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# RECOUNTING THE PAST

A Student Journal of Historical Studies at Illinois State University

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## MARITAL PROPERTY RIGHTS IN FRENCH ILLINOIS AND THE ENGLISH COLONIES DURING THE EIGHTEENTH CENTURY

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**Carol J. Moots**

Historians have written extensively about women's marital property rights in English colonial America, but there is a dearth of material on the same topic about French colonial Illinois. The purpose of this paper is to shed more light on the area by looking at a sample of nine marriage contracts from the village of Chartres and Kaskaskia in the 1720s and three from Cahokia in the latter 1700s. An adequate sample of comparable primary documents from the English colonies could not be located for comparative purposes; therefore, I compared marital property rights on a more general basis, using secondary sources.

The specific purpose of my research was to determine whether women had greater marital property rights, and thus, greater economic freedom, in the English colonies or in French colonial Illinois. This is not an easy task, given the diversity of property rights in the English colonies and the shortage of sources from Illinois during this era. In order to analyze the two, it is essential to provide background information on women's marital property rights in both mother countries.

### FRENCH AND ENGLISH MARITAL PROPERTY LAW

Suffice it to say that in the Western World in the eighteenth century male dominance was an accepted principle, which translated into few property rights for married women. Two different marital property systems, dating back to the thirteenth century,

developed in England and France.<sup>1</sup> There was the Anglo-Norman law of England versus the continental model of community property, which gave the husband great authority over the wife but sustained the concept of a community of goods. The English husband-baron of the thirteenth century enjoyed more power over marital property than his northern French counterpart. Coverture (a husband's power to subsume his wife's rights) existed in both systems, but was weaker in France. Generally, the two systems produced comparable results, most of which were not favorable to the wife, but they involved fundamentally different ways of thinking about marital property.<sup>2</sup> At the core of the continental model was the idea of shared property (community), at least in regard to what was acquired during marriage. In addition, French thinking recognized separate property. English common law centered on the idea of separate property rather than shared, but also held the notion that the wife was entitled to a share of profits of the marriage because she had surrendered certain rights in getting married and was a working partner in it. The result was that because English law did not recognize the concept of community, a wife's family had weaker influence in comparison to the wife's family in community property in France.<sup>3</sup> Both the French and English systems evolved in different ways into allowing greater property rights for married women.

Matrimonial property rights were determined by a myriad of laws in pre-Revolutionary France. Three hundred territorial *coutumes*, or regional and local systems of customary private law, existed side by side, although the law was not as confusing as it might seem. In reality, because of only minor differences between many of the *coutumes*, there were really "only three main matrimonial-property areas: The Roman-law derived 'dotal' system of the south. . . ; the 'strict' separation-of-property and dowry system of the Custom of Normandy; and the various community property regimes of the north...."<sup>4</sup>

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<sup>1</sup>Norma Basch, *In the Eyes of the Law: Women, Marriage, and Property in Nineteenth-Century New York* (Ithaca: Cornell University Press, 1982), p. 18. Hans Baade, "Marriage Contracts in French and Spanish Louisiana: A Study in Notarial Jurisprudence," *Tulane Law Review* 53 (1978): 17.

<sup>2</sup>Basch, *In the Eyes of the Law*, p. 18.

<sup>3</sup>Ibid.

<sup>4</sup>Baade, "Marriage Contracts," p. 14.

The latter, called the Custom of Paris, was by far the most important and prevailed in the French colonies.<sup>5</sup> "The matrimonial property regime of the Custom of Paris was called community of movables and acquests."<sup>6</sup> Included in the community were antenuptial movables (personal property), but not immovables (real property), as well as all personal and real property acquired during the marriage. This property law was automatically applicable upon marriage and could not be changed by the spouses. However, the community property system could be modified by agreement between the prospective spouses before marriage. This was accomplished routinely by the use of marriage contracts, which followed the precedents developed by the notarial profession of Paris for that purpose.<sup>7</sup> According to Winstanley Briggs, the Custom of Paris, "while hardly a feminist tract, recognized women as 'people' with important rights to a far greater degree than did eighteenth-century English law" or the subsequent Napoleonic Code.<sup>8</sup>

A brief discussion of the important clauses of the marriage contract follows. The initial clause contained a promise or engagement to marry that was required by French law and reflected canon law as revised by the Council of Trent. Though the marriage contract was civil, it incorporated the sacredness of the union by requiring that marriages be celebrated with the assistance of the parish priest, or his representative, in the presence of witnesses.<sup>9</sup> Next came a choice-of-law clause which was necessary to ensure the applicability of the Custom of Paris to the contract regardless of where the parties originally lived or might subsequently move, and regardless of the location of their property being brought into the community. It also provided a secure legal basis for the remainder of the contract, for the Custom of Paris permitted contractual variations for martial property that other *coutumes* did not.<sup>10</sup>

The marriage contract set up the community in which the couple pooled their wealth. It was understood that when one spouse died the community would be divided with one-half going to the surviving spouse and the other half to the legitimate adult children of the marriage, including females. When the second parent died, children received the rest of the estate. "Because legitimate female children inherited a share of their parent's wealth, dowries (*dots*) do not ordinarily appear in the marriage contracts."<sup>11</sup> Therefore, there was no discrimination against females as far as inheritance was concerned. As part of setting up the community the contract stipulated that antenuptial debts and mortgage obligations were to be satisfied by whichever party contracted the debt, out of their separate property, and there was a disclaimer of liability granted on behalf of the other spouse. In second marriages in particular, especially if there were children from the first marriage, a clause sometimes stipulated a complete separation of property, thereby precluding the creation of a *communauté*.<sup>12</sup>

The next set of provisions dealt with dower, or the life estate to which a wife was entitled upon the death of her husband, not to be confused with dowry. There were two kinds of dower: *douaire coutumier* and *douaire préfix*. The first, under the Custom of Paris, was a usufruct or right to use and enjoy one half of the movables owned by the husband at the time of the marriage. Under the terms of the contract, it was paid to the widow either as a lump sum upon the husband's death or in annual installments throughout her lifetime. Usually the amount was reduced if she remarried.<sup>13</sup> The more common type of dower in the Illinois country was the *douaire préfix*, which was a certain sum dowered by the bridegroom to the bride, separate from the community, to provide for her support if he preceded her in death. The amounts varied depending on the wealth of the people or families involved.<sup>14</sup>

<sup>5</sup>Ibid.

<sup>6</sup>Ibid., p. 15.

<sup>7</sup>Ibid.

<sup>8</sup>Winstanley Briggs, "The Enhanced Economic Position of Women in French Colonial Illinois," in *L'Heritage Tranquille: The Quiet Heritage*, ed. Clarence A. Glasrud (Morehead, Minnesota: Concordia College, 1987), p. 63.

<sup>9</sup>Baade, "Marriage Contracts," p. 13.

<sup>10</sup>Ibid., pp. 15-16.

<sup>11</sup>Carl J. Ekberg, *Colonial Ste. Genevieve: An Adventure on the Mississippi Frontier* (Gerald, Missouri: Patrice Press, 1985), p. 186.

<sup>12</sup>Baade, "Marriage Contracts," p. 16.

<sup>13</sup>Natalia M. Belting, *Kaskaskia Under the French Regime* (Urbana: University of Illinois Press, 1948), p. 77.

<sup>14</sup>Ekberg, *Colonial Ste. Genevieve*, p. 187.

Also part of the contract was the *preciput*, or a certain specified amount that went to the survivor of the community, whether husband or wife, that was not part of the children's share of the estate. Included with it was the right of that person to take out free of debt any property in personal use, like clothing, jewelry, guns, etc.<sup>15</sup> Therefore, a wife whose husband preceded her in death inherited or received, at least in the Illinois country, besides her share of the community (one half), the *douaire prefix* and *preciput* for her future support.<sup>16</sup>

Most contracts also contained a standard clause allowing the wife to renounce the marriage contract and withdraw her share of the community in addition to the *douaire* and *preciput*. This right to renounce the community could not be excluded by contract.<sup>17</sup>

The final standard provision of French eighteenth-century marriage contracts was the donation clause. This clause generally stipulated a reciprocal gift (*donation*) to the survivor of all or part of the predeceasing spouse's estate, either in full property or in usufruct, and based upon the absence of children of the marriage at its termination by death.<sup>18</sup> At the end of the instrument came the attestation and subscription clause in which the prospective bride and bridegroom signed or made their mark along with witnesses.

The Custom of Paris did not expressly require the execution of marriage contracts in notarial form, but most marriages were preceded by contracts. In the Illinois country the contract was drawn up by a royal notary or, in his absence, by a civil commandant in the presence of witnesses; they were not religious documents.<sup>19</sup> After the celebration of the marriage, no other valid contract could be made altering its terms, but either party could dissolve the contract at will or, by tacit consent of both parties, re-establish it. Furthermore, administration of the joint property belonged to the husband, who could dispose of any of it so long as he did so in good faith with no intention of defrauding his wife.<sup>20</sup>

<sup>15</sup>Belting, *Kaskaskia*, p. 76.

<sup>16</sup>According to Briggs, "Enhanced Economic Status," p. 74, the *preciput* was used rather differently in France than in the Illinois Country, but he cites no sources for this observation.

<sup>17</sup>Baade, "Marriage Contracts," p. 17.

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

<sup>19</sup>Ekberg, *Colonial Ste. Genevieve*, p. 187.

<sup>20</sup>Belting, *Kaskaskia*, p. 76.

How prevalent were contracts in pre-Revolutionary France? According to a survey of notarial practice in Paris between 1769-1804 by Dr. Lelievre, the marriage contract was "used by all classes of society."<sup>21</sup> The custom was equally prevalent in French North America, including the Illinois country. Carl J. Ekberg argued that not everyone had marriage contracts in Ste. Genevieve, especially the poor, but even if the lower economic classes did not, they used the inheritance guidelines set up by the Custom of Paris.<sup>22</sup> According to Susan Boyle, for the period 1752-1804 in Ste. Genevieve, 63 percent of couples who married in the parish church drew contracts. Most of the long-standing French families regardless of their economic position made contracts, even for illegitimate daughters. Perhaps the least likely to do so were couples of mixed ethnic background; usually the wife was an Indian.<sup>23</sup>

Traditionally, women's marital property rights in England were more restricted than in France. Women's legal status in the eighteenth century depended much on their marital status. Single women, including widows, were far less hampered by common law than were their married counterparts.<sup>24</sup> Under common law single women were *femes soles* who had basically the same property rights as men. They could enter into contracts, sue debtors, control personal property, manage land, execute a will, or sign a deed.<sup>25</sup> Married women, or *femes covertes*, lost all property and contract rights. All their personal property became their husband's, who also managed all of the wife's real property and became legal guardian of all the children. In other words, a *feme covert* had no legal identity. According to the doctrine of marital unity, or coverture, husband and

<sup>21</sup>Baade, "Marriage Contracts," p. 19.

<sup>22</sup>Ekberg, *Colonial Ste. Genevieve*, p. 187.

<sup>23</sup>Susan C. Boyle, "Did She Generally Decide? Women in Ste. Genevieve, 1750-1805," *The William and Mary Quarterly*, 44: 4 (October, 1987), p. 780.

<sup>24</sup>Mary Sumner Benson, *Women In Eighteenth-Century America: A Study of Opinion and Social Usage* (Port Washington, New York: Kennikat Press, Inc., 1966), p. 224.

<sup>25</sup>Linda E. Speth and Alison Duncan Hirsch, *Women, Family, and Community in Colonial America: Two Perspectives*, (New York: The Institute for Research in History and The Haworth Press, Inc., 1983), p. 26.

wife were one person. She was subservient to him and her legal personality was subsumed by his.<sup>26</sup>

Under English common law there were certain situations in which the wife's disabilities were mitigated. As a *feme sole* trader, with her husband's and the court's permission, she could act for her husband, if he was absent or incapacitated, by contracting business debts or engaging in trade. The law also recognized a wife's contingent interest in her husband's real property through its concept of dower. By allowing a wife a life interest in one third of her husband's realty if she survived him (children got two thirds), common law had some limited notion of community of goods.<sup>27</sup> In most of the colonies, dower also included a one-third interest in personal property. She could not sell or devise the property, but could use it and its income. It was expected that she would pass it on to her children, but if there were no children, it passed on to her husband's legal heirs. If there were no children, she got one half of the real property (in most colonies one half of the personal property, too), but again, it was only a life interest. If her husband had a will and left her less than a one-third interest in the estate, which rarely happened, she had the right to denounce the will and claim what was due her by dower. But if that action was taken, personal property was excluded from the dower in almost all the colonies.

The law also protected her interest in the property during the marriage by requiring the husband to get her permission to sell property. In the colonies, this procedure was called bargain-and-sale based on the old English common law procedure of fine-and-recovery begun in the thirteenth century. When marital property was conveyed, in order to protect a woman from being coerced by her husband, she was given a private examination by a court officer. Usually a judge of common pleas would take a woman into a separate room where he read the contents of the deed to be sure that she understood its meaning. He also asked if she freely agreed to a conveyance of her ownership or dower rights in the property. If her answer was affirmative, he noted that on the face of the deed or an attached certificate. This examination not only was an attempt to protect the woman's property rights, but also served to bar

her forever from establishing claims to the property being conveyed.<sup>28</sup> This was not a foolproof method, for she could still be subject to her husband's coercion.

Some colonies did not grant women this right to a private examination when property was conveyed. In Massachusetts throughout the eighteenth, and even into the early nineteenth century, lawmakers never recognized the principle of coercion, so women did not have private examinations, nor were they required to acknowledge deeds of conveyance in court. Connecticut did not allow acknowledgment of a deed or private examination until 1723, before which women had no property rights. Pennsylvania and New York did not enact laws requiring *femes covert*s to sign and acknowledge conveyances and to have private examinations until 1770 and 1771, respectively.<sup>29</sup>

Equity law originated in the concept of fairness as opposed to strictness of law and served to modify a wife's status. Beginning in the thirteenth century, people had begun to petition the king's chancellor for variances in the common law. From these actions grew a whole system of jurisprudence. Equity law filled the gaps left by the rigidity of the common law and ultimately produced a body of precedents that undercut the doctrine of marital unity. It recognized antenuptial contracts and trusts, both devices that a wife could use to keep property apart from her husband for her separate use. "By the eighteenth century, equity's fully developed precedents enabled a prospective wife with considerable assets and skilled legal advice to strike a bargain in advance of marriage for economic autonomy far beyond the limits of the common law."<sup>30</sup>

English chancery courts were set up to handle cases that arose from equity law. They used marriage settlements to modify and expand married women's property rights in accordance with changing family relationships. Common law courts refused to enforce settlements, so a dual system evolved for defining the legal status of women in the family in England.<sup>31</sup>

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<sup>28</sup>Marylynn Salmon, *Women and the Law of Property in Early America* (Chapel Hill: University of North Carolina Press, 1986), p. 18.

<sup>29</sup>Salmon, *Women and the Law of Property*, pp. 23-24.

<sup>30</sup>Basch, *In the Eyes of the Law*, pp. 20-21.

<sup>31</sup>Salmon, *Women and the Law of Property*, p. 81.

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<sup>26</sup>Basch, *In the Eyes of the Law*, p. 17.

<sup>27</sup>*Ibid.*, p. 20.

Marriage settlements, usually signed as antenuptial agreements, created separate estates through which married women owned and controlled their property independently of their husbands. Originally, the purpose of settlements was the preservation of landed estates for the proper support of widows and their heirs, but by the late eighteenth century the idea of separate property for women focused more on an official acknowledgment of the right of women to protect their own property from their husband's creditors.<sup>32</sup>

Under what circumstances might a settlement be made? A woman might demand a settlement as a condition for marriage because a settlement could only be made with her husband's consent. A special form of marriage settlement was a jointure. Jointure agreements were designed to serve as an alternative to dower, which meant that if there were a jointure agreement a woman could not claim dower too. They generally named exactly what property the wife would inherit after her husband's death, but she had no control over it during his life, and the amount stipulated provided only for a competent maintenance after his death. Settlements could also be made after marriage through wills. Donors could set up separate estates for *femes covert*s, and husbands could not object. Sometimes too, courts would require men to create trust estates for their wives if for some reason men became insolvent. Widows, more frequently than women marrying for the first time, initiated their own settlements so they could maintain control over property for themselves.<sup>33</sup>

The legal documents creating marriage settlements were complicated and usually executed in the form of trusts. To create a trust estate the woman, man, and trustee(s) all joined in the execution of an "indenture tripartite." The contract stated the terms of the settlement and described the property included. The trustee actually became the owner of the property in name only and he was to protect the woman's interest. After 1769 trustees were no longer required and courts allowed settlements to be made directly between a woman and her fiance.<sup>34</sup>

Marriage settlements were used most often by wealthy women in England and remained uncommon in the colonies until the eighteenth century, primarily because seventeenth-century colonial society did not develop the wealth and class structure that was responsible in the mother country for the evolution of women's separate estates. "Despite the clear advantages of separate estates to *femes covert*s, few women had them."<sup>35</sup>

A marriage settlement could also give *femes covert*s testamentary power over assets that were prohibited under common law, which allowed married women a will bequeathing personality only if her husband gave his approval and no power to devise land. Also under common law, if a wife predeceased her husband and they had no children, her husband received lifetime use of her landed property (curtesy). At his death it went to her children or if none survived to her next of kin.<sup>36</sup> In regard to the dower right, if the husband died intestate (without a will), she acquired only a life interest in one third of her husband's real property, which went to surviving children after her death, and if none to her husband's heirs. By use of a marriage settlement she could circumvent common law and dictate what would become of her property after her death.

English inheritance laws discriminated against women in other ways too. When there was no will, primogeniture, in which the eldest son inherited all the real property and divided the personal property equally with his siblings, was the normal practice in England. This procedure was adopted in New Jersey, Maryland, Virginia, and North and South Carolina. But in Massachusetts, Connecticut, New Hampshire, Rhode Island, Pennsylvania, and Delaware the eldest son inherited only a double share of the real and personal property. In New York female heirs were the most discriminated against, where the eldest son not only inherited all the real property, but also a double share of the personal property as well.<sup>37</sup>

In a direct comparison of French and English marital property rights, which were transferred to

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<sup>35</sup>Ibid., p. 88.

<sup>36</sup>Carole Shammas, Marylynn Salmon, and Michel Dahlin, *Inheritance in America From Colonial Times to the Present* (New Brunswick: Rutgers University Press, 1987), p. 36.

<sup>37</sup>Ibid., pp. 32-33.

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<sup>32</sup>Ibid., pp. 81-83

<sup>33</sup>Ibid., p. 89.

<sup>34</sup>Ibid.

America in the eighteenth century, French colonial women had the advantage. Both systems practiced coverture, but at least in French colonial America, the concept of community property allowed women and their families greater control over property. Moreover, French women in America had a dower right to one half of the marital property, real and personal, plus the douaire prefix and preciput if a marriage contract was executed, versus only a one-third life interest in real property in English America, plus a one-third interest in personal property, or one half in both if there were no children. French inheritance laws under the Custom of Paris did not discriminate against female heirs, whereas in the English colonies, primogeniture, or at the least the practice of giving the eldest son twice as much as other heirs, was prevalent. Both systems developed methods of circumventing coverture. Marriage contracts were used extensively in the French colonies, and marriage settlements, less frequently, in the English colonies. English women in America had a slight advantage over their French counterparts because they had greater flexibility as to when settlements could be executed--before or after marriage--but with the husband's consent. French colonial women could make only antenuptial contracts, the terms of which could not be altered after marriage, other than to dissolve the whole contract. Another advantage English colonial women had was the protection of their property rights through the use of deeds of bargain and sale, which involved private examinations when real property was conveyed during marriage. However, this right was not universally recognized by all the colonies.

The French and English systems of matrimonial property law, then, were transplanted for the most part to their colonies in America but not without modifications, as indicated. These changes in implementation were due mostly to different demographic, social, and economic conditions that existed in the New World.

### Marital Property Rights in America

The family system of the Custom of Paris was based on restricting the wife in favor of the husband's authority, but at the same time it granted her a variety of protections. In Illinois women kept the protections

and disregarded the restrictions.<sup>38</sup> According to Winstanley Briggs, what evolved in Illinois was a "sort of consensual *Coutume d'Illinois*" that operated favorably for women.<sup>39</sup> His evidence for how much the Illinois model varied from the Paris one is the paucity of marriage contracts among first-time brides and grooms despite their popularity in both France and Quebec. Under the Custom of Paris the lack of a marriage contract was disadvantageous, but in Illinois it must not have been, otherwise more inhabitants would have had them.<sup>40</sup>

The following is an examination of twelve such marriage contracts from the Illinois country to see if Briggs's claim is borne out, as well as to gain greater insight into marital property rights in Illinois in the eighteenth century. One contract was actually made in Canada in 1718, but was probably brought by its maker (Robert Grotton, Sieur de St. Ange) to Illinois when he became the commandant of militia at Fort de Chartres. Eight of the contracts were made between 1724 and 1728 either at Fort de Chartres (actually in the village of Chartres next to the fort) or Kaskaskia. The last three contracts examined were made in Cahokia in 1772, 1776, and 1791. The first two, of these last three, were made after the French and Indian War when the Illinois country on the east side of the Mississippi had become part of the British Empire, and the last contract was made after the Revolutionary War when the same area had become American territory.

Seven out of the twelve contracts, or 58 percent, were made by widows, six of whom had minor children. If only the eight made in Fort de Chartres or Kaskaskia between 1724 and 1728 are considered, the percentage of widows is even higher, 75 percent. This supports Briggs's claim that widows mostly used marriage contracts. One of the men, St. Ange, was also a widower.

It was not possible to tell the original home of the widows because the standard form of the contract only included parents and their place of origin if the woman was single. Of the five made by single women, one woman was French, one was Canadian, two were from Cahokia, and the one who was from Kaskaskia was half-Indian because she was a

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<sup>38</sup> Briggs, "Enhanced Economic Status," p. 64.

<sup>39</sup> Ibid., p. 65.

