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"Our Renown is Not Yours" The American militia in the War of 1812

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"Our Renown is Not Yours" The American Militia in the War of 1812

by

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Thesis

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in

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Abstract

This thesis examines the role of the American militia during the War of 1812. Focusing on the words of the participants themselves, this thesis uses primary source material to attempt to reconstruct the actions of the militia during a small number of highly dramatic moments in the first campaigns of the conflict. Secondary sources are used to broaden the scope of the research and bring to light elements of social and cultural history and explore the meaningfulness of the militia both as an institution of top-down construction and as one of bottom-up construction. The study determines that the popularity of these dramatic moments was made by ambitious politicians following the war, and the subsequent historiography has been severely flawed.

Table of Contents

Acknowledgments	i
Abstract	ii
Introduction	1
Chapter 1: The Militia System in the Early Republic	9
Chapter 2: The Militia on the Frontier: The Detroit and Niagara Campaigns	39
Chapter 3: Conflicting Chronicles	78
Conclusion	109
Bibliography	117

Introduction

Early in the morning of October 12th, 1812, twelve boats slipped quietly from their mooring on the eastern shore of the Niagara river and rowed across the fast flowing water toward a steep rise on the Canadian shore. Six hundred men packed the crowded boats in the first wave, an even mix of regular soldiers and volunteer militia. Their goal was to secure the heights on the western shore, seizing the foothold necessary to capture the entirety of Canada. The attack was late in the campaign season, and General Stephen Van Rensselaer pinned the hopes of the success of the entire campaign on the attack.

The first crossing encountered trouble almost at once, with the boat of Colonel John Chrystie, the commander of the regular detachment, swept downstream, leaving the bulk of the field command duties to his militia counterpart, Colonel Solomon Van Rensselaer. The element of surprise was lost, and Van Rensselaer led the charge up the hill, capturing the battery despite being severely wounded.

Over the course of the next several hours, American forces slowly gained advantage over the British defenders, but British reinforcements were faster and free from the difficulties of ferrying troops across a dangerously rapid river. By the afternoon, only a handful of boats were left to American forces, and the embarkation point was under erratic fire from a lone British battery.

Then, at the moment when American victory was nearly secured, an act of disloyalty from a number of militia crushed the dreams of quick victory over the British. Staring blank-faced at their suffering compatriots, arms crossed and muskets slung, these men ignored the pleas of their commanders and refused to involve themselves in the affair across the river. Motivated

by *party frenzy* in an attempt to sabotage the war effort and the Madison administration, this single act cost the Americans their best chance to end the war in the first campaign.

Or so the story goes. The first historical accounts that followed, written by participants and historians, have largely retold the story as it stands above, and have further connected the actions of these men with party factionalism, turning the event into a striking and obvious political statement and a strong argument against the republican belief of a citizen militia as a means of waging war.

This story argues that the militia was a broken system. The militia was too wild, too undisciplined, too subject to the whims of the mob, and it was victimized by the failure of the populace to conduct themselves with the strict virtue necessary to maintain it. The militia was, in short, a poor tool for the state and a poor substitute for a disciplined army.

The refusal at Queenston Heights, together with earlier examples within William Hull's army, seem to confirm these notions. These events did happen; portions of the militia did refuse to cross the border. That fact is not in dispute. But the more alluring question is why?

The answer, as it turns out, is complicated. While some men did refuse to serve on political or ethical grounds, it was far more likely for men to refuse because of physical or logistical circumstances affecting their specific circumstances. By closely examining the examples of militia refusal, we also find a great many more examples of the militia not only serving with enthusiasm but serving with distinction and bravery. Indeed, the attack on Queenston Heights may have itself been a direct result of the militia clamoring for an assault against the wishes of their cautious commander. The militia who did refuse, on that day and others, predominantly did so as a direct result of a lack of preparation, lack of pay, or the severe

shortfall of necessary equipment or support. These failures affected the entire American war effort and are not specific to, or as a result of, refusals of service by the militia.

Regardless of their support or opposition to the war, the words and actions of the militia reflected a popular conception of the militia as a means for American men to assert their cultural and political rights in a power structure that stood apart from the American state.

However, the story that was told after the war, and the story that stays essentially unchanged in historiography, is of a militarily ineffective and politically compromised militia acting expressly against the interests of the nation at large. This nationalistic narrative was not a natural consequence of the war or even the behavior of the militia; rather, it was a consequence of ambitious individuals using their war record to attain high political office.

Especially for those in the periphery of US power, the militia was not simply an archaic political idea, nor was it solely a supplemental force of US soldiery, but it was an alternative power structure through which men could assert their political rights out-of-doors and in public spaces. As social and cultural normalcy changed in relation to local power dynamics, political and economic relationships, and even race relations, access to the militia changed as well. Where in Boston it was explicitly illegal for men of color to serve in the militia, in Detroit it was not, and men of color served alongside Francophone citizens on both sides of the Detroit river.

This assertion of political rights is necessarily fractious, as local polities will have differing and often oppositional beliefs and attitudes. So while some in the militia might soundly condemn those who refused to muster, returned home when they were not paid, or balked at the border to Canada, others wrote eloquent rejections of nationalist urges to invasion and conquest of fellow farmers. The story is as confusing, contradictory, fractious, and decentralized as the American polity itself.

This state of affairs was perfectly in keeping with the political ideals that birthed the militia, and it was equally untenable to the American state. As the aims of the Jefferson and Madison administration increasingly pointed the United States toward international war, the unsuitability of the militia as a means of projecting offensive force became steadily more apparent. Always an institution with an enthusiastically democratic structure, the militia was never wholly unified in their commitment to the war, and their perceived ability to withdraw their support at crucial moments demonstrated to many that the system as a whole was untrustworthy, if not outright treasonous.

Sources

This thesis uses documents written by participants in the war, in the form of published letters, personal journals and post-war chronicles, as well as official and unofficial battlefield reports. In general, these documents can be sorted into two categories: chronicles and ego documents.

By relying heavily on the written accounts of participants, the study will examine the militia from a bottom-up perspective and will attempt to examine the militia as an expression of American culture as opposed to an expression of the American military. Secondary sources will be used to scrutinize the historiographical depiction of the militia at the end of the Early Republic era. Taken together, these sources present a much more culturally and politically prominent militia than is often depicted as well as showing that the fighting ability of the militia was often obscured or underestimated.

Primary Sources

Ego documents are those tracts written by men of power and influence written implicitly as a means to advance the career of the writer, often at the expense of other individuals. The feud

between Solomon Van Rensselaer, John Armstrong, and Winfield Scott is a visible part of narratives that are supposedly written as apolitical historical accounts. In addition to the three men named above, the apologia of William Hull, written as a popular account expressly for the purpose of vindicating his behavior leading up to the capitulation of Fort Detroit, will also be examined.

Contrasting with these documents are those written by participants in the military expeditions who were not ambitious on a national scale following the war. While often explicitly written as a means to preserve the historical record, these accounts reinforce the nationalist rhetoric of the war and helped to build the national memory that would later be exploited by men of power and influence. James Dalliba, Samuel Williams, and Samuel Brown were all Ohio volunteers who served in Hull's Detroit campaign. Robert Lucas was an Ohio volunteer who later rose to state office and kept a journal that provided much of the evidence against Hull at the trial. Many other participant journals are used.

Supplementing the personal narratives are official documents relating to events in the war. Letters to and from the War Department trace Hull's efforts in Ohio and Michigan, and often contradict the narrative given in his post-war trial, and the *Documentary History of the Campaign on the Niagara* collects personal and professional correspondence, newspaper clippings, and other documents from those involved in the Niagara campaign.

All together, these reports range from personal to professional, reflect ambition to national office and a commitment to preserving nationalist history, and were written in moments when the memory of the war was politically or socially relevant. The overlapping nature of these documents helps to craft a clear picture of often conflicting efforts to memorialize the War of 1812.

Secondary Sources

The bulk of the secondary sources in this thesis are used primarily to examine the common claims relating to the militia at the end of the 18th century. Unfortunately, there is a paucity of sources that examine the militia in any great detail in any period after the War for Independence, but this thesis is intended to examine the militia as a reflection of American culture, not as an extension of American politics or state-building. Nearly all of the sources that talk at any length about the militia approach it in one of two ways: as a failed military institution, or as an outdated political institution.

Jon Latimer and Donald Hickey's comprehensive monographs serve as the foundation for the classic interpretation of the militia during the War of 1812. Edward Skeen's *Citizen Soldiers in the War of 1812* similarly echoes the typical sentiments, and all three approach the militia as a fundamentally military institution.

Richard Kohn depicts the militia as a roadblock to the foundation of a working United States military establishment. Lawrence Cress sees the militia as a political ideal never fully realized in a workable sense. Saul Cornell falls somewhere in the middle, but focuses largely on the Second Amendment as the gateway to understanding the militia, and therefore he views the militia as an institutionalized expression of the state.

More specifically, Anthony Yanik's *The Fall and Recapture of Detroit in the War of 1812* asserts that Hull's failure in the first campaign of the war was due in small part to the Madison administration's failure to furnish the proper equipment and supply for the army, but he states unambiguously that even given these supply failures, it was the *militia in particular* that sabotaged Hull's campaign. Yanik takes at face value the claims put forward by Hull after the war, completely ignoring earlier sources written by Hull himself.

All of these authors fail to see the militia as it was expressed by citizens, and even non-citizens, in times of peace and in times of crisis. They all assert a top-down, state-oriented point of view that removes agency from American citizenry and fails to examine the actions of these men in their own words.

Other historians have crafted more cultural and social expressions of the War of 1812. Nicole Eustace's *1812: War and the Passions of Patriotism* examines the assertion of popular feeling as a method of social control: failures in the war were demonstrated as men lacking the emotional commitment to the country. Eustace's examination of William Hull and his early war failure is of particular value. Similarly, Paul Gilje's *Free Trade and Sailors Rights* analyzes the public expressions of emotion through the rhetoric of the war's supporters and detractors.

Although there were expressions of dissatisfaction by the militia throughout the war and after, this thesis is limited to examining only those which took place between the Battle of Tippecanoe in November 1811 to the end of 1812, and is further restricted to studying only the Northern and Northwestern theater of the conflict. There is of course room for expansion into the war along the east coast and the south throughout the duration of the conflict.

Chapters

Chapter 1 contextualize the state of the militia in the years leading up to the War of 1812. It will focus on the memories of the militia's actions, and discuss briefly the political ideals and realities of the institution. The bulk of the chapter will be concerned with addressing historiographical axioms relating to the militia, such as the nature of their training and combat experience.

Chapter 2 will analyze the actions of the militia during the war, and will address the historiographical depiction of events in contrast to the words of participants. This chapter will

draw almost entirely from primary sources written as close to the events they describe as possible, in order to make their contrast with the sources written later more stark.

Chapter 3 will be concerned with the legacy of this particular moment in history, and will examine the competing histories written by ambitious political actors decades after the war. Their effect on the popular memory of the war and the historiography that followed will be analyzed.

The thesis will conclude with a brief discussion of the changes in American military policy as a result of the War of 1812 and the abandonment of the militia as a meaningful institution from the perspective of the American state and will show that the militia as a structure survived as a popular cultural touchstone in times of peace, war, and social struggle in decades to come.

Chapter 1: The Militia System in the Early Republic

On a cold November night in 1811, William Henry Harrison hastily assembled force of Indiana and Kentucky militia along with a tiny force of federal regulars to strike against a growing native confederacy. Under the influence of “The Prophet,” a man that Harrison assumed to be an agent of the British, the confederacy was becoming larger and more organized, posing a threat to the stability of the frontier, and Harrison's own ambitions for the Indiana territory. In what was essentially a prelude to the War of 1812, Harrison marched against “Prophetstown,” where he hoped the battle of reputations between himself and the Prophet would be settled.

The attack would not have the effect he desired. As the American force camped within sight of Prophetstown, native warriors surrounded the camp and attacked just before dawn. The battle was short and chaotic, but when the smoke cleared the Americans held their camp, and as the sun climbed higher in the sky, they burned Prophetstown to ash. Harrison was uneasy, fearing an immediate Indian counter-attack, and his initial report to the war department failed to specify clearly who had won the battle. The narrative of Harrison’s total and crushing victory did not become popularized till months later.

The indecisiveness of the battle allowed for a great variety of retellings and, in at least one case, a public dispute between Elihu Stout, the editor of an Indiana newspaper and member of the Tippecanoe expedition, and Colonel John P. Boyd, an officer of the 4th US Regiment. The two men had a particularly violent argument over the behavior of the militia at Prophetstown. Boyd stated in his official report that “we cannot refrain to express our belief that the dastardly conduct of some whole militia companies” led to unnecessary deaths among the militia officers. He goes on, describing deserters who were “seen behind trees and under wagons, where many

were actually killed.” The regulars, then, took the greater share of the burdens of fighting, as they were “ordered to different points, to support where the attack was most violent or where the line became broken by the abandonment of the militia.”¹

The Western Sun, a newspaper operating out of Vincennes, Indiana, which Stout edited, provided details of the battle in the months following. The reporting was done mostly in the form of reprinting official letters, and giving space for citizens to voice their opinions. Several citizens wrote in praise of Boyd, and took an opportunity to editorialize on the militia’s actions: “that spirited but untutored militia, who witnessed and emulated your cool intrepidity, evince at once the importance of the service you have rendered.”² Other editorials followed, questioning the official record and praising, instead, the efforts of militia and downplaying the role played by the regulars.

The struggle in the press reflected political divisions among the citizens of Indiana. Those who supported Harrison praised the militia’s conduct, and those who were anti-Harrison praised Boyd and the regular troops, asserting that, due to the militia’s incompetence and indiscipline, got more men than were necessary killed. Given that the United States’ forces ostensibly won the battle, it was an oblique criticism that many took personally. In this way, the militia were inherently embodied as an externalization of local politics, just as they had been during previous political conflicts.

The letter praising Boyd was characterized as an attempt to “injure the character of Governor Harrison.” In the same editorial, which was a statement of declarations made by a public meeting of militia officers who served at Tippecanoe, the officers asserted that the letter to Boyd had stated “a notorious untruth” and that it exposed “the false and contemptuous manner in

¹ Boyd to Eustis, published in *The Western Sun* February 8, 1812.

² *The Western Sun*, January 4, 1812.

which the Militia who served under Governor Harrison are treated.” The militia were “neither *untutored* nor *undisciplined*, but in common with the Regular troops... were brought to a state of perfection” by Harrison himself. The rest of the list pointed out particulars that showed Harrison, and the militia, in a favorable light.³

The dispute soon turned intensely personal. An anonymous author, likely the paper’s editor, Elihu Stout, wrote an acerbic editorial sarcastically praising Boyd:

Should there be a second expedition against the Indians, the Man, who by his *personal* skill and bravery decided the action of the 7th November, and took with his own hands the *war club* of their great warrior, the *magic cup* of the Prophet, and the scalp of a Chief, together with a number of other acts of bravery not necessary here to mention, but which will forever immortalize the HERO.⁴

Boyd, seething over the caricature presented in the *Sun*, went to the print offices and demanded to know who it was that published the account. When Stout, present and unrepentant, mocked Boyd to his face, the soldier assaulted Stout with a walking stick.

The “poor Pinter” then printed an exaggerated account of this attack, in which Stout was able to disarm Boyd and “instantly colored the Colonel... and hit the Colonel with his own stick.” Stout’s counterattack was so successful that Lieutenant Josiah Bacon, one of Boyd’s officers and allies in the visit, came forward and “seized the Printer round the body and arms.” A second friendly militia officer “who seeing two well trained Regulars opposed to one poor, raw, undisciplined militia man,” intervened and “hauled off Bacon.”⁵ The evening of odds forced Boyd’s hasty retreat and allowed Stout the last word.

The account is written in an exaggerated style and is clearly written to make Boyd look like a buffoon. But whether or not true, it is interesting to note that Stout refers to himself as a “militia man” in addition to “The Printer.” The framing of the conflict introduced elements of

³ *The Western Sun*, December 4, 1811.

⁴ *The Western Sun*, January 18, 1812.

⁵ *The Western Sun*, January 25, 1812.

regular versus militia that characterized classical republican and whiggish ideology: here was the virtuous citizen-soldier set upon by the arrogant violence of the professional army.

Tippecanoe has been largely remembered as a victory for the professional army and another example of the ineffectiveness of the militia. The accuracy of that recollection is better explored elsewhere, but the perception of it and the intimacy of those who argued over it demonstrates the strong belief in the whiggish resistance to a standing army, even on the eve of war. The criticism of the militia military efficacy exposed political rivalries, and made the militia a powerful symbol in American politics. The dynamic entertainingly exposed by Stout's controversy with Boyd would be repeated many times over in the coming war.

This chapter will discuss the typical American war doctrine and how the militia was intended to fit into that paradigm. It will next discuss the political theory behind the militia, and how it was thought to be of use in a republic. Then it will examine Shays's Rebellion, the Northwest Indian War, and the Whiskey Rebellion, briefly accounting for the small military establishment in place before the War of 1812. Next it will analyze common historiographical claims about the militia, before closing with some of the political problems in the United States in the buildup to the War of 1812.

The Battle of Tippecanoe was a prototypical example of the American warfighting system during the Long 19th century. Generally engaged only for very short-term affairs, ad hoc bodies of men were recruited for a specific, locally achievable goal under the command of a local elite, sometimes supplemented by a small force of professional, regular soldiers. There were, in general, three categories of soldier engaged in American wars: the regulars, men serving long-term contracts in federal service; volunteers, usually serving short-term enlistments but being regarded fully as regular soldiers; and the militia. In theory, each working with the others

would create a functioning body of men, acting in defense of the United States. In practice, it is sometimes difficult to distinguish the language of chroniclers: “regulars” referred not only to the long-term men, but also any new recruit serving in federal regiments, while “volunteer” was almost always used to refer to men of the militia.

The militia’s role is by a wide margin the most difficult to quantify. Though expected to bear arms in a manner nearly indistinguishable from regulars, the militia was a politicized institution from its very conception. Neither wholly soldier nor wholly citizen, this combination of “citizen-soldier” came with an increased social burden, as the militia was considered the “armed embodiment of the Civil Constitution.”⁶

The Militia in its Ideal Form

National security was necessarily concerned with two hypothetical dangers: invasion from without and erosion from within. Balancing the delicate intersection of rights for the individual and community and interest of the government or state was critical to the formation of a lasting, moderate government.⁷ Ideas about what rights and responsibilities were emphasized in this balancing act separated republican theorists into a number of ideological camps.⁸

The right to bear arms was an assertion of an ancient English right.⁹ A standing army was something to be feared and carefully controlled, if not something to be done away with entirely. The citizen-soldier was central to American colonial life and defense. In the age before political parties, militia musters provided the men of colonies a structure under which to organize

⁶ Lawrence Cress, *Citizens in Arms: The Army and Militia in American Society to the War of 1812* (The University of North Carolina Press, 2011), 45.

⁷ Cress, 25.

⁸ Cress, 26.

⁹ Saul Cornell, *A Well Regulated Militia: The Founding Fathers and the Origin of Gun Control in America* (Oxford University Press, 2008), 15.

themselves. Periodic drill was of obvious importance both for its military applications and for its ability to draw men together to socialize and to celebrate.¹⁰

Although bearing arms was crucial to the notion of citizenship, the obligations of the citizen did not stop at simply owning a weapon and offering oneself for service. Civic obligations that attached to property ownership included participating in night watches, suppressing riots by forming into a *posse comitatus*, and fighting fires, in addition to service in the militia.¹¹ In the south, slave patrolling was a primary duty of the militia, serving to guard the white population from escapes and slave uprisings. Arms-bearing, a term used in place of these various obligations, is somewhat analogous to jury duty: it was a responsibility just as much as it was an obligation, and a privilege.¹²

War, for early colonists, was a reality and a matter of survival, which contrasted with experience in Europe. Low manpower, few resources, and the threat of hostile natives and foreign colonies, not to mention the spillover of European wars, were existential concerns for English colonists.¹³ While militias were taken seriously and used for local defense, offensive warfare, long preferred in actions against natives, was conducted using volunteers or draftees from the militia.¹⁴

The volunteer system exposed a classist element of militia service that was encouraged by elites. Volunteers were often comprised of men who had the means and opportunity to devote

¹⁰ Cornell, 13.

¹¹ Kerber, *No Constitutional Right to be Ladies: Women and the Obligations of Citizenship* (New York: Hill and Wang, 1999), 238.

¹² Kerber, 240.

¹³ Richard Kohn, *Eagle and Sword: The Federalists and the Creation of the Military Establishment in America, 1783-1802* (New York: Free Press, 1975), 7.

¹⁴ Kohn, 8.

a sizable portion of their time to soldiering, at the expense of other concerns.¹⁵ This helped to ease the burden that the militia placed on local economies by drawing military power solely from those men who had little impact on local production.

The hypothetical citizen-soldier, then, was a man, usually between the ages of 18 and 45, who owned enough property in a local area to be economically and politically interested in it, furnished and maintained a firearm and its accouterments, had enough spare time to attend regular training, and was astute enough to assess military and political threats to all of the above stated rights and privileges.

Of course there is ample evidence that this ideal version of the militia never quite came into being. Stories of drunken revelry during militia training events are so often repeated as to be axiomatic, the opposite—that unsanctioned militias were formed by men who were outside of the privileged, propertied, monied classes also exist. Especially in peripheral areas of the continent, militias were often popularly formed with enthusiastic disregard of state sanction, to act for short-term emergencies and for direct political action. Militias were, if not a natural formation of a republican system, at the very least a culturally reinforced expression of it. Militias existed and would exist for decades apart from the efforts to regulate and standardize them, a form of organization that was considered a natural and logical extension of the rights of arms-bearing citizens.

Occasionally, these ad-hoc organizations were a direct challenge to the typical ideal of the white citizen-soldier. One Ohio militiaman, for example, wrote of “free blacks, mostly renegadoes from Kentucky,” who formed a company in the Michigan militia before the war.¹⁶ Free blacks, to say nothing of “renegadoes,” do not fit neatly into the hypothetical ideal of the

¹⁵ Robert Reinders, “Militia and Public Order in Nineteenth-Century America,” *Journal of American Studies* Vol. 11, No. 1 (April, 1977), 86.

¹⁶ Samuel Brown, *Views of the campaigns of the north-western army, &c.*, 9.

militia system, but their existence argues for the fact that the militia was a political structure that was such a critical component of social organization that even those who could not be citizens formed, sustained, and served in militias in times of war.

Militia companies forming of men free of the normal legal obligations of service and made of non-citizens argues for a militia that was useful apart from a simple military hierarchy. Militia was an extension of the United States army, but it was also a method of social organization that encouraged community building as much as it did community defense in times of crisis. Similar conditions led to the birth of black militias during Reconstruction and, less generously, the formation of loosely organized but heavily armed mobs that rampaged in the streets of Baltimore at the outset of 1812.

This argues that the typical top-down historiography of the militia is, at the very least, seriously limited. The use of the militia in times of declared war or state emergency was of course a central element of its role, but it was far more diversely used by citizens and non-citizens as an expression of “politics out of doors,” a way to speak to power in roughly equal terms.

