

Rewriting the “Detestable” Rules of War: The
“Guerrilla System” and Counterinsurgency in
Napoleonic Spain and the Mexican-American War,
1808-1848

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Dedicated to brothers Phillip and James Kaylor of Costa Mesa (Goat Hill), California.

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Abstract

During the Peninsular War (1808-1814) the Spanish launched an unprecedented guerrilla insurgency that undermined Napoleon's grip on that state. The advent of this novel and arguably illegal "system" of warfare ushered in an era of military studies on the use of unconventional strategies in military campaigns – and changed the modern rules of war. Informing this post-Napoleonic shift were strategists Antoine-Henry Jomini and Carl von Clausewitz. A generation later during the Mexican-American War (1846-1848), Henry Halleck and Winfield Scott used the knowledge from the Peninsular War to implement an innovative "conciliatory" counterinsurgency program directed at the Mexican population – which set the U.S. doctrinal standard informing a growing international consensus on the proper conduct for occupation. The Spanish war against the French informed both belligerents in Mexico: the Mexicans tried to mount a guerrilla war modeled along Spanish lines, while the Americans adapted their tactics, rules, and laws of war over the period between 1808 to 1848 to avoid the disastrous imperial overreach exemplified by the French campaign in Spain.

Resumen

Durante la Guerra de la Independencia (1808-1814), los españoles lanzaron una insurgencia guerrillera sin precedentes que socavó el control de Napoleón sobre ese estado. El advenimiento de este "sistema" de guerra novedoso y posiblemente ilegal marcó el comienzo de una era de estudios militares sobre el uso de estrategias no convencionales en campañas militares y cambió las reglas modernas de la guerra. Los estrategas Antoine-Henry Jomini y Carl von Clausewitz informaron este cambio posnapoleónico. Una generación más tarde, durante la Guerra México-Estadounidense (1846-1848), Henry Halleck y Winfield Scott utilizaron el conocimiento de la Guerra Peninsular para implementar un innovador programa de contrainsurgencia "conciliador" dirigido a la población mexicana, que estableció el estándar doctrinal de los Estados Unidos informando a un creciente consenso internacional sobre la conducta adecuada para la ocupación. La guerra española contra los franceses informó a ambos beligerantes en México: los mexicanos intentaron montar una guerra de guerrillas siguiendo el modelo español, mientras que los estadounidenses adaptaron sus tácticas, reglas y leyes de guerra durante el período comprendido entre 1808 y 1848 para evitar el desastroso imperialismo extralimitación ejemplificada por la campaña francesa en España.

Contents

	Page
Acknowledgements	v
Abstract	ix
INTRODUCTION	1
PART 1: THE NAPOLEONIC WAR IN SPAIN	39
1.1 Before the <i>System</i> : Guerrilla Warfare and the Laws of War Prior to 1808	41
1.2 Yielding Compliance	61
1.3 Mounting Insurgency and Counterinsurgency	91
1.4 Pyrrhic Victories: Costly Sieges	137
1.5 Attrition and Aftermath	155
Summary	179
PART 2: THE MEXICAN-AMERICAN WAR	183
2.1 The “Second Saragossa”	185
2.2 Napoleon’s Student: Winfield Scott	209
2.3 Mexico Invokes the Spanish System	289
2.4 Militia “Beyond” the Law: <i>Los Diablos Tejanos</i>	345
2.5 The Allure of Empire, the Threat of Guerrilla War, and the New Code	379
CONCLUSION	433
BIBLIOGRAPHY	447

INTRODUCTION

At the height of the Mexican-American War in the summer of 1847 the *Sunbury Gazette* published an article, “The Guerrilla System in Spain and Mexico.” The editors pointed out that U.S. Army supply trains moving from Veracruz to Jalapa were being attacked in a manner akin to those that plagued the French Army during the Napoleonic War in Spain (1808-1814). The *Sunbury Gazette*, a Pennsylvanian newspaper for a town with a little more than a thousand people, commented that it hoped General Winfield Scott (1786-1861), the commander of the campaign to seize the Mexican capital, would “resort to prompt and efficient means to arrest this inhuman warfare.” What exactly those means entailed was an open question, and that speculation prompted a comparison to the Spanish War of Independence and French general Jean-de-Dieu Soult’s (1769-1851) policy of executing captured Spanish guerrillas. “When the system of guerrillas was resorted to in Spain,” *The Gazette* opined, “it became for a while a source of great annoyance to the French, and was only arrested by the somewhat cruel but decisive retribution visited upon the assassinating foe by Soult.”¹ The article linking the Mexican War to the Spanish conflict shows that the use of insurgent warfare was on the minds of Americans. In essence, the failed campaign of Napoleon Bonaparte (1769-1821) in Spain provided a contextual background from which both pro- and anti-war Americans viewed the conflict. For Mexicans, the guerrilla movement in Spain also served as an imitative model to adopt to defeat the American invaders.

Although it may be surprising to the contemporary reader that small-town Americans were familiar with the details of a war occurring a generation before on the opposite side of the Atlantic, the *Sunbury Gazette* article was one of thousands of such articles in the late 1840s comparing the two wars. To the editors of the Sunbury town newspaper, Soult’s actions regarding the guerrillas posed a comparative dilemma for a U.S. Army facing a similar situation deep in the heart of Mexico. The article went on to explain that Soult “resolved, in his proclamation dated the 9th of May, 1810, to treat the members of the guerrillas not as regular soldiers, but as banditti... and thus execute such of them as chanced to be made prisoners.” The information relayed to the people of Sunbury on the guerrilla war in Spain during a critical phase of the U.S. invasion of Mexico was

¹ *The Sunbury Gazette*, Pennsylvania, June 19, 1847.

detailed. Not only were the *Sunbury Gazette*'s writers aware of French counterinsurgency efforts, they were informed of the escalation in violence that ensued when Spanish guerrilla leaders such as El Empecinado retaliated:

The Spaniards replied that if this were done they would execute three Frenchmen for every one of their fellows who should suffer in consequence of Soult's proclamation. These threats were fulfilled on both sides; and when on one occasion a French gentleman took eight guerrillas of Empecinado, and crucified them by nailing their bodies to trees, the same number of Frenchmen were nailed to the same trees by the Spaniards, leaving them to fill the forest of Guadarama with their groans. Thus it soon became the interest of both parties to recur to the ordinary acts of war.²

The larger point of the July 19, 1847 article was to remind Pennsylvanians of the disaster that befell the French Army a generation earlier, and that the unrestrained executions of captured Spanish insurgents resulted in more bloodletting – which contributed to the devolution of the war from its “ordinary acts.” At the height of the war in Mexico in 1847, similar pleas by war skeptics were common, with the Napoleonic War in Spain invoked as the antithesis of a well-planned, restrained, and deliberate military invasion. “It was, in truth, a kind of guerrilla struggle which exhausted the prodigious power and energies of the British in America,” the *New York Evening Post* read, “and which in later times resisted Napoleon in Spain, and finally rid the peninsula of the French.”³ One defiant Mexican editorialist commented that the “system of guerrillas” was “by no means new to Mexico,” and that the Mexicans would adopt the same mode of warfare that exhausted the French during its retreat from Russia in 1812. The editorialist added, “Spain also adopted this system, and the war of the Spanish Americas was a war of guerrillas.”⁴ Pro-war newspapers invoked the Spanish war from equally argumentative perspectives. Some were critical of the Mexican ability to resist, noting that that country's “distant provinces are not organized” for guerrilla warfare. Many adopted the same position British historians used to detract from the efficacy of the Spanish insurgency, and argued that the war in Mexico would be different. “All of the guerrillas of Spain would not have driven the French out of that

² *Ibid.*

³ *The Evening Post*, New York City, May 29, 1847.

⁴ *The Times-Picayune*, New Orleans, July 10, 1847.

country had the central movement not been directed and *fought* by the Englishmen, under the Duke of Wellington.” In sum, pro-war Americans believed the Mexicans could never fight like the Spanish fought against the French, and compared intensities of the two wars to argue their point.⁵

This thesis will show how the rules of war changed in the early nineteenth century as a result of the emergence of guerrilla warfare and counterinsurgency. The methodology is twofold. The first approach looks at what happened on the ground during both wars, the battles, and more importantly, the tactics used by the invading armies to enforce their authority over conquered populations. The second examines how those strategies and rules of war evolved after the Napoleonic War in Spain and during the Mexican-American War to confront the threat posed by what came to be known as the “guerrilla system.” In order to demonstrate that relationship between the realities of warfare and the evolution of doctrine, the thesis is separated into two chronological sections. Part One addresses many of the facets and mechanics of guerrilla warfare in Spain, French counterinsurgency efforts in the strategically important northeast, and some of the legal issues manifested by the formal emergence of an irregular system of war. Since the insurgency against the French was waged in all corners of the peninsula, Part One looks at the war from a perspective employing a retrospective analysis of post-Napoleonic War scholars to understand what later occurred, *and did not occur* in the Mexican-American War. This perspective downplays the importance of pitched battles and siege victories often relied on by historians to explain the defeat of the French Army in Spain.

