Life, Liberty, and the Pursuit of Happiness: Documents in American History, Volume II

1861 TO PRESENT

P. Scott Corbett / Ronald C. Naugle

Life, Liberty, and the Pursuit of Happiness

DOCUMENTS IN AMERICAN HISTORY, VOLUME II: 1861 TO PRESENT

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Documents in American History, Volume II: 1861 to Present

DEDICATION

Our families encouraged and supported us in many ways;
We dedicate this collection of primary works to them.

Tracy Cui Yi Corbett
who many years ago inspired a seeker for meaning to give up smoking and content himself with a long life as a historian.

Robert P. Corbett, Christopher Daniels Corbett, and Daniel Cui Corbett
three individuals, two generations, and one family living history, studying history, and making history.

Gretchen Rohn Naugle
who long ago took the boy out of the carnival but left the carnival in the boy.

Meredith Susannah Rohn Naugle
a metallurgical engineer who learned from her unconventional parents she could achieve anything she set her mind to.

INTRODUCTION

The range of documents appropriate for the study of American history is exceptionally rich. In assembling this volume, we have again been impressed both by the degree to which documents provide a deeper understanding of the times and context within which they were produced, and by how they connect with both preceding and succeeding events. The experience has reinforced our conviction that documentary study is an invaluable means to understand the American past. Yet, the study of primary documents for this purpose raises substantive issues ranging from historical interpretation to pedagogy. Where to begin and what to include become the most important questions.

We begin with what we believe many Americans already know and/or think they understand about the major events and themes of our nation's history. It is, after all, the recognition of names, events, and issues related to the past and the perception of knowledge and understanding of those elements that underlies American behavior and provides a foundation for American identity. Identifying a thematic framework for selecting documents that furnish insight into the American past became the first task. "Life, liberty, and the pursuit of happiness" quickly emerged as such a touchstone. It is a phrase omnipresent in the minds of Americans during the course of the recent past and one that has become a litany for what America was, is, and still aims to be. It has served frequently as a prism, even *the* prism to understand and interpret events and issues that have affected the entire course of the American republican experiment.

"Life, liberty, and the pursuit of happiness" also serves for many Americans as the bedrock of inalienable rights that channels the energies of citizens and their government into performing duties and shouldering responsibilities. Yet, for all that Americans pack into the phrase, the document from which it is derived, the Declaration of Independence, had its own unique and particular purpose grounded in a specific time and place. By going to the source, the document itself, it becomes clear that the Declaration of Independence did not create a mechanism or instrument of government, as many commonly assume. Rather than create freedoms and establish the role of government for Americans, the phrase "life, liberty, and the pursuit of happiness" in the Declaration was a rhetorical device to justify revolution and inspire people to dedicate their "lives," fortunes, and "sacred honor" to achieving an independent and self-sustaining government that would then and only then secure those rights. Nor did the Declaration of Independence create an independent United States of America; it

merely served notice of the intention of the colonial revolutionaries to lead their neighbors and countrymen to that end.

As the central organizing theme for this collection of documents, "life, liberty, and the pursuit of happiness" provided the context for both selecting documents and for relating them to the unfolding events of American history. Some variation of the theme has certainly propelled people to this continent well before independence and every day since. In that process the theme has acquired a malleability that has enabled it to be reshaped at various times by various players in the nation's historical drama.

Various communities and subcommunities on the North American stage have defined "life, liberty, and the pursuit of happiness" differently or had different expectations of how it should be applied or used to guide behavior and policy. Native Americans, African Americans, women, various religious bodies or sects, and certain classes have all seized upon the phrase as ammunition for their battles and struggles to have those terms meaningfully articulated and implemented according to their specific visions and desires. Going to the source to understand the fabric of American history must therefore include consideration of the perspectives of such groups as they struggled to alter or preserve their American landscape.

Finally, it has become obvious over the years that the typical classroom contains persons who differ in how they learn, what they find interesting, and in how they formulate and articulate their knowledge. Work on multiple learning styles pioneered by Howard Gardner in numerous experiments over the past thirty or so years has identified nine multiple intelligences including verbal/linguistic, math/logical, visual/spatial, musical/rhythmic, bodily/kinesthetic, naturalist, intrapersonal, interpersonal, and existential. Accordingly though the selections in this book and the organization of the chapters will not strictly adhere to a format requiring equal representation of each of the nine intelligences. We have tried to include documents and other primary sources that might appeal to the broader range of intelligences that exist within today's classrooms. In some cases a single prompt may serve to release the energies and the inspiration of more than one of the intelligences. For example, the photographs from the Vietnam era (Chapter 30) might connect with anyone's visual/spatial intelligence, but they might also resonate with the interpersonal or the existential intelligences of students as they suggest, in more powerful ways, fundamental issues regarding human relations and the consequence of power.

