

The Ethics Workbook II: American History

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The Ethics Workbook II: American History was written for older students in typical secondary American history classes in grades 11 – 12. It examines the major conflicts and turning points in American History from an evolutionary ethics perspective. It pursues the thesis that human beings are driven by an innate ethical sense that results in predictable patterns of behavior and that until this is understood, reason cannot function as a reliable guide to ethical decision making.

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Chapter One

Discovery

For years before the discovery of America, the Italian Renaissance cities of Venice and Genoa grew rich through trade with the Far East. They dominated this business by teaming up with Arab merchants who brought goods overland by camel caravan to the eastern shores of the Mediterranean Sea. Portuguese navigators thought they could reach places like India and China and compete with the Italians by sailing down the Atlantic coast of Africa, around the Cape of Good Hope and across the Indian Ocean. This plan worked beautifully and soon Portugal was rivaling Italy as a leading commercial power. The King and Queen of Spain tried a different tack and sent their ships west straight across the Atlantic, but the North American continent blocked their passage to Asia. Although the Spanish crossed into the Pacific at the narrow point in the Isthmus of Panama and got to the Far East that way, they quickly discovered that there was enormous wealth in the New World itself and so they began to concentrate on building an empire in Mexico and South America. All of this left England without an uncontested access to Asia while their economic and political rivals were quickly growing rich. Magnifying the problem was the fact that this was the time of the Protestant Reformation when the Catholic Church in Europe broke up and many new religions were formed. England, as a Protestant country, was nearly always at odds with Spain, which was Catholic, and this added greatly to the urgency with which many people in England viewed the need to get a trade route of their own.

Some navigators and geographers at that time believed that there was a northern way around North America through the arctic and they convinced the King of England to send out an expedition to find it. (This so called Northwest Passage does exist and has been navigated in modern times but it is totally impractical as a trade route.) In 1497 John Cabot, sailed to North America in search of this new route on behalf of the English crown. He didn't find it, but he did stake a claim for England to all the territory of North America and opened the door for the planting of English colonies. For the next hundred years, many influential Englishmen urged the government to send settlements to North America. One of these men was a geographer named Richard Hakluyt who wrote a tract in 1584 called "A Discourse Concerning Western Planting." He wrote it to convince the

Queen that planting colonies in North America was a good idea. We're going to read a short excerpt from it to get an idea of the reasons that he gave for recommending this enterprise.

Make a list of the key reasons Hakluyt gives for planting colonies in North America.

... This enterprise may stay the Spanish King from flowing over all the face of that waste firm of America, if we seat and plant there in time, in time I say, and we by planting shall prevent him from making more short and more safe returns out of the noble ports of the purposed places of our planting, then by any possibility he can from the part of the firm that now his navies by ordinary courses come from, in this that there is no comparison between the ports of the coasts that the King of Spain doth now possess and use and the ports of the coasts that our nation is to possess by planting at Norumbega (N. America), . . . And England possessing the purposed place of planting, her Majesty may, by the benefit of the seat having won good and royal havens, have plenty of excellent trees for masts of goodly timber to build ships and to make great navies, of pitch, tar, hemp, and all things incident for a navy royal, and that for no price, and without money or request. How easy a matter may yet be to this realm, swarming at this day with valiant youths, rusting and hurtful by lack of employment, and having good makers of cable and of all sorts of cordage, and the best and most cunning shipwrights of the world, to be lords of all those seas, and to spoil Phillip's Indian navy, and to deprive him of yearly passage of his treasure into Europe, and consequently to abate the pride of Spain and of the supporter of the great Anti-Christ of Rome and to pull him down in equality to his neighbour princes, and consequently to cut off the common mischief that come to all Europe by the peculiar abundance of his Indian treasure, and this without difficulty.

Richard Hakluyt, A Discourse Concerning Western Planting (1584)

- 1. to block and hinder the power and expansion of Spain**
- 2. to encourage sea faring and build up the English navy**
- 3. to provide employment for many unemployed**
- 4. to balance the power of the Catholic Church**

We can easily see the working of the innate human ethical sense demonstrated in the motives for colonization given by Hakluyt. The reality of group identification which recognizes the advantages of group synergies and identifies other groups as enemies is clear. The human self regarding urge manifests itself in an associative life in which individuals naturally cooperate in recognized groups. In this case England is the recognized cooperative group and it is natural for individuals in this group to support each other as well as to identify outsiders as enemies. The initial lesson for students in this is to

understand that the perception of right changes with the people involved and that this is an innate human understanding. Combating this is an objective of ethics education.

Hakluyt assumes that England had a claim to North America because John Cabot “discovered” it. *What do you think is the logical basis for this claim?*

This kind of validation can only be based on power and the international protocols that recognized the claim of the first discoverer. The logic of this can only be sustained in the absence of any prior claimant. Obviously Native peoples are disregarded. This opens the opportunity to consider the relationship between rules and ethics. Rules may or may not be ethical. Students should be encouraged to apply concepts to their own personal lives.

Hakluyt calls North America a: **waste firm** implying that it was empty and barren. *Was this true? How does this impact the ethics of the English claim to own Norembega?*

Since it was not true that the territory was a “waste firm” the claim injures indigenous human beings and is fundamentally unethical.

What indication do you get from Hakluyt's remarks that he believes his own welfare is directly connected to the welfare of everyone else in England?

He believes that colonies will provide an outlet for a growing lower class population suffering from unemployment. The innate human ethical sense automatically supports other members of the recognized ethical cooperative group. In this particular case the broadest national identification supersedes class distinctions. Students should begin to discuss group identification in their own lives and how it impacts their ethical decision making.

It is clear that Hakluyt views the Catholic Church and Catholic Spain as the arch enemies of England yet he doesn't advocate the destruction of either. *What is his goal in this regard?*

The innate human ethical sense seeks both freedom and equality within an associative life. For Hakluyt, the freedom of England is dependent upon the navy while England's equality is threatened by the powerful Catholic presence on the continent. Hakluyt calls the pope "the great Anti-Christ of Rome" but only seeks to reduce his power and achieve a balanced equality with Spain. The peace and stability that results from equilibrium is a fundamental goal of the innate human ethical sense.

The first English attempts to plant colonies failed until 1607 when a permanent settlement was established at Jamestown, Virginia. This colony was the work of a

speculative business enterprise called The London Company which was a joint stock company much like our modern corporations. Since you've already studied the mercantile economic system that was popular at that time we only need to touch on this aspect of colonialism by saying that the governments of European countries believed that their wealth and prosperity were directly related to profitable trading. Now, since having a monopoly of both supply and demand was preferable to free competition these countries tried to create colonial empires within which to trade exclusively and without foreign interference. The London Company was set up by private investors to plant a colony for the purpose of making profits. Since this coincided with the English government's desire to have a presence in North America for reasons we have already touched upon, the two made a deal. The King issued the London Company a charter and the right to govern certain territory in North America, while the private investors put up the money.

The leader of the Jamestown Colony was Captain John Smith. Smith was made responsible for finding and recruiting settlers willing to take a chance on a dangerous undertaking with a very unpredictable outcome. The following excerpt is from a pamphlet he wrote telling why others should join him in this venture.

Read the following and tell how Smith appeals to the individual person's self interest.

... for I am not so simple to think that ever any other motive than wealth will ever erect there a commonweal, or draw company from their ease and humors at home ...

My purpose is not to persuade children from their parents, men from their wives, nor servants from their masters - only such as with free consent may be spared - but that each parish or village in city or country that will but apparel their fatherless children of thirteen or fourteen years of age, or young married people that have small wealth to live on, here by their labor may live exceeding well...

John Smith, A Description of New England.

The innate human ethical sense generates two natural drives, a drive for individual self interest and an other regarding drive born out of an understanding that this individual self interest is enhanced by group cooperation.

Now continue the reading and tell how Smith believed individual success could be achieved?

... provided always that first there be a sufficient power to command them, houses to receive them, means to defend them, and meat provisions for them, for any place may be overlain; and it is most necessary to have a fortress ere this grow to practice, and sufficient masters (as carpenters, masons, fishers, fowlers, gardeners, husbandmen, sawyers, smiths, spinsters, tailors, weavers, and such like) to take ten, twelve, or twenty, or as there is occasion, for apprentices; the masters by this may quickly grow rich, these may learn their trades themselves to do the like, to a general and an incredible benefit for king and country, master and servant.

John Smith, A Description of New England.

The understanding that the individual must be integrated into an associative life is innately human and should be the topic for discussion. People view their ethical responsibilities to their recognized ethical cooperative groups and are urged to act in the best interests of the group generally.

Now read the next excerpt and tell why you think Smith found it necessary to go beyond pure self interest to promote his colony.

... I have not been so ill bred but I have tasted of plenty and pleasure as well as want and misery, nor doth necessity yet, or occasion of discontent, force me to these endeavors; nor am I ignorant what small thanks I shall have for my pains, ...yet I hope my reasons with my deeds will so prevail with some that I shall not want employment in these affairs to make the most blind see his own senselessness and incredulity, hoping that gain will make them effect that which religion, charity, and the common good cannot. It were but a poor device in me to deceive myself, much more the king and state, my friends and country, with these inducements; which, seeing his majesty hath given permission, I wish all sorts of worthy, honest, industrious spirits would understand, and if they desire any further satisfaction I will be my best to give it; not to persuade

them to go only, but go with them; not leave them there, but live with them there. ...

John Smith, A Description of New England.

The innate human ethical sense is a combination of self and other regarding drives. Bringing the two sides of the natural ethical character into balance is a never ending human quest. Smith seems embarrassed by a purely selfish appeal.

We mentioned earlier that this was also the time of the Protestant Reformation during which many people who disagreed with the Catholic Church started other Christian religions. There was a considerable amount of violence and bloodshed in England where civil wars were fought over which version of Christianity was correct. At the time of early colonization the law in England required everyone to belong to the official English church, called the Anglican Church, or the Church of England. Many Protestants, known as Puritans because they wanted to purify the English church, thought that the Anglican Church was too much like the Catholic Church but that it could be reformed. Another group of Protestants, called Separatists, however, saw no hope in fixing the Church of England at all and wanted to break away entirely. These two groups are important for us to understand because they became the bulk of the early settlers to North America.

The first to come to America were the Separatists who under the leadership of William Bradford landed at Plymouth, Massachusetts in 1620. Before they came to America, the Pilgrims left England and tried to settle in Holland. Bradford tells why in his book about Plymouth Plantation.

Read the following excerpt from that book and explain briefly what the most basic reason was for their departure from England.

...But after these things; they could not long continue in any peaceable condition; but were hunted and persecuted on every side, so as their former afflictions were but as fleabites in comparison of these which now came upon them. For some were taken and clapped up in prison, others had their houses beset and watched night and day, and hardly escaped their hands; and the most were inclined to fly and leave their houses and habitations, and the means of their livelihood. ... and that

there was no hope of their continuance there, by a joint consent they resolved to go into the Low-Countries, where they heard was freedom of Religion for all men; as also how sundry from London, and other parts of the land had been exiled and persecuted for the same cause, and were gone thither; and lived at Amsterdam, and in other places of the land. ... notwithstanding all the diligence and malice of their adversaries, they seeing they could no longer continue in that condition, they resolved to get over into Holland as they could. Which was in the year 1607 and 1608 . . .

William Bradford, History of Plymouth Plantation, 1620-1647

The drive for freedom is one of the twin pillars of the innate human ethical sense. Since this freedom must exist within a social group, the need for equality within that group has evolved as the other keystone of human ethics. Use this opportunity to discuss the concept of freedom. Challenge students to define what freedom means to them and how it can be achieved.

After a number of years the Separatists decided to leave Holland and settle a colony in the New World. Since the London Company was already in the business of colonizing North America on behalf of the King of England, they consulted with Captain John Smith and decided to contract themselves under the London Company charter. They departed for America in September of 1620. When they arrived Bradford noted:

...This day, before we came to harbour, observing some not well affected to unity and concord, but gave some appearance of faction, it was thought good there should be an association and agreement, that we should combine together in one body, and to submit to such government and governors as we should by common consent agree...

Thus the Pilgrims decided before landing to establish a basic rule for governing the new colony. This document was called The Mayflower Compact and it is printed below. *Analyze it and tell what in the opinion of the Pilgrims was the most basic rule for creating a legitimate government.*

We whose names are underwritten, the loyal subjects of our dread sovereign Lord, King James, by the grace of God, of Great Britain, France and Ireland king, defender of the faith, etc., having undertaken, for the glory of God, and advancement of the Christian faith, and honor of our king and country, a voyage to plant the first colony in the Northern parts of Virginia, do by these presents solemnly and mutually in the presence of God, and one of another, covenant and combine ourselves together into a civil body politic, for our better ordering and preservation and furtherance of the ends aforesaid; and by virtue hereof to enact, constitute, and frame such just and equal laws, ordinances, acts, constitutions, and offices, from time to time, as shall be thought most meet and convenient for the general good of the colony, unto which we promise all due submission and obedience...

William Bradford, History of Plymouth Plantation, 1620-1647

The Mayflower Compact is a clear expression of the innate human ethical sense which seeks to maintain individual freedom within a group. The evolved answer to this problem is to achieve and maintain equality within that group. Justice is naturally defined by human beings as fairness which is synonymous with equality. The Mayflower Compact reduces each individual to equal status and utilizes pure democracy as the justification for its legitimacy. Since it is clear in the initial deference paid to the King that the entire enterprise takes place within a steep hierarchy where equality does not exist, the appeal to it is striking testimony to the inbred human sense of right.

Religious persecution of nonconformists increased in England under Charles I and many Puritans began to believe that there was no hope of reforming the Anglican Church. Some explored the possibility of migrating to the New World as the Separatists of Plymouth had done and in 1628 a small group settled at Salem, Massachusetts. This encouraged a major colonial effort by the English Puritan community. The following year they formed the Massachusetts Bay Company and chose John Winthrop to organize a major settlement. In the summer of 1630 seventeen ships carrying over 1000 Puritans landed in the New World. They established the Massachusetts Bay Colony with its capital at Boston and over the next decade attracted over 21,000 additional Puritan settlers in what has been called The Great Migration.

During the journey across the Atlantic, Winthrop wrote his first sermon an excerpt from which is printed below. *Read it and tell what you believe Winthrop judged to be the most important ingredient to insure the success of his colony.*

...Now the only way to avoid this shipwreck, and to provide for our posterity, is to follow the counsel of Micah, to do justly, to love mercy, to walk humbly with our God. For this end, we must be knit together, in this work, as one man. We must entertain each other in brotherly affection. We must be willing to abridge ourselves of our superfluities, for the supply of other's necessities. We must uphold a familiar commerce together in all meekness, gentleness, patience and liberality. We must delight in each other; make other's conditions our own; rejoice together, mourn together, labour and suffer together, always having before our eyes our commission and community in the work, as members of the same body. So shall we keep the unity of the spirit in the bond of peace.

From: John Winthrop, The City Upon A Hill (1630)

This excerpt shows the innate human understanding that group synergy is the most effective tool in promoting human welfare. Human beings are fundamentally social animals and constantly seek group identification. Students should discuss their own personal group affiliations and consider how group synergy works in their behalf.

Now read the rest of the paragraph and tell why else Winthrop thought it important to build a strong sense of community.

The Lord will be our God, and delight to dwell among us, as his own people, and will command a blessing upon us in all our ways. So that we shall see much more of his wisdom, power, goodness and truth, than formerly we have been acquainted with. We shall find that the God of Israel is among us, when ten of us shall be able to resist a thousand of our enemies; when he shall make us a praise and glory that men shall say of succeeding plantations, "the Lord make it likely that of New

England." For we must consider that we shall be as a city upon a hill. The eyes of all people are upon us...

From: John Winthrop, City Upon A Hill (1630)

Human ethics functions within these groups which we call ethical cooperative groups. They create aggressively moral rules and define right and wrong from the narrow perspective of the exclusive group. This usually leads to conflict with other groups that are defined as enemies. This phenomenon of human ethics is patently clear in Winthrop's remarks. It is important for students to comprehend this two edged sword.

This concept of a tightly knit community of like believers was very basic to Puritan thought and it resulted in a blatant intolerance for any ideas that were not fully compatible with the orthodox view. This became clear very early on in the Massachusetts Bay Colony when a woman named Anne Hutchinson was arrested in 1637 for having opinions that differed from the accepted truths as taught by the colony's Calvinist ministers. Conformity to the strict rules of the group was stressed and this seemed to Mrs. Hutchinson to be an overemphasis on formalities and contrary to her understanding of Calvinist theology and she said so. For voicing her opinion she was charged with teaching false doctrines and upsetting the stability of the community. For this she was brought before The General Court of Massachusetts Bay Colony which was presided over by Governor John Winthrop. What follows are some selected excerpts from the transcript of that trial with intermittent commentary. *Read it carefully and then write a short essay in which you discuss the idea of tolerance and why you think it did not exist in Massachusetts Bay Colony.*

Mr. John Winthrop, Governor: Mrs. Hutchinson, you are called here as one of those that have troubled the peace of the commonwealth and the churches here; you are known to be a woman that hath had a great share in the promoting and divulging of those opinions that are the cause of this trouble, and to be nearly joined not only in affinity and affection with some of those the court had taken notice of and passed censure upon, but you have spoken divers things, as we have been informed, very prejudicial to the honor of the churches and ministers thereof..

Governor Winthrop and Mrs. Hutchinson debate at length the question of whether she broke any laws. Finally the Deputy Governor reframes the charges against her.

Deputy Governor, Thomas Dudley: I would go a little higher with Mrs. Hutchinson. About three years ago we were all in peace. Mrs. Hutchinson, from that time she came hath made a disturbance, and some that came over with her in the ship did inform me what she was as soon as she was landed. I being then in place dealt with the pastor and teacher of Boston and desired them to enquire of her, and then I was satisfied that she held nothing different from us. But within half a year after, she had vented divers of her strange opinions and ...hath so forestalled the minds of many by their resort to her meeting that now she hath a potent party in the country...

The debate continues concerning if she actually said the words ascribed to her and if so why and what she meant by them. Witnesses are called to testify and they affirm that she said the things she was accused of saying.

Governor Winthrop. ... There were divers things laid to her charge: her ordinary meetings about religious exercises, her speeches in derogation of the ministers among us, and the weakening of the hands and hearts of the people towards them. Here was sufficient proof made of that which she was accused of, in that point concerning the ministers and their ministry...

Mrs. Hutchinson denies the charges.

Governor Winthrop. . Here are six undeniable ministers who say it is true and yet you deny that you did say that they preach a covenant of works and that they were not able ministers of the gospel, and it appears plainly that you have spoken it...

The court finds Mrs. Hutchinson guilty and Governor Winthrop declares the verdict and asks for the sentence.

Governor Winthrop. The court hath already declared themselves satisfied concerning the things you hear, and concerning the troublesomeness of her spirit and the danger of her course amongst us, which is not to be suffered. Therefore if it be the mind of the court that Mrs. Hutchinson for these things that appear before us is unfit for our society, and if it be the mind of the court that she shall be banished out of our liberties and imprisoned till she be sent away, let them hold up their hands.