The second part of the thesis covering the Mexican-American War also examines events on the ground while following the tactical, strategic, and judicial doctrines that developed over the decades between the two wars. The period between the formal inauguration of guerrilla warfare in Spain in late 1808, to the resolution of the U.S. war with Mexico in 1848, represents an era of profound change in the American approach to war – particularly as it dealt with mitigating popular support for insurgency in enemy territory. Employing nonviolent methods to mitigate support for insurgency (i.e. benign counterinsurgency) became a crucial aspect of U.S. Army doctrine informed by the French catastrophe in Spain. In other words, long-held conventions of warfare were

⁵ *State Indiana Sentinel*, Indianapolis, January 14, 1847.

forced to adapt to the advent of guerrilla warfare. Informed by the mistakes made by the French in Spain, the Americans changed their doctrinal approach to warfare to avoid a similar outcome and achieve success in Mexico. In essence, the rules of war that were changed to ensure victory in Mexico against irregular warfare ushered in a new era in the laws of war.

THE GUERRILLA “SYSTEM”

Why did observers in the 1840s call guerrilla warfare a *system*? Although etymologically the term *guerrilla* derives from the Peninsular War, the usage of the word *system* associated with that form of warfare predates the Napoleonic Wars. The British were perhaps the first to refer to the irregular *system* of warfare the Americans employed to contest military occupation during the American Revolutionary War (1775-1783), but the Americans did not use the term.⁶ During the French civil war in the Vendée, which began in 1793, the term *military system* was used to describe the success of counterinsurgency operations and the tactical efficacy of forming troops “*en masse*” to stamp out insurrection – noting that that strategy had previously “succeeded against the Piedmontese, and against the Spaniards.”⁷ Likewise, during the period preceding the Napoleonic Wars the word *insurgent* more commonly entered the English lexicon – arising from both conflicts but gaining more usage after the Vendée due to translations of French sources on that conflict. Other contexts existed where *insurgent* was used in the late eighteenth century – including during the Haitian Revolution beginning in 1791, French-occupied Belgium in 1794, and the Irish republican rebellions beginning in 1798. Although *system* came into usage most abruptly during the war in Spain, the adoption and increasing use of new nomenclature describing irregular warfare coincided with an increasing use of that mode of fighting among insurrectionist populations prior to 1808 – the year the Spanish war began.⁸

⁶ For British use of the term *system* see: *The Newcastle Weekly Courant*, Dec. 12, 1778; *The Pennsylvania Gazette*, Sept. 18, 1782.

⁷ *The Evening Mail*, London, Dec. 4, 1793 (French National Convention, Sitting of Nov. 25)

⁸ For British descriptions of American “insurgents” see: *The Derby Mercury*, Jan. 20, 1775; *The Caledonian Mercury*, June 3, 1775; *The Newcastle Weekly Courant*, Feb. 17, 1776; *Jackson’s Oxford Journal*, July 18, 1778; *The Bath Chronicle*, Feb. 22, 1781. In the 1780s the British also began using the term to describe Irish and Scottish insurrectionists. For a look at British translations of French using the term *insurgents* in the Vendée see: *The Evening Mail*, London, June 14, 1793; *The Times*, London, June 14, 1793; *The Ipswich Journal*, Jan. 3, 1795.

During the interwar years between the Peninsular War and the Mexican-American War, *system* became more commonly used. In 1816 Winfield Scott wrote to Secretary of State James Monroe (1758-1831) from Liverpool that he was readying himself to escort to the United States a cadre of Spanish revolutionary “patriots” who had fled Spain. Among them was Javier Mina (1789-1817), a prominent insurgent leader captured by the French in Spain in 1810. Scott wrote that the seasoned insurgent fighters, whose final destination was revolutionary Mexico, would “constitute an important acquisition to the patriots, particularly Gen’l M. who was the author of the *guirrella* [sic] system in the peninsula war.”⁹ In the later 1810s early 1820s, the term “guerrilla system” or “system of guerrillas” was used in British and American newspapers to retrospectively describe the Peninsular War, the Latin American revolutions (particularly the Mexican Revolution), and the violence occurring in Spain during the Trienio Liberal (1820-1823).¹⁰ In his Peninsular War memoirs published in 1829, French general Gabriel Suchet (1770-1826) called it a “lawless system of warfare...” The following year the most acclaimed British general of that conflict, the Duke of Wellington (1769-1852), published his *Military Memoirs* and used the term “The Guerilla System,” (with one ‘r’) which furthered the association of the word *system* with guerrilla warfare in the early decades of the nineteenth century.¹¹

Changes in warfare prompted the shift in language. The arrival of Spanish-guerrilla warfare was a catalyst of change because it forced military tacticians to accommodate a new strategic reality *and* adjust the laws governing the conduct of invading armies. In other words, guerrilla warfare upended both the established tactical and legal precepts of war. This sweeping change in conducting warfare and mitigating insurgency during military invasion is best illustrated by examining the connections between Napoleon’s failed war in Spain and the American success in the Mexican-American War. In the

⁹ Maj. Charles W. Elliot, (ed.): “Some Unpublished Letters of a Roving Soldier-Diplomat: General Winfield Scott’s Reports to Secretary of State James Monroe, on conditions in France and England in 1815-1816.” *The Journal of the American Military Foundation* 1, No. 4 (Winter 1937-8): 172-173. Scott to Monroe, Liverpool, March 19, 1816.

¹⁰ *The Morning Chronicle*, London, December 28, 1819; *The Caledonian Mercury*, Edinburgh, January 1, 1820; *The Examiner*, London, April 8, 1821; *The National Gazette*, Philadelphia, April 19, 1821; *Lancaster Intelligencer* (Penn.) May 12, 1821; *Buffalo Journal*, August 21, 1821; *The Morning Post*, London, January 14, 1822; *The Derby Mercury*, March 5, 1823; *Gettysburg Compiler*, June 25, 1823; *The Times*, London, July 21, 1823; *The Morning Chronicle*, May 8, 1823.

¹¹ Louis-Gabriel Suchet, *Memoirs of the War in Spain, from 1808 to 1814, Vol 2* (London: Henry Colburn, 1829), 196; Moyle Sherer, (ed.), *The Duke of Wellington: Military Memoirs of Field Marshal*, Vol. 2, (Reprint from 1830: Philadelphia: Robert Desilver, 1836), iv, 55.

1840s, the Mexicans tried to duplicate what the Spanish did to the French. However, due to infighting, and because the Americans learned from the French mistake of seizing too much territory – which resulted in insurgent warfare throughout Spain – the U.S. Army was able to avoid a prolonged guerrilla war. As a result of minimizing the conflict and effecting a treaty, the Americans were able to annex large portions of northern Mexico that include the present-day states of California, Arizona, New Mexico, Utah, Colorado, and Nevada (among others). However, the United States did not annex the entirety of Mexico or its heavily populated regions as pro-war proponents advocated. The debate over that decision, abruptly stymied by the unexpected arrival of a treaty of peace in Washington D.C. in early 1848 – was informed to a great degree by the strategic mistakes made by Napoleon and the peril of imperial overreach. The debate over strategy in the U.S. Congress in late 1847 and early 1848 supports this assertion. In short, the disaster avoided in Mexico is important in understanding the significant changes in military thinking in the period following the Napoleonic Wars.

The Mexican War therefore marks a crucial shift in conventional ways of war – an adaptation to the emergence of guerrilla warfare as a viable option for resisting invasion. This arc of tactical and legal evolution in military strategy stretches from the late eighteenth century culminating in the mid-nineteenth century. The principal architects of the Mexican War, Winfield Scott and Henry Wager Halleck (1815-1872), adapted to that new trajectory in warfare to achieve success in Mexico. Until recently the historiography of guerrilla warfare and counterinsurgency have focused on conflicts that fall within the twentieth century. However, from both a tactical *and* legal perspective, the deep connections between these two wars – informed by a series of conflicts prior to the Napoleonic Wars – put the origins of the development of formal counterinsurgency doctrine squarely in the nineteenth century and more specifically during the Mexican-American War.

