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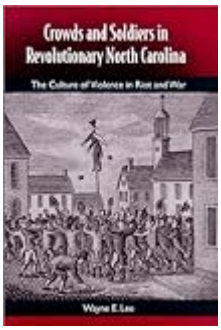

Wayne E. Lee. *Crowds and Soldiers in Revolutionary North Carolina: The Culture of Violence in Riot and War.* Gainesville: University Press of Florida, 2001. xv + 380 pp. $55.00 (cloth), ISBN 978-0-8130-2095-2.

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Crowds and Soldiers, or, John Keegan meets E. P. Thompson

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In this fine study for the University Press of Florida's Southern Dissent series, Professor Wayne E. Lee examines political violence in North Carolina during its later colonial and Revolutionary eras. Lee addresses two perplexing questions. How does a society move from riot to revolt to war? How do participants carry out their violent acts? In answer, Lee turns to the colony's culture for clues. The author's initial questions raise two more: "How does culture encourage, shape, and limit political violence?" and "What were the rules of public violence in colonial and revolutionary North Carolina?" (p. xi) In order to answer those questions Lee studies the relationship between mobs and civil authorities, how riots slip out of the control of the mob's leaders, and how and why war turns savage through the use of retaliation. These categories are chosen deliberately because Lee places violent behavior on a continuum from riot to war and notes that even in war public opinion and cultural norms affect the use of violence by a state. These norms also condition the behavior of participants in the conflict. What separates Lee's work from previous studies of political violence is that he does not focus on the causes of violence; rather, he examines the violence itself in order to tease out clues about a society's tolerance for violent political dissent.

What Lee discovers is that violence was a regular part of life in North Carolina. The goal of rioters and soldiers was to pursue violence that gained the approbation of the community. Such approbation translated into legitimacy for the cause espoused by the rioters or soldiers. What the Regulators and the revolutionary militias discovered was that violence often could not be so easily restrained once it occurred. One of the contributing factors that created a spiral of increased violence was the desire for revenge and retaliation. Lee's analysis reveals how this desire was often found in conflict with Indian tribes, from the fear associated with real or supposed slave revolts, as well as in the last years of the Revolution (1780-1782) when the British invasion of the South placed a tremendous strain on the fabric of southern society.

What happened in these three scenarios was a perception by white North Carolinians that the other side "broke the rules." The other side could be hostile Indians,

threatening slaves, or the British Army and Loyalist militias. As a result of these alleged transgressions, one side "demonized" the other and then used this demonization to justify retaliatory violence. In essence, the other side broke the rules, so we too will throw away the rule book because the other side deserves no better treatment for their "savage" behavior. This notion of the "Other" is an important component of cultural theory that Lee has incorporated into his work. He does not use this concept blindly. He notes that some North Carolinians used this sense of difference to further their self-interests and not just to retaliate for "real" transgressions of the code that governed violent behavior.

In the first part of the book Lee focuses on rioting. He discusses the British roots of colonial American rioting and details the pattern that riots followed. Aggrieved colonists wrote petitions first, then pursued a passive response if the authorities neglected their petition (e.g. they failed to pay their rent), and finally engaged in ritualistic violence which colonists directed towards specific targets. The county courthouse often became the focal point of activity in these affairs. Colonists, both elite and common folk, participated in these riots and believed that they were righting a wrong when they pursued this course of violence and that their actions were legitimate. Lee uses the Enfield Riots (1758-1759), the Sugar Creek "War" (1765), and the Stamp Act riots (1765) as examples of this pattern of restrained violence.

Colonists only took violence as far as their cultural norms permitted. In these cases the authorities proved willing to compromise with the rioters to resolve their grievances. Lee believes that this willingness to compromise represented more of an utilitarian approach, rather than altruism, by the colonial authorities. Thus, it was not so much paternalism but a fear of social disorder and violence by elites that motivated this spirit of compromise by the royal administration and colonial assembly.