There is perhaps no better example of this than Shays’s Rebellion. In 1786, citizens in western Massachusetts, many facing foreclosure after taxes had been raised, mustered the local militias without state or federal sanction. Joined by veterans of the War of Independence and calling themselves “Regulators,” they marched on Massachusetts courthouses, refusing to allow court officials to pass inside.¹⁷

Operating entirely without sanction but with the smooth military precision of veterans, the men who made up the Regulator ranks were difficult to define. They were clearly not an unruly mob: they kept detailed muster rolls, conducted drills, and organized themselves into

¹⁷ Cornell, 31.

regiments. Some, recalling the symbolism of the Revolutionary period, wore green pine boughs in their hats. This was all done to dispel the notion that they were merely a mob.¹⁸ Without state sanction, however, the Regulators could not be legally called a militia. Calling up the state militia temporarily worsened the problem; many of the state-sanctioned militiamen refused to march against the protestors.¹⁹ At one moment, more than 800 out of 1,000 men mustered by the government broke ranks and joined the rebels.²⁰

Their efforts were popular locally, but around the country, the Regulators were perceived as a seditious mob. Nonetheless, they problematized the clear republican notions of an armed populace. Though often represented as poor, debt-riddled farmers, the Regulators were composed of a typical cross-section of Massachusetts citizens, and they proudly proclaimed themselves as “the body of the people assembled in arms.”²¹ Many of the Shaysites were in fact creditors in their own right, owed debts by many of their fellow rebels.²² Given their martial vigor, it would be difficult for an outside observer without specific knowledge of the politics at stake to make a distinction between the rebel Regulators and those who were mustered to oppose them.

The Regulators also embodied at least one of the ideal virtues of a proposed citizens militia: the inherent interest of the rebels in their political and economic aims held their force together while Benjamin Lincoln’s had difficulty in keeping his army together after the skirmish at the Springfield arsenal.²³

The crisis revealed a difficult aspect of American republicanism: whom was the militia

¹⁸ Cornell, 32.

¹⁹ Leonard Richards, *Shays’s Rebellion: The American Revolution’s Final Battle* (University of Pennsylvania Press, 2003), 11.

²⁰ Richards, 12.

²¹ Richards, 29.

²² Richards, 54.

²³ Richards, 30-31.

meant to serve? If its purpose was to serve the people and to protect citizens from tyranny, it ought to be able to operate as it saw fit, to act as a popular check against state and federal power. Or was the militia simply an armed agent of government authority, only legally and morally permissible under government sanction? Just how much independence of thought and action could the state allow within its militia? The Revolution had torn down the old notions of hierarchical submission and erected, instead, a system of reciprocal association between citizen and state, but Shays's rebellion demonstrated that the pendulum could swing farther than the state was comfortable toward citizen power.²⁴

Certainly, the rebels had high-profile supporters. Ethan Allen and the formidable Friedrich von Steuben both explicitly sided with the rebels against an "abominable oligarchy," according to Steuben, writing under the pseudonym "Bellisaurius."²⁵ Many other prominent men from Massachusetts levelled accusations against the Massachusetts elite as "thieves, knaves, robbers and highwaymen" or "overgrown plunderers." Far from anarchic provocateurs, these men themselves were veterans of the War for Independence, state legislators, and prominent men of the law.²⁶

The rebellion was at the forefront of the discussion in the 1787 constitutional convention, and led to a far more clearly defined power of the federal government to regulate and command the state militias in times of crisis.²⁷ Anti-federalists were still skeptical of handing control of the militias, who were, in theory, meant to oppose exactly this kind of creeping federal power, to a newly powerful government, and made repeated appeals to modify and amend the language initially proposed.

²⁴ Kerber, 241.

²⁵ Richards, 15.

²⁶ Richards, 14.

²⁷ Robert Kerby, "The Militia System and State Militias in the War of 1812," *Indiana Magazine of History*, Vol. 73, No. 2 (June 1977), 107.

Republicanism and the Militia

Given the complexity of the militia's political position, it is worth taking a short look at the political balance in the United States on the eve of the War of 1812, and some of background of the two principal political parties.

Four men represented the beliefs of the Federalist party regarding the use of force. Alexander Hamilton was a forceful voice for the use of violence and the establishment of a powerful military. He believed that military force and display was a visible and positive tool for the establishment of effective government, imbuing the government with stature and prestige that would be internationally recognized.²⁸ John Adams was on the opposite extreme, arguing vocally, even during his administration and through the 1798 crisis, that the military was a threat not only to the citizens of the country but to the government itself.²⁹ Washington's views were posed between these two extremes. Henry Knox was in another category entirely, believing that force objectively accomplished little, especially on the frontier, where conflicts were often caused by treaty-breaking whites, and involved a moral bankruptcy that tarnished American civilization.³⁰ That he stood in criticism of policies he had enforced throughout his tenure is notable.

These four represented a cross-section of republican beliefs about the military, but also represented the fractious nature of the nascent Federalist party. It was never ideologically unified, and suffered from the lack of aggressive, charismatic leadership that characterized Jefferson's Republican party.

They were a conservative party in that they believed that large changes to the status quo would lead to an imbalance of power, and the collection of that power in the hands of new elites,

²⁸ Kohn, 171.

²⁹ Kohn, 173.

³⁰ Kohn, 171.

disinterested in the democratic system. This sometimes led to apparently ironic support of state's rights during some congressional debates, but it is only ironic if one has an incomplete understanding of their political motivations: they were interested in a fair distribution of power and a balance between federal, state, and individuals, all forming a proper equitable relationship between one another. States were elements of that balance that could both threaten and defend, so it should not be surprising that Federalists at times supported state's rights, and sometimes found them threatening.

For Federalists, none of the elements of liberty or good government could be trusted on their own, which was one of the biggest ideological differences between their own and Republican political beliefs. Where Jefferson favored increasing personal liberty, even at the expense of all else, Federalists believed that individuals were motivated not by civic virtue but by their own private interests, and so individual liberty was just another element of power that could and should be checked.³¹ Their conception of militia assumed that the best men of the country, "gentlemen of the first fortune and character," would be the shepherds of the commonality, steering the masses toward virtuous sacrifice and constitutionally balanced action by example.

Despite many historians' insistence that the Federalist party was of no political consequence after Jefferson's first term, the party, though splintered, fractious, and plagued by squabbling, was still a force to be reckoned with in the first decade of the 19th century. Their work in the end of the century, their leadership during the 1794 crises and the Quasi-War of 1798, laid the groundwork even for Jefferson's conception of the military establishment.

The Democratic-Republicans, on the other hand, were the descendants of the original anti-federalists. Although Madison took the role as one of the bearers of the name Publius in the

³¹ Cress, 102.

Federalist Papers, he quickly grew suspicious of the motives of his co-author, Alexander Hamilton, and together with Thomas Jefferson, formed the nucleus of the Democratic-Republican party. Their political outlook was one of maximum freedom for the individual, the lionized “virtuous citizen.” Anti-federalists tended to be suspicious of Federalist motives, and thought that the efforts of Federalists to establish a military in the United States as a measure to control the populace by force. Jefferson reduced the size of the already-small standing force in the United States, but he did not do away with the entire establishment. A paper-force of 40 companies of infantry and artillery and a corps of engineers, comprising just over 3,000 men and officers, was all that made up the US Army in Jefferson’s first administration.³² Despite his personal strong stance against a military establishment at all, Jefferson would expand the army in 1808, as tensions with Great Britain rose.

The Federalist/Democratic-Republican dichotomy was complicated, but both parties were enthusiastically republican in ideal and practice. American politicians, regardless of party affiliation, remained suspicious of standing forces and were against not only the existence of a standing force, but of federal control of the militia as well.

When Caleb Strong, the Federalist governor of Massachusetts, wrote of his suspicions of land acquisition, especially by conquest, he was not out of step within his own party, and his views would have been recognized by Democratic-Republicans, as well. By inspiring “rash councils and extravagant measures,” conquest would indulge ambitions instead of serving the interests of the citizenry.³³ Similar fears were echoed by western Pennsylvania Federalists, who

³² Gregory Urwin, *The United States Infantry: An Illustrated History, 1775-1918* (University of Oklahoma Press, 2000), 40.

³³ Cress, “A Cool and Serious Reflection”: Federalist Attitudes Toward War in 1812,” *Journal of the Early Republic*, Vol. 7, No. 2 (Summer, 1987), 137.

opposed annexation of new territory.³⁴ Armies were believed to be able to corrupt even virtuous citizens.³⁵ For many, their beliefs against a standing army were more moral than political: war was unjust, offensive, brought with it the risk of disease and poverty, and was considered “the enemy of every good thing.”³⁶

The importance of the ideology of either party is less important than the understanding that, while both parties based their ideology in republican precedents, the exact nature of the relationship to the ideals in question were in a constant state of flux. Federalist doctrines not only influenced Republican reactions, but made compromise necessary. Both parties were sensitive to notions of constitutional balance, individual freedoms, and felt that certain special interests were threats to liberty and security. By 1800, despite the deep-seated political rivalries and ideological opposition, the United States had a small but established standing military force, and had repeatedly acted to use military force to put down popular uprisings that clothed themselves in the ideology of militia theory.

It was a series of military crises following Shays’s Rebellion that helped the American political elite clarify the United States’ position toward a standing military force and the legality of unsanctioned militias. The Northwest Indian War tested the United States’ ability to project force into foreign territory, and the Whiskey Rebellion tested its ability to respond to internal threats.

The Northwest Indian War was not a war of conquest. From the very start, it was intended to be a war to restore the *status quo*, to send a message of martial strength and political

³⁴ Martin Kaufman, “War Sentiment in Western Pennsylvania: 1812,” *Pennsylvania History: A Journal of Mid-Atlantic Studies*, Vol. 31, No. 4 (October, 1964), 440.

³⁵ Cress, “A Cool and Serious Reflection,” 126.

³⁶ Cress, “A Cool and Serious Reflection,” 125-132

stability to violent neighbors and to white settlers.³⁷ Tribes along the Wabash River, who had never agreed to peace with the United States following the War for Independence and who questioned the legitimacy of treaties signed under the Articles of Confederation, were provoked by the steadily increasing number of white settlers ignoring treaty boundaries. As violence intensified, the Wabash tribes formed a loose confederation backed by British Indian agents, and waged a continuous, if small-scale, war against American settlers.³⁸

The situation was complicated, both politically and militarily. The Washington administration was unable to commit either to a diplomatic or military solution, and settled for half-measures. Two expeditions, under Josiah Harmar and Arthur St. Clair, ended in failure. St. Clair's army, plagued all along by problems in leadership, desertion, disease, and logistical chaos, was annihilated on November 4 1791. More than 900 men were killed or wounded, with the vast majority of them killed, out of a total force of 1,400.³⁹ It was an unmitigated disaster.

Much of the blame was placed on the poor quality of the army as a whole, and the militia was singled out as being particularly useless. Survivors claimed that the poorly composed militia broke and fled without firing a shot.⁴⁰ There are reasons to doubt this narrative, as it seems to have been partly concocted to downplay the skill and efficiency of the Indian attack, which threw the American forces into disarray from which they had no chance to recover.

As the war continued some politicians continued to promote the use of militia, arguing that not only was a standing force expensive and unreliable, but local militia organizations had often produced positive results.⁴¹ Compromise between the supporters of a federalized militia and those in support of a state-controlled culminated in the Second Amendment and its

³⁷ Kohn, 139.

³⁸ Kohn, 93.

³⁹ Kohn, 115-116.

⁴⁰ Kohn, 114.

⁴¹ Kohn, 147.

protection of the “right of the people to keep and bear arms” and the Militia Acts of 1792, which instituted clearer language in the powers of the president to call out and command militia forces. Specifically given the power to respond to invasion, either by foreign power or “Indian tribe;” to suppress insurrection, and to enforce local laws in the case of gross violations, the compromise left the militia in a rather ambiguous state.⁴² It failed to clearly articulate exactly what could be considered a crisis, a problem that would become apparent during the Whiskey Rebellion, and then again during the opening stages of the War of 1812.

Prescient for the muster and command of militia during the Whiskey Rebellion, Article 2 stated:

And if the militia of a state, where such combinations may happen, shall refuse, or be insufficient to suppress the same, it shall be lawful for the President, if the legislature of the United States be not in session, to call forth and employ such numbers of the militia of any other state or states most convenient thereto.⁴³

It was one thing to legally justify the use of federal powers, but it was another thing entirely to popularize it. It was not legally necessary for a resort to force to be popular, but popularity was a practical concern for the nascent democracy, as any use of force could popularize dissent instead of quell it.

The Whiskey Rebellion erupted in 1794, after months of tension in the peripheries of the United States, as Alexander Hamilton’s financial plan for the country sought to tax transactions in which whiskey was used as the primary medium of exchange. The plan was perceived as an attack on the livelihood of farmers, for whom whiskey was a more practical resource than cash. Opponents of the Washington administration further perceived the tax as a means of directly stripping away the power of “the people” to empower and enrich a tyrannical elite. The rebels proved popular in the first stages of the rebellion, which limited Washington’s options.

⁴² Militia Act of 1792, May 2, 1792, art. I, ss 1.

⁴³ Militia Act of 1792, May 2, 1792, art. II

It was not easy. Federalists were deeply suspicious of the motives of Republicans, in whom they saw an unbroken ancestry from the Antifederalists of the constitutional debates in the previous decade. Some saw the whiskey rebels not as individual actors, but as part of a plot by radical antifederalists bent on rolling back the constitution, which would plunge the country into anarchy.⁴⁴

Further complicating matters was the reluctance of Pennsylvania's governor, Thomas Mifflin, to call out the militia. Mifflin was staunchly against the use of force to end the crisis, and believed that many of the militia would refuse to march against their fellow citizens due in large part to the unpopularity of the new tax.⁴⁵ Men had already refused to report to musters, and many had hired substitutes in their stead. Public sympathies were confused, but there was a strong strain of support for the rebel cause.⁴⁶ Forcing the issue early may have led to disaster.

Mifflin, as well as McKean and state Attorney General Jared Ingersoll, were openly hostile to bringing federal troops into Pennsylvania, or the use of Pennsylvania militia to quell the rebellion.⁴⁷ In response to the suggestion from Hamilton and Knox to raise a force of 12,000 men to once again demonstrate strength, power, and government unity (the same arguments made for the use of the military on the western frontier), Edmund Randolph warned that to offer reconciliation while preparing for a military strike would send a mixed message to the rebels and would demonstrate the administration's duplicity to the world. Instead, he suggested sending a peace commission after a strong proclamation and prosecuting the rebels if those were ignored. Only after all of those efforts had failed should the administration call out the militia.⁴⁸

Pennsylvania Chief Justice Thomas McKean put it bluntly: "The employment of military force,

⁴⁴ Kohn, 158.

⁴⁵ Kohn, 163.

⁴⁶ Cress, 124.

⁴⁷ Kohn, 163.

⁴⁸ Kohn, 164.

at this period, would be as bad as anything the Rioters have done - equally unconstitutional and illegal.”⁴⁹

Publicly, Washington and his supporters agreed with Randolph, but privately, they continued preparing for hostilities.⁵⁰ While their commitment to a peaceful solution may not have been genuine, Washington exhausted several months in attempting to secure a peaceful solution to the crisis. After rioting spilled from Pennsylvania into Maryland, Washington ordered militia units across the country to begin their rendezvous, but again delayed, conscious of the image fostered by the military action. In mid-September, there was enough public sympathy, even enthusiasm, to justify the orders to march. Even Randolph admitted that Washington’s patience had paid off.

Owing to this controversy Washington was not inclined to accept Hamilton’s recommendation to immediately use force to put down the rebels. Eventually accepting the need for a military solution, Washington nevertheless waited until the public was overwhelmingly supportive of the decision. The Pennsylvania militia rendezvoused on September 10, with a great deal of enthusiasm. With bipartisan support behind the muster and the public seeing the necessity of the use of force, the troops began their march against the rebels.⁵¹ The army, made of several states’ militias, marched through nearly deserted towns, met no resistance, and arrested several of the ringleaders of the rebellion with hardly a shot fired.⁵² Several commenters noted that the troops were poorly controlled and that vandalism, looting, and small-scale violence followed the

⁴⁹ Kohn, 162.

⁵⁰ Kohn, 165.

⁵¹ Elkins and McKittrick, *The Age of Federalism: The Early American Republic, 1788-1800* (Oxford University Press, 1995), 481.

⁵² Kohn, 170.

army on its march.⁵³ That these men were militia, the supposed embodied citizenry, was significant. They behaved like invaders, not liberators.

The rebellions demonstrated that the militia could and would take on a life of its own during times of crisis. As an organized expression of the citizenry, the militia was another example of “politics out of doors,” a way for political action to be focused and directed toward unpopular policies or government structures, either in perception of reality. The Regulators demonstrated the danger, for the state, of allowing an *unregulated* militia free from structural constraints that later curtailed or directed armed force. The Whiskey Rebellion showed that, even after structural changes theoretically limited the sanction of militia to state-controlled bodies, popular and political agreement that force was justified in putting down the rebellion still left a great deal of power in the hands of the armed populace.⁵⁴

Other such incidents demonstrate that formation of a militia, or something like it, was a potent organizational touchstone throughout the 19th century. During times of crisis or when citizens perceived threats to their liberty, citizens were quick to form ad-hoc organizations that resembled or even closely matched their local militias. During the Baltimore Riots, sparked by a Federalist newspaper denouncing the War of 1812, both sides armed themselves and organized themselves in loose posses along political lines.⁵⁵ Bands of filibusters attempted to invade Canada in the 1820s, as noted with exasperation by Winfield Scott. During Reconstruction, unsanctioned militias of newly freed black men were formed as networks of communal defense against white reprisals in areas with little federal presence or control.

The Militiaman as the anti-soldier

⁵³ Cress, 128.

⁵⁴ Elkins and McKittrick, 480.

⁵⁵ Paul Gilje, “The Baltimore Riots of 1812 and the Breakdown of the Anglo-American Mob Tradition,” *Journal of Social History* Vol. 13, No. 4 (Summer, 1980)

The indiscipline of the out-of-state militia during the Whiskey Rebellion was the exact kind of behavior that the ideal construction of the militia was supposed to prevent. The necessity of the federal government organizing men who were not plugged into the local social and political networks meant that they were far more likely to act as *soldiers* rather than *citizens*. But what does that distinction really mean?

The political conception of the militia was constructed in part as a response to the violent transience of mercenaries and of standing armies. Citizen armies were by design supposed to act with the best interests of the local populace in mind, but this paradigm was threatened by the use of militias from outside the local areas. Soldiers were by their nature disinterested, unconnected to land and community, and served at the behest of their masters for money. Their very presence could lead to moral decay, for the communities forced to serve their interests as well as for the young men themselves, who were indoctrinated into a rigid hierarchy and taught to serve without question. The term “automaton” was often used to describe the British soldiers who paraded around Boston and elsewhere in the years before the Revolution.

According to much of the historiography of the militia, the key difference between regular soldiers and men of the militia was the lack of rigorous training.⁵⁶ This idea is a projection of modern notions of military training, and demonstrates a lack of understanding about the nature of common 18th and 19th century military practices and the structure and nature of the American standing army in the years preceding the War of 1812.

Strictly regimented training programs designed to bring raw recruits up to a level of military competence is a relatively modern military innovation and was not held by 18th and

⁵⁶ Nearly every writer of a monograph of the war comments on “training,” though Anthony Yanik makes the most of this apparent distinction in his *The Fall and Recapture of Detroit in the War of 1812*. Authors who have subsequently used Yanik’s work, such as Nicole Eustace, have, almost word for word, echoed his sentiments.

19th century armies. Military leaders and theorists of the time considered battlefield experience to be the key factor between steady, soldier-like behavior and the chaotic panic of raw recruits. Recent analysis of the Battle of Bunker Hill has suggested that, while the British regulars had been highly trained in marksmanship, manual exercise, and battlefield maneuver, their inexperience caused them to panic on the battlefield and was directly responsible for the shockingly high casualties.⁵⁷ Most of the regulars in the US Army at the outbreak of the War of 1812 had been freshly recruited and only a small portion of men had any battlefield experience whatsoever, and nearly all of those were part of the nine companies of the 4th US Regiment who had participated in the short campaign leading up to the Battle of Tippecanoe in the fall of 1811.⁵⁸

Officers were no improvement. Most of the men appointed as officers under Jefferson's 1808 military expansion had no combat experience whatsoever, and were typically young men whose families had political influence. According to Winfield Scott, "the appointments consisted, generally, of swaggerers, dependants, decayed gentlemen, and others—'fit for nothing else,' which always turned out *utterly unfit for any military purpose whatever*."⁵⁹ His estimation of the officers appointed in 1812 were "of the same general character."⁶⁰

If the regular officers were in such a deplorable state, what does that suggest about the regular enlistees? The typical militia chauvinism would suggest that only men of the lowest character would enlist, and they would do it only for the promise of pay. The few examples of recruiting efforts prior to 1812 bear this belief out, more or less. Efforts to recruit men for an expanded federal army to oppose Regulators in the 1780s received only 108 enlisted recruits, but

⁵⁷ Paul Lockhart's *The Whites of their Eyes* and Matthew Spring's *With Zeal and With Bayonets Only*

⁵⁸ Urwin, 40.

⁵⁹ Winfield Scott, *The Memoirs of Lieut.-General Scott, LL.D.*, 35.

⁶⁰ Scott, 36.

the offices of high ranking American officials were flooded with letters requesting officer positions.⁶¹ Few Americans were interested in serving as lowly soldiers, but a great many desired the fame and prestige of officership.

Anthony Wayne struggled with the poor quality of his recruits throughout his entire tenure as commander of the US Legion raised to fight the Northwest Indian War. Where his recruiting officers sought men in close proximity to the Indian threat, men preferred not to leave their homes undefended. In areas removed from it, men had little interest in joining. Recruits were to be between 18 and 45 years old, sober at the time of their enlistment, at least five feet, five inches tall not counting shoes, healthy, and sound in limbs and body. “Negroes, mulattos, Indians, or vagrants” were forbidden from joining.⁶²

Those recruits who made it through the process without deserting were often quick to cause trouble amongst the nearby civilian populations. A mob of soldiers and citizens nearly came to blows at one point over the efforts to arrest when a Canadian provocateur tried to induce men to desert to Canada.⁶³ At another point, four soldiers were caught attempting to loot a melon patch close to their camp, which resulted in one soldier and the farm’s overseer getting shot.⁶⁴ A junior officer of the Legion put it bluntly when he summed up the army on the close of its first recruiting season: “Our army at present contains a number of *Jack-Asses*; short will be their lives; God speed their flight.”⁶⁵

Understanding the standard mechanisms for training further blurs the distinctions between soldier and militiaman. The size of the regular establishment was so small that the

⁶¹ Richards, 16.

⁶² Anthony Gaff, *Bayonets in the Wilderness: Anthony Wayne’s Legion in the Old Northwest* (University of Oklahoma Press, 2008), 37.

⁶³ Gaff, 52.

⁶⁴ Gaff, 42.