FROM VATTEL TO HALLECK AND LIEBER: THE LAWS AND RULES OF WAR

The laws of war and the rules of war are two separate things but far from mutually exclusive. The laws of war often change depending on a change in rules that can arise due to a multitude of factors. These factors include new tactics, technology, and

perspectives on norms associated with warfare. In essence, warfare has evolved and continues to evolve. For example, nineteenth-century tacticians may not have agreed on the best way to protect a flank in the event of an ambush, but all agreed on the right of a conquering army to impose its authority over a population. In the aftermath of Napoleon's epic defeat, the study of war took on a more social-scientific direction.

In the western world the rules of war are required to be legally compatible with the laws, and those laws evolved over time from a concerted effort to ensure a level of consistency regarding neutral nations, the protection of noncombatants during wartime, and later on, to control crueler, modern, forms of warfare that arose as a result of more sophisticated weaponry. As will be shown, the laws of war protecting noncombatants during the Mexican-American War developed as a U.S. military counterinsurgency strategy. In other words, the change in rules was prompted by its efficacy – resulting in a change in laws. This thesis devotes more attention to the rules, but also considers the laws because they are important in setting the parameters of a conflict and in understanding the strategy used by the dominant force as it sought to counter (or preempt) an insurgency in occupied territory. Irregular warfare has always been a challenge to those advocating consistency in war, but the bottom line is that rules change as laws change, and vice versa.

The Mexican-American War represents a major shift in the application of the laws of war going back two centuries. The worldview of legal jurists in the early modern era was based upon the belief that Europe was an enlightened civilization. Accompanying that belief was a growing intra-European (and later Atlantic) consensus that war should be conducted according to specific rules. In the eighteenth and early nineteenth century, international law was informed by Dutch scholar Hugo Grotius (1583-1645) and his Swiss successor Emer de Vattel (1714-1767) but included other scholars such as the German jurist Samuel von Pufendorf, and the English political philosopher Thomas Hobbes. However, Grotius's *On the Law of War and Peace* (1625) and Vattel's *Law of Nations* (1758) were foundational texts in a growing international effort to regulate the conduct of armies in wartime.¹² The American Founding Fathers were particularly well-

¹² Pufendorf's most well-known work, *The Natural Rights of the Gentiles* (*De iure naturae et gentium*, 1672) relied on Grotius' three-volume, *On the Law of War and Peace* (*De jure belli ac pacis libri tres*), first published in 1625. Among Hobbes writings, his best-known work, *Leviathan* (1651), deliberates more on political

versed in the writings of Grotius and Vattel, which added to the Euro-American belief that their works represented a civilized approach to waging war.¹³

Ancillary to a growing international consensus regarding proper wartime conduct was the internal legal development occurring simultaneously within the United States military. In 1806, with minor deviations, the U.S. Congress formally adopted the English laws of war. Those Articles of War – an addition to the Uniform Code of Military Justice (UCMJ) established in 1775 by the Second Continental Congress during the American Revolution – dealt primarily with policing and managing armies. In other words, while English (and later U.S.) law was based on national law, works informed by Grotius and Vattel were focused on creating international law. This parallel legal development (i.e. international and domestic) is important because the Anglo-American legal code regulating the conduct of armies later became a major contributing factor in the international legal framework later embodied in Geneva Convention articles designed to protect the welfare of noncombatants during wartime.

In a similar vein, the laws governing militiamen during wartime also became an issue during the Mexican War. When the U.S. Congress adopted the English laws of war in 1806, the rights of militiamen (i.e. nonregulars) during wartime became a part of those laws informing the future development of the UCMJ. Laws regulating militias had been around in England since the restoration of Charles II (1660) and were subsequently passed on to colonial America. Like the original intentions of the English, the U.S. laws organizing and regulating militias were primarily a mechanism for amassing armies quickly to defend a territory from invasion, or to put down internal insurrection. As the U.S. military professionalized during the antebellum period, the antiquated system of separate laws that state militiamen were held accountable to during wartime became an issue because the war in Mexico was a war of conquest. In other words, militias, which

philosophy and state legitimacy deriving from a social contract. See also: Hobbes, *Elements of Law, Natural and Politic*, was published in 1650. For a recent work linking Vattel and Andrew Jackson, see: J.M. Opal, *Avenging the People, the Rule of Law, and the American Nation* (Oxford: Oxford University Press, 2017). For contemporary contextual works on Vattel see: Simone Zurbuchen (ed.), *The Law of Nations and Natural Law, 1625-1800* (Leiden: Brill, 2019); Koen Stapelbroek (ed.), *The Legacy of Vattel's Droit de gens* (London: Palgrave Macmillan, 2019).

¹³ See also: Robin F.A Fabel, “The Laws of War in the 1812 Conflict.” *Journal of American Studies* 14, no. 2 (Aug. 1980): 199-218. “Vattel’s code was known and respected by Americans in high places” among those that included “Samuel Adams, Thomas Jefferson, Edmund Randolph, Alexander Hamilton, and John Quincy Adams.”

operated under a different, semi-parallel set of laws, were used to invade Mexico under the justification of defending the Texas frontier. Many of these defenders were enlisted from the Texas Rangers, were called *volunteers*, but legally entered Mexico in the service of the U.S. military officially designated as *militia*. The role of the militia during the war legally complicated counterinsurgency efforts led by West Point officers acting under generals Winfield Scott and Zachary Taylor (1784-1850). In the end, Scott's martial laws regulating U.S. soldiers on foreign soil – which was designed as a counterinsurgency program – later become the international legal standard for conducting military occupation.¹⁴

Military strategy during the antebellum period underwent revolutionary change as well. In the aftermath of the Napoleonic Wars, military studies by authorities such as Antoine-Henry Jomini (1779-1869) and Carl von Clausewitz (1780-1831) added to the growing belief that wars were becoming more national. Jomini eventually achieved the high rank of general but was already a highly respected author and colonel when he served under Marshal Michel Ney during the early period of the Peninsular War. Jomini's first major work, *Treatise on Grand Military Operations* (1805), was admired by both Napoleon and Scott and informed early West Point curriculum leaning heavily toward the French military school. Like Jomini, Clausewitz was also a veteran of the Napoleonic Wars and eventually achieved the rank of major-general. Clausewitz spent much of his academic career educating a new generation of military students at the Prussian War College (*Kriegsakademie*) in Berlin, where he served as director until 1830. Clausewitz was also one of the earliest scholars of guerrilla warfare and his lectures between 1816 and 1830 were later compiled and published in 1832 after his death as the seminal work *On War (Vom Kriege)*. Seeing Clausewitz as his competitor,

¹⁴ J.R. Weston, *The English Militia in the Eighteenth Century: The Story of a Political Issue, 1660-1802* (London: Routledge, 1965); Matthew McCormack, *Embodying the Militia in Georgian England* (Oxford: Oxford University Press, 2015); John K. Mahon, *History of the Militia and the National Guard* (New York: Macmillan, 1983); Robert W.T. Martin, *Government by Dissent: Protest, Resistance, and Radical Democratic Thought in the Early American Republic* (New York: New York University Press, 2013). See also: *Federalist Papers* (1787) No. 29 “Concerning the Militia” (Alexander Hamilton), No. 46 (James Madison); U.S. Constitution Article I Section 3, Article II Section 2, Clause 3. See also: Paul Tischer Smith, “Militia of the United States from 1846 to 1860.” *Indiana Magazine of History* 15, no. 1 (March 1919): 21: “The basic law for all military organization was passed by congress May 2, 1792, and was entitled, ‘An Act to provide for the Militia to execute the laws of the Union, suppress insurrections and repel invasions.’ Although probably suited to the time when it was made, it left many loopholes which had to be filled in later... in 1808 the President was given authority to require executives of the States to organize” militia.

the popular recognition of *On War* played a role in prompting Jomini's most acclaimed work, *The Art of War*, published in 1838.¹⁵

Both authors writing between the Peninsular War and Mexican-American War worked to understand the art of war from a more comprehensive perspective, and the works by Jomini and Clausewitz were highly regarded in the developing field of military studies – and remain so today. Since insurgencies supported by populations were uncommon throughout much of the eighteenth century, the strategy of winning the compliance of an occupied population before the advent of the Peninsular War was not considered a major factor in the overall success of a campaign. Benevolently ruling conquered peoples existed since ancient times, but no established counterinsurgency doctrine designed to placate or even protect the population existed. The war in Spain marked the beginning of that branch of military studies originating in the first half of the nineteenth century, and the works by Jomini and Clausewitz represented an avant-garde approach to the social factors in warfare.¹⁶

One of the results of the new social-scientific study of war embodied by both Clausewitz and Jomini was Henry Halleck's 1846 *Military Art and Science*. Written at the behest of Winfield Scott prior to (a predictable) war with Mexico, Halleck's work (as the title suggests) combined both perspectives of Clausewitz and Jomini while adding his personal observations regarding the failures of the French in Spain – which neither Jomini nor Clausewitz properly addressed. Halleck deliberated on these failures from both a social and strategic point of view but was particularly critical of the heavy hand employed by the French to subdue a resistant Spanish population. The result of Halleck's astute observation was the development of a series of military policies regarding the protection of non-combatants and private property in occupied territory to

¹⁵ Antoine-Henri Baron de Jomini, *Traité des Grandes Opérations Militaire* (Paris: Giguet et Michaud, 1805); *The Art of War (Précis de l'Art de la Guerre: Des Principales Combinaisons de la Stratégie, de la Grande Tactique et de la Politique Militaire)* (Brussels: Meline, Cans et Copagnie, 1838); Jomini: *Life of Napoleon, with Notes by H.W. Halleck, 4 Vol.* (New York: D. Van Nostrand, 1864); Carl von Clausewitz, *On War (Vom Kriege)* (Berlin, 1832-5); Clausewitz, *The Russian Campaign of 1812*, 1843.