The Regulator Movement of 1768-1771 initially followed this earlier pattern. Colonists in the Piedmont region of North Carolina objected to the corruption of local officials and pursued peaceful means to rectify the problem. The Regulators drew up petitions to the assembly, drove off a sheriff who tried to seize a farmer's horse, and assembled a large body of men (many of whom were unarmed) to show their solidarity. Governor Tryon heard of this massing of men and ordered the militia to mobilize. What prevented an escalation of the violence in 1768 was that both sides soon realized that they had misread the signals from the other side. The Regulators were not going to attack the capital and the militia had little interest in attacking the Regulators. Tryon pardoned the Regulators, save for the principals in the attack on the sheriff, and a local jury acquitted the two Regulators put on trial. One of the Regulators' enemies, Edmund Fanning, a local judge who urged the crackdown on the western settlers, was convicted of six minor charges. Violence worked for the Regulators in 1768 because it publicized their grievances and forced action by the colonial government. Had Tryon ordered the militia to attack the Regulators, he would have lost legitimacy and popular support because the Regulators had followed precedents for popular political violence.

The Regulators luck ran out in 1770-1771. The problem of corrupt officials persisted. Regulators sent petitions to the colonial assembly and even elected three assemblymen. Local officials targeted by the Regulators began to sue for slander. The Regulators found little relief from the assembly or the courts and so they refused to pay their taxes. There was minor violence, such as the whipping of a sheriff in 1769, but the event that changed the image of the Regulators was the Hillsborough Riot of September 22-23, 1770. The Regulators hoped to reveal their discontent; instead, they started a war. Armed Regulators wanted the local court session to remain open, but they wanted justice on their terms with their handpicked jury. They beat Fanning and a local lawyer, and then grew angry when Judge Henderson fled town in the middle of the night. The Regulators then drove Fanning out of town, sacked his house, and destroyed a church bell donated by Fanning. Excited newspaper accounts in the eastern part of North Carolina and in adjoining colonies even wrote that the Regulators had placed a dead slave at the lawyers' bar in the courthouse and uttered treasonous oaths damning King George III.

What the eastern part of North Carolina thus heard was that the Regulators wished to overturn the social order. Far from being rioters with legitimate grievances, the Regulators now appeared as revolutionaries and the "Other," much as colonists had seen Indians and slave rebels. Governor Tryon received, with some difficulty, an indictment against the Regulators. He then began to assemble a militia to move against them. The Regulators made his task easier when they burned Judge Henderson's farm, appeared to menace the capital at New Bern, and operated courts in their counties. These actions led the assembly to pass the Johnston Act, a riot act based on the English Riot Act of 1714. The indictment and the Johnston Act gave Tryon the legitimacy he needed to raise a militia and lead it into battle against the Regu-

lators.

The Regulators also had another problem. They formed an army to prepare for combat with Tryon's militia. How could they be aggrieved colonists and a military force at the same time? They could not. At the Battle of Alamance, the militia dispersed the Regulators and Tryon spent a month pursuing stragglers. Tryon executed only six Regulators and issued pardons for many others. Lee concludes that Tryon succeeded in obtaining legitimacy by following the rules of warfare and the terms of the Johnston Act.

In Part Two Lee discusses the conduct of war in North Carolina during the American Revolution. He asserts that North Carolinians clung to a belief in "virtuous war" which was a war "that encompassed the restraints and influences of traditional morality, republican ideology, European military formalism, the culture of honor, adaptive and reactive responses to Native American culture, and a still strong, although diminishing, sense of providentialism" (p. 102). North Carolinians expected combatants to follow the rules of war, something the Continental Army did quite well. The Patriot and Loyalist militias were not quite as scrupulous in their observance of these rules and their behavior in battle sometimes helped lead to an escalation in fighting and violence as one side accused the other of not following the rules of war.

To compare the ideals of military behavior to actual practice Lee makes reference to treatises on international law (i.e. Vattel and Grotius) and military training, officers' manuals, as well as memoirs and letters from combatants in North Carolina. Lee also examines the contact, including violent contact such as murder, rape, and plunder, between soldiers and civilians. He does so to determine if civilians perceived the fighting to be played by the rules and therefore believed the war possessed legitimacy. To probe the civilian view Lee makes extensive use of letters, memoirs, and Moravian records.

Much of the focus of the last four chapters is on the militias, with a brief conclusion which discusses the Continental Army. Lee notes that the militias were problematic entities. It was often hard to get men to serve, especially if the assignment called for duty out of state. Pay was irregular, apathy was rampant, discipline was a problem, and as a result the militias often proved unreliable. These problems contrasted with "an ideology that demanded and expected a citizen army, virtuous in its protection of the citizens, and formidable in arms" (p. 136). Despite these problems and conflicting expectations, the militias were an important part of the military operations of the Revolution. Lee eschews the popular phrase "backcountry war" in favor of what he calls the "militia's war."