⁶⁵ Gaff, 53.

training of a regular was limited to personal drill with the manual exercise—the process of loading and firing the smoothbore musket— and to company-level field drill. Neither would fully prepare a soldier for combat and this type of training was clearly inadequate for the kinds of engagements that would soon become common in the War of 1812. Militia and regulars only received battalion-level training under their commanders on the march, as they set off to their campaign objectives. William Henry Harrison specified a training focus as his army marched to recapture Detroit in late August, 1812:

The commanders of the several corps will immediately commence drilling their men to the performance of the evolutions contemplated by the commander-in-chief, for the order of march and battle. The principal feature in all these evolutions is that of a battalion changing its direction by swinging on its centre.⁶⁶

Harrison was himself a veteran of Anthony Wayne’s Legion, and the training methodologies had clearly made an impression on the young officer. In the Tippecanoe campaign, his militia officers pointed out that both regulars and the militia “were brought to a state of perfection” in the course of the campaign.⁶⁷

It is clear that times of active large-scale conflict was the only time in which meaningful training could be done with bodies of troops larger than a few companies at a time. Given these circumstances, it can be dismissed outright that the level of training, beyond the exertions at the company level or below, was a meaningful distinction between regular and militia.

Soldiers, as “automatons,” were expected to obey orders without question or hesitation. Citizen-soldiers, on the other hand, were expected to fulfill a much more complicated place in the military hierarchy: conscientious abeyance. While in theory it is simple to say that that military was meant to exist under civilian supervision, in practice it was much more difficult to

⁶⁶ Elias Darnell, “A Journal,” in *Massacre on the River Raisin: Three Accounts of the Disastrous Michigan Campaign During the War of 1812* (New York: Leonaur, 2013), 91.

⁶⁷ *The Western Sun*, December 4, 1811.

draw clear boundaries. Militiamen were often put into an impossible situation: they were to obey orders, but they were also meant to weigh those orders against social propriety, legal restrictions, and local factors.

Mechanisms of punishment and censure that could be brought to bear against regulars, and their parallel but far less forceful mechanisms employed by the militia, make a far more compelling picture of the reality of the different roles of soldiers and citizen-soldiers. Laws in many states allowed militias to elect their own officers and prohibited militiamen from being court-martialled by regular officers, which allowed self-policing in a manner more just than a distant federal government could be expected to.

As an example, Elias Darnell described the manner in which six men of his company were treated after deciding to return home when promised pay was not furnished: “these, to fix an odium upon them, were drummed out of camp and through town.”⁶⁸ The punishment was inflicted on men who had committed no crime, but who were found lacking in the required patriotic feeling that was expected of the army. This kind of popular opprobrium was repeated in private chronicles after the war, especially by officers and other men of high station.

Military executions themselves were a rather complicated matter in the early 19th century. Keeping an army cohesive was a difficult task, and public displays of censure and demonstrations of power were critical in reinforcing discipline within regular ranks and those of the militia. Executions were no exception, and the number of desertions was approaching a crisis point in the army of the Niagara theater by the end of 1812. One officer reported, in reference to the trial of Pvt. Cornelius Gorman of the 12th regiment of US Infantry for desertion, that “the

⁶⁸ Darnell,90.

infamous crime of desertion has become so common that the honor and safety of the nation demand that it should be put a stop to.”⁶⁹

Executions were carefully staged pieces of military theater, expressly intended to cultivate a sense of awe and fear at the power of the embodied army. Even so, officers had to tread a thin line between exemplary punishment and cruelty. When Anthony Wayne briefly employed branding as a punishment for desertion, he was warned that these punishments were illegal and might have the effect of scaring off potential recruits.⁷⁰ The need to punish deserters, mutineers, and seditious actors had to be constantly measured against the popular effect it might have on the men. Unnecessary cruelty might paradoxically result in far more desertions, but too much leniency might have the same effect.

The compromise struck by most general officers was to carefully stage acts of clemency against even flagrant violators of army policy, but not to pardon offenders so often that mercy was expected. A typical execution saw the entire army, excepting those serving integral functions, standing in formation on the parade ground under arms. The condemned would be led to the prepared ground, where they would be tied to upright posts and blindfolded. There, an officer would read their crimes and sentence aloud, and the orders for the firing squad would be given.

Only at the last possible moment would the commanding officer intervene, if mercy was to be granted. The intent was not only to change the behavior of the condemned men, but also to impress on the rest of the army the power over life and death wielded by the commanding officers. A general order from September 1812 expressed the hopes of the command staff in staging one such reprieve:

⁶⁹ E.A Cruikshank, *The Documentary History of the campaign upon the Niagara Frontier in the year 1812, vol. ii*, (Lundy’s Lane Historical Society, 1900), 179.

⁷⁰ Gaff, 62.

This act of clemency of the Major General in declaring the full and absolute pardon of these unfortunate men, it is hoped will make a lasting impression on their future conduct in life, and that they will still show by their good behavior that they are worthy of a life which had forfeited to their country and their God. But let it not be presumed that this first act of lenity in the Major General will be extended to others.⁷¹

Buildup to War

There were outliers and agitators even after Jefferson's "revolutionary" election. Jefferson's policies, even when they proved quite popular, rubbed against the sense of balance believed by so many Federalists. The Louisiana Purchase was an extravagant expenditure, and merely accelerated the settlement of the frontier, which upset the delicate peace that had sustained the frontier since 1794, for example. The increasing tension, centered around a Shawnee named Tenskwatawa and his elder brother Tecumseh, was often put forth as an example not of transgression by the United States, but of British malfeasance: "That incendiary, the emissary of the *Prophet*, who is himself a tool of England, has caused our frontier to be stained with blood."⁷²

By the time James Madison declared war on England, tensions had risen to a crisis point not only between the United States and Britain, but with the United States and Native Americans on the frontier, and even between Federalists and Republicans. It came as no surprise that when war was declared, not a single Federalist voted in favor of the declaration. In congress, seventy-nine congressmen voted in favor, and forty-nine voted against.⁷³

Tension had been building for a long time, but was accelerated in 1807 with the Chesapeake Affair. A British warship, the HMS Leopard, had fired on and boarded the USS

⁷¹ General Orders, in *Documentary History*, vol i, 275-276

⁷² Donald Hickey, *The War of 1812: Writings from America's Second War of Independence* (Library of America, 2013), Jackson to Blount, 25-26.

⁷³ Hickey, "The Federalists and the Coming of the War," *Indiana Magazine of History* Vol. 75, No. 1 (March 1979), table 2.

Chesapeake, in search of Royal Navy deserters. Considered a flagrant violation of American sovereignty, many politicians felt that a war was justified. The war would wait, but in the meantime, Jefferson began the first of a series of policies collectively known as the Restrictive Acts, which were intended to strangle maritime trade with England and to force the English to slacken their zealous search for deserters. Additionally, Jefferson raised the legal limit to the size of the US Army from 5,000 to 10,000—the so-called “Additional Military Force” that attracted the riffraff described by Scott. The trade policies badly backfired, not only depressing the American economy, but reinvigorating party opposition from the Federalists.⁷⁴

The Indian policy of Jefferson and Madison had the most critical impact on frontier Americans and once again created tension between regular troops and mustered militia. After years of bloodshed between frontier whites and Indians, Indiana Governor William Henry Harrison cobbled together a force of Indiana militia and nine companies of the 4th US Infantry regiment, and marched on Prophetstown the symbolic heart of the new Indian Confederation’s resistance.

When Madison finally declared war against Great Britain in 1812, it proved unpopular. Congress had debated how to go about easing tensions with Britain since the *Chesapeake* Affair, and the war was not seen as necessary or desirable by most Federalists. The primary issue of contention was whether or not militia could be compelled to cross international borders. Because the structure of the militia relied heavily on popular support to function, the issue was a critical one. Decades of practice, though, had settled on a system of public support of even offensive warfare by relegating militia to local service, and detaching volunteers to serve limited, focused engagements. Practically speaking, the way that supporters intended to fight the War of 1812

⁷⁴ Jon Latimer, *1812: The War With America* (London: Belknap Press, 2010), 22.

was with the same system: seeking volunteers to fight offensively, and leaving the rest behind as local defense.⁷⁵

Nevertheless, resistance was strong and pervasive. Federalists, this time, were the party to bring up the radical whig sentiments regarding the inherent despotism of a standing army and were quick to pursue issues with the laws in place that would allow an offensive war to continue without check.⁷⁶ But opposition to the increased power of the federal government was not limited strictly to Federalists. A bill was introduced in March 1810 by John Randolph, a Republican from Virginia, to clearly state that the militia was not authorized to serve beyond the sea.⁷⁷ Although it passed in committee, the bill was never introduced to congress. The debate on whether the militia was legally obligated to serve beyond the United States was never settled before the declaration of war.

Many of the issues raised in 1810 were continuations of the same concerns that were raised before: suspicion of federal power, standing armies, and issues of state's rights. These concerns were now couched in debates about how exactly the militia should be employed alongside standing forces. Madison, however, relied on a change in emphasis to prosecute the war. Rather than rely on the nation's militia, he increasingly depended on the use of volunteers. Volunteers straddled the line between regular soldiers and militia by being wholly neither, but useful for short-term attacks, raids, and limited campaigns. Madison's address to congress in November, 1811, demonstrated this reliance.⁷⁸

Months later, in January, 1812, congress passed a bill that raised the United State's army to 25,000, and would later raise the standing force to 35,000. On the eve of the war, the United

⁷⁵ Edward Skeen, *Citizen Soldiers in the War of 1812* (University Press of Kentucky, 1998), 14.

⁷⁶ Skeen, 15.

⁷⁷ Skeen, 13.

⁷⁸ Skeen, 18.

States total force, on paper, would be 35,000 regulars, 50,000 volunteers, and 100,000 detached militia.⁷⁹

The American war strategy relied wholly on their numerical advantage. The plan was to overwhelm the outnumbered British regulars with three simultaneous invasions. One force, under Governor William Hull, would invade across the Detroit River and move toward York. A second, under Stephen van Rensselaer, would invade across the Niagara River. A third would strike north along the Lake Champlain corridor and threaten Montreal and Quebec.

American leaders, at least those in support of the war, had reason to be optimistic. The British regulars in Canada were outnumbered significantly, even by American regulars, and the sparse, contentious population of Canada was dwarfed by their American counterparts. It appeared, as Jefferson notoriously commented, to be “a mere matter of marching.” Providing the capability of the United States to arm, equip, and continuously supply the embodied citizenry and their regular forces, the Canadian defenders appeared doomed. The assumption flew in the face of decades of history and the recent tension within congress about the acceptable use of the militia.

Trouble started almost immediately. Caleb Strong, the Federalist governor of Massachusetts, sent a letter to the Republican Secretary of War, William Eustis, in which he decried the attempt to place the militia under federal control as unconstitutional and dangerous to the people of Massachusetts. Having taken the question to a state council, he reported to Eustis: "That [the council is] unable, from a view of the constitution of the United States... to perceive any exigency exists, which can render it advisable to comply with the requisition."⁸⁰ The militia, as Strong stated with no ambivalence, was intended to defend their state and localities, and the

⁷⁹ Skeen, 20-21.

⁸⁰ "Caleb Strong to William Eustis," Hickey, *War of 1812 Documents*, 106.

militia as it stood in Massachusetts was perfectly capable of doing so, should the need arise: "In Boston, the militia are well disciplined, and could be mustered in an hour upon any signal of an approaching enemy, and in six hours the neighboring towns would pour in a greater force than any invading enemy will bring against it."⁸¹

Acceptable use of the militia, according to Strong and those who agreed, was hinged on the presence of a threat to the persons and property of Massachusetts citizenry. Strong believed that no such threat existed, which nullified entirely the allegiance owed by the men of Massachusetts to Madison. It would be a personal choice, should the state of affairs continue, whether or not a citizen would choose to serve, either by mustering their militia companies without state sanction or by enlisting as a volunteer.

The war stressed the classical notions of armed citizenry, as had the decades of history leading up to Madison's declaration of war. The various rebellions, insurrections, and popular demonstrations had continuously complicated the already complex interplay between citizen, soldier, and the responsibilities of the community elite. The men witnessing the buildup to war, knowing that their obligations would be called into question, had a choice to make. Where did their loyalties fall? How best to serve, or to protest? The militia was an institution intrinsically linked to political allegiance to the government, an expression of patriotism and loyalty, as well as political resistance. Given the delicate political balance, men would be forced to make their own decisions in the months to come.

⁸¹ "Caleb Strong to William Eustis," Hickey, *War of 1812 Documents*, 108.

Chapter 2: The Militia on the Frontier: The Detroit and Niagara Campaigns

This chapter will relate the aims of the Madison administration at the beginning of the war, and relate the problems of recruitment, supply, and organization that plagued the first campaigns. Then, half the chapter will focus on William Hull's Detroit campaign, and his attempts to invade Canada across the Detroit River, and the second half will examine the Niagara campaign, culminating in the failed Battle of Queenston Heights. Particular focus is given to primary sources that reveal the motivation behind the militia's various refusals to participate in both invasions. The chapter will reveal that the militia, contrary to their reputation in historiography, was in fact highly motivated to fight, and was skilled and successful on the battlefield, and that the supposed acts of indiscipline have been greatly exaggerated.

The United States At War: Build-up and Strategy

The American war strategy relied on overwhelming the Canadian frontier with three simultaneous invasions crossing from Detroit, Niagara, and the Champlain Valley. Each of these armies were intended to be superior to local defending forces, and to spread the small numbers of organized Canadian defenders thin across the wide expanse of the frontier. Correspondence flew back and forth from Washington to frontier posts, debating the necessities of the coming invasion. As early as January 1812, General John Armstrong warned Secretary of War William Eustis that he "must rely on a regular army" to successfully invade Canada, even in the absence of reinforcements from Great Britain the militia should aid only "for purposes of demonstration."⁸²

But that attitude was an ideal. In reality, the difficulty of moving and supplying the regular army proved so troublesome that the bulk of forces concentrating in the staging grounds for the invasions were mostly comprised of militia. Keeping these forces supplied was, in itself, a

⁸² Armstrong to Eustis, *Documentary History of the Campaign on the Niagara Frontier*, 31.

logistical nightmare. Add in the complexity of amphibious assaults, maintaining superiority on the lakes across which all three invasions depended, and the complicated hierarchy of state militias operating alongside regular forces made any ideal plan impossible to achieve.

The American army as of December 1811 consisted of 5,447 men and officers, out of a legal compliment of 10,000. As war loomed, expansion of the army became a priority, and President Madison authorized an extension that brought the total of the regulars up to a little over 11,000. Half of these men were part of Madison's "Additional Army" of 13 regiments. Encouraged to raise the size of the regular army from 10,000 to 25,000, recruiting was never enthusiastic, even with high enlistment bonuses and pay rates. By the declaration of war, the army was somewhere in the neighborhood of two-thirds of its authorized strength.⁸³ There were few veterans in this pool, and even fewer with actual combat experience, and that made the difference between regulars and militia a negligible one.

The paper strength of the militia, on the other hand, was 695,000, a massive force.⁸⁴ Of course, the difficulty with the militia was that their organization assumed regional deployment and localized supply infrastructure, which kept the militia involved only for very brief periods before they would desire to return home. Regional concerns also meant that the militia in one area operated completely differently than the militia in another. In the south, for instance, the militia was a proto-police force acting against escaped slaves, where the militia in the northern states were often nothing more than a social club with military overtones.⁸⁵

Despite the atrophy of the system in places where physical danger was unlikely, many men of the militia were, in fact, combat veterans. Solomon Van Rensselaer, the aide-de-camp and cousin to Stephen Van Rensselaer, who was appointed the general of all American forces in

⁸³ Urwin, 41-42.

⁸⁴ Urwin, 42.

⁸⁵ Sally Hadden makes this point repeatedly in *Slave Patrols*

the Niagara region, had been a cornet in Anthony Wayne's Legion and had been wounded nearly fatally at the Battle of Fallen Timbers.⁸⁶ Members of the Ohio militia at the battles of Brownstown and Maguaga had fought at Tippecanoe, and many of the staff officers in the Detroit and Niagara campaigns were veterans of the War for Independence. A key distinction was that regulars had no means to question orders, where militia did. It was a citizen's duty of to question commands and to weigh the benefits of a military action against the creeping tyranny of a large, unchecked army.

The way that most American leaders operated was to utilize local volunteer forces to bolster the ranks of the regular forces under their command. These volunteers were not the enlisted volunteers of the regular army but were men who would step forward to perform a very specific task in the short term, after which they would retain no particular significance. By asking for men to volunteer for very specific duties, officers sidestepped the possibility that men would simply refuse their orders. In the Detroit and Niagara campaigns, volunteers for dangerous raids were seldom hard to find.

In order to function effectively, this system required charismatic mid-level field commanders. Filling the pages of narratives and journals are the bombastic speeches made by colonels looking to motivate indifferent men into action. These speeches were formalized and presented an extremely common rhetorical pattern that leaned heavily on the self-perception of the militia as a force of citizens, in whose hands was the future of the country. Military leaders appealed to local history, claiming a common inheritance in combat against British tyranny or native savagery, and excoriated the hypothetical future in which the diminished American male would exist after allowing their nation to fall prey to degeneracy. These speeches were designed

⁸⁶ Gaff, 314.

to evoke a patriotic passion among men and remind them that they were empowered to make a choice.

Very often, they worked. The following chapter will show that the American army, despite its failure to achieve its objectives in the early part of the war, often fought quite well on the field against a variety of enemy forces. The militia, far from being a hindrance, was present and effective at every critical engagement of the war. The failure of the army had far more to do with logistical and strategic incompetence than the inability to perform in action.

The declaration of war, though expected, drew the ire of many frontier citizens. If a war were to be declared, wrote Peter Walton, an Albany businessman, to a Canadian colleague, “it will be very unpopular indeed... it will operate very much against us all.”⁸⁷ The war’s unpopularity seemed to have little effect on initial recruitment. General Armstrong spoke of “cheerfulness and determined courage” of western militia detachments on receiving the news of war. “The militia are flocking in from eastward”⁸⁸ in such numbers that Augustus Porter had to caution that the problem was not recruitment but lack of supplies, “I think the danger now is that we shall have too great a number.”⁸⁹

Enthusiasm for service, however, was impossible to generalize, and seemed to fluctuate as much as the numbers of men on the frontier itself. Two weeks after taking command of the frontier, Major-General Stephen Van Rensselaer attempted to organize a raid to capture a ten gun British schooner opposite Ogdensburg, but to his “infinite chagrin and mortification,” only 66 men volunteered for the duty.⁹⁰ The attempt was abandoned.

⁸⁷ Peter Walton and Sons to James Cummings and co., *Documentary History*, 67.

⁸⁸ O’Connor to Porter, *Documentary History*, 89.

⁸⁹ Augustus Porter to Peter B. Porter, *Documentary History*, 90.

⁹⁰ Van Rensselaer to Tompkins, *Documentary History*, 142.

The effort for clearly articulating to would-be militia that they were expected to invade was felt even at the highest levels of command. Henry Dearborn, writing to Simon Snyder in August, cited the Militia Acts of 1795 before stating that “there should be an understanding amongst the officers and Soldiers before they march, that it will be expected they will make no objection, if required to cross over to Upper Canada.” Dearborn wanted to be sure that any new troops on the move were aware that they would be put to use beyond the territory of the United States. Without that understanding, “there would be little, or no use in their marching to Niagara.”⁹¹

Responding in a published letter, Snyder praised the ardor and spirit of the Pennsylvania militia and couched the war in terms of the inherent threat that the British represented to American liberty. The militia were volunteering in “defence of rights sacred to freemen, to avenge the injuries of the nation and defend the cause of suffering humanity.” With such lofty motivations, Snyder expected that the men “will not hesitate a moment to meet the avowed enemy of these rights, not only within the limits of the United States, but will without those limits.” Snyder also contextualized the British as the war’s aggressors, calling them “unprovoked invaders of our rights and property.”⁹² The United States, he argued, was merely acting in defense of liberty, and so were the metaphorical defenders. If the militia bought that argument, then it stands to reason that their objections to serving outside the limits of the United States could be similarly flexible. Many militia had already expressed their willingness to do so.⁹³ The rhetoric was never universal. For the first few months, the army reached what was more or less a parity between those willing, even clamoring, to invade, and those who watched with anxiousness the growing authority of the military in their home counties.

⁹¹ Dearborn to Snyder, *Correspondence of the War Department*.

⁹² Snyder to Dearborn, *Documentary History*, 206.

⁹³ Hall to Tompkins, *Documentary History*, 175.

Hull's Campaign: June to August 1812

The perplexing mix of enthusiasm and resistance was shown in the first stages of William Hull's campaign from Detroit. Meeting with forces in Urbana, Ohio, in early June, Hull was pleased to note that many of the militia had "Conquer or Die" banners stuck in their caps. But as Hull prepared to march with 300 men of the 4th regiment and 1200 Ohio militia, he was "informed that a part of the militia, refused to obey the order." It was necessary for Hull to order the men of the 4th regiment, bayonets fixed, to "command their obedience."⁹⁴

For Hull, *ex post facto*, the reason for this disobedience was simple: the perceived equality between officers and men bred a form of anarchy so severe that it crippled his campaign. One night before the march, the camp was disturbed by a great deal of noise; upon investigation it was related to Hull that "it was only some of the Ohio militia riding one of their officers out on a rail."⁹⁵ No mention is made of the cause, but the implication is that the whole of the command was, from the outset, entirely unreliable and ill-conditioned for the coming labors. However, the story as related by Hull after the war and the story related by the volunteers and officers of the army are starkly different.

Hull reported to Eustis that the army as a whole had conducted themselves on the backbreaking march from Ohio to Detroit with "patience and perseverance" and the Detroit militia in particular had demonstrated a "laudable and patriotic" zeal.⁹⁶ Hull himself reported that the army kept a "laudable spirit" while in Canada.⁹⁷ He made no mention of seditious behavior of any variety in early July, nor in the first stages of his brief invasion of Canada.

⁹⁴ Hull, *Memoirs of the Campaign of the North Western Army of the United States* (Boston: True and Greene, 1824), 35.

⁹⁵ Hull, 154.

⁹⁶ Hull to Eustis, *Correspondence of the War Department*, July 7th, 1812.

⁹⁷ Hull to Eustis, *Correspondence of the War Department*, July 14th, 1812.

After nearly three weeks in Canada, the situation looked good for the American forces. Hull reported that British were “daily diminishing—fifty or sixty of [their] militia have deserted daily” and that “everything is yet prosperous” for the army.⁹⁸ He was well supplied with artillery, reporting that he had placed batteries to dominate the straits as well as 24-pounders to protect his camp.⁹⁹

But Hull was cautious, and the reasons had far more to do with enemy activity than they did with reluctant militia. Fort Mackinac, the most strategically important American post on the upper Great Lakes, had been seized without a shot fired on July 18. Hull learned of the capture from its commanding officer on the 29th. Although Hull is often represented as an incompetent and timid commander, his immediate concern was to reinforce his army and secure his supply lines: “It is of the greatest importance, that the objects [of this campaign] should be affected.”¹⁰⁰

The seizure of Mackinac represented a major setback for the western forces. To Hull’s mind, the “one thousand Indians” who helped seize the fort were the most pressing danger. Only days later, native warriors under the command of Tecumseh crossed to the US side of the Detroit river and convinced local villages to side with the British. Hull personally reported on these events, saying that “the Indians were sent from Malden with a small Body of British Troops, to Brownstown and Maguaga, and made prisoners of the Wyandottes at those places.” The pressure was such that Hull was “obliged to make strong detachments to convoy the provisions between the fort of the Rapids and Detroit.”¹⁰¹ Hull’s position was such that without an attack in the Niagara region to pull attention away from Detroit, he could only secure his own position. An attack launched on Malden without a secure line of supply and communication would have been

⁹⁸ Hull to Eustis, *Correspondence of the War Department*, July 19th, 1812.

