well armed." A few years later, another law required men to take arms with them to work and to attend church or be fined. In 1658, the colony ordered every settler home to have a functioning firearm, and later even provided government loans for those who could not afford to buy a weapon. Similarly, New England colonial governments made laws such as the 1632 requirement that each person have a functioning firearm plus two pounds of gunpowder and ten pounds of bullets. Householders were fined for missing or defective arms and ammunition. No man was to appear at a public meeting unarmed.[4]

These laws stayed on the books of the earliest colonies and were created in new colonies as they were founded. The Second Amendment, ratified in 1791, enshrined these obligations as constitutional law: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." The continuing significance of that "freedom" specified in the Bill of Rights reveals the settler-colonialist cultural roots of the

United States that appear even in the present as a sacred right. Several of the colonies that declared independence in 1776—Massachusetts, New Hampshire, New Jersey, Pennsylvania, Vermont, and Virginia—had already adopted individual gun-rights measures into their state constitutions before the Second Amendment was passed at the federal level.

Settler-militias and armed households were institutionalized for the destruction and control of Native peoples, communities, and nations. With the expansion of plantation agriculture, by the late 1600s they were also used as "slave patrols," forming the basis of the U.S. police culture after enslaving people was illegalized. That is the inseparable other half of the settler-colonial reality that is implicit in the Second Amendment. The first enslaved Africans to be shipped to Britain's first colony of the eventual thirteen colonies that became the United States took place in 1619, when twenty bonded Africans arrived in Virginia. Most of the labor being used in the first decade of the colony was made up of British and other Europeans who had indentured themselves for varying lengths of time, but African slavery was different. As Howard Zinn points out, "Some historians think those first blacks in Virginia were considered as servants, like the white indentured servants brought from Europe. But the strong probability is that, even if they were listed as 'servants' (a more familiar category to the English), they were viewed as being different from white servants, were treated differently, and in fact were slaves."[5]

Other scholars have presumed that the British settlers in North America were reluctant to enslave Africans, but that too seems a spurious notion. When the Doctrine of

Discovery promulgated by the Vatican in the mid-fifteenth century "legalized" the Portuguese capture and enslavement of the people of West Africa, the trans-Atlantic slave trade took off, first within European markets. Then, in 1492, it reached the Caribbean and had been in effect for over a century when the Virginia seaboard was wrenched from the Indigenous farmers by English usurpers. From the mid-fifteenth century to the mid-twentieth century, most of the non-European world was colonized under the Doctrine of Discovery, one of the first principles of international law promulgated by Christian European monarchies to legitimize investigating, mapping, and claiming lands belonging to peoples outside Europe. It originated in a papal bull issued in 1455 that permitted the Portuguese monarchy to seize West Africa for enslaving those who lived there. Following Columbus's infamous exploratory voyage in 1492, sponsored by the king and queen of the infant Spanish state, another papal bull extended similar permission to Spain. Disputes between the Portuguese and Spanish monarchies led to the papal-initiated Treaty of Tordesillas (1494), which, besides dividing the globe equally between the two Iberian empires, clarified that only non-Christian lands fell under the discovery doctrine.[6]

This doctrine, on which all European states relied, thus originated with the arbitrary and unilateral establishment of the Iberian monarchies' exclusive rights under Christian canon law to colonize, enslave, and exterminate foreign peoples, and these were later embraced by other European monarchical colonizing projects, such as the British in North America.

The only barrier to introducing slavery in Virginia and all the other colonies would have been economic, not ethical. The Southern colonies emerged in territory that had been one of seven original birthplaces of agriculture[7] in the world tens of thousands of years before, developed by the Muskogee and other Indigenous agricultural societies. Appropriated by European settlers, these lands would become economies based on enslaved African labor and increasingly on breeding enslaved people for profit, with the Indigenous farmers forced to the peripheries. At the time of U.S. independence, half the population of South Carolina was made up of enslaved Africans, with the other agribusiness colonies having large enslaved populations as well. By the late seventeenth century, onerous slave codes had been developed, which included mandatory slave patrols drawn from the already existing militias.

The wealthy slavers of the Southern colonies, particularly those in Virginia, were most incensed by the British Proclamation following the French and Indian War prohibiting expansion over the Appalachian ridge, since their wealth relied on accessing more and more land as they depleted the soils with intensive monocrop production for the market. They defied the Proclamation, taking survey teams into the Ohio country to map the territory for future settlement, which by definition meant the extension and expansion of slavery. By the time he was in his mid-twenties, George Washington was already a notoriously successful slaver and land speculator in unceded Indian lands.[8]

Washington and the other founders of the United States designed a governmental and economic structure to

serve the private property interests of each and all of the primary actors, nearly all of them slavers and land speculators, with the brilliant Alexander Hamilton as the genius of finance. Like the Indian-killing militias that continued and intensified as the United States appropriated more land for slavers, slave patrols grew accordingly. The ethnic cleansing of Native Americans complete, slavers—with their reserve of capital and enslaved labor—transformed the Mississippi Valley into the Cotton Kingdom that formed the basis for U.S. capitalism and world trade. In the words of Harvard historian Walter Johnson, "The extension of slavery into the Mississippi Valley gave an institution that was in decline at the end of the eighteenth century new life in the nineteenth. In 1800, there were around 100,000 slaves living within the boundaries of the present-day states of Mississippi and Louisiana; in 1840, there were more than 250,000; in 1860, more than 750,000"[9]

The militaristic-capitalist powerhouse that the United States became by 1840 derived from real estate (which included enslaved Africans, as well as appropriated land). The United States was founded as a capitalist state and an empire on conquered land, with capital in the form of slaves, hence the term chattel slavery; this was exceptional in the world and has remained exceptional. The capitalist firearms industry was among the first successful modern corporations. Gun proliferation and gun violence today are among its legacies.

TWO

SAVAGE WAR

So, if ever built, what will the United States Native American Genocide Memorial Museum contain:
What will it exhibit?
It will be one room, a fifty-foot square with the same large photo filling the walls, ceiling, and floor.
There will only be one visitor allowed at any one time.
There will be no furniture.
That one visitor will have to stand or sit on the floor.
Or lie on the floor if they feel the need.
That visitor must remain in that room for one hour.
There will be no music
The only soundtrack will be random gunshots from rifles used throughout American history.
Reverberation.
What will that one photo be?
It will be an Indian baby, shredded by a Gatling gun, lying dead and bloody in the snow.

Sherman Alexie, from *You Don't Have to Say You Love Me*[1]

The violence of settler colonialism stems from the use of "savage war" and is related to the militias of the Second Amendment. "Savage war"—also called *petite guerre* in military annals, and Anglo-America's "first way of war" by military historian John Grenier—dates to the British colonial period and is described as a combination of "unlimited war and irregular war," and a military tradition "that accepted, legitimized, and encouraged attacks upon and the destruction of noncombatants, villages and agricultural resources . . . in shockingly violent campaigns to achieve their goals of conquest."[2]

When compared to other countries that carried out colonial conquests in Africa, Asia, the Caribbean, and South America, the United States was not exceptional in the sheer amount of violence it imposed to achieve sovereignty over the territories it appropriated. The British colonizations of Canada, Australia, and New Zealand were equally genocidal. Extreme violence, particularly against unarmed families and communities, was an inherent aspect of European colonialism, always with genocidal possibilities, and often with genocidal results. What distinguishes the U.S. experience is not the amount or type of violence involved, but rather the historical narratives attached to that violence and their political uses, even today. From the first settlement, appropriating land from its stewards became a racialized war, "civilization" against "savagery," and thereby was inherently genocidal. In the words of historian Richard Slotkin, "'Savage war' was distinguished from 'civilized warfare' in its lack of limitations on the extent of violence, and of laws for its application. The doctrine of 'savage war' depended on the belief that certain races are inherently disposed to cruel and

atrocious violence. Similar assumptions had often operated in the wars of Christian or crusading states against the Muslims in Europe and the Holy Land, and massacre had often enough accompanied such wars."[3]

Military historian John Grenier offers an indispensable analysis of the white colonists' warfare against the Indigenous peoples of North America. The way of war largely devised and enacted by settlers formed the basis for the founding ideology and colonialist military strategy of the independent United States, and this approach to war is still being practiced almost as a reflex in the twenty-first century.[4]

Grenier explains that he began his study after September 11, 2001, in the wake of the U.S. reversion to irregular warfare—savage warfare—in Afghanistan, then in Iraq, his goal to trace the historical roots of U.S. use of unlimited war as an attempt to destroy the collective will of enemy people, or their capacity to resist, employing any means necessary but mainly by attacking civilians and their support systems, such as their food supply. Today called "special operations" or "low-intensity conflict," that kind of warfare was first used against Indigenous communities by colonial militias in the first British colonies of Virginia and Massachusetts. Those irregular forces, made up of landed settlers, sought to disrupt every aspect of resistance as well as to obtain intelligence through scouting and taking prisoners. They did so by destroying Indigenous villages and fields and intimidating and slaughtering unarmed women, children, and elders.[5] These voluntary fighting crews made up of individual civilians—"rangers"—are the groups referenced as militias, as they came to be called, in the Second Amendment.