Winthrop sentences Hutchinson.

Governor Winthrop. Mrs. Hutchinson, the sentence of the court you hear is that you are banished from out of our jurisdiction as being a woman not fit for our society, and are to be imprisoned till the court shall send you away.

The Examination of Mrs. Anne Hutchinson at the Court at Newton. 1637

While this case involves the issue of freedom of speech and students will identify this, the lesson should focus on how groups demand and enforce conformity. Students should apply this to their own lives and experiences and be challenged to see the distinction between rules which are an external authority and ethics which is an internal authority.

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The Ethics Workbook II: American History

Chapter Two

Colonial Period

When the American colonies were first founded most European countries followed an economic system called Mercantilism. Mercantilists believed that the power of a country was based on its wealth and that wealth was measured in gold. Countries got gold by exporting or selling more goods than they bought. This created what was called a favorable balance of trade and this meant that wealth accumulated in the country's treasury. In this mercantilist scheme war and world trade went hand in hand; countries readily admitted their intent to fight for foreign territory and to exploit it for their own economic benefit. The mercantilists stressed the idea that a country should establish colonies to buy its products and to provide it with raw materials. Commerce with the colony could be carefully regulated and restricted by the mother country to ensure for itself a favorable balance of trade. The colonies too would profit by having a protected market for their own products. England founded ten colonies along the Atlantic coast of North America and three more from territory taken from their commercial rivals, the Dutch. True to their plan they began to enact and to enforce a series of Navigation Acts intended to promote the production of raw materials needed for home industries and to prevent the growth of competing industries in the colonies.

By 1710 the British Customs Service had been created to enforce these laws. Customs districts were established and collectors and surveyors were put in all important colonial ports in order to see all cargoes loaded and unloaded. They were to collect all required duties and to see that bonds were given to guarantee shipment to proper ports in compliance with the navigation laws. The independent Americans, especially in New England, paid little attention to these laws and when customs agents attempted to prosecute them in colonial courts they often stood before judges who were themselves engaged in illegal trade and jurors who were also smugglers. They rarely got a conviction. Of the first 9 cases involving violations of the acts of trade in America, 8 were cleared and the one small fine collected was claimed by the colonial government which then sent the British a bill for calling the county court into session.

Students will identify with the Americans and be amused by their scoff law attitude. It is important to challenge them on this and to stress that the innate human understanding of right and wrong is relative

to the ethical cooperative group one recognizes. There are two issues under consideration here: is the law itself ethical; and is the scope of the ethical frame of reference broad enough to allow reason to guide the ethical judgment.

In 1742 William Bollan was appointed King's Advocate and charged with studying the extent of illegal trade in Massachusetts. In a letter to the Board of Trade he made some remarks. Excerpts have been printed below. *Read them and tell how Bollan has assessed the problem and what his recommendation is for coping with it.*

There has lately been carried on here a large illicit trade, (destructive to the interests of Great Britain in her trade to her own plantations, and contrary to the main intent of all her laws made to regulate that trade) by importing into this province large quantities of European goods of almost all sorts from diverse parts of Europe, some of which are by the laws wholly prohibited to be imported into the plantations, and the rest are prohibited to be imported there, unless brought directly from Great Britain...

... the persons concerned in this trade are many, some of them of the greatest fortunes in this country, and who have made great gains by it, and having all felt the sweets of it, they begin to espouse and justify it, some openly some covertly, and having persuaded themselves that their trade ought not to be bound by the laws of Great Britain, they labour, and not without success to poison the minds of all the inhabitants of the province, and matters are brought to such a pass that it is sufficient to recommend any trade to their general approbation and favor that it is unlawful; and as examples of this kind soon spread their influence on the other plantations around, it is too plain almost to need mentioning that if care be not soon taken to cure this growing mischief, the British trade to these plantations and their proper dependence on their mother country will in a great measure, ... long be lost...

...these illegal traders having already begun to destroy the vital parts of the British commerce; and to use as a memento to myself and the customhouse officers to do everything in our power towards cutting off this trade so very pernicious to the British nation.

Letter from William Bollan to the Lords of the Board of Trade, February 26, 1742.

Bollan clearly sees the extent of illegal trade in New England and views it as a threat to the existence of the British colonial empire. His recommendation is to strictly enforce the law. This is a frame of reference ethical problem resulting from a conflict between two ethical cooperative groups who view the facts differently. Bollan has no appreciation for the American perspective. This kind of ethical judgment

is commonplace and examining it should be the focus of the lesson. Ask students to extrapolate from Bollan's recommendation and predict the colonial reaction if it were to be pursued. Have student's give examples of similar kinds of conflicts in their own experience.

Not all Englishmen recommended a hard line policy in regard to the Navigation Acts. The following excerpt from a memorandum of the Council of Trade advising the government of Prime Minister Robert Walpole suggested a radically different course of action in regard to New England smuggling. *Analyze it and tell why you agree or disagree with its conclusions.*

...It has ...been proposed that the produce of the British Plantations in general be exported, under proper regulations, directly from the place of their growth to any foreign market to the southward of Cape Finisterre... (Promontory in N. W. Spain)

...The general objections to this proposal with respect to the Plantations, have usually been, that your Majesty's Colonies in America might thereby become independent of their Mother Country, that the Northern Plantations, more particularly New England, have already shown too great a desire of being so...

...we would propose that this permission should be restrained to British ships belonging to British owners dwelling in Great Britain, and duly navigated according to law, that such ships clearing from some port in Great Britain might be permitted to sail to your Majesty's Plantations to take in a loading there, consisting of the produce of the said Plantations and to carry the same to any foreign market to the southward of Cape Finisterre; provided they were obliged afterwards to return to some port in Great Britain and unload there before they were allowed to return again to any of your Majesty's Colonies in America. This proposal thus guarded, far from making the Colonies independent of Great Britain, would in our opinion tie them faster to us, inasmuch as by this means we should necessarily be the carriers of their product, which would naturally diminish their navigation and increase our own; and if the Plantations in general were restrained from exporting

any commodities whatsoever in their own shipping to foreign markets in Europe, excepting fish, the dependence of our Northern Plantations who are at present very powerful in shipping, whose produce is much the same with our own, and whose trade and interest too much interfere with ours, would in all probability be more firmly secured to us; For as the law now stands the Northern Colonies do carry on a considerable trade to foreign ports in Europe with lumber, corn, and fish, which gives them too great an intercourse with foreigners and puts them under a temptation of furnishing themselves with many commodities from abroad, which they ought only to receive from Great Britain.

Council of Trade and Plantations to the Duke of Newcastle, July 24, 1724

Since human beings are urged to act ethically within their recognized cooperative groups, the effort to unite the colonies and the mother country into a single economic unit through self interest is more ethical and more likely to succeed in creating stability than is a system based on divisiveness and coercion. Students should begin to understand that people think ethically within the parameters of group identification and that while these groups tend to cooperate internally, they identify outsiders as enemies to whom basic ethical obligations do not have to be honored. Expanding the range of one's recognized cooperative groups is a basic goal of ethics education.

Walpole was inclined to agree with the views of the Council of Trade and instituted a policy for non-enforcement of the Navigation Acts called salutary neglect which relaxed the actual execution of the laws without actually changing them. Walpole, whose motto was "let sleeping dogs lie," believed that this would placate the rebellious New Englanders and in the end actually encourage more trade with England. *Think about this and tell why it might have been wiser to change the law rather than to just look the other way while people disobeyed it.*

Encourage students to relate concepts to their own lives; ask for examples from personal experience.

When the costs of running the empire drastically increased after 1763 the British government decided it was time to stop salutary neglect and begin to collect some taxes in the colonies. This, as you know, led to the passage of the famous Stamp Act and initiated the conflict between the colonies and mother country that would end in the American Revolution. After decades of being left alone, the colonists thought the Stamp Act was unfair. *Why do you think they felt this way?*

Once again students will have little difficulty giving personal examples of why “changing the rules in the middle of the game” is inherently judged to be unethical.

The major debate that erupted over the Stamp Act led to the famous battle cry: “no taxation without representation” and can help us learn more about human ethics and how it works. Remember there are two conflicting frames of reference here viewing the same set of facts. The British agreed that taxation without representation was wrong but argued that the colonists were represented even if no local representatives sat in Parliament. They called this “virtual representation.” *Read the following excerpt advocating this point of view and tell why you think the colonists rejected it.*

The right of the Legislature of Great Britain to impose taxes on her American colonies, and the expediency of exerting that right are propositions so indisputably clear that I should never have thought it necessary to have undertaken their defense, had not many arguments been lately flung out both in papers and conversation, which with insolence equal to their absurdity deny them both. ... The great capital argument which I find on this subject is this; that no Englishman is, or can be taxed, but by his own consent...

...every Englishman is taxed, and not one in twenty represented: ...Manchester, Birmingham, and many more of our richest and most flourishing trading towns send no members to Parliament, consequently cannot consent by their

representatives, because they choose none to represent them; yet are they not Englishmen? Or are they not taxed?

...If the towns of Manchester and Birmingham, sending no representatives to Parliament, are notwithstanding there represented, why are not the cities of Albany and Boston equally represented in that Assembly? Are they not alike British subjects? Are they not Englishmen? Or are they only Englishmen when they solicit for protection, but not Englishmen when taxes are required...

Soame Jenyns, The Objections to the Taxation of Our American Colonies, London 1765

Jenyns judgment is framed by an ethical cooperative group that includes all of the British Empire. If within this context, Parliament accorded prime facie equality to the colonies in its deliberations and findings, virtual representation would be ethical. The colonists however frame their view by an ethical cooperative group that only includes the colonies and as such are inclined to reject this position out of hand. This is a classic frame of reference ethical dilemma.

The colonists were not impressed by this position and put forth reasons why they felt the Stamp Act was unjust and why they were not obliged to pay it. *Read the following excerpt that mentions two of these arguments; briefly explain them in your own words and tell your opinion of them.*

...The colonies claim the privilege which is common to all British subjects, of being taxed only with their consent given by their representatives, and all the advocates for the Stamp Act admit this claim. ...but they assert that the colonies are virtually represented.

The English subjects, who left their native country to settle in the wilderness of America, had the privileges of other Englishmen. ...Considering themselves, and being considered in this light, they entered into a compact with the crown, the basis of which was, that their privileges as English subjects, should be effectually secured to themselves and transmitted to their posterity. ...Charters were accordingly framed and conferred by the crown, and accepted by the settlers, by which

all the doubts were prevented. By these charters, founded upon the unalienable rights of the subject, and upon the most sacred compact, the colonies claim a right of exemption from taxes not imposed with their consent. They claim it upon the principles of the constitution, as ...British subjects, upon principles on which their compact with the crown was originally founded.

... the Stamp Act is the first statute that hath imposed an internal tax upon the colonies for the single purpose of revenue, yet the advocates of that law contend, that there are many instances of the Parliament's exercising a supreme legislative authority over the colonies, and actually imposing internal taxes upon their properties that the duties upon any exports or imports are internal taxes ...that no distinction can be supported between one kind of tax and another, an authority to impose the one extending to the other. ...It appears to me that there is a clear and necessary distinction between an act imposing a tax for the single purpose of revenue, and those acts which have been made for the regulation of trade, and have produced some revenue in consequence of their effect and operation as regulations of trade.

Daniel Dulany, Considerations on the Propriety of Imposing Taxes, New York, 1765

Reason works to justify the instinctive sense of right and wrong in all human beings. Until this is understood reason cannot be a reliable tool in guiding ethical decision making. Reason quickly becomes rationale for predetermined positions. This is a difficult lesson and bears repetitive consideration. Here we have an example of rationale. Language is a two edged sword in the search for truth and can be made to support any position. Debate and argument have traditionally dominated the ethical arena with little impact on human ethics.

Debate raged in the British parliament about the wisdom of the government's American policy. Read the following exchange between George Grenville, who supported the Stamp Act and William Pitt who opposed it. *Which argument is more convincing? Why do you think neither man changed his mind?*

Grenville:

... When I proposed to tax America, I asked the House, if any gentleman would object to the right; I repeatedly asked it and no man would attempt to deny it. Protection and obedience are reciprocal. Great Britain protects America; America is bound to yield obedience. If not, tell me when the Americans were emancipated? When they want the protection of this kingdom, they are always very ready to ask it. That protection has always been afforded them in the most full and ample manner. The nation has run itself into an immense debt to give them their protection; and now they are called upon to contribute a small share towards the public expense, an expense arising from themselves, they renounce your authority, insult your officers, and break out, I might almost say, into open rebellion.

Pitt:

...The gentleman boasts of his bounties to America! Are not those bounties intended finally for the benefit of this kingdom? If they are not, he has misapplied the national treasures...

...The gentleman asks, when were the colonies emancipated? But I desire to know when they were made slaves? But I dwell not upon words. When I had the honour of serving his Majesty, I availed myself of the means of information, which I derived from my office: I speak, therefore, from knowledge. ...I will be bold to affirm, that the profits to Great Britain from the trade of the colonies, through all its branches, is two millions a year. This is the fund that carried you triumphantly through the last war. ...This is the price that America pays you for her protection. And shall a miserable financier come with a boast, that he can fetch a peppercorn into the exchequer to the loss of millions to the nation!

William Pitt and George Grenville, January 14, 1766

This is a good example of how reason can generate arguments to support any cause. There is no end to this kind of meaningless exercise as is evidenced by contemporary political "spin doctoring." Discuss the weaknesses of debate as a way to solve ethical problems.

The Ethics Workbook II: American History

Chapter Three

New Nation

When the United States came into existence there were no large countries in the world with democratic systems of government and many believed that ordinary people could not successfully rule themselves. This was a very real worry in the minds of the founding fathers and led to discussions and debates about how to overcome the problems of democracy. In these debates two of the most important founding fathers, Alexander Hamilton and Thomas Jefferson, disagreed on almost everything. They seem to have had basic differences about what would be the best and most ethical kind of society and how a just government should be built. The views of Hamilton and Jefferson contrasted so profoundly in fact that in many areas their writings became the ideological foundation for the first two political parties in American history.

Many people at that time feared a return to a monarchical system of government and Hamilton was accused of being one of them because he stood for strong centralized government. Hamilton was openly pro-British and this also made him suspect. But many also feared the chaos and violence that resulted from the French Revolution which had smashed the legitimate government and had difficulty replacing it. Jefferson, who was openly pro-French, was accused of wanting to promote anarchy. This war of words played out in the press and was the country's first truly partisan political struggle. What made this dispute most significant was the fact that both men were part of the Cabinet of George Washington who as the country's first President was not sure how the new government should operate. Washington constantly looked for advice and listened to both sides; many precedents for American style democracy emerged from this debate between Hamilton and Jefferson. Hamilton led a party called the Federalists while Jefferson was the leader of a group calling themselves Democratic-Republicans. We know they had completely different views about how the country should be run, but were they themselves that different?

We are going to forget about the fine details of government and politics for now and look at the two men more personally to see if we can discern any real ethical difference between them. To do this it would be best to avoid their patently political

speeches and statements and concentrate instead on things they said and wrote about human nature and human relationships.

In a pamphlet circulated in New York City in 1775 Hamilton refuted a royalist writer who had earlier extolled the virtues of the British Parliament. *Read some excerpts from it and answer the following questions to get a better idea about Hamilton's ethics. Where does true ethical behavior come from according to Hamilton? Are society's laws necessarily ethical?*

There is so strong a similitude between your political principles and those maintained by Mr. Hobb[e]s, ... His opinion was, exactly, coincident with yours, relative to man in a state of nature. He held, as you do, that he was, then, perfectly free from all restraint of law and government. Moral obligation, according to him, is derived from the introduction of civil society; and there is no virtue, but what is purely artificial, the mere contrivance of politicians, for the maintenance of social intercourse... Good and wise men, in all ages, have embraced a very dissimilar theory. They have supposed, that the deity ...has constituted an eternal and immutable law, which is, indispensably, obligatory upon all mankind, prior to any human institution whatever.

Alexander Hamilton, *The Farmer Refuted* 23 Feb. 1775

Hamilton makes a clear distinction between ethics which he holds to be a divine expression of natural law and the laws of society which he calls a "contrivance of politicians."

Identify the fundamental ethical needs of human beings according to Hamilton. How do people go about fulfilling these natural ethical needs?

Upon this law, depend the natural rights of mankind, the supreme being gave existence to man, together with the means of preserving and beatifying that existence. He endowed him with rational faculties, by the help of which, to discern and pursue such things, as were consistent with his duty and

interest, and invested him with an inviolable right to personal liberty, and personal safety.

Alexander Hamilton, The Farmer Refuted 23 Feb. 1775

Hamilton identifies the essential innate human need for freedom as one and cites safety as the other. He does not mention equality which he does not recognize as a natural right. The need for equality is the twin pillar of the innate human ethical sense and speaks to the inadequacy of Hamilton's ethics. Students should be challenged to consider their emotional need for equality.

Read the next excerpt where Hamilton says that, beyond God's law, only the "ties of consanguinity" generate legitimate moral power. What do you think he meant by this?

Hence, in a state of nature, no man had any moral power to deprive another of his life, limbs, property or liberty; nor the least authority to command, or exact obedience from him; except that which arose from the ties of consanguinity.

Alexander Hamilton, The Farmer Refuted 23 Feb. 1775

While Hamilton attributes the existence of what he knows to be an innate ethical imperative to God, he also recognizes the legitimacy of ethical demands arising from "consanguinity." The notion that close familial ties or bonds exist and that they exert real ethical force on individuals is an intuitive expression of his own innate ethical sense. All natural ethical authority derives from the individual's perception of this bond of "consanguinity."

Now let's see what Hamilton thought about basic human nature. Read the following from one of his speeches and summarize it in the space below.

...Take mankind as they are, and what are they governed by? Their passions. There may be in every government a few choice spirits, who may act from more worthy motives. One great error is that we suppose mankind more honest than they are. Our prevailing passions are ambition and interest; and it will ever be the duty of a wise government to avail itself of those passions, in order to make them subservient to the public good - for these ever induce us to action.

Alexander Hamilton, *Speeches to the Federal Convention, 1787*

Hamilton sees the self regarding side of the innate human ethical character and believes that government is necessary to insure the public good. Hamilton believed that people are basically dishonest and act emotionally out of self interest but this can be manipulated into general welfare by competent leadership. Hamilton is an elitist member of the hierarchy and does not recognize basic human equality.

Hamilton's views were viciously attacked by the Jeffersonians who portrayed him as an elitist snob who had little confidence in the common man. *Analyze the following excerpt from the Federalist Papers and tell if you think this was totally true.*

The supposition of universal venality in human nature is little less an error in political reasoning than the supposition of universal rectitude. The institution of delegated power implies that there is a portion of virtue and honor among mankind, which may be a reasonable foundation of confidence. And experience justifies the theory. It has been found to exist in the most corrupt periods of the most corrupt governments.

Hamilton, *Federalist no. 76*

Hamilton in fact sees the two sides of the innate human ethical sense but is inclined to believe that the self serving side will usually win out. Explore these two sides of human character. Students should relate the concept to their own experiences.