¹⁶ There has been a massive amount of scholarship on Jomini and Clausewitz from the nineteenth century to today. See: Carol Reardon, *With a Sword in One Hand and Jomini in the Other: The Problem of Military Thought in the Civil War North* (Chapel Hill: University of North Carolina Press, 2012); Peter Paret, *Clausewitz and the State: The Man, His Theories, and His Times* (Princeton University Press, 1976); David Stoker, *Clausewitz: His Life and Work* (Oxford University Press, 2014).

mitigate an insurrectionist environment. In other words, Halleck and Scott worked together to create the first formal benign counterinsurgency strategy.¹⁷

The advent of guerrilla warfare and popular resistance in the form of insurgency therefore prompted a change in the laws of war. By the mid-nineteenth century, U.S. legal scholars such as Henry Wheaton (*Elements of International Law*, 1836) and later Henry Halleck were contributing to a growing body of legal knowledge. Like Wheaton, Halleck's work, *International Law; or, Rules Regulating the Intercourse of States in Peace and War* (1861) drew conclusions based heavily upon Grotius and Vattel. Prompted at the request of Halleck during the U.S. Civil War, those conclusions informed the premise of Francis Lieber's (1800-1872) Civil War-era work, *Guerrilla Parties Considered with Reference to the Laws and Usages of War* (1862), which constituted the basis of President Abraham Lincoln's "Lieber Code" during that conflict. The Lieber Code, a series of laws of war, was one of the principal texts inspiring the First Geneva Convention (1864) regulating the legal conduct of war internationally. The linkage between Vattel to Halleck and Lieber demonstrates that the advent of guerrilla warfare contributed to a deeper discussion of the ethical laws of war, and Halleck played an essential role in that evolution by informing Winfield Scott's successful counterinsurgency campaign in the Mexican-American War. Halleck and Scott's knowledge of the Spanish insurgency against Napoleon is key to understanding how this legal wartime military doctrinal development arose. This progression in military doctrine has been overlooked by historians eager to outline guerrilla war narratives and twentieth-century counterinsurgency precedent. Halleck's role in this development has also not been explored, although Halleck was critical to the development of the U.S. Army's counterinsurgency doctrine – a doctrine preceding the U.S. Army's "hearts and minds" strategy in Vietnam by more than a century.¹⁸

¹⁷ Henry Halleck, *Military Art and Science; or Course of Instruction in Strategy, Fortification, Tactics of Battles, &c; Embracing the Duties of Staff Infantry, Cavalry, Artillery, and Engineers, Adapted to the Use of Volunteers and Militia* (New York: D. Appleton & Company, 1846).

¹⁸ Henry Wheaton, *Elements of International Law* (Philadelphia: Carey, Lea & Blanchard, 1836); Henry Wheaton, *History of the Law of Nations in Europe and America: From the Earliest Times to the Treaty of Washington, 1842* (New York: Gould, Banks, 1845). Henry W. Halleck, *International Law; or, Rules Regulating the Intercourse of States in Peace and War* (San Francisco: H.H. Bancroft & Company, 1861); *Elements of International Law, and Laws of War, Prepared for the Use of Colleges and Private Students* (Philadelphia: J.B. Lippincott, 1866). Francis Lieber, *Guerrilla Parties Considered with Reference to the Laws and Usages of War: Written at the Request of Major-General Henry W. Halleck* (New York: D. Van Nostrand, 1862). See: Richard Shelby Hartigan, *Lieber's Code and the Laws of War* (South Holland, Ill:

From a legal standpoint, the U.S. Civil War (1861-1865) witnessed a more concerted effort to address guerrilla warfare. U.S. Army counterinsurgency doctrine was born in the Mexican War, but the legal ramifications of the guerrilla system still posed a dilemma for authorities by the time Confederate soldiers began using irregular tactics to contest the Union Army. As mentioned, in 1862, at Halleck's insistence, Francis Lieber, an American judicial scholar and history professor, crafted the short *Guerrilla Parties Considered with Reference to the Laws and Usages of War*. This work ushered in Lieber's formal cooperation with the Lincoln Administration.¹⁹

For the duration of the Civil War Lieber assisted the Union in its struggle against an insurrectionist South. The result of this collaboration was the General Order No. 100 (Lieber Code), a set of legal guidelines adopted by Lincoln April 24, 1863 – almost two years after the war began. The codes, a modernized version of the original 1806 laws of war promulgated by Scott in Mexico in 1847, were later accepted as a general code of law for other national militaries during a period of increasing legal and technical modernization of warfare. Writing in 1983, Richard Shelby Hartigan's noted that the General Orders no. 100 "was to have a profound effect on the international law of land warfare. The governments of Prussia, France, and Great Britain copied it. The Hague and Geneva Conventions were indebted directly to it." Moreover, the utility of the Lieber Code during wartime proved so useful that it essentially "remains a benchmark for the conduct of an army toward an enemy army and population."²⁰ Today, the status of the Lieber Code as the direct predecessor to the Geneva Convention and formal international laws of war remains unchanged.

CONNECTING THE WARS

Precedent Publishing, 1983); John Fabian Witt, *Lincoln's Code: The Laws of War in American History* (New York: Simon and Shuster, 2012).

¹⁹ Francis Lieber, *Guerrilla Parties Considered with Reference to the Laws and Usages of War: Written at the Request of Major-General Henry W. Halleck* (New York: D. Van Nostrand, 1862).

²⁰ Richard Shelby Hartigan, *Lieber's Code and the Laws of War* (South Holland, Ill: Precedent Publishing, 1983), 1. The development of the Geneva Conventions – which encompassed a series of conferences over an extended period – began in 1864 and ended in 1949. The order following the first convention in 1864 is roughly as follows: 1899 Hague Convention II (POWs and civilians during war), 1899 Hague Convention III (adaptations to the 1864 convention and maritime warfare), 1907 Hague Convention IV (POWs/Civilians) 1907 Hague Convention X (adaptation of 1906 Geneva Convention, maritime powers), 1929 Second Geneva Convention, and 1949 Geneva Conventions (Revised as I, II, III, IV).

In the aftermath of the Napoleonic Wars military professionals such as Winfield Scott called the new Spanish mode of warfare the *guerrilla system* because its role in the outcome of the Spanish war was well known. Although the origins of the wars in Spain and Mexico and the intentions of their respective planners differ drastically, from a strategic perspective the two wars are similar. The Americans launched the war and invaded northern Mexico in 1846 based on the disputed claim that U.S. forces stationed in the Rio Grande region were attacked on U.S. soil. That was the *casus belli*, but it was common knowledge on both sides of the Rio Grande that Americans had been promoting expansion and acquisition of western territory at the expense of European powers since the early years of the Republic. In that sense, both empires were imperial.²¹

Similarities in military strategy also exist. Both aggressors seized and occupied their enemies' capitals, but the French already had soldiers in Spain prior to hostilities due to a previous agreement (Treaty of Fontainebleau, 1807) allowing them to transit Spanish soil to access Portugal. For this reason, when fighting broke out, the French easily captured Madrid. Neither the Spanish nor Mexican leadership conceded after losing their capitals.