The importance of learning what primary sources are and how their content becomes the choice historians make in formulating narratives and interpretations about the past may not seem self-evident these days. With so many historians laboring long and hard to create readable and stimulating accounts of the past, we may be lured into forgetting the importance of deriving some of our knowledge of our past from the original concepts and ideas grounded in their own time and place. It has been observed repeatedly over the years that the crucial rationale for the study of the nation's past is the need for citizens to become knowledgeable enough to utilize and shepherd their own freedoms and claims to the Declaration's inalienable rights of life, liberty, and the pursuit

of happiness. Critical thinking, the desire and ability to go beyond the pat and convenient understandings placed before us, is an essential tool in effectively sustaining our democratic government and society. The importance of knowing something from firsthand experience and therefore being immune to attempts to delude or to shake that knowledge through subsequent interpretation and explanation of events was on General Dwight D. Eisenhower's mind in the spring of 1945. On April 12, 1945, Eisenhower, along with Generals George S. Patton and Omar Bradley, toured the death camp at Ohrdruf, a minor subcamp of Buchenwald. "The things I saw beggar description," said Eisenhower on first viewing the death camps. "I made the visit deliberately, in order to be in a position to give firsthand evidence of these things if ever, in the future, there develops a tendency to charge these allegations merely to propaganda." We hope these volumes and the study of the documents they include will enable readers to develop the knowledge and skills that will deepen their appreciation, strengthen their understanding of, and reinforce their commitment to the claims of the "self-evident truths" of life, liberty, and the pursuit of happiness.

To some degree the work that has gone into this volume, and its predecessor, Volume 1, represents the best of our combined experience and careers in studying and teaching history at various institutions and among different cultures across the United States and in other parts of the world. Sometimes the greatest insights into American history are derived from teaching it to non-Americans who ask questions and are puzzled about issues that would never arise in a classroom in Nebraska or California.

We are grateful for the time and effort our professors and mentors at the University of Kansas, in particular Norman Yetman, Walter Sedelow, Daniel Bays (now at Calvin College), David Katzman, and Theodore A. Wilson, invested in us and the good education we received there from them and others. We hope we have succeeded in passing the torch to the generations of students that have populated our classrooms.

As we have gathered, evaluated, and assembled the documents for this volume, we have been blessed with the support of various people and institutions. We thank Nebraska Wesleyan University, which has long supported creative scholarship and innovative teaching. We are also grateful to Oxnard College, which has provided a home and secure base of operation as well, and to Tomas Salinas of the History Department, who has been a valued friend and colleague.

In assembling these documents, a few individuals have assisted us in ways that were valued and appreciated. We owe a special debt of gratitude to Nebraska Wesleyan University Librarian, John Montag, skilled bibliographer, historian, and teaching colleague, who helped us identify and locate many of the documents we chose to include. At California State University, Northridge, two library assistants, Esperanza Bedolla and Milton Folk, were kind and cheerful in retrieving the documents and books we sought.

We are also grateful for the support and encouragement we have received from the people at McGraw-Hill. Steven Drummond, long-time friend and advocate for history throughout his distinguished career in the publishing industry,

has remained firmly behind this project and continues to be a role model, mentor, and friend. Connie Dowcett's cheery disposition and tireless effort in handling much of the editing and permissions duties will always be appreciated and cherished, as will the grace and intelligence Kimberly McGrath lent to the project from beginning to end.

P. Scott Corbett
Camarillo, California

Ronald C. Naugle
Lincoln, Nebraska

BRIEF CONTENTS

16

His Terrible Swift Sword—the Civil War

The American Civil War was for many Americans a fiery forge that completed the democratic experiment. Others were less sure. At considerable cost, it had severed from the body politic the constitutionally protected system of African American slavery; yet fundamental issues surrounding "life, liberty, and the pursuit of happiness" remained. Did associations of people have the right or capacity to determine their political, economic, or cultural fate? What constituted the appropriate use of power by governments, both state and national? Imbedded into the American democratic experiment from its inception were several long fuses in the form of conflicts initially unresolved. Among these were fundamental disagreements between doctrines of states rights and "confederation" and nationalism and "federation." The shortest fuse, perhaps, was the conflict between the economic systems of slavery and free labor, in which North and South alike sought victory for their own peculiar ideology and vision of the future. In the process of reconciliation and nation-building, actions were taken that affected day-to-day a wide range of people, including many in the mainstream who had been in control of the American system and many previously on its fringes.