Now we can compare Hamilton to Jefferson in the area of human nature and basic society. *Read the following excerpt in which Jefferson discusses the Native American tribes and list any similarities and differences you discover between the two founding fathers.*

... having never submitted themselves to any laws, any coercive power, any shadow of government. Their only controls are their manners, and that moral sense of right and wrong, which, like the sense of tasting and feeling, in every man makes a part of his nature. An offence against these is punished by contempt, by exclusion from society, or, where the case is serious, as that of murder, by the individuals whom it concerns. Imperfect as this species of coercion may seem, crimes are very rare among them: insomuch that were it made a question, whether no law, as among the savage Americans, or too much law, as among the civilized Europeans, submits man to the greatest evil, one who has seen both conditions of existence would pronounce it to be the last: and that the sheep are happier of themselves, than under care of the wolves...

Jefferson, Notes on Virginia, "Aborigines"

Both believe that there is a natural ethical law governing human behavior. The ultimate source of this is less important for Jefferson. Both see it as superior to the laws of society. Jefferson too sees the power of what Hamilton had called the "ties of consanguinity." Ask students why there was no crime in these aboriginal societies which were naturally functioning ethical cooperative groups where equality was practiced and why there was so much crime in civilized society which was a steep hierarchy with rampant inequality. The fact that Jefferson at least intuitively senses the problem is evident when he divides society into the sheep and the wolves. Ask students what they think he meant by that designation.

Let's look at this issue of inequality and what Jefferson has to say about it. *Read the following excerpt from a letter Jefferson wrote and judge how adequate you think Jefferson's solution would be to poverty.*

I asked myself what could be the reason so many should be permitted to beg who are willing to work, in a country where there is a very considerable proportion of uncultivated lands? These lands are undisturbed only for the sake of game. It should seem then that it must be because of the enormous wealth of the proprietors which places them above attention to the increase of their revenues by permitting these lands to be labored. I am conscious that an equal division of property is impracticable, but the consequences of this enormous inequality producing so much misery to the bulk of mankind, legislators cannot invent too many devices for subdividing property, only taking care to let their subdivisions go hand in hand with the natural affections of the human mind. The descent of property of every kind therefore to all the children, or to all the brothers and sisters, or other relations in equal degree, is a politic measure and a practicable one. Another means of silently lessening the inequality of property is to exempt all from taxation below a certain point, and to tax the higher portions or property in geometrical progression as they rise. Whenever there are in any country uncultivated lands and unemployed poor, it is clear that the laws of property have been so far extended as to violate natural right.

Jefferson, Letter: To James Madison Fontainebleau, Oct. 28, 1785

Jefferson is a member of the elite and seeks to preserve the status quo. He correctly senses the ethical issue of inequality and seeks to address it within the parameters of the existing hierarchy. His proposal would do nothing to challenge class distinction and could best be described as a gentle redistribution of wealth within the agricultural sector of society.

Let's return briefly to Hamilton and see what he says about this. *Read the following and compare it with Jefferson.*

All communities divide themselves into the few and the many. The first are the rich and well born, the other the mass of the people. The voice of the people has been said to be the voice of God; and however generally this maxim has been quoted and believed, it is not true in fact. The people are turbulent and changing; they seldom judge or determine right. Give therefore to the first class a distinct, permanent share in the government. They will check the unsteadiness of the second, and as they cannot receive any advantage by a change, they therefore will ever maintain good government. Can a democratic assembly, who annually revolve in the mass of the people, be supposed steadily to pursue the public good? Nothing but a permanent body can check the imprudence of democracy. Their turbulent and uncontrolling disposition requires checks.

Alexander Hamilton, Speeches to the Federal Convention, 1787

They both recognize and accept the hierarchy. Hamilton perceives the tension between haves and have-nots but doesn't identify it as a cause of the unrest he worries about. What he describes is the natural human striving for equality and its threat to the stability of the status quo. Jefferson seeks to address it while Hamilton wants to repress it. Both have the same goal which is a stable hierarchy.

Slavery of course represents the ultimate challenge to the need for equality in the early United States. We can learn much about Jefferson's ethics from his views on this. Jefferson believed that slavery was wrong and ought to be immediately eliminated and he proposed a plan to do this which would make the government responsible for getting the emancipated slaves ready for freedom by providing necessary tools and training after which **they should be colonized to such place as the circumstances of the time should render most proper...** The government should support these colonies of former slaves until they were self sufficient **and send vessels at the same time to other parts of the world for an equal number of white inhabitants** to fill the vacancies they will leave.

Read the following and tell why you think Jefferson did not support integrating the former slaves into American society?

...This unfortunate difference of colour, and perhaps of faculty, is a powerful obstacle to the emancipation of these people. Many of their advocates, while they wish to vindicate the liberty of human nature, are anxious also to preserve its dignity and beauty. Some of these, embarrassed by the question `What further is to be done with them?' join themselves in opposition with those who are actuated by sordid avarice only. Among the Romans emancipation required but one effort. The slave, when made free, might mix with, without staining the blood of his master. But with us a second is necessary, unknown to history. When freed, he is to be removed beyond the reach of mixture.

Jefferson, Notes on Virginia, "Laws"

Jefferson obviously did not believe in basic human equality. This should not necessarily be seen as an indictment of Jefferson since very few people at his stage of ethical evolution did. Students need to consider why Jefferson was moved to so passionately oppose slavery when he accepted the primacy and superiority of the white race. Slavery is a simultaneous assault on both pillars of the innate human ethical sense, freedom and equality, and as such is unequivocally wrong in the instincts of all human beings. That so many could for so long rationalize away this natural knowing is a testament to the danger of reliance on reason without a clear understanding of how the innate sense works.

In further supporting his belief that integration would be impossible Jefferson wrote the following. *Tell briefly why you agree or disagree with his contention.*

Deep rooted prejudices entertained by the whites; ten thousand recollections, by the blacks, of the injuries they have sustained; new provocations; the real distinctions which nature has made; and many other circumstances, will divide us into parties, and produce convulsions which will probably never end but in the extermination of the one or the other race.

Jefferson, Notes on Virginia, "Laws"

The natural human way of achieving and maintaining equality within the group is through the practice of reciprocity. Pay back is quintessentially human and Jefferson is merely expressing his innate understanding of this. Students should be asked to relate personal experiences with this emotion. Jefferson also identifies another innate drive impacting human ethics which has sometimes been called the “likeness principle”. It holds that people develop a natural affinity for others like themselves and a natural disdain for those who are different. This should be explored with students.

In your study of the Federalist period in United States history you learned that Hamilton and Jefferson were arch political enemies who opposed each other at every opportunity. But in his first Inaugural Address when he became the third President of the United States Thomas Jefferson said: **...But every difference of opinion is not a difference of principle. We have called by different names brethren of the same principle. We are all Republicans, we are all Federalists.**

Thomas Jefferson, First Inaugural Address, March 4, 1801

Now think about the whole idea of ethics and write a short essay in which you try to define it. Then compare Jefferson and Hamilton trying to distinguish between them in this area. What differences do you find? How are they similar? What conclusions can you draw?

Human beings differ very little in their fundamental ethical sense. This was true for Hamilton and Jefferson. Disputes ordinarily arise from the fact that individuals view events from different perspectives and interpret facts differently. Students need to begin to see this as well as the fact that nearly all human decisions are motivated by the desire to do good even though outcomes are not always good.

The Ethics Workbook II: American History

Chapter Four

Native Americans

The relationship between the new United States and the indigenous Native American tribes had historically followed protocols consistent with contact between sovereign nations. In other words the tribes were looked upon as foreign countries with governments capable of entering into legitimate treaties. These treaties were legal contracts that could justify the transfer of tribal territory to the United States and were the quasi-legal foundation for westward expansion into former Indian lands. They were entered into routinely by the United States government and just as routinely disregarded or dissolved when they interfered with the immediate interests of an expanding white America. Beginning with the Indian Removal Act of 1830 it became the policy of the United States government to relocate the tribes westward and out of the way of American economic expansion. Treaties continued to be the preferred method for legitimizing relationships with Native Americans and the practice of concentrating Native American peoples onto reservations began. Studying the history of these repeated injustices can be useful to illustrate the difference between the law and ethics as well as to provide a clear example of the human propensity to construct rationales to support predetermined courses of action.

Perhaps the most celebrated case of this involves the forced removal of the Cherokee Nation from Georgia in 1836. Since you have studied this in some detail already, we are only going to reexamine a few key points from an ethical rather than a political, constitutional or economic perspective.

Treaties are contracts and contracts require both give and take. The Indian tribes that made territorial concessions to the United States were promised something in return. If we read some of the main law governing American Indian policy at that time we can get some idea of what that was. This law was an 1802 Act of Congress called: An Act to Regulate Trade and Intercourse with the Indian Tribes, and to Preserve Peace on the Frontiers. The law clearly identified, and required to be marked, the specific boundaries of particular territories belonging exclusively to the Native American tribes. *Read the following excerpt and tell what was promised to the Indians.*

SEC. 5. And be it further enacted, That if any such citizen, or other person, shall make a settlement on any lands belonging, or secured, or granted by treaty with the United States, to any Indian tribe or shall survey, or attempt to survey, such lands, or designate any of the boundaries, by marking trees, or otherwise, such offender shall forfeit a sum not exceeding one thousand dollars, and suffer imprisonment, not exceeding twelve months. And it shall, moreover, be lawful for the President of the United States to take such measures, and to employ such military force, as he may judge necessary, to remove from lands, belonging or secured by treaty, as aforesaid, to any Indian tribe, any such citizen, or other person, who has made, or shall hereafter make, or attempt to make a settlement thereon. ...

SEC. 12. And be it further enacted, That no purchase, grant, lease, or other conveyance of lands, or of any title or claim thereto, from any Indian, or nation, or tribe of Indians, within the bounds of the United States, shall be of any validity, in law or equity, unless the same be made by treaty or convention, entered into pursuant to the constitution...

An Act to Regulate Trade and Intercourse with the Indian Tribes, and to Preserve Peace on the Frontiers, 1802

A clearly defined territory belongs to the Indians and the United States government will ensure its sovereignty.

The State of Georgia was the first to attempt to take over federally protected Indian land within its boundaries. In 1829 Georgia passed a law which was scheduled to take effect on June 1, 1830 that dissolved tribal governments and claimed control of all Indian lands. Edward Everett, in a speech in the House of Representatives described what happened next.

...In the course of the year 1829, it was found that this region possessed, and probably in abundance, veins of gold. As soon as this discovery was made, intruders from every quarter, and

from all the States in the neighborhood, flocked into the gold region, and overran the land...

...When this subject was under the consideration of the House, at the last session, I certainly did not entertain very favorable auguries of the treatment which the Cherokees were likely to receive; but it never entered into my head that they were to be denied a right to their own mines. On the contrary, I assumed it as a matter of course, that they were the lawful and admitted owners of this mineral wealth. ...My next information on the subject was derived from Governor Gilmer's proclamation, claiming for Georgia the absolute property of the gold mines, and warning the Indians to desist from digging them.

Edward Everett, Speech, February 14, 1831

The tribe appealed to the Supreme Court. In the case of *The Cherokee Nation v. The State of Georgia*, the court, because of a technicality, refused to help the Indians but Chief Justice John Marshall left little doubt about what he thought. *Read the following from that decision and list the ethical reasons Marshall gave for believing that the Indians were being wronged.*

This bill is brought by the Cherokee nation, praying an injunction to restrain the state of Georgia from the execution of certain laws of that state, which, as is alleged, go directly to annihilate the Cherokees as a political society, and to seize, for the use of Georgia, the lands of the nation which have been assured to them by the United States in solemn treaties repeatedly made and still in force.

If courts were permitted to indulge their sympathies, a case better calculated to excite them can scarcely be imagined. A people once numerous, powerful, and truly independent, found by our ancestors in the quiet and uncontrolled possession of an ample domain, gradually sinking beneath our superior policy, our arts and our arms, have yielded their lands by successive treaties, each of which contains a solemn guarantee of the residue, until they retain no more of their formerly extensive territory than is deemed necessary to their comfortable subsistence. To preserve this remnant, the present application is made.

The Cherokee Nation v. The State of Georgia, 1831

Reneging on a promise violates the innate ethical sense of reciprocal obligation that is the engine of stability in human society. If no one can be relied upon to keep his or her word society will crumble. This is instinctively understood by all people and makes the actions of Georgia distasteful. The blatant abuse

of power assaults the innate sense of fairness which is based on the maintenance of equality. The actions of Georgia are the result of extreme inequality and are inherently repulsive to the innate ethical sense.

The expansion of white society was blocked in some important areas by treaties guaranteeing the integrity of Indian lands. It quickly became politically expedient to respond to this and Congress passed, on May 26, 1830, The Indian Removal Act. *Read the following from it and identify the most important ethical stipulation necessary before any exchange of Indian lands could occur.*

An Act to provide for an exchange of lands with the Indians residing in any of the states or territories, and for their removal west of the river Mississippi.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall and may be lawful for the President of the United States to cause so much of any territory belonging to the United States, west of the river Mississippi, not included in any state or organized territory, and to which the Indian title has been extinguished, as he may judge necessary, to be divided into a suitable number of districts, for the reception of such tribes or nations of Indians as may choose to exchange the lands where they now reside, and remove there; and to cause each of said districts to be so described by natural or artificial marks, as to be easily distinguished from every other. ...

The Indian Removal Act of 1830

The Indian tribes must freely elect to do so.

When Andrew Jackson became President in 1828, the effort to move the Indians west came closer to reality since he was known to favor this action. In his Second Annual Message to Congress in December of 1830, Jackson began with the following words. *Tell what indication you get that the entire Indian treaty apparatus was deceitful.*

It gives me pleasure to announce to Congress that the benevolent policy of the Government, steadily pursued for nearly thirty years, in relation to the removal of the Indians beyond the white settlements is approaching to a happy consummation. Two important tribes have accepted the provision made for their removal at the last session of Congress, and it is believed that their example will induce the remaining tribes also to seek the same obvious advantages.

Andrew Jackson's Second Annual Message, December, 1830

He says that the policy of removing the Indians has been pursued for 30 years yet the Indian Removal Act was passed only seven months earlier. Ask students how it was being pursued. Explore the ethical ramifications.

Jackson goes on in his Message to give some reasons why Indian removal would be a good thing for both whites and Native Americans. *Assume everything the President says to be true and evaluate the ethics of moving the Cherokee out of Georgia.*

The consequences of a speedy removal will be important to the United States, to individual States, and to the Indians themselves. The pecuniary advantages which it promises to the Government are the least of its recommendations. It puts an end to all possible danger of collision between the authorities

of the General and State Governments on account of the Indians. It will place a dense and civilized population in large tracts of country now occupied by a few savage hunters. By opening the whole territory between Tennessee on the north and Louisiana on the south to the settlement of the whites it will incalculably strengthen the southwestern frontier and render the adjacent States strong enough to repel future invasions without remote aid. It will relieve the whole State of Mississippi and the western part of Alabama of Indian occupancy, and enable those States to advance rapidly in population, wealth, and power. It will separate the Indians from immediate contact with settlements of whites; free them from the power of the States; enable them to pursue happiness in their own way and under their own rude institutions; will retard the progress of decay, which is lessening their numbers, and perhaps cause them gradually, under the protection of the Government and through the influence of good counsels, to cast off their savage habits and become an interesting, civilized, and Christian community.

Andrew Jackson's Second Annual Message, December, 1830

Human beings ordinarily justify their actions with good reasons and in this the motives for human actions are always good. It is important to realize that the intent of the action has nothing to do with its ethical outcome. It doesn't matter what Jackson's intent was, his action could only be ethical if it were also the free informed choice of the Cherokee. The ethics of this hinges on that question. Discuss the use of reasons to justify actions and how human language makes it possible to support any cause.

The Cherokee tribe through its elected leader John Ross refused to agree to leave Georgia and the United States negotiated an agreement with a small faction of Cherokee

Indians who were willing to accept the government's offer. This Treaty of New Echota was signed on December 29, 1835; it was later ratified by the Senate and applied to all of the Cherokee people. The Cherokee through their chief, John Ross, immediately objected. In an appeal to the United States Congress to stop the proceeding Ross, in part, wrote:

The instrument in question is not the act of our Nation; we are not parties to its covenants; it has not received the sanction of our people. The makers of it sustain no office nor appointment in our Nation, under the designation of Chiefs, Head men, or any other title, by which they hold, or could acquire, authority to assume the reins of Government, and to make bargain and sale of our rights, our possessions, and our common country. And we are constrained solemnly to declare, that we cannot but contemplate the enforcement of the stipulations of this instrument on us, against our consent, as an act of injustice and oppression...

Letter from Chief John Ross, To the Senate and House of Representatives, September 28, 1836.

The Cherokee appeal was to no avail and the Cherokee people were forcefully removed from their land in Georgia and driven west. A few months earlier in his Seventh Annual Message, President Jackson made some telling remarks. *What new ethical justification do you recognize in Jackson's words?*

The plan of removing the aboriginal people who yet remain within the settled portions of the United States to the country west of the Mississippi River approaches its consummation. It was adopted on the most mature consideration of the condition of this race, and ought to be persisted in till the object is accomplished, and prosecuted with as much vigor as a just regard to their circumstances will permit, and as fast as their consent can be obtained. All preceding experiments for the improvement of the Indians have failed. It seems now to be an established fact they can not live in contact with a civilized community and prosper. Ages of fruitless endeavors have at length brought us to a knowledge of this principle of intercommunication with them. The past we can not recall, but the future we can provide for. Independently of the treaty stipulations into which we have entered with the various tribes for the usufructuary rights they have ceded to us, no one can doubt the moral duty of the Government of the United States to protect and if possible to preserve and perpetuate the scattered remnants of this race which are left within our borders. In the discharge of this duty an extensive region in the West has been assigned for their permanent residence. It has been divided

into districts and allotted among them. Many have already removed and others are preparing to go, and with the exception of two small bands living in Ohio and Indiana, not exceeding 1,500 persons, and of the Cherokees, all the tribes on the east side of the Mississippi, and extending from Lake Michigan to Florida, have entered into engagements which will lead to their transplantation.

Andrew Jackson, Seventh Annual Message to Congress, December, 1835

Jackson has assumed the moral duty to protect the helpless Indians from ultimate destruction by moving them out of harm's way. In other words the United States was morally obligated to commandeer the Cherokee lands. This is the kind of mental inversion that often takes place when ethical cooperative groups collide and the innate sense only responds to the needs of its own group. The equality of the competing groups is denied and with it their ethical standing. The Indians were an inferior race requiring pity and charity, they were not entitled to freedom and equality.

Andrew Jackson made an ethical choice in regard to the Cherokee. In this choice he believed he was justified. *What was Jackson's frame of reference for this decision and his belief that it was good? Write a short essay telling what you have learned from this about human ethics?*

Jackson views his ethical responsibility from the frame of reference of the white American citizen group. In these considerations the Cherokee simply do not count. The only ethical constraints on Jackson were his own internal ethical authority and the opinion of his fellow white Americans. If circumstances warranted it, and he were not otherwise internally constrained, he could have as easily justified genocide. This type of "ethnic cleansing" is still common today and is all too human. This issue needs continued attention. There are dozens of documented examples in the last century alone which could be the basis for a major class project.