Grenier analyzes the development of the U.S. way of war from 1607 to 1814, during which all the architecture of the U.S. military was forged, leading to its extension and development into the present. Esteemed U.S. historian Bernard Bailyn labeled the period "barbarous," but Bailyn, like most of his fellow U.S. historians, portrays the Indigenous defenders of their homelands as "marauders" that the European settlers needed to get rid of.[6] From this formative period, Grenier argues, emerged problematic characteristics of the U.S. way of war and thereby the characteristics of its civilization, which few historians have come to terms with and many, such as Bailyn, justify as necessary.

During the late seventeenth century, Anglo settlers in New England began the routine practice of scalp hunting and "ranging." By that time, the non-Indigenous population of the British colony in North America had increased sixfold, to more than 150,000 people, which meant that settlers were intruding on more of the Indigenous farmlands and fishing resources. Indigenous resistance followed in what the settlers called "King Philip's War." Wampanoag people and their Indigenous allies attacked the settlers' isolated farms, using a method that relied on speed and caution in striking and retreating, and possessing of course a perfect knowledge of the terrain and climate.

The settlers scorned this kind of resistance as "skulking," and responded by destroying Indigenous villages and everyone in them who could not escape, burning their fields and food storage. But as effective Indigenous resistance continued, the commander of the Plymouth militia, Benjamin Church, studied Wampanoag tactics in order to develop a more effective kind of preemption or counterinsurgency. He petitioned the colony's governor for permission to choose sixty to seventy settlers to serve as scouts, as he called them, for what he termed "wilderness warfare," although they were attacking developed Indigenous villages and fields. In July 1676, the first settler-organized militia was the result. The rangers' force was made up of sixty male settlers and 140 already conquered Indigenous men. They were ordered to "discover, pursue, fight, surprise, destroy, or subdue" the enemy, in Church's words. The inclusion of Indigenous fighters on the colonists' side was not unique to British colonists in North America; rather, the practice has marked the character of European colonization and occupations of non-European peoples from the beginning. The settler-rangers could learn from their Native aides, then discard them. In the following two decades, Church perfected his evolving methods of annihilation, and those methods spread as more colonies were established.[7]

The Native people of New England continued to fight back by burning British settlements and killing settlers or capturing them for ransom. As an incentive to recruit fighters, colonial authorities introduced a program of scalp hunting that became a permanent and long-lasting element of settler warfare against Indigenous nations.[8] During the Pequot War, Connecticut and Massachusetts colonial officials had offered bounties initially for the heads of murdered Indigenous people and later for only their scalps, which were more portable in large numbers. But scalp hunting became routine and more profitable following an incident on the northern frontier of the Massachusetts colony. The practice

began in earnest in 1697 when settler Hannah Duston, having murdered ten of her Abenaki captors in a nighttime escape, presented their ten scalps to the Massachusetts General Assembly and was rewarded with bounties for two men, two women, and six children.[9] However, it would be only in the 1820s that the Duston story was revived, and she was made famous as the first Euro American woman in North America to be celebrated with a statue. Duston was very famous for a few years after 1697, at the time of her escape from captivity, and her bloody scalp trophies were highly publicized at the time, but she had been pretty much forgotten until stories about her began to appear in print and increased in numbers through the 1880s. Not just one, but three major monuments were erected in her honor. Lionized as a folk hero, Duston and her story were employed during the continuing bloody and genocidal wars against Native peoples to characterize settler and Army violence as defensive and virtuous, necessary, even feminine.[10]

Scalp hunting became a lucrative commercial practice from the early eighteenth century onward. The settler authorities had hit upon a way to encourage settlers to take off on their own or with a few others to gather scalps, at random, for the reward money. "In the process," John Grenier points out, "they established the large-scale privatization of war within American frontier communities."[11]

In the beginning, Anglo settlers organized irregular units to brutally attack and destroy unarmed Indigenous women, children, and old people using unlimited violence in unrelenting attacks. During nearly two centuries of British colonization on the Atlantic shore of North America,

generations of settlers gained experience as "Indian fighters" outside any organized military institution. The Anglo-French conflict may appear to have been the dominant factor of European colonization in North America during the eighteenth century, but while large regular armies fought over geopolitical goals in Europe, Anglo settlers in North America waged deadly irregular warfare against the Indigenous communities.

Much of the fighting during the eight-year settlers' war for independence, especially in the Ohio Valley region and western New York, was directed against Indigenous resisters who realized it was not in their interest to have a close enemy of Indian-hating settlers with their own independent government, as opposed to a remote one in Great Britain with wider global interests. Nor did the fledgling U.S. military in the 1790s carry out operations typical of the state-centered wars occurring in Europe at the time. Even following the founding of the professional U.S. Army in the 1810s, irregular warfare was the method used by the U.S. to conquer the Ohio Valley and Mississippi Valley regions. Since that time, Grenier notes, irregular methods have been used in tandem with operations of regular armed forces. The chief characteristic of irregular warfare is that of extreme violence against civilians, in this case the tendency to pursue the utter annihilation of the Indigenous population. "In cases where a rough balance of power existed," Grenier observes, "and the Indians even appeared dominant—as was the situation in virtually every frontier war until the first decade of the 19th century—[settler] Americans were quick to turn to extravagant violence."[12]

Many historians who acknowledge the exceptional one-sided colonial violence attribute it to racism. Grenier argues that rather than racism leading to violence, the reverse occurred: the out-of-control momentum of extreme violence of unlimited warfare fueled race hatred.

> Successive generations of Americans, both soldiers and civilians, made the killing of Indian men, women, and children a defining element of their first military tradition and thereby part of a shared American identity. Indeed, only after seventeenth- and early eighteenth-century Americans made the first way of war a key to being a white American could later generations of "Indian haters," men like Andrew Jackson, turn the Indian wars into race wars.[13]

By then, the Indigenous peoples' villages, farmlands, towns, and entire nations formed the only barrier to the settlers' total freedom to acquire land and wealth:

> U.S. people are taught that their military culture does not approve of or encourage targeting and killing civilians and know little or nothing about the nearly three centuries of warfare—before and after the founding of the U.S.—that reduced the Indigenous peoples of the continent to a few reservations by burning their towns and fields and killing civilians, driving the refugees out—step by step—across the continent. . . . [V]iolence directed systematically against noncombatants through irregular means, from the start, has been a central part of Americans' way of war.[14]

Most military historians ignore the influence that the "Indian Wars," waged from 1607 to 1890, had on subsequent U.S. military operations. In his history of American "savage wars," *The Savage Wars of Peace: Small Wars and the Rise of American Power*, counterinsurgent war enthusiast Max Boot does not even mention the Indian Wars as being related to his thesis.[15] As Grenier notes, "Historians normally dismiss backcountry settlers' burning of Indian villages and fields as a sideshow to the Army's attempt to mold itself into a force like those found in Europe. Yet, the wars of the Upper Ohio Valley and on the Tennessee and western Georgia frontiers are vitally important to understanding the evolution of Americans' military heritage."[16]

Those wars are also vitally important to understanding one of the two rationales for the Second Amendment: The white settlers were clear in declaring that their intentions were to drive the Indians from lands on the western side of the mountain ranges and to claim those lands as their own. Andrew Jackson's career arc personifies this dance of settler militias and the professional army. Jackson was born in 1767 in a Scots-Irish community on the North Carolina border with South Carolina. His father died in an accident a short time before he was born. Raised poor by a single mother, at age thirteen Jackson became a courier for the local regiment of the frontier secessionists in their war of independence from Britain. Jackson's mother and brothers died during the war, leaving him an orphan with

no family. He studied law and was admitted to the bar in the Western District of North Carolina, which would later become the state of Tennessee. Through his legal work, most of which related to disputed settler claims to Indian lands, he acquired a plantation near Nashville and enslaved 150 people for use as labor. He helped usher in Tennessee as a state in 1796. As the most notorious land speculator in western Tennessee, Jackson enriched himself by annexing a portion of the Chickasaw Nation's farmlands. It was in 1801 that Jackson first took command of the Tennessee militia as a colonel and began his ruthless Indian-killing military career, driving the Muskogee Nation out of Georgia. In the aftermath of "the Battle of Horseshoe Bend," as it is known in U.S. military annals, Jackson's troops fashioned reins for their horses' bridles from skin stripped from the Muskogee people they had killed, and they saw to it that souvenirs from the corpses were given "to the ladies of Tennessee." Following the slaughter, Jackson justified his troops' actions: "The fiends of the Tallapoosa will no longer murder our women and children, or disturb the quiet of our borders. . . . They have disappeared from the face of the Earth."[17]

In 1818, President James Monroe ordered Andrew Jackson, by then a major general in the U.S. Army, to lead three thousand soldiers into Florida, at the time part of the Spanish Empire, to crush the Muskogee-led Indigenous Seminole guerrilla resistance. The Seminoles did not agree to hand over any Africans who had escaped from their white enslavers. The United States annexed Florida as a territory in 1819, opening it to settlement. In 1821 Jackson was appointed military commander of Florida Territory.