The initial documents in this chapter illustrate the attempt of the Confederacy to garner support from and forge an alliance with Native Americans. As the South desperately sought friends and support, olive branches and promises were extended to the Cherokee, among others, offering more life, liberty, and happiness than had previously been enjoyed at the hands of American state governments. At the same time the United States, on behalf of its northern and western territories and states, encouraged settlement of western lands and unleashed policies that would accelerate the clash between the Native American and Euro-American worlds. Seeking to spread both people and civilization across the continent, the Morrill Act reflected values that went back to the Puritan support for higher education. The association of knowledge and education with American political, religious, and cultural civilization represented a

unique element in the process of "winning" the West. In most trans-Mississippi states, the state university systems are the direct outgrowth of the Morrill Act.

The Civil War involved an infinite number of decisions that affected fundamental issues of life and death; not the least of which was the challenge of conducting a "civil" war in civil ways. That effort is revealed in a portion of General Order 100 that became the foundation of a developing belief about how Americans should behave in battle. The "Barlow/Gordon Incident" illustrates the fraternal nature of that war and suggests a subsequent issue for consideration. War veterans of both sides had to achieve reconciliation in order to regenerate the bonds of loyalty and patriotism to the United States of America. Before that could happen, the pain and sorrow associated with the most destructive war Americans had ever fought had to be addressed. Though there is considerable evidence that John B. Gordon's account of his encounter with Francis C. Barlow was amplified by his imagination, that "creative" process produced a symbolic story of reconciliation that was published and widely shared in the years after the guns of Gettysburg were silent. The "arithmetic of suffering" suggests the number of people personally touched by the war and the depth of the healing that had to take place. Some immediate consequences of the war are seen through the eyes of a 10-year-old girl—Carrie Berry. The life-long realities of the conflict are also suggested by Robert Frost in the character of the widow who lived in the black cottage, destined to spend the rest of her life a widow. Robert Frost himself represents, perhaps, the long shadow of the Civil War because he knew people like the widow. Their experiences influenced his life as he became a beloved American poet who recited one of his compositions at the inauguration of John F. Kennedy in 1960, one hundred years after the burdens of that civil strife had fallen on the shoulders of Abraham Lincoln and his generation.

DOCUMENT 16.1

Letter Recruiting the Cherokee Nation as Allies of the Confederacy

THE STATE OF ARKANSAS
EXECUTIVE DEPARTMENT

Little Rock
January 29, 1861

His Excellency JOHN ROSS
Principal Chief Cherokee Nation:

SIR:
It may now be regarded as almost certain that the States having slave property within their borders will, in consequence of repeated Northern aggression, separate themselves and withdraw from the Federal Government. South Carolina,

Alabama, Florida, Mississippi, Georgia, and Louisiana have already, by action of the people, assumed this attitude. Arkansas, Missouri, Tennessee, Kentucky, Virginia, North Carolina, and Maryland will probably pursue the same course by the 4th of March next.

Your people, in their institutions, productions, latitude, and natural sympathies, are allied to the common brotherhood of the slave-holding States.

Our people and yours are natural allies in war and friends in peace. Your country is salubrious and fertile, and possesses the highest capacity for future progress and development by the application of slave labor.

Besides this, the contiguity of our territory with yours induces relations of so intimate a character as to preclude the idea of discordant or separate action.

It is well established that the Indian country west of Arkansas is looked to by the incoming administration of Mr. Lincoln as fruitful fields, ripe for the harvest of abolitionism, free-soilers, and Northern mountebanks.

We hope to find in you friends willing to co-operate with the South in defense of her institutions, her honor, and her firesides, and with whom the slave-holding States are willing to share a common future, and afford protection commensurate with your exposed condition and your subsisting monetary interests with the Gen. Government.

As a direct means of expressing to you these sentiments I have dispatched to you my aide-de-camp, Lieut. Col. J. J. Gaines, to confer with you confidentially upon the subjects and to report to me any expressions of kindness and confidence that you may see proper to communicate to the Governor of Arkansas, who is your friend and the friend of your people.

Respectfully, your obedient servant,

H. M. RECTOR

Governor of Arkansas.

Source: Reprinted with permission from Ken Martin, *History of the Cherokee*, "Arkansas Governor Henry Rector to Principal Chief John Ross Encouraging the Cherokee to Ally Themselves with the Confederate States of America." © 2001 by Ken Martin. Available at cherokeehistory.com/index.html.

DOCUMENT 16.2

Declaration by the People of the Cherokee Nation of the Causes Which Have Impelled Them to Unite Their Fortunes with Those of the Confederate States of America

When circumstances beyond their control compel one people to sever the ties which have long existed between them and another state or confederacy, and to contract new alliances and establish new relations for the security of their rights and liberties, it is fit that they should publicly declare the reasons by which their action is justified.