The Ethics Workbook II: American History

Chapter Five

Manifest Destiny

Just as President Jackson's momentous decision to move the Cherokee west of the Mississippi took shape, Texas declared its independence from Mexico and requested annexation to the United States. This presented Jackson with another dilemma since annexation of Texas would mean certain war with Mexico. Jackson decided to avoid annexation in favor of recognizing Texas as an independent Republic but the thirst for annexation went unabated. For the next decade anti-slavery forces in the United States Congress, fearing that Texas would be turned into several slave states delayed the inevitable. Finally late in February 1845, at the urging of outgoing President Tyler, Congress annexed Texas by a joint resolution responding to the drive for expansion that had long gripped the nation.

The United States had throughout its early history expanded so relentlessly that unfettered growth seemed a natural way of life and this expansion no longer outstripped the capacity of the political structure to maintain control of new far flung territories. Technology was rapidly making larger and larger political units not only feasible, but workable and effective. Steamboats, canals, railroads and telegraph communication were all well developed before 1850. Expansion also suited a social mindset that feared the negative social impact of growing urban poverty along the eastern seaboard and encouraged a westward shifting of the population.

The desire to absorb Texas was a symptom of this general urge to expand that came to be called Manifest Destiny. The term was coined by a journalist named John L. O'Sullivan who wrote an article hailing the Texas annexation. *Read some excerpts from it and tell in your own words what Manifest Destiny means and what was motivating it.*

...Texas is now ours. Already, before these words are written, her Convention has undoubtedly ratified the acceptance, by her Congress, of our proffered invitation into the Union; and made the requisite changes in her already republican form of constitution to adapt it to its future federal relations. Her star and her stripe may already be said to have taken their place in

the glorious blazon of our common nationality; and the sweep of our eagle's wing already includes within its circuit the wide extent of her fair and fertile land. ...

... elevating this question of the reception of Texas into the Union, out of the lower region of our past party dissensions, up to its proper level of a high and broad nationality, it surely is to be found, found abundantly, in the manner in which other nations have undertaken to intrude themselves into it, between us and the proper parties to the case, in a spirit of hostile interference against us, for the avowed object of thwarting our policy and hampering our power, limiting our greatness and checking the fulfillment of our manifest destiny to overspread the continent allotted by Providence for the free development of our yearly multiplying millions. ...

John L. O'Sullivan, Annexation, 1847

Now consider an excerpt from an earlier essay by O'Sullivan in which he presented an ethical justification for this kind of behavior. What justifies American expansion according to O'Sullivan?

...The far-reaching, the boundless future will be the era of American greatness. In its magnificent domain of space and time, the nation of many nations is destined to manifest to mankind the excellence of divine principles; to establish on earth the noblest temple ever dedicated to the worship of the Most High - the Sacred and the True. Its floor shall be a hemisphere - its roof the firmament of the star-studded heavens, and its congregation an Union of many Republics, comprising hundreds of happy millions, calling, owning no man master, but governed by God's natural and moral law of equality, the law of brotherhood - of "peace and good will amongst men." . . .

Yes, we are the nation of progress, of individual freedom, of universal enfranchisement. Equality of rights is the cynosure of our union of States, the grand exemplar of the correlative equality of individuals; and while truth sheds its effulgence, we cannot retrograde, without dissolving the one and subverting the other. We must onward to the fulfillment of our mission - to the entire development of the principle of our organization - freedom of conscience, freedom of person, freedom of trade and business pursuits, universality of freedom and equality. This is our high destiny, and in nature's eternal, inevitable decree of cause and effect we must accomplish it. All this will be our future history, to establish on earth the moral dignity and salvation of man -- the immutable truth and beneficence of God. For this blessed mission to the nations of the world, which are shut out from the life-giving light of truth, has America been chosen; and her high example shall smite unto death the tyranny of kings, hierarchs, and oligarchs, and carry the glad tidings of peace and good will where myriads now endure an existence scarcely more enviable than that of beasts of the field. Who, then, can doubt that our country is destined to be the great nation of futurity?

John L. O'Sullivan, The Great Nation of Futurity, 1845

America was chosen by God to bring about the salvation of mankind on earth. This is an extreme example of limited ethical frame of reference.

The in coming American President, James K. Polk, in his Inaugural Address, left little doubt about his desire to annex Texas and went on to say:

...But eighty years ago our population was confined on the west by the ridge of the Alleghenies. Within that period—within the lifetime, I might say, of some of my hearers—our people, increasing to many millions, have filled the eastern valley of the Mississippi, adventurously ascended the Missouri to its headsprings, and are already engaged in establishing the blessings of self-government in valleys of which the rivers flow to the Pacific. The world beholds the peaceful triumphs of the industry of our emigrants. To us belongs the duty of protecting them adequately wherever they may be upon our soil. The jurisdiction of our laws and the benefits of our republican institutions should be extended over them in the distant regions which they have selected for their homes.

James K. Polk, Inaugural Address, March 4, 1845

Soon after the United States annexed Texas, President Polk sent a military force into the area to counter any possible Mexican attempt to reconquer its lost territory. After a brief skirmish between U. S. and Mexican forces, Polk asked Congress to declare war on Mexico. In his war message to Congress President Polk in part justified his request with the following explanation. *Why was it important for President Polk to frame this war as a war of self defense?*

... The movement of the troops to the Del Norte was made by the commanding general under positive instructions to abstain from all aggressive acts toward Mexico or Mexican citizens and to regard the relations between that Republic and the United States as peaceful unless she should declare war or commit acts of hostility indicative of a state of war. He was specially directed to protect property and respect personal rights. The Army moved from Corpus Christi on the 11th of March, and on the 28th of that month arrived on the left bank of the Del Norte opposite to Matamoras, where it encamped.

The Mexican forces at Matamoras assumed a belligerent attitude, and on the 12th of April General Ampudia, then in command, notified General Taylor to break up his camp within twenty-four hours and to retire beyond the Nueces River, and in the event of his failure to comply with these demands announced that arms, and arms alone, must decide the question. But no open act of hostility was committed until the 24th of April. On that day General Arista, who had succeeded to the command of the Mexican forces, communicated to General Taylor that he "considered hostilities commenced and should prosecute them." A party of dragoons of 63 men and officers were on the same day dispatched from the American camp up the Rio del Norte, on its left bank, to ascertain whether the Mexican troops had crossed or were preparing to cross the river, "became engaged with a large body of these troops, and after a short affair, in which some 16 were killed and wounded, appear to have been surrounded and compelled to surrender.

...Our forbearance has gone to such an extreme as to be mistaken in its character. Had we acted with vigor in repelling the insults and redressing the injuries inflicted by Mexico at the commencement, we should doubtless have escaped all the difficulties in which we are now involved. Instead of this, however, we have been exerting our best efforts to propitiate her good will. Upon the pretext that Texas, a nation as independent as herself, thought proper to unite its destinies with our own, she has affected to believe that we have severed her rightful territory, and in official proclamations and

manifestoes has repeatedly threatened to make war upon us for the purpose of reconquering Texas. In the meantime we have tried every effort at reconciliation. The cup of forbearance had been exhausted even before the recent information from the frontier of the Del Norte. But now, after reiterated menaces, Mexico has passed the boundary of the United States, has invaded our territory and shed American blood upon the American soil. She has proclaimed that hostilities have commenced, and that the two nations are now at war. As war exists, and, notwithstanding all our efforts to avoid it, exists by the act of Mexico herself, we are called upon by every consideration of duty and patriotism to vindicate with decision the honor, the rights, and the interests of Our country ...

James K. Polk, War Message to Congress, May 11, 1846

The innate human ethical sense accepts and even expects retaliation for a wrong but the innate sense of freedom judges an unprovoked attack or an uneven fight as wrong. All wars are portrayed as having been reluctantly pursued in self defense. Students should consider the justification for recent American wars and the public pronouncements justifying them.

Charles Sumner, a Congressman from Massachusetts and prominent opponent of the war with Mexico in a report to the House took issue with Polk's characterization of the war. *Read some of that report and comment briefly on the importance of frame of reference in making ethical judgments. Could both Polk and Sumner have been right?*

It can no longer be doubted that this is a war of conquest. ... In a letter to Commodore Sloat, dated June 8, the Secretary says, "You will take such measures as will render that vast region California a desirable place of residence for immigrants from our soil." In a letter to Colonel Kearny, dated June 3, the conquest of New Mexico is also foreshadowed. He says: "Should you conquer and take possession of New Mexico and Upper California, you will establish civil governments therein. You may assure the people of these provinces that it is the wish and design of the United States to provide for them a free government with the least possible delay, similar to that which exists in our territories." Other passages from the official

correspondence might be adduced to the same point. Prominent supporters of the war, in congress, have not hesitated to avow conquest as their object. The chairman of the Committee on Foreign Affairs in the Senate has said that “no one thought of getting less than New Mexico and California”; and the chairman of the same committee in the House, after having once defended the war, “not as the means of ambition, or for the sake of conquest,” has more recently declared that everybody knew - yes, everybody knew - that this was to be a war of invasion, a war of territorial conquest, although it was now spoken of in terms of condemnation in that respect. But it cannot be otherwise than a war of conquest.

Charles Sumner, "Report on the War with Mexico," April, 1847

Human beings strive to maintain the appearance of having acted ethically and normally “spin” events to suit themselves. Students should discuss examples of this from political issues presently in the news and consider why this is so.

The new boundaries of the Texas republic that the United States had annexed were not clear especially the one between Texas and Mexico. No one was quite sure where Texas territory ended and Mexico began but it was definitely somewhere the south of the Nueces River and north of the Rio Grande. This was critical to making a determination of how the war started and who was responsible for it. Abraham Lincoln, then a new Congressman from Illinois in a pointed speech in the House shed further light on this issue. *Read some excerpts from that speech and answer the following questions:*

Where does Lincoln imply that the President was lying? Why do you suppose he doesn't simply call him a liar?

Lincoln says that Polk had a strong motive for provoking a war with Mexico. What was that motive?

What device does Lincoln say Polk is using to cover scrutiny and criticism of his war of conquest?

Why does Lincoln say Polk has lost himself in his ambitions?

...The President tells us, the Congress of the United States understood the State of Texas they admitted into the Union to extend beyond the Nueces. Well, I suppose they did - I certainly so understand it - but how far beyond? That Congress did not understand it to extend clear to the Rio Grande, is quite certain by the fact of their joint resolutions for admission expressly leaving all questions of boundary to future adjustment. And, it may be added, that Texas herself is proved to have had the same understanding of it that Our Congress had, by the fact of the exact conformity of her new constitution to those resolutions.

...It is a singular fact, that if anyone should declare the President sent the army into the midst of a settlement of Mexican people, who had never submitted, by consent or by force to the authority of Texas or of the United States, and that *there*, and *thereby*, the first blood of the war was shed, there is not one word in all the President has said which would either admit or deny this declaration. In this strange omission chiefly consists the deception of the President's evidence - an omission which, it does seem to me, could scarcely have occurred but by design. ...

...I introduced a preamble, resolution, and interrogatories, intended to draw the President out, if possible, on this hitherto untrodden ground. To show their relevancy, I propose to state my understanding of the true rule for ascertaining the boundary between Texas and Mexico. It is, that *wherever* Texas was *exercising* jurisdiction was hers; and *wherever* Mexico was exercising jurisdiction was hers; and that *whatever* separated the actual exercise of jurisdiction of the one from that of the other, was the true boundary between them. If, as is probably true, Texas was exercising jurisdiction along the western bank of the Nueces, and Mexico was exercising it along the eastern bank of the Rio Grande, then *neither* river was the boundary, but the uninhabited country between the two was. ...

...Now, sir, for the purpose of obtaining the very best evidence as to whether Texas has actually carried her revolution to the place where the hostilities of the present war commenced, let the President answer the interrogatories I proposed, ...Let him answer fully, fairly, and candidly. Let him answer with *facts*, and not with arguments. ...And if, so answering, he can show that the soil was ours where the first blood of the war was shed - that it was not within an inhabited country, or, if within such, that the inhabitants had submitted themselves to the civil

authority of Texas, or of the United States, ... then I am with him for his justification. ... But if he *cannot or will not* do this - if, on any pretense, or no pretense, he shall refuse or omit it - then I shall be fully convinced, of what I more than suspect already, that he is deeply conscious of being in the wrong; that he feels the blood of this war, like the blood of Abel, is crying to Heaven against him; that he ordered General Taylor into the midst of a peaceful Mexican settlement, purposely to bring on a war; that originally having some strong motive - what I will not stop now to give my opinion concerning - to involve the two countries in a war, and trusting to escape scrutiny by fixing the public gaze upon the exceeding brightness of military glory - that attractive rainbow that rises in showers of blood - that serpent's eye that charms to destroy - he plunged into it, and has swept *on and on*, till, disappointed in his calculation of the ease with which Mexico might be subdued, he now finds himself he knows not where.

Abraham Lincoln, Speech, January 12, 1848

Lincoln implies that critical omissions in the President's statements were done by design with the intent to deceive. Lincoln avoids calling Polk a liar because they are both part of the same ethical cooperative group within which lying is unacceptable and such a blunt declaration would elicit a vicious response and threaten the stability of the group. This is very typically human and explains why there is so much dancing around the word liar.

Polk was an expansionist and made no secret of his desire to push Mexico out of the American southwest. Concocting a war to do it where Americans would be killed would not be fully acceptable.

Polk is appealing to American patriotism and extolling the glory of the war.

Polk thought it would be easier than it turned out to be and is confronted now with the reality of blood on his hands.

The parallels to the debate concerning the recent Iraq war are stunning and should be pursued. Historical examples of ethical decision making need to be made relevant to student's everyday lives. The principles are timeless and universal but lacking the challenge of assessing them within one's own ethical frame of reference the impact of ethics education will be minimal. In relating this to present day Iraq the teacher should be mindful of the need to help students to consider their own innate drives and to analyze how much of their inclination is reason and how much is innate imperative.

A series of horizontal dashed lines for writing.

The Ethics Workbook II: American History

Chapter Six

The Civil War

The greatest breakdown in the stability of the United States was without question the War Between the States. Apparently irresolvable socio-economic differences between an industrial North and an agricultural South seemed to defy compromise and eventually fractured the group into two warring halves. How this happened, and why, has been the subject of historical debate ever since and you have studied it in some detail. Our purpose is not to rehash the complex causes of the Civil War but to review a few opinions about its causes from important contemporaries to see if the working of an ingrained ethical instinct contributed decisively to the failure to find a peaceful solution.

Traditionally historians have assigned the causes of the Civil War within political, economic and cultural parameters and have generally concluded that there were vast differences in the ways of life of the two sections of the country and sometimes these differences were difficult to reconcile. Even beyond its status as a moral issue, slavery became a symbol of this because it was deemed by southern leaders to be indispensable to their economic survival, while in the industrial North slavery was regarded as a threat to free labor and something to be eliminated. Preserving slavery on the one hand and destroying it on the other became a motivation for much political behavior in the decades before the outbreak of the war. Several “compromise” solutions to the problem attempted to balance the federal government in a way that would stalemate the issue but they all ultimately failed. Eventually the biggest and most populous section would dominate the decision making and that meant ultimately that slavery was doomed. Facing this demographic reality, southern leaders relied on the belief that the Constitution protected the right of states to secede from the Union.

Equality is an innate ethical need that motivates powerful emotional responses. The election of Abraham Lincoln to the Presidency in November of 1860 established the dominance of the northern non-slaveholding states in Washington and on December 24, 1860, South Carolina issued a Declaration of Secession from the United States. This Declaration carefully outlines the legalistic case for secession based on constitutional principles. *Read an excerpt from it and see if you can detect a motive deriving from the human need for equality.*

We affirm that these ends for which this Government was instituted have been defeated, and the Government itself has been destructive of them by the action of the non-slaveholding States. Those States have assumed the right of deciding upon the propriety of our domestic institutions; and have denied the rights of property established in fifteen of the States and recognized by the Constitution; they have denounced as sinful the institution of Slavery; they have permitted the open establishment among them of societies, whose avowed object is to disturb the peace of and eloin the property of the citizens of other States. They have encouraged and assisted thousands of our slaves to leave their homes; and those who remain, have been incited by emissaries, books, and pictures, to servile insurrection.

For twenty-five years this agitation has been steadily increasing, until it has now secured to its aid the power of the common Government. Observing the forms of the Constitution, a sectional party has found within that Article I establishing the Executive Department, the means of subverting the Constitution itself. A geographical line has been drawn across the Union, and all the States north of that line have united in the election of a man to the high office of President of the United States whose opinions and purposes are hostile to Slavery. He is to be entrusted with the administration of the common Government, because he has declared that that "Government cannot endure permanently half slave, half free," and that the public mind must rest in the belief that Slavery is in the course of ultimate extinction. ...

On the 4th of March next this party will take possession of the Government. It has announced that the South shall be excluded from the common territory, that the judicial tribunal shall be made sectional, and that a war must be waged against Slavery until it shall cease throughout the United States.

A Declaration of the Causes Which Induced the Secession of South Carolina, December 24, 1860

While the abolition of slavery is the particular issue at hand the natural urge to resist dominance and protect equality is the underlying drive. Discuss with students their own feelings about being "pushed around" or bullied.

One famous apologist for the Confederacy, newspaper writer Edward Pollard, saw this innate human drive for equality in a totally different way. *Read some of his remarks and tell in your own words why he thought the North was just out to destroy the South.*

Slavery established in the South a peculiar and noble type of civilization. It was not without attendant vices; but the virtues which followed in its train were numerous and peculiar, and asserted the general good effect of the institution on the ideas and manners of the South. If habits of command sometimes degenerated into cruelty and insolence; yet, in the greater number of instances, they inculcated notions of chivalry, polished the manners and produced many noble and generous virtues. If the relief of a large class of whites from the demands of physical labor gave occasion in some instances for idle and dissolute lives, yet at the same time it afforded opportunity for extraordinary culture, elevated the standards of scholarship in the South, enlarged and emancipated social intercourse, and established schools of individual refinement. The South had an element in its society – a landed gentry – which the North envied, and for which its substitute was a coarse ostentatious aristocracy that smelt of the trade, and that, however it cleansed itself and aped the elegance of the South, and packed its houses with fine furniture, could never entirely subdue a sneaking sense of its inferiority. There is a singularly bitter hate which is inseparable from a sense of inferiority; and every close observer of Northern society has discovered how there lurked in every form of hostility to the South the conviction that the Northern man, however disguised with ostentation, was coarse and inferior in comparison with the aristocracy and chivalry of the South.