Jackson carried out the original plan envisioned by the founders—particularly Jefferson—initially as a militia leader, then as an army general who led four wars of aggression against the Muskogee Creek and Seminoles in Georgia and Florida, and finally as a president who engineered the forced expulsion of all Native peoples east of the Mississippi to the designated "Indian Territory." As historian Alan Brinkley has observed, Jackson's political fortunes depended on the fate of the Indians—that is, their eradication.

Richard Slotkin describes a mystique that developed around the persona of the ranger, involving a certain identification with the Native enemy, marking the settler as original American rather than European. "By dressing and fighting as Indians, the ranger appropriated the savage's power and American nativity for himself and turned it against both savage and redcoat."[18] Following independence, this mystique became a part of popular culture, as well as military culture.

The formation of the Texas Rangers to extinguish Native presence in Texas after Southern slavers took it from Mexico magnified their mystique. Following the independence of Mexico from Spain in 1821, the territory of Mexico comprised the provinces of California, New Mexico (including Arizona and Colorado), and Texas, even though much of that territory was never actually settled by the Spanish, particularly the huge province of Texas. Mexico established "colonization" laws that allowed non-Mexican citizens to acquire large swaths of land under land grants that required development, and implied eradication of the resident Native people. By 1836, nearly forty thousand U.S. Americans, almost all of them Cotton Kingdom slavers, had

moved to south Texas. Their ranger militias were a part of the settlement, and in 1835 were formally institutionalized as the Texas Rangers. Once they were state funded and sponsored, they were tasked with eradicating the Comanche nation and all other Native peoples from Texas, what historian Gary Clayton Anderson calls the "ethnic cleansing of Texas."[19] Mounted and armed with the newest killing machine, the five-shot Colt Paterson revolver, they used it with dedicated precision.

While continuing violent counterinsurgency operations against Comanches and other Indigenous communities, the Texas Rangers played a significant role in the U.S. invasion of Mexico in 1846–48. As seasoned counterinsurgents, they guided U.S. Army forces deep into Mexico, engaging in the battle of Monterrey. Rangers accompanied General Winfield Scott's army by sea; took part in the siege of Veracruz, Mexico's main commercial port city; then marched on, leaving a path of corpses and destruction to occupy Mexico City, where the citizens called them Texas Devils, as the Rangers roamed the city terrorizing civilian residents. Brutalized by yet another foreign power, Mexico ceded the northern half of its territory (including the illegally Anglo-occupied Texas) to the United States. Texas became a state of the United States in 1845, seceding to join the Confederacy in 1860. The Texas Rangers returned to warring on Native communities and harassing resistant Mexicans.

During the second half of the nineteenth century, the Army of the West continued to combat the peoples of the Southwest and of the Northern Plains to the Pacific, formerly a part of Mexico. Military analyst Robert Kaplan

challenges the concept of Manifest Destiny, arguing "it was not inevitable that the United States should have an empire in the western part of the continent." Rather, he argues, Western empire was brought about by "small groups of frontiersmen, separated from each other by great distances." These groups were the continuation of settler "rangers" that destroyed Indigenous towns, fields, and food supplies. Kaplan downplays the role of the U.S. Army compared to the settler vigilantes, which he equates to modern Special Forces, but he acknowledges that the regular army provided lethal backup for settler counterinsurgency in slaughtering the buffalo, thus disrupting the food supply of Plains peoples, as well as making continuous raids on settlements to kill or confine the families of the Indigenous fighters. Kaplan summarizes the genealogy of U.S. militarism today: "Whereas the average American at the dawn of the new millennium found patriotic inspiration in the legacies of the Civil War and World War II, when the evils of slavery and fascism were confronted and vanquished, for many commissioned and noncommissioned officers the U.S. Army's defining moment was fighting the 'Indians.'"[20]

Although the U.S. Constitution formally instituted "militias" as state-controlled bodies that were subsequently deployed to wage wars against Native Americans, the voluntary militias described in the Second Amendment entitled settlers, as individuals and families, to the right to combat Native Americans on their own. However, savage war was also embedded in the U.S. Marines, established at independence, as well as the Special Forces of the Army and Navy, established in the mid-twentieth century. The Marine

Corps was founded in 1775, a year after the thirteen colonies formed the Continental Congress and Army, a year before the Declaration of Independence, thirteen years before the U.S. Constitution was ratified forming the state, and twenty-three years before the U.S. Navy was founded. The following year, the Marines made their first landing, capturing an island in the Bahamas from the British, what in Marine Corps history is called "Fort Nassau." In action throughout the Revolutionary War, the Marines were disbanded in 1783 and reorganized in 1794 as a branch of the United States Navy.

The character of a Marine is that of the colonial ranger, created for counterinsurgency outside U.S.-secured territory. The opening lyric of the eternal official hymn of the U.S. Marine Corps, composed and adopted in 1847, soon after the invasion of Mexico and during the occupation, is "From the Halls of Montezuma to the shores of Tripoli." Tripoli hearkens back nearly a half century to the "Barbary Wars" of 1801–15, when the Marines were dispatched to North Africa by President Thomas Jefferson to invade the Berber Nation, continuing this aggression, shelling the city, taking captives, and marauding for nearly four years, ending with the 1805 "Battle of Derna." It was there they earned the nickname "leathernecks" for the high collars they wore as defense against the Berbers' saber cuts. This was the "First Barbary War," the ostensible goal of which was to persuade Tripoli to release U.S. sailors it held hostage and to end what the U.S. called "pirate" attacks on U.S. merchant ships. Actually, the Berbers were demanding that their sovereignty over their territorial waters be respected. The Berbers did not

give up their demands, and the Marines were withdrawn, returning a decade later, in 1815–16, for the "Second Barbary War," which ended when Pasha Yusuf Karamanli, ruler of Tripoli, agreed not to exact fees from U.S. ships entering their territorial waters. This was the first military victory of U.S. "gunboat diplomacy," as it came to be called nearly a century later, when historians mark the beginning of U.S overseas imperialism. The Marines and military historians know better.

The Marine Corps's second large engagement was the Second Seminole War, which raged from 1835 to 1842 in Florida, the longest war in U.S. history until Vietnam. The Second Seminole War during the Jackson administration has been identified with the extraordinary leader of the Seminole resistance, Osceola. It was all-out war with the Army, Navy, and Marine Corps involved. Although, they succeeded in killing Osceola, they lost the war as the Seminoles would not hand over the Africans who had escaped their slavers, which is what the United States demanded of them. The military did succeed in deporting captives, mostly women, children, and old men, to Indian Territory. Armed forces returned to try again in 1855, waging the Third Seminole War, but after four years of siege, lost again. Soon after, the Civil War and the abolition of slavery made further war against the Seminoles unnecessary.

Of course, the Marine Corps is associated with "the halls of Montezuma," lyrics from their trademark hymn composed while they occupied Mexico City in 1847. While the U.S. Army invaded and occupied what is now California, Arizona, and New Mexico, the Marines invaded by sea and

occupied Veracruz, using counterinsurgency tactics in their march to Mexico City, burning fields and villages, murdering and torturing civilian resisters. They occupied Mexico City, along with Army divisions, until the Mexican government, under brutal occupation, signed a dubious treaty transferring the northern half of Mexico to the United States. In Marine Corps annals, the 1847 "Battle of Chapultepec" is legion, a battle in which a handful of teenage Mexican cadets—the Chapultepec Castle was used as a military training school—with few weapons and little ammunition held off the Marines, killing most of them over two days of endless fighting in the castle, until the cadets themselves were dead and the remaining Marines raised the U.S. flag and wrote their hymn, tracing their genealogy to the invasion and occupation of Tripoli.