<sup>40</sup> Ibid.



daughter of Marie Rouensa, the famous Kaskaskia Indian who converted to Catholicism and became assimilated into French culture. Probably those widows whose origins are uncertain were from the local area, where the contracts were made simply because few women came from Canada and even fewer immigrated from France; and by the end of the century several generations had passed since initial settlement. Of the prospective husbands, four, or 33 percent, were from France and eight were from Canada, or 67 percent. This is logical for in a frontier society the men were more mobile.

Unfortunately, only four contracts mentioned age and only two gave the age of both the man and the woman. These were both contracts of single women. One was made in Kaskaskia in 1727, in which the woman was sixteen and her groom forty. The other was made in Cahokia in 1791 and the woman was eighteen and the man twenty-seven. The decreasing age difference over time supports the notion that the unequal distribution of sexes, typical of a frontier area, became less severe toward the end of the century.

The dowers range from 300-3,000 livres (five livre = one dollar), averaging 1,390 livres. The amount of dower was related less to economic class than to the prospective wife's financial need. Two of the contracts, both made by widows with minor children, contained no dower. The groom in the first contract brought 10,000 livres to the community and the widow 650 livres in furnishings and utensils, plus one half of the total sum of the inventory of her first marriage.<sup>41</sup> The other was made by a widow with a three-month-old daughter with a sizable estate from her first marriage, including an eight-year-old female slave, two arpents (one arpent = .85 acres) of farm land and two building lots, one with a house thirty-two feet by eighteen feet and one with an unfinished house twenty feet long.<sup>42</sup> In order to show her gratitude to her new husband for "nourishing and rearing her little girl," she gave him half of her property from her first marriage.<sup>43</sup> Both of these widows had sizable estates from their first marriages and had little need for dowers.

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<sup>41</sup>Margaret Kimball and Lawrie Cena Dean, eds., *The Village of Chartres in Colonial Illinois 1720-1765* (New Orleans: Polyanthos, Inc., 1977), p. 817.

<sup>42</sup>*Ibid.*, p. 925.

<sup>43</sup>*Ibid.*, p. 924.

The amount of the *preciput* had a wider range from 500 francs to 3,000 livres. Again, two contracts had no *preciput*, both of which were made by widows with minor children, who must not have felt the financial need for it. Donations most commonly granted all the personal and real property to the surviving spouse if no children were involved. Three contracts involving widows with children had no donations, suggesting that they wished to leave their property from their previous marriage to someone other than their new husbands. However, one lucky groom of a widow was granted his prospective father-in-law's estate provided the bride, who must have been the only surviving child, died first and there were no children to the marriage.<sup>44</sup>

It is relatively easy to determine the economic status of the couples by examining the assets mentioned in the contracts. Two contracts for widows had inventories attached from their previous marriages, one done three months prior to the marriage contract and the other done two days after the marriage contract. Both reveal the scarcity of women on the frontier and the ease of remarriage. Not as easy to determine is the social status of some of the couples. Only two documents have both couples signing rather than making a mark and one contract has only the woman's signature while her husband, who was a justice and commandant in Cahokia, made his mark. Literacy tended to reflect social standing, so those who signed were probably considered the upper crust. A cautious guess puts 50 percent of the couples in the upper class economically and at least 25 percent of them in the social elite.

One contract involved Sieur de St. Ange, the commandant of Fort de Chartres from 1725 to 1733, and his wife, Damoiselle Chorel de St. Romaini, and the other, Marie Joseph Phillippe, the daughter of Marie Rouensa, and Sieur Joseph Lorrain. These contracts were similar in that both couples were upper class and both involved inheritance from the wife's parents. Marie Joseph Phillippe gave all that she inherited from her mother's estate (3,128 livres, 7 sols., 16 deniers)<sup>45</sup> to her future husband, whereas St. Ange's wife, whose parent's estate was yet to be settled at the time of her marriage, was much more

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<sup>44</sup>*Ibid.*, p. 922.

<sup>45</sup>*Ibid.*, p. 913

protective of women's rights, which reflected a trend toward increased marital property rights for women.

Various historians have compared women's status and property rights in America and England,<sup>55</sup> and a majority of these scholars contend that women's property rights were more extensive in America.<sup>56</sup> Similarly, Winstanley Briggs concluded that women in Illinois were definitely better off than their French counterparts, as well as in other European societies at the time. "Whatever the true condition of women in France, in Illinois the scarcity value of women, the lack of close male relatives combined with the frontier conditions, produced a society in which women lived under the least social constraints of all European societies of the eighteenth century."<sup>57</sup> In short, women in French colonial Illinois enjoyed greater marital property rights than their English colonial counterparts, and greater than most, if not all, of their European contemporaries.

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<sup>55</sup>For a positive assessment of women's legal status as compared to England, see Richard B. Morris, *Studies in the History of American Law*, 2nd ed. (New York, 1958), p. 200; and Roger Thompson, *Women in Stuart England and America: A Comparative Study* (London, 1974). For a negative assessment, see Norma Basch, *In the Eyes of the Law, Women, Marriage, And Property in Nineteenth-Century New York* (Ithaca, 1982), 22; and Marylynn Salmon, *Women and the Law of Property in Early America* (Chapel Hill, 1986), p. 186.

<sup>56</sup>See Joan R. Gundersen and Gwen Victory Gampel, "Married Women's Legal Status in Eighteenth-Century New York and Virginia," *The William and Mary Quarterly* (Jan., 1982), 114-134; Jean Butenhoff Lee, "Land and Labor, Parental Bequest Practices in Charles County, Maryland, 1732-1783" in *Colonial Chesapeake Society*, Lois Green Carr, Phillip D. Morgan, and Jean B. Russo, (Chapel Hill, 1988), 306-341; Marylynn Salmon "Women and Property in South Carolina: The Evidence from Marriage Settlements, 1730-1830" in *Women's America: Refocusing the Past*, 2nd ed. Linda Kerber and Jane DeHart-Mathews, eds. (New York, 1987), 40-50.

<sup>57</sup>Briggs, "Enhanced Economic Status," 68.

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## A SURVEY OF THE STAMP ACT CRISIS AND POPULAR RESPONSE IN BOSTON

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### John Duerk

By 1763 Britain had defeated France in the Seven Years War, but simultaneously found herself overwhelmed by an incredible national debt. In addition, the British Empire had dramatically increased in size as a direct result of its victory. England was then responsible not only for her own colonies, but also Canada and the eastern Mississippi Valley.<sup>1</sup> Who would pay for the defense of this territory King George III wondered, and more importantly, what was to be done concerning the national debt? The reality was simply that the English government, while it was the strongest in the world at the time, cost too much to operate.<sup>2</sup> In other words, efficiency was not one of its better qualities. The English people themselves had been the target in previous years and were forced to submit to increasing taxation much to their discontent. Once the war had ended, there was popular pressure for Parliament to address the colonies and compel them to contribute their share. It seemed only proper for the colonials to be subjected to greater taxes, especially when the revenue generated by the English government was partially employed to pay for the defense of those living in America. After all, they were British subjects and their mother country had defended them during the French and Indian War. Now it was their duty to help pay these costs; or so the king, Parliament, and George Grenville, the Chancellor of the Exchequer, believed. In 1764 Parliament passed the Sugar Act with the purpose of generating more revenue for the British government.

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<sup>1</sup>Edmund Morgan, *The Birth of the Republic 1763-89* (Chicago: University Press, 1992), p. 15.

<sup>2</sup>Ibid.

It encountered some opposition, yet the colonials were not completely outraged.

Once George Grenville recognized that an additional source was necessary and that an updated tax on sugar (the Molasses Act of 1733) was insufficient, the concept of a stamp bill became the next possibility in 1764-65. This time the British subjects in America were outraged by the actions of the mother country. A stamp tax was unacceptable in the colonies. People felt that they had been forced to submit to legislation that they did not have a voice in determining. The notion of "virtual" representation argued by Parliament proved an unacceptable form of justification to the colonists. If the representatives from the colonies were not present in the British Parliament to voice their position concerning any particular piece of legislation, how could the mother country just assume they would simply capitulate without disagreement or objection? Citizens of cities such as Boston reacted bitterly to the tax. People there gathered in angry mobs, and on one occasion invaded the home of the lieutenant governor of Massachusetts and destroyed his property along with valuable colonial documents.<sup>3</sup> Hence the Stamp Act Crisis had begun.

In the year 1763 Britain experienced major changes that were both internal and external in nature. First and foremost, the Seven Years War had finally concluded and fighting had ceased in Europe leaving Britain with an immense national debt. Second, a new ministry had taken office and found that the responsibility of generating revenue to pay for the great expenses of the war was not a simple task to accomplish. George Grenville and his ministry were the first that had to confront this issue. He recognized that control over the colonies had to be increased if Britain wanted to lessen its financial burden. The primary method for paying the national debt was to levy a tax upon those within the empire that enjoyed the mother country's protection and security. "In anticipation of a continuing struggle against France and in the interest of economic development it was also thought necessary to strengthen imperial authority in the colonies," and this was precisely the aim of Grenville's ministry.<sup>4</sup>

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<sup>3</sup>*The Boston Evening Post*, September 1, 1765, p. 1

<sup>4</sup>Colin Bonwick, *The American Revolution* (Charlottesville: University of Virginia Press, 1991), p. 70.

Tax revenue was necessary to provide for the defense of the colonies; therefore it was believed in England that the colonists should pay their share for a standing army to be present. During the Great War the British had committed themselves primarily to the fighting in Europe and to a lesser extent in Canada. This focus promoted a policy of limited concern with the colonies as far as taxation was concerned. However, this changed drastically when the national debt became a major issue after 1763. George Grenville's ministry had to find a plausible solution or it would be just another passing phase in British politics.

In 1764 the Sugar Act was passed into law. As was mentioned earlier, the colonists were irritated but not completely outraged by this tax, for Parliament's primary goal was not revenue generation, but trade regulation. The colonies had previously accepted legislation like this because it was perceived to exist not exclusively for Britain's benefit, but for that of the whole empire. Such a tax was also external in nature. This meant that the tax was paid at major sea ports like Boston where the products arrived, and it was then subtly figured into the price of the goods with little knowledge by the consumer. Colonists were aware they paid taxes; however, in this particular case they were not continually reminded each time they purchased something, as would be the case with the Stamp Act.

George Grenville was responsible for this revision of the Sugar Act, but he soon realized that the amount of money it generated was insufficient. Therefore, he had to find additional sources of revenue and made the decision to consider collecting supplemental money by raising "certain stamp duties." Grenville felt that a better method simply did not exist. He believed that a direct tax, while it might encounter some opposition, was the solution he and his ministry were searching for.<sup>5</sup> After all, the stamp tax was not a foreign concept to the British because such a duty was levied in Britain, and regardless, the government was desperate to find sources of revenue to settle the national debt.

In the summer of 1763 Grenville began initial consideration of a stamp act. By the fall of that same year, two drafts had been reviewed, neither of which was found satisfactory by either Grenville himself or

his ministry for the task of raising revenue. The coverage of the tax had not been specified. Grenville then decided that before another draft was submitted, research should be conducted involving the colonies because "a stamp tax would have to wait until the necessary information could be gathered." Thomas Whately, a loyal member and spokesman for the ministry, was the individual to whom Grenville gave the responsibility of collecting the information from the colonies and to write the next bill that was to be presented to Parliament. Whately's tasks were to build a case that justified the direct action taken by Parliament to levy this tax as well as to assess the colonial reaction and to generate feedback on other possible duties that could be levied. Grenville was slightly concerned with how the colonies would respond; however, he believed that as subjects of the British Empire, the people in America should accept and obey the legislation enacted by the mother country. Parliament was perceived to be an omnipotent power, at least by its members, the ministry, and the throne. Ultimately he thought colonists would pay the tax once they understood its purpose.<sup>6</sup>

In March 1764 Grenville provided the colonies with an option that the colonists might propose an alternative to his ministry's Stamp Act and determine another form of taxation that would be administered by the colonial governments. The revenue quota would have to be appropriate and in agreement with the guidelines formulated in Britain. The colonial legislatures were thus seemingly given a chance to have some control over the matter. Grenville gave the colonists this option because his bill was the first attempt ever made by any ministry to impose taxes directly upon the British subjects in America.<sup>7</sup> He believed that by consulting them, the tax itself would receive less criticism because the people would be familiar with it and would have a choice.

From March of that year until February of 1765, the colonists had the opportunity to discuss and debate their positions and come to a consensus about an alternative method of taxation. Simultaneously, revenue officers were collecting their information

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<sup>5</sup> Oscar Theodore Barck, *Colonial America* (New York: The Macmillan Company, 1958), p. 497.

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<sup>6</sup> Helen and Edmund Morgan, *The Stamp Act Crisis: Prologue to Revolution* (New York: Van Rees Press, 1953), pp. 53-54.

<sup>7</sup> Barck, *Colonial America*, pp. 497-98.

from the colonies to increase Britain's knowledge of this subject.<sup>8</sup> Grenville also entertained objections to his Stamp Act during this period of time. However, he never honestly planned on giving any real consideration to those who disagreed with him or drafted another form of taxation.<sup>9</sup> It was never his intention to submit to the will of his opposition because he perceived his method of raising revenue as superior and necessary. This was precisely what bewildered the colonial agents. Thomas Whately, having done some of his research, began drafting the actual Stamp Act, while the colonies were supposedly being allowed to devise their own tax scheme.

As the legislation was being prepared for Parliament, Grenville attempted to generate the perception that the colonies were not exerting enough effort to discover their own solution and that a mere objection to taxation was insufficient. He noted the failure of the colonists to produce a possible proposal during the year long postponement of his enactment. Britain needed to have access to revenue to pay its debts, and there was speculation that the Chancellor of the Exchequer was trying to manipulate the situation so that "a stamp act would appear to be the result of their (the colonists') own failure to come to the assistance of the mother country in an hour of need."<sup>10</sup>

Even if the colonies had found an alternative, Grenville had never provided the figures necessary to calculate the revenue needed and spoke in generalities when he gave speeches concerning the legislation. On May 17, 1764, he held a conference with the colonial agents. While addressing them, he never rescinded the option he had previously given the colonists to find an alternative mode of taxation. However, Grenville himself, "proposed that they assent in advance to the Parliamentary tax and thereby set a precedent for being consulted about any future taxes."<sup>11</sup> In that speech Grenville undermined the opportunity that he himself had given to the colonies. Meanwhile, Francis Bernard, the governor of Massachusetts, honestly believed that the Ministry

was sincere when it offered to extend the power to tax to the colonial legislatures if an alternative source revenue could be found, but even Bernard acknowledged that he had little information to operate on. More than two hundred years later, this evidence demonstrates that Grenville never wanted the people in America to have any control over the taxes Parliament would levy and that the year long delay in the preparation of the legislation served only as a cosmetic grace period while his ministry collected information to further its plans.

The colonial response during that year varied, but the general consensus concerning the enactment of a stamp tax was certainly unfavorable. Benjamin Franklin, who would later be a delegate from Pennsylvania to the Continental Congress, had four major arguments against this internal duty: 1) the tax was simply a "menace" and it was wrong for Parliament to force the colonists to pay even if the colonies were allowed to find their own alternative; 2) the colonies themselves were in debt because of imperial wars and could not afford the British taxes in addition to their own; 3) it would be difficult to make payments because restrictions on trade had made specie scarce, and finally; 4) the colonists had serious reservations about internal taxation and the right of parliament to pass legislation that denied the consent of the colonies.<sup>12</sup> A group of colonial agents, led by Franklin, traveled to England just before the bill was to be introduced into Parliament to meet with Grenville and to discuss alternative measures as well as other colonial grievances. This effort proved to be completely useless. Every colonial suggestion was unacceptable in Grenville's mind, and the visit failed to produce any legislative changes. This, along with growing colonial awareness of the tax bill, prompted collective opposition in the colonies to emerge and the arguments expounded by Franklin became increasingly popular.

On February 13, 1765, George Grenville introduced the Stamp Bill in Parliament and his year long grace period for the colonies came to an end. At this point, British officials were pressured by the English people who feared that their tax burden might be increased if the stamp duty was not imposed upon the colonies. The people were demanding relief, and Parliament was forced to react. As for the colonies,

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<sup>8</sup>R. C. Simmons, P. D. G. Thomas, eds., *Proceedings and Debates of the British Parliament Respecting North America 1754-1783*, Vol. 2 (New York: Kraus International Publications, 1985), p. 9.

<sup>9</sup>Morgan, *Stamp Act Crisis*, p. 57.

<sup>10</sup>Ibid., p. 54.

<sup>11</sup>Ibid., pp. 58-59.

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<sup>12</sup>Ibid., p. 59.

the British government was certainly aware of the growing resistance, yet the belief was that the colonials would eventually succumb to the power of the mother country and remain obedient.<sup>13</sup> This is reflected in a statement made by Under-Secretary Edward Sedgwick, in which he said that "None of the colonies have as yet denied the authority of the British Parliament to tax them, on the contrary several have expressly acknowledged it to be their duty to obey."<sup>14</sup> Grenville and his ministry were not simply ignoring the position of the colonies and their objections, but expected compliance with the tax because of the belief that Parliament possessed the power to legislate over British subjects wherever they lived. He persisted with the notion that the tax was necessary for defraying the cost of the colonies' protection and defense. It appears that Grenville attempted to convince the colonists that submitting to the tax was their duty and that their status as British subjects required them to take responsibility and remain loyal to England. Even Charles Townshend had boldly spoken out on this issue in January 1765 when he proclaimed the "supremacy of this country (Britain) over the colonies," and that "he would not have them emancipated."<sup>15</sup> Slowly, the extent of Parliament's control over the colonies and the power it possessed as a legislative body were being scrutinized and questioned by the colonials.

As for parliamentary objections, Grenville was capable of effectively asserting his position. He had taken the advice of Lord Mansfield and studied various colonial charters to ensure that none were exempt from the taxes passed by Parliament. Grenville presented the information he had collected in speeches he gave while defining the power of the mother country and addressing its dominion over the colonies in America. All taxes encountered opposition in his opinion, but that did not allow people to avoid or ignore them. In this case, "the cost of the navy had risen sharply, and this increase was incurred in a great measure for the service of

North America." For a duty to be improper, he believed that it must either be too heavy or unjustly imposed, which the stamp tax was not.<sup>16</sup>

Grenville refuted objection without difficulty because he had previously rehearsed for question and answer sessions where the colonials' supporters expressed their disenchantment and objections. On February 6, 1765, during the Common's Proceedings, Grenville responded to the issues of representation and the power of the British Parliament, both of which had become increasingly popular. He firmly stated that:

The objection of the colonies is from the general right of mankind to be taxed but by the representatives. This goes to all laws in general. The Parliament of Great Britain virtually represents the whole kingdom, not actually great trading towns. The merchants of London and the East India Company are not represented. Not a twentieth part of the people are actually represented.

and he further clarified that:

All colonies are subject to the dominion of the mother country, whether they are a colony of the freest or the most absolute government. As to their charter, the Crown cannot exempt them by charter from paying taxes which are imposed by the whole legislature, but in fact the Crown has not done it.<sup>17</sup>

Grenville was determined to have the legislation that his ministry had drafted become law. Furthermore, he was equally dedicated to justifying such a duty and confident that Parliament would compel the colonists to capitulate.

Among those who objected strongly to the stamp tax on February 6, 1765, was Isaac Barre, a French and Indian War veteran who urged Grenville to allow

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<sup>13</sup> Barck, *Colonial America*, p. 518

<sup>14</sup> Edward Sedgwick, "Weston Underwood," 28 February, as cited in P. D. G. Thomas, *British Politics and the Stamp Act Crisis: The First Phase of the American Revolution, 1763-1767* (New York: Clarendon Press, 1975) p. 88.

<sup>15</sup> Charles Townshend, "Harris Diary," 21 January 1765, as cited in Thomas, *British Politics and the Stamp Act Crisis*, p. 88.

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<sup>16</sup> Thomas, *British Politics and the Stamp Act Crisis*, p. 90.

<sup>17</sup> Simmons and Thomas, *Proceedings and Debates of the British Parliament Respecting North America 1754-1783*, 2:9.

the colonies to devise a tax themselves in their legislatures as Grenville's first option had proposed in March 1764. "He (Barre) most strongly recommended that if there must be tax laid, tho' he could wish there was to be none, that the Provinces might be indulged with the liberty as heretofore of furnishing their quotas of any sums required and collecting it in their own modes."<sup>18</sup> While this plea did sound legitimate, Grenville had already rendered this opportunity hopeless. Barre was simply making an attempt to obtain information that Grenville himself had failed to provide when he gave the colonies the choice, but this effort proved to be fruitless and Barre's objection was ignored.

Parliament and its members were not about to deny themselves the right to tax the colonies, especially when Britain was so desperately in need of revenue. They were determined to levy this duty despite the fact that reality confirmed that the debt incurred by those in America was only a fraction of what England owed its creditors. The entire public debt, according to Grenville's figures, was 900,000 pounds, all of which was to be paid by the year 1769 if all the proposed taxes were properly collected. A stamp bill was expected to generate 100,000 pounds annually.<sup>19</sup> Unfortunately, men who agreed with the position of Isaac Barre formed only a small group and were easily overpowered by the majority in the House of Commons. On February 6, fifty-five resolutions concerning the Stamp Act were passed and the bill received its first reading on the 13<sup>th</sup> of the month.<sup>20</sup>

From that point forward, Parliament was closed to any petitions that came from the Provinces involving this bill. The members simply refused to hear any more of their arguments or objections, for the Stamp Tax was to be enacted into law. After its introduction on February 6, Charles Garth, a colonial agent from South Carolina, wrote to his clients and stated that "the power of Parliament was asserted and so universally agreed to, that no petition disputing it

will be received."<sup>21</sup> Garth was a member of Parliament and could not sign any petition himself, so he obtained the signatures of several South Carolinians who were present in London. Despite this effort, nothing was accomplished because the other members ignored him. There was a similar response when Sir William Meredith, a London merchant, attempted to present a petition on behalf of Virginia. Parliament refused to acknowledge it for two major reasons: 1) "it was contrary to the customs of the House of Commons to hear petitions against money bills," and 2) "it cast doubt on the authority of Parliament."<sup>22</sup> Garth claimed that, "the House declared they would not suffer a petition that should hint at questioning the supremacy and authority of Parliament to impose taxes in every part of the British Dominion."<sup>23</sup> Clearly, members of the House had begun to feel as if they had been undermined by the colonies' attempt to avoid taxation and dispute the powers of the British government.