The civilization of the North was coarse and materialistic. That of the South was scant of shows, but highly refined and sentimental. The South was a vast agricultural country; wastelands, forest and swamps often gave to the eye a dreary picture; there were no thick and intricate nets of

internal improvements to astonish and bewilder the traveler, no country picturesque with towns and villages to please his vision. Northern men ridiculed this apparent scantiness of the South, and took it as an evidence of inferiority. But this was the coarse judgment of the surface of things. The agricultural pursuits of the South fixed its features; and however it might decline in the scale of gross prosperity, its people were trained in the highest civilization, were models of manners for the whole country, rivaled the sentimentalism of the oldest countries of Europe, established the only schools of honor in America, and presented a striking contrast in their well-balanced character to the conceit and giddiness of the Northern people. ...

Edward A. Pollard, *The Lost Cause*

Pollard believed that the wealthy and powerful in the North felt inferior to the more cultured South and their need for equality was so threatened that they sought to destroy the superior southern society. The often heard cliché that someone needs to be “cut down a peg or two” reflects a very real human ethical urge. Ask students about it and why they often feel this way.

Many people believed that the Civil War was a moral crusade against slavery. But, slavery is an affront to the innate human ethical need for both freedom and equality and is ultimately indefensible. Few supporters of the Confederacy directly defended slavery as such. *Read the remarks of Alexander H. Stephens, former Vice President of the Confederate States of America and identify his reasons for secession.*

It is the fashion of many writers of the day to class all who opposed the Consolidationists ...with what they style the Pro-Slavery Party. No greater injustice could be done any public

men, and no greater violence be done to the truth of History, than such a classification. Their opposition sprung from no attachment to Slavery; but from their strong convictions that the Federal Government had no rightful or Constitutional control or jurisdiction over such questions; and that no such action could be taken by Congress without destroying the elementary and vital principles upon which the Government was founded. ...

In 1850, for instance, what greater injustice could be done anyone, or what greater violence could be done the truth of History, than to charge Cass, Douglas, Clay, Webster and Fillmore, to say nothing of others, with being advocates of Slavery, or following in the lead of the Pro-Slavery Party, because of their support of what were called the adjustment measures of that? Or later still, out of the million and a half and more of the votes cast in the Northern States, in 1860, against Mr. Lincoln, how many, could it, with truth, be said, were in favor of Slavery, or even that legal subordination of the Black race to the White, which existed in the Southern States? Perhaps, not one in ten thousand! It was a subject, with which, they were thoroughly convinced, they had nothing to do, and could have nothing to do, under the terms of the Union, by which the States were Confederated, except to carry out, and faithfully perform, all the obligations of the Constitutional Compact, in regard to it.

They simply arrayed themselves against that Party which had virtually hoisted the banner of Consolidation. The contest, so commenced, which ended in the War, was, indeed, a contest between opposing principles; but not such as bore upon the policy or impolicy of African Subordination. They were principles deeply underlying all considerations of that sort. They involved the very nature and organic Structure of the Government itself. The conflict, on *this question* of Slavery, in the Federal Councils, from the beginning, was not a contest between the advocates or opponents of that peculiar Institution, but a contest, as stated before, between the supporters of a strictly Federative Government, on the one side, and a thoroughly National one, on the other. ...

Alexander H. Stephens, A Constitutional View of the Late War Between the States

Reason and logical argument are the elements of rationale that are always given for ethical choices. No ethical argument can sustain slavery because it is fundamentally repugnant to the human ethical sense; Constitutional reasons are more acceptable but under the surface these too are after the fact rationales

for the innate resistance to the feeling of being dominated and rendered unequal that swept the South. Ironically a White southern sense of inferiority and humiliation parallels that of slavery itself.

Jefferson Davis, former President of the Confederate States of America, summed up this feeling of being bullied and pushed around when he wrote:

...It was not the passage of the “personal liberty laws,” it was not the circulation of incendiary documents, it was not the raid of John Brown, it was not the operation of unjust and unequal tariff laws, nor all combined, that constituted the intolerable grievance, but it was the systematic and persistent struggle to deprive the Southern States of equality in the Union - generally to discriminate in legislation against the interests of their people...

Jefferson Davis, The Rise and Fall of the Confederate Government

Think about the urge to resist being bossed and controlled and comment on some personal experiences you have had with these feelings.

Now let's look at the opinions of some important advocates for the North, beginning with Abraham Lincoln who tries to logically refute the South's justification for secession. He called the claim of state's rights a sophism or a fallacious argument. *Read some of this from the excerpt below and tell why you think it was important for him to refute the South's argument.*

This sophism derives much, perhaps the whole, of its currency from the assumption that there is some omnipotent and sacred supremacy pertaining to a State - to each State of our Federal Union. Our States have neither more nor less power than that reserved to them in the Union by the Constitution, no one of them ever having been a State *out* of the Union. The original ones passed into the Union even *before* they cast off their British colonial dependence, and the new ones each came into the Union directly from a condition of dependence, excepting Texas; ...Having never been States, either in substance or in name, *outside* of the Union, whence this magical omnipotence of "State rights," asserting a claim of power to lawfully destroy the Union itself? Much is said about the "sovereignty" of the States, but the word even is not in the National Constitution, nor, as is believed, in any of the State constitutions. ...The States have their status in the Union, and they have no other legal status. If they break from this, they can only do so against law and by revolution. The Union, and not themselves separately, procured their independence and their liberty. ...The Union is older than any of the States, and, in fact, it created them as States. ...

Abraham Lincoln, Special Message to Congress, July 4, 1861

People have a natural propensity to dress their ethical choices in the garb of logic and reason as a way of establishing justification and "proving" they are doing right and good. Discrediting an opponent is part of the process. Ask students if they think that had Lincoln not believed the state's rights claim to be spurious he would have decided not to resist secession. It is very important to understand that in most cases the role of reason in making ethical decisions is secondary and supportive rather than primary. Reversing this is a challenge for ethics education.

The most commonly accepted cause for the Civil War was the evil of slavery and the need to abolish it leading to an ethical incompatibility between the two sections of the country. This view can be seen in the eloquent words of the writer Oliver Wendell Holmes. *Read some of his remarks and write a short essay in which you answer the following questions. Why are ethical issues more difficult to solve than political or economic ones? Do you think Holmes was right? Compare the slavery issue with the abortion issue today. What if nearly all of the pro-life advocates lived in one half of the country and nearly all of the pro-choice advocates lived in the other?*

... A simple diagram, within the reach of all, shows how idle it is to look for any other cause than slavery as having any material agency in dividing the country. Match the two broken pieces of the Union, and you will find the fissure that separates them zigzagging itself half across the continent like an isothermal line, shooting its splintery projections, and opening its re-entering angles, not merely according to the limitations of particular States, but as a country or other limited section of ground belongs to freedom or to slavery. ...

With the hereditary character of the Southern people moving in one direction, and the awakened conscience of the North stirring in the other, the open conflict of opinion was inevitable, and equally inevitable its appearance in the field of national politics. ...

The war in which we are engaged is for no meanly ambitious or unworthy purpose. It was primarily, and is to this moment, for the preservation of our national existence. ...We are fighting for our existence. ... There are rights, possessions, privileges, policies, relations, duties, acquired, retained, called into existence in virtue of the principle of absolute solidarity, belonging to the United States as an organic whole, which cannot be divided, which none of its constituent parties can claim as its own, which perish out of its living frame when the wild forces of rebellion tear it limb from limb, and which it must defend, or confess self-government itself a failure. We are fighting for that Constitution upon which our national existence reposes ... We cannot fight for these objects without attacking the one mother cause of all the progeny of lesser antagonisms. Whether we know it or not, whether we mean it or not, we cannot help fighting against the system that has proved the source of all those miseries which the author of the Declaration of Independence trembled to anticipate.

Oliver Wendell Holmes, Oration at Boston, July 4, 1863

Lined writing area consisting of 25 horizontal lines.

Finally let's return briefly to the defenders of the Confederate cause. Immediately after Lincoln's election, many of the slaveholding states held conventions to determine how to best proceed. To better coordinate their actions, Commissioners were appointed to attend the conventions in sister states. Georgia sent Henry Benning to Virginia where he delivered a speech. An excerpt of that speech is printed below. *Read it and comment on how the ethical dispute has escalated. What are the chances of peaceful resolution between Holmes and Benning?*

In the first place, I say that the North hates slavery, and, in using that expression I speak wittingly. In saying that the Black Republican party of the North hates slavery, I speak intentionally. If there is a doubt upon that question in the mind of any one who listens to me, a few of the multitude of proofs which could fill this room, would, I think, be sufficient to satisfy him. I beg to refer to a few of the proofs that are so abundant; and the first that I shall adduce consists in two extracts from a speech of Lincoln's, made in October, 1858. They are as follows: "I have always hated slavery as much as any abolitionist; I have always been an old line Whig; I have always hated it and I always believed it in the course of ultimate extinction, and if I were in Congress and a vote should come up on the question, whether slavery should be excluded from the territory, in spite of the Dred Scott decision, I would vote that it should."

These are pregnant statements; they avow a sentiment, a political principle of action, a sentiment of hatred to slavery as extreme as hatred can exist. The political principle here avowed is, that his action against slavery is not to be restrained by the Constitution of the United States, as interpreted by the Supreme Court of the United States. I say, if you can find any degree of hatred greater than that, I should like to see it. This is the sentiment of the chosen leader of the Black Republican Party; and can you doubt that it is not entertained by every solitary member of that same party? You cannot, I think. He is a representative man; his sentiments are the sentiments of his party; his principles of political action are the principles of political action of his party. I say, then; it is true, at least, that the Republican party of the North hates slavery...

... But that is not all of the Abolition war. We will be completely exterminated, and the land will be left in the possession of the

The Ethics Workbook II: American History

Chapter Seven

The Rise of Big Business

At about the time of the Civil War Charles Darwin made his momentous discoveries in the Galapagos Islands that led to the publication of his book, *The Origin of Species*. In it Darwin presented his conclusions about how he thought life developed or evolved on earth. Since then the Theory of Evolution as it was called has had a profound effect on all aspects to science and in particular on biology. It will be valuable to briefly touch on the key ideas in this theory to help us to better understand what it all has to do with United States history.

Darwin tried to show that all species of life are constantly adapting themselves to their environment by gradually changing over time. These changes, called “mutations”, occur randomly; mutations that proved to be beneficial to the life form made it stronger and became dominant while those that weakened the life form would ultimately cause it to die out. In this process some individuals get stronger and multiply while others get weaker and go extinct. This is called “natural selection”. In this way living things constantly change or evolve and even a completely new species can arise. The bottom line is that while some individuals may not survive, the species itself usually benefits and thrives. Evolution is said to make living things more “fit” to cope with their environment. The theory of evolution became very popular in the late 19th Century when breathtaking advances in science seemed to promise solutions to all human problems.

Now some social scientists wondered if this idea of evolution and the benefits of allowing nature to take its course and strengthen life forms might also be good for society as a whole. In other words weren't people evolving socially as well as biologically and wouldn't it be wise to allow the “survival of the fittest” to take place in society too? In fact this very term, “survival of the fittest”, was coined by a British sociologist who thought so named Herbert Spencer. *Read some of what he had to say and tell in your own words what you think it means.*

Pervading all nature we may see at work a stern discipline, which is a little cruel that it may be very kind. That state of universal warfare maintained throughout the lower

creation, to the great perplexity of many worthy people, is at bottom the most merciful provision which the circumstances admit of. It is much better that the ruminant animal, when deprived by age of the vigor which made its existence a pleasure, should be killed by some beast of prey, than that it should linger out a life made painful by infirmities, and eventually die of starvation. By the destruction of all such, not only is existence ended before it becomes burdensome, but room is made for a younger generation capable of the fullest enjoyment; and, moreover, out of the very act of substitution happiness is derived for a tribe of predatory creatures. Note further, that their carnivorous enemies not only remove from herbivorous herds individuals past their prime, but also weed out the sickly, the malformed, and the least fleet or powerful. By the aid of which purifying process, as well as by the fighting, so universal in the pairing season, all vitiation of the race through the multiplication of its inferior samples is prevented; and the maintenance of a constitution completely adapted to surrounding conditions, and therefore most productive of happiness, is ensured.

The development of the higher creation is a progress towards a form of being capable of a happiness undiminished by these drawbacks. It is in the human race that the consummation is to be accomplished. Civilization is the last stage of its accomplishment. And the ideal man is the man in whom all the conditions of that accomplishment are fulfilled. Meanwhile the well-being of existing humanity, and the unfolding of it into this ultimate perfection, are both secured by that same beneficent, though severe discipline, to which the animate creation at large is subject: a discipline which is pitiless in the working out of good: a felicity-pursuing law which never swerves for the avoidance of partial and temporary suffering. The poverty of the incapable, the distresses that come upon the imprudent, the starvation of the idle, and those shouldering aside of the weak by the strong, which leave so many "in shallows and in miseries," are the decrees of a large, far-seeing benevolence. It seems hard that an unskilfulness which with all his efforts he cannot overcome should entail hunger upon the artisan. It seems hard that a laborer incapacitated by sickness from competing with his stronger fellows, should have to bear the resulting privations. It seems hard that widows and orphans should be left to struggle for life or death. Nevertheless, when regarded not separately, but in connection with the interests of universal humanity, these harsh fatalities are seen to be full of the

highest beneficence—the same beneficence which brings to early graves the children of diseased parents, and singles out the low-spirited, the intemperate, and the debilitated as the victims of an epidemic.

Herbert Spencer, Social Statics: Or, The Conditions Essential To Human Happiness Specified, And The First Of Them Developed (1851)

Spencer is of course the inspiration for the doctrine of Social Darwinism which later became the justification for massive socio-economic inequality. Students should see the implications in Spencer's words for social welfare programs

This was an application of Darwin's theory to the way people live in society not to their physical characteristics and was given the name "Social Darwinism". Because of the popularity of the Theory of Evolution and people's faith in science, this "philosophy" about how a society should best function also became popular. One of the strongest advocates of this idea in the United States was a Yale professor of political and social science named William Graham Sumner. *Read some of his writing and tell what the implications of it are.*

In any state of society no great achievements can be produced without great force. Formerly great force was attainable only by slavery aggregating the power of great numbers of men. Roman civilization was built on this. Ours has been built on steam. It is to be built on electricity. Then we are all forced into an organization around these natural forces and adapted to the methods or their application; and although we indulge in rhetoric about political liberty, nevertheless we find ourselves bound tight in a new set of conditions, which control

the modes of our existence and determine the directions in which alone economic and social liberty can go.

If it is said that there are some persons in our time who have become rapidly and in a great degree rich, it is true; it is said that large aggregations of wealth in the control of individuals is a social danger, it is not true. . . .

If this poor old world is as bad as they say, one more reflection may check the zeal of the headlong reformer. It is at any rate a tough old world. It has taken its trend and curvature and all its twists and tangles from a long course of formation. All its wry and crooked gnarls and knobs are therefore stiff and stubborn. If we puny men by our arts can do anything at all to straighten them, it will only be by modifying the tendencies of some of the forces at work, so that, after a sufficient time, their action may be changed a little and slowly the lines of movement may be modified. This effort, however, can at most be only slight, and it will take a long time. In the meantime spontaneous forces will be at work, compared with which our efforts are like those of a man trying to deflect a river, and these forces will have changed the whole problem before our interferences have time to make themselves felt.

The great stream of time and earthly things will sweep on just the same in spite of us. It bears with it now all the errors and follies of the past, the wreckage of all the philosophies, the fragments of all the civilizations, the wisdom of all the abandoned ethical systems, the debris of all the institutions, and the penalties of all the mistakes. It is only in imagination that we stand by and look at and criticize it and plan to change it. Every one of us is a child of his age and cannot get out of it. He is in the stream and is swept along with it. All his sciences and philosophy come to him out of it.

Therefore the tide will not be changed by us. It will swallow up both us and our experiments. It will absorb the efforts at change and take them into itself as new but trivial components, and the great movement of tradition and work will go on unchanged by our fads and schemes. The things which will change it are the great discoveries and inventions, the new reactions inside the social organism, and then changes in the earth itself on account of changes in the cosmical forces.

William Graham Sumner, War and Other Essays 1911

The forces of nature are irresistible and we are now in an unstoppable industrial age. There is nothing that can be done to stop it or even to significantly change its course. The laws of evolution will dictate that the fit will predominate and this is good. The accumulation of great wealth is a sign of this fitness. It is good for society to have rich people.

At one time the richest person in the world was Andrew Carnegie and he seemed to epitomize this idea of Social Darwinism. He was born poor and immigrated from Scotland to the United States where he went to work in a textile mill for \$1.20 a week. After the Civil War, Carnegie took advantage of technological innovations in the steel making industry to make an enormous fortune. The Carnegie Steel Company was perfectly positioned to profit from the need for steel by the rapidly expanding railroad network sweeping across America. Carnegie was thought to be a real American hero because he rose from “rags to riches” and for many people proved the American dream was true. *Read some of what Carnegie had to say and draw some conclusions about whether he was a Social Darwinist.*

The problem of our age is the proper administration of wealth, so that the ties of brotherhood may still bind together the rich and poor in harmonious relationship. The conditions of human life have not only been changed but revolutionized, within the past few hundred years. In former days there was little difference between the dwelling, dress, food, and environment of the chief and those of his retainers. ...The contrast between the palace of the millionaire and the cottage of the laborer with us today measures the change which has come with civilization.

This change, however, is not to be deplored, but welcomed as highly beneficial. It is well, nay, essential for the progress of the race that the houses of some should be homes for all that is highest and best in literature and the arts, and for all the refinements of civilization, rather than that none should be so. Much better this great irregularity than universal squalor. ... The price we pay for this salutary change is, no doubt, great. ... The price which society pays for the law of competition, like the price it pays for cheap comforts and luxuries, is also great; but the advantages of this law are also greater still, for it is to this law that we owe our wonderful material development, which brings improved conditions in its train. But, whether the law be benign or not, we must say of it, as we say of the change in the conditions of men to which we have referred: It is here; we cannot evade it; no substitutes for it have been found; and while the law may be sometimes hard for the individual, it is best for the race, because it insures the survival of the fittest in every department. We accept and welcome, therefore, as conditions to which we must accommodate ourselves, great inequality of environment, the concentration of business, industrial and commercial, in the hands these, as being not only beneficial, but essential for the future progress of the race.

...

Objections to the foundations upon which society is based are not in order, because the condition of the race is better with these than it has been with any others which have been tried. ...Not evil, but good, has come to the race from the accumulation of wealth by those who have the ability and energy that produce it. ...

Andrew Carnegie, Wealth

Carnegie most certainly believed that the accumulation of wealth was important to the success of society and even though he is well known for the “Gospel of Wealth” idea that the rich are obligated to give copious amounts of charity to assist the poor this rings as a preventative for revolution.