In a 2017 portrait of President Donald Trump's secretary of defense, retired Marine Corps general James "Mad Dog" Mattis, journalist Dexter Filkins writes that Marines see themselves as a kind of warrior caste with "toughness under fire, and savagery in battle. Being much smaller than the Army, its budgets are skimpier and the equipment sometimes antiquated, while its fighters are often pitched into terrible conditions. But, the Marines take their scant resources as a source of pride. Where the Army scatters recruits across a vast institution that includes accountants and mechanics who have little contact with the harsher realities of military work, every Marine is trained as a rifleman, a combatant."[21]

Later in the century, Marine actions, particularly the infamous war in the Philippines, and others up to the present, are well known, but they themselves take pride in their

origins, which most U.S. Americans, including leftists, know little or nothing about. If they did, they would have to reconsider the overlooked violence in the nation's founding narratives.

The United States is a militarized culture. We see it all around us and in the media. But, as military historian John Grenier notes, the cultural aspects of militarization are not new; they have deep historical roots, reaching into the nation's racist settler past and continuing through unrelenting wars of conquest and ethnic cleansing over three centuries. Grenier writes, "Beyond its sheer military utility, Americans also found a use for the first way of war in the construction of an 'American identity.' . . . [T]he enduring appeal of the romanticized myth of the 'settlement' (not calling it conquest) of the frontier, either by 'actual' men such as Robert Rogers or Daniel Boone or fictitious ones like Nathaniel Bumppo of James Fenimore Cooper's creation, points to what D.H. Lawrence called the 'myth of the essential white American.'"[22]

The astronomical number of firearms owned by U.S. civilians, with the Second Amendment considered a sacred mandate, is also intricately related to militaristic culture and white nationalism. The militias referred to in the Second Amendment were intended as a means for white people to eliminate Indigenous communities in order to take their land, and for slave patrols to control Black people.

THREE

SLAVE PATROLS

Following the Rodney King riots in Los Angeles and the development of Cop Watch groups in cities around the United States, along with the widespread incarceration of Black men in the 1990s,[1] what had long been known by scholars, but rarely acknowledged in media or history texts, became increasingly clear on a national level: The origins of policing in the United States were rooted in slave patrols.[2]

In a study of slave patrols in Virginia and the Carolinas in 1700–1865, historian and law professor Sally E. Hadden writes: "People other than masters or overseers had legitimate rights, indeed, legal duties, to regulate slave behavior."[3] Black people escaping to freedom were hunted down to prevent labor loss to their white slavers, and also to send a message to those enslaved who might be strategizing to lose their chains through rebellion or insurrection.

Because chattel slavery was uncommon in the 1500s in England itself, the existing legal system that colonists brought to the early British colonies in North America did not suffice, so nearly all law related to slavery was forged in the colonies, borrowing from existing practices in Spanish, Portuguese,

and English Caribbean plantation colonies, and specifically borrowing the use of slave patrols from the Caribbean and adapting them to local conditions on the continent.

The 1661 and 1688 slave codes in the British Caribbean colony of Barbados extended the task of controlling enslaved Africans from overseers and slavers to all white settlers, in effect shifting private responsibility to the public. Any enslaved person outside the direct control of the slaver or overseer required passes and was subject to questioning by a slave patrol, as well as by any member of the European population; free Black men were denied such power. This collective racial policing was in addition to the traditional English constabulary that investigated and detained European residents for infractions of laws.

British slavers from Barbados moved in large numbers to the South Carolina colony after 1670, and brought the slave patrol practice with them.[4] By 1704, the South Carolina colonial government had codified slave patrols and embedded them within the already existing volunteer militias, whose principal role was to repel Native Americans whose land they had appropriated. Members of slave patrols were drawn from militia rolls in every locale. The South Carolina structure of slave patrols was adopted in other colonies by the mid-eighteenth century and would remain relatively unchanged until the Civil War. Following U.S. independence, this structure and practice was applied to what became the Cotton Kingdom, following the U.S. wars against the Muskogee peoples that ended in their forced relocation to Indian Territory.[5]

Virginia was the first of the thirteen English settler

colonies in North America, but there were fewer enslaved Africans there, and they were more widely dispersed than in South Carolina, as Virginia settlements were long surrounded by resistant Native communities. The Virginia militia was founded for one purpose: to kill Indians, take their land, drive them out, wipe them out. European settlers were required by law to own and carry firearms, and all adult male settlers were required to serve in the militia. Militias were also used to prevent indentured European servants from fleeing before their contracts expired, in which case they were designated "debtors." Despite militia vigilance, many escaped on ships in ports.

During the 1660s and 1670s, Virginia settlers turned from indenturing Europeans to importing enslaved Africans, and by 1680, the enslaved were required to carry passes. Of course, slave uprisings increased, and in 1705, the Virginia colony enacted its first slave code and established slave patrols. Militia members, focused on attacking Indigenous towns and fields to expand the Virginia colony refused to participate in slave patrols, so the colonial authorities imposed harsh punishments to control the enslaved Africans, such as death for even mentioning rebellion. Colonists prohibited the enslaved Africans from holding meetings or learning how to read. In 1727, the Virginia colony enacted a law requiring militias to create slave patrols, imposing stiff fines on white people who refused to serve.[6]

After 1650, slavers in Virginia began expanding deeper into the territory of the Tuscarora Nation, and were the first English settlers in what became the North Carolina colony in 1729. During the first three decades of Virginia

settler incursion, the colony's militia was used solely to attack and burn down Tuscarora towns, incinerate their crops, and slaughter the families who resided there. By 1722, the embattled Tuscaroras joined the Haudenosaunee (Iroquois Confederacy) and migrated north for protection from settler terrorism, while some communities remained in severely deteriorating conditions.

In 1715, North Carolina's slaver government began requiring passes for enslaved individuals who were in public spaces doing errands or rented out as craftsmen, as many were escaping from bondage to Spanish Florida or marooning in the swamps of Cape Fear. Militias were used for pursuing Africans escaping to freedom, but did not form specific slave patrols as a separate category. In 1753, fearing increasing slave rebellions, the North Carolina colony established what they called "searchers," not drawn from the militias but authorized by courts; later they would be called "patrollers." They were exempt from militia duty as well as from jury duty and taxation, and two decades later, actually were paid salaries.[7]

Public patrols of varying types were established in all the slave colonies, but, significantly, any individual, including free Blacks or Natives, could claim a reward for capturing a person escaping from slavery, a practice that continued until the end of the Civil War. If weapons were found with the captive, the catcher could collect compensation for the weapons or keep them.[8]

After Independence, rapid expansion of slavery into newly conquered Native territories brought a concurrent increase in slave patrols, but the basic structure remained.

An 1860 judicial hornbook, *The Practice at Law in North Carolina* is an example:

> The patrol shall visit the negro houses in their respective districts as often as may be necessary, and may inflict a punishment, not exceeding fifteen lashes, on all slaves they may find off their owner's plantations, without a proper permit or pass, designating the place or places, to which the slaves have leave to go. The patrol shall also visit all suspected places, and suppress all unlawful collections of slaves; shall be diligent in apprehending all runaway negroes in their respective districts; shall be vigilant and endeavor to detect all thefts, and bring the perpetrators to justice, and also all persons guilty of trading with slaves; and if, upon taking up a slave and chastising him, as herein directed, he shall behave insolently, they may inflict further punishment for his misconduct, not exceeding thirty-nine lashes.[9]

In *Slave Patrols*, historian Hadden argues that the notion that slave patrols were made up of impoverished white men,[10] as portrayed in *Gone with the Wind* and *Uncle Tom's Cabin*, is false. She cautions against conflating entrepreneurial individual "slave catchers" and slave patrollers. Whether rich or poor, all Euro American males were required to serve in militias and slave patrols, but the commanders of the patrols were property owners and slavers. Impoverished whites were not trusted and would be unable to compensate a slaver

for the property loss entailed in a death or injury incurred during an attempted capture.[11]

Writing about slavery in the Cotton Kingdom during the decades before the Civil War, historian Walter Johnson points to the central role horses played in subjugating runaways. Horses were a symbol of power for slavers, not only for show and racing, but as a physical symbol of racial power. "The words 'slave patrol' summon to mind a vision of white men on horseback, an association so definitive that it elides the remarkable fact that the geographic pattern of county governance in the South emerged out of circuits ridden by eighteenth-century slave patrols."[12] It was not only the advantage of height and speed that a horse provided in pursuing a person on the run, but also the nature of the animal itself, its own power, the fear the huge, galloping animal could evoke, and the severe bodily harm it inflicted when it trampled a person or when the patroller tethered a bound captive to the horse.