In the Mexican-American War, U.S. officials decided to take the capital after Mexican refusal to negotiate for peace following their defeat at Monterrey in 1846. Although the Army of Occupation, led by General Zachary Taylor, had invaded northern Mexico and defeated Antonio López de Santa Anna (1794-1876) in that engagement, the Mexicans remained defiant. Rather than push into central Mexico from the arid and distant north, U.S. war planners decided that an amphibious attack on Veracruz would make capturing Mexico City much easier – ostensibly resulting in the Mexicans suing for peace. From the Mexican perspective, many believed that the extremely divided opinion of the war in the United States would result in an abandonment of claims to western territories such as California. However, what many Mexicans did not realize was that their refusal to negotiate – particularly after Mexico City was seized in September of 1847 – made the calls for escalation and total annexation more prominent. Calls for *All-Mexico* were

²¹ See: Josep Maria Fradera, *The Imperial Nation: Citizens and Subjects in the British, French, Spanish, and American Empires* (Princeton: Princeton University Press, 2018).

further amplified after Mexicans resorted to guerrilla warfare after their defeat at Cerro Gordo in April of that year. It was only until it became apparent that the U.S. Army would defeat the insurgency, and the Polk Administration had officially recalled its peace envoy Nicholas Trist, that the Mexicans decided to negotiate a treaty of peace.

Other key similarities between the wars were logistics issues, supply lines, and the role that insurgent warfare played in the outcomes. Because the British controlled the sea, the French supplied their armies using a road stretching from the Spanish border city of Irun to Madrid. Other operations on the peninsula, including the siege on the holdout Spanish government in Cadiz and offensives in Andalusia and Portugal, were conducted using men and material flowing from Madrid. The assaults on French forces and logistics operations along the corridor between France and Madrid affected operations elsewhere on the peninsula. Similarly, the Americans launched their campaign to seize Mexico City with an amphibious assault on the coastal city of Veracruz, and subsequently relied on that port to supply their army once the capital was taken. The most intense guerrilla fighting of the war occurred along the Veracruz-Mexico City corridor – just as it was an important theater for guerrilla operations during the Mexican War of Independence (1810-1821). Unlike the French however, the U.S. Army did not use Mexico City as a launching point to invade other parts of Mexico, but rather maintained it as a singular endpoint in a simple line of operation. Despite some attempts by the Mexicans to sever this line, the simplicity of the U.S. approach ultimately proved successful.

The contrast between the French strategy in Spain and U.S. strategy in Mexico resulted in divergent outcomes. If the U.S. Army had tried to hold and occupy all of Mexico, the Mexican-American War would likely have been prolonged for years. Yet, the Napoleonic strategy of seizing vast amounts of populated territory and forcing the army to maintain itself off the population was exactly the strategy being advocated by pro-war Democrats before the Treaty of Guadalupe Hidalgo found its way to Washington D.C. in early 1848. That strategy, embodied in the All-Mexico movement to annex the entirety of Mexico, was led in the U.S. Senate by Lewis Cass (1782-1866) and other allies of the Polk Administration. With a few million inhabitants, and three times the size of Spain, controlling the entirety of Mexico would have required hundreds of

thousands of U.S. soldiers and a concerted effort spanning many years. If that had been the case, the occupation *would* have resulted in a military dictatorship to that of Spain. The same conclusion was drawn by skeptics of the war in the United States who compared the wars and was the reason that Scott and Taylor made it difficult for officials in Washington D.C to expand it by jettisoning the benign and thereinto successful counterinsurgency policy (directed at placating the Mexican population) and replacing it with a Napoleonic strategy of forcing requisitions from the general population. From the political end in Washington D.C., opponents of the war such as John C. Calhoun (1782-1850) stymied efforts to send more troops to Mexico. These combined efforts led to the successful termination of the war. Simply put, opponents of President Polk's efforts to direct the outcome of the conflict did not want to repeat the mistakes of the French in Spain, and the congressional debates surrounding the war support that assertion.

Notwithstanding the strategic similarities, history of the knowledge of war, insurgency, and counterinsurgency are tangible connections between the Peninsular War and Mexican-American War. Deliberations among Americans on how best to avoid a French-like catastrophe were ongoing at the start of the invasion of Mexico in 1846 and proceeded partly as a distraction to avoid the actual cause of the war, which many opponents of the conflict felt was illegally and unconstitutionally launched. Much of the American press instead focused on the connections between the ongoing conflict in the southwest to the epic battles in Europe the previous generation. In essence, the war was romanticized. During the conflict, both pro- and anti-war newspapers advertised Napoleon's *Military Maxims* (1831) next to Winfield Scott's *Military Tactics*. (1821) The comparisons became important for a country in its ascendancy. It was America's first foreign war, and it was a war that ultimately decided the size and scope of a continental nation.²²

Despite a lack of historiography linking the two conflicts, informed Americans contemporary to the Mexican War had a general understanding of the Napoleonic War in Spain that took place between 1808 and 1814. An examination of the press prior to

²² For a look at American war opposition, see: John H. Schroder, *Mr. Polk's War: American Opposition and Dissent, 1846-1848* (Madison: The University of Wisconsin Press, 1973).

and during the war demonstrates that the looming conflict with Mexico ushered in an era of interest in Spanish history. Miguel González-Gerth, a longtime professor of Spanish at the University of Texas, noted in his 1962 article, “The Image of Spain in American Literature, 1815-1865,” that even though eastern cities such as New York and Boston represented “offshoots of English Metropolitanism,” it was the nineteenth century when Americans were “discovering Hispania.”²³ González-Gerth noted that “variant American attitudes towards Spain in the Peninsula and Spain in the Americas” were informed in part by “the average American’s desire for romantic escape...” These attitudes were derived from contemporary events that included both the “Spanish-American struggle of independence (1810-1824), as well as that of the French occupation of Spain (1808-1813).”²⁴

Accompanying an increasing interest in Spain during the antebellum period was a repackaging of the “Black Legend” – a cultural and racial stereotype that became a long-held historiographical generalization. The Black Legend (*la leyenda negra española*) traced its origins from anti-Catholic and anti-Spanish propaganda disseminated in Spanish-ruled Netherlands in the sixteenth century – from where it spread to England. The English opposed Spain’s dominance in European affairs during the Eighty Years’ War (1568-1648) and were eager to perpetuate the belief that the Spanish were a corrupt and backward people incapable of civilized rule. Such beliefs appeared during the Latin American wars of independence (1808-1833) and reappeared in updated form on the eve of the Mexican War under the authorship of William H. Prescott (1796-1859). Prescott’s *The History of the Conquest of Mexico* (1843) was a popular book among Americans prior to the war. During the era it became a must-read not only for intellectuals and politicians, but for soldiers going off to fight the United States’ first large-scale foreign conflict. For that reason, the “Prescott Paradigm” – an expression coined by Richard L. Kagan in 1996 – portrayed Spain and its empire as the antithesis of U.S. institutional development and social progress, which also made it

²³ Miguel González-Gerth, “The Image of Spain in American Literature, 1815-1865.” *Journal of Inter-American Studies* 4, no. 2 (Apr. 1962): 257.

²⁴ *Ibid.* 259. González-Gerth claims “1815 is highly significant in the history of American literature, particularly where it concerns Spanish culture.” (*Ibid.* 257) Influential works of the era include Washington Irving’s *Life of Columbus* (1829), *A Chronicle of the Conquest of Granada* (1829), and *Alhambra* (1832). See also: David J Weber, “The Spanish Legacy and the American Imagination.” *The Western Historical Quarterly* 23, no. 1 (Feb. 1992): 5-24.

easier for Americans to justify invasion.²⁵ Taken in that context, Prescott's work reads like a romantic ethnographic blueprint legitimizing conquest (although he opposed the war). In the preface of his history, Prescott addressed the conquest of Mexico: "I have prepared the way for it by such a view of the civilization of the ancient Mexicans as might acquaint the reader... and enable him to understand the difficulties which the Spaniards had to face in their subjugation."²⁶

Given an increasing interest in Spanish history during the war era, it is not surprising that Americans looked to the Napoleonic Wars in Europe and particularly the War of Independence in Spain when examining the conflict with Mexico. In his work, *To the Halls of the Montezumas* (1985), Robert W. Johannsen illuminated thematic parallels between the two wars. Johannsen's book was pioneering because it avoided exclusively covering military aspects of the war, illustrated the romantic zeitgeist existing in mid-nineteenth-century America, and the portrayal of the Yankee adventure in Mexico along epic lines akin to Napoleon's wars in Europe. Johannsen wrote: "It was Napoleon who aroused the midcentury's romantic imagination." Themes such as patriotic virtue, heroism, republicanism, and chivalry all played important roles in a foreign war that writers such as Prescott compared to medieval knights of legend, Napoleon, and other epic historical figures. Johannsen commented that the era's literature drew "an implicit analogy between the Peninsular War and the war with Mexico," with the general bias concluding that Great Britain and France represented the "'cause of civilization' ...while Spain, bound by tyranny and superstition and oppression, was in a state of decay." The analogy between the wars was so common excerpts of letters from mothers to their sons going off to Mexico were printed with the warning that there remained "'good Spanish blood in parts of Mexico, and Spaniards are not cowards, as the

²⁵ Richard L. Kagan, "Prescott's Paradigm: American Historical Scholarship and Decline of Spain." *The American Historical Review* 101, no. 2 (Apr. 1996): 423-446.