⁹⁹ Hull to Eustis, *Correspondence of the War Department*, July 19th, 1812.

¹⁰⁰ Hull to Meigs, *Correspondence of the War Department*, July 29th, 1812.

¹⁰¹ Hull to Eustis, *Correspondence of the War Department*, August 4th, 1812.

suicidally reckless. Figure 1 below shows the narrow supply line Hull was forced to work with, as well as the proximity to British Fort Malden, and the location of the battles at Maguaga and Brownstown.

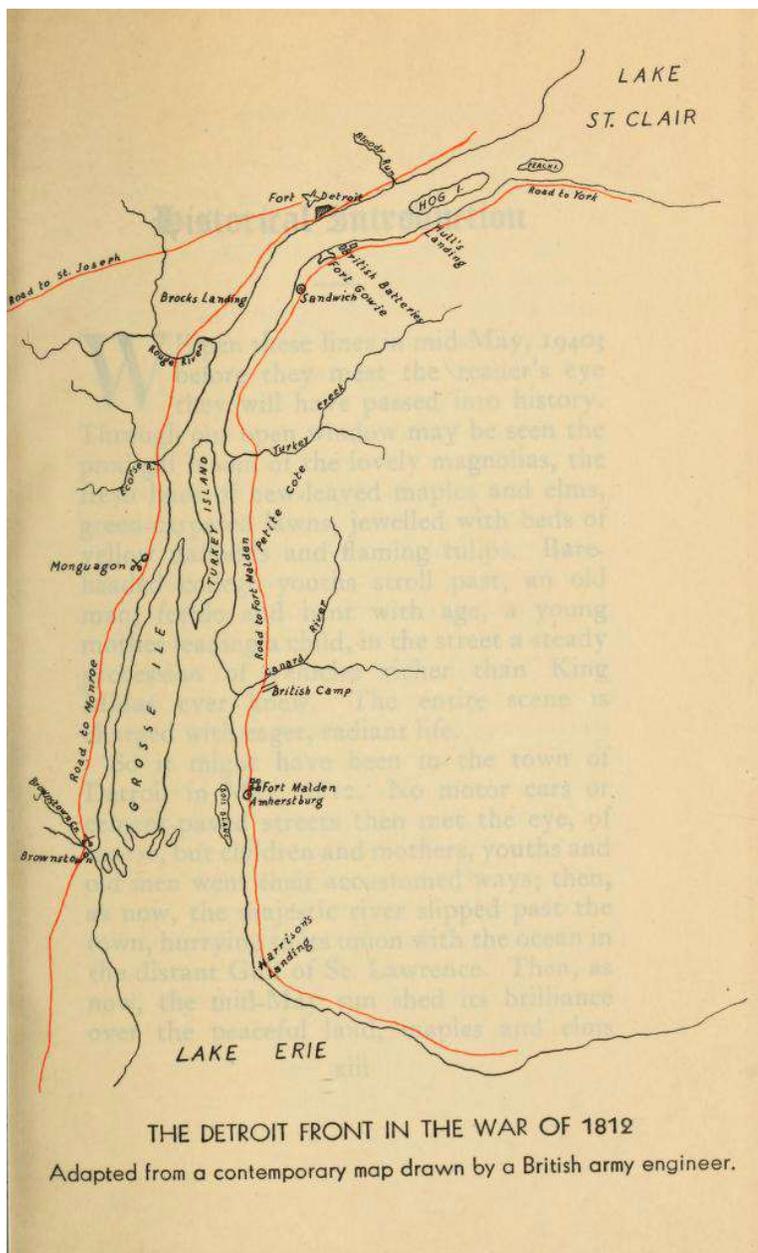


Figure 1: The Detroit frontier in early 1812.¹⁰²

¹⁰²

Map from De Boucherville, vi

A brief battle on August 5 illuminated Hull's difficulties. Two days before, a small detachment of men and supplies from Ohio, numbering about 200 "patriotic citizens - mechanics, merchants, lawyers, and others,"¹⁰³ halted at the River Raisin. The river was situated 36 miles south of Detroit, but the road passed only six miles from Fort Malden, albeit across the Detroit River. Captain Henry Brush, the force's commander, and a "distinguished lawyer of Chillicothe,"¹⁰⁴ felt that it was prudent to await escort from Detroit. Given the strength of the Indian force ahead of him and his role to protect the baggage train, "it would have been madness to attempt" to force his way through.¹⁰⁵ "Hull dispatched an equal force, 200 volunteers drawn from the Ohio militia under Major Thomas Van Horne, to bring in the column."¹⁰⁶ Among the men collected was Robert Lucas, a future governor of Ohio and a Brigadier General of the Portsmouth militia. At the outbreak of the war, he had resigned his commission and volunteered as a private in Hull's army. He was among the volunteers solicited to bring in Brush's column, and distinguished himself in the action.¹⁰⁷

Lucas, and men like him, complicate the notion that the militia during the war was entirely unreliable, or politically committed to opposing the war. As narrative accounts show, there was a great deal of patriotism and feelings of obligation and duty shown by the militia. The ad-hoc system employed by American commanders - detachments of regulars supplementing forces primarily composed of volunteers from the militia or local citizenry - was, more often than not, adequate to the short-term needs of their host force.

¹⁰³ Samuel Williams, "Expedition of Captain Henry Brush," *Two Western Campaigns of the War of 1812* (Cincinnati: R. Clarke, 1870), 14.

¹⁰⁴ Williams, 16.

¹⁰⁵ Williams, 27.

¹⁰⁶ James Dalliba, *A Narrative of the Battle of Brownstown* (New York: D. Longworth, 1816), 8.

¹⁰⁷ Williams, 28.

Lucas makes an interesting foil to Hull. Prior to the war, Lucas was a Brigadier General in the militia of Ohio and had for a long while been seeking a commission in the regular army. By April, he had earned a captaincy and was caught in a difficult position when, having no word pursuant to his duties as a regular, he had received orders to collect volunteers from Ohio to assist Hull. It was with enthusiasm and a sense of duty that he enlisted as a private in the company led by his brother, John Lucas. This was done, in part, to encourage enlistments among the citizens of Ohio.¹⁰⁸ He turned down several requests to serve as a battalion commander, as “when I engaged as a volunteer it was neither with a view to gain rank or emolument, but purely to serve my country.”¹⁰⁹

Lucas’ story reflects the ideal of the American militia system: service in view with the common good, a frontier patrician motivated by a sense of duty, kinship, and patriotic honor earnestly acting in the best interests of his community, state, and nation. That Lucas went on to win elections as the governor of Ohio further reflects his standing in his community.

Hull does not spring to mind as an example of public virtue, but his path to command also reflects a traditionally lauded manifestation of service. When the offer of command was first made, Hull refused, stating that he “was not desirous of any military command.” A replacement was found, but soon fell sick; when the position was again offered to Hull, he reluctantly accepted, as his knowledge of Michigan’s precarious position gave him a particular view of the dangers daily manifest for the citizens of the territory. “The territory of Michigan, which borders several hundred miles on the Canadas, and is only separated by an imaginary line... The hostile indications, which were frequently accompanied with acts of cruelty and murder,” necessitated

¹⁰⁸ Lucas, *The Robert Lucas Journal of the War of 1812* (The State Historical Society of Iowa, 1906), v-vi.

¹⁰⁹ Lucas, 6.

some protection.¹¹⁰ Hull thus felt a sense of paternalistic duty to the “defenseless inhabitants of that exposed frontier.”¹¹¹

Though less zealous than Lucas, Hull was motivated by a complicated string of obligations and duties, bound to him more strongly to the average citizen of Michigan by the height of his position. What would possibly motivate an ordinary citizen of Michigan to serve, if the governor himself would not? Hull nearly echoes Lucas when he claims that his acceptance of the commission was “from no other motive and with no other view, than to afford my aid in the protection of the frontier inhabitants.”¹¹²

Van Horne’s force was ambushed at Brownstown, 20 miles south of Detroit. Although confused and bloodied by their attackers, whom they could not locate in the thick brush along the road, the force retreated in good order back to Detroit. Seventeen men were killed.¹¹³ Van Horne’s column, even though composed of militia and “unaccustomed to war,” was able to retreat and collect themselves for an orderly march back to Detroit.¹¹⁴ The casualties, however, weighed heavily on the force, both due to the real and imagined barbarity of the Indians who opposed them, and to the fact that “several valuable citizens of Ohio fell on the field of action.”¹¹⁵ The news for Brush’s column was even more dire: “Vanhorne’s [sic] detachment, after a sanguinary engagement, was overpowered by a greatly superior force, and compelled to make a precipitate retreat to Detroit.”¹¹⁶

The American which had crossed the Detroit River to Sandwich, the Canadian settlement directly opposite Detroit, were now entirely cut off from Ohio, which was an untenable situation.

¹¹⁰ Hull, 16.

¹¹¹ Hull, 15.

¹¹² Hull, 17.

¹¹³ Latimer, *1812*, 65.

¹¹⁴ Dalliba, 9.

¹¹⁵ Dalliba, 9.

¹¹⁶ Williams, 27.

Committed to clearing the thin line of communication and supply, Hull next dispatched a force of 600 men, this time including a small force of regulars, the “Michigan legion,” riflemen, dragoons, and artillery support with a six-pound field gun and a 5½ inch howitzer. Commanding this force was Lieutenant Colonel James Miller of the 4th Regiment. Fully half of the force was made up of regulars of the 1st and 4th Regiments, along with artillerists to man the guns.¹¹⁷ The rest were volunteers from the militia.

Colonel Miller graced the force with a speech before they marched out of Detroit on the 8th, which leaned heavily on Van Horne’s defeat, recalling the “Blood spilt by savage hands,” to motivate his men to take revenge. If that was insufficient, Miller assured the army that “every man who is seen to leave ranks, to give way or fall back, without orders, shall be instantly put to death.” Ending the speech was an appeal to recent history, to “add another Victory to that of *Tippecanoe*, and a new glory to that which you gained on the *Wabash*.”¹¹⁸

An appeal to recent tragedy, a recollection of a shared heroic past, and the assurance of instant death to cowardice were all prominent tools used throughout the war to stir the patriotic ardour of a democratic fighting force. Given the practical ambiguities about the nature and limits of a militiaman’s service, the army quickly came to rely on personal charisma, as demonstrated by Miller and others. Appeals to history were especially effective, as famous military victories could be shared by all. In a letter to his wife, Ohio militiaman Samuel Williams of Captain Brush’s relief column related that the field in which they camped one night was “the battleground on which Anthony Wayne defeated and totally routed and dispersed the combined Indian forces... 18 years ago.”¹¹⁹ Williams describes Wayne’s battle in unnecessarily specific detail,

¹¹⁷ Dalliba, 10-11.

¹¹⁸ Dalliba, 12.

¹¹⁹ Williams, 22.

which speaks to the pride that had clearly animated his spirit during the long march toward Detroit.

Hull personally inspired very little confidence, in either the men or officers, and in fact had earned the mocking nickname “The Old Lady” for his caution and indecision.¹²⁰ Younger, more brash officers with less to lose could easily step forward and project an attitude of take-no-prisoners confidence that was needed to inspire volunteerism. Clearly it made an impression on the volunteers, as “a ‘huzza’” was started and three cheers given by the troops and surrounding spectators” as the force left Detroit.¹²¹

The detachment was equipped for a 64-mile round trip with only two days of rations, and spent nearly the entire first day crossing the Rouge River, just six miles south of Detroit. They carried no tents with them, and when it began to rain, the men were forced to shelter under fence rails cribbed from the roadside.¹²² The next day, the 9th, they arrived “an open oak wood” on the footsteps of the skirmish from two days prior, and dead men and horses still littered the field.¹²³

Here the force briefly rested, and in the midst of rifling the abandoned houses, the canteen of a John Thompson of the 4th Infantry Regiment was found after prying loose some floorboards. According to lore, he had been “the first man shot” at the Battle of Tippecanoe in the previous year. It appeared to have been looted by one of the Wyandotte warriors who lived at Maguaga, which proved to the recently arrived Americans that the local Indians had fought against the United States at Tippecanoe. This appeared to prove that they had been “*instigated*

¹²⁰ Latimer, *1812*, 65.

¹²¹ Dalliba, 12.

¹²² Dalliba,, 11-13.

¹²³ Dalliba, 20, and De Boucherville, *War on the Detroit; the chronicle of Thomas Vercheres de Boucherville* (Chicago: The Lakeside Press, 1940), 95.

and supplied” by British agents.¹²⁴ True or not, the discovery helped to animate the army’s spirits, and once again reinforced the connection between the men and recent history.

The British forces on the American side of the river—having crossed in native canoes—were formidable: a company of grenadiers of the 41st regiment anchoring a force of Canadian militia and native warriors. Major Adam Muir commanded the force, and Tecumseh himself led the Indian contingent. An American volunteer estimated that the entire force numbered 750.¹²⁵ The estimate from the other side, from a young Canadian volunteer named Thomas Vercheres de Boucherville, was that the Canadian forces numbered less than 200, and that the American force under Miller was 2,500 strong, more than were serving under Hull in total.¹²⁶ In reality, the Canadian force probably did not exceed 200 men, and the American forces can be quite accurately accounted for at 600.

Muir and Tecumseh positioned themselves astride the road to Maguaga and built a breastwork “of trees and logs” before the regulars, which stretched across the center from one concealed flank to another. The Canadian militia and Indians, who were nearly indistinguishable from each other to the American eye, were situated in concealment on either side.¹²⁷ There they waited, listening to the approaching drumbeats of the lead American elements. The drummer “seemed to beat with less assurance as he approached the ravine where we lay.”¹²⁸

The broken cadence of the drum was interrupted when “a volley was heard from captain Snelling’s advance guard, and another instantly returned from a greater number of pieces.”¹²⁹ Snelling “maintained his ground in a most gallant manner, under a heavy fire, until a line was

¹²⁴ Dalliba, 20.

¹²⁵ Dalliba, 18-19.

¹²⁶ De Boucherville, 98-99.

¹²⁷ Dalliba, 18.

¹²⁸ De Boucherville, 96.

¹²⁹ Dalliba, 20.

formed.”¹³⁰ The British kept up an irregular but constant fire, but the Americans formed up “with promptness and zeal,” despite being overlapped on both flanks.¹³¹

When the American force formed up, “the savages, in unison with the British troops, set up a horrid yell,” and the two sides exchanged volleys all along the line.¹³² This phase of the battle lasted nearly an hour, but much of the American fire hissed harmlessly above the British breastwork.¹³³ The British fire, especially from the flanking Indian war parties, was deadly. Even with the aid of the six-pounder, the Americans were getting the worse of the engagement. Yet, all involved performed bravely and steadily, and “proceeded with charged Bayonets,” when ordered, “when the whole British line and Indians commenced a retreat,” pursued by the victorious Americans.¹³⁴ De Boucherville describes dodging gunfire in the trees as “the enemy were in close pursuit of our men.” The Canadian force retreated to their canoes and across the river, leaving the Americans the field.¹³⁵

“During this sharp conflict the conduct of each individual officer and soldier was so uniformly military that the commander was scarcely able to make distinctions” in Miller’s official report.¹³⁶ Nevertheless, a few individuals were cited specifically for good conduct. Major Morrison and Captain Brown of Ohio, Lieutenant Johnson of the Michigan dragoons, Captain De Cant and Ensign McComb of the Michigan volunteers, as was Robert Lucas for the earlier skirmish, were all noted for bravery and individual merit.¹³⁷ Regular officers were also cited for

¹³⁰ Lucas, 54.

¹³¹ Dalliba, 20.

¹³² Dalliba, 21.

¹³³ De Boucherville, 96.

¹³⁴ Lucas, 54.

¹³⁵ Boucherville, 98.

¹³⁶ Dalliba, 25.

¹³⁷ Dalliba, 26.

bravery, but praise for the good conduct of the militia is notable, given the treatment of these battles in the historiography.

Given the reputation of the militia, the behavior of the volunteers under Miller is striking. There seemed to be very little confusion, recalcitrance, or cowardice evident among any of the accounts of the battles of Brownstown or Maguaga. The bulk of the volunteers were from Ohio, fighting outside of their state and under the command of a regular officer, against “savage” Indians, and taking high casualties under steady, accurate fire. The militia even refused to break or run when a cannon discharge threw Miller from his horse and led the Canadian forces to believe that he had been killed.¹³⁸

Although the Americans drove the British from the field, they were “so much crippled and his men so fatigued,” that Miller was forced to halt to wait for supplies and reinforcements.¹³⁹ Miller’s force had lost 18 killed and 58 wounded the majority of the casualties from the regulars.¹⁴⁰ Brownstown was 20 miles from the River Raisin, within a day’s march of the battle site, and the American forces camped on the site until the next morning, burying the dead and treating the wounded.¹⁴¹ Miller had been victorious in the battle, possessed a force of cavalry, and was a day’s march from Brush, yet he was ordered back to Detroit without linking with Brush’s column.¹⁴² Hull claimed that “a severe storm of rain intervened” and urged his decision to recall Miller’s expedition.¹⁴³ The storm was at least confirmed by Lucas, who noted

¹³⁸ Dalliba, 21, and de Boucherville, 96.

¹³⁹ Williams, 29.

¹⁴⁰ Lucas, 55.

¹⁴¹ De Boucherville, 99.

¹⁴² Dalliba, 36, and Lucas, 57.

¹⁴³ Hull, 73.

that “it rained tremendously” on August 10.¹⁴⁴ Brush was exposed and without escort, was unable to press forward to Detroit.

Hull, along with Brush and others along the exposed road, seemed convinced that a much larger force of Indians and British opposed them. Brush’s column had received no word from Detroit for days, Tecumseh’s force having so effectively cut communications along the road: “We are liable at any time to be overwhelmed by the vastly superior force of the enemy.”¹⁴⁵ Miller’s force, en route back to Detroit, while the “continued exposure to the lurking savage kept every individual anxious and vigilant,”¹⁴⁶ and Hull had “every reason to expect, in a very short time, a large body of savages from the north.”¹⁴⁷

Miller’s force arrived back in Detroit on the 12th. That night, Hull ordered the evacuation of the camp at Sandwich, corralling all of his forces in Detroit. His officers were angry and frustrated by the decision. Never was there “an army that had it more completely in their power to have accomplished every object of their Desire than the Present, and now must be sunk into Disgrace for the want of a General at their head.”¹⁴⁸ Other chroniclers followed Lucas in his censure of Hull. Williams wrote that “we have lost all confidence in General Hull.”¹⁴⁹

Unlike at Niagara in the following months, the army and the officers seemed unified in their censure of their commander. The militia had performed their duty bravely and without disgrace. They had, in fact, performed well beyond the expectations of militia troops in a number of battles in the campaign. This resulted in an unusual inversion of the typical attitude of militia after a defeat. With Hull as the scapegoat, there was no reason to blame the failures of the

¹⁴⁴ Lucas, 55.

¹⁴⁵ Williams, 30.

¹⁴⁶ Williams, 37.

¹⁴⁷ Hull to Eustis, *Correspondence of the War Department*, August 4th 1812.

¹⁴⁸ Lucas, 59.

¹⁴⁹ Williams, 32.

campaign on insubordinate militia. That is, until Hull penned his own memoir, hoping to exonerate his failures. Hull's memoirs will be examined in the following chapter.

Events proceeded rapidly after the Battle of Brownstown. Isaac Brock took control of the Canadian forces, began a bombardment of Detroit, and crossed the river. On the 16th, Hull capitulated. His quick surrender was looked at as evidence of treason by some, and of gross incompetence and cowardice by most. While some of the militia were allowed to return home as parolees, the bulk of the force was taken prisoner by the British and began a long march toward Montreal.

Their route took them agonizingly close to their objectives in Hull's campaign, to places where just weeks before they had been chomping at the bit to capture. When they reached Queenston, they were paraded in full view of the American fortifications opposite. The scene appalled the Americans who witnessed it. Van Rensselaer wrote of the spectacle to Dearborn: "General Hull and a considerable portion of his army have been marched through Queenston in fair view of my camp. The effects produced by this event are such as you will readily imagine."¹⁵⁰

Others were less restrained in their commentary. John Lovett, a prolific letter-writer and military secretary to General Van Rensselaer, described the affair in melodramatic fashion:

Yesterday I beheld such a sight as God knows I never expected to see, and He only knows the sensation it created in my heart. I saw my countrymen, free-born Americans, robbed of the inheritance which their dying fathers bequeathed them, stripped of the arms which achieved our independence and marched into a strange land by hundreds as black cattle for the market.

The evocative imagery used by Lovett underscores similar language used by other proponents of the war. These defeated Americans were more than simply defeated; they were degraded, made qualitatively lesser by their failures, as if they had lost their manhood in addition

¹⁵⁰ Van Rensselaer to Dearborn, *Documentary History*, 219.

to their arms. What Lovett describes is not simply a war fought for political concessions or favorable trade relations: he describes an existential war of survival. At stake was the social fabric of the nation, the lofty ambitions and ideals of a free people. Victory would simply prove what Lovett already believed, that the United States was a virtuous nation fighting for its ideals against a perfidious metaphorical invader on the part of the British, and a savage degenerate race on the part of their native allies. Defeat would take American men and convert them, literally, into “black cattle for the market.”

General Peter B. Porter echoed these sentiments when he described the captured men as “the heroes of Tippecanoe” who were “paraded like cattle” through Queenston. The same letter urges attack, as “this miserable and timid system of defense must be abandoned, or the nation is ruined and disgraced.”¹⁵¹ While the men of Ohio and New York suffer “all the miseries of poverty and war... the rich inhabitants of Pennsylvania are lolling in security and ease.” This, to Porter, is a far larger, far more dangerous threat to American liberty: “As one of the inhabitants of this frontier, I can submit to the loss of property; I can see with composure (what is now actually presented in my view) my vessels riding under British colors in a British harbor, but I cannot endure the degradation of my country.”¹⁵²

Connecting the war and its aggressive aims to the masculine fabric of the United States in turn placed a great deal of pressure on the militia to perform as desired. Regulars, because they were stripped of their agency from the time of enlistment, were forgiven this particular burden. The penalties for disobedience were just as harsh, if not harsher, than those of the militia, but there was no legal or moral ambiguity about their service. That ambiguity is where the militia could wring meaning from the war. Because there was a notion that their service could not be

¹⁵¹ Porter to Tompkins, *Documentary History*, 223.

¹⁵² Porter to Clinton, *Documentary History*, 225.

compelled, it made their volunteerism signal approval. That approval would then be seen as the realization of Lovett's notion of inheritance: these were men of the same stock as their forebears who wrestled freedom away from British tyrants.

The belief in the degeneracy or stoutness of the American male struck through the entire war. The spirit of past victories were a prod for contemporary actions: "the Wabash" stood high in the memory of the men from Michigan and Ohio as a fight against the savagery and treacherous cunning of the western natives, and battles from the War for Independence, such as Saratoga, were used to urge the men of Pennsylvania and New York against new British threats.

The Niagara Campaign: June to November 1812.