Another tool was the widely distributed "wanted" flier that alerted the public to be on the lookout, which attracted Euro Americans from hundreds of miles away to hunt freedom-seekers for bounty. And of course, slavers used dogs. Resistant Africans marooned in the swamps, or if fleeing rested there, where horses could not travel and most settlers were afraid to enter. Bloodhounds were trained from pups to identify and hunt Black people. "'Loyal' to their masters (or those to whom their masters hired them) and able to travel more rapidly than any human being across even the most difficult ground, these weaponized dogs were implacable enemies, driven by a purpose beyond that of even their owners."[13]

And above all, there were the guns. Historians Ned Sublette and Constance Sublette write:

> Unlike England, Virginia was a gun culture. "Whereas in England, only men with estates valued at above one hundred pounds sterling were allowed to own guns," writes Kathleen M. Brown, "English men in Virginia at all levels of property ownership were *expected* to own them. . . ." Guns and slavery were intimately associated with each other; all slave-raiding relied on guns, and all slaveholding relied on armed repression.[14]

By the early 1820s, slave-worked plantation agribusiness in Tidewater Virginia waned as the soils were degraded from mono-production and over-production, and investments moved to the Mississippi Valley. Nevertheless, slave patrols actually increased in Virginia, where the main commercial "crop" of the plantations was the enslaved person's body, as farms turned into breeding factories to produce slaves to be sold in the Cotton Kingdom.[15] Thomas Jefferson bragged to George Washington that the birth of Black children was increasing Virginia's capital stock by 4 percent annually. It is estimated that in 1860 the total value of enslaved African bodies in the United States was $4 billion, far more than the gold and silver then circulating nationally ($228.3 million, "most of it in the North," the authors add), total currency ($435.4 million), and even the value of the South's total farmland ($1.92 billion).[16]

Like slave patrols in the Deep South, the Texas

Rangers—formed primarily to kill Comanches, eliminate Native communities, and control colonized Mexicans to take their land—also hunted down enslaved Africans escaping to freedom. They began to operate in the 1820s, even before the population of slavers in the independent province of Texas had seceded from Mexico in 1836, when Mexico formally outlawed slavery. With the new border in place, enslaved Africans in Texas could escape into Mexico, often with the help of armed Seminoles and Kickapoos, who had fled to take refuge in Mexico rather than remain in Indian Territory, where they had been forced to migrate when the United States annexed their lands east of the Mississippi. They created a community west of Piedras Negras far inside Mexico, and a place for them to live freely. When the United States Army and Marines invaded and occupied Mexico, departing only when Mexico had ceded half its territory to the United States, these maroon communities were vulnerable. Slave hunting escalated, by the Rangers as well as by individual bounty hunters.[17]

The Thirteenth Amendment abolished legal chattel slavery, but the surveillance of Black people by patrols continued, as the occupying Union army took no concerted action against the patrols in most places (depending on the army commander), forcing formerly enslaved Africans to remain and work on plantations. Even with military vigilance, "patrolling" Black people continued as a form of organized terrorism, perpetrated especially by the Ku Klux Klan, which was founded for that very purpose nineteen months after the Civil War ended. The intensive military training and experience over four years of fighting in the

Confederate Army produced a militaristic character to the formation of police forces and patrol techniques under Reconstruction; in addition, the Freedmen no longer even had the protection of being valued as property and collateral by former slavers, allowing for extreme forms of revenge violence against them.[18]

When Republicans were elected to state offices, they attempted to reform local militias requiring all males to serve, regardless of race, but few Anglo-Americans would serve with Freedmen. Freedmen did serve in the state militias, but they also developed their own local volunteer militia groups. Former slavers spread rumors that Freedmen were forming insurrectionary armies to kill white people. White elites formed agricultural cooperatives to maintain economic dominance over Freedmen, a goal one group made clear: "a united and systematic plan with respect to the regulation of our colored population."[19] They also created their own forces to intimidate other Anglo-American farmers and merchants who attempted to trade with Black farmers, often putting white merchants out of business.

Most ominously, elite white Southerners formed volunteer militias under the guise of private rifle clubs. By 1876, South Carolina had more than 240 such clubs. This allowed thousands of Confederate combat veterans, along with former Confederate guerrillas, to mobilize quickly. Of course, the KKK was the most ominous terrorist organization to emerge from these efforts, its purpose being to subdue the Freedmen and control black labor when slavery ended. But the KKK was not alone. Either by their absence in many places or their actions in others, some of the U.S. Army officers

in charge made these developments possible. One that stands out is U.S. General E.R.S. Canby, a Kentuckian who was occupation commander of the Carolinas. Canby refused to make use of his own soldiers, and instead relied on white Southern law enforcement to maintain order. He had to have known what would happen. Like many U.S. Civil War commanders assigned to the occupation army of the former Confederacy, in 1872 he soon reassigned to the Army of the West, where he commanded troops to round up several dozen Modoc families in Northern California who refused to be forced into an Oregon reservation. The Modocs waged a year-long resistance to the Army's counterinsurgency, finally killing General Canby.[20] One of the reasons troops were pulled out of the South prematurely was to fight in the dozens of wars the United States was initiating against Indigenous Nations in the Northern Plains, the Southwest, and the West.[21]

As Hadden points out, Southern settlers had long relied on "self-help" measures to enforce slavery leading up to the formalized slave patrols, which had continued where possible during the Civil War. What was different after the abolition of slavery was the tons of technologically advanced guns and ammunition, and the tens of thousands of militarily seasoned and violent men who made ideal candidates for the Klan. Particularly, when the Confederate war hero Nathan Bedford Forrest joined the Klan, it gained a chivalric image that attracted other war heroes. Congress enacted laws forbidding secret groups, but the laws were rarely enforced.[22]

In fact, the United States never broke with the slaveocracy, as exemplified in the career of Nathan Bedford Forrest. He lost his parents and economic security at seventeen, but

became a slave trader, land speculator, and finally a wealthy slaver with his own large plantation. He was the epitome of the "self-made" man that was the vaunted ideal of white supremacy. In the Civil War, Forrest was a cavalry officer for the Confederate Army, infamous for having led the massacre of hundreds of Black Union soldiers in 1864, a war crime. Yet President Andrew Johnson granted Forrest a presidential pardon in 1868.[23]

The Klan, illegal as it was, operated like a huge slave patrol, requiring Freedmen to have written permission to travel from the plantations where many continued to work. The Klan established curfews for gatherings of African Americans, as well as limits on the number who could gather. The Klan burned homes, confiscated the guns of Freedmen, and, of course, inflicted punishment similar to slave patrols' beatings, but also had far more freedom to torture and murder, since the Black body no longer carried monetary value that the murderer would have to compensate for. Of course, Black people resisted, as they had resisted the slave patrols. However, the Klan was a private terrorist organization, not a public force, and had no legal status or accountability. Some Klansmen were put on trial, but none was ever convicted. Occasionally, the U.S. Army would declare martial law, but as one army commander said in 1871, "The entire United States Army would be insufficient to give protection throughout the South to everyone in possible danger from the Klan."[24]

From the perspective of African Americans who survived the organized violence, there was no distinction between patrollers, Klan, and white policemen, whether rural,

in towns, or in the cities. In nineteenth-century criminal digests, arrests made by slave patrollers before the Civil War continued to be used as legal precedents in the 1880s.

Hadden notes that the language of slave patrols is still employed in police work in the twenty-first century, "patrol" being the most obvious, but also "beat." More disturbingly, techniques were folded into police practices, such as surveillance methods like the stakeout. And until the 1960s pushback, police had little supervision and routinely brutalized and confined suspects without consequences; even in the twenty-first century, when police torture or murder Black people, juries rarely find the involved officers guilty of any crime.[25]

In the first four decades of the twentieth century, around 6 million African Americans left the South. With World War II, 1.5 million more left the South between 1940 and 1950, many to work in the war industry in California. More than 300,000 Black Southerners migrated to the greater Los Angeles and San Francisco Bay areas during that decade. And, during the Depression and droughts of the 1930s, a wave of some 400,000 mostly Anglo Oklahomans, Texans, Arkansans, and Missourians poured into California, followed by another wave to work in the war industry in the 1940s.

In 1950, William Parker became chief of the Los Angeles Police Department (LAPD) for the following decade and a half, ending after the 1965 Watts Uprising. The LAPD was already virtually all white and solidly racist, with mainly Mexicans making up the oppressed and controlled target community. With the goal of controlling the increasing African American blue-collar population in South Central Los

Angeles, Parker began recruiting Anglo veterans from the South and Southwest who had settled in Southern California after the Dust Bowl migrations or military service. The new technology of television brought the series *Dragnet* to homes all over the country, extolling the LAPD and attracting recruits, as well as influencing other urban police forces all over the country. During this time, the LAPD became the most notorious racist police operation ("police culture") in the country, with nearly every aspect of the Southern tradition of slave patrols woven into the system.[26] A similar police force was formed in Oakland, where many Black veterans and war-industry workers had settled. At the same time, the Civil Rights movement was making widespread gains, with school integration mandated by law and growing Black resistance to police violence in the South, in Northern cities, and in Los Angeles and Oakland.