Parliament's justifications for imposing this tax and its refusal to entertain colonial objections certainly are not difficult to understand. Britain recognized that its trade relied heavily on the Provinces for raw materials as well as a market for finished goods. For these reasons, control of the colonies was a highly sensitive issue, especially when the concern was tax legislation. Parliament was convinced that the French threat remained present after the Seven Years War and that protection of the colonies required a standing army.<sup>24</sup> An army needed to be paid, and the citizenry of Britain were not expected to endure the burdens of another tax for the security of the colonists in the Provinces. The government wanted to keep control of land that the English had seized in North America, and there did not exist a better method of doing so. Furthermore, the debt incurred by the British government from the war fought against France was rather high according to British officials. In their opinion colonials should share the responsibility and contribute to its payment in exchange for the aid they received from the mother

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<sup>18</sup> Isaac Barre (John Nelson to John Temple, n.d.), Massachusetts Historical Society, "Collections," 6th series, 9 (1897), as cited in Morgan, *The Stamp Act Crisis*, p. 67.

<sup>19</sup> Morgan, *The Stamp Act Crisis*, pp. 68-69.

<sup>20</sup> John Bullion, *A Great and Necessary Measure: George Grenville and the Genesis of the Stamp Act 1763-65* (Columbia, Missouri: University of Missouri Press, 1982), p. 181.

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<sup>21</sup> Morgan, *The Stamp Act Crisis*, p. 68.

<sup>22</sup> *Ibid.*, p. 69.

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

country.<sup>25</sup> These beliefs, accompanied by the fact that the Sugar Act was not sufficient to generate the necessary revenue, made the stamp bill seem appropriate.

The colonists objected to this and believed that taxes resulting from trade regulation were sufficient, but this did not satisfy Parliament and the Ministry because the national debt needed to be paid. Parliament persisted with the notion that the money generated by the Stamp Act was “necessary for paying the troops within their own territories,” and that failure to access a source of revenue would certainly result in the bankruptcy of the mother country.<sup>26</sup> Members concluded that if the citizens of Scotland paid their taxes to the crown, so should the English people in America. After all, for Parliament to levy another tax directly upon its own people in Britain would bring disaster and possibly a mass exodus of the country’s population, so taxing the colonies was the only plausible solution.<sup>27</sup> As a significant portion of the British Empire, the Provinces in America were expected to remain dutiful to their mother country. In addition, they were to understand that as British subjects, all enjoyed virtual representation and must adhere to the laws enacted by Parliament. To its members, colonial objections were perceived as:

very unnatural, and very ungrateful:  
very unnatural because you (the colonies) have no compassion, no fellow-feeling for the distresses of your exalted parent; very ungrateful, because after Britain has done so much for you (the colonies), after she has nourished and reared you up...conquered your enemies, and placed you...beyond the reach of French perfidy and fraud, you (the colonies) will not stretch forth your hand to ease her....<sup>28</sup>

It appeared that Parliament was insulted by the popular colonial response to the Stamp Tax and that the colonial refusal to pay was seen as insensitive and ignorant of Britain’s desperation. Regardless of any continuing dispute, the Stamp Act received royal assent on March 22, 1765.

According to Clinton Rossiter, during the pre-Revolution years, “the colonies expanded noticeably in population, settled area, and wealth; they expanded even more noticeably in political, social, and religious liberty.” People were asserting themselves and were preoccupied by the opportunities to which they had access. “Progress and freedom were the concerns of the time, and a political theory dedicated to progress and freedom was an inevitable result.”<sup>29</sup> The English subjects present in the Provinces were slowly becoming Americans. This was precisely the reason why the Stamp Tax encountered much colonial resistance. The popular response activated a sense of political awareness among men of different socio-economic backgrounds and statuses, and ultimately allowed people to unite against a common enemy. According to John Adams, “The people, even to the lowest ranks, have become more attentive to their liberties, more inquisitive about them, and more determined to defend them...”<sup>30</sup> He honestly believed that the English subjects in America were being transformed into “Americans” regardless of whether or not their mother country approved.

Initially the main constitutional issue to be debated was Parliament’s ability to enact tax legislation in the colonies. Then the people in America began attacking the concept of virtual representation, the differences between levying internal and external taxes (internal taxes were those the consumer paid at the moment of purchase, while external ones were paid at the loading docks and indirectly figured into prices), and finally, they distinguished between taxes imposed for the generation of revenue. The colonists had two choices: they could either submit to the tax or defy it and assert their own independence. In the early to mid-1760s, fighting a revolution against England was

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<sup>25</sup>J. Almon, *The Justification and Necessity of Taxing the American Colonies, Demonstrated* (London: Burlington House, 1766), p. 10.

<sup>26</sup> *Ibid.*, pp. 9-10.

<sup>27</sup> *Ibid.*, p. 12.

<sup>28</sup> *Ibid.*, p. 18.

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<sup>29</sup> Clinton Rossiter, “The American Consensus, 1775-1776,” printed by Edwin Rozwenc, ed., *The Causes of the American Revolution* (Toronto: D. C. Heath and Company, 1973), p. 140.

<sup>30</sup> *Ibid.*, p. 140.



not the answer that the Provinces were seeking, rather they wished only for the repeal of the tax before it was to take effect and be enforced in November 1765. The colonists believed in a "government by consent" and that "the rights of man were the only theoretical foundation upon which independence could be based."<sup>31</sup> While most were not radical extremists, many simply could not agree with the actions of Parliament. To be subjected to a tax that was passed into law without the direct consent of the people violated a citizen's rights as an Englishman in their minds. To the colonists, members of Parliament perceived themselves to possess great power and as justified in enacting legislation, yet they neglected to consider the grievances of the people whom they governed. Such grievances were published in various pamphlets that circulated throughout the Provinces during the years prior to the American Revolution and served the purpose of political self-assertion. The colonials who did not agree with the Stamp Tax were not to be completely silenced, for they refused to submit willingly to it.

Among those who actually produced pamphlets concerning the tax question was John Dickinson from Pennsylvania. In 1765 he published a famous work entitled *The Late Regulations Respecting the British Colonies*. In this writing he detailed the economic suffering of the Provinces and the disgust that many colonists felt about the burdens of such an extensive tax like the Stamp Act. Dickinson mentioned that "trade was decaying" and that furthermore, "all credit was expiring." He then claimed that "money had become so extremely scarce that reputable freeholders find it impossible to pay debts which are trifling in comparison to their estates." This meant that even if creditors wanted to collect, they would receive almost nothing from debtors because the amount of money owed, in some situations, surpassed the net worth of people's possessions. "Thus the consumers break the shopkeepers; they break the merchants; and the shock must be felt as far as London." He blamed the economic frustration and hardship on British restriction of colonial trade. Furthermore, Dickinson attempted to stir the emotions of the people by presenting the reality of economic ruin that was lingering for many who owned businesses or farms in the Provinces. He then

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<sup>31</sup> Ibid., p. 141.

claimed that the Stamp Act would only compound the economic misery being experienced by many. "How will our merchants and the lower ranks of people, on whom the force of these regulations will fall first and with greatest violence, bear this additional load," he asked. Undoubtedly, Dickinson understood that this piece of legislation ultimately effected everyone in the colonies, and he openly objected to it because such a tax could potentially lead to the economic demise of those already struggling to keep what property and goods they had.

How unequal, under the present disadvantages, a merchant's commerce will be to the payment of all the taxes imposed by the Stamp Act on his policies, fees with clerks, charter parties, protests, his other neutral acts, his letters, and even his advertisements, experience, I am afraid, will unhappily prove.<sup>32</sup>

If this duty was enacted, merchants would be forced to raise prices because their costs would increase, resulting possibly in lower sales. For those people who were poor, every time they did something as simple as purchasing a newspaper, they would be forced to pay.

Dickinson asserted that the methods of collecting taxes in the colonies prior to the proposal of the Stamp Act were superior to Grenville's plan because in the Provinces taxes had been levied in proportion to people's income. No one appreciated taxes, but colonial legislatures previously had been concerned with an individual's ability to pay, whereas Parliament was attempting to generate revenue without involving the colonists in the decision.

Another prominent pamphleteer, as well as popular politician and resident of the city of Boston, was James Otis. According to Clinton Rossiter, Otis was a "lone wolf who argued against British policies while conceding their constitutionality," asserting that "there is no foundation for the distinction some make in England, between an internal and external

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<sup>32</sup> John Dickinson, "The Late Regulations Respecting the British Colonies," Bernard Bailyn, ed., *The Pamphlets of the American Revolution: 1750-1776* (Cambridge: The Belknap Press of Harvard University Press, 1965), pp. 679-80.

tax on the colonies.”<sup>33</sup> Otis simply did not believe that there was a difference between taxes enacted for the purpose of trade regulation and those for generating revenue. He declared that “the Parliament of Great Britain has a just and equitable right, power and authority, to impose taxes upon the colonies, internal and external, on lands, as well as trade.” Clearly, Otis was not denying the power of Parliament to levy taxes upon the Provinces, but he did object to the nature of the Stamp Tax itself. In his pamphlet entitled, *A Vindication of the British Colonies: Against the Aspersions of Halifax Gentlemen, in His Letter to a Rhode Island Friend*, Otis stated that he “should be glad to know how the gentlemen came by his assurance that a stamp duty is confessedly the most reasonable and equitable that can be devised.” He simply did not agree with the method that Parliament had selected for generating revenue from British subjects in the colonies. Otis argued that there had to be a more just and proper form of taxation than the legislation rendered by Grenville’s ministry. He even acknowledged both Grenville’s and the Parliament’s denial of the possible “colonial” tax proposal when Britain decided to levy the stamp duty; and this concession was obvious when he claimed the following:

Were I convinced, as he is, that it is reasonable and best that the colonies should be taxed by Parliament without being allowed a representation, and that it has become not only necessary to levy internal taxes on them but that the art of man could not devise so equitable and reasonable a tax as a stamp duty, I should heartily pray for its establishment.<sup>34</sup>

With this statement James Otis clearly disapproved of the choice made by Parliament, but he did believe in remaining subordinate to his mother country.

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<sup>33</sup>Rossiter, “The American Consensus,” p. 148.

<sup>34</sup>James Otis, “A Vindication of the British Colonies: Against the Aspersions of the Halifax Gentlemen, in His Letter to a Rhode Island Friend,” Bernard Bailyn, ed., *Pamphlets of the American Revolution: 1750-1776* (Cambridge: The Belknap Press of Harvard University Press, 1965), pp. 569-70.

The Stamp Act was approved by the Crown in March 1765, and was scheduled to take effect officially on November 1, 1765. Once the colonists recognized that their hope of finding themselves another method of taxation had been a hollow promise, popular opposition to the chosen tax began to build. Just as John Adams subsequently stated in 1766, the people were united against a common enemy and their differences, social or economic, proved to be of little concern. In Boston, popular reaction to the Stamp Tax received much attention. Arguments were waged in major newspapers and newsletters, and large mobs convened to vent the frustration and outrage of the people.

On August 12, 1765, *The Boston Evening Post* printed an article on its front page that openly challenged the right of the British Parliament to levy the tax. An excerpt read:

...I could never have believed that a government (such as England’s) that boasts of its freedom, would ever have attempted such a thing, much less had I not known the force of interest, and the influence of party spirit, could I ever imagine a writer in defense of it...

This was an assertion that the tax was a mistake and that the members of Parliament were mere human beings and capable of mistakes. In the minds of those politically active in Boston, “virtual” representation was not sufficient. Some citizens began to think that they “virtually never had any legislature at all, or, any laws properly speaking of their own making.” Many acknowledged that the persistence of Parliament in enacting such an extensive tax to generate revenue might ultimately ruin the relationship that existed between the mother country and her colonies. The colonials were “conscious of a right to equal privileges with the inhabitants of Great Britain,” and would not settle for anything less than their direct consent on the issue of taxation.<sup>35</sup>

By the end of August 1765, tension was building in Boston and the people were informally assembling to discuss their grievances. On the night of August

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<sup>35</sup>*The Boston Evening Post*, August 12, 1765, p. 1.

26, an armed mob gathered outside the home of Deputy Register William Story and proceeded to break his windows, enter the house, and destroy much of his personal property. Story had most of his furniture broken, and many files and books were burned by the crowd. The same mob then moved on to the home of Benjamin Hallowell, the comptroller of customs for the port of Boston, and tore down his fence, broke windows, and finally entered the house. Among the articles of property destroyed or stolen were his furniture, his apparel, liquor, thirty pounds sterling, and various documents.<sup>36</sup> The last target for this uncontrollable mob was the residence of Lieutenant Governor Thomas Hutchinson. He had all of his windows and furniture broken, but in this attack clothing, jewels, books, and colonial papers were taken. In addition, Hutchinson's wine cellar was invaded and its contents either consumed or destroyed. Later it was discovered that nine hundred pounds sterling were stolen.

The response of the Massachusetts governor, Francis Bernard, to such violent action was one of incredible disgust. He wanted the names of any of the mob's participants as well as its leaders. Bernard was so desperate that he offered a considerable reward for this information. However, the participants were never identified.

The September 19, 1765 issue of the *Boston Newsletter* published information concerning a meeting of the freeholders held the previous evening. The purpose of the gathering was to communicate the sentiments of the people and their feelings involving the crisis over the Stamp Act. A general consensus was achieved that confirmed the view that the people believed this tax to be unconstitutional and an abuse of the power by the Ministry and Parliament. The colonists felt that this tax conflicted with the Massachusetts royal charter, which granted the right of legislating and levying taxes to the colonial government (general assembly). "The most essential rights of British subjects are those of being represented in the same body which exercises the power of levying taxes upon them," and the colonists were denied this when Parliament passed the Stamp Act without the approval of the Provinces. At this meeting it was determined that the British justification for this tax was without substance. In

addition, the people proclaimed the debt accumulated in Britain during the Seven Years War had been irresponsibly bestowed upon the colonies without regard for the colonists' perspective on the question of taxation. At the meeting it was stated that:

Moreover, this Act, if carried into execution, will become further grievance to us, as it will afford a precedent for the Parliament to tax us in all future time, and in all such ways and measures, as they shall judge meet, without our consent.<sup>37</sup>

The colonists viewed the actions of Parliament to be completely ignorant of their concerns as well as a blatant attempt to establish a basis for future taxation. Once the stamp bill was passed, what would keep Britain from continually relying on the Provinces for revenue when debts increased and the mother country was forced to impose even higher taxes? Surely Britain would not desert this method if it proved to be a success, and this might have been a major reason why the colonists were so infuriated.

In the September 26 issue of the *Boston Newsletter*, Massachusetts Governor Francis Bernard responded to the colonial defiance of recent months. He recognized that colonial governments were much too weak to counteract the colonists opposing the tax, but he believed this did not excuse them from fulfilling their responsibility to the mother country. Bernard perceived the Stamp Act to be an official piece of legislation approved by Parliament, and this meant he would submit to it. In his argument he proposed a question to the colonists concerning their outright disobedience to Britain: "Will denying the power and authority of the King and Parliament be the proper means to obtain their favor?" Governor Bernard wondered whether or not the rejection of this tax would injure the state more than simply accepting it. He cited the defiance of the Navigation Acts as an example. In that situation the port had been closed and men had lost their jobs. Even when the harbor was re-opened, Massachusetts, and especially Boston, had endured a mild case of social disorganization because trade never resumed to the same level as

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<sup>36</sup> *The Boston Evening Post*, September 1, 1765, p. 1.

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<sup>37</sup> *The Boston Newsletter*, September 19, 1765, p. 2.

before.<sup>38</sup> Bernard's opinion was that the colonials should focus on another method of attacking the Stamp Act because as British subjects they were forever indebted to the Crown for their opportunities and freedom.

Soon the first of November came and the colonists mourned throughout the provinces. Everything was still that day and little activity took place because people were focused on disobeying the law. As a result, ships did not leave harbors, newspapers were not printed, courts did not function. "Stamped" paper was unavailable, and there was not an acre of land sold. Just as Bernard had predicted, British officials lacked the power to force compliance, and regardless, none wanted to aggravate the colonists, for doing so could have been disastrous. Ultimately the bill was a total failure. George Grenville, the man who had put all his effort into formulating this piece of legislation did not stay in office long enough to see its repeal. On March 4 1766, the Stamp Act was officially struck from the record and rescinded by Parliament, and with this, the colonists had won their first major victory on their journey to independence. Parliament was forced to recognize the fact that the colonies were not bluffing when they claimed that such a tax was unjustifiable and that they would reject its implementation. Many Americans had taken Grenville's proposal seriously and sincerely wanted to formulate their own method of taxation, but were completely outraged by the denial they experienced in 1765 as the interests of the British government eclipsed colonial hopes. At last they had the result most, if not all Americans, were wishing for. Parliament had to discover an alternative to the Stamp Act to generate revenue, and for the citizens of cities such as Boston popular opposition had proven a major success.

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<sup>38</sup> *The Boston Newsletter*, September 26, 1765, p. 1.

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## THE CIVIL WAR LETTERS OF BATHSHEBA JOHNSON

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### Jenny Foster

[I] once more take my pen to address you, but it is with an aching heart and a sorrowing mind that [I] attempt to write the sad story of our once noble and lovely boy[.] [O]h, he is gone where Sorrow and Sighing cannot come nor the Sound of Battle even disturb his spirit more[.] [Y]es, he fell by a rebel's Cruel hand[.] [H]e bore his Country[']s Flag with all the honors of a brave Soldier, and for it he must die[,] pierced by a Minie ball[.] [H]e was shot through the Breast and fell on his face and died without a struggle[.] [O]h, God[,] how horrible to have our Sons set a mark for f[ie]nds to aim their deadly missiles at[.] [A]las[,] how has our Country fallen[?] [H]ow long will this bloody Carnage last[?] [I] fear me till all our lands are made desolate (January 23, 1863).

Bathsheba Johnson wrote this to her family after news of her son's death. Ira Johnson, a Union soldier and Bathsheba's fifth son, died in battle December 13, 1862. As a mother of four sons who served in the Civil War, Bathsheba Johnson's correspondence reveals many of the hardships women experienced during this country's greatest crisis. During the war Bathsheba Johnson, the aunt of my great-great-great grandfather's wife, wrote eleven letters to her family and niece, Sarah Corey (see Appendix A). This paper is an analysis of these letters and discusses the effects of the Civil War and other issues on a woman's life. Bathsheba's letters express her views about religion, illness, and death, the importance of kinship, and her female network of support throughout the war.

Bathsheba Johnson was born to Sarah Cummings in approximately 1807.<sup>1</sup> Bathsheba had five siblings,

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<sup>1</sup>The only offspring of Bathsheba's eldest child was born in 1856. At this time men married around the age of twenty-four. Assuming the child was born a year after marriage, 1856 minus 25 is 1831. Women married at around 23 years of age. If Bathsheba had Edwin, her eldest child, after one year of

two brothers and three sisters. She married Dorastus Johnson and lived in Fentonville, New York until they moved to Pinegrove, Pennsylvania in approximately 1865. During the period of the correspondence, Bathsheba had ten living children, eight boys and two girls. Her eldest sons had children at this time, so she was a grandmother of eight.

Bathsheba wrote letters to her niece, Sarah Corey, who lived with her mother Huldah, and to her own mother, Sarah Cummings. The three women lived in Yorkshire, New York during the war (see Appendix B). Bathsheba's mother died in 1865, and Sarah Corey married Harrison Frink that same year. Harrison and Sarah had several children, including their son Irone. He married and his eldest son was named Glen. Glen married and the second of his three sons was Howard. Howard married and had two daughters, including Debra who married my father John Foster. Thus, Bathsheba was the aunt of my great-great-great grandfather's wife (see Appendix C).

Bathsheba's life, as reflected in her letters, was lonely and arduous. One may surmise that her correspondence with Sarah Corey and other family members was one of her few sources of entertainment and comfort during this period. It is apparent that she was a pious woman as religion was mentioned in several letters. In one example, she wrote that she and her mother should live out the Bible and "be patient in tribulation" (Mar. 20, 1860). She wrote in that same letter that she had heard many "first rate sermons" and a funeral sermon that was "very smart." In the fall of 1862, after her sons Doras and Ira were sent off to war, Bathsheba wrote, "God knows what it will avail their Country." She was also distressed about her boys fighting in the war. In this same letter she revealed her anxiety: "Oh, how earnestly do we pray God to spare our brave boys[,] but his will and not ours be done" (Fall 1862). After Ira died Bathsheba wrote that it was "right to mourn," because "God has formed us with affections one for the other" (Mar. 15, 1863). Her belief in heaven was evident in her letter from December 10, 1863: "there is a hope beyond, that will one day unite us where all will be peace and Comfort and nothing

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marriage, she would have been twenty-four. Therefore, 1831 minus 24 is 1807.

can annoy.” Throughout the text of her letters, she also referred to God as “keeper,” “divine wisdom,” “Maker,” and “providence.”

Besides the references to religion in her letters, Bathsheba and some of her family members had biblical names: Bathsheba, Huldah, Sarah, Abel, and Samuel. These names may demonstrate the family’s piety or perhaps simply the conventions to which many nineteenth-century families adhered.

It is not entirely clear to which denomination Bathsheba Johnson belonged. However, in her letter of January 23, 1863, Bathsheba mentioned two books: *The Pro and Con of Universalism* and *The Universalist Guide*, the latter of which she owned. The former was most likely *The Universalist’s Book of Reference: All the Principle Facts and Arguments, and Scripture Texts, Pro and Con, on the Great Controversy between Limitarians and Universalists* by E.E. Guild, published in 1844. It was popular among frontier readers and went through many editions.<sup>2</sup> These references suggest she may have been a Universalist. Universalism was popular among the lower classes of New England. Bathsheba, who lived in what was then frontier New York, had like the Universalists in general little formal education as is suggested by the poor grammar and punctuation in the letters (see Appendix D).