It was difficult, however, to motivate unpaid, unfed, and unclothed men to do much more than gripe. The army on the Niagara frontier were desperately short on nearly everything it needed to defend, let alone launch a major offensive. Governor Tompkins confessed that there were only 139 tents and 60 camp kettles on hand in Albany, and those Tompkins had to "take by a kind of stealth."¹⁵³ Additionally, though between five and six hundred regulars were stationed at Plattsburgh, nearly 300 miles away from American positions on the Niagara, they were mostly recruits who were "now and must be for weeks to come, unarmed and in every respect unequipped," despite their proximity to the national arsenal.¹⁵⁴ The usefulness of these men was confined to presenting a show of force to the Canadian defenders: "the appearance of this force will certainly prevent an attack on the fort if it arrives in season."¹⁵⁵ At Batavia, 40 miles inland of the Niagara, the army was "miserably deficient—we have men but no arms for them—we want artillery and men who know how to use them."¹⁵⁶

¹⁵³ Tompkins to Dearborn, *Documentary History*, 83.

¹⁵⁴ Tompkins to Dearborn, *Documentary History*, 83.

¹⁵⁵ O'Connor to Porter, *Documentary History*, 89.

¹⁵⁶ Hall to Tompkins, *Documentary History*, 88.

The army's problem was exacerbated when the initial enthusiasm for the war waned. Militia began clamoring to return home within a month of their mustering, but agitated for attack almost as fervently. Out of 2,800 men assembled at Black Rock, only 300 were regulars. Among the others, 1,000 of them were called out "on the spur of the occasion... and cannot remain but a short time in service. They have left their farms, their crops, their all, and will be ruined if they cannot soon return to their homes" though their general expressed confidence if they were to be attacked.¹⁵⁷ A similar situation was evident at Lewiston. Two regiments of militia rushed to field when it appeared that men were gathering on the Canadian side of the river and in the estimate of the regular officer overseeing the muster, "appeared fuller than at any other former call."¹⁵⁸

Although Hull repeatedly asked for the planned invasion from Niagara to draw pressure away from the far western frontier, the army on the Niagara was in no fit state to do so. By late August, after months of fluctuating militia presence, there were fewer than 800 militia present on the frontier and "many without shoes and otherwise illy prepared for offensive operations."¹⁵⁹ Even those 800 were difficult to keep, as just days later they were loudly clamoring for pay, and it was once again noted that they were without shoes.¹⁶⁰

Those men who had mustered were difficult to keep disciplined. A general order from late August had to announce that "some part of the troops are so regardless of their duty as to disobey the orders issued for preventing scattering firing in and about the camp." Additionally, the same general order had to remind officers to enforce the rules against random firing, and to stay in camp, at their tents, each night.¹⁶¹ It makes no distinction between regular and militia officers, but later missives point out a particularly troublesome company in the regiment

¹⁵⁷ Hall to Tompkins, *Documentary History*, 96.

¹⁵⁸ Wadsworth to Tompkins, *Documentary History*, 103.

¹⁵⁹ Van Rensselaer to Dearborn, *Documentary History*, 219.

¹⁶⁰ Van Rensselaer to Tompkins, *Documentary History*, 227.

¹⁶¹ General Order, *Documentary History*, 200.

commanded by a Lieutenant-Colonel Philetus Swift. His regiment consisted of 470 men, “all under the Act of Congress except Captain Jennings’ company, which I should be glad to get rid of.”¹⁶²

According to Swift, Jennings had been withholding pay from his men and had further advised them not to volunteer for any cross-border actions, and Swift had ordered his arrest. Swift had hoped that he and his men would be ordered across the border to “relieve General Hull or stop the troops that were marching against him, but the orders from General Dearborn blasted all our hopes of that.”¹⁶³

Swift’s report is interesting in a number of ways, most notably that it represents a microcosm of the army on the Niagara at the time. Most of the men, especially of the militia, were ardent and anxious to engage. Though lacking clothing and tents, frequently sick, and subject to irregular pay and arduous duty (Swift’s regiment was responsible for defending a 22-mile frontier, which was not uncommon for single regiments¹⁶⁴), their spirit was quite high. Men like Jennings were in the minority, a single company out of a regiment. Jennings was court martialed and stripped of his commission, and his company proved so “clamorous for pay and contended so strenuously that their time had expired” that the company was discharged and sent home.¹⁶⁵

The reports coming from the Niagara were oddly mixed. Men remained in high spirits and clamor for action, but at the same time, a grim, defeatist streak is evident in the reports. The supply situation was particularly troublesome. Swift’s regiment remained without tents and shoes

¹⁶² Swift to Tompkins, *Documentary History*, 202.

¹⁶³ Swift to Tompkins, *Documentary History*, 203.

¹⁶⁴ Swift to Tompkins, *Documentary History*, 203.

¹⁶⁵ Van Rensselaer to Tompkins, *Documentary History*, 227.

and more and more were taken sick, as was noted by many. Other regiments were without ammunition. Colonel Solomon Van Rensselaer summed up the situation as of early September:

We are deficient in almost everything. Four 18-pounders, two twelve-pounders, eight sixes, and two fours are all the ordnance we have for the defense of this line; two sixes, honey combed, some of them without shot and six without harness. Fort Niagara is not tenable. (You all suppose it is impregnable. Not so, it cannot be maintained fifteen minutes.)¹⁶⁶

The stress was clearly eating away at commanders and men alike. Colonel Van Rensselaer ran afoul of Peter B. Porter, calling him an “abominable scoundrel” for attending to private matters over his duty, and he made “no secret in telling his friends so.”¹⁶⁷ The accusations against General Porter continued. The colonel reported that Porter was, along with John C. Spencer and a Colonel Brooks, conspiring “to cause confusion and distrust among the troops on this frontier to answer to party purposes against the commander,” referring to General Van Rensselaer. Later in the same letter, Porter is accused of speculating in his capacity as Quartermaster General for the militia.¹⁶⁸

Porter had always been enthusiastic about the war, as befit a Democratic-Republican in high standing, and had apparently declared “that he could take Canada with five hundred men any morning before breakfast!”¹⁶⁹ He had been a notable figure among the “war hawks” in Congress, pushing for the capture of Canada to redress American grievances against Great Britain, and even though he took his duties as quartermaster seriously, as a Democratic-Republican serving under a prominent Federalist, personal issues were bound to crop up. Porter

¹⁶⁶ Col. Van Rensselaer to Van Vechten, *Documentary History*, 237.

¹⁶⁷ Col. Van Rensselaer to Van Vechten, *Documentary History*, 238.

¹⁶⁸ Solomon Van Rensselaer to Morgan Lewis, *Documentary History*, 253-54

¹⁶⁹ Eber Howe, “Recollections of a Frontier Printer,” in *Publications of the Buffalo Historical Society: Volume IX*, 380.

eventually proved himself an able military commander, and was considered by some as the “quintessential militia commander” for his service through the war.¹⁷⁰

Solomon Van Rensselaer was one of many Van Rensselaers of New York, which was a large patrician family with strong military experience.¹⁷¹ His career was similar to Porter’s, but situated across the party lines. After serving as a dragoon officer under Anthony Wayne, he served as Adjutant General of the New York militia, and was brought in by his cousin Stephen as aide-de-camp when the latter was appointed the commander of forces at Niagara. He had a divisive public presence. One notable incident involved Van Rensselaer striking a political opponent with his cane, after which he was set upon and badly beaten by a Democratic-Republican crowd.¹⁷² Colonel Van Rensselaer was assumed by some to be the military mind behind the army of the Niagara, his subordination to General Stephen Van Rensselaer notwithstanding. He was badly wounded at Queenston Heights, though he continued serving in an administrative capacity for the duration of the conflict.

Their personal dispute rose to such a pitch that both parties sent seconds to organize a “meeting” between the two, a duel, in the parlance of the time. Rather than settling matters, this first meeting escalated the confrontation, as Porter failed to appear at the appointed time and place, and Van Rensselaer demanded an apology: “I now declare that if you do not make me a suitable apology I shall at the proper time publish you to the world as a *poltroon*, a *coward*, and a *scoundrel*.”¹⁷³ The challenge, and Van Rensselaer’s promise to post Porter, was never formally concluded.

¹⁷⁰ Skeen, 107.

¹⁷¹ Joel Munsell, *Genealogies of the First Settlers of Albany*, 184d.

¹⁷² Solomon Van Rensselaer, Elisha Jenkins, *Assault and battery: report of the trials of the causes of Elisha Jenkins vs. Solomon Van Rensselaer* (Crowell & Frary, 1808), 20-21.

¹⁷³ Solomon Van Rensselaer to Peter B. Porter, *Documentary History*, 261.

September was a trying time for the army on the Niagara. The loss of the army at Detroit was a severe blow strategically and emotionally, the supply problem was still unresolved, there were continual crises with leadership and morale, and the oncoming winter left little room for optimism. Mid-month, morale grew so bad that one militia company nearly mutinied for lack of pay. General Van Rensselaer wearily reported “P.S.—And to cheer up our hearts, we have picked up a birch bark on which is written a notice from the soldiers to the officers, that unless they were paid they would absolutely quit the field in 8 days from that time.”¹⁷⁴ There was a great deal of pressure for the army to move across the border and establish a winter camp before the weather forced them to wait until spring.

The same day the note was found, the general suspended a sentence of death to two deserters, as a show of authority and mercy for the rest of the army.¹⁷⁵ It was not as effective as hoped. One officer wrote directly to General Van Rensselaer, begging for a general court martial, as “we have four or five deserters.”¹⁷⁶ All of this was cheering to Isaac Brock, watching from across the river. He reported that “U.S. regiments of the line desert over to us frequently, as the men are tired of their service.” Curiously, Brock was more wary of the American militia, as they were “chiefly composed of enraged democrats” who were more motivated to engage. Though, he noted, “They die very fast.”¹⁷⁷

Desertion continued despite the courts martial, and disputes among the command staff continued into October. When General Alexander Smyth arrived, he suggested to Van Rensselaer that the best site for an assault was between Chippawa and Fort Erie, far to the south of General Van Rensselaer’s proposed plan. Smyth camped his men at Buffalo, too far away to

¹⁷⁴ Van Rensselaer to Dearborn, *Documentary History*, 270.

¹⁷⁵ General Orders, 17th September 1812, *Documentary History*, 275.

¹⁷⁶ Lt. Col. Fenwick to Van Rensselaer, *Documentary History*, 279.

¹⁷⁷ Brock to Savery Brock, *Documentary History*, 278.

be useful for the coming attack.¹⁷⁸ Smyth had a high opinion of himself as a regular officer. A lawyer and politician from Virginia, Smyth had been commissioned as a colonel of the 8th US Rifle Regiment under Jefferson's "Additional Military Force" in 1808.¹⁷⁹ Despite his commission, Smyth had no prior military experience to speak of and, in the course of his four-year service before the war, had gained no combat experience. His appointment to the army and his promotion to Brigadier General in July 1812 may have been motivated by his friendliness to the Madison administration, and his prominence in the Virginia Republican circles.

Smyth had command of roughly 1,000 men, most of whom were regulars, though his men, like most of the rest, were deficient in clothing.¹⁸⁰ Van Rensselaer was understandably critical of Smyth's initiative, and his response carried many of the familiar tensions that existed between soldier and citizen-soldier: "however willing I may be as a citizen soldier to surrender my opinion to a professional one, I can only make such surrender to an opinion deliberately formed upon a view of the whole ground."¹⁸¹

The relationship between soldier and citizen-soldier informed many of the interaction between Van Rensselaer and Smyth. Neither man had been in combat before, but Van Rensselaer had the advantage of a thorough understanding of the logistical, political, and military position on the Niagara, and Smyth was a relative newcomer whose only advantage was his status as a regular. Van Rensselaer's dealings with Smyth are pointedly cognizant of that difference in status, and his orders take the character of polite suggestions. Smyth, for his part, acted as if Van Rensselaer could do nothing but advise. The two never consolidated forces or ideas, and both acted as if the other was there to support their efforts.

¹⁷⁸ Smyth to Van Rensselaer, *Documentary History*, 200.

¹⁷⁹ Urwin, 40.

¹⁸⁰ Buffalo Gazette, 29th September, 1812, *Documentary History*, 301.

¹⁸¹ Van Rensselaer to Smyth, *Documentary History*, 305.

There had long been an animosity between the militia and the soldiery, and both sides had reason to doubt the effectiveness of the other. For the militia, soldiers were in every respect lesser men, in that they were utterly subservient to their officers and were generally propertyless men who had little recourse but to join the army. The militia was by design made up of men of property, ambition, and selfless devotion to country. Many of the claims made by militia, especially officers, included the more or less stock phrase that “it was only the honor and reputation of their country” that motivated their hearts, rather than any hope or expectation of pay. Hull, Lucas, Van Rensselaer, Chrystie, and others all echoed this sentiment at one time or another, in nearly identical words.¹⁸²

October brought more bad news. As reported by a British source, “part of the militia at Albany have refused to march out of their state, and that blood has been spillt on the occasion.”¹⁸³ This may be the mutiny that Smyth reported to Van Rensselaer in early October.¹⁸⁴ All of the news coming to the army during this timewas bad news. More ill-disciplined reinforcements, without clothing, medicine, or ammunition, a lack of boats and an all-around sense of helplessness pervaded the army. Van Rensselaer reported on the 8th: “with my present force it would be rash to attempt offensive operations. I have only 1,700 effective men of the militia on the whole line,” out of total force of nearly 3,000.¹⁸⁵

Worse, Van Rensselaer was himself taken with a pessimism bordering on dread. Writing to Dearborn at the close of the campaigning season, he reflected on the accomplishments of the army so far and his personal stake in staving off embarrassment for the nation. Owing to Hull’s surrender and the goals of the American army, especially given that the United States had started

¹⁸² Lucas, 7, and Hull, 17

¹⁸³ Chief Justice Thomas Scott to Talbot, *Documentary History*, vol. II, 24.

¹⁸⁴ Smyth to Van Rensselaer, *Documentary History*, vol. II, 28.

¹⁸⁵ Van Rensselaer to Dearborn, *Documentary History*, vol. II, 41.

the war, he believed that “the national character is degraded, and the disgrace will remain, corroding the public feeling and spirit until another campaign, unless it be instantly wiped away by a brilliant close of this [campaign].”¹⁸⁶

The army was trapped between action and inaction: they lacked sufficient supplies and manpower to optimistically engage in an attack by Van Rensselaer’s own judgement, but he believed waiting around and closing the season with nothing to show for it could be ruinous to the public character and further drive the war into unpopularity. Smyth continued pushing, in the meantime, for an attack south of Fort Erie, which would necessitate the removal of men and supplies from their current camps and which Van Rensselaer summed up simply by saying, “I think the plan liable to many objections.”¹⁸⁷

Van Rensselaer continued to prepare for an attack, however, hoping still to close out the season with a measure of success. One of the most significant problems was of acquiring boats to transport troops across the river. In spite of the animosity between Colonel Van Rensselaer and General Porter, the senior Van Rensselaer notably depended on Porter for his knowledge of the lakes and waterways of the region, and named him the army’s liaison to the lakebound US navy.¹⁸⁸ It was left to the navy to scour the area for suitable boats, or to manufacture them, if necessary. The task was a difficult one, as the army needed transports with the same urgency that the navy needed gunboats.

The British did have naval superiority along the Niagara frontier, consisting of the brigs *Queen Charlotte*, *Detroit*, and *Hunter*, as well as an assortment of other vessels.¹⁸⁹ Within the confines of the Niagara river, whose entrance and exit could be controlled by land-based

¹⁸⁶ Van Rensselaer to Dearborn, *Documentary History*, vol. II, 40.

¹⁸⁷ Van Rensselaer to Dearborn, *Documentary History*, vol. II, 41.

¹⁸⁸ Lieutenant Jesse Elliot to Captain Isaac Chauncey, *Documentary History*, 281.

¹⁸⁹ Buffalo Gazette, 30 September, 1812, *Documentary History*, 301. The *Detroit* had been the brig *Adams* before being surrendered to the British at Detroit.

artillery, the superiority mattered little. Still, it must have been heartening for Van Rensselaer to receive news on October 10 that a raid led by Lieutenant Jesse Elliot of the Navy had captured the *Caledonia* and burned the *Detroit*, capturing a large amount of stores, along with freeing dozens of American prisoners.¹⁹⁰

The operation was small, but significant. The raid relied on inter-service cooperation, as Elliot only had fifty sailors under his command, of whom only twenty had pistols, and few of the remainder carried so much as a cutlass. He appealed to Smyth for arms and men, and fifty men of the regulars, militia, and several “resident gentlemen of Buffalo” volunteered. Elliot was generous with praise after the action, reporting that “every man fought with their hearts animated only by the interest and honour of their country.”¹⁹¹

The language used by Elliot is particularly interesting, as it is almost certain that the “resident gentlemen of Buffalo” were men of the militia. The militia were, after all, supposed to be composed of the gentlemen of the countryside, ready to serve in just such a fashion, without thought of remuneration. The expedition was by all accounts a dangerous one, as the *Caledonia* was able to fend off the boarding party for fifteen minutes before the small crew was overwhelmed, and the shore batteries were quite close to both vessels when they began firing; the *Detroit* was at one point boarded by 40 British soldiers before being set afire.¹⁹²

That the militia fought with distinction is important to note, as it was at the battles of Brownstown and Maguaga, because the narrative of Queenston Heights takes an entirely different flavor when it is made clear that militia were not only happy to fight, but were often willing and eager to engage. As a system, the militia was seldom represented favorably, and as a

¹⁹⁰ Elliot to the Secretary of the Navy, *Documentary History*, vol. II, 47.

¹⁹¹ Elliot to the Secretary of the Navy, *Documentary History*, vol. II, 46.

¹⁹² Inquiry Respecting the Loss of the *Detroit*, *Documentary History*, vol. II, 54 and General Nathan Towson to Elliot, *Documentary History*, vol. II, 50.

fighting force, it was often derided, but these examples show that the militia was often a capable, reliable force even during otherwise disastrous campaigns.

The long-anticipated attack went forward early in the morning on October 13, after a stuttering two days in which correspondence flew back and forth between Van Rensselaer and Smyth, but no troops moved in any measurable way. Smyth complained of the wet and cold, while Van Rensselaer blamed the failure of a proposed attack on the 10th to “some circumstances vitally connected with the highest interest of the service,” but he refused to specify them.¹⁹³ Smyth wished Van Rensselaer luck, but made it clear that his plans for the next few days involved nothing resembling offensive action: “To-morrow I expect their clothing, and they will wash. Next day they might march, to the number of 1200 effective men, but imperfectly disciplined.” Additionally, Smyth warned that the enemy across the river had gathered in force, “and as Lieut.-Colonels Scott and Christie have arrived with you, the time for your attack is favorable.”¹⁹⁴ Van Rensselaer was left without support from the largest and freshest reserve of regulars on the frontier, with just the prayers of the highest-ranking regular to assist in the landing.

Van Rensselaer had at his disposal 900 regulars and 2,270 militia at Lewiston, directly across the river from Queenston Heights. Smyth’s command, at Black Rock, amounted to 1,650 regulars and 386 militia, a substantial portion of the overall American force of arms on the Niagara frontier.¹⁹⁵ However, if Smyth’s assessment of his own troop strength is to be believed, it meant that more than 400 men were sick or otherwise ineffective, then it is reasonable to assume that a substantial number of men available on paper to Van Rensselaer were similarly

¹⁹³ Van Rensselaer to Smyth, *Documentary History*, vol. II, 66 and Smyth to Van Rensselaer, *Documentary History*, vol II, 68.

¹⁹⁴ Smyth to Van Rensselaer, *Documentary History*, vol II, 68.

¹⁹⁵ Troops under Maor.-Gen. S. Van Rensselaer, *Documentary History*, vol II., 68.

indisposed. As recently as October 8, Van Rensselaer reported that he had only 1,700 effective men of the militia on the whole line, 500 men fewer than reported in the return on the 12th. Of the regulars, it can be surmised that a significant portion of those men were sick or could not be committed to offensive action as well, putting the likely total of those engaged, or meant to be engaged, during the attack at around 2,400, rather than the 3,100 on paper.

The attack itself may have been precipitated due to the pressure placed on Van Rensselaer by his junior officers, as he was getting the impression that his "refusal to act might involve me in suspicion and the service in disgrace."¹⁹⁶ Nevertheless, Van Rensselaer turned command over to his cousin Solomon, in command of a detachment of 300 militia, and Lieutenant-Colonel John Chrystie, commanding an equal number of regulars.¹⁹⁷ The force was rowed across the Niagara river at 4 a.m. in thirteen bateaux. The plan was to seize the heights at Queenston and the batteries emplaced there, and then to reinforce and entrench the whole to create a viable foothold on the opposite shore.

According to Van Rensselaer's initial report to the War Department, the attack started successfully, Colonel Van Rensselaer ordering "his officers to proceed with rapidity and storm the fort," which they accomplished, driving the British "down the hill in every direction" despite being under tremendous artillery fire during their attack. The next wave of men crossed, but at this time the British brought up reinforcements as well, and "the conflict was renewed in various places." The Americans had the better of it for the first hours, with artillery directed from the eastern shore battering pockets of British resistance and silencing British guns. The American artillery was so superior that by 10 a.m. only a single British gun was still firing.¹⁹⁸

¹⁹⁶ Van Rensselaer to Eustis, *Documentary History*, vol. II, 81-2.

¹⁹⁷ Lovett to Alexander, *Documentary History*, vol. II, 85.

¹⁹⁸ Van Rensselaer to Eustis, *Documentary History*, vol. II, 82 and Lovett to Alexander, 86.

A British counterattack, comprised of “several hundred Indians” was “promptly met and routed by the rifle and bayonet.” But by now, Van Rensselaer noticed that the “troops were embarking very slowly.” He went over to encourage them, but to his “utter astonishment I found that at the very moment when complete victory was in our hands the ardor of the unengaged troops entirely subsided.” Van Rensselaer, Lt. Col Bloom, and a local judge all attempted to urge the troops across, but none stepped forward.¹⁹⁹

This description of the action conforms with Lovett’s assessment: he believed that the unengaged militia, witnessing the battle from the eastern shore, were petrified by the appearance of the Indian force. Lovett was at Van Rensselaer’s side when the general tried to spur the militia into action. When the wounded Colonel Bloom showed up and “exhorted, swore, prayed at the troops, who were standing paraded with their arms in their hands, to advance.” Even when “old Judge Peck” showed up in faded martial finery of “a large cocked hat and long sword,” the men stood fast.²⁰⁰ None of these remonstrations had any effect.

It is difficult, in Van Rensselaer’s account, to determine exactly when these events occurred. Lovett’s account is somewhat better, and he places the initial attack at 4 a.m., the artillery battle won by the Americans by 10 a.m., the climax of the battle, in which “the mountains seemed to shake beneath the stride of death” at 4:30 p.m., and continued for about half an hour. The decision to retreat, on the timetable given by Lovett, would have been at about 5 p.m., making the whole affair one that lasted about 11 hours. Unfortunately, Lovett is less specific about when, exactly, the militia refused to cross, and so it is difficult to know if the refusal had something to do with the fleeing boatmen.

¹⁹⁹ Van Rensselaer to Eustis, *Documentary History*, vol. II, 82.