Lee breaks down his study of the Revolution into three chapters. The first covers the years 1775-1776, the second 1777-1779, and the last 1780-1782. What he sets out to do is to explicate the growing violence that wracked the southern states, particularly in the last phase of the war (1780-1782). Lee acknowledges the work of previous historians who have concluded that the British Army's behavior, class tensions, and local rivalries, and the settling of old scores all played a part in the escalation of violence. They do not completely satisfy him however: "Collective violence, even in the context of war, responded to social norms of legitimacy. In a military context, colonial North Carolinians were prepared to condone or at least accept certain acts and forms of violence while condemning others as illegitimate. Unfortunately, within their set of social norms lurked contradictory expectations that the new state could neither resolve nor contain. Those contradictions occasionally legitimated escalating violence" (p. 138). Thus, culture must be studied to determine what forms of violence received legitimacy and which did not.

In the first phase of the war (1775-1776), the colonists blamed the British for the violence and pointed to British efforts to stir up Indian attacks and slave revolts. The colonists demonized the British and this tactic proved useful as men joined the Patriot militias and the Continental Army. This propaganda victory proved illusory and of short duration. The aggressive rhetoric of the colonists eventually led to a bloody civil war a few years later. As for the fighting, it was fairly conventional with an effort made to restrain violence. Lee contrasts the fighting against the British in 1775 with the much more violent campaign against the Cherokees in 1776. Fear of an Indian invasion and stories of Indian atrocities led to the demonization of the Cherokees and thus a greater level of violence directed towards them (e.g. women killed, towns destroyed, and some captives sold into slavery).

The second phase of the war (1777-1779) was relatively peaceful but tensions and fears remained. There were fears of Tory conspiracies, Indian attack, and an invasion by the British Army. Lee discusses the increasing role of the militia as an internal police force. This role had been limited in the first phase, but grew as the new state government cracked down on Tories and enacted steadily more onerous confiscation acts as well as

requiring the swearing of loyalty oaths. The state government sent the militia out on "Tory scouring" missions to administer the oath of loyalty and to combat draft resistance. Loyalists often faced harsh treatment from the militia and this treatment led to growing anger and resentment in the countryside. Lee mined the records and papers of the American Loyalist Claims Commission to bring these stories to life and to detail how this policy ultimately worked against the goal of restraining violence. He concludes that the result of "Tory scouring" was predictable: more Tories and frightened Patriots. Rising fear of Tory retaliation fed the cycle of escalating violence which spilled over when the British Army invaded the southern states. With the British invasion the nature of the war changed.

The final phase of the war (1780-1782) was the most violent. Neither society nor the rules for violent conflict collapsed; rather, "society shifted into another paradigm of war: the war of retaliation" (p. 177). This phase was the "war of the militias." What Lee posits is that North Carolinians expected to have the right of self-redress for their grievances. People believed that the state or the British had failed to redress those grievances and thus turned to the militias and used them as a vehicle for their retaliation. The problem was that the "militia organization, socially and militarily undisciplined, was incapable of institutionalizing revenge" (p. 211). Lee discusses some of the institutional problems associated with the militias, such as poor pay, lack of discipline, government support for legitimate plunder, and lack of time served under the same officers, and concludes that they served to weaken the structure of the militias. North Carolinians believed this retaliation by militia was legitimate because it was a culturally accepted practice. Society and the courts did little about violence carried out by the militias. The result was a militia war that rapidly escalated in violence.

Lee studies the gradation of violence in this last phase through four categories: plunder; the treatment of prisoners; "the traditional formalities of war (such as truces, commissions, messengers)" (p. 180); and serious crimes such as arson, rape, and murder. What Lee found, through an examination of Moravian diaries, was that up to mid-1780 the militias usually just took food. By the next winter (1781), there was more widespread theft. With regard to the treatment of prisoners, Lee finds that "the experiences of most prisoners on both sides were relatively unexceptional, if never entirely pleasant" (p. 191). Prisoners however were killed, some in hot blood and some in cold. Both sides tended to justify the killing of prisoners as retaliation for previous executions carried out by the other side. Both sides tended to honor the traditional formalities of war because both sides sought legitimacy for their actions and cause. This military formalism even extended to the execution of prisoners. They were usually court-martialed and hanged in order to prove that these men had stepped over the bounds of civilized warfare.