In an article for *The Atlantic*, liberal writers Saul Cornell and Eric M. Ruben make a strong argument for the slave-state origins of modern gun rights. Certainly, any inquiry into the institutionalization of slave patrols in those colonies/states reveals the connection with the Second Amendment.[27] However, this does not explain why the N.R.A. and gun rights are so popular in other parts of the country. Armed slave patrols comprise half the story in the Second Amendment; the whole story implicates more than the slave states. While the "savage wars" against Native Nations instituted brutal modes of violence for the U.S. military, and slave patrols seamlessly evolved into modern police forces, both have normalized racialized violence and affinity for firearms in U.S. society.

FOUR

CONFEDERATE GUERRILLAS TO OUTLAW ICONS

I grew up in rural Oklahoma. Both my parents were born in western Missouri. My father, besides being a tenant farmer and rodeo man, was an actual proletarian cowboy who worked on a large cattle ranch in Oklahoma mending fences and herding cattle long distances before he married my mother. In this world, stories of "Robin Hood" outlaw heroes were pervasive. These included the James Gang, Jesse and Frank; the Younger Brothers, Cole, Jim, John, and Bob; and Belle Starr—dubbed the "Bandit Queen"—my female role model. I was, thanks to my mother, a devout Southern Baptist, yet it didn't seem contradictory that these bandits broke nearly all the Ten Commandments, because they stole from the rich and gave to the poor, or so it was said. Not until I moved to San Francisco when I was twenty-one and took a college course in U.S. West History did I learn that all my heroes had been Confederate guerrillas associated with William Quantrill's Rangers. They all came from middle-class families who bought, sold, and worked enslaved Africans, and who were devoted to

the Confederacy, that is, the preservation of chattel slavery. This came as a shock, because I had for the previous four years taken sides in favor of the Civil Rights movement and despised racism, the main reason I left Oklahoma as soon as I could. I've been trying to figure out this disconnect ever since. But I do know that border-outlaw narratives have played a role in gun fetishism and a culture of violence in the United States.

I was not alone in buying into the myths about these outlaws. Even in San Francisco, New York City, and beyond, during the folk music revival of the late 1950s, Woody Guthrie's 1939 recording of the 1882 traditional song extolling Jesse James was revived and made the pop charts:[1]

Oh, they laid poor Jesse in his grave, yes, Lord
They laid Jesse James in his grave
Oh, he took from the rich and he gave to the poor
But they laid Jesse James in his grave

Pete Seeger recorded the song in 1957, followed by Eddy Arnold in 1959, the Kingston Trio in 1961, and in the 1970s it made the charts again, recorded by the Nitty Gritty Dirt Band as well as by Bob Seger; even The Pogues and Bruce Springsteen got into the act in the mid-1980s. It was recorded by dozens of other lesser-known folk, pop, and country musicians.

And there was a larger theme of sympathy for the slave South's "Lost Cause" in the 1960s counterculture. The Band first recorded "The Night They Drove Old Dixie Down," with lyrics by Robbie Robertson,[2] in 1969, when they were

closely associated with Bob Dylan, topping the charts in several categories; Joan Baez recorded it in 1971, with the same result, as did Johnny Cash in 1975. Liberal San Francisco music critic Ralph J. Gleason waxed eloquent on The Band's recording: "Nothing I have read . . . has brought home the overwhelming human sense of history that this song does. . . . It's a remarkable song, the rhythmic structure, the voice of Levon [Helm] and the bass line with the drum accents and then the heavy close harmony of Levon, Richard and Rick in the theme, make it seem impossible that this isn't some traditional material handed down from father to son straight from that winter of 1865 to today. It has that ring of truth and the whole aura of authenticity."[3]

Virgil Kane is the name . . .
In the winter of '65, we were hungry, just barely alive
By May the tenth, Richmond had fell, it's a time I remember, oh so well
The night they drove old Dixie down, and the bells were ringing . . .
Ya take what ya need and ya leave the rest,
But they should never have taken the very best . . .
Like my father before me, I will work the land
Like my brother above me, who took a rebel stand
He was just eighteen, proud and brave, but a Yankee laid him in his grave

This was a post–World War II composition mourning the Confederate defeat in the Civil War, written by Robbie Robertson, also a member of The Band and one of the most

celebrated of the many musicians, writers, and producers coming out of the 1960s. He is also Mohawk, his mother from the Six Nations Reserve outside Toronto, Canada, his father Jewish. Not having grown up in the United States, Robertson likely had very little knowledge of the Civil War, but Joan Baez did and was a pacifist and an icon of the African American Civil Rights movement of the time. It seems that the sanitized lore that views bloody, murdering, Confederate guerrillas as righteous outlaws continues to be deeply engrained in United States culture.[4]

It wasn't just the music counterculture, but also mainstream pop culture. *True Grit*, a best-selling 1968 novel by Charles Portis, also serialized in the popular mass-distributed magazine *The Saturday Evening Post*, was made into a blockbuster movie in 1969, featuring John Wayne as the fictional Rooster Cogburn, former Confederate guerrilla with Quantrill. John Wayne won the Academy Award for best acting in the role of the good-hearted drunken anti-hero who proves himself a true hero. Ethan and Joel Coen did a 2010 remake of the film for the new generation starring Jeff Bridges in the John Wayne role, accompanied by a new edition of the novel with an afterword by best-selling author Donna Tartt, which reached number one on the *New York Times* best-seller list.

The 1976 film *The Outlaw Josey Wales*, directed by Clint Eastwood and scripted by Forrest Carter, adapting his 1972 novel *The Rebel Outlaw: Josey Wales*, featured a Missouri Confederate guerrilla played by Clint Eastwood and was based on the true story of Bill Wilson, a folk hero in the Ozarks. After Union troops murder his wife and child, Wales refuses

to surrender at the end of the war, seeks revenge, and guns down the Union man who murdered his family. He then flees to Texas with a bounty on his head. In the film, Josey Wales expresses his worldview: "Now remember, things look bad and it looks like you're not gonna make it, then you gotta get mean. I mean plumb, mad-dog mean. Cause if you lose your head and give up then you neither live nor win. That's just the way it is."[5]

Forrest Carter, who wrote the script for *The Outlaw Josey Wales*, is the pen name of Asa Earl Carter (1925–1979) who was a leader in the Ku Klux Klan in the 1950s and a speechwriter for the segregationist Alabama governor George Wallace in the 1960s. He changed his name and successfully turned to writing, first the Josey Wales book, then in 1976 what claimed to be a memoir, *The Education of Little Tree*.[6] The story is told by an orphaned boy of five years old, being raised by Cherokee grandparents who called him "Little Tree," with stereotypical noble savage actions and settings, perfect for the growing "New Age" appropriation and distortion of Native ways. At the book's release, *The New York Times* published an article outing Forrest Carter as Asa Carter, former Klansman. It was not a big secret, as Carter had run for governor of Alabama in 1970. The article reported, "Beyond denying that he is Asa Carter, the author has declined to be interviewed on the subject."[7]

Carter died at age 53 in 1979, beaten to death in a fight with his son. His literary fame faded. There had been no questioning of Carter's claim of Cherokee identity until the University of New Mexico Press bought the rights to *The Education of Little Tree* in 1985, and published it as nonfiction

in 1991. The book took off and became the number one best seller on the *New York Times* best-seller list, won the American Booksellers Book of the Year award, and became a much loved book. The Cherokee Nation denied that Carter was Cherokee, and Carter's Ku Klux Klan background was once again revealed, leading the *Times* to shift the book to its fiction list. Despite calls from the Native American academic community and the Cherokee Nation that the University of New Mexico Press withdraw the book from publication, instead they changed the cover, removing the "True Story" subtitle, and reclassified it as fiction, but the biographical profile did not change to include Carter's Klan activities and the lack of evidence of his being Cherokee; it remains one of their best-selling books. Oprah Winfrey had endorsed the book when it was published, but removed it from her recommendations in 1994.

Clint Eastwood, directing *The Outlaw Josey Wales*, featured several stereotypical Native American characters, written by Carter and performed by excellent Native American actors, Geraldine Keams as a love interest, the elderly Chief Dan George as the protagonist's spirit guide, and Will Sampson as a protector. In the script, there is no mention of slavery, even though Wales was a Confederate guerrilla who rejected the Confederate defeat.

Two other widely viewed films—*Bonnie and Clyde* and *Pat Garret and Billy the Kid*—glorified the gun violence of real-life outlaws who were not Confederate guerrillas, but have contributed to those narratives being folded into ones of the Wild West, even though Bonnie and Clyde were bandits in the Great Depression era and Billie the Kid's short

life ended in 1882. With *Bonnie and Clyde*, Arthur Penn broke through to mainstream box-office triumph and was embraced by the counterculture of 1967 at the same time. The film was noted for the bloodiest scenes in film history, and starred Warren Beatty and Faye Dunaway. Sam Peckinpah's 1973 film *Pat Garret and Billy the Kid* featured the popular musician and songwriter Kris Kristofferson as the Kid and a memorable soundtrack by Bob Dylan, who also played a cameo role.