²⁰⁰ Lovett to Alexander, *Documentary History*, vol. II, 86-7.

Cutting across both accounts by Van Rensselaer and Lovett, both of whom witnessed the event from a nearly identical point of view, was Colonel Thompson Mead of the 17th regiment of New York Militia. His men had only arrived at Lewiston on the night of the 12th, having been on the march since the September 19 almost non-stop. On his arrival, Mead was told that his men were to participate in the attack on Queenston to occur in several hours, to “which I informed the General my troops were quite beat out with marching through the mud and rain; that we were destitute of ammunition, and but one-half of my soldiers provided with cartridge boxes.”

Given these straits, Mead informed Van Rensselaer that no “reliance could be placed on” his regiment. Mead spent the night running from one officer to another requesting ammunition or the means to collect it. At sunrise, a cart was sent to procure ammunition, and it took an hour for it to reappear in the camp for Mead to arm his men. “As fast as the soldiers were provided they were ordered to march to the river.” There he found only three boats available to ferry his men across, and each was capable of carrying perhaps 20 men comfortably. Under fire from the lone enemy battery, Mead crossed roughly 200 men.²⁰¹

At no point does Mead describe being remonstrated by Van Rensselaer, but perhaps his men were not those singled out for ire. In any case, his description of withstanding an attack from concealed Indians and dispersing them “with great precipitancy” seems to match Lovett and Van Rensselaer’s description of the Anglo-Indian attack on the American left flank. After that attack, Mead spotted a dozen or so men across the river and beckoned them to come across, and “these instantly crossed to our assistance.” This occurred around 2 p.m.²⁰²

Missing boats was a major factor in the inability to bring men across the river, and it certainly contributed to the widespread surrender when the battle ended. However, there may

²⁰¹ Colonel Mead’s Statement, *Documentary History*, vol. II, 90-91.

²⁰² Colonel Mead’s Statement, *Documentary History*, vol. II, 91.

have been nearly 100 boats available between Schlosser and Four Mile Creek, which had not been brought up for the operation. Mead criticised the planning, saying “the plan was not sufficiently matured before the operation commenced,” and neither was there any plan or priority in place for which regiments were to follow after the first wave, but crossing “continued in a scattering, irregular manner,” and many turned away from the river when it became clear that there would be no way for them to cross.²⁰³

Mead outlined a number of other problems with the attack, including the landing site itself, the plan itself being made in a short time with almost no secrecy, men who had crossed “skulking” along the riverbank and refusing to fight, and the lack of any assistance from Smyth’s command further south. Mead’s personal experience with the logistical chaos of the American camp also prominently contributed to the failure, in his opinion.²⁰⁴

Other accounts of the battle conform to certain aspects: the boatmen, who were local volunteers, were reluctant to make continued crossings. According to Colonel Chrystie, he had to order one with “great severity” to continue to the Canadian shore, while the man was “*literally* groaning with fear.” Finding his way back to the embarkation point on the eastern shore, Chrystie found that the British had singled out that point to concentrate their fire, and that “no person being charged with directing the boats and embarkation or with the government of boatmen, [the boatmen] forsook their duty.” Furthermore, men would cross piecemeal, leaving boats on the opposite shore or letting them drift in the strong current, echoing Mead’s criticism.²⁰⁵

Chrystie also describes the scene on the eastern shore of men refusing to cross, and his assessment is a far more intimate scene. “On marching to the embarking place we found there a

²⁰³ Colonel Mead’s Statement, *Documentary History*, vol. II, 92.

²⁰⁴ Colonel Mead’s Statement, *Documentary History*, vol. II, 92.

²⁰⁵ Colonel Chrystie to General Thomas Cushing, *Documentary History*, vol. II, 97-98.

company of men very handsomely equipped, which was just on the point of entering the boats,” when firing across the river was heard. Now, the men “absolutely refused to cross, regarding neither orders nor remonstrances of the general.” Chrystie describes a single company as failing to cross, rather than the hundreds implied by the statements of Lovett and Van Rensselaer. Chrystie puts this scene at or around 11 a.m.²⁰⁶ If the time is right, it is likely that Colonel Mead crossed some time after this event.

However, Jared Willson, a militia rifleman, claimed that the day’s fighting occurred “in fair view of *two thousand* militia on the opposite shore (poor dastardly wretches) who would not come to our assistance.” Two thousand is more militia than were at Lewiston the day of the attack. But even Willson mentions the boats in his censure of Van Rensselaer: “he ought to have had more boats in readiness & scows, that we might carry across our field pieces—but this was not done. O! Shameful neglect!”²⁰⁷

Though it is clear that there was a body of militia refusing to cross, there was little thought given as to the reason why. Lovett claims that it was the presence of Indians “or the sight of the wounded, or the devil, or *something else* petrified them.” Van Rensselaer gives no particular reason why, but he later mentions that “the boats were dispersed; many of the boatmen had fled panic-struck” when he tried to organize a withdrawal from the west side of the river.²⁰⁸

Additionally, the difficulty of the crossing prevented several regular officers from crossing when they desired to. Four corps commanders, repeatedly tried to cross and were unable to, and others were either captured immediately upon landing, or who could not find a safe place to land on the far shore and were forced to turn back. Chrystie’s particular criticism of the battle

²⁰⁶ Colonel Chrystie to General Thomas Cushing, *Documentary History*, vol. II, 101.

²⁰⁷ Jared Willson, “A Rifleman at Queenston,” in *Publications of the Buffalo Historical Society: Volume IX* (Buffalo Historical Society, 1906), 374.

²⁰⁸ Van Rensselaer to Eustis, *Documentary History*, vol. II, 82.

is entirely directed at the confusion of the boats and impossibility of landing, as these difficulties “were the great cause of the destruction and confusion of the regulars that day and of so small a number of them being engaged in the subsequent scenes.”²⁰⁹

According to those who participated in the Battle of Queenston Heights, the militia as a unified body deserved no more or less praise than the regulars with whom they fought. The first landing party was half militia, under the command of a militia officer, and due to Chrystie’s boat being taken off course, the militia did the bulk of the fighting in the first hour of the battle. Colonel Van Rensselaer received multiple wounds in leading the attack that captured the heights, proving that the crossing and the charge occurred under heavy and accurate fire from British guns.

Of the various statements furnished by regular and militia officers alike, there was no distinction made between regular and militia as regards their conduct in the battle. “Skulkers” could have been either, and their apparent cowardice had no adverse effect on the Americans’ fighting power, as several attacks on the rear and flanks were repulsed with quick, decisive counterattacks into the teeth of concealed native warriors. Though there were retreats and setbacks, the general attitude was that the men on the western bank fought with gallantry and honor, and it was the lack of strong reinforcement from the eastern side that forced their surrender.

If the accounts agree on any specific fact, it was that the boats were entirely unreliable for the duration of the battle. Every single narrative written within days of the battle mentions the chaos of crossing, and cites the lack of boats as a critical failure of the American attack.

A newspaper account gives the number of captured men at 386 regulars and 378 militia, and there is no distinction made between regular and militia regarding the 100 men killed.²¹⁰

²⁰⁹ Colonel Chrystie to General Thomas Cushing, *Documentary History*, vol. II, 99.

Supposing that the accounting of October 12 was correct, and that there were 2,100 militia at Lewiston (or even the smaller 1,700 quoted by Van Rensselaer), then there should have been far more militia captured than there were, as militia outnumbered regulars nearly 3 to 1. However, that speaks equally to the difficulty, if not impossibility, of crossing as it does to the recalcitrance or cowardice of the militia in camp. Men were simply unable to cross, regardless of their desire to do so.

What is most interesting about Mead's statement is what it lacks: men who stood by placidly on the eastern shore watching their countrymen being cut up by British and Indian attacks. Mead saves his severest criticism for those who crossed and then sought safety, many of whom filled up the boats intended to haul away their wounded comrades to cross back to the eastern shore: "Shame on the man who, with an indifferent heart and supine hand, inclines to shrink from the glorious contest."

Of course, Mead also ends his statement with a rousing call to patriotic action, simultaneously laying out his own interests: he had "no consideration but the rights and honor of my country" echoing similar sentiments from Hull and Lucas and countless other citizen-soldiers. To others who had not yet joined the war, he urged "those that can leave their homes [to] enroll themselves as volunteers under their country's banner; any partial deprivation ought not deter. This will be ten times repaid in benefits to their posterity." Of those who refuse to fight, Mead warns "If the interest, the honor of his country, his name as an American cannot command his ardor to act, in worth he is below a savage, in blood or example I hope allied to few."²¹¹

²¹⁰ Buffalo Gazette, 20 October 1812, *Documentary History*, vol. II, 120.

²¹¹ Colonel Mead's Statement, *Documentary History*, vol. II, 95.

Mead uses the same rhetorical techniques used by Colonel Miller before Maguaga, and countless others in the first months of the war, urging men to think of how they will be remembered. If an American cannot be stirred to protect their threatened rights, then how can they be thought of as men? What will happen to the United States, if all of the men who make up the country are considered less than savages?

Not a single officer or chronicler mentioned anything about constitutional obligations or otherwise in their assessment of the failure at Queenston Heights. In the months leading up to it, nearly every example of militia disorder had to do with the regularity of their pay, their lack of sufficient clothing and tents, lack of ammunition or workable weapons, and the indifference or malignant incompetence of their commanders. Despite these hardships, many of the militia were enthusiastic supporters of an invasion, and Van Rensselaer's decision to attack on October 12th was at least partially motivated by pressure from the men under his command. When in battle, these men were as reliable and committed as their regular counterparts, and participated, to some extent, in every major action of the Detroit and Niagara campaigns up to the close of 1812.

The United States military in the early months of the War of 1812 was nowhere near self-dependent enough to operate without enthusiastic support from volunteer militia. The battles of Brownstown and Maguaga in Michigan, the raid on the British vessels *Caledonia* and *Detroit*, and the attack on Queenston Heights depended on the martial competence and discipline under fire of the militia. These examples showed that the militia was eager to volunteer, sometimes in numbers that far exceeded necessity, and were effective fighters on the field, performing complex tasks under severe enemy fire, and earning the praise of their regular peers. Failures at Detroit and Queenston Heights were the result of persistent problems with supply, crises in leadership, and a lack of adequate preparation far more than they were about insufficiently

motivated militia. The next chapter will examine in greater detail the historiographical problems with the memory of these events, and the erosion of the militia's importance militarily and socially.

Chapter 3: Conflicting Chronicles

This chapter will examine the many histories of the War of 1812 that were produced by politically ambitious participants. It will follow the same pattern laid out in the last chapter: after examining some of the events which occurred after the Battle of Queenston Heights and in the years following the War of 1812, it will analyze the personal narratives written by veterans of the War of 1812 and how those narratives did or did not become touchstones in the War of 1812's subsequent historiography. The writings of William Hull, John Armstrong, Jr., Winfield Scott, and Solomon Van Rensselaer will be examined closely, along with a number of narratives written by common soldiers and militiamen. This examination will show that the high concentration of scholarly attention on the narratives of politically powerful men have presented a flawed picture of the War of 1812 and in particular, have overlooked or diminished the role of the militia.

Where did the pervasive idea that the militia stood by at Queenston Heights, hiding behind an atrophied understanding of the law come from? None of the participants in the battle put constitutional arguments in the mouths of the militia. Colonel Mead and militia who managed to make their own voices heard described the unavailability of powder and shot, the fatigue of the men, and omnipresent sickness caused by poor clothing and no substantial cover from the weather. Correspondence between officers and the war department clearly show that the army on the Niagara had been experiencing difficulty securing those items for months before the attack. Paradoxically, several chroniclers repeatedly mentioned that the militia was so eager to engage that it forced General Van Rensselaer's hand to attack before the army was properly prepared.

Every single eyewitness who described the battle in the following days agreed on one very specific thing: the boats had disappeared sometime during the crossing, and the embarkation point on the American side had not been organized. There was no orderly plan in place to triage the embarkation point, leading those with a desire to cross to do so in a haphazard fashion, grabbing boats when they were available and without thought for how to return them to the eastern bank.

If it was clear to the participants that the real problem at Queenston had been the lack of boats, caused Van Rensselaer's lack of planning, then why does the overall historiography of the War of 1812 tell such a different story? And why does a relatively insignificant battle like Queenston Heights seem to loom so large in American memory?

In part, it has not to do with the participants' after-action reports, but with memoirs written well after the war which have been routinely used as the main sources for historians. The memory of the Detroit campaign was largely crafted as a result of the trial of William Hull for treason. His officers gave a version of events based entirely on the consistent incompetence of Hull's command, where Hull sought vindication by blaming the failures of the campaign on the militia. For the campaign in the Niagara, the heavy lifting is done by Solomon Van Rensselaer's memoir, *A Narrative of the Affair at Queenstown in the War of 1812*, published in 1836, and *The Notices of the War of 1812*, written by John Armstrong, the former secretary of war, just months earlier. Both of these accounts describe the militia's failure to cross, but Armstrong may have been the first chronicler to attempt to ascribe political motivations to the militia. These few primary sources are extensively cited by modern historians but few interrogate these writings as the career-oriented, fame-seeking tracts that they are. The focus that modern historians have on

these few sources also blind them to conflicting reports, written by contemporaries and eyewitnesses, that complicate the role of the militia in the early days of the war.

Bad Memories: The Militia Following Queenston Heights

Refusal to invade did not cease after Queenston Heights, and many other examples of collective indiscipline on the part of small or large bodies of men continued throughout the entire war. In November, 1812, just a month after Queenston Heights, General Alexander Smyth, Van Rensselaer's replacement, was preparing yet another expedition into Canada, and his efforts to secure volunteers for the action produced a fascinating exchange that exposed two very different conceptual attitudes regarding the militia and its role in the war.

Smyth was not popular. He made a great deal of noise about his professionalism, especially in contrast with his predecessor General Van Rensselaer, but his experience as a regular officer did not endear him to the militia, nor did it produce efficient relationships with his own officers. On the eve of his projected attack, one subaltern reported to Governor Tompkins that "whether General Smyth intends crossing I know not. He was rather silent on that subject." The same report warns of widespread indiscipline among the militia, the lack of proper barracks, the growing sick list, and the difficulty of regular supply.²¹² Smyth, on the same day, reported much the same, and also reported that the men had not been paid, mentioning in a post script that "a district paymaster with money is necessary. The volunteers cannot be retained for service unless paid."²¹³ None of these problems were new, as related in the previous chapter.

Nevertheless, Smyth was intent on attacking, and reported that he had "thirteen hundred regular infantry, three hundred artillery, six hundred volunteers and seventy cavalry," not

²¹² *Documentary History, vol ii, 190-1.*

²¹³ *Documentary History, vol ii, 187.*

including the New York and Pennsylvania militia.²¹⁴ Smyth then drew up a proclamation calling for volunteers, which he distributed to those regiments. The document is utterly formulaic, bearing a strong resemblance, for example, to Colonel Miller's speech to the volunteers who marched from Detroit to secure the baggage train in August.

“For many years you have seen your country oppressed with numerous wrongs,” he begins, rhetorically justifying invasion by casting the British as the aggressors. He is quick to separate that valor of the men from the leadership, saying that “the nation has been unfortunate in the choice of some of those who directed it,” referencing Hull and Van Rensselaer, “one army has been disgracefully surrendered and lost. Another has been sacrificed by a precipitate attempt to pass it over at the strongest point of the enemy's lines, and with most incompetent means.” These losses, Smyth is careful to point out, were the inevitable result of having “popular men, ‘destitute alike of theory and experience’ in the art of war.”

Given that Smyth was attempting to sway men to joining his invasion, it is not surprising that he would avoid directly implicating the militia as the cause of these failures. He does reference Queenston Heights: “will you stand with your arms folded and look on this interesting struggle?” as well as point to party faction in a roundabout way: “have you, under the baneful influence of contending factions, forgotten your country?” However, this single statement is overwhelmed by appeals to the shared heroic history of the United States. Referencing the Battle of Saratoga, he asked “has the race degenerated? . . . Must I turn from you and ask the men of the Six Nations to support the Government of the United States?”²¹⁵

Smyth's appeal is a complicated stew of emotional prodding, performing the difficult task of not *directly* blaming the militia for previous failures, urging them to bear the emotional

²¹⁴ *Documentary History, vol ii, 187.*

²¹⁵ *Documentary History, vol ii, 194.*

standard of the United States as the long-suffering victim of British aggression, appealing to the martial virtue of the country, and suggesting that a rejection of this call would be indicative of racial degradation, insinuating that local Natives would prove to be better, more patriotic, men. The appeal is deliberately provocative, and molded as if to force a counterpart into a duel, or to suffer the social stigma of being posted as a coward and poltroon.

Aside from the enthusiastic pomp of the proclamation, it would be nothing more than yet another in a string of such messages repeated throughout the war to bring patriotic ardor to a fever pitch in support of an attack. Smyth believed that these rhetorical techniques would motivate a number of men from New York to join the attack, either through positive motivation or through public shaming.

It backfired spectacularly. The New York militia drafted an elaborate response, not only rejecting his call for volunteers, but refuting the very premise of his request. Smyth attempted to convince the militia that the freedom of their nation depended on the success of an invasion. However, for the militia, the existential threat was not posed by Canadian forces but by those who clamored for war from within their own borders: “Till the day that the sound of war burst on our ear from the Capitol at Washington we scarcely experienced one moment of anxiety for the safety of our persons and property.” The war was a product of “avaricious traders and of factious office seekers” which “reached us but at the period of the elections.”

These men, at least, felt no personal rancor toward those in Canada or their British allies: “Why should our swords be drawn in redress of injuries which we have never felt, or which if they exist are beyond our reach? Why appeal to our valor for the destruction of our own happiness or that of others?” They countered Smyth’s assertion of racial degeneracy by confirming their descent from “the men that fought at Bennington and Saratoga” but,

interestingly, their claim of descendance was not necessarily a martial one, but one founded on pride in farming and working, continuing the virtuous labor of turning a wilderness into a productive, prosperous landscape: “The labors of the field are proof alike against degeneracy and the rage of contending factions.” They likened Smyth with the “foreign mercenaries” of the Revolution who had “entered the sanctuaries of their wives and children.” Smyth’s rhetoric was worse than empty; it was antithetical to their way of life and to their moral character.

In particular, they found Smyth’s naked appeal to fame repugnant:

The renown you seek is not our renown. It is the renown of Europe not of America. The wrath of God precedes it, and desolation follows in its footsteps. It delights in blood and in fields strewn with carnage, in the tears of the widow and the complainings of the orphan perishing of want and disease. This is your glory. Ours has it upon the primeval blessing of the Almighty; our victories are victories over the unproductive face of nature; our renown is in fertile fields, in peaceful homes and numerous and happy families.²¹⁶

Here was a rejection not just of Smyth and his particular rhetorical tactics, but a resounding rejection of the war itself. These men did not see themselves as saviors of a country under the heel of British tyranny but the victims of political squabbling between their own countrymen. Smyth was simply a puppet, a tool of a much more insidious and growing tyranny within their own country. Their refusal to accompany Smyth was a refusal to participate in the growing power of that tyranny.

This remarkable document connects the actions of the militia not to the frenzy of faction, but the older ideals of the role of the militia within a conscientious society. It was their duty to stand between the runaway power of a military tyranny and the rest of the citizenry; they reject the military-centered notion that the only acceptable form of patriotism was to be won on the field of battle. They saw that as nothing more than a cheap goad, a way of playing on men for personal gain, represented by the arrogant Smyth and men like him.

²¹⁶ *Documentary History*, vol ii, 194-5

It cannot be said with certainty how widespread this sentiment was or who drafted that response to Smyth in the first place. There are no names attached to this document, or even the companies or regiments who may have been consulted in its drafting. It could easily have been the brainchild of a single individual, for all the context available.

Peter Porter, the highest-ranking New York militia officer on the front at the time, drafted an appeal similar to Smyth's directed to the "yeomanry" of Ontario, so his involvement was unlikely in the extreme.²¹⁷ However, given the state of the militia in early November along the Niagara frontier, the sentiment could very easily have been widespread. The inspection on the 10th of November of Lieutenant Colonel Hugh Dobbin's New York brigade of militia showed them in a state of total indiscipline, but their rejection of service, contrasted with that of Mead's post-Queenston statement, indicates a knowing rejection of the legal and moral basis of the invasion, rather than lack of ability to cross in time.²¹⁸

This exchange highlights the critical fact that is overlooked by historians relating to the militia in the early stages of the war; they were not, nor were they ever, a homogenous, unified mass. They were "the body of the citizens in arms" in every sense of the phrase; a group of men united by their community with diverse interests, political beliefs, and ambitions. Though so much ink is spilled over the militia's refusal to cross at Queenston, very little is said of the many hundreds who did cross. Little page time is given to the volunteers who stormed the *Adams* and *Detroit*, and cut them out under fire, or of the men who fought with distinction at a number of skirmishes and battles along the tenuous supply line from Ohio to Detroit.

Doubtless, the conception of the militia as an insubordinate, mutinous, or dangerously anarchic force has some basis in reality. A few weeks following the failed attack at Queenston, a

²¹⁷ Porter to the men of Ontario and Genesee, *Documentary History*, vol ii, 204.

²¹⁸ J.W. Livingston to Governor Tompkins, *Documentary History*, vol ii, 191.

group of Maryland militia, recently arrived to the frontier, rioted in Buffalo. Though described as a “mob,” their behavior revealed a degree of organization and sophistication that more closely resembles small-scale military action. Focusing their attention on the hotel of a Mr. Pomeroy, the rioters targeted hotel and houses in the city that were owned by local Federalists. According to eyewitness Abel Grosvenor, the mob was “composed of the same miscreants who were in the Baltimore riot” and were under the command of the editor of the *Baltimore Whig*, a Baltimore newspaper aligned with the Democratic-Republicans. These men, unlike the men of New York who wrote in response to Smyth’s call for volunteers, wore their political affiliation on their sleeves, and allegedly vowed to “kill all federalists and damned tories” before they were finished.²¹⁹

The Baltimore Riot was a massive, sustained violent episode in the summer of 1812, where rioters targeted the press of the Baltimore-based *Federal Republican* newspaper. On June 22nd, the original headquarters was attacked, the editor was dragged into the street, and the press was demolished. Undeterred, the editors of the paper set up a second shop, boldly printed the address above the headline and waited, armed, for a response. A mob once again descended on the print shop, and when it was determined that the editors were armed and willing to use force to defend “the Liberty of the Press,” the mob armed itself in response.²²⁰

The federalist defenders of the press had muskets and pistols, but their opponents acquired a small cannon in addition to their own small arms, and the next several hours resembled a siege. There was even a pleasant exchange between one of the ringleaders and the

²¹⁹ Extract of a letter from Mr. Abel M. Grosvenor, *Documentary History*, vol ii, 238.

²²⁰ Thompson, John. *An exact and authentic narrative, of the events which took place in Baltimore, on the 27th and 28th of July last. Carefully collected from some of the sufferers and eyewitnesses. To which is added a narrative of Mr. John Thomson, one of the unfortunate sufferers, &c.*, 5.

unhappy newspaper owners, in which the printing office was referred to as “a temple of Infamy” which was “supported by English gold.” Ultimately, the second shop was destroyed as well, and some of the Federalist defenders were dragged into the street and savagely beaten by the crowd. The destruction of the shop was done in an “orderly, workmanlike” manner, and the crowd was organized, thorough and “restricted in its goal.”²²¹

Both sides attempted to delegitimize their opponents through the use of derogatory language, but both sides also resembled organized local militias: they were armed, had clear hierarchies, and engaged in highly organized violence against limited targets.