The period of correspondence was stressful to Bathsheba, the mother of four boys who served in the war, two of whom eventually died. Her letters frequently mention specific details of the war. It was a major event in Bathsheba’s life, as it was the consuming passion for all Americans. Every letter dealt with this trauma in some way or another. In her letter of February 3, 1862, Bathsheba remarked that she was “so disheart[en]ed about the war.” She felt that the “poor boys and men that is [sic] in the army would get discouraged and want to leave” (Feb. 3, 1862). Before her sons served, she referred to the boys as “poor.” Once her sons became soldiers, they became “men of honor” on “the[i]r mission of Liberty and Union” (Mar. 8, 1862). Doras was “contented to stay as long as he [was] needed” (Mar. 8, 1862). This change in attitude may be that Bathsheba now felt she could support the war

because her sons were healthy and “contented” to fulfill their duty.

However, support for her country did not lessen Bathsheba’s distress about her sons. On March 8, 1862, she wrote, “[O]h[,] will the time ever come when [I] can converse with the [tongue] instead of the pen[?]” In her next letter, dated June 14, 1862, Bathsheba was again greatly distressed about the war and her sons. She had heard a story from a soldier of her sons’ Company. The man told Bathsheba that her sons had thought about signing a paper, calling them “Cowards,” so they could be released. Doras did not care what it was, just so he could “get one more good meal of victuals at home” (June 14, 1862). This worried and upset Bathsheba because they were apparently dissatisfied enough with their military service that they were willing to hurt their reputations in order to return home. Yet as a concerned mother, Bathsheba wanted her children to be safe and at home with her.

Later in the June 14, 1862 letter, Bathsheba wrote about the funeral of a young man from her area who was killed in the war. She remarked: “what a sad trial for Mothers[,] [O]nly think of the poor boys that are wounded[-] their sufferings are not o[v]er.” Bathsheba said that it was “hard to see them leave home . . . and we know not what their fate will be” (Fall 1862). She believed:

blessed are the dead for they certainly will not have to Suffer no more[,] and not have the pain of seeing and knowing of their men and dear ones Suffering in the heart[-]rending Struggle of our poor[,] fallen Country[,] [O]h how will the wail ascend on high for her noble Sons that have been Slain for her rescue[?] [A]las[,] it is all in vain so far[,] [O]h how joyful would it sound to hear the glad cry of pease [sic] once more[!] [N]o more blood to be shed[!] [W]ould not the very trees shout for joy[?] (Fall 1862).

This letter also brought bad news about Doras: “Doras[,] poor boy[,] is sick yet[,] [H]e has been in the hospital at Washington 11 weeks.”

In the next letter of January 23, 1863, Bathsheba wrote about the death of her son Ira. He was killed by a Confederate soldier: “He was shot through the Breast and fell on his face and died without a struggle. . . Oh, he is gone where Sorrow and Sighing cannot come nor the Sound of Battle even disturb his spirit more.” Bathsheba was broken-hearted. Her

<sup>2</sup>Ernest Cassara ed. *Universalism in America* (Beacon Press: Boston, 1971), pp. 5-6.

sadness was shared, as Bathsheba noted by every mother who lost a son in the war: “[Mother,] oh what a name for a mortal to bear[;] how many Si[g]hs and moans attach to it[!]” She wanted the war to be over and wondered how long the “bloody carnage” would last. After Ira’s death one might have expected Bathsheba to view the war as an evil thing. However, throughout the remaining letters, she maintained a positive opinion about the war. She may have done this because it somehow justified Ira’s premature death. Bathsheba continually mentioned how her “brave one fell” on a “noble mission” and that he had “sacrificed” his life for his country. These words comforted her in her sorrow: Ira died a hero, according to Bathsheba, because he was fulfilling his duty.

However, in a later letter dated April 7, 1863, Bathsheba’s tone changed. One month after writing, “It is right to mourn,” she wrote: “[W]e had not ought to mourn . . . if our Noble Ira could speak and tell me[,] he would say[,] [‘] [M]ourn not[,] for I am at rest.[’]” Then she added: “[I] think if he could have had his choice[,] he would [have] prefer[r]ed the Death he died[,] in the service of his Country and he by the side of Comrad[e]s. [T]hey had been so long together they seem[e]d like Brothers[;] [they] suffered together and fell together. [A]nd how much more Noble a Death than as Governor or President[?] [T]hey offered their lives[-] a Sacrifice which neither of those big men have done[,] [they] who plan and make wars “ (April 7, 1863).

Bathsheba seemed at peace with Ira’s death—an attitude also reflected in her response to the death of another son Calvin, in 1865: “I must let [Ira and Calvin] rest; their work is finished[,] Nothing now their sleep annoys” (March 20, 1866).

On the home front, there were many hardships, including disease, with which Bathsheba had to deal. She even remarked, “[W]ar is not all that is sweeping the inhabitants[.] [D]isease is making such inroads in this section” (January 23, 1863). In every letter Bathsheba mentioned whether people were sick or healthy. Her first letter of March 20, 1860, explained how sick Bathsheba had been. “[I]t is with a thankful heart that I sit down to address a few lines to you[,] thankful to the giver of all good that I am able once more to sit up and work a little[,] write a little[,] and so on.” Celina, her daughter, was sick when the next letter was written on February 3, 1862. She

commented “we are among the living yet.” In March 1862 everyone in her family was well, but in June Bathsheba and two of her children were quite sick with a disease that was “a species of cholera” (June 14, 1862). In the Fall of 1862 she wrote that three of her grandchildren (William’s children) had died and that the remaining two were sick with diphtheria. In all four letters from 1863, Bathsheba reported that they all had “bad colds,” except for some of William’s family who had rheumatism. On March 20, 1866, Bathsheba said that she had been sick for “six long[,] weary months.”

With limited medical knowledge sickness was often a life and death circumstance. Deaths were frequent and funerals were mentioned quite consistently throughout the letters. Bathsheba once remarked that “there is not scarcely a day but the[re] is a funeral in hearing of us. [A]nd we know not how soon it may be that some more of our family may be taken from us” (April 7, 1863). This uncertainty was a constant in her life and explains why Bathsheba continually reported the state of her family’s health.

Bathsheba’s letters reveal that she was a caring person. The only people she wrote about that she did not like were the Confederate soldiers whom her boys fought and the politicians who sent her sons off to war; otherwise, Bathsheba was compassionate and warm throughout her correspondence. She fit the ideal of the genteel woman. She was modest and humble. She wrote in June 1862, “write soon[,] if you please[,] and oblige your friend and [a]unt.” At the close of her Fall 1862 letter, Bathsheba modestly remarked, “I must draw this imperfect sheet to a close.” Often, Bathsheba even signed her letters “your unworthy Aunt” (Fall 1862). And, in her last letter, she wrote: “[D]o not get out of patience reading this[-]it is poor paper[,] poor ink[,] [and] poor writer[,] all want[ing] excusing” (March 20, 1866).

The inhabitants of Bathsheba’s world were family and neighbors, and women figured prominently in her contacts. Her letters consisted of news about her family and the happenings in her town. Yet, she often sounds lonely and isolated. She told her sisters, Huldah and Harriet, that they “do not know what it is to be away from Father[,] mother[,] sister[,] or brother” (March 20, 1860). Kinship was extremely important to Bathsheba. She repeatedly asked family members to visit, sometimes begging

them for news or plans to visit. She leaned on them for support, but it does not seem that she always got that support. In February 1862 she wrote:

I am feeling quite anxious to hear from you all[,] especial[ly] my Mother[.] [I]t really seems that my friends have deserted me[-]if I ever had any[.] I have written them all a letter and received no answer in return[.] . . . [I]t seems often times in my lonely hours that one word from some kind friend[-]it would be like apples of gold[;] it would cheer my almost fainting spirit on to action again.

This feeling is present in several places throughout her letters, and terms such as “lonely” and “please write soon” are often used. Again, on March 8, 1862, Bathsheba wrote: [I]t has been good sleighing [for] about two months[.] [A]nd I have relatives living about a day[']s drive from me and not one deign[ed] to come and visit me in my loneliness[.] to cheer or speak one word of comfort to ease my almost[-]bursting heart[.] I have tried with the aid of divine wisdom to bear it manfully and not murm[ur][,] but I find the task is vain[.]

Then, on June 14, 1862, she remarked to her sister Huldah, “[O]h[,] the lonely hours we see[,] you know not, and may you be spared the trial.” In her last letter, Bathsheba wrote: “[I] have seen many a lonely hour[,] yes[,] [I] might say days[,] weeks[,] & months since I have seen or heard from any of you[r] family . . . I was sick six long weary months & not one Relative to call [and] pass away time which hung so drear[ily] all around” (March 20, 1866).

Support from women was especially important to Bathsheba. Her correspondence was with a woman; her eleven letters were addressed to her niece, Sarah Corey. Sometimes “all the rest” were included and meant Bathsheba’s sisters, sisters’ husbands, and her mother. She frequently made reference to missing her relatives and her love for them. Bathsheba, in the last letter to Sarah, wrote “[W]ell[,] [I] am seated again at my pleasant task of conversing with you[,] Sarah, my much Esteemed Friend & would that I could see you to night [sic]; it would be so pleasant to sit & have a social visit with you” (March 20, 1866). Bathsheba often used an informal term for her close female relatives, “girls.”

Another important woman in Bathsheba’s life was her mother, Sarah Cummings. There was a strong relationship between them--one of harmony and love. After she wrote a general letter to Sarah

and her family, Bathsheba would usually add a little paragraph just for her mother. In February 1862 she wrote to her mother: “[O]ften[,] very often do we think of thee.” On March 8, 1862, Bathsheba told her: “[H]ow I would like to have you call in here to day [sic] to while away a few lonely hours.” In December 1863, Bathsheba wrote: “love to my Mother.” She constantly worried about her mother’s old age and sent her love often.

It is apparent in her letters that she was closer and more intimate with her female relatives than her husband Dorastus. He was rarely mentioned and when he was, few details were revealed. On March 8, 1862, Bathsheba wrote that “the old Gentleman is on the lounge.” The lack of references to him suggests that there may have been a shyness about their interactions or a reluctance to discuss their relationship. This behavior is similar to the overall formality between men and women at that time.

Bathsheba Johnson wrote most every night, whether to her sons in the war, to her niece, Sarah Corey, or to other relatives. She looked forward to her time alone as writing was a source of comfort to her. This time for reflection may have given her the strength to face the many hardships of the war and the perseverance to endure them. Letter writing allowed her to escape the duties of womanhood for a short while and express her feelings openly about her difficult life. After moving into a new house, Bathsheba wrote on March 20, 1866, “it would be a pleasant home if our little Family Circle could be around us[,] gay & happy as they once were . . . our home is not as it once was.” Bathsheba’s family, like many American families during the Civil War, was broken and forever scarred by the dramatic events of the time.



## Appendix A

### List of Documents from Harrison's Metal Chest. Transcribed by JDF

Frink Family Tree--pruned for use with family letters  
 Sarah's Family Tree--constructed from family letters  
 3 maps of western New York where early letters were written

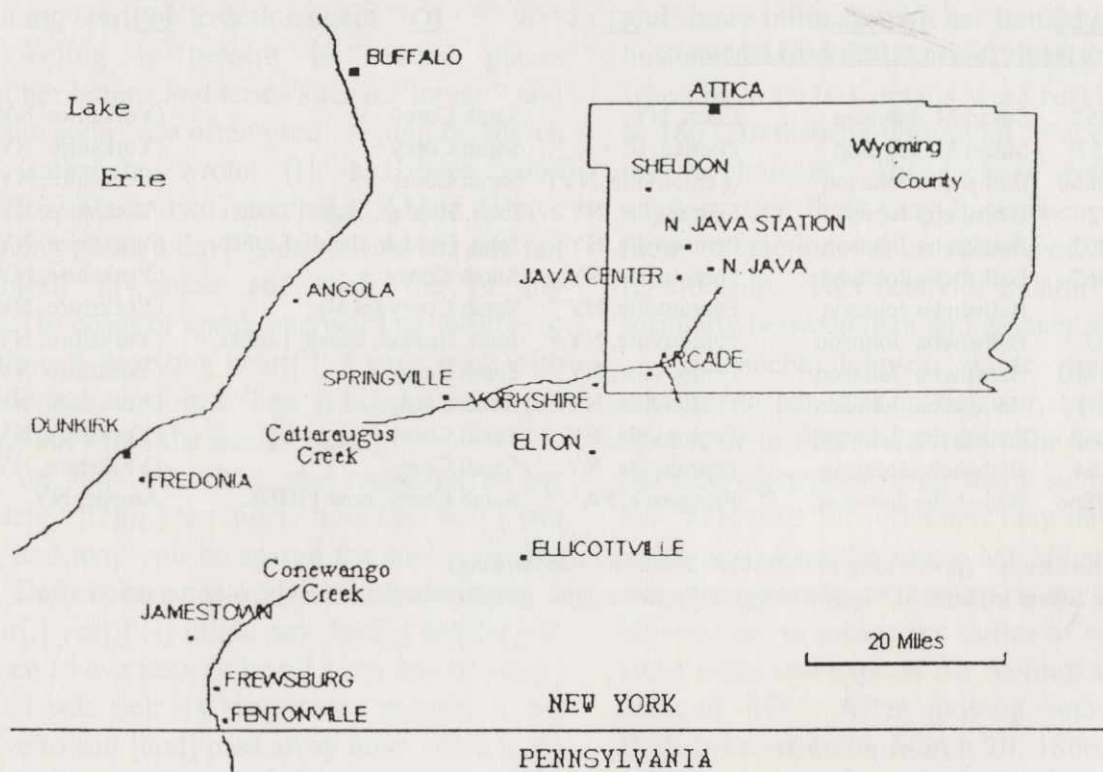
<u>DATE</u>	<u>FROM</u>	<u>AT</u>	<u>TO</u>	<u>IN</u>
<u>from Sarah's family (Susan &amp; Bathsheba Johnson)</u>				
May 21, 1857	Susan M. Johnson	Elton, NY	Sarah Corey	(Yorkshire, NY)
July 26, 1857	Susan M. Johnson	Pontiac, IL	Sarah Corey	(Yorkshire, NY)
March 20, 1860	Bathsheba Johnson	(Fentonville, NY)	Sarah Corey	(Yorkshire, NY)
Feb. 3, 1862	Bathsheba Johnson	Fentonville, NY	John, Huldah, Sarah, Luther	(Yorkshire, NY)
March 8, 1862	Bathsheba Johnson	Fentonville, NY	John, Huldah, Sarah, Luther	(Yorkshire, NY)
June 14, 1862	Bathsheba Johnson	Fentonville, NY	Sarah Corey	(Yorkshire, NY)
(fall, 1862)	Bathsheba Johnson	Fentonville, NY	Sarah Corey (et al)	(Yorkshire, NY)
Jan. 23, 1863	Bathsheba Johnson	Fentonville, NY	John, Huldah, Sarah, Luther	(Yorkshire, NY)
March 15, 1863	Bathsheba Johnson	Fentonville, NY	Sarah Corey	(Yorkshire, NY)
April 7, 1863	Bathsheba Johnson	Fentonville, NY	Sarah Corey	(Yorkshire, NY)
Dec. 10, 1863	Bathsheba Johnson	Fentonville, NY	Sarah Corey	(Yorkshire, NY)
Oct. 23, 1864	Bathsheba Johnson	Fentonville, NY	Sarah Corey	(Yorkshire, NY)
March 20, 1866	Bathsheba Johnson	Pinegrove, PA	Sarah Corey, now FRINK	Arcade, NY

“Little Willie Sleeps” (poem/song in Bathsheba Johnson's handwriting)

“Something Sweet to Think of” (poem/song; unknown origin: possibly for Sarah's mother--or Sarah)

Appendix B

Sketch of part of western New York where many writers of the old letters lived



## Appendix C

### Family of Sarah M. Corey / Frink

[Names and relationships gleaned from the letters saved by Sarah Corey / Frink.]

Mrs. Sarah Cummings (d.c1865) [lived in Yorkshire, NY, with daughter Huldah for her last 10 or 15 years]

--Bathsheba Cummings [lived in Fentonville, NY]

m. Dorastus Johnson

| --Edwin Johnson [moved from Elton, NY to Pontiac, Mich in 1857; she had 1 brother there already]

m. Susan M.

| --Huldah Johnson (b.c1856)

--William Johnson [served in Civil War]

m. Eliza

| --Caroline Johnson [finger amputated, 1863]

| --Willie Johnson (c 1860 - 1862)

| --Drastus Johnson (d 1862)

| --Dimis L. Johnson (d 1862)

| --child Johnson

--Samuel Johnson

| --2 sons

--Dorastus 'Doras' Johnson [served in Civil War]

--Ira Johnson (d. Dec 13, 1862) [died in Civil War]

--Calvin Johnson (d. 1865) [died in Civil War]

--Abel Johnson

--Truman Johnson

--Celina Johnson

--Bathsheba A. 'Sis' Johnson (c 1858? - c 1864)

--Luther Cummings

m. unknown

| --Russel Cummings

m. unknown

| --"Artie" Cummings

| --"Phe" Cummings

m. "Charlie"

--James S. Cummings

m. Sate (?) xxx (d. pre-1889)

--Della Cummings

m. Bert [brother of Amelia, who married Luther Corey]

| --boy (b. Mar. 1887) [Luther?--has 2 "Uncle Luther"s]

| --girl (b. Mar. 1888) [Cora?]

?--Nathan [may be the boy born in 1887]

m. Lynn

?--Addie Cummings

m. Susan "Suzy" xxx

| --boy (b. Aug. 1879)

--Abel Cummings

m. unknown

| --Lucy Cummings

| --Frank Cummings [went to Falk Co. in the Dakotas and homesteaded in 1886 & 87]

| m. unknown  
 | | --daughter  
 |--Corey Cummings  
 | m. Chloe xxx  
 |--unknown Cummings [may have died before these letters]  
 | m. Dimis  
 | | --Cora Cummings  
 | | --Abbie Cummings (b. c 1863??)  
 | | m. George  
 | | | --Lynn [m. Olive?]  
 | | | --Bertha  
 |  
 | | --Nathan "Nat" Cummings (d. 1903)  
 | | m. xxx (d. c 1889?)  
 | | m. Cora M. Frink (Apr. 26, 1868 - Mar. 18, 1931) on Dec. 23, 1891  
 | | | --Ina Cummings (Feb. 4, 1895)  
 |  
 |--Howard Cummings  
 |--Harriet Cummings  
 | m. Charles Jackson      Alice Wade Robison  
 | | --Charles "Charlie" Jackson  
 | | m. Agnes Robison [in Feb., 1889]  
 | | --at least 1 other son  
 |--Georgia Jackson  
 | m. Alfred Stoddard [of Mass.]  
 |--Huldah Cummings [lived in Yorkshire, NY]  
 | m. John Corey-----unknown Corey [William?]  
 | | -- Adaline "Ada" Corey (? - c 1870?)      | --Emery Corey  
 | | m. Ed [?] in cl865      m. Helen  
 | | | --Hattie  
 |--Sarah M. Corey (cl841 - Apr. 13, 1912)  
 | m. Harrison Frink (Feb. 21, 1840 - Sept. 9, 1917) on Mar. 15, 1865  
 | | --Cora M. Frink (Apr. 26, 1868 - Mar. 18, 1931) [b. Arcade, NY; bur. Benjaminville, Ill.]  
 | | m. Nathan "Nat" Cummings (? - 1903) on Dec. 23, 1891 [bur. NY]  
 | | | --Ina Cummings (Feb. 4, 1895 - ?)  
 | | m. Basil Edwards (? -?) on Dec. 17, 1913; Divorced 1925  
 | | | --Olen Basil Edwards (Oct. 1, 1914 - June 17, 1927) --NC  
 | | | --Valla Agnes Edwards (Nov. 2, 1921-)  
 |  
 | m. Vern Grove (? - Nov. 16, 1932) on Aug. 23, 1926 --NC  
 |--Sheridan J. "Sherry" Frink (July 6, 1869 - May 5, 1942) [b. Arcade, NY]  
 | m. Helen Fuller (? - ?) on Feb. 27, 1895  
 | | --Hazel Frink (Sept. 10, 1897 -)  
 | | m. Lyle Hill (Aug. 2, 1898 -) on Sept. 1, 1920  
 | | | --child (May 30, 1921 - May 30, 1921) [died at birth]--NC  
 |--Lois Frink (Oct. 8, 1900 -)  
 | m. Harvey Crusius (Dec. 7, 1898 -) on April 3, 1922  
 | | --Emily Jean Crusius (Sept. 11, 1927 -)  
 | | m. John R. Doyle, Jr. (July 6, 1928 - ) on Feb. 11, 1950  
 | | | --Michael Lee Doyle (Feb. 3, 1953 - )  
 | | | --Douglas John Doyle (Dec. 2, 1958 - )

|--Wilbur Frink (Apr. 22, 1912 - )  
m. Georgia Baily (Sept. 22, 1915 - ) on July 30, 1942

--Charles H. Frink (June 22, 1871 - Apr. 12, 1937) [lived in Hadley, Ill. in 1909] [bur. Bloomington]--NC  
m. Grace McCarrell (? - ?) on May 15, 1907

--Irene L. Frink (4th child) (Oct. 13, 1873 - Dec. 20, 1951)[b. Arcade, NY][lived in Normal, Ill.]  
m. Luella Baumgardner (Feb. 7, 1877 - Feb. 24, 1941) on Jan. 8, 1896

|--Glen Elwood Frink (1st child) (Oct. 6, 1896 - May 4, 1969)  
m. Jesse Loretta Adams (Aug 23, 1898 - Apr. 21 (?), 1981) on June 22, 1919

|--Warren Paul Frink (May 12, 1921 - June 1, 1944) NOT MARRIED; --NC

|--Howard Glen Frink (Jan. 14, 1925 - )

|m. Melba Jean Zehr (Oct. 9, 1926 - ) on June 15, 1947

|--Cheryl Jean Frink (Apr. 5, 1949 - )

|m. Bill Matzker

|--Mark Matzker

|--David Matzker

|--Debra Lee Frink (Feb. 2, 1953 - )

|m. John Foster

|--Jenny Foster

|--Katie Foster

|--Willis Earl Frink (Apr. 17, 1932 - ) [b. Normal, Ill.]