²⁶ William H. Prescott, *The History of the Conquest of Mexico* (New York: The Modern Library, 1843), 3. See: Richard L Kagan, *Spain in America: The Origins of Hispanism in the United States* (Urbana and Chicago: University of Illinois Press, 2002). The Prescott Paradigm and its assumptions were challenged in the late nineteenth century after the Spanish-American War (1898), when U.S. overseas expansion prompted intellectuals to reevaluate America's imperial trajectory vis-à-vis the Spanish Empire. See also: Christopher Schmidt-Nowara, "The Broken Image: The Spanish Empire in the United States after 1898," in *Endless Empire: Spain's Retreat, Europe's Eclipse, America's Decline* (Alfred W. McCoy, Josep M. Fradera, Stephen Jacobson, ed. Madison: University of Wisconsin Press, 2012): 160-166. For an older work arguing the predictability of the war, see: George Lockhart Rives, *The United States and Mexico, 1821-1848, 2 Vols.* (New York: Charles Scribner's Sons, 1913).

Peninsular war will testify.’ If they had, ‘the whole scene would be a wonderful representation of the peninsula in 1809.’”²⁷

Fortunately for U.S. soldiers and Mexican civilians, the war was not a “wonderful representation” of the war Spain. But the idea existed that the wars were similar, and it was the most apropos historical comparison within living memory. The popularity of William F.P. Napier’s (1785-1860) *History of the War in the Peninsula* during the Mexican conflict offered perspective to the American one. Joel Tyler Headley, another popular writer of the era, even dedicated his work *Napoleon and His Marshals* (1846) to General Winfield Scott a year before he landed his army at Veracruz. Whether or not Headley anticipated the war is speculation, but its popularity (i.e. commercial success) inspired other writers to follow suit.²⁸

However, because many American historians have viewed the Mexican-American War from a conventional military perspective, there are few works linking the wars. The historian Timothy D. Johnson was among the first to call for such a comparison by pointing out the influence of French military thinking on General Winfield Scott and the effective pacification policies of the occupation army, which he expanded on several years later in his definitive take on Scott’s campaign. Published in 2007, *A Gallant Little Army* (2007) is the best work to date outlining Scott’s pacification plan and efforts to limit the war.²⁹ Other historians, drawing important lines of inquiry between early nineteenth-century French military organization (and tactics) and the U.S. military, have skirted direct comparisons.³⁰ Timothy Johnson and Robert Johannsen in this regard

²⁷ Robert A. Johannsen, *To the Halls of the Montezumas: The Mexican War in the American Imagination* (New York: Oxford University Press, 1985), 75-76.

²⁸ *Ibid.* 75. Johannsen notes Headley’s popularity provoked “inspired imitators” such as the anonymous *Napoleon: His Army and His Generals* (1847) and Rufus Wilmot Griswold’s *Napoleon and the Marshals of the Empire* (1848).

²⁹ Timothy D. Johnson, *Winfield Scott: The Quest for Military Glory* (Lawrence: University Press of Kansas, 1998); *A Gallant Little Army: The Mexico City Campaign* (Lawrence: University Press of Kansas, 2007). Even though Johannsen did not focus on the war’s military aspects he drew important parallels outlined by James Pohl (footnote 24) apropos to a comparative war history such as Jomini’s influence on Scott. (Johannsen, 75).

³⁰ James W. Pohl, “The Influence of Antoine Henri de Jomini on Winfield Scott’s Campaign in the Mexican War.” *The Southwestern Historical Quarterly* 77, no. 1 (July 1973): 85-110; Michael A Bonura, *Under the Shadow of Napoleon: French Influence on the American Way of Warfare from Independence to the Eve of World War II* (New York: New York University Press, 2012); Jochen S. Arndt, “The True Napoleon of the West: General Winfield Scott’s Mexico City Campaign and the Origins of the U.S. Army’s Combined-Arms Combat Division.”, *The Journal of Military History* 76, no. 3 (July 2012): 649-671. Pohl also compared the

were the first to claim that Scott learned from French mistakes in Spain and applied those lessons successfully in Mexico. This thesis expands upon and explores this observation in depth, while illuminating other inquiries such as the role of the Texas Rangers in the counterinsurgency effort in central Mexico, and political resistance by U.S. opponents of annexing all of Mexico.³¹

In contrast to the traditional American historiographical approach is a longer Mexican perspective informing both the Mexican War of Independence (which began during the Peninsular War) and the Mexican-American War. One of the more important articles to draw out the connections between the Peninsular War and the Mexican struggle for independence is Hugh Hamill Jr.'s 1973 article "Royalist Counterinsurgency in the Mexican War for Independence: The Lessons of 1811." One of Hamill's principal points is that Spanish veterans of the Peninsular War sent to New Spain to put down the insurrection were informed by harsh French counterinsurgency methods employed in Napoleonic Spain. Hamill's work is relevant in this thesis as a contrast to the comparatively benign U.S. occupation of the same strategic territory in Mexico – that is, the corridor extending between Veracruz and Mexico City, its environs, and the use of guerrilla warfare to disrupt the military occupation.³²

Although the Texas borderlands play an important role in the Mexican War, this thesis focuses on unconventional war in the heart of Mexico. Since most histories focus on the conventional battles of the conflict, the historiography of guerrilla warfare in the Mexican War is scarce. The most relevant work is Irving W. Levinson's *Wars within War* (2005), which addresses political and social turbulence in Mexico, the strategic importance of the U.S. supply line between Veracruz and Mexico City, and the

guerrilla war in Vietnam with the American Revolution: Pohl, "The American Revolution and the Vietnamese War: Pertinent Military Analogies." *The History Teacher* 7, no. 2 (Feb. 1974): 255-265.

³¹ John Douglas Pitts Fuller, *The Movement for the Acquisition of All Mexico, 1846-1848* (Baltimore: Johns Hopkins Press, 1936); Richard R Stenberg, "The Failure of Polk's Mexican War Intrigue." *Pacific Historical Review* 4, no. 1 (March 1935): 39-68; Stenberg, "Polk and Frémont, 1845-1846." *Pacific Historical Review* 7, No. 3 (Sept. 1938): 211-227. Stenberg refutes G.L. Rives and J.H. Smith's "peaceable Polk" position.

³² Hugh M. Hamill Jr., "Royalist Counterinsurgency in the Mexican War for Independence: The Lessons of 1811." *The Hispanic American Historical Review* 53, no. 3 (Aug. 1973): 470-489. See also: Brian R. Hamnett, "Royalist Counterinsurgency and the Continuity of Rebellion: Guanajuato and Michoacan, 1813-20." *The Hispanic American Historical Review* 62, no. 1 (Feb. 1982): 19-48. See also: Sergio Vargas, "Entre la niebla del valle y las brumas de la locura. El camino militar México-Puebla y su constructor, el ingeniero Valentín de Ampudia Grimarest." *Tzintsun. Revista de Estudios Históricos* 66, (julio-diciembre, 2017): 297-323.

guerrillas' attempts to disrupt the main logistics routes. Ian B. Lyles' recent *Mixed Blessing* (2015) focuses on the controversial role the Texas Rangers played in their counterinsurgency efforts in central Mexico and applies a military analysis (compound warfare) to that campaign. Like Lyles, Nathan A. Jennings' work, *Riding for the Lone Star* (2016), covers the same campaign but takes a longer view that articulates the martial development of the Rangers' frontier *way of war*. Other recent approaches to the conflict published by Texas A&M University Press focus on the northern theater and fold the conflict into longer narratives addressing Mexican territories acquired by the United States.³³

These and other recent works on the frontier and Mexican War have prompted a major reevaluation in the way historians approach nineteenth-century U.S. warfare. Upon closer examination of the development of the U.S. military, a dichotomy appears between frontier warfare (i.e. guerrilla warfare) and the efforts by U.S. military leaders such as Winfield Scott to professionalize the U.S. Army. This dichotomy – along with its legal and tactical implications – manifested itself most acutely during the U.S. Civil War when Confederates began using guerrilla tactics to resist occupation.