Over the course of the next weeks, a series of protests, counter-protests, riots, and gang violence broke out, pitching the city into chaos. While initially it was the small but vocal population of Baltimore Federalists who were targeted both physically and through organized destruction of their property, public expression of anger and political division soon spilled over into other areas. The homes of prominent free blacks were destroyed, and their churches were threatened. Baltimore’s Irish population organized along Catholic and Protestant lines, each targeting the other in large groups. The riots were nightly, and the bulk of the rioters were publicly and enthusiastically in support of the war.²²²

The events in Buffalo months later followed similar patterns. Pomeroy was an outspoken Federalist and opponent to the war, and the Baltimore militia acted with overt political motives to silence and punish him, as well as others whom they viewed as opponents of the war. The riots in Buffalo are nearly forgotten in the wider historiography, but they problematize the notion that the militia as a whole was politically animated by their resistance to the war and the administration. The fact that a large portion of the militia were regarded by their commanders,

²²¹ Gilje, 549.

²²² Gilje, 549-552

enemies, and eyewitnesses as recklessly in favor of the war paints a far more complex picture of the militia as a system and as an extension of the United States army.

Narratives: The Detroit Chroniclers

This systemic complexity is apparent in the narratives of early war campaigners, but there is a clear preference on the part of modern historians to rely heavily on the evidence presented by higher-profile writers, such as Hull, Van Rensselaer, and Winfield Scott. By comparing the relative careers of the average soldier against those of their commanders, we begin to see discrepancies in their versions of events, and from those discrepancies we can get a more thorough picture of the militia.

The first of these diarists is James Dalliba. An 1811 West Point graduate and 2nd Lieutenant in the Ordnance Department at the beginning of the war, he brings a critical point-of-view as a regular officer. He was attached to the force dispatched by Hull to meet Major Brush's column coming to Detroit from Ohio in early August, and his writing gives a professional view of events. Personal details are largely absent, but Dalliba is eager to relate his humility: "The object of publishing the following narrative is not to gain fame as a writer, nor to emblazon to the public the deeds of those who were actors in the scene," but to relate details of the Brownstown action because "so little was said about it at the time, that the impression on the public mind, that such an event ever occurred, is nearly lost."²²³ It is Dalliba's narrative that contains details about individual militiamen, such as Captain De Cant of the Michigan volunteers, related in the previous chapter.

Dalliba stayed in the army after the war, retiring as a Major in 1824 and went into business in the private sector. Unlike many of the other war chroniclers, Dalliba was uninterested in a public career, and never achieved any significant public office. His most notable post-war

²²³ Dalliba, 11.

achievement was the founding of an iron mine and furnace in Port Henry, New York.²²⁴ His comments in praise of the militia are particularly important, coming as they are from a career regular officer and a graduate of West Point. He had no particular reason to politicize the militia's success or failure, apart from accurately relating a small slice of history in which he participated.

Samuel Williams was an Ohio volunteer who marched with Major Brush in the attempt to resupply Hull's army. His perspective neatly overlaps with Dalliba, and gives a complementary perspective on events. His writing was published posthumously in 1870, eleven years after his death in 1859, though they had previously been published in 1854. They were written in third person, drawing heavily from letters he had written to his wife while on the march with Brush.

The account contains a great deal of biographical information on Williams. He was born in Pennsylvania, and his family moved between there, Ohio, and Virginia before settling in Chillicothe, Ohio, in 1807. He was heavily involved in Methodist church communities, and even though his rural upbringing precluded standard education, he was obviously an intelligent man and a capable writer. He pursued the study of history as a hobby, working not only to collect sources for the history of Methodism in the western states but also to put together a family genealogy. Like Dalliba, Williams was uninterested in powerful public positions, and his narrative was intended more for its historical singularity and its appeal to Ohio history than to advance the career of the writer.²²⁵

These two journals are mostly overlooked in favor of more high-profile accounts given by men like Robert Lucas, whose post-war career led him to high office in the state of Ohio, and

²²⁴ Cutter, William Richard. *New England Families, Genealogical and Memorial; A Record of the Achievements of Her People in the Making of Commonwealths and the Founding of a Nation*. New York: Lewis Historical Pub. Co, 1913.

²²⁵ Williams, v-vii.

William Hull himself, whose own memoir following his trial conflicts with Lucas, Dalliba, Williams, and even his own earlier letters at several important points.

It is no surprise that Hull and Lucas share a great deal of the narrative landscape of the current historiography. Their writings were made public and were important far more for the public careers of the writers than they were for any historical fidelity. Lucas' journal, at least, can be viewed as a biased but emotionally accurate account of the frustrating Detroit campaign. Hull's narrative can be viewed as apologia, a deliberate attempt to vindicate himself and his actions, and to pin the blame for the campaign's failures on something other than treason and cowardice. Hull was certainly correct in many of his assertions. Hull and later historians point to the lack of naval support on the Great Lakes and the military necessity of waiting for a secure supply line back to Ohio as two reasons that the effort to capture Amherstburg fizzled out. Claims made against the militia, however, are more complicated assertions to prove. Hull's post-war narrative conflicts directly with his own accounts written to the War Department along the march, and the scattershot appearance of the examples cited by Hull in the subsequent historiography makes Hull's assertions relating to the militia's disloyalty weak, relative to Hull's other claims.

Hull's case against the militia, adopted wholesale by future historians, rests on two events early in the campaign: their refusal to march to Detroit from Urbanna, Ohio, and their refusal to cross into Canada in July.

The events at Urbanna in early June 1812 may have been the first example of disloyal militia of the war, although it is seldom mentioned by modern historians, and for good reason.²²⁶ Edward Skeen relates the typical story: after delaying their march from Urbanna until the

²²⁶ Neither Jon Latimer nor Donald Hickey mention this incident in their general histories of the war, for instance.

regulars could be gathered, the militia in the camp turned rowdy, and made a great deal of noise. On investigation, it turned out that the militia had put some of their officers on rails and were riding them out of camp. The next morning, an unspecified number of men refused to march. Hull solved this problem by placing the militia in front of the bared bayonets of the 4th regiment of infantry.²²⁷ Nicole Eustace, in *1812: War and the Passions of Patriotism* relates the story in nearly identical language.²²⁸

This is a nearly perfect example of the typical image of the post-war militia. Not stopping at mere reluctance to serve, the militia were actively insubordinate and even seditious, subjecting their officers to cruel torture and public shame. Obviously, the solution was to subject the militia to the rigorous discipline of regulars.

The problem with this story is that it conflicts with earlier sources. A reference is made of this event in Hull's memoir, but Hull does so in reference to testimony given at his own trial.²²⁹ Hull makes absolutely no mention of this event in his daily letters to the war department. In fact, Hull offers nothing but praise before the trial, noting that the militia had conducted themselves with "a laudable and patriotic zeal" among other noteworthy compliments.²³⁰ Neither was this event mentioned by Samuel Williams or Robert Lucas, who noted when some militia refused to cross into Canada.²³¹

Skeen and Eustace, however, both relate the story, citing Hull's memoirs and the report of Hull's trial. The historiographical problems with taking these sources at face value are legion.

While it is possible that the Ohio militia could have both been so seditious as to necessitate fixed

²²⁷ Skeen, *Citizen Soldiers in the War of 1812*, 80.

²²⁸ Eustace, *1812: War and the Passions of Patriotism*, 40.

²²⁹ Hull, 154.

²³⁰ Hull to Eustis, *Correspondence of the War Department*, July 7th, 1812

²³¹ Williams mentions the difficulty faced by the army when it departed Urbanna on 11, and Lucas reports that some men refused to cross and were labelled as cowards by the remainder of the army on 27.

bayonets to prod them out of camp and later display “patriotic zeal” when the army was hacking its way through swamp and forest to Detroit, the fact that Hull failed to mention it suggests that their conduct on the march through the Black Swamp had made up for their earlier failure, at least, until Hull needed to find a means to defend his conduct in his court martial.

This logic is in line with Eustace’s arguments: Hull needed a scapegoat to shift the burden of blame from himself to a rowdy, riotous militia.²³² Skeen, however, represents the events at Urbanna as relatively typical of the behavior of the militia throughout the entire war. By 1816, that notion was so ingrained in the popular memory of the recent war that it was an easy claim to make, though it did not prevent Hull from being found guilty. Going a step further, Skeen more or less agrees with the assessment of the troop quality in Hull’s trial so much as to entirely dismiss Lewis Cass’s claims that the militia were full of vigor and prepared for invasion, claims which reflect the record kept by Hull in correspondence to the War Department throughout the campaign.²³³

Hull was certainly arguing that the events at Urbanna spoke to the general unreliability of militia volunteers, and in general, those modern historians who have pointed out this specific event more or less agree with him. Apart from the historiographical issues noted above, it is also important to point out that, if this did take place, it occurred before war was formally declared. It is difficult to attribute blame, or prove the collective failure of the militia system in the war, by pointing to an event mostly ignored within the larger historiography that occurred before the war had officially begun. The story has traction because it reflects and reinforces the comforting notions that, rather than a failure of administration or, worse, a conceptual failure, the War of 1812 was undone by a combination of insubordinate men tied to a system that had long since

²³² Eustace, 40.

²³³ Skeen, 80.

passed its usefulness, or were proxies in a seditious attempt by Federalist agents attempting to undermine the war.

Previous chapters have determined that there was, at the very least, a *de jure* understanding of the legal limitations of militia law even while the militia was legally mustered under the authority of the president in a time of war. The legal complications of marching out of state with the express purpose of invasion under a commander who had no local ties or authority should have set off alarm bells for any constitutionally-minded member of the militia.

Nevertheless, the disturbance at Urbanna had very little impact on the army's march and had, in fact, largely been forgotten by the time Hull reached Detroit.

The second popular example of the militia's unreliability was the refusal of a number of men to invade Canada in early July. The event was first recorded by Robert Lucas on July 10: "Considerable Confusion took place with the militia a number of th[e]m refused to Cross the river."²³⁴ Lucas mentions no specific number, but it is clear that it is a portion of the militia instead of the entire body. Estimates of the true number range from as few as 30, to as many as 200.²³⁵ Regardless, it was a portion small enough that "Those that refused to Cross was Considered by the army as Cowards."²³⁶

This small insurrection was led by a Captain Rupe and Captain Cunningham, but in a statement by Colonel McArthur (unrelated by Lucas), Cunningham's company was convinced to join, leaving Rupe to bear the brunt of the army's disdain. After repeated attempts to motivate

²³⁴ Lucas, 27.

²³⁵ Skeen claims that a Lieutenant Bacon claimed that "30 or 40" refused to Cross, that Cass claimed the number was 100, Hull estimated 180, and so on.

²³⁶ Lucas, 27.

the men to cross, the adjutant “made a return of them to the Gnl under the head of a list of Cowards under the name of militia.”²³⁷

Seen as part of Hull’s personal apologia, this event is not so surprising. After all, the militia had previously proven themselves to be insubordinate in the extreme, and had no battlefield experience to speak of. If Lucas’ and Hull’s opinion of their quality was correct, it would stand to reason that these men would fight badly or not fight at all when they were faced with British and Indian fire, but as the previous chapter showed, that was not the case.

This story is inflated by modern historians, who often present it as yet another step on the inevitable path to Hull’s surrender. The number of who refused are typically inflated, as both Latimer and Hickey give the number as above 150, which hews closely to Hull’s own suspicious claims. Given that Hull’s army, at this point, numbered somewhere around 2000, with the vast bulk of those men being of the Ohio militia, this is a rather small portion, and had a negligible impact on the course of the subsequent invasion.

Regardless of number, their stated cause for their refusal is not given in the sources on the day. Lucas simply says they refused, and were branded as cowards by the army. He does not mention constitutional concerns. If anything, much of the militia seemed to be in riotous favor of invasion, as Hull explains in his memoir: “The militia and volunteer officers nearly excited a mutiny, *because I did not immediately cross the river* [emphasis added].”²³⁸ Later he expands, musing on their reasons, “whether they were an expectation of plunder, I will not pretend to say.”²³⁹

It is clear that the militia cannot be considered a unified body, nor were the motivations of one group at one time indicative of the general feeling in an army at a given time, to say

²³⁷ Lucas, 27.

²³⁸ Hull, 10.

²³⁹ Hull, 43.

nothing of the context or prevailing attitudes of militia refusals across the country throughout the war. To state definitively that the militia were actively sabotaging the war effort with their various refusals is dubious in the extreme.

It is not in the scope of this work to vindicate Hull, nor is it to exonerate the militia's behavior, but it clear that the militia's part in the Detroit campaign was far more complicated than the historiography bears out. They were simultaneously a motivated, praiseworthy and capable military force and a rambunctious, ill-disciplined one. Which aspects are highlighted tends to relate to whatever argument is being made at the time.

Chroniclers: The Niagara Campaign

The Niagara's historiography is similarly composed of a small handful of documents written by men whose political or popular careers after the war ensured that their version of events would be widely read. In fact, these men based their political careers in part on their participation in the war, and their particular accomplishments in it. Three documents in particular are worth studying: John Armstrong's "Notices of the War of 1812," Solomon Van Rensselaer's "A Narrative of the Affair of Queenstown in the War of 1812," and Winfield Scott's "Memoirs of Lieut.-General Scott, LL.D."

All three of these ego documents are less interested in telling the truth of their experiences at Queenston Heights, and far more interested in casting aspersions on one another, and in elevating their own reputations. Scott and Van Rensselaer both were active in politics in the 1820s and 30s, and each leaned heavily on their war experience as a means of social elevation, as did other veterans of the War of 1812. Given the overtly political nature of these writings, their contributions should be viewed critically. War of 1812 historians have

unfortunately failed to interrogate these documents and have, instead, presented details contained within as unassailable fact.

John Armstrong's "Notices," published in 1836, was the earliest of these ego documents. Armstrong presented "Notices" as a work of history. Unlike the journals kept by Lucas, Dalliba, and others, Armstrong did not attempt to justify the purpose of his work, other than to present an epigraph on the moral lessons of warfare, and the historian's duty to retell events, and to "find much to blame in a moral as well as military view."²⁴⁰

The war presented by Armstrong was waged in an unambiguously moral dimension. Great Britain is presented as a bully, whose "insolence increased with her power, and the violation of one right, was made to justify that of another."²⁴¹ Against these violations, the United States' declaration of war was not one of desired conquest or aggression but of self-defense and necessity. The war was "forced upon the government by the long-continued and increasing injustice of England."²⁴²

Armstrong uses the same rhetorical devices to justify the conflict, *ex post facto*, as field commanders had during the war. Great Britain was cast as the aggressor, even if they never intended to invade the United States. This way of packaging the war served the same purpose when shots were fired as it did after the conflict had ended, to support the idea of justified cause and righteous victory. While objectively the conflict had reverted back to the pre-war *status quo*, newspaper and popular accounts emphasize the victories at New Orleans and Plattsburgh, as well as the British withdrawals from Baltimore.

It was victory that characterized the memory of the war, regardless of the nuanced politics of the Treaty of Ghent. This memory downplayed the clamor for Canada that made the

²⁴⁰ Armstrong, "Notices of the War of 1812," 7

²⁴¹ Armstrong, 13.

²⁴² Armstrong, 14.

war popular in the western states and characterized it as a defensive struggle, necessary for the survival of the United States. Armstrong gives lip service to the unpopularity at the war's outset, but he uses it as a means of casting the detractors as short-sighted and unpatriotic. The war, Armstrong claims, "received from the community, a less general support than might have been expected from the purity of the motives in which it originated, or the nature and extent of the evils it was intended to redress." Those who failed to support the war were "habitual opponents of the administration" who were acting to recover political power through their resistance. Though the Federalist party is never specifically mentioned, it is obvious that they are the target of Armstrong's censure.²⁴³

It is significant that Armstrong also sees the behavior of the militia as not only fundamentally political, but also motivated by party. Listing the various ways in which these "habitual opponents" obstructed the war effort, the insubordination of the militia was connected directly with these party efforts: "Even the constitutional authority of the President to organize their masses and direct their services within the states respectively, [were] denied and resisted." This made the militia resistance "active and lawless" and, inevitably, "mischievous... the source of both calamity and disgrace to the nation."²⁴⁴

The depiction of events at Detroit and in the west in "Notices" are somewhat interesting in that they present Hull in a far more favorable light than most other chroniclers of the period, but it is the Niagara campaign that is of particular interest. There, Armstrong's claims about the course of the war were informed by contemporary political animosity. This inherent political bias is ignored by modern historians.

²⁴³ Armstrong, 14.

²⁴⁴ Armstrong, 14.

As Armstrong relates the Battle of Queenston Heights, the American force had dithered at the crossing, spoiling the surprise, and it was up to the regular officers to storm the heights, as ordered by a wounded Solomon Van Rensselaer. After driving the British from the heights, the American force waited for resupply and reinforcement, but “so few and insufficient were the means provided for this purpose, and so disorderly the employment of such as did exist, that the effects expected from them were very inadequately produced.” Only a few detachments of regulars and a small force of militia “found means to cross” but the “mass of this latter description of force was immoveable.”²⁴⁵

So far, nothing in Armstrong’s depiction of events is much different than the firsthand reports related in the previous chapter. A lack of preparation and triage regarding sending over supplies and reinforcements was a commonly repeated criticism of the battle, and even Armstrong’s censure of the militia should raise no eyebrows. The controversial claims are those that attempt to interpret the causes of the militia’s refusal to cross. In all the battlefield reports given on the day or close to it, the militia’s refusal was not assumed to have been motivated by politics, but by cowardice. This was made explicit by Lovett and by General Van Rensselaer, who connected the militia’s refusal to the appearance of native troops on the flanks of the American line, but at no point does any eyewitness make any claims about political malfeasance.²⁴⁶

Armstrong’s account differs from the earlier accounts significantly. It is worth quoting him in full:

Neither entreaty nor threats - neither arguments nor ridicule availed any thing. They had seen enough of war, to satisfy them that it made no part of their special calling; and at last, not disdaining to employ the mask, invented by faction to cover cowardice or

²⁴⁵ Armstrong, 103-4.

²⁴⁶ Lovett to Alexander, *Documentary History*, vol. II, 86-7 and Van Rensselaer to Eustis, *Documentary History*, vol. II, 82

treason, fifteen hundred able-bodied men, well armed and equipped, who a week before boasted loudly of patriotism and prowess, were now found openly pleading *constitutional scruples*, in justification of disobedience to the lawful authority of their chief!²⁴⁷

Armstrong's account may have been the first that attempted to give voice to the perception that party politics were behind the insubordination, but, as other accounts of the 1830s echo these sentiments, this perception was not controversial.

Armstrong's account drew fire from Solomon Van Rensselaer, who was motivated to write his own version of the events at Queenston Heights in direct response. Casting himself as a soldier flying "irresistibly to the rescue," Van Rensselaer gives the purpose of his book as answering "a definite and limited purpose; to disabuse the public in relation to a single event, one of the most important of the war of 1812 [sic], and to rescue one individual at least from the desperate assaults of this hoary calumniator."²⁴⁸ Van Rensselaer only refers to his cousin Stephen distantly, either suggesting his presence or referring to him by his preferred epithet, "citizen general."²⁴⁹ It is perhaps an odd choice, given that Van Rensselaer refers to himself as a soldier, and to his cousin as a citizen-soldier.

It speaks to an odd notion relative to the discussion of the militia: while individuals were praiseworthy patriots acting in selfless service to their country, the militia as an institution and as a reference point for the general public was untrustworthy. Similar rhetorical distinctions are clear in accounts written during the war, both for private use and for official correspondence. There is a stark difference between those described as "volunteers" and those described as "militia," the former being praiseworthy and the latter being deficient in motivation, discipline, or skill. It is important to point out, however, that both words refer unambiguously to militia.

²⁴⁷ Armstrong, 104.

²⁴⁸ Van Rensselaer, "A Narrative of the Affair at Queenstown," iii-vii.

²⁴⁹ Van Rensselaer, vii.

Van Rensselaer wastes little time in finding fault in Armstrong's narrative and levelling criticism of his own. Particularly, he found the armistice entered by both sides early in the campaign—something that Hull had also roundly criticised—was asymmetrically harmful to the American cause. Armstrong pins the blame for this armistice on General Van Rensselaer, but it had been the Secretary of War at the time, Henry Dearborn, who had agreed to the armistice, not General Van Rensselaer alone. The temporary treaty was used by Americans to get the supply problem under control, but even with the armistice in place, “the ordnance and supplies intended for our army, having been collected at Oswego, were not likely to ever reach us,” in addition to the British dominance of the lakes and the poor quality of the roads and the wet weather made moving artillery around near impossible.²⁵⁰

As the months went on, the army's situation changed. Reinforcements, “which were now constantly coming in” had a positive effect on morale, and left the army clamoring to invade and wipe away the “disgrace of Hull's surrender.”²⁵¹ In deciding on the plan, place of attack, and working on the logistical needs of the army, Van Rensselaer once again relates the number and carrying capacity of the boats made available for the expedition. There were thirteen, “capable of transporting three hundred and forty men with their equipment” but they had been left “in full sight, and within musket shot of the enemy.”²⁵²

The boats, by this assessment, were not even capable of transporting the initial wave of 600 men at once. In yet another example of the picking and choosing notion of militia efficacy, Van Rensselaer was of the opinion that his militia, “were much superior to the newly recruited regulars in point of discipline.”²⁵³ Given that these were just 300 out of roughly 1,700 militia,

²⁵⁰ Van Rensselaer, 11.

²⁵¹ Van Rensselaer, 18.

²⁵² Van Rensselaer, 21-23.

²⁵³ Van Rensselaer, 24.

and they were recruited from volunteers on the basis of their discipline, courage, and ardor, this is not unlikely to be true, regardless of Van Rensselaer's ultimate objective of vindicating his cousin's conduct at Queenston Heights.

The version of events in the first portion of the battle more or less match up with the accounts given just after the action: Colonel Van Rensselaer and the militia captured the heights in a brief and bloody skirmish in which he was badly wounded. Asking for the regular commander, Colonel Chrystie, to take command, he found that Chrystie was absent (likely as a result of his boat being swept downstream), and he remained the lone American commander on the scene until daylight and had to order the disposition of troops to repel a dawn counterattack on his own: "Having thus accomplished the work with two hundred and twenty-five men, for which six hundred and forty had been detailed, nothing farther was necessary for the full attainment of the objects of the enterprise, than to secure the advantages gained."²⁵⁴

In Van Rensselaer's estimation, the failure of the attack was the result of Colonel Chrystie's failure to arrive promptly with his men: "To his failure may mainly be attributed all our disasters."²⁵⁵ Chrystie's inability to cross the river in a timely fashion and to join his forces with those who had crossed set off a series of cascading delays and confusion that ultimately doomed the American effort.

Chrystie's decision to turn back with a number of other boats had "dampened the hitherto irrepressible ardour of the militia," after which only "a small portion of our army could be prevailed to cross." The rest stood by, indifferent to the men on the other bank being "cut up" and eventually captured."²⁵⁶ In contrast to Armstrong's account, the militia here, though worthy of censure and clearly contributing to the failure of the attack, were not motivated by faction or

²⁵⁴ Van Rensselaer, 27.