|m. Donna Saylor (? - ) on Aug. 29, 1954; Divorced 1956--NC

|m. Margaret Edna Briel (Aug. 12, 1935 - Nov. 28, 1987) on Aug. 25, 1956

|--Gretchen Louise Frink (Nov. 28, 1958 - Apr. 20, 1975) NOT MARRIED;--NC

|--David Warren Frink (Nov. 5, 1961 - )

|m. Beth Zapotocky (Feb. 6, 1962 - )

|--Alicia Katelyn Frink (July 20, 1992 - )

|--Joshua David Frink (Jan. 3, 1990 - )

|m. Mrs. Judy Day Christensen (nee Potter) on Feb. 18, 1989;--NC

--Luther Corey (d. c 1913)

m. Amelia Spencer (?) ---

|--girl (Dec. 1 - 10, 1872)

|--Carrie Corey

|m. George xxx

|--Corey

|-----  
|--sis. Loma Spencer (?)

|m. xxx

|--girl (b. Mar., 1888)

|--Lucius?

|--sis Cella

|m. Henry

|--bro. Henry Spencer (?)

|m. Alice

|--boy (b. pre-1879)

|--boy (b. Aug., 1879) > Guy, Carl

|--boy (b. Nov., 1887)/ & Arthur

|--bro. Bert

|m. Della Cummings [see Della]

Wish I were as well I believe and I believe  
 that we don't hear from Edwina very  
 often they write to Ira and Dorcas and they  
 send the letters home some of the time  
 I must draw this to a close by wishing you  
 all good luck and prosperity through life and  
 I must write a few lines to Mother this from your  
 D John and Huldah Emery

Sarah Luther <sup>my</sup> Sister and Aunt B J  
 Dear Mother how I would like to have  
 you call in here to day to while away  
 a few lonely hours you have lived  
 to a goodly old age Mother and seen  
 many a tail some day and yet spared  
 to wear a little longer you know what trials  
 are and why they are it to make us richer than  
 when we arrive at home so cheer up Mother  
 your journey is almost at an end and me  
 poor one if I should live to see as many years  
 as you have must struggle on a long while  
 yet oh may I be resigned to my fate be it  
 what it may good by Mother be patient  
 we all the fortitude you can if we both live  
 I shall visit you next summer no prevent  
 providences when this from your aff  
 to my Mother Sarah C (daughter) Bathsheba J

30  
 Huldah I would be glad to have you come and  
 visit me but I realize the task you have try  
 and be patient and do your duty and you will  
 have your reward we are both getting old and  
 we know not what hands we may fall into I do  
 not think that Mother could be in a better place  
 but it requires a great deal of fortitude to get along  
 with the old age a mere shell goodly

Letter March 11/52

Dear Friends one and all  
 I will try and write a few lines to let you  
 how we are and what we are all doing  
 well to begin the old Gentleman is on the low  
 and I am a writing here all alone Calvin  
 Celina and little Sis have gone on to <sup>my</sup> great  
 to see their folks we are all well as usual excep  
 myself I am very tired it is quite warm  
 to night we have had a remarkable winter  
 it has been good sleighing about two months  
 and I have relatives living about a days  
 drive from me and not one deign to come  
 and visit me in my loneliness to cheer  
~~me~~ ~~up~~ ~~with~~ ~~some~~ ~~words~~ ~~of~~ ~~comfort~~ ~~to~~ ~~ease~~ ~~my~~  
 almost bursting heart, I have tried with  
 the aid of divine wisdom to bear it  
 manfully and not murmur but I find  
 the task is vain, oh where is the heart not  
 made of stone can read the suffering of  
 the dear ones and not cry in despair at  
 the dread thought it may be mine next



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## A VARIED LOT: FRONTIER WOMEN OF THE NINETEENTH AND EARLY TWENTIETH CENTURIES

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### Jennifer Hootman

The awe-inspiring landscape west of the Mississippi River reveals an unmatched diverse beauty including grand vistas, broad sea-like prairies, seemingly infinite plains, magnificent, craggy mountains, deep canyons, rose-hued sands, and fertile green lands. This was the scenery for those who dared to travel to the western frontier in the nineteenth and early twentieth centuries. The women who traveled to and lived on the American frontier were as diverse as their environment. The most prevalent, long-lasting image of frontier women, however, is conveyed in the words of the historian, Emerson Hough, in 1921:

The chief figure of the American West ... is not the long-haired fringed-legged man riding a raw boned pony, but the gaunt and sad-faced woman sitting on the front seat of the wagon, following her lord where he might lead. That was the great romance of all America - the woman in the sunbonnet.<sup>1</sup>

Hough's words reflect a powerful stereotype of the frontier woman of the nineteenth and early twentieth centuries. This stereotype lifted the frontier woman to the lofty height of the Madonna, gave her a harsh life and the strength to fight it, and deemed her the keeper and sustainer of America's moral and religious values.<sup>2</sup>

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<sup>1</sup> Quoted in Glenda Riley, The Female Frontier: A Comparative View of Women on the Prairie and the Plains (Lawrence: University Press of Kansas, 1988), p. 1.

<sup>2</sup> *Ibid.*, pp. 1-2. Fictional and non-fictional authors alike have established in their works a long tradition of creating and reinforcing the stereotypic frontier woman. A fictional writer, O. E. Rolvaag in his Giants of the Earth (1927),

This distorted view includes the belief that most, if not all, frontier women were white, slender, law-abiding, traditional God-fearing Protestants. They were submissive to their roles of wife, mother, daughter, sister, and homemaker, were traditionally inclined, essentially loathed frontier life, and resented with every bone in their bodies having to live under such harsh conditions. Although it is true that there were many women whose lives reflected this powerful stereotype, it is also true that there were many frontier women who lived beyond it and broke free from this mold.

One of the primary dangers of a stereotype, however, is its prevalence. As more and more people began to accept this stereotype of frontier women, believing that most, if not all, frontier women were like Hough's description, then it evolved into a myth. When a myth is subscribed to by a person, group of people, or a society, then reality is distorted.<sup>3</sup>

Therefore, this myth of the frontier woman that Hough described has presented a one-sided or singular reality. This myth or singular reality spawns, in turn, the illusory idea of it being the reality: the only one that exists. The widespread acceptance of the myth produces three major problems: 1. it limits our search for other realities; 2. it places individuals into limiting roles; and 3. it distorts our self-perceptions.<sup>4</sup> Consequently, in applying these three problems to the myth of the frontier woman, one can see that in the acceptance of this one reality the search for any other reality has been limited, diminished, or abandoned. Hence, this is a primary reason why the diversity of women on the frontier is not always or often recognized. This myth has also limited the various roles of the

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depicted the farm woman as unable to handle the environment. Some selected works of Hamlin Garland such as A Pioneer Mother (1922) also depict a mythical western woman. Also, non-fictional authors such as Dee Brown, The Gentle Tamers (1958); Everett Dick, The Sodhouse Frontier, 1854-1890 (1937); John M. Faragher, Women and Men on the Overland Trail (1979); Elizabeth Ellet, Pioneer Woman of the West (1852); and William F. Sprague, Women and the West: A Short Social History (1940) have all contributed to the establishment of this stereotype or myth of the frontier woman.

<sup>3</sup> Anne Wilson Schaef, Women's Reality: An Emerging Female System in a White Male Society (Minneapolis: Winston Press, Inc., 1985), pp. 8-15.

<sup>4</sup> *Ibid.*, pp. 8-15.



frontier woman by describing her primarily as a homemaker, wife, mother, daughter, field hand, or an assistant to her husband, father, brother, or male employer. By accepting this as the one, true reality, then not only are women being given a specific *place*, but also are being kept in it.<sup>5</sup> Therefore, by assenting to and, thus, perpetuating this myth, contemporary women can be led to believe that since their female ancestors had a *place* and accepted it, then they too must have a place in society that they must accept. This then can lead to a distortion of women's own self-perceptions.<sup>6</sup>

Because of the dangers that this myth causes, it becomes increasingly important to recognize the diversity that existed among women on the American frontier. Frontier women were a varied lot. They were a group of people with as much diversity as the western landscape. These women expressed their diversity in many different ways, including their involvement in activities that did not involve homesteading, ranching, or mining. Women expressed their individuality in their adventures, their political activities, their religions, and their relation to societal roles and expectations.

When traveling west, there were many women who were not involved in homesteading, ranching, or mining. Many of these women were seekers of adventure and fortune. For example, from 1858 to 1906, there were at least eight different mountain-climbing females in Colorado. In the spring of 1858, twenty-year-old Julia Archibald Holmes traveled with her husband, James Holmes, and others from Lawrence, Kansas to look for gold near Pikes Peak. Women's fashion in the nineteenth century dictated that a female should don long skirts, long sleeved blouses, and corsets to accentuate that "hourglass shape." On her westward journey, however, Holmes donned bloomers which practically became the uniform of the suffragists of the 1850s. Her costume included a short skirt and trousers gathered at the ankle, Indian moccasins, and a hat.<sup>7</sup> Holmes noted, "However much it lacked in taste, I found it gave me freedom to roam at

pleasure in search of flowers and curiosities, while the cattle continued their slow and measured pace."<sup>8</sup>

When the Lawrence group reached Pikes Peak, it set up camp and remained there for a month. On August 1, the Holmes party ventured out and began its ascent. With a seventeen pound pack, Julia Holmes joined the party and climbed to an elevation of 14,110 feet above sea level. They carved their names on a large rock and began to write letters to their friends.<sup>9</sup> After their ascent Holmes, proud of her bold climb, wrote to her mother:

I have accomplished the task which I marked out for myself and now I feel amply repaid for all my toil and fatigue. Nearly every one tried to discourage me from attempting it, but I believed that I should succeed; and now, here I am, and I feel that I would not have missed this glorious sight for anything at all. In all probability I am the first woman who has ever stood upon the summit of this mountain and gazed upon this wondrous scene, which my eyes now behold.<sup>10</sup>

Indeed, Julia Archibald Holmes was the first woman known to climb to the top of Pikes Peak. Thirteen years would pass by before any other woman successfully climbed a Colorado mountain. On August 26, 1871, an issue of the Boulder County News printed, "Al Dunbar from Estes Park, last week piloted a party to the summit of Long's Peak, among whom were Misses Alexander and Goss of St. Louis, the first ladies who ever made the ascension."<sup>11</sup> Actually, only one of the women made it to the top, Addie Alexander. Henrietta Goss gave up on her climb only a few hundred feet from the summit. Nevertheless, both of these women were courageous for their effort, perseverance, and sheer muscle power. A few weeks later, the *Boulder County News* reported that a Miss Bartlett also bravely climbed to the top of Long's Peak.<sup>12</sup>

In 1906 Victoria Broughm traveled from Michigan and stayed as a guest at Long's Peak Inn. She wanted to climb Long's Peak solo, but she first had to prove that she was a competent climber by

<sup>5</sup> Ibid, pp. 8-15, 69-76.

<sup>6</sup> Ibid, pp. 69-76, 80-85.

<sup>7</sup> Janet Robertson, The Magnificent Mountain Women: Adventures in the Colorado Rockies (Lincoln: University of Nebraska Press, 1990), pp. 2-3.

<sup>8</sup> Quoted in *ibid*, p. 3.

<sup>9</sup> *Ibid*, pp. 4-5.

<sup>10</sup> Quoted in *ibid*, p. 6.

<sup>11</sup> Quoted in *ibid*, p. 7.

<sup>12</sup> *Ibid*, pp. 7-8.

climbing a smaller peak. After completing this task successfully, she began her ascent with the aid of a faithful collie, Scotch. Instead of following the dog, who knew the way quite well, Broughm commanded the dog to follow her. Broughm eventually lost her way, and because she had not yet returned to the Inn, a search party of men set out to find her. Once the search party found Broughm and Scotch, they helped her descend the mountain. Although Victoria Broughm's climb may not have been a complete success, she was the first woman known to attempt to climb a major Colorado peak solo or, rather, with the help of a dog.<sup>13</sup>

Besides women who chose to climb mountains for adventure and fortune, the West was also home to women social reformers. Those women who thought themselves to be morally superior to men often saw it as their "job" to clean up and purify the corrupt world around them. For instance, a straight-laced, California woman, Lorena L. Hays, had a brief but promising career as a correspondent for *The Golden Era*, a family paper printed weekly in San Francisco. Hays used excerpts from her writings in her diary as articles for the paper. Because of Hays's Victorian mind-set, she used her articles to try to influence women's role in reforming the gold rush society.<sup>14</sup>

Hays was ultimately concerned with the "wickedness" of California. She urged women to rise up to their natural position. Hays wrote, "It is her province and privilege to disseminate the blessings of purity and peace; and surely in California she can see there is work for her hands to do."<sup>15</sup> Hays viewed the fight against vice and immorality to be a woman's job. It was women's mission to purify and bring peace to society through the "secret power" for good that God granted women. Referring to the use of this "secret power," Hays stated, "who can tell but that the gambler, duellist, sabbath-breaker and drunkard would soon cease to stalk in insolent dignity through the land."<sup>16</sup> Hays would often implore her women readers to

become involved in reform movements to help cleanse their "polluted" society.<sup>17</sup>

On the western frontier of the nineteenth and early twentieth centuries, there were countless numbers of women who were in some manner involved in politics. There was another group of social reformers who thought of themselves not so much as vessels of purity, piety, and "secret power," but rather as the equals of men and wanted to be equally recognized. These women often argued that they should have the right to vote because they viewed females to be the male's equal. Women suffragists were far more successful in western states than in the East. By 1896 four western states had granted suffrage to women. In 1910 the state of Washington also gave women the right to vote. Over the following five years, seven more western states gave women voting power. In 1916 a suffragist from Montana, Jeannette Rankin, was elected to the House of Representatives. Rankin was the first female to hold a congressional office.<sup>18</sup>

When considering women who lived in the West and were involved in politics, it is necessary to discuss the work of Luna Kellie, wife of a Nebraska prairie farmer in Kearney County. Kellie dutifully fulfilled her roles of worker, helper to her husband, and mother. She also added to the family's income through the sales of chickens and eggs. The Kellie family endured all the hardships one would expect nineteenth-century, sod-house homesteaders to encounter. They endured poverty, severe weather, grasshopper invasions, prairie fires, crop failures, and disease. Lured into Nebraska politics, Luna Kellie spoke publicly, became a secretary for the Nebraska Farmers' Alliance, and then published a newspaper called the *Prairie Home*.<sup>19</sup>

Nevertheless, it took Kellie quite a few years to become involved in politics. After being burdened, like other Nebraska farmers, by the railroads' monopoly on rates and by grain elevator operators who lowered the grade of the farmers' grain, Kellie began to realize how politics directly affected her

<sup>13</sup> Ibid, pp. 22-23.

<sup>14</sup> Jeanne Hamilton Watson, ed., *The Land of Gold and Wickedness: The 1848-59 Diary of Lorena L. Hays* (St. Louis: The Patrice Press, 1988), pp. 5, 210.

<sup>15</sup> Quoted in *ibid*, p. 210.

<sup>16</sup> Quoted in *ibid*, p. 211.

<sup>17</sup> Ibid, p. 210.

<sup>18</sup> Carol Berkin et al., eds. *Making America: A History of the United States, Volume 11: Since 1865* (Boston: Houghton Mifflin Company, 1995), p. 642.

<sup>19</sup> Jane Taylor Nelson, ed., *A Prairie Populist: The Memoirs of Luna Kellie* (Iowa City: University of Iowa Press, 1992), pp. xv-xviii.

life. Kellie had always been taught that "it was unwomanly to concern oneself with politics and that only the worst class of women would ever vote if they had a chance etc. etc."<sup>20</sup> It was not until 1881 that the Farmers' Alliance established a chapter in Kearney County. J. T. Kellie, Luna's husband, became involved in the Alliance and formed farming cooperatives with other Nebraska farmers trying to fight against monopolies. In 1884, after the loss of their homestead, however, Luna Kellie began to study Alliance issues and, thus, by 1889 became a strong participant in the Alliance. By 1890 Kellie had become a songwriter and an active promoter for that year's campaign.<sup>21</sup>

Besides writing in her newspaper, the *Prairie Home*, Kellie served with dedication but without pay (only men were paid for holding offices) as the local and county secretary for Kearney's Farmers' Alliance. In 1894 the Farmers' Alliance asked Kellie to deliver a speech at the state meeting. What she delivered was a stirring, inspiring, much imitated speech titled, "Stand up for Nebraska."<sup>22</sup> Luna Kellie is just one fine example of western women's involvement in politics. There were many women in the West who were equally concerned and involved in political matters.

The West became a doorway to political opportunity for females as public officials. Esther Morris became a justice of the peace in 1870, and by 1900 Estelle Reel was elected as State Superintendent of Public Instruction. In 1894 the first American women to hold legislative positions in the Colorado House of Representatives were Clara Clessingham, Carrie Holly, and Frances Klock, and in 1910 Mary G. Bellemey was added to the Wyoming House of Representatives. In 1924 Wyoming elected its first female governor, Nellie Tayloe Ross, and Miriam Ferguson also was elected as governor of the state of Texas. In 1932 Hattie Caraway from the state of Arkansas was the first female elected to the U.S. Senate.<sup>23</sup>

Another prominent western woman who was immersed in politics was Mary Elizabeth

Clyens Lease. After moving west in 1870, Lease married and became a mother of four. Because of Lease's experience with the struggle against poverty on farms in Kansas and Texas, she eventually became one of the best known leaders of the Populist Party. Not only was Lease a brilliant orator for the Populist cause, but she also was an editor for labor newspapers and was elected a "master workman" of the Kansas Knights of Labor in 1891.<sup>24</sup> In 1892 she seconded the nomination of James B. Weaver, the Populist presidential candidate. Kansas women obtained voting power several decades prior to the Nineteenth Amendment, and when Lease ran for the United States Senate in 1893, she was one of the very first female candidates for a major national office.<sup>25</sup>

Although Lease had an unsuccessful campaign, she certainly had unquestionable political credentials. Lease had previously made more than 150 speeches for the Populist Party, and her oratorical skills were so acute that she was chosen to be the speaker for Kansas Day at the 1893 Columbian Exposition in Chicago. She also received a gubernatorial appointment as president of the State Board of Charity.<sup>26</sup> Lease's political causes included her involvement in the Populist Party, prohibition, suffrage, and Irish nationalism. Not only did Lease excel in speaking but also in writing. In 1895 Lease became the author of *The Problem of Civilization Solved*, and was consequently hired in 1896 as a political writer for the *New York World*. Spending the rest of her life in the New York area, Lease remained involved in politics but did not achieve the recognition in the East that she had in Kansas.<sup>27</sup>

In moving from women's involvement in politics to what motivated women to live on the frontier, one will see that not all women traveled west only to "follow her lord where he might lead," as Emerson Hough suggested. Some did not even have a "lord." There were countless women, many of whom were single or widowed, who willingly chose to live on the frontier. For example, Elinore Pruitt was orphaned as a young girl, and she and her siblings had to forge their own way in Oklahoma's

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<sup>20</sup> Quoted in *ibid*, pp. 154-55.

<sup>21</sup> *Ibid*, pp. 155-62.

<sup>22</sup> *Ibid*, pp. 164-67.

<sup>23</sup> Doris Weatherford, *American Women's History: An A to Z of People, Organizations, Issues, and Events* (New York: Prentice Hall, 1994), p. 369.

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<sup>24</sup> *Ibid*, p. 208.

<sup>25</sup> *Ibid*.

<sup>26</sup> *Ibid*.

<sup>27</sup> *Ibid*.

Indian Territory. Having no school to attend, Pruitt taught herself to read and write. She eventually married and lived in Denver. She lost her husband, however, in a railroad accident. After her husband's death, she worked as a laundress, housekeeper, and furnace tender in order to support herself and her two-year-old daughter, Jerrine.<sup>28</sup>

After recovering from the flu, Pruitt began to dream about homesteading in Wyoming. She wrote, "I was so discouraged by the grippe, that nothing but the mountains, the pines, and the clean fresh air seemed worthwhile ... and I wanted to homestead."<sup>29</sup> Pruitt answered an ad in the Sunday paper that led to her employment as a housekeeper and hired hand just outside of Burnt Fork, Wyoming. She worked for a wealthy, Scottish bachelor, Clyde Stewart, who owned and operated a cattle ranch. Pruitt's story, however, did not end with her housekeeping and ranching for Clyde Stewart; rather, her story was just beginning. Pruitt still dreamed of owning her own land.<sup>30</sup>

In May 1909 Pruitt traveled about 80 miles to Green River, the county-seat, to file a claim on land that adjoined Clyde Stewart's. The Homestead Act of 1862 allowed a widowed, divorced, or single woman over 21 to file a claim on 160 acres on which residence had to be established for five years before obtaining the deed. After she made enough money, Pruitt planned to file another claim through her desert right under the Desert Land Act of 1877. The Desert Land Act stated that if a person took up 160 acres of desert land and irrigated it, then the person would be given another 160 acres of land.<sup>31</sup> Referring to her homesteading, Pruitt wrote:

I wanted the fun and experience. For that reason I want to earn every cent that goes into my own land and improvements myself. Sometimes I almost have a brainstorm wondering how I am going to do it, but I know I shall succeed; other women have succeeded. I know of several who are now where they can laugh at past trials.<sup>32</sup>

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<sup>28</sup> Elinore Pruitt Stewart, *Letters of a Woman Homesteader* (Boston: Houghton Mifflin Company, 1942), pp. xiv-xv.

<sup>29</sup> Quoted in *ibid*.

<sup>30</sup> *Ibid*.