Having said that, Lee concludes that the militia war produced great amounts of violence whereas the Continental Army often engaged in more restrained forms of violence. The reasons are fairly straightforward. The Continental Army's officer corps exerted greater control over their soldiers through more rigorous discipline than could officers in the militia. Officers in the Continental Army stressed following the rules and forms of acceptable violence for an important reason. They wanted the army to receive legitimacy from American civilians, who feared standing armies, and the international community which expected that armies played by the rules of war. Officers in the army also wanted to be recognized as honorable men by their fellow citizens. This sense of honor, more in the form of a feeling of righteousness, also extended into the ranks of the enlisted men. Officers and men saw themselves as a symbol of the new nation and this responsibility had a positive influence in restraining violence. Finally, the army fought in larger engagements on open fields which differed greatly from the usual battlefields for the militias. For all of these reasons, the war as practiced by the Continental Army exhibited greater restraint in terms of violence.

Lee's book is quite ambitious and is methodologically sophisticated. It employs a structuralist approach that allows Lee to analyze cultural patterns in the behavior of mobs and armies in North Carolina. He draws heavily from the work of historians such as E. P. Thompson, George Rude, David Underdown, and many others, who have studied mob behavior and political violence in early modern Europe. What is refreshing about this study is that Lee does not create a model whereby culture explains everything. He avoids this methodological straitjacket by including technological change, human agency, self-interest, and historical contingency in his analysis. Lee is also thoroughly versed in the military history of the period. His bibliography for secondary sources reflects this wide reading. It is divided into three main sections on European riot and charivari, European military traditions, and a last section that addresses mostly American colonial and revolutionary history. Overall, this book is quite good.

There are two main critiques that I wish to mention. First, Lee does not discuss the possibility of a connection between the Regulators and the conflict during the American Revolution. The Battle of Alamance occurred in 1771 and war with England began in 1775. Are there connections that link the violence of the two episodes? Lee states that there has been a good bit of Whig history that linked the Regulators with Loyalism during the Revolution, but that this conclusion is now disputed, and that this matter lies outside the scope of his study (p. 47, 244n.5). Lee also refers to the Highland Scots who became prominent Loyalists during the Revolution. Patriots demonized the Scots as outsiders and the "Other" and this demonization helped ratchet up the violence during the Revolution. Did Highland Scots participate in the Regulation movement? They lived in Cumberland and Bladen counties which were in proximity to the counties of Rowan, Guilford, and Orange where the Regulators clashed with the militia. Was there support from the Highland Scots for the Regulators? If the Scots participated in, or supported the Regulation, how might this association have affected Patriot attitudes? It may not be possible to determine membership because of the absence of membership lists, but the petitions and correspondence of some of the Regulators may contain clues that might shed light on a possible connection between the Regulation and the Revolution.[1]

On a broader level, I wonder about the role of personal vendettas. Did people harbor resentments about family members killed, wounded, or harassed during the Regulation and did these carry over into the Revolution? More discussion of this topic would be welcome.

The second criticism of the book deals with the endnotes and the author's use of them. I appreciate the hard work that Professor Lee put into this book and I also appreciate the value of endnotes as much as any other historian, but this book is poorly served by being top-heavy with endnotes. It contains 224 pages of text and 109 pages of endnotes. There are, on average, six to eight endnotes per page. In some cases there are more. Many of these endnotes can be combined and streamlined without losing any of their scholarly value. To give but one example I allude to pages 183 through 185 and the accompanying notes 28 through 41. Some of these certainly could have been consolidated. I mention this criticism of the use of endnotes because the abundance of them affects the quality of the reading experience. Too often, I found myself flipping back and forth between text and notes, trying to remember what I last read. Lee is a good writer with a good eye for detail and an important story to tell. A more streamlined text would create a larger audience for this fine monograph.

These criticisms notwithstanding, this is an important book. Historians of colonial and revolutionary America, military history, and political violence should read this book and think about the implications of North Carolina's violent past and what it might mean for our present and future.

Note

[1]. Marjoleine Kars. *Breaking Loose Together: The Regulator Rebellion in Pre-Revolutionary North Carolina* (Chapel Hill: University of North Carolina Press, 2002).

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