As the 19th Century progressed, the United States was becoming more and more urban and many slums sprang up in the big cities. This was the other side of the inequality that the social Darwinists believed to be so important to the happiness of society. A writer named Horatio Alger wrote many short novels about poor boys struggling to get out of urban poverty. In his stories a young hard working and honest boy goes from rags to riches because his good character attracts the notice of a wealthy man who helps him. This dream became enormously popular in America toward the end of the 19th Century and bolstered the system of Social Darwinism. Alger's first novel was called "Ragged Dick" and the hero is very much like all of the others in Alger's stories. *Read some excerpts from key turning points in "Ragged Dick" and tell how it mirrors the philosophy of Social Darwinism. Then tell how the story undermines the key idea of Social Darwinism.*

From Chapter 1:

...I want it understood, to begin with, that I don't consider him a model boy. But there were some good points about him nevertheless. He was above doing anything mean or dishonorable. He would not steal, or cheat, or impose upon younger boys, but was frank and straight-forward, manly and self-reliant. His nature was a noble one, and had saved him from all mean faults. I hope my young readers will like him as I do, without being blind to his faults. Perhaps, although he was only a boot-black, they may find something in him to imitate.

Dick works hard as a boot black, has several adventures and learns to read and write but his big break comes because his honest and courageous character is recognized by a wealthy man who later becomes his patron.

From Chapter 26:

...At the child's scream, the father looked up, and, with a cry of horror, sprang to the edge of the boat. He would have plunged in, but, being unable to swim, would only have endangered his own life, without being able to save his child.

"My child!" he exclaimed in anguish, -- "who will save my child? A thousand -- ten thousand dollars to any one who will save him!"

There chanced to be but few passengers on board at the time, and nearly all these were either in the cabins or standing forward. Among the few who saw the child fall was our hero.

Now Dick was an expert swimmer. It was an accomplishment which he had possessed for years, and he no sooner saw the boy fall than he resolved to rescue him. His determination was formed before he heard the liberal offer made by the boy's father. Indeed, I must do Dick the justice to say that, in the excitement of the moment, he did not hear it at all, nor would it have stimulated the alacrity with which he sprang to the rescue of the little boy.

Little Johnny had already risen once, and gone under for the second time, when our hero plunged in. He was obliged to strike out for the boy, and this took time. He reached him none too soon. Just as he was sinking for the third and last time, he caught him by the jacket. Dick was stout and strong, but Johnny clung to him so tightly, that it was with great difficulty he was able to sustain himself.

"Put your arms round my neck," said Dick.

The little boy mechanically obeyed, and clung with a grasp strengthened by his terror. In this position Dick could bear his weight better. But the ferry-boat was receding fast. It was quite impossible to reach it. The father, his face pale with terror and anguish, and his hands clasped in suspense, saw the brave boy's struggles, and prayed with agonizing fervor that he might be successful. But it is probable, for they were now midway of the river, that both Dick and the little boy whom he had bravely undertaken to rescue would have been drowned, had not a row-boat been fortunately near. The two men who were in it witnessed the accident, and hastened to the rescue of our hero.

"Keep up a little longer," they shouted, bending to their oars, "and we will save you."

Dick heard the shout, and it put fresh strength into him. He battled manfully with the treacherous sea, his eyes fixed longingly upon the approaching boat.

"Hold on tight, little boy," he said. "There's a boat coming."

The little boy did not see the boat. His eyes were closed to shut out the fearful water, but he clung the closer to his young preserver. Six long, steady strokes, and the boat dashed along side. Strong hands seized Dick and his youthful burden, and drew them into the boat, both dripping with water.

"God be thanked!" exclaimed the father, as from the steamer he saw the child's rescue. "That brave boy shall be rewarded, if I sacrifice my whole fortune to compass it."

"You've had a pretty narrow escape, young chap," said one of the boatmen to Dick. "It was a pretty tough job you undertook."

"Yes," said Dick. "That's what I thought when I was in the water. If it hadn't been for you, I don't know what would have 'come of us."

"Anyhow you're a plucky boy, or you wouldn't have dared to jump into the water after this little chap. It was a risky thing to do."

"I'm used to the water," said Dick, modestly. "I didn't stop to think of the danger, but I wasn't going to see that little fellow drown without tryin' to save him."

The boat at once headed for the ferry wharf on the Brooklyn side. The captain of the ferry-boat, seeing the rescue, did not think it necessary to stop his boat, but kept on his way. The whole occurrence took place in less time than I have occupied in telling it.

The father was waiting on the wharf to receive his little boy, with what feelings of gratitude and joy can be easily understood. With a burst of happy tears he clasped him to his arms. Dick was about to withdraw modestly, but the gentleman perceived the movement, and, putting down the child, came forward, and, clasping his hand, said with emotion, "My brave boy, I owe you a debt I can never repay. But for your timely service I should now be plunged into an anguish which I cannot think of without a shudder."

Our hero was ready enough to speak on most occasions, but always felt awkward when he was praised.

"It wasn't any trouble," he said, modestly. "I can swim like a top."

"But not many boys would have risked their lives for a stranger," said the gentleman. ...

Later Ragged Dick is rewarded by being given a good job by the boy's father who was a wealthy businessman.

From Chapter 27:

Dick left the counting-room, hardly knowing whether he stood on his head or his heels, so overjoyed was he at the sudden change in his fortunes. Ten dollars a week was to him a fortune, and three times as much as he had expected to obtain at first. Indeed he would have been glad, only the day before, to get a place at three dollars a week. He reflected that with the stock of clothes which he had now on hand, he could save up at least half of it, and even then live better than he had been accustomed to do; so that his little fund in the savings bank, instead of being diminished, would be steadily increasing. Then he was to be advanced if he deserved it. It was indeed a bright prospect for a boy who, only a year before, could neither read nor write, and depended for a night's lodging upon the chance hospitality of an alley-way or old wagon. Dick's great ambition to "grow up 'spectable" seemed likely to be accomplished after all.

Ragged Dick later returns to his run down room in the slum and reflects on his good fortune and resolves to help someone else who is less fortunate.

"I think we can afford to leave Mott Street now," he continued. "This house isn't as neat as it might be, and I shall like to live in a nicer quarter of the city."

"All right," said Dick. "We'll hunt up a new room tomorrow. I shall have plenty of time, having retired from business. I'll try to get my reg'lar customers to take Johnny Nolan in my place. That boy hasn't any enterprise. He needs some body to look out for him."

"You might give him your box and brush, too, Dick."

"No," said Dick; "I'll give him some new ones, but mine I want to keep, to remind me of the hard times I've had, when I

was an ignorant boot-black, and never expected to be anything better."

"When, in short, you were `Ragged Dick.' You must drop that name, and think of yourself now as" --

"Richard Hunter, Esq.," said our hero, smiling.

"A young gentleman on the way to fame and fortune," ...

Horatio Alger, Ragged Dick

The popular culture generally reinforces the aggressively moral voice of the status quo. Ask students how the entertainment media today reflects and supports the values of the society. Students might also reflect on the role of art in challenging the prevailing conventional wisdom of society. It is difficult to tell what role Alger played since his "rags to riches" heroes don't make it entirely on their own. As in the case of Ragged Dick they get substantial help. In Alger's scenarios they "deserve" it, but nevertheless without it they would not have succeeded as well. This opens the opportunity to discuss the question of if there is indeed any such thing as a "self made" success. Also the impact of inherited wealth and inherited poverty plays so significant a role in a person's future that it challenges the notion of "equality of opportunity."

The Ethics Workbook II: American History

Chapter Eight

Immigration

From its colonial origins, America has always been a land of immigration and this process quickened enormously during the economic expansion after the Civil War. Between 1870 and 1900 over 12 million people came to the United States in search of a better life and they rapidly became indispensable to the burgeoning economy and the farming industry needed to keep it fed. But this so-called “second wave” of immigration was different from the earlier ones because it was primarily of non Anglo-Saxon people, mostly from southern and eastern Europe. This added a new ethnic dimension to American society and created tensions between the “new comers” and the older so-called “native” Americans. You have already studied the ethnic prejudices directed against these people; it is important to take another look at this because there are ethical issues of the same kind confronting us today.

By the 1870’s Chinese workers made up over one quarter of the labor force in California and “nativist” resentment against them was rising. Political pressure to stop more Chinese from entering the country gained strength in the 1870’s, until in 1882 the federal government passed the Chinese Exclusion Act, which stopped Chinese workers from entering the country. This was the first example of blatant ethnic and racial discrimination in American immigration law; how and why this happened is the subject for our lesson.

First let’s look at the arguments of the most vociferous opponents of Chinese immigration and evaluate their view. The most famous of these was a California labor leader named Denis Kearney who believed that rich business leaders were conspiring to use cheap labor to undercut American workers and keep wages low. In California this meant the Chinese. *Read an excerpt from one of his speeches and evaluate it in the space provided.*

Our moneyed men have ruled us for the past thirty years. Under the flag of the slaveholder they hoped to destroy our liberty. Failing in that, they have rallied under the banner of the millionaire, the banker and the land monopolist, the railroad king and the false politician, to effect their purpose.

We have permitted them to become immensely rich against all sound republican policy, and they have turned upon us to sting us to death. They have seized upon the government by bribery and corruption. They have made speculation and public robbery a science. They have loaded the nation, the state, the county, and the city with debt. They have stolen the public lands. They have grasped all to themselves, and by their unprincipled greed brought a crisis of unparalleled distress on forty millions of people, who have natural resources to feed, clothe and shelter the whole human race.

We, here in California, feel it as well as you. We feel that the day and hour has come for the Workingmen of America to depose capital and put Labor in the Presidential chair, in the Senate and Congress, in the State House, and on the Judicial Bench. We are with you in this work. Workingmen must form a party of their own, take charge of the government, dispose gilded fraud, and put honest toil in power.

In our golden state all these evils have been intensified. Land monopoly has seized upon all the best soil in this fair land. A few men own from ten thousand to two hundred thousand acres each. The poor Laborer can find no resting place, save on the barren mountain, or in the trackless desert. Money monopoly has reached its grandest proportions. Here, in San Francisco, the palace of the millionaire looms up above the hovel of the starving poor with as wide a contrast as anywhere on earth.

To add to our misery and despair, a bloated aristocracy has sent to China—the greatest and oldest despotism in the world—for a cheap working slave. It rakes the slums of Asia to find the meanest slave on earth—the Chinese coolie—and imports him here to meet the free American in the Labor market, and still further widen the breach between the rich and the poor, still further to degrade white Labor.

These cheap slaves fill every place. Their dress is scant and cheap. Their food is rice from China. They hedge twenty in a room, ten by ten. They are whipped curs, abject in docility, mean, contemptible and obedient in all things. They have no wives, children or dependents.

They are imported by companies, controlled as serfs, worked like slaves, and at last go back to China with all their

earnings. They are in every place, they seem to have no sex. Boys work, girls work; it is all alike to them.

The father of a family is met by them at every turn. Would he get work for himself? Ah! A stout Chinaman does it cheaper. Will he get a place for his oldest boy? He can not. His girl? Why, the Chinaman is in her place too! Every door is closed. He can only go to crime or suicide, his wife and daughter to prostitution, and his boys to hoodlumism and the penitentiary.

Do not believe those who call us savages, rioters, incendiaries, and outlaws. We seek our ends calmly, rationally, at the ballot box. So far good order has marked all our proceedings. But, we know how false, how inhuman, our adversaries are. We know that if gold, if fraud, if force can defeat us, they will all be used. And we have resolved that they shall not defeat us. We shall arm. We shall meet fraud and falsehood with defiance, and force with force, if need be.

We are men, and propose to live like men in this free land, without the contamination of slave labor, or die like men, if need be, in asserting the rights of our race, our country, and our families.

California must be all American or all Chinese. We are resolved that it shall be American, and are prepared to make it so. May we not rely upon your sympathy and assistance?

Dennis Kearney, Appeal from California. The Chinese Invasion, February 1878

The racism is overt and easily identified. Also ask students to discuss the real underlying cause of the problem which Kearney clearly ascribes to the greed of the “Robber Barons”. This is an underlying ethical issue of inequality which will always ultimately surface in society. The propensity to “scapegoat” should be addressed and the role of ethnic and racial differences determining one’s ethical frame of reference should be discussed.

Now read the following comments by an observer of the California controversy and compare it with the present immigration issue in California and elsewhere in the American Southwest.

The Chinaman's only sin is, he will work. If he can not get a high price, he will take a low one, but work he will. And then, he is neat, clean, sober and patient, always submissive, peaceable and quiet. . . .

That is what California wants, and that is what is developing the agriculture of the State. Take the 70,000 Chinamen out of California, its industries would be ruined, and the lands, now so productive, would be cultivated without remunerative results. They supply, by their toil, nearly all the vegetables and much of the poultry. They are doing a large share of the farm-work, and build all the railroads and irrigating canals and ditches. They do much of the cooking, and nearly all the washing and ironing. It is said they send the money they save back to China. Why? Because they are not safe, either in person or property, here. Were they protected as citizens are, they would soon own lands, town lots and houses. As it is now, the low, the vile, the idle, brutal hoodlum, in San Francisco, and all other large towns in this State, may attack the Chinaman's house, smash his windows, and break up his furniture and beat him, and he is - only a Chinaman.

D.L. Phillips, Letters from California 1876.

The similarities with contemporary immigration issues are strong and the discussion can easily be broadened to include other groups that are “different” and perceived to be a threat.

In 1882 the political axe fell when congress passed the Chinese Exclusion Act. *Read the opening lines of it and comment on the justification given for excluding all Chinese workers from the United States.*

Preamble. Whereas, in the opinion of the Government of the United States the coming of Chinese laborers to this country endangers the good order of certain localities within the territory thereof:

Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the expiration of ninety days next after the passage of this act, and until the expiration of ten years next after the passage of this act, the coming of Chinese laborers to the United States be, and the same is hereby, suspended; and during such suspension it shall not be lawful for any Chinese laborer to come, or, having so come after the expiration of said ninety days, to remain within the United States.

Chinese Exclusion Act, Forty-Seventh Congress. Session I. May 6, 1882

The justification is obviously ludicrous. Ask students to offer other reasons for the law.

The political pressure to reduce or eliminate the flow of new immigrants mounted as the century came to a close. The nature of the assault on the Chinese was duplicated against the southern and eastern Europeans swelling the cities of the eastern seaboard. A prevailing fear that new immigrants were having a bad social and moral influence on American society, that they spread disease and crime, fueled a drive to keep them out. In 1907 Congress established an Immigration Commission to study this “problem” and make recommendations for possible legislation. Some excerpts from a summary of the Commission’s findings are printed below. *Read it and speculate as to why the push to restrict immigration from eastern and southern Europe intensified.*

...For many reasons the problem of the immigrant in large cities has for almost a generation attracted a great deal of attention. ...The phenomenal growth of cities and the difficulties accompanying their growth have been intensified by the influx of millions of aliens, who for the most part are unacquainted with urban conditions in their own, countries, and are dazed by the complexity of existence in the great American cities. And it must be remembered that writers, like immigrants, congregate in large cities, and their proximity to the foreign colonies has had its natural result. The social reformer who wishes to remedy preventable evils, as well as the journalist who is anxious to present readable material, has consistently dwelt on the crowding and filth, the poverty and destitution, of which there are such extreme instances in the poorer quarters of every city. Public opinion has been aroused, and legislation enacted which has tended to minimize the evils of overcrowding in many of the older cities, and to inform the younger cities of the dangers of unregulated growth. But the result also has been to create in the popular imagination an impression that the extreme instances cited are the whole story, and that the congested quarters of large cities, full of filth, squalor, and depraved humanity, are a menace to the nation's health and morals. Moreover, the responsibility for these conditions is almost universally placed by old residents on the immigrant, and primarily on the recent immigrant, from the South and East of Europe. ...

In connection with the prevailing opinion about the filth, which is supposed to be the natural element of the immigrant, it is an interesting fact that, while perhaps five sixths of the blocks

studied justified this belief, so far as the appearance of the street went, five' sixths of the interiors of the homes were found to be fairly clean, and two out of every five were immaculate. When this is considered in connection with the frequently inadequate water supply, the dark halls, and the large number of families living in close proximity, the responsibility for uncleanliness and insanitary conditions is largely shifted from the immigrants to the landlords, and to the municipal authorities who spare no expense in sprinkling oil to save the wealthy automobilists from the dust, but are very economical when it comes to keeping the poorer streets in a habitable condition. The water supply, the drainage, and the condition of the pavement are also outside the jurisdiction of the tenants; and yet their neglect results in bad conditions for which the resident of the crowded districts is blamed. ...

In studying foreign colonies in cities, one is constantly reminded of the forces which create them and keep them together. Most immigrants come to join friends or relatives and thus form the nucleus of a colony; the first few families attract more, and in a short time a racial island is created in the city. Once the colony is established there are many reasons for its continued existence and growth. It is expensive to move; it is sometimes hard to find a position in a new environment or to pay carfare, or even to be deprived of the possibility of coming home for lunch. Furthermore, friendly relations, kinship, language, religious affiliations, dietary laws and preferences, and the greater ease of securing boarders in districts where immigrants of the same race are centered, tend to keep the families where they have once settled. But when the immigrant becomes accustomed to American conditions, when he has gained a firm economic footing, when his children have gone to American schools, the desire for better surroundings overcomes the economic and racial reasons for remaining in congested districts. The stream of emigration from the foreign colonies in large cities is continuous; ...

In conclusion, I wish to say that this study... shows that the immigrants in cities in a large majority of cases live a clean and decent life, in spite of all the difficulties that are thrown in their way by economic struggle and municipal neglect. The study strongly indicates that racial characteristics are entirely subordinate to environment and opportunity in determining that part of the immigrant's mode of life which is legitimately a matter of public concern; and finally, it shows that foreign colonies in large cities are not stagnant, but are constantly

changing their composition, the more successful members leaving for better surroundings, until finally the entire colony is absorbed in the melting pot of the American city.

Emanuel Goldenweiser, *The Survey*, January 1, 1911.

Since there does not seem to be any logical reason to reduce or eliminate immigration for social reasons the urge to do it must have been based on emotion or some other fear. Let student's speculate on what that might have been.

The Commission's final report outlines some other reasons to limit or eliminate certain classes of immigrants. *Read it and tell in your own words what those were. Then write a short essay outlining the various aspects of this problem today.*

The chief danger in immigration lies... in the field of industry. When immigrants who are unskilled laborers arrive in so large numbers that the tendency is for them to lower the average rate of wages and the standard of living among the poor people, the danger is one much more far-reaching, and one to which Our statesmen should give earnest attention. ...

...Immigrants from the south and east of Europe have usually had but a few dollars in their possession when their final destination in this country has been reached. ...Consequently, finding it absolutely imperative to engage in work at once, they have not been in a position to take exception to wages or working conditions, but must obtain employment on the terms offered or suffer from actual want. ... As regards the effects of the employment of recent immigrants upon wages and hours of work, there is no evidence to show that the employment of southern and eastern European wage earners has caused a direct lowering of wages or an extension in the hours of work in mines and industrial establishments. It is undoubtedly true that the availability of the large supply of recent immigrant labor prevented the increase in wages which otherwise would have resulted during recent years from the increased demand for labor. The low standards of the southern and eastern European, his ready acceptance of a low wage and existing

working conditions, his lack of permanent interest in the occupation and community in which he has been employed, his attitude toward labor organizations, his slow progress toward assimilation, and his willingness seemingly to accept indefinitely without protest certain wages and conditions of employment, have rendered it extremely difficult for the older classes of employees to secure improvements in conditions or advancement in wages since the arrival in considerable numbers of southern and eastern European wage earners. As a general proposition, it may be said that all improvements in conditions and increases in rates of pay have been secured in spite of their presence.