The laws of war developed during the Civil War were based on Halleck and Scott's conciliatory counterinsurgency initiatives in Mexico. The legal-military precedent established in the Mexican War represents a doctrinal effort to mitigate a lawless form of war posing a conundrum to military strategists. In other words, Scott and Halleck did not abandon European judicial precedent on the laws of war but added to it to accommodate a new form of warfare undermining existing conventions. The pacification doctrine that Scott and Halleck codified in central Mexico – to the chagrin of *All-Mexico* annexationists seeking to expand the war – amounted to a turning point in

³³ Irving W. Levinson, *Wars within War: Mexican Guerrillas, Domestic Elites, and the United States of American, 1846-1848* (Fort Worth: TCU Press, 2005); Major Ian B Lyles, *Mixed Blessing: The Role of The Texas Rangers In The Mexican War, 1846-1848* (Normanby Press, 2015). "Compound Warfare, a concept defined by the U. S. Army's Combat Studies Institute... is 'the simultaneous use of a main and a guerrilla force against an enemy.'" (Ibid. 7) Nathan A. Jennings, *Riding for the Lone Star: Frontier Cavalry and the Texas Way of War* (Denton: University of North Texas Press, 2016); Richard Bruce Winders, *Panting for Glory: The Mississippi Rifles in the Mexican War* (College Station: Texas A&M Press, 2016); William S. Kiser, *Turmoil on the Rio Grande: History of the Mesilla Valley, 1846-1865* (Texas A&M Press, 2011). There is little mention in these works of Carlist participation in the Mexican War. For an earlier inquiry on the American 'way of war' see: Russel Weigley, *The American Way of War: A History of the United States Military Strategy and Policy* (New York: Macmillan Publishing, 1973).

warfare. The connection is that the war in Spain gave rise to that change. This thesis – a contribution to the historical study of guerrilla warfare and two conflicts – puts the origins of modern counterinsurgency doctrine where it belongs – not in the jungles of twentieth-century Southeast Asia, but in the hills of nineteenth-century Spain and Mexico.

FROM COMPLIANCE TO CONCILIATION: THE NINETEENTH-CENTURY ORIGINS OF U.S. COUNTERINSURGENCY DOCTRINE

In 1829, French general Gabriel Suchet published his Peninsular War memoirs and noted that in 1810 he believed the Spanish “appeared to yield ready compliance” to the French occupation – which was far from the reality. Rather, Suchet’s tenure as commander of Napoleon’s forces in northeast Spain witnessed some of the most intense fighting between Spanish guerrillas and French forces.³⁴ A generation later, General Winfield Scott recalled his own role in the Mexican-American War. In his memoirs, Scott lauded the “prowess” of the U.S. Army, but added that “valor and professional science could not alone have dictated a treaty of peace with double our numbers, in double the time, and with double the loss of life, without the measures of conciliation...”³⁵ This semantic shift in the period between Suchet and Scott represents a profound change in military thinking. In 1847, when Scott launched the campaign to seize the Mexican capital, it was no longer the people who were required to *yield compliance* to the U.S. army of occupation, but incumbent upon the invader to offer *measures of conciliation* designed to mitigate insurgency. This change in military thinking – from yielding to winning (or achieving) compliance through conciliatory measures – is not only an important aspect of military occupation doctrine, it represents a missing chapter in the historiography of guerrilla warfare and counterinsurgency.

Winfield’s Scott’s *measures of conciliation* preceded the *hearts and minds* doctrine used by the U.S. military in the Vietnam War by more than a century. Yet the historiography of nineteenth-century guerrilla warfare and counterinsurgency would lead one to believe it was a twentieth-century creation. The twentieth-century catalyst behind this tendency

³⁴ Louis-Gabriel Suchet, *Memoirs of the War in Spain, from 1808 to 1814*, Vol. 1 (London: Henry Colburn, 1829), 81.

³⁵ Lieutenant General Winfield Scott, *Memoirs* (New York: Sheldon & Co., 1864), 540.

was the combination of guerrilla warfare and Marxist ideology. Due to this association much of the literature addressing guerrilla warfare was written during the Cold War (1947-1991) in a period where writers were attempting to understand the methods of groups aimed at installing communist political systems.

There is a large amount of scholarship on Marxist-guerrillas in the twentieth century, including the seminal, semi-autobiographical, tactical manuals written by revolutionaries such as Mao Zedong, Che Guevara, and General Vo Nguyen Giap.³⁶ The success of their respective guerrilla movements in China, Latin America, and Vietnam, prompted deep inquiries into the efficacy of insurgent warfare working in tangent with populist political messages. The arrival of ideological and global conflict led historians to examine nontraditional forms of warfare. The term most often used by historians as the antithesis to the conventional form of warfare is *guerrilla warfare*. It is generally through that narrative that writers have approached the subject.

The nomenclature is important. Until recently frontier warfare was not considered guerrilla warfare – or at least historians did not identify conflicts between whites and non-whites on the U.S. frontier through the lens of asymmetrical warfare. The same can be said of South America – where Europeans expanded their territorial dominance over a continent at the expense of indigenous groups and former African slaves. Some peoples resisted, some did not. When Native Americans did resist, they usually employed guerrilla warfare because it offered the best chance of victory. Military scholars and historians are beginning to reevaluate the military dynamics of those conflicts resulting in a reclassification of historical precedent. Similarly, the conflicts resulting in Latin American independence are generally classified as *guerrilla warfare* – or at least warfare combining some level of conventional and nonconventional forms deemed *hybrid warfare* (also called *compound warfare*) – which is the classification attributed to the Peninsular War by military scholars because of the combined regular/irregular efforts of the British and Spanish. Because of the nomenclature, the Peninsular War is often considered a starting point in guerrilla war studies. Yet, most of

³⁶ Mao Tse-tung, *On Guerrilla Warfare*, 1937; *On Protracted War*, 1938; Che Guevara, *Guerrilla Warfare (La Guerra de Guerrillas)* (New York: Monthly Review Press, 1961); Vo Nguyen Giap, *People's War People's Army* (Hanoi: Foreign Languages Publishing House, 1961); *The South Vietnamese People Will Win*, 1965; *Military Art of People's War: Selected Writings* (New York: Monthly Review Press, 1970).

the literature dealing with guerrilla warfare comes out of the twentieth century from conflicts that originated *in* the twentieth century.³⁷

Walter Laqueur, whose works on politics and warfare spanned much of the Cold War and post-Cold War era, noted that the considerable amount of literature on guerrilla warfare published in the 1950s and 1960s “was based almost entirely on the assumption that this phenomenon constituted a revolution in modern strategy.”³⁸ Laqueur was correct because the revolution in modern strategy began much earlier and until recently has largely been ignored. The result of that assumption was the corollary belief that the origins of counterinsurgency lay in the twentieth century. Put a different way, because historians and strategists were fixated on twentieth-century communist insurgency, they assumed that counterinsurgency – the means to combat asymmetrical small unit warfare – originated as a response to it.

The most prolific counterinsurgency (COIN) doctrine to come out of the Cold War is embodied in the phrase *winning hearts and minds*. Commonly used during the Vietnam War (1964-1975), U.S. military and political leadership employed the phrase to outline a strategy for the pacification of the rural population in South Vietnam – an allied state fighting an insurgency. Regardless of the debates on the efficacy of that doctrine, the constant deliberation of it in the media contributed to the belief that it was a novel form of counterinsurgency separated from past conflicts. U.S. Lieutenant General Fred Weyand noted the contrast with the Second World War: “‘In Germany we didn’t worry about people, about winning their hearts and minds,’ Weyand says. ‘In Vietnam, this

³⁷ See: Williamson Murray: *Hybrid Warfare: Fighting Complex Opponents From the Ancient World to the Present* (Cambridge University Press, 2012); Frank Hoffman, *Conflict in the 21st Century: The Rise of Hybrid War* (Arlington: Potomac Institute for Policy Studies, 2007); Gilmar Visoni-Alonzo, *The Carrera Revolt and ‘Hybrid Warfare’ in Nineteenth-Century Central America* (London: Palgrave Macmillan, 2017). See also: James K Wither, “Making Sense of Hybrid Warfare.” *Connections* 15, no. 2 (Spring 2016): 74. Wither notes the discrepancy between historians and strategists in defining terminology: “Not surprisingly, there are many definitions of hybrid warfare. The concept has been delineated in different, if related, ways and these definitions have evolved in a relatively short period of time... One approach to hybrid warfare takes a historical perspective. This defines the term simply as the concurrent use of both conventional and irregular forces in the same military campaign.” See also: Rupert Smith: *The Utility of Force: The Art of War in the Modern World* (London: Penguin, 2005). Smith uses Clausewitz and traces the advent of modern warfare to the Peninsular War. For Latin American guerrilla warfare, see: Daniel Castro, *Revolution and Revolutionaries: Guerrilla Movements in Latin America* (Lanham, MD: Rowman & Littlefield Publishers, 1999); Richard Weitz, “Insurgency and Counterinsurgency in Latin America, 1960-1980.” *Political Science Quarterly* 101, no. 3 (1986): 397-413.