²⁵⁵ Van Rensselaer, 28.

²⁵⁶ Van Rensselaer, 29.

political principle, but were guilty only of following the example of the cowardly behavior Chrystie in the face of the enemy.

Solomon Van Rensselaer's account is not unbiased, and his word is not necessarily more trustworthy than Armstrong's. He had been seriously wounded in the initial charge up the heights, and he was subsequently not present or in a clear state of mind when the militia allegedly saw Chrystie's ignominious return. Van Rensselaer relied on second-hand remembrances to construct his narrative, and he found a convenient scapegoat in Chrystie, whose death in July 1813 meant that he was unable to assert his own version of events. Van Rensselaer used Chrystie the same way that Armstrong used the militia and the same way that the general public, the military leadership, and his junior officers used William Hull: to inflate their contribution to triumph and to mitigate their participation in disaster. This was done on the part of Van Rensselaer and Armstrong specifically because they were active in politics in the early 1830s, and used their own participation on the War of 1812 as a means of securing and supporting their reputation as war heroes.

Another chronicle written by a veteran of Queenston Heights, though penned far later than the previous examples, can be used to highlight the inherently political nature of these tracts. Winfield Scott was a lawyer turned artillery captain in 1808, under the same expansion of the US army that gave Alexander Smyth his commission. He was a colonel at Queenston Heights, one of the few regular officers who was present for the duration of the battle.

Scott's version of events is somewhat more dramatic and personal than either of the others, and also differs in intent. Armstrong claimed to be an impartial witness of events, a chronicler who owed fealty to history and posterity; Van Rensselaer was a soldier defending his comrades from libel and defamation. Scott's intention was to write for the posterity as one of the

“leading actors in the public events of our times.” Other “statesmen, diplomatists” had “failed in their duty to posterity and themselves” by not writing personal memoirs. This was a flaw particular to those of the “anglo-saxon race” in recent times, as “it was otherwise with very many eminent men of antiquity,” including Moses and Joshua, Xenophon, Cato, and Caesar, among many others.²⁵⁷

It is into this esteemed company that Scott places himself, as a simple chronicler of personal events with an eye toward the writers of the future.²⁵⁸ In this way, Scott’s account is unique only in the lofty ambition of the work, and reflects the posterity-conscious attitudes of the Revolutionary generation.²⁵⁹ Scott’s personal attitudes and opinions are sprinkled throughout the work in tangential footnotes, as well as in the main text.

Scott’s point of view on Queenston Heights overlaps many of the others, despite its narrow focus. He is sparse with details of the battle that do not directly concern his own actions, but he does confirm that there was a significant difficulty in arranging transport by boat in the hours after dawn, given that the boats “had to sustain a direct plunging fire from the battery on the heights,” that sank at least one boat.²⁶⁰ Later, when the British attack pressed the American forces back to the edge of the river, Scott notes that only a handful of serviceable boats remained at all.²⁶¹

For his own part, Scott provides an entertaining, if rather boastful, appraisal of American forces during the battle. After crossing in the second wave of boats with his battery, Scott took command from a list of wounded seniors and was centrally placed to repel an attack with

²⁵⁷ Scott, *Memoirs of Lieut.-General Scott, LL.D.*, ix-xi.

²⁵⁸ Scott, xxi

²⁵⁹ Charles Royster’s *A Revolutionary People at War*

²⁶⁰ Scott, 57.

²⁶¹ Scott, 61.

“storming and free use of the sword.”²⁶² Scott, along with all of the men on the Canadian side of the river, were forced to surrender only after hand-to-hand fighting, “by the force of overwhelming numbers.”²⁶³

Scott also provides insight into the tempestuous relationship among the officers of the militia and regulars. Scott himself refused serve under an officer of inferior rank. He and Solomon Van Rensselaer were both lieutenant colonels, but Scott assumed seniority due to his rank in the regular army.²⁶⁴ This was a typical point of contention between the regulars and militia, as were arguments over rank equivalence.

However, the refusal to serve under a militia counterpart brings Scott around to sharing an anecdote that illustrates the political animosity between him and Solomon Van Rensselaer. Scott had arrested Van Rensselaer’s son at Schlosser, “while attempting to invade Canada at the head of a body of Americans” as part of the Patriot War in 1838. Consequently, Van Rensselaer was the only member of the New York delegation to vote against Scott for the nomination for president in the race of that year. The other two nominees were Henry Clay and William Henry Harrison, whose roles in 1812 need little elaboration.²⁶⁵

In contrast, Scott has a high opinion of General Stephen Van Rensselaer, who was “a citizen of undoubted patriotism and valor, with a weight of moral character very rare” whose relationship to Solomon, the general’s cousin and chief of staff, was distant or artificial. The general’s difficulties stemmed from a lack of military experience, but more specifically, “the machinations in the ranks of demagogues opposed to the Administration and the war.” Here is the case for the anti-war militia made most strongly by a contemporary observer. Scott takes

²⁶² Scott, 59.

²⁶³ Scott, 60.

²⁶⁴ Scott, 56.

²⁶⁵ Scott, 57.

Armstrong's assertion of "constitutional scruples" and connects it forcefully with the idea of the widespread unpopularity of the war. Referring to the balking militia as "vermin," Scott continues that these men "discovered that the militia of the United States could not be constitutionally marched into a foreign country!" In the face of such disloyalty, the "pure-minded general" Van Rensselaer, retired from service.²⁶⁶

It was clear to Scott that party frenzy motivated the militia to refuse to cross, which led inevitably to the loss of the battle and to Scott's capture, as he explains in a footnote. In Scott's mind, it must have been stimulated and sustained by party, otherwise why would Scott later to expend his "utmost exertions" to stop "uninvited, unlawful, and preposterous invasions" of Canada from 1837-39? The fact that these two invasions, separated by two decades and with completely different groups of men for different reasons and with a different political landscape, does not seem to have influenced Scott's opinion.

Unfortunately, there are few documents which come close to revealing the political and intellectual beliefs of the men who refused to cross. The statements that are available are universally given from the perspective of men who did cross, and nearly all of them spend time excoriating those who did not. What changed between October 1812 to the 1830s is the perception of motivation: Armstrong and Scott relay the perceived *feelings* of the militia in the light of post-war politics.

As described in the previous chapter, contemporaneous accounts largely restrict themselves to describing the cowardice and moral failure of the militia, but on the account of party machinations, they are silent. The weight of documentation even makes a strong argument that it was the intense clamor of the militia *in favor of* an attack on Canada that forced General Van Rensselaer's hand, which cascaded into the logistical failures that sank the attack.

²⁶⁶ Scott, 63-4

Conclusions

The militia is often considered the weak link of the American efforts in 1812. Hyperbolic sentiments given in the heat of disaster claim that, if not for a handful of recalcitrant militia, American forces would have marched triumphantly on to Montreal, or that the failure at Detroit was a result of a widespread conspiracy aimed at William Hull. These assertions are counterfactual projections based, in large part, on personally written accounts precisely created to exonerate individuals for their perceived failures.

Supply was the critical weakness for American efforts in first months of the war. Supply was the foremost concern of the command of both fronts from the first days of their efforts. General Van Rensselaer never sent a report back to the War Department without requesting some manner of resupply, and often had to repeat his requests over the course of months. Men were destitute of ammunition, clothing, blankets and medical supplies. The vast majority of the militia assembled on the banks of the Niagara were never even given the basic amenity of a tent to cover themselves from the weather. Sickness and disease was a persistent problem, claiming considerable portions of the paper-strength of American forces.

Hull's troubles were similarly based on supply. A single tenuous lifeline connected Detroit with Ohio, which in parts was nearly within cannon shot of Fort Malden, and easily at the mercy of fast-moving canoe-borne raiding parties led by Native warriors. Yet still, the militia fought creditably, in all of the conditions that axiom argues should make them more hindrance than help. Yet there may have been a small number of men who were motivated to refuse calls to invade by rejecting the militaristic patriotism of army officers and administration officials. How widespread these notions were is difficult to determine, but it can be conclusively argued that

they were an extreme minority amidst a raucous, patriotically animated militia who were desperate to prove themselves the measure of their ancestors.

The militia was a convenient scapegoat in the post-war political battlefield. By the 1830s, the usefulness of the militia as a warfighting force was on the wane, there being a period of relative peace on the borders of the United States. By the 1820s, there was even a “widely felt hostility” to the militia system in Philadelphia, where it was viewed as having a starkly uneven expression on the rich and the poor. Workaday laborers lost income on muster days, where the rich or middle-class would often hire substitutes to take their place.²⁶⁷ These were old problems with the militia system, but in light of the lack of credible threats and the presence of a great many private “volunteer” companies in the city, public militias appeared to be frivolous and burdensome, and the way that volunteer companies were incentivized in the city did nothing to make the system more fair for the less wealthy. Men of the city made many attempts to change the system and to lessen the frequency of public musters, or to soften the punishments for those who failed to show up.²⁶⁸ Those who did show up often paraded with cornstalks and broomsticks, as they were unable to afford the weapons they were obligated to carry.²⁶⁹

When petitions failed to change the city’s mind, the working class men of Philadelphia turned instead to what Susan Davis refers to as “folk drama.” The men of the 84th militia regiment elected as their colonel John Pluck, a man who shoveled manure from a tavern stable. Their choice was a sharp and subversive one: Pluck was a man of the lowest possible station, who physically stank, and was bowlegged, hunchbacked, and barely five feet tall.²⁷⁰

²⁶⁷ Susan G. Davis, *The Career of Colonel Pluck: Folk Drama and Popular Protest in Early Nineteenth-Century Philadelphia*, 184.

²⁶⁸ Davis, 185.

²⁶⁹ Davis, 189.

²⁷⁰ Davis, 187.

The point was not lost on the officers of the division, who rejected the 84th's choice of colonel. But a second vote confirmed their choice and nullified the other officers' objections, and John Pluck became Colonel John Pluck, regimental commander. His election was a deliberate thumb in the eye to the system, and was an attempt to popularize and satirize the militia as a system. By publicly voicing their distaste for the system in such a fashion, their actions echoed popular dramatic tropes in fiction of the time, of "ritual elevation of the deformed and deficient," a tradition in folk tales dating back to at least the Middle Ages.²⁷¹

What's notable about this example was that Pluck was not an invented caricature nor was the election a mock one; the men of the 84th elected Pluck to serve as the official regimental commander for a term that lasted years. His job entailed leading parades through the city and drew widespread public attention for the absurdity of his uniform and the obvious unsuitability of his skills and experience.²⁷² The 84th turned the militia muster into a farce that received national attention, and a reaction from the elite establishment of Philadelphia, who saw to it that Pluck was court-martialed and cashiered in October 1826.²⁷³

Militia musters were not abolished until 1858, but Pluck's short-lived stint as part vaudeville routine and part regimental commander was only one expression of a popular sentiment throughout New England that the militia system was an old-fashioned, time-wasting exercise that gave elites "a little brief authority and a chance to strut their hour in regimentals."²⁷⁴ Men at public militia musters through the late 1820s and 1830s took the chance to dress in ridiculous costumes, and turned the events into burlesques.²⁷⁵

²⁷¹ Davis, 187.

²⁷² Davis, 189.

²⁷³ Davis, 190.

²⁷⁴ Davis, 193.

²⁷⁵ Davis, 193.

This is the backdrop of the writings of Armstrong, Van Rensselaer, and Scott. The militia was a system that was undergoing major changes, from the introduction and popularity of private “volunteer” societies that more closely resemble gentleman’s clubs than military companies, to the increasing difficulty of average citizens to afford the time and equipment necessary to partake in the obligation. The system, and the culture that supported it, was eroding, both because of neglect from above and criticism from below. For a veteran of the War of 1812, set on making a career on tales of their own heroism, this convenient situation of the militia, the very word a shorthand for farce, popular misuse, unreliability and cultural subversion, to say nothing of the old animosities between regulars and militiamen, made the militia a target that would upset no one, and would merely confirm the many preconceptions of the system as broken.

Regardless of the popular conception of the militia by the 1830s, the performance of the militia during the war, and especially in the Detroit and Niagara campaigns in the first stages of the conflict, had been grossly distorted. Where Hull contradicted his own earlier writings in an attempt to save public face following his trial, the politically ambitious leaned heavily on their image as honorable warfighters in order to secure high public office. Set amidst the rapidly changing American demographics in the 1820s and 30s, the militia was a safe, politically neutral scapegoat for the failures of the early war effort.

Conclusion

The events of the War of 1812 argued to many that the militia was a broken system. Not only was the system militarily unreliable, it was socially problematic, expensive, and vulnerable to sabotage and “party frenzy.” Certainly, if the system is regarded as an extension of the United States Army, it *was* a failure despite considerable evidence to the contrary. But by the 1820s and 30s, the militia had fallen out of a favor as a method of force projection. The Seminole conflicts were fought predominantly with regular forces, as was the Black Hawk War, and the United States’ next international conflict seemed to have ended the usefulness of the militia once and for all.

A regular army force of just over 6,000 men stood ready at the start of the Mexican War, over 2,000 men short of the authorized size. On paper it appeared that once again the United States was not prepared for a large scale, offensive conflict. But the United States army was a much different animal in 1846 than it had been in 1812. Frontier conflict and decades of filibustering in Mexico had hardened men on the borders and provided a large pool of motivated recruits for the war. The United States Military Academy at West Point continued to produce well-educated officers who were skilled at handling men in the field.²⁷⁶ The first months of the conflict not only saw a great deal of popular support for the cause, but regional commanders also took non-legitimate authority in calling up state volunteers to serve.²⁷⁷

²⁷⁶ Urwin, 65.

²⁷⁷ Kent Germany, “Patriotism and Protest: Louisiana and General Edmund Pendleton Gaines’s Army of Mexican-American War Volunteers, 1845-1847,” *Louisiana History: The Journal of the Louisiana Historical Association*, Vol. 37, No. 3 (Summer, 1996), 325.

The situation was still far from perfect. Just like in the previous conflict, officers had little experience working with groups larger than the company or regiment, making the larger organizations unwieldy in the field.²⁷⁸

President James Polk was still convinced of the need to temper the expansion of the US Army, which eventually recruited more than 40,000 men, with a civilian counterpart. This force only vaguely resembled the militia of 1812. The administration called for a force of 50,000 “volunteers,” with recruits required to furnish their own uniforms, arms, and horses, and were enlisted for a period of 12 months, or the duration of the war. These men were to be led by federally appointed general officers, which additionally placed the entire volunteer force under the same legal obligations and restrictions as the regular army. The only appeal to the old militia system was that officers from ensign to colonel would be elected by the rank and file.

Despite Polk’s desire to furnish a force of citizen-soldiers, this force bore little resemblance to the earlier iterations of embodied militia. They were still, however, subject to the same complaints by regular officers and more “professional” counterparts. The popular clamor to enlist grew so enthusiastic that volunteers outstripped the administration’s need for and ability to collect and organize them. Over 70,000 volunteers served in the Mexican-American War, more than half of them serving for the war’s entirety.²⁷⁹

The war in Mexico was far more popular than the war in Canada, but even so, the Polk administration had a problem with volunteer enlistees demanding to return home when their enlistments ran out. By the end of the first year, enthusiasm for the war had waned, and Congress

²⁷⁸ Urwin, 64.

²⁷⁹ Urwin, 70.

found it necessary to increase the pay for volunteers in order to encourage more men to enlist for the duration.²⁸⁰

Notably, however, there were few popular protests, few examples of men refusing to serve or to invade. The war was sold to the American public as a war of righteous conflict far more convincingly than the War of 1812 was. The American state had erected a system which eliminated the legal ambiguities that allowed the kind of resistance that was popularized between 1815 and 1846. The men who served in the Mexican War were “citizen-soldiers” in name only; their legal obligations and moral responsibilities differed only in their duration of service.

The warfighting duty of the militia was, however, only one small part of its usefulness. As a social organization, it still provided men with the means to acquire social distinction, communities still organized fire-fighting forces on the basis of the militia, and in times of social strife, the militia, an organization that by the 1840s was little more than an assembly of the men of age in a certain location, was relied upon to deal with the crisis. Volunteer associations, while distancing themselves from public obligation, still sought to fill the role of conscientious citizen-soldier. During the Civil War militias were organized on both sides of the political fence, and in the violence of Reconstruction, white “yeoman” militias formed around ex-Confederate soldiers and terrorized Republican sympathizers and the free communities of color. State and federal officials eventually sanctioned the formation of black militias, but these militias had been organized and active for long before they were officially recognized.

This thesis has examined the perspective of many men with regard to the militia. Some saw the militia as a failed extension of the United States Army, as a force-projection tool that was obligated to obey the orders of their commanders without question. Others saw it as a force suitable only for the defense of the country. Still others considered the defense of the country as

²⁸⁰ Urwin, 68.

a whole to be too broad a role, and suited themselves to defending only their local communities. Some men salivated for the chance to invade, and were the first in line to volunteer for dangerous duties, eager to exchange fire with the enemy and to conquer in the name of a righteous cause. Others were cowardly, either by disposition or due to months of stress, fatigue, and sickness.

What does all this mean? The acceptance of the narrative given by politicians and men of influence gives a false impression of the militia. It assumes that the militia was, by design and by experience, an extension of the power of the American state and that it was unquestionably a tool for force-projection. But by problematizing the once axiomatic depiction of the militia as a *failed* tool for force projection, it allowed the state to construct and employ an armed force that was subject to control and command only from itself.

What we find in reality is that the militia was a tool that was intended for a number of often conflicting uses. As “the body of the people in arms” it was meant to structurally reflect the will of the people, to prevent military tyranny from reigning over the new republic. However, it was also meant to be an effective fighting arm, a safeguard against invasions both physical and metaphorical. It was designed to be able to object, to operate as a parallel military force that would weigh the benefits of an action against moral, ethical, and political concerns in a way that a standard military force would be incapable of or uninterested in. Under some conventions, it was designed to democratize military actions and to protect against the inevitable collection of military power in the hands of a despotic central government. Under others, it was designed as little more than a pool of trained, experienced manpower ready to be used by the state. The political struggles in the early republic, especially the necessity to resist the popular uprisings of rural militia with militia from outside the immediate area, show that these struggles were not

limited to congressional assemblies, but were felt and fought by citizens—and non-citizens—across the country.

The beliefs expressed by the chroniclers included in this thesis reflect ideas about manhood, virtue, citizenship, and by implication, the legal obligations that bound their service to the United States. Complaints about militia service from officers or bystanders similarly reflect a moral and legal ethos, and the particular focus of modern historians on only some aspects of these chronicles reveal a bias, likely unconscious, that favors the perspective of the state with regard to the militia. That is, the representation of the militia as nothing more than an extension of the armed power of the state.

The War of 1812 was the gristmill that narrowed the popular conception of the militia as a popular check over military tyranny to one that saw its usefulness as limited solely to the battlefield. And against that conception, the militia was viewed as a failure. Concerns of supply, pay, and the logistical complications of organizing an invasion of a massive country fall to the popular image of the party-motivated citizen-soldier, his arms crossed over his chest in loathsome disdain of his comrades, dying for their country across a river.

The failure of the first campaigns of the War of 1812 were due primarily to the lack of reliable supply, a product of not only the infrastructural complexity of the continent, but also due to the Madison administrations failure to properly prepare for the war. Without regular resupply, adequate winter clothing, food, ammunition and with many men armed with muskets that were in abysmal repair, prosecuting a successful offensive war was next to impossible.

Alexis De Tocqueville noted that war makes apparent the weaknesses of a government, both in terms of the lack of centralization, and the flaws and vices of the individuals who sat in positions of power. His example of how the United States learned this object lesson was, of

course, the War of 1812. He wrote of Connecticut and Massachusetts refusing to send their militias, and how they followed “absurd and destructive” doctrines that forced the federal government to “seek elsewhere the troops it lacked.” In doing so, De Tocqueville argued for the centralization of power as a solution to this problem.²⁸¹

Far later in his *Democracy in America*, Alexis De Tocqueville writes of the differences in manner and conduct between aristocratic armies and what he terms “democratic armies” and especially how the latter differ from democratic societies. Democratic armies, he argues, desire war, because “war empties places and finally permits violation of that right of seniority that is the sole privilege natural to democracy.”²⁸²

The ardent clamor toward invasion shown by many of the militia in the Detroit and Niagara campaigns seems to confirm that idea. A great number of men made their fortunes and political success on the back of the War of 1812, and a number of them were men of the militia, first and foremost. Their success, however, was based on distancing themselves from what increasingly came to be viewed as a broken, intemperate system that was unfit for the political system of the United States.

The American militia was a reflection of the American polity in 1812. It was fractious, disorganized, and wildly different depending largely on geography, economic, and military circumstance. Though the greater portion of men who mustered and fought were fully supportive of the Madison administration and the war in general, a smaller portion were opposed to it. These men have had little examination in subsequent histories, as their actions have been deliberately mischaracterized by some, and overlooked or marginalized by others.

²⁸¹ Alexis De Tocqueville, *Democracy in America*, trans. Harvey Mansfield and Delba Winthrop (University of Chicago Press, 2002), 159-160.

²⁸² De Tocqueville, 619.

Their opposition reveals a number of important truths about the War of 1812. Failures of supply, organization, and command made a complicated plan of conquest far more so, and led the inability of American arms to capture Canada. Despite the widespread condemnation of this state of affairs by participants on both sides of the political spectrum and across all ranks and theaters, the militia shoulder the burden as the lead weight that sank American efforts. Where men could not cross the border due to circumstance, it was reported as political malfeasance. Where it was an expression of a politically neutral rejection of war as a whole, it was assumed to be the product of party frenzy and political brinksmanship. Only where it was in support of the war and the administration was the militia considered to be laudable or meritorious.

All of their decisions showed that the militia was a way in which citizens, and sometimes even non-citizens, could organize and speak to power. The formation of a militia was a political statement, as much as it was an expression of military power. By standing parallel to the mechanisms of state power and either conforming to or rejecting calls for service, men of the militia functioned as a popular check against the inevitable tyranny of military power.

By examining the militia's actions in the War of 1812, we can learn not only about the hardship and toil of soldiering, but of the very foundation of manhood and citizenship bore by the men who chose to serve, or chose to object. This expression of citizenship, especially in its anti-authoritarian expressions, were perceived as a threat not only to the ambitions of a few, but to the nation as a whole, and in subsequent conflicts, the United States found ways to mitigate the possibility that men would politically engage through forming or serving in militias.

This was done not by invisible hands of the state but through individual action, and the popularization of individual attitudes about the war. The militia made an easy target in the 1830s because it was regarded as a failed system, just as the Federalists were regarded as a failed party.

It was easy to pin failure on their shoulders, because the nation's conception of citizenship, of moral and legal obligation, or self-organization and class-structure, was undergoing significant changes in the decades after 1812 that eroded popular support of the militia system.

The militia as a system and as an expression of the legal, moral, and philosophical dimensions of citizenship deserves a much more thorough study. Though this thesis is limited in scope to a bare handful of actions in a single international conflict, the complexity of the relationship between battlefield commanders, militiamen, civilian witnesses, and the national administration can be clearly seen, and begs for a more comprehensive examination.

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