<sup>31</sup> *Ibid*, pp. 8, 133-34.

<sup>32</sup> Quoted in *ibid*, p. 134.

Pruitt had a small grove of a dozen pines on her claim with a stream running right through the center. A few years later, in 1912, she married Clyde and bore four children. Elinore Pruitt Stewart, however, was not without adventure. Whenever she had the chance, she left with her children and traveled over rough Wyoming terrain encountering all types of weather, people, and situations. During one such adventure, she was caught in the middle of a raid by horse thieves. During other adventures, she met interesting people such as a French trapper, Gavotte, and another who became a close friend, Zebulon Pike. In another instance, during the Christmas season in the mountains, Stewart and her friends found two Mormon women abandoned by their husbands. They quickly put up a Christmas tree, made them some clothes and toys, fed them, and helped deliver a baby. On her travels Stewart was not only helped by individuals whom she encountered, but also went to the aid of people in need.<sup>33</sup>

Elinore Pruitt Stewart was truly a frontier woman who was independent, adventuresome, and free-spirited. She wrote: ". . . I set out to prove that a woman could ranch if she wanted to.... I just love to experiment, to work, and to prove out things, so that ranch life and 'roughing it' just suit me."<sup>34</sup> Stewart is an example of a frontier woman who clearly lived outside the myth of the frontier woman. She loved the ranching and homesteading life, and her spirit and ideas about womanhood were certainly not traditional.

Other women besides Elinore Pruitt Stewart also saw opportunity in frontier living. In 1914 a thirty-seven-year-old, single woman, Katherine Garetson, moved from St. Louis, Missouri and filed a three-year claim on 160 acres just two miles south of Longs' Peak Inn in Tahosa Valley, Colorado. She said, in reference to filing a claim, "it is the most serious thing you can do, aside from marrying."<sup>35</sup> With the help of a friend, Annie Adele Shreve, Garetson eventually cultivated the land and during the summer ran a tearoom, the Big Owl Tea Place, for some extra money. Later, due to financial

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<sup>33</sup> *Ibid*, pp. xvii-xviii, 7-8.

<sup>34</sup> Quoted in *ibid*, p. 282.

<sup>35</sup> Quoted in Robertson, *Mountain Women*, p. 83.

problems, Annie left to be a school teacher and Garetson's sister Helen and Helen's son lived with her to help her and keep her company. Garetson also had some trouble obtaining the deed to her land. Her claim to the land was contested on the grounds that she had not conformed to the Homestead Act in terms of cultivation. Garetson fought this challenge to her claim. Determined not to give up, she eventually obtained her deed. Katherine Garetson successfully ran the Big Owl Tea Place from 1915 to 1934.<sup>36</sup> For her city life was boring, cramped for space, and eliminated the natural life that she had grown to love. Hence, frontier living for Garetson was a refuge. The mountains were where she had found her home.

Susan Anderson, a woman who chose not to marry, graduated from the University of Michigan Medical College in 1897 and began to practice medicine in Cripple Creek, Colorado. Her father, however, ordered her to leave, insisting that the boomtown of Cripple Creek was no place for a lady. She left and moved on to Denver, but she disliked it because the people there did not accept female doctors. Anderson finally found a home in Fraser, Colorado and remained there as a dedicated physician until she retired at the age of eighty-seven. For Dr. Susan Anderson, Fraser, a small mountain community offered professional opportunities that other larger cities and towns denied her.<sup>37</sup> The mountains were a refuge and a place where Dr. Anderson could gain control of her life.

Not only did women express their diversity in their motivations for frontier living and marital status, but also in their ethnicities. Contrary to the myth that the overwhelming majority of the women of the West were of European descent, reality reveals that the women of the West were highly diverse ethnically. These women were Native Americans of various tribal identities, African Americans, Asian Americans, Mexican Americans, South Americans, and European Americans.<sup>38</sup> Within each one of these larger groups, however, there were numerous sub-groups or cultures. For instance, by 1890, within the larger ethnic group of

Native Americans there existed approximately 90 to 100 different sub-cultural groups.<sup>39</sup> Also, among the larger ethnic group of Asian Americans, there existed the Japanese, Chinese, and others who were never recorded. Among the European Americans there were also many different sub-cultural groups such as the Scottish, German, French, Welsh, Irish, English, Polish, Swedish, and Dutch, just to name a few.<sup>40</sup>

The experience of western African American women included facing difficulties produced by racist segregation policies, denial of civil rights, exclusion from land purchases, and harassment or blatant attempts to drive away African American settlers. Consequently, many black women were employed in low-paying, tiring, domestic and agricultural work.<sup>41</sup> Also, African American women tended to bear fewer children and live more often in urban areas. In Colorado by 1910 the largely urban African American population had risen to 11,453. These women, who constantly struggled against discrimination, also formed a black women's club movement and pushed for reform in their communities.<sup>42</sup>

After the Civil War, African American women were employed most commonly as cooks, washwomen, dressmakers, nursemaids, and maids which seemed to their white employers a "logical and appropriate" extension of the black women slaves' roles prior to the Civil War.<sup>43</sup> Struggling against tremendous opposition for employment beyond domestic work, many black women did become owners of millinery shops, hairdressing establishments, food stores, boardinghouses, and restaurants. Others became real estate brokers; for example, Bidy Mason of Los Angeles, Clara Brown of Denver, and Mary Elizabeth Blair of Sully County, North Dakota.<sup>44</sup> Educated African American women became teachers in segregated schools. Some even achieved such high status

<sup>36</sup> Ibid, pp. 83-98.

<sup>37</sup> Ibid, pp. 73-83, 97.

<sup>38</sup> Carol Luchetti and Carol Olwell, *Women of the West* (St. George: Antelope Island Press, 1982), pp. 21, 40-57.

<sup>39</sup> Arrell Morgan Gibson, *The American Indian: Prehistory to the Present* (Lexington: D.C. Heath and Company, 1980), p. 445.

<sup>40</sup> Luchetti and Olwell, *Women of the West*, pp. 40-57.

<sup>41</sup> Glenda Riley, *A Place to Grow: Women in the American West* (Arlington Heights: Harlan Davidson, Inc., 1992), p. 45.

<sup>42</sup> Ibid.

<sup>43</sup> Ibid, p. 50.

<sup>44</sup> Ibid, p. 51.

positions as nurses, doctors, journalists, and editors. For instance, in 1912, Charlotta Spears Bass from Los Angeles became the editor of the oldest African American newspaper on the West Coast, *The California Eagle*. Through this newspaper, Bass launched her crusade against segregation and discrimination. In 1952 the distinguished Charlotta Spears Bass became the first African American woman to run for the vice presidency of the United States.<sup>45</sup>

Besides ethnicity, women of the West were also religiously diverse. In addition to the more traditional Protestant denominations, many western women were Mormon, Catholic, Mennonite, Hutterite, Amish, or Jewish. The Hutterites, for example, are a religious sect that survives in agricultural communities in the prairie and plains states. They have limited their contact with the outside world but have also used modern agricultural technology. Between 1874 and 1879 the Hutterites migrated from Russia, first settling near Yankton, South Dakota.<sup>46</sup> Due to their stiff, patriarchal system, women in the colony play an inferior role to men. Women's work is viewed in relation to the colony as a whole. For instance, all of the women's work roles rotate with the change taking place every Sunday night. Their jobs include cooking, gardening, tailoring, caring for children, helping in the milk house, canning, and making soap.<sup>47</sup>

Being a part of the history of Iowa since the early 1840s, the Amish have successfully isolated themselves from outside society. They have rejected modern conveniences such as electricity, telephones, cars, and tractors. Amish women were and still are charged with domestic duties which include baking, canning, cooking, washing, sewing, mending, cleaning, and caring for children.<sup>48</sup> Seeking fertile farmlands, the Amish have chosen to

reside not only in Iowa, but also in Pennsylvania, Ohio, Indiana, Illinois, Nebraska, Kansas, and Ontario.<sup>49</sup>

Another religious group that also lived in the West were the Jews. In 1849 a young woman named Rachel Bella Kahn emigrated from Russia to the U.S. to meet her arranged husband, Abraham Calof. They forged a life together as homesteaders in North Dakota. Rachel Calof had to deal with all the usual work that women on homesteads performed, fought the same battles with the environment, and bore nine children. She also had to take in extended family members, which made privacy impossible in a 12' x 14' shack. Nearly all Jewish farming families began their labor in the American West between 1880 and 1930, predominantly in North and South Dakota. For many Jewish homesteaders, farming provided an opportunity for independence and freedom from both Old World and New World oppression. In the United States, the farm was a welcome escape from factory bosses, crowded living conditions, and anti-Semitism in the cities. Farming gave them a chance, like others, to be self-sufficient, and more in control of their own economic situation.<sup>50</sup>

Another point of diversity among the women of the West was their relation to societal roles and expectations. The legendary west included many individuals who lived beyond the laws to which the majority of citizens conformed. When considering these legendary individuals, names such as Jesse James and the James Gang or Butch Cassidy and the Sundance Kid often come to mind. There were, however, a considerable number of women on the western frontier who also chose to break the law and live beyond society's norms and mores.

The infamous Belle Starr is perhaps the most memorable female outlaw on the frontier. Legend has it that Belle Starr, along with her husband Jim Reed, was involved in criminal activities such as rustling stampeding cattle from the trail drivers, holding up cowtown banks, and stealing horses. Some of Starr's non-criminal activities included

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<sup>45</sup> Ibid, p. 52. *The California Eagle* was published from 1879 to 1966.

<sup>46</sup> Marvin P. Riley and Darryll R. Johnson, *South Dakota's Hutterite Colonies 1874-1969* (Brookings: South Dakota State University, 1970), p. 5.

<sup>47</sup> John A. Hostetler and Gertrude Enders Huntington, *The Hutterites in North America* (Chicago: Holt, Rinehart and Winston, Inc., 1980), pp. 30-31.

<sup>48</sup> Elmer W. Schwieder and Dorothy A. Schwieder, *A Peculiar People: Iowa's Old Order Amish* (Ames: Iowa State University Press, 1975), pp. 2-5.

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<sup>49</sup> *Encyclopedia Britannica*, 1995 ed., s.v. "Amish."

<sup>50</sup> J. Sanford Rikoon, ed., *Rachel Calof's Story: Jewish Homesteader on the Northern Plains* (Bloomington: Indiana University Press, 1995), pp. 106, 109.

hanging out in saloons, drinking, gambling with men, and openly socializing with desperados.<sup>51</sup>

After Starr's first husband was gunned down for stealing a horse, she married Sam Starr, a Cherokee. They settled on land in Indian Territory. There Belle Starr continued to socialize with her old outlaw friends and some Indian bandits. She also housed and befriended the notorious Jesse James. In 1882 Belle and Sam Starr were arrested for stealing a horse, found guilty, and sentenced to one year at the Detroit House of Correction. They served their time but were released after only nine months. Legend dictates that Belle Starr robbed, wrangled, and murdered for two decades, but in reality it is most probable that Belle was guilty of no more than horse thievery and harboring and aiding criminals.<sup>52</sup>

Besides Belle Starr, there were other women who perpetuated the phrase, "Women of the Wild West." The legendary Martha Jane Canary, better known as Calamity Jane, was not an outlaw but certainly was a woman who lived far beyond the societal roles and expectations for women of the nineteenth century. Calamity Jane was well-known for her shocking lack of femininity. She proudly donned a buckskin suit, high-heeled boots, a Stetson hat, a wide ammunition belt, and .44s holstered at each side. Calamity Jane was supposedly a master of profanity. She took pride in her ability to fill traditional male roles successfully and in being considered the most reckless, daring rider and one of the "best shots" in the western country. Calamity Jane's roles included being a scout, bullwhacker, gunslinger, stagecoach driver, gambler, nurse, prostitute, wife, mother, cook, showgirl, and a drunk. She was also the only woman to work on the Northern Pacific Railroad and the only one in Deadwood, South Dakota brave enough to nurse victims of a smallpox scourge.<sup>53</sup> Those women of the West who lived outside of nineteenth-century societal roles and expectations for women, like Calamity Jane and Belle Starr, certainly added to the immense diversity among the women who lived on the frontier.

By recognizing, emphasizing, and illustrating the different ways the women of the West expressed their diversity, the long-lasting myth of the western woman as "the gaunt and sad-faced woman following her lord where he might lead," as Emerson Hough wrote in 1921, is shattered and refuted. Bringing to light what was either ignored or forgotten may help to reverse persistent myths about frontier women. This, then, will certainly lift barriers to our search for other historic realities, broaden our knowledge of the roles that our female ancestors fulfilled, and, thus, in turn aid in clarifying the self-perceptions of contemporary women.

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<sup>51</sup> Paul Chramosta of Blue Smoke Productions, *Wild Women of the Old West* (Plymouth: Simitar Entertainment, Inc., 1994).

<sup>52</sup> *Ibid.*

<sup>53</sup> *Ibid.*

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## ON OLIVER STONE, HIS FILMS, AND THE STUDY OF HISTORY

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### Paul Baumgartner

Oliver Stone's second ex-wife Elizabeth says, "History is all he cares about. He doesn't read novels. All he cares about is history."<sup>1</sup> Stone says about himself, "I'm a distorting mirror, like in the circus."<sup>2</sup> John Erlichman says of Stone's movie, *Nixon*: "After three hours of popcorn and pop history, even I was ready to believe that Anthony Hopkins had tried to assassinate Fidel Castro."<sup>3</sup> Who is Oliver Stone, and why should serious historians care about Oliver Stone or about his movies, particularly those which are based on historical events?

The war in Vietnam was the definitive event in the lives of a generation of Americans born in the forties and bloodied in Vietnam in the sixties and early seventies. The timing was right, perfectly right, in the mid-eighties for reminiscences about that misbegotten war. The timing was right, also, for consideration of the strange twists of national history that underlay those events, events which were central to the lives of so many living Americans. At some future pinnacle in the development of the American ethos, the experience of the Vietnam generation may become a squalid footnote of no special importance. To the victim-participants in that confusing adventure there will be nothing else of equal significance. As always, it depends on whose ox is being gored. Everyone who lived though the time period encompassing the Vietnam adventure cannot help feeling at least a little bit "gored." If timing is everything, then Oliver Stone had everything going for him with his movies

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<sup>1</sup>Stephen Schiff, "The Last Wild Man," *New Yorker*, 8 August 1994, p. 53.

<sup>2</sup>Ibid., p. 43.

<sup>3</sup>John Erlichman, "Nixon, Stone and Me," *Newsweek*, 8 January 1996, p. 44.

on the subject of the Vietnam experience. It is no wonder he won Oscars for *Platoon* in 1987 and *Born on the Fourth of July* in 1989.<sup>4</sup> His timing was right.

This has all happened before. Ernest Hemingway wrote his famous novel, *A Farewell to Arms*, at the conclusion of World War I. Hemingway captured the spirit of his time with that famous work. He probed the psychic wounds of his comrades in arms in the first great war of the twentieth century.<sup>5</sup> Stone did the same for his Vietnam comrades in the seventh tumultuous decade of the same century. The comparison between Stone and Hemingway is not accidental. There are many similarities between the men. It is not surprising that some similar messages emerge from studying the artistic output of both. Stone actually dreamed of being another Hemingway when he dropped out of Yale to teach English in Vietnam in 1965.<sup>6</sup> Stone and Hemingway shared similar backgrounds. Both were children of privilege who were confronted by the horrors of war. Each, however, developed his considerable talents in a fashion which was unique to himself. It would be interesting to envision how the pragmatic Hemingway would have dealt with the spiritualistic Stone's concept of the "Beast." "The Beast is the secret force that rules America," according to Stone.<sup>7</sup> One other great difference between the artists is, of course, the choice of media. Stone's films are done in the more contemporary, transitory, and ephemeral medium, but also the one that is the more sensational and the more universally enjoyed by contemporaries.

Stone was born in New York in 1946, the son of an American Jewish financier and a French Catholic mother, whom his father had met in Paris during World War II. Stone's parents divorced when he was fifteen, and Oliver was informed of the divorce by the headmaster of the boarding

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<sup>4</sup>Schiff, "The Last Wild Man," p. 42.

<sup>5</sup>Carlos Baker, Ernest Hemingway, *A Life Story* (New York: Macmillan, 1969), p. 198.

<sup>6</sup>Schiff, "The Last Wild Man," p. 48.

<sup>7</sup>John Leo, "Nixon, Hillary and the Beast," *U.S. News & World Report*, 22 January 1996, p. 18.



school he was attending. The divorce strongly affected young Oliver, when the extent of both parents' promiscuity became apparent. "The whole thing was devastating, and the way it was done, too, was so treacherous that I had a hard time trusting adults anymore," Stone later remarked. At that time he also discovered that his father was nearly bankrupt. After a year at Yale, and a short period as a volunteer in Vietnam teaching English, Stone enlisted in the merchant marine, quit to live off his savings in Mexico, and went back to Yale to attempt, unsuccessfully, to write an autobiographical novel. Prompted by Hemingway's writings, Stone enlisted in the U.S. Army and went to Vietnam as a private soldier. Determined to commit suicide or get killed, he very nearly did. Stone was twice wounded before finishing his hitch.

Arrested on marijuana charges in California, his father bailed him out after three weeks in jail, and Stone headed to New York. He enrolled in film school at New York University, where he received a dose of revolutionary political doctrines and took more than one trip on illegal drugs. An associate described the Stone of this period as "very dark and alienated and full of hostility." In New York he married his first wife, Nijwa, a Lebanese woman who worked for the United Nations. It was Nijwa who supported him during this period and helped organize the financing for his first attempt at film making. The movie *Seizure* was a flop, which contributed to Stone's bitterness. "He was the angriest guy in New York," recalls another contemporary, "And he was an incredibly powerful presence." In 1976 Stone moved to Los Angeles to launch with the help of friends a career as a screenwriter; in the atmosphere of southern California, he and Nijwa were divorced. Even after 1981, when he married his second wife Elizabeth and his career was ascending, stories about Oliver Stone's erratic behavior continued to accumulate.<sup>8</sup>

Working on a Stone film is like "purgatory on per diem" says Robert Downey Jr., a star in Stone's film *Natural Born Killers*. "It was like psychological warfare" recounts Downey, "loud music, these very hot sets." "There's days we've worked twenty, twenty two hours in the rain [to

finish a scene]." Of Stone, Downey said, "He'll find your button. His favorite trick is lighting you up right before you go into an important meeting."<sup>9</sup>

The result of this manic manipulation of people is a screen performance that is larger than life, which is exactly what Stone meant with his revealing comment about a circus-like distorting mirror. No objectivist historians need apply, for in his own words Stone is an unabashed relativist, not entirely unlike the "presentist" historians examined by Peter Novick in his *Noble Dream*.<sup>10</sup> His opinions have cost him dearly, even close to home. Speaking of differences between himself and his second ex-wife Elizabeth, Stone says: "She has a firmly held belief there is a right and there is a wrong. And it's a world view that I happen not to agree with. I believe in relativity".<sup>11</sup> Reflecting on his career, Stone says: "There was in me, I feel, a huge violence when I was born. I don't think it's just Vietnam. I think the violence is generational." And later he adds, "I have fun with the darkness, too."<sup>12</sup> Having fun with darkness, specifically his obsession with the "Beast," brings us around to Stone's more recent films with a historical basis, *J.F.K.* and *Nixon*.

Nora Ephron helped write the screenplay for the movie *Silkwood* and has consequently felt the weight of harsh reviews for pseudo-historical films. Ephron observes that artistic license is overlooked routinely on subjects that don't matter. Nobody cares, for example, that the actress portraying the central character in *Out of Africa* looked nothing like the woman upon whom the story was based. Subjects that do matter are those concerning things political, especially if the political events were ambiguous, unresolved, or mythic. "The very thing that attracts a film maker to a project is the thing that guarantees his life will be hell once he makes it.

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<sup>9</sup>Ibid., p. 42.

<sup>10</sup>See Peter Novick, *That Noble Dream: The "Objectivity" Question and the American Historical Profession* (Cambridge: Cambridge University Press, 1988).

<sup>11</sup>Schiff, "The Last Wild Man," p. 53.

<sup>12</sup>Ibid., p. 55

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<sup>8</sup>Schiff, "The Last Wild Man," pp. 49-50.

Suddenly, the film maker has ventured onto forbidden turf," she writes.<sup>13</sup>

The center of Ephron's theory is that the press will tend to see any exposition of recent past political events as an oblique criticism of the press reporting of those events. The press will react, therefore, to the perceived criticism with severe criticism of the film maker. If the facts of the event are beyond question, they will attack the film maker's methodology. Ephron quotes the writer Edgar Doctorow, himself no stranger to this genre, who wrote: "I am thus led to the proposition that there is no fiction or non-fiction as we commonly understand the distinction: there is only narrative."<sup>14</sup> That is what the film maker does: impose narrative. Ephron says about the obligation of the film maker to history: "I believe you have to hit the marks, whatever the marks are. The marks differ from project to project, and there's no way to make a simple rule of what they are." The marks are the essential points of truth in a story. Concerning the film J.F.K., Ms. Ephron says that it was always clear to her that she was watching Oliver Stone's version of the story. "It is more ambiguous and brilliant than its defenders, but that shouldn't be held against the movie, which in its own way is not just a wild and wacky look at the assassination but manages to capture thirty years of Kennedy assassination madness and recapitulate it in a way that seems practically ontological." Do movies have a special obligation in this area? Will children grow up thinking the Joint Chiefs of Staff killed President Kennedy? She says, "eventually they will grow up and figure it out for themselves. Or else they won't. It's not the issue, and it's not the film maker's responsibility."<sup>15</sup>

What do the critics say about Stone's most recent product, the film *Nixon*? Richard Corliss in *Time* generally pans the movie. "The real Nixon was a tragicomic figure; he doesn't need Stone's

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<sup>13</sup>Nora Ephron, "The Tie That Binds," *The Nation*, 6 April 1992, p. 453.

<sup>14</sup>Ibid., p. 454. E. L. Doctorow is the author of *The Book of Daniel*, a historical novel inspired by the Julius and Ethel Rosenberg Case.