How did it happen that popular culture transformed Confederate guerrillas into celebrity Western gunfighters, merging them with actual Western gunfighters, and what has this phenomenon contributed to the culture of violence and gun-love in the United States?

As explored in the previous two chapters, Euro American settlers had a long tradition of organized violence against unarmed civilian populations, their habitats, and their food supplies, beginning with the first early seventeenth-century incursions into Indigenous communities that reached global proportions in the "French and Indian War" (the North American theater of the 1754–1763 Seven Years' War between England and France), which was fought over colonialist domination of Native territories, followed soon after by the Anglo settlers' violent eight-year war for independence from Britain. In the first half of the nineteenth century, U.S. Americans' counterinsurgent operations and wars continued against resistant Natives, Mexicans, Mormons, and, in the Missouri-Kansas border conflict over slavery of the 1850s, each other, continuing through the Civil War itself. In dealing with the Civil War

specifically, historians often divide guerrilla combatants into a top-down hierarchy, distinguishing between cavalry raiders, partisan rangers, and bushwhackers, the latter low category reserved for the Missouri-Kansas guerrillas. Guerrillas of these three types were part of the total war strategies of both the Union and Confederate armies, but in the case of the Missouri-border bushwhackers, they were outside any command structure and lacking actual battlefields in Missouri. These were small volunteer units under a leader the most famous being William Clarke Quantrill and "Bloody" Bill Anderson that attacked any sign of Union presence or suspected sympathies with the Union. This included an early morning assault on pro-Union Lawrence, Kansas, in which more than two hundred residents were massacred. During the Civil War, these bands were continuing a decade of irregular war when they had raided Kansas's abolitionist households and institutions, and in turn were attacked by their counterparts, such as John Brown and his sons; when the Civil War broke out, the opposing forces were Kansas anti-slavery guerrillas, called "Jayhawkers." Not only young men were combatants, but whole extended families and communities were involved, young women often as couriers, such as teenage Belle Starr.[8]

Missouri became a state of the United States in 1821, entering as a slave state, but it never formally seceded or joined the Confederate States of America. Both the Union and Confederacy claimed Missouri, which had two competing state governments and representatives in the U.S. Congress as well as in the Confederacy Congress. What became the state of Missouri had been a section of the French

Louisiana Territory that the Jefferson administration purchased from Napoleon in 1803. As with the founding of all the colonies before U.S. Independence, and of territories that would become states after Independence, settlers and their voluntary militias preceded the armies and administrators in displacing the Native population. In the case of Missouri, Daniel Boone, with his extended family and community, led Anglo-American settlement there, migrating from Kentucky when Missouri was still a part of the Spanish Empire; he had initiated settlement on Native land in Kentucky illegally under British law in 1769. Boone's group settled a swath along both sides of the part of the Missouri River, from St. Louis, on the confluence of the Missouri and Mississippi rivers, to Kansas City, at the western end of the Missouri River before it turns north, and this is where the Missouri Confederate guerrillas were born. Some of the area reached to the Missouri part of the Ozarks.[9]

In Missouri, there were no super-wealthy slave-worked cotton plantations with absentee owners, as there were in the Deep South, but the labor of enslaved Africans was often used in Missouri to commercially produce hemp, corn, wheat, oats, and rye. At the onset of the Civil War, enslaved Africans made up nearly 10 percent of the population in Missouri, while slavers were only 3 percent of the settler population. There were tensions between those who did and those who did not own property. Yet, if few Missouri families enslaved people compared to the numbers in the South, slavers were brutal and Black people were brutalized equally, if not more, after being freed.[10]

The August 1863 massacre in Lawrence, Kansas, led

by William Quantrill was one of many brutal attacks and counterattacks occurring at the time between those loyal to either abolitionism or slavery. Lawrence had become famous for being a militant anti-slavery bastion, founded by settlers from the Massachusetts Emigrant Aid Society soon after Kansas Territory was opened by the federal government in 1854. Pro-slavery Kansas settlers sacked and burned Lawrence in 1856, which set off months of guerrilla warfare, best remembered for the role of abolitionist John Brown and his sons.

William Quantrill was born in Ohio, made his living as a cattle rustler and slave catcher in Missouri-Kansas and Texas, and was living in Lawrence in 1859, although not yet politicized. Quantrill's pro-slavery terrorism in Missouri coincided with the onset of the Civil War, when he and fifteen men set out to torture, kill, and destroy the properties and livestock of abolitionists and their supporters. In August 1862, Quantrill received a field commission as a captain in the Confederate Army.[11]

By the time of the attack on Lawrence a year later, Quantrill was able to muster a force of hundreds of Bushwhacker guerrillas, nearly all armed with multiple six-shot revolvers. The group staged its attack at daybreak, when everyone in the town was still sleeping. Although the men of Lawrence had drilled and practiced for defending themselves and the town, they stored their firearms and ammunition in the city's armory, so the sleeping population was defenseless when the lightning attack began. Over a span of hours, the guerrillas secured the main hotel as a command center, slaughtering 150 unarmed men and boys, most of the

adult males of the town. They burned about a quarter of the town's buildings, including all the businesses except two.[12]

For the city of Lawrence today, the trauma of the massacre still resonates, especially for the descendants of the dead and survivors. "'It was utterly catastrophic,' said Pat Kehde, a retired Lawrence bookstore owner and great-granddaughter of Ralph and Jetta Dix," reads a *Wichita Journal* account 150 years after the fact. "On the morning of the raid, Jetta tried to protect Ralph by standing between William Quantrill's men and her husband. When Jetta stumbled as one of Quantrill's men rode his horse into her, Ralph was momentarily unguarded and in that instant was shot and killed."[13] "We are in an age where we have a war on terrorism, and we talk about terrorism all the time," said Lawrence historian Paul Stuewe, "but we don't think about the 19th-century terrorism."[14] "It is a calamity of the most heartrending kind," said the *New York Times* following the attacks, "an atrocity of unspeakable character."[15]

Following the Civil War, John Newman Edwards, who had fought for the Confederacy, wrote *Noted Guerrillas*, extolling the Missouri guerrillas as great patriots of the Confederate cause, romanticizing the taking of life up close, claiming the guerrillas were almost superhuman specimens, trying to place them alongside the valiant Confederate Army to be commemorated. He was fascinated by the guerrillas' deft use of the pistol, often attacking with one in each hand, rather than a rifle, which was the standard weapon used by professional soldiers. He wrote that before a battle, "a Guerrilla takes every portion of his revolver apart and lays it upon a white shirt, if he has one, as carefully as a surgeon places

his instruments on a white towel. . . . He touches each piece as a man might touch the thing that he loves."[16]

Edwards also portrayed Quantrill and his guerrillas as expert horsemen, shooting while riding fast. In fetishizing the guerrilla revolver and the horse, Edwards heralded the beginning of the "cowboy" and "outlaw" hero of the post–Civil War decades, even though these figures had nothing to do with cattle or ranching or even the "West."[17] Some of the most enduringly famous, or infamous, of the Missouri guerrillas—Jesse James, Cole Younger, Myra Maybelle Shirley (Belle Starr), and their brothers—came from land-owning slavers; some, like the Shirleys, ran successful business operations and were well connected politically. Their elevation to post–Civil War social bandit heroes would eclipse their former pro-Confederate deeds.[18] In the two decades after the Civil War, the Winchester rifle was fetishized for killing Indians, and the Colt revolver for outlawry. In the process, gun violence and civilian massacres were not just normalized, but commercially glorified, packaged, promoted, and mass marketed.

"In the annals of American frontier mythology, no two figures have become more synonymous with generic notions of the 'Wild West' than Billy the Kid and Jesse James,"[19] writes historian Matthew Christopher Hulbert, noting that people often confuse the two, especially by placing Jesse in New Mexico and other parts of the former Mexican territory. Their biographies were collapsed in the cheap Western novels that were popular the way movies and television were later. They were each assassinated within nine months of each other, July 1881 for Billy the Kid and April 1882 for

Jesse James. Billy was born Henry William McCarty to a single mom who was an Irish famine refugee in New York City. She took him to New Mexico, where she died. As an orphan kid, he worked as a cowboy on ranches, then as a gunman in the service of a rancher in the endemic Anglo ranch wars of the time. Billy was twenty-one when Sheriff Pat Garrett assassinated him. Jesse James was thirty-five when he was assassinated. They never crossed paths, as Billy was never outside New Mexico after he moved there, and Jesse never strayed far from the Missouri borderlands with Kansas and the Indian Territory (eastern Oklahoma) where he would hide out. Hulbert points out that through fiction and later film, Jesse James is merged, along with a handful of other Confederate guerrillas, into the "same abstracted geographical space (the 'West') during an equally abstracted period of time (when that ambiguous western locale was particularly 'Wild')." The most storied of the Missouri-guerrillas-turned-Western-outlaws besides Jesse James was his brother Frank—they made up the leadership of the "James Gang"—along with Cole Younger and his brothers—the "Younger Brothers," with whom the "Bandit Queen" Belle Starr rode.[20]

Of course, there were other gunslinging outlaws besides Billy the Kid who were not former Confederate guerrillas, such as Wild Bill Hickok, the Dalton Brothers, and many more. But, historian Hulbert is interested in understanding the cultural process by which Jesse James and, through his legend, the other Missouri guerrillas "came to exist symbolically, first in two places—Missouri and the Wild West—and then only in one: the West of the popular imagination."