Jeremiah Jenks and W. Lett Lauck, The Immigration Problem 1912

The argument against allowing unskilled immigrants to enter the country is that they flood the market with cheap labor and prevent American workers from earning a decent living. A variation of this theme can be seen in the present tendency of business to relocate to low labor cost areas and to “outsource” whenever possible to cut production costs. Ask students to comment on this.

As increasing numbers of immigrants who did not fit the Anglo-Saxon Protestant category began, with the Catholic Irish, to enter the country, a movement referred to as “nativism” began to grow. For these nativists the so-called American “melting pot” was expected to dissolve all new comers into the dominant culture. The Chinese were the first to feel the sting of this bigotry. By 1924, new immigration laws had been passed that drastically reduced the level of southern and eastern European immigration as well. *Now write an essay in which you express your views about cultural diversity. Think about the present controversy concerning the making of English the official language of the United States. What is your opinion about this? In what ways would English only make society stronger and in what ways would it weaken society?*

Human beings judge ethical issues within the parameters of recognized groups and generally disregard and discriminate against outsiders. To the extent that English as the official language promotes a broader common group identity it naturally promotes more ethical behavior. The “catch 22” is that in the process of moving toward this more universal ethical cooperative group, society identifies foreign language speaking groups as outsiders and thereby not entitled to full ethical standing.

The Ethics Workbook II: American History

Chapter Nine

Imperialism

As the 19th Century drew to a close we can easily see how an American society which embraced notions of Manifest Destiny and the superiority of Anglo-Saxon culture would advance into overseas imperialist expansion almost naturally. The philosophy of Social Darwinism further supported the conclusion that it was inevitable and right that the superior white race should dominate the inferior “colored” races of the world. In fact it was not only right but the duty of western nations to show the rest of the world how to live. This came to be called “The White Man’s Burden” after a poem by Rudyard Kipling. *Read some of it below and tell in your own words what you understand it to mean.*

**Take up the White Man's burden
Send forth the best ye breed
Go bind your sons to exile
To serve your captives' need;
To wait in heavy harness,
On fluttered folk and wild
Your new-caught, sullen peoples,
Half-devil and half-child.**

...

**Take up the White Man's burden
Ye dare not stoop to less
Nor call too loud on Freedom
To cloke your weariness;
By all ye cry or whisper,
By all ye leave or do,
The silent, sullen peoples
Shall weigh your gods and you.**

**Take up the White Man's burden
Have done with childish days
The lightly proffered laurel,
The easy, ungrudged praise.
Comes now, to search your manhood
Through all the thankless years
Cold, edged with dear-bought wisdom,
The judgment of your peers**

Rudyard Kipling, The White Man's Burden, 1899

Since you have already read about the Spanish-American War in some detail it will not be necessary for us to go over it again except to say that by winning the war the United States found itself in possession of several foreign territories that had previously been part of Spain. The biggest, and most distant, were the Philippine Islands. Kipling wrote that poem to express his belief that the United States had an obligation to rule the Philippines which were ceded to the United States by Spain as a result of the war. There was a keen controversy raging in the United States about whether it was proper for a powerful advanced country to take over an under-developed country by force even if they had the best intentions. *Let's look first at one side of the question by reading some of a speech by a proponent of American Imperialism as he anticipates all of the acquisitions of the successful war with Spain. Read it and tell how he justifies imperialism ethically.*

It is a noble land that God has given us; a land that can feed and clothe the world; a land whose coastlines would enclose half the countries of Europe; a land set like a sentinel between the two imperial oceans of the globe, a greater England with a nobler destiny.

It is a mighty people that He has planted on this soil; a people sprung from the most masterful blood of history; a people perpetually revitalized by the virile, man-producing working-folk of all the earth; a people imperial by virtue of their power, by right of their institutions, by authority of their Heaven-directed purposes - the propagandists and not the misers of liberty.

It is a glorious history our God has bestowed upon His chosen people; a history heroic with faith in our mission and our future; a history of statesmen who flung the boundaries of the Republic out into unexplored lands and savage wilderness; a history of soldiers who carried the flag across blazing deserts and through the ranks of hostile mountains, even to the gates of sunset; a history of a multiplying people who overran a continent in half a century; a history of prophets who saw the consequences of evils inherited from the past and of martyrs who died to save us from them; a history divinely logical, in the process of whose tremendous reasoning we find ourselves today.

Therefore, in this campaign, the question is larger than a party question. It is an American question. It is a world question. Shall the American people continue their march toward the commercial supremacy of the world? Shall free institutions broaden their blessed reign as the children of liberty wax in strength, until the empire of our principles is established over the hearts of all mankind?

Have we no mission to perform no duty to discharge to our fellow man? Has God endowed us with gifts beyond our deserts and marked us as the people of His peculiar favor, merely to rot in our own selfishness, as men and nations must, who take cowardice for their companion and self for their deity - as China has, as India has, as Egypt has?

Shall we be as the man who had one talent and hid it, or as he who had ten talents and used them until they grew to riches? And shall we reap the reward that waits on our discharge of our high duty; shall we occupy new markets for what our farmers raise, our factories make, our merchants sell - aye, and please God, new markets for what our ships shall carry?

Hawaii is ours; Porto Rico is to be ours; at the prayer of her people Cuba finally will be ours; in the islands of the East, even to the gates of Asia, coaling stations are to be ours at the very

Long before the Spanish–American War the Filipino people had begun to fight for their independence from Spain. When United States forces engaged Spain in the Philippine Islands American forces found a valuable ally in the rebel army which helped them defeat the Spanish. Many Filipinos thought that the United States was an ally and that when Spain was defeated the American government would support independence for the Philippines. But this was not the case. The representatives of the Philippine revolution were denied participation in the peace talks and the United States “bought” the Philippines from Spain for \$20 million. This was unacceptable to the Filipinos who began a bloody guerilla war against what they saw as an illegal American occupation of their country. The United States army was ordered to crush the Filipino rebels who were depicted as outlaws unwilling to accept law and order. Not all Americans however agreed with the policy of imperialist expansion and many thought the United States was wrong. *Read some of a speech by one of the leading opponents of imperialism at that time and answer the following questions to prepare for a class discussion. Make some detailed notes in the space provided.*

1. *Carl Schurz implies that the war against the Filipino revolutionaries is wrong because it is hypocritical. What is a hypocrite? In what way is the war hypocritical? Why is hypocrisy universally considered to be ethically wrong?*
2. *Schurz implies that the war is unethical because it is an unprovoked attack. Again people universally believe it is wrong to injure someone without provocation. Explain why you think this is so.*
3. *There is a belief expressed that this war cannot be ended by force alone, implying that the Filipinos will never give up and the American people will always know they were wrong. Do you think the Filipinos will give up? Do you think the American “conscience” will be bothered?*
4. *Next Schurz mocks the supporters of imperialism that he calls the “manifest destiny men” and the “burden men” and suggests that their high sounding reasons are only a cover for more selfish motives. Think about why people routinely give noble reasons for their actions. Can you give any contemporary examples?*
5. *Why does Schurz call the “flag men” hypocrites? Why are “flag men” so difficult to oppose in most countries and especially during a war? Can you give any contemporary examples?*
6. *Schurz asserts that reason will prevail and the American people will “see through” the falsehood of imperialism. Do you think reason will prevail for the greater good in these kinds of ethical situations or will emotion and self interest win out?*

Let me ask these well-meaning citizens a simple question. If you think that the American people may ultimately consent to the independence of those islanders as a matter of right and good policy, why do you insist upon killing them now? You answer: Because they refuse to recognize our sovereignty. Why do they so refuse? Because they think themselves entitled to independence, and are willing to fight and die for it. But if you insist upon continuing to shoot them down for this reason, does not that mean that you want to kill them for demanding

the identical thing which you yourself think that you may ultimately find it just and proper to grant them? Would not every drop of blood shed in such a guilty sport cry to heaven? For you must not forget that establishing our sovereignty in the Philippines means the going on with the work of slaughter and devastation to the grim end, and nobody can tell where that end will be. To kill men in a just war and in obedience to imperative necessity is one thing. To kill men for demanding what you yourself may ultimately have to approve, is another. How can such killing adopted as a policy be countenanced by a man of conscience and humane feelings? And yet, such killing without useless parley is the policy proposed to us. ...

We are now engaged in a war with the Filipinos. You may quibble about it as you will, call it by whatever name you will - it is a war; and a war of conquest on our part at that - a war of bare-faced, cynical conquest. ...

In the first place, let it be well understood that those are egregiously mistaken who think that if by a strong military effort the Philippine war be stopped, everything will be right and no more question about it. No, the American trouble of conscience will not be appeased, and the question will be as big and virulent as ever, unless the close of the war be promptly followed by an assurance to the islanders of their freedom and independence, which assurance, if given now, would surely end the war without more fighting.

Here are our "manifest destiny" men who tell us that whether it be right or not, we must take and keep the Philippines because "destiny" so wills it. We have heard this cry of manifest destiny before, especially when, a half century ago, the slave power demanded the annexation of Cuba and Central America to strengthen the slave power. The cry of destiny is most vociferously put forward by those who want to do a wicked thing and to shift the responsibility. The destiny of a free people lies in its intelligent will and its moral strength. When it pleads destiny, it pleads the baby act. Nay, worse; the cry of destiny is apt to be the refuge of evil intent and of moral cowardice.

Here are our "burden" men, who piously turn up their eyes and tell us with a melancholy sigh, that all this conquest business may be very irksome, but that a mysterious Providence has put it as a "burden" upon us, which, however sorrowfully, we must bear; that this burden consists in our duty

to take care of the poor people of the Philippines; and that in order to take proper care of them we must exercise sovereignty over them; and that if they refuse to accept our sovereignty, we must -- alas! alas! - kill them, which makes the burden very solemn and sad. ...

Next there are our "flag" men, who insist that we must kill the Filipinos fighting for their independence to protect the honor of the stars and stripes. I agree that the honor of our flag sorely needs protection. We have to protect it against desecration by those who are making it an emblem of that hypocrisy which seeks to cover a war of conquest and subjugation with a cloak of humanity and religion; an emblem of that greed which would treat a matter involving our national honor, the integrity of our institutions, and the peace and character of the republic as a mere question of dollars and cents; an emblem of that vulgar lust of war and conquest which recklessly tramples upon right and justice and all our higher ideals; an emblem of the imperialistic ambitions which mock the noblest part of our history and stamp the greatest national heroes of our past as hypocrites or fools. These are the dangers threatening the honor of our flag, against which it needs protection, and that protection we are striving to give it. ...

I confidently trust that the American people will prove themselves too clear-headed not to appreciate the vital difference between the expansion of the republic and its free institutions over contiguous territory and kindred populations, which we all gladly welcome if accomplished peaceably and honorably - and imperialism which reaches out for distant lands to be ruled as subject provinces; too intelligent not to perceive that our very first step on the road of imperialism has been a betrayal of the fundamental principles of democracy, followed by disaster and disgrace; too enlightened not to understand that a monarchy may do such things and still remain a strong monarchy, while a democracy cannot do them and still remain a democracy; too wise not to detect the false pride or the dangerous ambitions, or the selfish schemes which so often hide themselves under that deceptive cry of mock patriotism: "Our country, right or wrong!" They will not fail to recognize that our dignity, our free institutions, and the peace and welfare of this and coming generations of Americans will be secure only as we cling to the watchword of true patriotism: "Our country - when right to be kept right; when wrong to be put right."

Carl Schurz, The Policy of Imperialism, Address at the Anti-Imperialist Conference in Chicago, October 17, 1899

Hypocrisy is instinctively repugnant to the innate human ethical sense because it represents inequality. Furthermore, hypocrisy achieves inequality through deceit and in so doing results in the using of one person or group by another. All human beings naturally detest hypocrisy.

An unprovoked attack is an assault on the innate ethical need for freedom present in all human beings. It is judged to be wrong by all people, particularly when the attacker is more powerful than the victim in which case it becomes doubly repugnant because it also assaults the sense of fairness and equality.

The innate ethical sense of freedom is indwelling and cannot be eradicated by force. The Filipinos can be suppressed but this innate need to be free will survive. This same sense will plague the Americans who innately know they are suppressing both the freedom and the equality of the Filipinos.

Human beings have evolved a cultural need to convince their neighbors of the rightness of their actions and routinely construct rationales intended to do this. Ethics is an innate sense and can only be directed by reason when the individual understands the intrinsic forces which are driving his or her decisions. In most cases as in both the “manifest destiny men” and the “burden men” the reasons are contrivance.

People determine their ethical responsibilities within groups and judge their actions as they apply to members of the group. Outsiders are usually disregarded. Loyalty to the group is an innate ethical expectation which is very strong and makes opposition to the majority view very difficult.

This is a seminal ethical question and has no general answer. Reason as a rule does not govern ethical decision making because it is routinely employed to construct logical rationales for courses of action that are innately directed. Ethics education is the quest to understand one’s innate ethical imperatives with the goal of freeing reason to become a guide to decision making

The Ethics Workbook II: American History

Chapter Ten

Prohibition

As the century turned, immigration was threatening the traditional Anglo-Saxon hold on American politics and some felt that foreigners were endangering the American cultural way of life. Closely associated with the nativist sentiment at the start of the 20th century that had successfully reduced immigration from southern and eastern Europe was a revival of the drive to outlaw alcohol which was also associated with these new immigrant groups. The so-called “temperance” movement had for nearly a century stressed the social and economic evils of alcohol but did not gain real national political clout until it blended with and was reinforced by anti-immigrant feelings. In 1907 Congress commissioned a study of the impact of immigration on American life and this commission reported that many of society’s problems were directly related to the rising population of southern and eastern European as well as non-western people. This famous Dillingham Commission Report was instrumental in hastening immigration restriction and encouraging legislation to safeguard the “moral fiber” of America.

In 1918, Congress passed the 18th Amendment which prohibited the manufacture and sale of all alcoholic beverages in the United States. Within a year it was ratified by the states and given enforcement power under the Volstead Act. On January 16, 1920 America went dry and for the next 13 years conducted a “noble experiment”, as Herbert Hoover referred to it, to improve the morals of the nation. But since prohibition led quickly to an upsurge in crime and violence while doing little to reduce alcohol consumption a debate immediately began about the wisdom of it all. In 1924 a debate was arranged between a leading proponent of prohibition named John Haynes Holmes and a famous lawyer named Clarence Darrow who was against it. *Read some excerpts from their exchange and answer the following questions to prepare for a class discussion. What was the basis for Holmes’ claim that prohibition was ethical? Analyze Holmes’ remarks about tenement owners and tell why you think he believes laws are necessary to stop the evils of alcohol. Do you agree or not? Why does Darrow believe that “it is a pretty good idea to mind your own business”? Why do you think Darrow believes that tolerance is necessary?*

John Haynes Holmes:

You say, "Why has the state any right to dictate to me what I shall drink?" The State hasn't any right to dictate to you what you shall drink, provided that what you drink affects yourself alone and does not affect society at large. If any man should say to me or prove to me upon the basis of social experience and laboratory experiments that the drinking of a cup of coffee does to society what the drinking of a glass of whiskey does, then I should say that legislation against coffee, like legislation against whiskey, was justified - justified by its social effects, justified by the fact that the safety and happiness of us all must be protected from the invasion of the one or the two. ...

Liquor, in the first place, is dangerous to the public safety. ...We are living in the automobile age. Great automobiles are driven at rapid speed through the streets of our cities and the highways of our country. Do you think it is compatible with public safety to allow the driver of an automobile, under any circumstances, to get liquor? Not at all ...

Liquor is dangerous to public safety because it creates poverty, it cultivates crime, it establishes social conditions generally which are a burden to society .

Secondly, liquor legislation is social legislation because liquor constitutes a deliberate exploitation of the weak by the strong.

The real thing that the Eighteenth Amendment was after - the real thing was the liquor business, the manufacturing of liquor, the distribution of liquor, the sale of liquor under a public license - a business in the hands of a few for the amassing of great millions which preyed upon the weaknesses of the people as a tenement-house owner would prey upon the weaknesses of the people if he were allowed to do I so in the absence of tenement-house legislation.

For these two reasons - because liquor is a menace to public safety, and an exploitation of the weak - we have got to get rid of It. And if you can show me any way of doing that thing apart from doing what we did to the slave trade, to chattel slavery, to the white slave traffic, to the opium trade, I would like to know what it is. ...

I believe in liberty - absolute liberty of speech, absolute liberty of assembly, absolute liberty of the press - all of these essential

liberties. But I have never believed that democracy involved the liberty to guzzle when that liberty to guzzle was a menace to me amid to all other men and to the integrity of that society which constitutes the America we love together.

Clarence Darrow:

...What is a sumptuary law? A law regulating your personal habits or your personal conduct. He says it would be a sumptuary law if you passed a law against drinking coffee. Then why not if you passed one against drinking beer? It is a sumptuary law if it is against drinking coffee, but it is not a sumptuary law if it is against drinking beer. Why didn't he tell us why that was? Nobody could tell us which of the two is better or worse for the constitution. And if it is worse, what of it? I might take a little chance on my constitution for something I wanted to do. What is the use of taking such good care of your constitution.

Let's see about this question of liquor. It has always been on the earth and always been used - many times to excess, of course. Food has also been on the earth and also used, generally to excess. I never saw anybody that didn't eat too much, if he could afford it. And if you go down to the graveyard and look them over and learn their history, I will guarantee you will find that there are ten funerals pulled off where the corpses would have lived longer if they hadn't had so much to eat, to every one that would have lived longer if it hadn't drank so much.

In this world it is a pretty good thing to mind your own business, if you have any. The first instinct of everyone is to do what he wants to do. Now, I am not going to argue that the collective organization shouldn't at some time keep him from doing what he wants to do, in order to protect his own life. I am not going to argue that, but every human being ought to be left to follow his own inclinations and his own emotions, unless he clearly interfered with the rest to an extent that was so injurious that it would be manifest to most anybody else.

There are certain things that for long periods of time, in all countries, have been considered criminal - like murder. Suppose that question were put up to the community. There probably wouldn't be one in a thousand who would say it shouldn't be the subject of a criminal statute. There is almost a universal agreement on that, with regard to burglary, larceny and murder.

Suppose the question of eating certain kinds of food or drinking certain kinds of liquid were put up to the community, and forty per- cent of the people thought it was right. Who are the other sixty percent who would have the audacity to send those forty percent to jail for doing something the sixty didn't believe in? On how many questions do two people think alike? They can go only a certain way, when they branch off and leave each other. Men ought to hesitate a long time before they vote that a certain thing is a crime - and prohibition means crime. ...

If the doctrine should prevail that when sixty percent of the people of a country believe that certain conduct should be a criminal offense and for that conduct they must send the forty percent to jail, then liberty is dead and freedom is gone. ...

In this world of ours we cannot live with our neighbors without a broad tolerance. We must tolerate their religion, their social life, their customs, their appetites of eating and drinking, and we should be very slow, indeed, when we make criminal conduct of what is believed by vast numbers of men and women to be honest and fair and right.