<sup>15</sup>Ibid., pp. 454-55.

demonizing or mythologizing touch. . . . For once the gonzo director has met his match. Real life, if it's real Nixon, is more dramatic than an Oliver Stone movie." Corliss takes Stone to task for connecting Nixon in some dark way with the anti-Castro mischief and obliquely with the death of J.F.K.<sup>16</sup>

*Newsweek* takes a few shots at Stone as well, although Stryker McGuire and David Ansen generally found the movie restrained and humanizing in its treatment of Nixon. They comment:

There are good reasons to have trepidations [about Stone and the movie *Nixon*]. This, after all, is the man who perpetrated a wild, and to most historians, woolly conspiracy about the Kennedy assassination. Could we trust history from the man who transformed the dubious Jim Garrison into a Capraesque hero? Stone has a Manichaeian mind-set that has always needed to divide the world into good guys and villains . . . . If he was willing to idealize Kennedy as the pure shining hope of recent American history, wouldn't it be inevitable that Nixon, his bitter foe, must emerge in Stone's Hollywood dialectic as the Prince of Darkness?

*Newsweek's* review continues that "Stone seems intent on colonizing our memories of the 60's and 70's in America. . . . For better or worse his vision of Vietnam . . . reshaped our vision of the war and our attitude about its vets." Still, the conclusion of *Newsweek's* review is cautiously favorable, that the movie *Nixon* is "strong and surprising and empathetic."<sup>17</sup> In a two page sidebar to the *Newsweek* review, McGuire and Ansen criticize Stone for suggesting "his favorite conspiracy theory," namely that Nixon harbored some

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<sup>16</sup>Richard Corliss, "Death of a Salesman," *Time Magazine*, 18 December 1995 (via Internet).

<sup>17</sup>Stryker McGuire and David Ansen, "Stone Takes On Nixon," *Newsweek*, 11 December 1995, pp. 65 - 72.

knowledge of a J.F.K. assassination conspiracy. Stone is accused of projecting his own demons (visions of the assassination theory) onto Richard Nixon.<sup>18</sup>

Conversely, Susan Stark, a critic with the *Detroit News*, heaped praise on Stone for the movie *Nixon*. Some samples of her praise: "engrossing to watch, *Nixon* also provides plenty of material for rumination and debate. . . .Not a provocative film but rather a film that wants to provoke thought."<sup>19</sup> The staid *Library Journal* has perhaps the most balanced review. "The essays which accompany the script. . . offer both traditional and revisionist accounts of Nixon, authored by players and scholars including John Dean, Howard Hunt, Alexander Butterfield, Schorr and Stanley Kutler. The *Library Journal* concludes, however, "since the essays are lacking in historical significance, *Nixon* will prove interesting only to academic film collections."<sup>20</sup>

John Erlichman has some interesting things to say about Stone, specifically about *Nixon*. The movie, after all, portrays events in which Mr. Erlichman played a pivotal role, including Erlichman's conviction for his part in the Watergate break in. "His Nixon is not the one I knew from 1969 to 1973," Erlichman says. He feels that Nixon is portrayed as a drunk in the movie, which Nixon was not, and that the celluloid Nixon was obsessed with J.F.K.'s murder, which also was not the case. Other inaccuracies are pointed out, such as calling Mrs. Nixon "Buddy," which was not a nickname Nixon actually used to address his wife. Erlichman also believes H. R. Haldeman is not portrayed faithfully. Erlichman says he would feel badly if the film became a historical *Cliff's Notes* to the Nixon era. "That would be a shame," he says.<sup>21</sup>

What does Oliver Stone himself have to say about *Nixon*? In another sidebar to the *Newsweek*

review mentioned earlier, Stone connects Nixon to his own father when he says: "I've deepened my awareness of why Nixon lied, why he had to be the way he was. . . . In a secret way, *Nixon* was a study of my father, too."<sup>22</sup> "It's not my role to be a textbook" says Stone in another interview. "I don't feel comfortable with historians. . . . I don't see enough dissonance among academics. My film has been thoroughly researched but still, after all, it is a film. The very nature of film is that it is written in lightning, an expression, a movement, anything, can change the perception. . . . I'm not a reporter, I'm a movie maker."<sup>23</sup> Of his critics Stone says, "The Washington press corps is a vicious lot. I'm sure the film will be attacked." Stone makes the point that the film could not have been made before Nixon's death because "he would have been a real tough litigator and I don't think he was a big fan of mine after *J.F.K.*"<sup>24</sup>

While no one suggests Hemingway's *A Farewell to Arms* is a serious history of World War I, it is still widely read. A contemporary student of this war would be remiss in overlooking Hemingway's classic, if only for background on how the war was viewed by the expatriate community in Paris following the conflict. Other examples abound: Steinbeck's *Grapes of Wrath* concerning the dust bowl era is one that comes to mind. Has the Joad family misfortune become the "*Cliff's Notes* of dust bowl history"? Perhaps it has, in a way, but the compelling Steinbeck novel may also lead a student into a more serious and dispassionate study of the problems of the dust bowl era. Is Orson Wells' *Citizen Kane* a definitive history of the Hearst newspaper empire? No, certainly not. However, a student of the Hearst empire might view *Citizen Kane* for insight into the public perception of its founder. Similarly, if a student were looking for an accurate account of any specific event that took place during the 1960s or

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<sup>18</sup>McGuire and Ansen, "Whose Obsession Is It, Anyway?," *Newsweek*, 11 December 1995, pp. 68-69.

<sup>19</sup>Susan Stark, "Nixon is a Probing Look at a Disgraced President's Inner Turmoil," *The Detroit News*, 20 December 1995 (via Internet).

<sup>20</sup>Adam Mazmanian, "Nixon, A Film By Oliver Stone," *Library Journal*, 15 November 1995, p. 77.

<sup>21</sup>Erlichman, "Nixon, Stone and Me," p. 44.

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<sup>22</sup>McGuire and Ansen, "Tough Guys Do Talk," *Newsweek*, 11 December 1995, p. 70.

<sup>23</sup>Mal Vincent, "Interview: Oliver Stone on Nixon," *The Virginian-Pilot*, Landmark Communications, 1995 (via Internet).

<sup>24</sup>Ibid.

70s, there are numerous sources that could be consulted to provide that information. But, if a future student wished to know "what it was like to live in the seventies" that student might profit from watching *Platoon* or *Born on the Fourth of July* or *J.F.K.* or *Nixon*. The talents of both the historian and the film maker are an asset to future generations; the two are not necessarily incompatible. They merely seek to illuminate different aspects of a complex culture that is very hard for a person, coming from outside the actual experience, fully to understand.

As Richard Nixon was leaving the White House, Henry Kissinger said to him, "History will treat you kindly." Nixon responded, "That depends on who writes the history."<sup>25</sup> Richard Nixon notwithstanding, for the sake of those who come after the Vietnam generation, I am hopeful that history will be written from as many perspectives as possible. Consensus would be wrong by definition, for there was no true national consensus during the last four decades of the twentieth century. Just as Carl Becker's "Everyman His Own Historian,"<sup>26</sup> says so there is a history that speaks to every man. If Oliver Stone makes a film that can be used to awaken the interest of some future student of the American experience, so much the better. In the end, I am confident truth will prevail, even if that elusive truth, the knowledge of "what really happened," exists only in the eye of the person who beholds it.

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<sup>25</sup>Vincent, "Interview: Oliver Stone on Nixon."

<sup>26</sup>See Carl L. Becker, "Everyman His Own Historian," *American Historical Review* 38 (January 1932), pp. 221-36.

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## A DARK KNIGHT IN A DARK WORLD: BATMAN AS A POPULAR CULTURE ICON

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**Eric D. Sweetwood**

### **Introduction: The Most Realistic Comic Book Hero**

"(Batman and the villains)" were altogether unusual in appearance and demeanor; and they contributed much to the surreal, nearly gothic aura of the Batman comics."<sup>1</sup>

Popular culture icons often reflect their given histories. Whether these icons are actual persons or fictitious characters, historical events can be traced through their experiences in their given literatures.

Comic books have been published for over seventy-five years. They started as newspaper strips that were collected and processed for a larger audience. As those strips evolved, so too did their characters. One notable character was Batman, a reluctant hero who dressed in the garb of a bat to frighten criminals. Batman's character has a natural appeal simply because he was a common man who invented devices to thwart crime. His image was further enhanced through films and mass marketing. Whether it was fear of another nation during World War II, McCarthyism in the fifties, rebellion and renewal in the sixties, the "me-generation" of the seventies, or the gluttony and excess of the eighties, Batman has changed with the times.

Batman has followed sociological as well as historical trends and developed into a character with whom most members of our society can identify. His appeal is what we see in ourselves and our society. Through his adventures the reader is introduced to the dark and seedy sides of society.

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<sup>1</sup> William Savage, *Comic Books In America* (University of Oklahoma Press, 1990), p. 6.

He occasionally reveals the triumphs of our society as well as our tragedies.

This character is a historical figure by popular culture standards, perhaps more so than any other comic book hero. He has been savagely attacked not by super villains but by a paranoid society that questioned the values of his image. He has withstood attacks by Wertham--an anti-comic advocate,<sup>2</sup> camp theater in the sixties, and the strict movie standards of the modern time period. Point against point, Batman has survived in America's culture because America's culture is his culture. The comic readers and film-goers have returned to Batman because by looking inward at him, we see ourselves in a historical and sociological sense.

### **Avenger or Hero?: Batman Through The Decades**

"Batman's longevity is significant, given the mercurial attention the public often gives its icons of popular culture."<sup>3</sup>

Batman is a true hero who mirrors his times. Whereas the comic industry is full of comic characters who reflect the fads of a specific period (for example, today Peter Parker, Spiderman, likes Elvis Costello, but in the 1960s, Parker was a fan of the Beatles), Batman has maintained an identity that transcends specific eras.

In the late 1930s when Batman was created, the world was full of mistrust. World politics led to prejudice and fear. It is no surprise that Bob Kane's Batman was a grim figure. In the "Batman vs. the Chemical Syndicate" story which introduced the world to Batman, he actually kills the villain with a German surname, Stryker, by hitting him into a vat of acid while remarking that it is "a fitting end for his kind."<sup>4</sup> "Batman is a figure who does good in the guise of a demon."<sup>5</sup> This grim faced Batman continued his stoic ways until the addition of

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<sup>2</sup> Les Daniels, *Comix* (New York: E.P. Dutton & Co., 1971), p. 87.

<sup>3</sup> Mark Cotta Vaz, *Tales Of The Dark Knight--Batman's First Fifty Years* (New York: Ballentine Books, 1989), p. 7.

<sup>4</sup> Bob Kane, "Forward By Rick Marschall," *Batman Archives*, Volume I (New York: D.C. Comics, 1990), p. 13.

<sup>5</sup> Chip Kidd, *Batman Collected* (Boston: Little, Brown and Company, 1996), p. 1.

Robin. While assuming the role of mentor, Batman became more than an obsessed person looking for a way to identify with a world that killed his parents. He became a hero to be admired.

With the comics boom of the 1940s, Batman fought the war on the home front. "Batman would drum up support for the Allied cause as well as protect the home front from any Nazi intrusion."<sup>6</sup> He gave the soldiers who read his stories and the children of the times someone and something in which to believe. "When the war began," writes Ted White, "you didn't expect Batman to hop the first plane to Europe to put a quick finish to the whole mess. Batman was human."<sup>7</sup> He did what ordinary American citizens did and fought the war by encouraging others to support the war efforts.

The 1940s Batman stories had a "gothic aura" to them.<sup>8</sup> "Batman inhabited a world where no one, no matter what time of day, cast anything but long shadows--seen from weird perspectives."<sup>9</sup> By the time the war ended, many comic book heroes faded. However, Batman endured. To do so, he was forced to change.

With the 1950s came a rebirth of innocence in the country and in the Batman comics. Batman was no longer grim but cheerful. He was good friends with the police department and encouraged his readers to be as well. Batman's creators had established a line of villains who did not kill anymore; they simply robbed. Fear of the loss of life was replaced by fear of the loss of the American way of life. Batman further showed his materialism by the development of a specialized car, the Batmobile, that looked very trendy. He continued to preach the ethics of the period when he made sure Robin studied to stay ahead in school. Alfred, his loyal butler, became a mentor of sorts, and Batman consulted with him. The comics were showing a family situation without a feminine figure. This lack of a feminine figure in the life of Batman and Robin was Batman's greatest challenge.

As a result of the indictment of comic books by the child psychologist, Fredric Wertham, the writers of Batman had to reevaluate their hero to keep the character pure. Wertham blamed juvenile delinquency on comic books. In his book, The Seduction of Innocence, Wertham accused all comics and their heroes of encouraging improper behavior and of going against the spirit of the decade.<sup>10</sup> His comments on Batman and his relationship with Robin were particularly damaging.

They constantly rescue each other from violent attacks by an unending number of enemies. Sometimes Batman ends up in bed injured and a young Robin is shown sitting next to him. At home they live an idyllic life. They are Bruce Wayne and 'Dick' Grayson. Bruce is described as a 'socialite' and the official relationship is that Dick is Bruce's ward. They live in sumptuous quarters, with beautiful flowers in large vases. Batman is sometimes shown in a dressing gown. It is like a wish dream of two homosexuals living together.<sup>11</sup>

As a result of this highly publicized book and the curiosity generated by the atomic age, Batman seemed to leave Earth for a while. Instead of fast car chases and bullets, Batman, a human possessing no true super powers, began voyages in outer-space, traveling through time and strange costumed adventures. "During the early 1950s, Batman spent more and more time traveling the world and donning exotic disguises."<sup>12</sup> This sort of silliness indicates how Batman's creators wanted to escape the criticisms of Wertham and establish a safer identity.

"By 1958, the Batman comic books were packed with Bug-eyed Monsters from Outer Space. Even Batman was regularly transformed into some alien-monster. He became a Zebra-Batman, a Giant Ape-Batman, a Rainbow-Batman, and even a Bat-

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<sup>6</sup> Vaz, Tales of the Dark Knight, p. 31.

<sup>7</sup> Richard Luphoff, All In Color For A Dime (New York: Arlington House, 1970), p. 7.

<sup>8</sup> Savage, Comic Books in America, p. 6.

<sup>9</sup> Jules Feiffer, The Great Comic Book Heroes (New York: Dial Press, 1965), p. 28.

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<sup>10</sup> Savage, Comic Books in America, p. 95.

<sup>11</sup> Feiffer, quoted in The Great Comic Book Heroes, p. 43.

<sup>12</sup> Vaz, Tales of the Dark Knight, p. 60.

baby."<sup>13</sup> Vaz notes, however, that these stories were "influenced by the mesmeric quality of science's accelerating pace. The atomic bomb was simultaneously showing promise as a source of unlimited energy and threatening the planet with total destruction, while the Soviets' launching of the Sputnik was pointing the way to the stars and increasing Cold War fears." "Further, science fiction movies (and their themes) were very popular."<sup>14</sup> It seems altogether logical that Batman comics would reflect the popularity of other forms of media. Additionally, Batman's technical aids and devices tended to be updated and modernized. This trend continues with each new decade.

The 1960s brought about a revolution and renewal as well as a rebirth of comic book heroes. DC revitalized many of its older World War II characters with a modern twist. As the decade represented change, so did the DC heroes, particularly Batman. Batman's first change occurred with the "new look," in which a fashionable Batman put a yellow patch behind the black bat on his chest. The most significant change occurred in 1966. "By the end of the year, Dozier produced what would be the most sensational television show of 1966. It would start a pop culture craze; it would be fun, camp, and tongue-in-cheek. It would be Batmania."<sup>15</sup> To add to the television craze, "DC could not produce enough Batman comic books. In 1966-67, Batman was the number one selling comic book--a first for the Caped Crusader. In fact, nine out of ten of the top-selling comic books in 1967 featured a DC superhero."<sup>16</sup>

No matter how far the camp idealism of the show went, Batman and DC comics were making a fortune. The result was comic stories which were far below normal as far as readers' intelligence was concerned, containing art that was far above normal. Like the surreal show, the production was slick and the story and plot-lines were inane. "The dialogue, plots, and villains in the Batman comic books of the later 1960's soon reflected the TV image of the 'Camp Crusader.'" By late 1968 Batman sales fell

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<sup>13</sup> Mike Benton, The Illustrated History of Superhero Comics of The Silver Age (Texas: Taylor Publishing Company, 1991), p. 54.

<sup>14</sup> Vaz, Tales of the Dark Knight, pp. 64-65.

<sup>15</sup> Benton, The Illustrated History of Superhero Comics, p. 29.

<sup>16</sup> *Ibid.*, p. 30.

and the "pop culture craze was dying."<sup>17</sup> Poor scripts and the increasing realization by comic fans that the show was not true to Batman may have led to the decline.

Like many ideologies in the sixties, a revolution was occurring within the pages of Batman. The writers of Batman knew they had to change with the times as they "were a'changin'." As a result, Batman was handed to Denny O'Neil (writer) and Neal Adams (artist) who in 1969 recreated the role of Batman as a vengeful character, "a realistic, deadly serious, creature of the night."<sup>18</sup>

Probably a logical move was to do away with Robin since much of the campiness of puns and the like were associated with him and the "Holy whatever" lines. Since he was far too popular to kill, Robin simply packed his bags and left for college. The Batcave was gothic, but a bit too far removed to be used for actual urban crime fighting. The result was that Batman built the up-scale Wayne Industries with a penthouse at the top and a Batcave at the bottom. Once again, DC caught up with scientific gadgets of the modern urban world and all of its trappings. Thus Batman moved into the "me-generation."

Due to the O'Neil/Adams vision of what Batman should be, the 1970s saw a rebirth in the 1930s hero. Batman faced new villains who were logical for the time. Man-Bat was created as a result of science gone awry, and Ra's Al Ghul was the perfect nemesis for the Dark Knight. Ghul represented what an evil Batman could be. He was trained similarly to Batman, led a group for his own moral agenda, and seemed to protect his own environment. It was not so much that he was evil as that he had a different set of values. Like increasingly disillusioned audience concerned over political imbalances, Batman respected the police but set his own agenda. It was as if Batman, like many citizens of the 1970s, no longer trusted the government. The 1970s saw a change in society and Batman changed to fit with it. Batman, like most people in the 1970s, was more selfish. He made money and did not seem to worry about finances. As a result of O'Neil/Adams, Batman rarely worked during the day; he became more nocturnal. Bruce

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<sup>17</sup> *Ibid.*, p. 56.

<sup>18</sup> *Ibid.*, p. 56.

Wayne was highly visible during daylight hours and certainly in tune to seventies' tastes, as shown in his clothing, hairstyle, and attitude.

By the end of the 1970s "Batman comic titles" had seen a rebirth with Batman becoming a detective along with an accompanying rebirth of villains. While the 1960s detective stories were often dull or simplistic, the 1970s detective stories were usually intelligently written. By placing the character into more gothic settings and using "spiritualist/haunted" images, the mood of Batman changed. "All helped bring Batman out of the sci-fi, camp, and pop mood that generally characterized the tales from the 1950s and 1960s, and returned him to the darker themes of his Golden Age beginnings. In the process, Batman has evolved into a more complex and obsessed figure than was ever presented in those classic tales."<sup>19</sup> As the decade ended, intellectual stories faded as well. The 1980s brought excess to the country, and Batman comics were no different. The excess was reflected in excessive villains, excessive romance and soap-opera plots, and excessive childishness.

It seems that whenever a story idea runs dry, comic book writers simply introduce a new villain or write a new story for an older villain. The older villain stories can be very successful or very silly, depending on the depth of the character. The eighties saw an excessive and unneeded change in Batman, reflecting similar changes in popular culture. Robin had matured to become Nightwing and led a group of heroes called the Teen Titans. A new Robin, Jason Todd, was born. He had two origins, but the one to which the comics adhered was when Jason tried to tamper with the Batmobile. He is a street kid. Batman catches him and feels compassion for a young person who is forced to live on the streets, a role he may have abandoned in his own life. Batman sees Todd's plight in the same manner. Batman also wanted to recognize the plight of urban kids. Originally Jason simply replaced Dick Grayson. Batman tried to recognize patterns within the society of the eighties, yet like so many real examples in our society, he was too self-indulgent and missed the boat. His life became mundane, and he lived in a fool's paradise.

The excess of the 1980s also saw a rebirth of soap opera plots. Batman began a long and torrid romance with Catwoman. Catwoman and Batman revealed their identities to one another and fell in love. This sticky contradiction between characterizations was resolved in a DC comics mini-series called "Crisis." "Crisis" ended this and other contrived fiascoes. Towards the end of the decade, Bruce developed a relationship with Talia, Ra's Al Ghul's daughter. The relationship began in the 1970s but took a more complex turn in the 1980s. Batman and Talia supposedly coupled, resulting in a child for Bruce/Batman.

The 1980s brought about another tragic change for Batman. Jim Starlin wrote the infamous "Death In The Family" story-line in which the Joker, now an Iranian Diplomat, killed Jason Todd/Robin as a result of an 1-900 number. The story, written in the 1980s following the Iranian hostage crisis, showed the Joker as a truly evil character. He has diplomatic immunity as he kills Robin. The readers were allowed to vote to kill Jason or not. Regardless of the phone poll, Starlin and DC said they would honor the results. The results showed a narrow margin in favor of killing Jason. A new Robin was introduced, however, within a year and a half, the current Tim Drake.

Another change happened when Frank Miller wrote the future of Batman in his "Dark Knight Returns" saga that was placed in the not so distant future. Society has been ruined because of the excess of the 1980s, and heroes are forced out of commission by the government. All heroes are removed except Superman. The result is a chaotic, militaristic society in which Batman returns only to fight Superman to the death. Batman is clearly anti-establishment and questions the values of the 1980s. Actually, neither character dies, but Batman vindicates himself as a hero, teaches Superman a lesson about humanity, and becomes the man the readers want him to be.