> Understanding this process is far more important than we might realize, for this is not merely a process of westernization but, through it, "Americanization." Bloodthirsty Confederates are being incorporated (and "made safe") via a process that moves them west and buries them there—allowing them to become larger-than-life legends of American machismo. With them gone, the Civil War can safely remain the *civilized* test of American manhood, and the Wild West can become the *civilizing* test of American manhood. In the end, then, both "histories" become genres of American masculine self-congratulation.[21]

In the mid-twentieth century, with real and fictional Western heroics in decline, fetishization of guns and the Second Amendment accelerated, along with mass shootings, nearly all carried out by white men.

Jesse James lore contributes to the Americana so beloved in the culture, generating "gun culture," as does the iconic figure of Daniel Boone, the commercial hunter who trail-blazed across the Appalachian chain and into the Ohio Country, illegally establishing a settlement in what would become Kentucky, and then moved on to Missouri as one of the first settlers before it became a state. Jesse's parents, Robert and Zerelda James, moved from Kentucky in the wake of Daniel Boone's trek there. Boone himself was of Welsh heritage, born in Pennsylvania, but most of those who followed his migration were Scots-Irish. Westward migration of Scots-Irish settlers represented a mass movement

between 1720 and the War of Independence; during the last two decades of the eighteenth century, first- and second-generation Ulster-Scots continued to migrate to the Ohio Valley, West Virginia, Kentucky, and Tennessee. Ulster-Scots cleared forests, built log cabins, killed Indians, and took their cultivated land; historian Carl Degler writes, "These hardy, God-fearing Calvinists made themselves into a veritable human shield of colonial civilization."[22]

Richard Slotkin finds the origin of U.S. nationalism in the late eighteenth-century treks of settlers over the Appalachian-Allegheny spine. Daniel Boone, he writes, "became the most significant, most emotionally compelling myth-hero of the early republic," the U.S. American hero as "the lover of the spirit of the wilderness, and his acts of love and sacred affirmation are acts of violence against that spirit and her avatars." In the twentieth century reformation of the archetype, promoted notably in the writings of Theodore Roosevelt and, of course, Western novels and films, Slotkin finds the "hunter" and the "farmer," or "breeder," and especially "the man who knows Indians."[23] Indeed, it is rare even today to meet a descendant of the old settler trekking culture who does not identify Daniel Boone as a direct ancestor.

Jesse James was sixteen years old in 1863 when he joined the Missouri pro-Confederate guerrillas; his older brother Frank was already an experienced member. Jesse had less than twenty years to live, in which time he became one of the most famous men alive. Among his mentors in his two years as a guerrilla was Archie Clements; together the two were involved in particularly gruesome killings, including

mutilations of corpses. After the war ended, Clements led a group of former guerrillas, including Jesse, in an armed robbery of a bank. Soon Clements himself was murdered, and leadership fell to the now twenty-one-year-old Jesse James. By 1868, this group became known as the James-Younger Gang, with Jesse at its head, and included his brother Frank, Cole and Jim Younger, and four other former Confederate guerrillas. Two other Younger brothers, John and Bob, too young to be guerrillas during the war, also rode with the gang. They robbed banks and trains in Missouri, Kansas, Iowa, and Kentucky until 1876, when the enterprise crashed in a failed attempt to stick up a bank in Northfield, Minnesota. Several members of the gang were captured and sent to prison, including Cole and Jim Younger, but Jesse escaped. He tried, but failed, to form another gang, and lived the final six years of his life in the open in St. Joseph, Missouri, using the fake identity of a Mr. Howard, a horse trader. His assassin, Robert Ford, hired by the governor of Missouri, found and befriended him, then shot him dead in 1882.[24] In 2007, Hollywood revived Jesse as a lone hero in a critically acclaimed film, *The Assassination of Jesse James by the Coward Robert Ford*, starring Brad Pitt as Jesse and Casey Affleck as Ford.

In his biography of Jesse James, T.J. Stiles makes an important point about the guerrillas-to-outlaws period, observing that they emerged during a time of new mass-produced guns made with innovative technology, which were much more lethal but also more affordable than guns had ever been.

> Before the Civil War, most firearms were handmade by local gunsmiths. Rapid-firing handguns, designed to kill people, were relatively uncommon. There was so little demand for Samuel Colt's revolutionary revolver that his Patent Arms Manufacturing Company went bankrupt in 1843. The Civil War changed all that by putting firearms in the hands of millions of men, fostering mass production of revolvers, and launching a new marketing offensive by weapons makers. On May 5, 1865, with scattered skirmishes still flaring in Missouri, Secretary of War Edwin M. Stanton wired a striking message to the military commander there. 'Gun manufacturers are applying for leave to sell guns and ammunition to the loyal people of Missouri. . . . Is there any objections to opening the trade to the sale of fire-arms and ammunition, and under what restrictions if any?' There were neither objections nor limitations.[25]

During the Civil War's irregular warfare against noncombatants, citizens began to carry firearms, and gun violence and murder became commonplace. The normalization of violence included the racial terrorism of the KKK and other armed groups, as well as the outlaw violence carried out by individuals and crime gangs. Not surprisingly, many of the gunfights of the late nineteenth century in the West took place between Union and Confederate veterans or supporters. Ghosts of those battle lines can be detected in contemporary divisions on gun rights and gun control.[26] Today,

one can see the Confederate battle flag unfurled at protests and rallies and at gun shows in South Carolina and Virginia, as well as in the Pacific Northwest or Chicago.

Former Confederate guerrillas jumped on the opportunity to join Theodore Roosevelt's "Rough Riders" in Cuba. Due to increasing insurrections of enslaved populations, in 1886 the Spanish Empire abolished legal slavery in Cuba. Spain had remained active in the transatlantic slave trade up to that time, and had transported a million enslaved Africans to Cuba. But by 1895, Afro-Cubans, along with Spanish-Cuban revolutionaries, had raised a full war of independence against Spain. They were on the cusp of victory in 1898, when they were crushed by the U.S. invasion and occupation. The United States falsely took credit for ousting Spain and "freeing" the Cuban people in what U.S. historians call the "Spanish-American War," next turning to the Philippines to neutralize their revolution against Spanish control.

When President William McKinley called for volunteers to fight in Cuba, future U.S. president Theodore Roosevelt, then assistant secretary of the Navy, resigned and dipped into his personal fortune to finance and outfit the First United States Volunteer Cavalry, one of three voluntary regiments raised for the invasion. The core troops that he outfitted were drawn from the Ninth Cavalry ("Buffalo Soldiers"), the segregated African American army regiment, but his call for volunteers was answered by many former Confederate and Union regular soldiers as well as guerrillas. Roosevelt borrowed the term "Rough Riders" from "Buffalo Bill's Wild West and Congress of Rough Riders of the World," melding war and show business. Out

of the many thousands of men who volunteered, the thousand-plus whom Roosevelt chose came from Arizona, New Mexico, Oklahoma Territory, and Texas. The requirements included being good with guns and horses, and physically capable; most were working cowhands, prospectors, gamblers, hunters, lawmen, Civil War veterans, and former Confederate guerrillas.

In the fight, the presence of former Confederate and former Union soldiers and guerrillas, white and Black, even some Native Americans, all fighting on the same side under the U.S. flag, signaled a certain reconciliation: "To former Union vets, ex-Rebels carrying the American flag reiterated their victory in the Civil War. To former Confederates, the Spanish-American War was an invaluable opportunity to renew their status as citizens of the United States once and for all."[27] The Army became the institution that brought North and South together in militarism, and also the one that brought them to the cutting edge of racial and gender integration.

And so began the long twentieth century of endless U.S. wars, covert and open, with a distinct revival of gun glorification and a recasting of the personalities of brutal pro-slavery guerrillas as outlaw heroes, the influence of which continues to spill over into the present.