This Prohibition Law has filled our jails with people who are not criminals, who have no conception or feeling that they are doing wrong. It has turned our Federal Courts into Police Courts, where important business is put aside for cases of drunkenness and disorderly conduct. It has made spies and detectives, snooping around doors and windows. It has made informers of thousands of us. It has made grafters and boodlers of men who otherwise would be honest. It is hateful, it is distasteful, it is an abomination, and we ought to get rid of it, and we will if we have the courage and the sense.

Debate, J.H. Holmes and C. Darrow, New York City, 1924

Individual freedom can be restricted to protect the group. This belief is supported by the innate ethical sense of freedom and equality only to the extent minimally necessary to secure peace and stability.

Holmes believes that most people are driven by selfish greed and without laws the strong will exploit the weak. This is a reflection of a sense of social Darwinism very strong in some circles. This mindset is at the root of aggressively moral rules to force conformity to the majority standard.

The innate human urge for freedom will cause people to resist excessive efforts to control them.

People are socially interdependent and need to respect each other's sense of sovereignty and freedom or conflict will inevitably result. Discuss society's legitimate need to restrict freedom in the light of Darrow's cautions.

is the dirtiest, low-down, damnable business on top of this old earth. There is nothing to be compared to it.

The saloon comes as near being a rat hole for a wage-earner to dump his wages in as anything you can find. The only interest it pays is red eyes and foul breath, and the loss of health. You can go in with money and you come out with empty pockets. You go in with character and you come out ruined. ...And it pays nothing back but disease and damnation and gives an extra dividend in delirium. tremens and a free pass to hell. And then it will let your wife be buried in the potter's field, and your children go to the asylum, and yet you walk out and say the saloon is a good institution, when it is the dirtiest thing on earth. It hasn't one leg to stand on and has nothing to commend it to a decent man, not one thing.

I tell you it strikes in the night. It fights under cover of darkness and assassinates the characters that it cannot damn, and it lies about you. It attacks defenseless womanhood and childhood. The saloon is a coward. It is a thief; it is not an ordinary court offender that steals your money, but it robs you of manhood and leaves you in rags and takes away your friends, and it robs your family. It impoverishes your children and it brings insanity and suicide. It will take the shirt off your back and it will steal the coffin from a dead child and yank the last crust of bread out of the hand of the starving child; it will take the last bucket of coal out of your cellar, and the last cent out of your pocket, and will send you home bleary-eyed and staggering to your wife and children. ... It is the dirtiest, most low-down, damnable business that ever crawled out of the pit of hell. It is a sneak, and a thief and a coward.

It is an infidel. It has no faith in God; has no religion. It would close every church in the land. It would hang its beer signs on the abandoned altars. It would close every public school. It respects the thief and it esteems the blasphemer; it fills the prisons and the penitentiaries. It despises heaven, hates love, scorns virtue. It tempts the passions. Its music is the song of a siren. Its sermons are a collection of lewd, vile stories. It wraps a mantle about the hope of this world and that to come. Its tables are full of the vilest literature. It is the moral clearing house for rot, and damnation, and poverty, and insanity, and it wrecks homes and blights lives today.

The saloon is a liar. It promises good cheer and sends sorrow. It promises health and causes disease. It promises prosperity

massive spike in the use of other drugs such as marijuana and heroin. By the mid 1920's the congress was seriously questioning the wisdom of continuing with the "noble experiment." Hearings were held in the Senate to gather information about the impact of prohibition. The following excerpt is from the testimony of a young college student named Russell Post. *Comment on it in the space below.*

Senator Reed of Missouri: *What are the facts with reference to the ability of students to obtain liquor?*

Mr. Post: *Why, it is obtainable, sir; the greater the attempts at enforcement the stronger the sentiment against it.*

Senator Reed of Missouri: *Do bootleggers ply their trade among the students?*

Mr. Post: *Well, it is the reverse; the students go to the bootleggers.*

Senator Reed of Missouri: *The students go to the bootleggers?*

Mr. Post: *Yes; they do not enter the university campus.*

Senator Reed of Missouri: *Is there any difficulty of any student of ordinary intelligence--and I presume they are all that at Yale University--getting all the whisky he wants to buy, or alleged whisky at least?*

Mr. Post: *No, sir.*

Senator Reed of Missouri: *Is this liquor drunk on the campus or in the quarters of the students?*

Mr. Post: *Yes, sir.*

Senator Reed of Missouri: *And is it drunk elsewhere?*

Mr. Post: *Yes, sir.*

Testimony before the Senate Committee on the Judiciary, 1926

Students may want to move the discussion to present day marijuana laws where contemporary relevance will enhance involvement. The parallels are clear except for the percentage of the population routinely breaking the law.

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Chapter Eleven

The Atomic Bomb

The “Great Depression” which you know had a powerful negative impact on many Americans was even more devastating in most European countries. Germany in particular had never recovered from its defeat in World War I and was crippled by the world economic collapse. There was widespread unemployment and hardship and people were desperate for solutions. These conditions led to the rise of extremist governments in many countries and after 1933, in Germany, Adolph Hitler and his Nazi Party took over. Nazism was a brutal racist regime that by 1939 led Germany to attempt to solve her problems by invading and conquering her neighbors. This set off World War II and eventually drew the United States into a death struggle with both Germany and Japan. In this war German Nazism was viewed as the primary and most feared enemy since its leaders were considered to be immoral criminals capable of any atrocity.

The outbreak of the war added urgency to the search for an atomic bomb. Scientists had been working on controlling nuclear reactions for some time and it was widely believed that a solution to the final problems surrounding the building of a bomb were near at hand. An ominous sign of Hitler’s intent in this regard was implied when after the takeover of Czechoslovakia in 1939 the Germans ended the exportation of uranium from that country which was one of the world’s few sources. Uranium was at that time the only known material that could be refined into the fuel for a bomb. It seemed as though the Nazis were making a push to build atomic weapons and it was widely believed that they would not hesitate to use them. Albert Einstein wrote to United States President Roosevelt expressing his concern. Some excerpts are printed below. *What ethical justification does Einstein give for developing the Atomic Bomb?*

Sir:

Some recent work by E. Fermi and L. Szilard, which has been communicated to me in manuscript, leads me to expect that the element uranium may be turned into a new and important source of energy in the immediate future. Certain aspects of the situation which has arisen seem to call for watchfulness and, if

necessary, quick action on the part of the administration. I believe therefore that it is my duty to bring to your attention the following facts and recommendations:

In the course of the last four months it has been made probable - through the work of Joliot in France as well as Fermi and Szilard in America - that it may become possible to set up a nuclear chain reaction in a large mass of uranium, by which vast amounts of power and large quantities of new radium like elements would be generated. Now it appears almost certain that this could be achieved in the immediate future.

This new phenomenon would also lead to the construction of bombs, and it is conceivable - though much less certain - that extremely powerful bombs of a new type may thus be constructed. ...

I understand that Germany has actually stopped the sale of uranium from the Czechoslovakian mines, which she has taken over. That she should have taken such early action might perhaps be understood on the ground that the son of the German Under-Secretary of State, ... is attached to the Kaiser Wilhelm Institute in Berlin where some of the American work on uranium is now being repeated. ...

Letter from Albert Einstein to President Franklin Delano Roosevelt, August 2nd, 1939

Developing the bomb is necessary for self protection since Germany is trying to develop one.

By 1942 the effort to beat the Nazis to the bomb had begun. The best scientists were recruited and a top secret site chosen to be the base for the so-called Manhattan Project. It is not necessary for us to consider the details of this enormous scientific undertaking except to emphasize that it was deemed imperative during World War II that the United States get the bomb before the Nazis. At no time was it believed that Japan was seeking, or indeed had the scientific capability, to acquire atomic weapons.

Harry Truman had been Vice-President for only a few months when President Roosevelt died. He knew nothing about the atomic bomb which was now ready to be

used. On May 7th 1945 Germany surrendered leaving Japan the lone remaining adversary. Many of the scientists who had developed the bomb were having second thoughts about using it on Japan. On June 11th a report to the Secretary of War by a number of the scientists voiced some misgivings. *Read some of the excerpts from it and answer the following question to prepare for a class discussion.*

1. *List some of the concerns of the scientists and identify the ethical basis for the objections that the scientists express in their report?*

... the question of the use of the very first available atomic bombs in the Japanese war should be weighed very carefully, not only by military authority, but by the highest political leadership of this country. If we consider international agreement on total prevention of nuclear warfare as the paramount objective, and believe that it can be achieved, this kind of introduction of atomic weapons to the world may easily destroy all our chances of success. Russia, and even allied countries which bear less mistrust of our ways and intentions, as well as neutral countries, will be deeply shocked. It will be very difficult to persuade the world that a nation which was capable of secretly preparing and suddenly releasing a weapon, as indiscriminate as the rocket bomb and a thousand times more destructive, is to be trusted in its proclaimed desire of having such weapons abolished by international agreement. We have large accumulations of poison gas, but do not use them, and recent polls have shown that public opinion in this country would disapprove of such a use even if it would accelerate the winning of the Far Eastern war. It is true, that some irrational element in mass psychology makes gas poisoning more revolting than blasting by explosive, even though gas warfare is in no way more "inhuman" than the war of bombs and bullets. Nevertheless, it is not at all certain that the American public opinion, if it could be enlightened as to the effect of atomic explosives, would support the first introduction by our own country of such an indiscriminate method of wholesale destruction of civilian life. ...

Nuclear bombs cannot possibly remain a "secret weapon" at the exclusive disposal of this country, for more than a few years. The scientific facts on which their construction is based are well known to scientists of other countries. Unless an effective international control of nuclear explosives is instituted, a race of nuclear armaments is certain to ensue following the first revelation of our possession of nuclear weapons to the world. Within ten years other countries may have nuclear bombs, each of which, weighing less than a ton, could destroy an urban area

of more than five square miles. In the war to which such an armaments race is likely to lead, the United States, with its agglomeration of population and industry in comparatively few metropolitan districts, will be at a disadvantage compared to the nations whose population and industry are scattered over large areas.

We believe that these considerations make the use of nuclear bombs for an early, unannounced attack against Japan inadvisable. If the United States would be the first to release this new means of indiscriminate destruction upon mankind, she would sacrifice public support throughout the world, precipitate the race of armaments, and prejudice the possibility of reaching an international agreement on the future control of such weapons.

The Franck Report, June 11, 1945.

All of the objections are based on self interest. There are no other regarding ethical concerns. Ask students to consider the impact of war on the ability to accord basic ethical standing to people in the "enemy" group.

On July 17th 1945 top nuclear scientist, Leo Szilard, and 69 co-signers petitioned the President not to use the Atomic bomb on Japan. Some of their remarks are excerpted below. *Read them and answer the following questions to broaden your examination of the ethical considerations impacting the decision to drop the bomb.*

1. *Why is it an ethical issue for the scientists that Japan does not possess and has not tried to develop the bomb?*

2. *Why is it an ethical issue for the scientists that Japan be given an opportunity to surrender?*
3. *Why do the scientists believe that the United States has a special obligation to the world regarding atomic weapons?*
4. *Why do the scientists believe that the moral position of the United States would be jeopardized by using the bomb?*

We, the undersigned scientists, have been working in the field of atomic power. Until recently, we have had to fear that the United States might be attacked by atomic bombs during this war and that her only defense might lie in a counterattack by the same means. Today, with the defeat of Germany, this danger is averted and we feel impelled to say what follows:

The war has to be brought speedily to a successful conclusion and attacks by atomic bombs may very well be an effective method of warfare. We feel, however, that such attacks on Japan could not be justified, at least not unless the terms which will be imposed after the war on Japan were made public in detail and Japan were given an opportunity to surrender. ...

The development of atomic power will provide the nations with new means of destruction. The atomic bombs at our disposal represent only the first step in this direction, and there is almost no limit to the destructive power which will become available in the course of their future development. Thus a nation which sets the precedent of using these newly liberated forces of nature for purposes of destruction may have to bear the responsibility of opening the door to an era of devastation on an unimaginable scale.

If after this war a situation is allowed to develop in the world which permits rival powers to be in uncontrolled possession of these new means of destruction, the cities of the United States as well as the cities of other nations will be in continuous danger of sudden annihilation. All the resources of the United States, moral and material, may have to be mobilized to prevent the advent of such a world situation. Its prevention is at present the solemn responsibility of the United States -- singled out by virtue of her lead in the field of atomic power.

The added material strength which this lead gives to the United States brings with it the obligation of restraint and if we were to violate this obligation our moral position would be weakened in the eyes of the world and in our own eyes. It would then be

more difficult for us to live up to our responsibility of bringing the unloosened forces of destruction under control.

In view of the foregoing, we, the undersigned, respectfully petition: first, that you exercise your power as Commander-in-Chief, to rule that the United States shall not resort to the use of atomic bombs in this war unless the terms which will be imposed upon Japan have been made public in detail and Japan knowing these terms has refused to surrender; second, that in such an event the question whether or not to use atomic bombs be decided by you in light of the considerations presented in this petition as well as all the other moral responsibilities which are involved.

A Petition To The President Of The United States, July 17, 1945

This appeals to the innate sense of reciprocity and finds it repugnant to initiate an unprovoked assault. Students can relate to the feeling of betrayal created by the “sneak” attack on Pearl Harbor. Dropping the bomb on Japan has the same ethical tone to the innate ethical sense.

Atomic power is so devastating as to render the opponent helpless. The innate sense of equality is assaulted by so unfair a fight.

Having made the scientific discovery the United States has brought a new reality to the world and thereby bears responsibility for it. The scientists also imply that not every scientific breakthrough is in the best interest of mankind. Ask students to consider this important ethical consideration. Should science push relentlessly on into the unknown without concern for ethical ramifications? Cloning, of course, is the relevant contemporary issue.

Possession of atomic weapons made the United States the only “super power”; the use of that power on weaker adversaries would be universally condemned. It would also lead to an arms race to develop a balancing nuclear power

We have discovered the most terrible bomb in the history of the world. ...

Anyway we "think" we have found the way to cause a disintegration of the atom. An experiment in the New Mexico desert was startling - to put it mildly. Thirteen pounds of the explosive caused the complete disintegration of a steel tower 60 feet high, created a crater 6 feet deep and 1,200 feet in diameter, knocked over a steel tower 1/2 mile away and knocked men down 10,000 yards away. The explosion was visible for more than 200 miles and audible for 40 miles and more.

This weapon is to be used against Japan between now and August 10th. I have told the Sec. of War, Mr. Stimson, to use it so that military objectives and soldiers and sailors are the target and not women and children. Even if the Japs are savages, ruthless, merciless and fanatic, we as the leader of the world for the common welfare cannot drop that terrible bomb on the old capital or the new.

He and I are in accord. The target will be a purely military one and we will issue a warning statement asking the Japs to surrender and save lives. I'm sure they will not do that, but we will have given them the chance. It is certainly a good thing for the world that Hitler's crowd or Stalin's did not discover this atomic bomb. It seems to be the most terrible thing ever discovered, but it can be made the most useful..

Harry Truman's Diary July 25, 1945

Truman weighs his ethical obligation purely from the perspective of his own group. During wartime this is routine. His concerns for offering the Japanese a chance to surrender and minimizing loss of innocent life is motivated more by personal feeling and concern for perception at home than any sense of obligation to the Japanese.

The Bombs over Hiroshima and Nagasaki shocked the world and motivated much reflection and second guessing in American society. In December of 1946 another American scientist, Karl Compton wrote an article trying to put the decision into perspective. Some excerpts from it are printed below. *Read it and write an essay in which you comment on Compton's ethical reasoning.*

... I believe, with complete conviction, that the use of the atomic bomb saved hundreds of thousands - perhaps several millions - of lives, both American and Japanese; that without its use the war would have continued for many months; that no one of good conscience knowing, as Secretary Stimson and the Chiefs of Staff did, what was probably ahead and what the atomic bomb might accomplish could have made any different decision. Let some of the facts speak for themselves.

Was the use of the atomic bomb inhuman? All war is inhuman. Here are some comparisons of the atomic bombing with conventional bombing. At Hiroshima the atomic bomb killed about 80,000 people, pulverized about five square miles, and wrecked an additional ten square miles of the city, with decreasing damage out to seven or eight miles from the center. At Nagasaki the fatal, casualties were 45,000 and the area wrecked was considerably smaller than at Hiroshima because of the configuration of the city. Compare this with the results of two B-29 incendiary raids over Tokyo. One of these raids killed about 125,000 people, the other nearly 100,000. Of the 210 square miles of greater Tokyo, 85 square miles of the densest part was destroyed as completely, for all practical purposes, as were the centers of Hiroshima and Nagasaki; about half the buildings were destroyed in the remaining 125 square miles; the number of people driven homeless out of Tokyo was considerably larger than the population of greater Chicago. ...

Was Japan already beaten before the atomic bomb? The answer is certainly "yes" in the sense that the fortunes of war had turned against her. The answer is "no" in the sense that she was still fighting desperately and there was every reason to believe that she would continue to do so; and this is the only answer that has any practical significance.

General MacArthur's staff anticipated about 50,000 American casualties and several times that number of Japanese casualties in the November 1 operation to establish the initial beachheads on Kyushu. After that they expected a far more costly struggle before the Japanese homeland was subdued. There was every reason to think that the Japanese would defend their homeland with even greater fanaticism than when they fought to the death on Iwo Jima and Okinawa. ...

Karl Compton, If The Atomic Bomb Had Not Been Used, *Atlantic Monthly*, December, 1946

The ethical justification for the nuclear bombing of Hiroshima and Nagasaki has settled on a utilitarian assessment of the lesser of two evils. No consideration is given to the fundamental ethics of the indiscriminate bombing of civilians which until World War II had been outlawed but which was completely disregarded thereafter. Reciprocity can then come into play to justify any atrocity.

As the years passed Americans became increasingly critical of the decision to drop the bomb and a defensive Truman took the opportunity to comment on this in a letter to his good friend Irv Kupcinec, a Chicago Sun-Times columnist who had written a column about it. *Read Truman's letter and think carefully about his ethical motivation for dropping the bomb. Then write an essay telling why you think he did it and why he explained it the way he did.*

HARRY S. TRUMAN

INDEPENDENCE, MISSOURI

August 5, 1963

Dear Kup:

I appreciated most highly your column of July 30th, a copy of which you sent me.

I have been rather careful not to comment on the articles that have been written on the dropping of the bomb for the simple reason that the dropping of the bomb was completely and thoroughly explained in my Memoirs, and it was done to save 125,000 youngsters on the American side and 125,000 on the Japanese side from getting killed and that is what it did. It probably also saved a half million youngsters on both sides from being maimed for life.

You must always remember that people forget, as you said in your column, that the bombing of Pearl Harbor was done while we were at peace with Japan and trying our best to negotiate a treaty with them.

All you have to do is to go out and stand on the keel of the Battleship in Pearl Harbor with the 3,000 youngsters underneath it who had no chance whatever of saving their lives. That is true of two or three other battleships that were sunk in