The 1990s are continuing the gothic nature of Batman that was revived in the 1970s and hinted at by the end of the 1980s. Whereas this "Generation X" decade may not have been labeled accurately, the Batman books show a desire to return him to his original form. The world is violent and Batman is too. As a result, innocent lives are more often lost in the 1990s comics. Batman is now seen as

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<sup>19</sup> Vaz, *Tales of the Dark Knight*, p. 180.



more vulnerable in a world that has become more vulnerable. He battles modern social woes such as child pornography, illicit sex, and the traps of immorality. The end result will not destroy the Batman myth. The myth seems to fluctuate as each generation changes.

### **Homeric Hero and Social Woes: Characters In Batman**

"The new generation of Batman readers, like the generation before it, will dream the tales of the Dark Knight."<sup>20</sup>

If changes can be traced through the decades in Batman, many of these can be attributed to the characters who exist in Batman. Batman characters over the years reflect minor changes in our society and how members of society interpret their values.

Bruce Wayne/Batman is the same person, but in the comics he is treated as if they were different characters. Bruce was a snob in his earlier years. Today, he is almost faceless. In the beginning he related to other characters in the popular culture. He was a combination of the mystery that surrounded the Shadow, the strength of Tarzan, and the decency of the law.<sup>21</sup> The only time in the past few decades that Batman's role as Bruce has been used in the comics is the rare occasions when he finds a murder case that somewhat resembles how his parents were killed.

Bruce Wayne/Batman is a hero with a tragic flaw. He is obsessed with himself as Batman. "The mortal anger at his parents for having deserted him, and at himself for having been unworthy of their lasting love, finds socially acceptable expression in Batman's hatred of the underworld... (for Bruce) it is a war against himself. Whatever Wayne does, he can take solace in the fact that he is not really being himself."<sup>22</sup> Batman is tragically flawed by a feeling of having been rejected by his parents. Through no fault of their own, the parents' "abandonment" of Bruce has scarred him emotionally. This sense of

loss is made worse by the fact that Bruce witnessed the departure.

Bruce Wayne/Batman is a hero for every man. He does not possess super powers, has emotional problems, and acts out his emotional anger instead of sealing it inside himself. The moment he dons the mask and assumes the role of Batman, Bruce Wayne sacrifices himself. He is a man who does not lose himself, but rather recreates himself. No longer is Bruce Wayne the identity of Batman, but Batman is the true identity of Bruce Wayne. Batman also represents the "hurt child" that exists in all of us.<sup>23</sup> This theme is repeated in the books and films. It also represents hiding from oneself in our society.

Robin is presented in a different light. Robin is as much an outlet for Batman's personality as he is for his own. He was originally added to be a Watson for Batman's Holmes and to give younger readers someone with whom to identify.<sup>24</sup> Robin represents the youth that needs guidance. He reaffirms Bruce's role as a man who can make a difference. "The depth of this great relationship is one of the great themes to the Batman chronicles, and the chroniclers have dealt with it extensively, particularly in threats (that try to destroy the relationship)."<sup>25</sup> According to Jordan B. Gorfinkel, an editor at DC Comics, "Robin was necessary to Batman comics to lighten it up."<sup>26</sup> Without Robin, Batman would have fallen away like many of his early contemporaries. Robin was fresh, new, and revitalized Batman. With him, Batman became "more human."<sup>27</sup> As their relationship grew, the readers were given a fair dose of Batman as a teacher and later as a preacher. Underlying all of his tones, civil or otherwise with Robin, Batman acted like a father figure for Robin. "Batman was like a dad priming his favorite son to eventually take over the family business."<sup>28</sup>

Dick Grayson, now known as Nightwing, was the first Robin. He and Batman grew apart.

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<sup>23</sup> Interview, March 1995, with Joe Romanek, owner/manager of Metropolis Comics, in Normal, Illinois.

<sup>24</sup> Paul Sassienie, *The Comic Book* (New Jersey: Chartwell Books, Inc., 1994), p. 29.

<sup>25</sup> Micheal Fleisher, *The Encyclopedia of Batman*, p. 321.

<sup>26</sup> Interview, January 1995, with Jordan B. Gorfinkel, associated editor D.C. Comics, in New York.

<sup>27</sup> Les Daniels, *Comix*, p. 13.

<sup>28</sup> Vaz, *Tales of the Dark Knight*, p. 54.

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<sup>20</sup> Vaz, *Tales of the Dark Knight*, p. 205.

<sup>21</sup> Mike Benton, *The Comic Book In America* (Texas: Taylor Publishing Company, 1993), p. 24.

<sup>22</sup> Michael Fleisher, *The Encyclopedia of Batman*, Volume I (New York: Collier Books, 1976), p. 82.

Nightwing represents the individuality that our society needs. Rather than arguing with Batman, Nightwing left to form a group of heroes and a new identity for himself. He, like many men entering adulthood, did not want to be seen as a partner for someone else. He wanted to be seen as his own man.

Dick Grayson/Nightwing is an interesting character. He respects Batman, and Batman respects him. The difference is that Nightwing, more so than any other character in the series, will stand up to Batman. He will remind Batman when he is wrong. Batman appears to be callous at times to the character, yet Nightwing has simply grown into a man. Thus the generation gap is explored in the Batman comics. Batman, who still wants Nightwing to be a partner of sorts, understands that he may have trained Grayson too well. Grayson now wants to tackle the world on his own terms. Briefly, Nightwing assumed the role of Batman and resolved many of his conflicts with Bruce. Nightwing truly represents the son who has broken ties with his father. Like Harry Chapin's "Cat's In The Cradle," Nightwing is the "little boy who grew into a man too soon."

Alfred, Bruce Wayne's faithful butler, represents order and structure in Batman's unorganized life. Alfred brings logic to Batman. He is an amateur criminologist, obedient servant, and father figure to Bruce Wayne. He is portrayed at times as sarcastic. Part of his duties have included mending Batman's wounds and keeping the Batcave in order.<sup>29</sup> Jules Schwartz, Batman writer and editor, killed off Alfred in the mid-1960s. When the television show began, Alfred was in the script and Schwartz had to discover a way to revive the character, which was done through a villain known as the Outsider.<sup>30</sup>

Commissioner Jim Gordon has been a confidant of Batman since the inception of the character. He is a police commissioner who has come under fire for allowing the vigilante Batman to do as he pleases in Gotham City. Gordon represents conservative values in Batman's society and admits that Batman has gained his trust by

proving himself an excellent detective.<sup>31</sup> In a book the readers learn that Gordon takes such a grim approach to police work because he was a victim of child abuse. The book further implies that he may look at Batman as a healer, hero, and man who will deliver helpless people from their aggressors because he was so traumatically victimized.<sup>32</sup> DC used the characters in the fictional Gotham City to write about and deal with child abuse and its victims. This graphic novel, Night Cries, was published in 1992 and takes the issue of abuse in our society very seriously. In this and numerous other instances, the comics reflect a problem within our society.

Barbara Gordon is an example of corrupted youth in Batman. Commissioner Gordon's daughter, she was crippled by the Joker in a book called The Killing Joke. She was used as a lure for Commissioner Gordon and Batman.<sup>33</sup> As Batgirl, she is portrayed as intelligent and witty but has never truly been featured in a predominant role in the books. She was reintroduced in the third season of the Batman television program as a possible love interest that never materialized. In the comics, she simply became a background character. Today she has caught up with the technology of the 1990s in the role of Oracle, a computer wizard and crime fighting aid to Batman and Robin. She tracks down archival sources and records via the internet and her own specialized computer programs. She is obviously filling what the writers consider the role of a modern woman.

Two characters were introduced prior to Barbara Gordon--Batwoman (Kathy Kane) and the original Batgirl (Betty Kane). During the late 1950s and early 1960s, they were part of the "Batman Family" along with Bat-Mite (an imp from another dimension) and Ace the Bathound (a dog).<sup>34</sup> What the women represent is an escape from Wertham's attacks and not much more. Batman and Robin could not be gay if they were expressing love interests in women. Interestingly enough, their last name was that of the Batman creator, Bob Kane. It

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<sup>31</sup> Ibid, p. 91.

<sup>32</sup> Archie Goodwin, Night Cries (New York: DC Comics, 1992).

<sup>33</sup> Alan Moore, The Killing Joke (New York: DC Comics, 1989).

<sup>34</sup> Fleisher, The Encyclopedia of Batman, p. 146.

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<sup>29</sup> Fleisher, The Encyclopedia of Batman, pp. 4-5.

<sup>30</sup> Vaz, Tales of the Dark Knight, p. 91.

seems that Kane offered his "children" to escape the vicious Wertham attacks. They were put aside when Batman received a face-lift from Jules Schwartz and became "the new look" Batman.

Often in our society, good intentions are corrupted, an ideology expressed in the Batman comics as well as life in general. In the case of Batman, a character was created four years ago called Jean Paul Valley. He was known as the avenging angel Azreal. When Batman broke his back, he handed the cowl to Azreal. Azreal responded by allowing someone to die and became bent on a strict code of swift justice. Az-Bats, as he is sometimes referred to, taught Bruce Wayne/Batman a valuable lesson: corruption can exist in our society and the power of Batman is not easily given or taken.

Various villains in the series also represent components of our society. Probably the most famous and popular of the villains is the Joker.<sup>35</sup> The Joker represents nearly everything that is wrong with society. He is vengeful, cruel, and malicious. The Joker lost his loved ones due to his naive approach when dealing with the underworld, which turned him insane and hateful.<sup>36</sup> The Joker is obsessed with Batman, and Batman in turn is obsessed with him.<sup>37</sup> He is seen as the villain the readers love to hate. Even in the first film, Jack Nicholson's Joker was certainly seen as humorous. Batman pities him for his madness and does not blame him for his actions. Batman is a judge and jury deciding that the Joker has a very solid insanity plea. The readers may see the Joker as insane and cruel, but he is written in a way to make them sympathize with his situation in life.

Catwoman is consistently seen as a sexual character, whom Batman finds alluring and tempting, but also evil.<sup>38</sup> It is as if sexuality is seen as tempting but should be hidden. This theme is common throughout other elements of popular culture.

The Riddler, a villain revitalized by the television show, is more of a prankster than a true threat. "His MO has always been to plan a crime

and outwit the Batman."<sup>39</sup> The Riddler acts like a child who has never grown up.

Two-Face was revitalized in the 1970s through the work of O'Neil and Adams. He represents the penchant for good and evil in all of us. He also represents polarity in our society. One side of his face is marred by a chemical accident. The other is normal. He was once Harvey Dent, a brilliant prosecuting attorney, who now uses his knowledge of the law to thwart it. The accident that caused his disfigurement also caused him to go mad.<sup>40</sup> Batman also sympathizes with him and wants to rescue him from his darker qualities. This view of Batman has prompted more than a few reviewers to note that Batman should consider judging himself in the same vein.

The Penguin is a villain who represents what happens when the seemingly ridiculous person in our society grows tired of taunting and abuse. He retains his eccentric qualities, yet poses a threat through violent devices hidden in umbrellas.<sup>41</sup> He is like a small person who uses technology to advance himself. In serious physical confrontations, he is not a match for any human. As an intellectual, he is a deceiving nemesis. He is a warning to our society not to torture members within the social realm. The Penguin can strike back, even though he is small, much the same way other members of our society strike at their aggressors. His story is reminiscent of The Hunchback of Notre Dame, as was portrayed in the second Batman film. In Batman Returns he was seen as a misunderstood freak of nature, although in his case, he was also evil. He detested the society that shunned him. The Penguin grew in popularity in the 1960s due to the acting ability of Burgess Meredith.<sup>42</sup>

A different character who has a similar profile as the Penguin is the Scarecrow, a ridiculous looking man who was an ignored psychology professor. He uses a special formula to make others fear him.<sup>43</sup> DC comics warns the readers through these characters not to target seemingly weaker

<sup>35</sup> Interview, January 1995, with Jordan B. Gorfinkel, associate editor D.C. Comics, in New York.

<sup>36</sup> Moore, The Killing Joke, p. 26.

<sup>37</sup> Vaz, Tales of the Dark Knight, p. 165.

<sup>38</sup> Ibid., p. 159.

<sup>39</sup> Ibid., p. 159.

<sup>40</sup> Ibid., p. 160.

<sup>41</sup> Michael Singer, Batman Returns--The Official Movie Book (New York: Bantam Books, 1992), p. 16.

<sup>42</sup> Ibid., p. 17.

<sup>43</sup> Vaz, Tales of the Dark Knight, p. 160.

people for abuse. The results could be harmful and deadly.

A recent Halloween special pitted Batman against the Mad Hatter. The Mad Hatter currently looks a great deal like the character in the Lewis Carroll novels. In this special the editors at DC implied that the Mad Hatter was capable of molesting children.<sup>44</sup> This very frightening aspect of our current society has found its way into the popular culture medium of the comics.

Finally, Gotham City, with its gothic tone, is like a character within the books and films. Gotham is the ugly side of America. It represents a city where drugs, prostitution, abuse, and crime control the society. Out of its long shadows emerges a man who wants to right the wrongs and wages a private war on corruption. Although he has allies, Batman must grapple with the horrors of a society that destroyed his childhood by destroying his parents' lives. There is no true Gotham City--although the first Batman stories had him existing in New York. Its decadent side represents corrupt citizens who fill nearly every alley and walkway of any major metropolitan area in the country. Perhaps this aspect, more than any other, is why Batman remains relatively popular. Everyone wishes they could have a "Batman" in their cities to give them faith. In a social sense the corruption that exists in urban society is growing and such dissoluteness has been escalating in urban areas at a much quicker pace during recent years. Batman comics, again, reflect this sociological and historical trend.

### **Holy Profits, Batman!: The Media and Mass Marketing**

"Sadly, Batman is not my property; just my beloved concern."<sup>45</sup>

Nothing has done more to profit from, popularize, and destroy the character of Batman than the television program that began as a mid-season replacement in 1966. "Most people have the

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<sup>44</sup> Jeph Loeb and Tim Sale, *Madness: A Legend of the Dark Knight Halloween Special* (New York: DC Comics, 1994).

<sup>45</sup> Adam West, *Back to The Batcave* (New York: Berkley Publishing Group, 1994), p. 209.

camp 1960s image of Batman in their minds and continued to keep it until the Burton films."<sup>46</sup>

Prior to the Batman television show and subsequent film, Batman was the subject of two movie serials in the 1940s. The first serial was called Batman and was directed by Lambert Hillyer. It was produced in 1943. Its villain was an evil Japanese scientist named Dr. Daka who used "overt racism to warm up the plot."<sup>47</sup> The film was released at the height of anti-Asian sentiment in the country and is by contemporary standards racist. The popularity of Batman soared as he was again fighting the war on the home front. "The story was one of those typical propaganda vehicles for bolstering up the war on the home front."<sup>48</sup>

The second serial known as Batman and Robin was produced in 1949. It was viewed by critics as an improvement. The villain was a man known as the Wizard and had no connections with any ethnic background. Interestingly, Hugh Hefner showed this serial to his guests at parties.<sup>49</sup> The lead actor, Robert Lowery, commented to Bob Kane that "his career had taken a nose-dive because he was typecasted as Batman."<sup>50</sup> In a dose of irony Adam West would later find the same to be true from his role during the 1960s program.

The Batman Television Show was introduced as a mid-season replacement in 1966, shown twice a week with the first episode ending in a serial-type cliffhanger. "For most of its three-year-run, thirty million viewers tuned in twice a week." "Batman helped create the era of 'pop,' which Lawrence Alloway, then curator of New York's Guggenheim Museum termed: 'an affectionate way of referring to mass culture.'" Batman products and the licensing that resulted from the hit show were considered "the biggest thing to ever happen," according to Jay Emmett, president of Licensing Corp. of America.<sup>51</sup> The impact was felt in the comics, which became

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<sup>46</sup> Interview, March 1995, Joe Romanek, the owner/manger of Metropolis Comics, in Normal, Illinois.

<sup>47</sup> James Van Hise, *Batmania II* (Nevada: Pioneer Books, Inc., 1992), pp. 16-18.

<sup>48</sup> Bob Kane, *Batman and Me* (California: Eclipse Books, 1989), p. 127.

<sup>49</sup> Mike Benton, *The Illustrated History of Superhero Comics of the Silver Age* (Texas: Taylor Publishing Company, 1991), p. 29.

<sup>50</sup> Kane, *Batman and Me*, p. 129.

<sup>51</sup> Vaz, *Tales of the Dark Knight*, p. 89.

more campy, and the products sold, which became more "Bat-like." The show starred Adam West as Batman and Burt Ward as Robin. Famous actors were lined up to guest on the show and partake in the fun. These included some of the brightest stars of the sixties and previous decades: Caesar Romero, Julie Newmar, Frank Gorshin, Burgess Meredith, James Mason, Milton Berle, Cliff Robertson, Bette Davis, Eli Wallach, Art Carney, Shelly Winters, Roddy McDowell, Tallulah Bankhead, Joan Collins, Ethel Merman, Vincent Price, Otto Preminger, Liberace, Carolyn Jones, and Victor Buono. The campy pop culture craze was recognized by the members of Hollywood's elite. Frank Sinatra wanted the Joker's part but was turned down.<sup>52</sup>

The show was such a success that it appeared on the cover of *Life* magazine, a true barometer of pop culture.<sup>53</sup> With the success of the program, marketing took over, making "Bat-products" of everything from toys to food and household merchandise.<sup>54</sup> "Merchandising of Batman products became a multimillion dollar business."<sup>55</sup> The campiness and fun would last for only two and a half years, but when the merry-go-round was over and the "Bat-dance" ended, the actors who starred in the series would suffer from being typecast as camp superheroes for the rest of their acting careers. Adam West, ironically, did settle for a role as an out-of-work actor in the 1990s *Animated Series*.

The 1980s version of Batmania came as a result of Tim Burton's film *Batman*. Set in a Gotham City that closely resembled the darkness associated with the comics and the uncertainty of the 1980s, Burton's Batman was a psychologically twisted soul who witnessed the death of his parents at the hands of the Joker. The film has a sinister texture to it, in an attempt to be similar to "New York, a hundred years ago."<sup>56</sup> In the third draft of the screenplay, Sam Hamm created Robin, but the idea was tossed out for the film to avoid the campiness routine of the 1960s.<sup>57</sup> The film was a direct contrast to the television program. Burton took steps to make sure

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<sup>52</sup> Van Hise, *Batmania II*, pp. 44-45.

<sup>53</sup> *Ibid.*, p. 42.

<sup>54</sup> *Ibid.*, pp. 98-99.

<sup>55</sup> Kane, *Batman and Me*, p. 135.

<sup>56</sup> Van Hise, *Batmania II*, p. 140.

<sup>57</sup> Sam Hamm, *Batman Screenplay--Third Draft* (California: Warner Brothers, Inc., February, 1988).

to satisfy those who wanted it camped up and those who wanted it to be dark and dreadful. "He explained that the film was not all campy and not too dark, but was realistic. He also explained that while the film brought the excitement and visual qualities of a comic book to the screen, the motion picture medium allowed them to give the character more depth."<sup>58</sup> Burton gave part of the credit for the film's success to the dark future as captured in Frank Miller's 1985 version of *Batman* which showed a bit of uncertainty about our society.<sup>59</sup> Darkness prevailed in Burton's vision, and the society itself was disheartening. The hero was darker and more complex because the world had become darker and more complex. In 1992 Burton directed his second *Batman* film, *Batman Returns*. The special effects were well-done and the aura was perhaps more gruesome than the first. The world in Burton's second film was as dark as it had been in the first.

Between the second and the third film, *Batman Forever*, society had changed. With economic bliss and a seemingly strong government, the movie seemed to lighten up and establish Batman as less grim. This trend seems to be continuing with the new film, *Batman and Robin*, that will be released in the summer of 1997. Perhaps because the movies are marketed for children, or because Burton no longer directs the films, *Batman* movies have currently taken a "positive" approach. Another reason could be similar to the comics: the inclusion of Robin lightens up the subject matter. This approach could also be reflective of a more positive society. As Jordan Gorfinkel, the associate editor of many *Batman* titles, stated in an interview, "we don't tell the movie people how to make movies and they do not tell us how to make comic books."<sup>60</sup>

### **Conclusion: Batman as an Icon and Reflection of the History of Society**

"The average American lives a rather humdrum existence, working a nine-to-five job, and then

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<sup>58</sup> Van Hise, *Batmania II*, p. 143.

<sup>59</sup> *Ibid.*, p. 132.

<sup>60</sup> Interview, January 1995, with Jordan B. Gorfinkel, associate editor D.C. Comics, in New York.

returning home to a staid existence with his family. After awhile his life becomes a boring routine. He subconsciously longs for a change, secretly hoping he could become Batman and live a life of romance and adventure."<sup>61</sup>

Comic book fiction represents our society in much the same way as films, music, and other forms of popular culture. Comics are devices of entertainment that offer social commentary, and they also reflect historical change.<sup>62</sup>

The Dark Knight, the Caped Crusader, or The Grim Avenger-- Batman has gone through many changes. Details may change, but the themes, origin, and essential character does not vary. Whether Batman will remain an "icon of popular culture" is not difficult to guess. "The themes at the heart of the Batman mythology are eternal: tragedy, loss of innocence, redemption, and the unending crusade."<sup>63</sup> This idea conceived over fifty years ago has turned into a multi-media, multi-cultural, and multi-million dollar phenomenon.

Batman has caught up with the times, modernized his methods to fit the ever-changing world, and adapted to new villains and terrors that each generation creates. No reason exists why he will not persevere in the future. As each generation changes, each new adversary will try to thwart the hero.

We need a Batman and a Robin in our society to help us overcome our real life social woes and criminals. Each generation produces a new wave of young people who becomes thrilled with the character. As society becomes more tormented by its members, Batman will never run low on cases or unsavory characters to battle. Perhaps Batman offers a glimmer of hope to those who need it to escape the demons which exist in society.

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<sup>61</sup> Kane, *Batman and Me*, p. 152.

<sup>62</sup> Kidd, *Batman Collected*, p. 1.

<sup>63</sup> Interview, January 1995, with Jordan B. Gorfinkel, associate editor D.C. Comics, in New York.

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