³⁸ Walter Laqueur, “The Origins of Guerrilla Doctrine.” *Journal of Contemporary History* 10, No. 3 (July 1975): 341.

turned upside down. ... We did not deter the terrorists and the guerrillas. It became obvious to me that the priority objective in Vietnam is control of the people.”³⁹

In his 1964 work *Counterinsurgency Warfare: Theory and Practice*, COIN expert David Galula stressed the importance of winning over the population during a guerrilla war. Galula argued that since the insurgent cannot attack larger, more established forces, he must “carry the fight to a different ground where he has a better chance to balance the physical odds against him.” That fight is carried on ideologically “new ground” directed at the sentiments of the people. According to Galula, the key for the insurgent to winning the war is to “dissociate the population from the counterinsurgent...”⁴⁰

Although the concept seems clear, recent experts have questioned the validity of the *winning hearts and minds* doctrine in counterinsurgency because it fails to account for a myriad of ancillary factors in controlling populations. These factors include political culture, perceptions of foreigners, and religious beliefs. Nevertheless, the discussions centering around *hearts and minds* in the 1960s and 1970s contributed to the belief that counterinsurgency was a contemporary, twentieth-century subject. The Vietnam War thus became an important turning point in military studies because, as Weyand noted, the largely forgotten social side of warfare (i.e. Jomini and Clausewitz) returned to inform a new generation of military strategists and scholars.⁴¹

Although Napoleon initially tried to win over the Spanish people by using random acts of leniency and print propaganda, an official conciliatory counterinsurgency doctrine was nonexistent. Instead, Napoleon relied most heavily on previous strategy of projecting military power, winning decisive battles, dividing political spaces in occupied lands based on historical precedent, and coercing the political leadership of occupied countries to acquiesce. Put another way, brute force and political machinations were the central strategies and the defeated were expected to admit defeat. Napoleon’s surprising

³⁹ *The Post-Crescent*, Appleton, Wisconsin, Jan. 28, 1968. See: Jacqueline L Hazelton, “The Hearts and Minds” Fallacy: Violence, Coercion, and Success in Counterinsurgency Warfare.” *International Security* 42-1 (July 2017): 80-113.

⁴⁰ David Galula, *Counterinsurgency Warfare: Theory and Practice* (Westport, CT: Praeger Security International, 1964), 4.

⁴¹ Michael Fitzsimmons, “Hard Hearts and Open Minds? Governance, Identity, and the Intellectual Foundations of Counterinsurgency Strategy.” *Strategic Studies* 33, no. 3 (June 2008): 337-365. See also: Richard Shultz, “Coercive Force and Military Strategy: Deterrence Logic and the Cost-Benefit Model of Counterinsurgency Warfare.” *The Western Political Quarterly* 32, no. 4 (Dec. 1979): 444-466.

defeat informed the next generation of war planners, and it was Winfield Scott's collaboration with Henry Halleck that would turn the thinking upside down by creating the first formal conciliatory counterinsurgency doctrine.

Did a formal concept of war-ending decisive victories exist in Napoleon's time? Although it is indisputable that the occasional large battle would end a war, the theory is debatable. James Q. Whitman has recently argued that for hundreds of years European "lawyers still deemed a battle to be a species of contractual settlement procedure." In other words, "a pitched battle was a legal procedure, a lawful means of deciding international disputes through consensual collective violence" – akin to a trial. Whitman uses the example of Napoleon's decisive 1815 defeat at Waterloo to make his point, claiming that that battle decided the war. "Napoleon had lost, the war was over, and the course of history had changed. There was no ensuing total war, no pillaging of the French countryside, no besieging of French towns..." According to Whitman, the starting point in the transition to *total war* in the West arrived mid-century during the U.S. Civil War and Franco-Prussian War. "Since the 1860s, it has become clear that we no longer have any hope of confining war to the battlefield."⁴² Despite his efforts to nail down a transition in warfare, Whitman ignores the pillaging and sieges in Spain by the French. If there ever existed a legal concept among warring societies in Europe as *decisive pitched battles*, it must be concluded that this unwritten rule of war died decades earlier in Spain on May 2, 1808, when popular revolt in Spain against French occupation erupted.

When the clock is turned back it becomes apparent that guerrilla warfare is a nonideological form of waging war. In other words, guerrilla warfare and communism conveniently married during the twentieth century to undermine existing political structures. As a result, authors addressing the issue from military and ideological perspectives were writing with a sense of urgency (intended or unintended) given that guerrilla warfare had an alarming rate of success in toppling established governments and regimes. Ideology is an important aspect in waging war, but political ideology can be replaced by national, ethnic, tribal, religious, or even monetary motivations. After the

⁴² James Q. Whitman, *The Verdict of Battle: The Law of Victory and the Making of Modern War* (Cambridge: Harvard University Press, 2012), 3-4.

collapse of the Soviet Union, historians pursued other avenues of inquiry regarding earlier conflicts utilizing guerrilla warfare. Due to this historiographical reorientation, many post-Cold War works combine guerrilla wars into narratives encompassing multiple centuries, and almost always include the Spanish guerrilla war against Napoleon.⁴³

The gap in traditional guerrilla war narratives, however, is that they do not address the nineteenth-century origins of formal counterinsurgency. John McCuen's 1966, *The Art of Counterrevolutionary Warfare* stays almost exclusively in the twentieth century. Similarly, Robert Asprey's massive 1975 work, *War in the Shadows: The Guerrilla in History*, covers insurgent warfare during the American Revolution, the Peninsular War, and twentieth-century conflicts, but there is little reference to counterinsurgency apart from Sir Robert Thompson's Cold War experiences in Malaysia and Vietnam. The title of Ian Beckett's 1988 work, *The Roots of Counter-insurgency: Armies and Guerrilla Warfare, 1900-1945*, demonstrates a preference for a twentieth-century origin. When Beckett decides to go back further, as he did in his subsequent work *Modern Insurgences and Counter-Insurgencies: Guerrillas and Their Opponents since 1750*, he does not address Mexico. Similarly, Douglas Blaufarb's *The Counterinsurgency Era: U.S. Doctrine and Performance 1950 to the Present*, does not look at nineteenth-century precedent.⁴⁴ Like Beckett, Jeremy Black's recent 2016 work, *Insurgency and*

⁴³ John McCuen, *The Art of Counterrevolutionary Warfare* (Harrisburg: Stockpole Books, 1966); Robert B. Asprey, *War in the Shadows: The Guerrilla in History*, 2 Vols. (Garden City, NY: Doubleday & Company, 1975); Asprey: *War in the Shadows: The Guerrilla in History. Two Thousand Years of the Guerrilla at War From Ancient Persia to the Present* (Revised and updated) (New York: William Morrow and Company, 1994); Jeffrey Record, *Beating Goliath: Why Insurgencies Win* (Lincoln: Potomac Books Inc. University of Nebraska Press, 2007); John Arquilla, *Insurgents, Raiders, and Bandits: How Masters of Irregular Warfare Have Shaped Our World* (Lanham, MD: Rowman & Littlefield, 2011); Jeremy Black, *Insurgency and Counterinsurgency: A Global History* (Lanham, MD: Rowman & Littlefield Publishers, 2016); Peter Polack, *Guerrilla Warfare: Kings of Revolution* (Philadelphia: Casemate Publishing, 2018). Coupled with the unshackling of political philosophy to guerrilla warfare is modern scholarship on warfare and COIN studies. In many ways, these works have replaced the military memoirs of earlier eras for generals and tacticians interested in learning the art of war. See: Gil Merom, *How Democracies Lose Small Wars: State, Society, and the Failures of France in Algeria, Israel in Lebanon, and the United States in Vietnam* (New York: Cambridge University Press, 2003); Stathis Kalyvas, "The Urban Bias in Research on Civil Wars." *Security Studies* 13, no. 3 (Spring 2004): 160-190; Ivan Arreguín-Toft, *How the Weak Win Wars: A Theory of Asymmetric Conflict* (New York: Cambridge University Press, 2005); David Kilcullen, *The Accidental Guerrilla: Fighting Small Wars in the Midst of a Big One* (Oxford: Oxford University Press, 2009).

⁴⁴ Robert B Asprey, *War in the Shadows: The Guerrilla in History*, 2 Vols. (Garden City, NY: Doubleday & Company, 1975); Asprey: *War in the Shadows: The Guerrilla in History. Two Thousand Years of the Guerrilla at War From Ancient Persia to the Present* (Revised and updated), New York: William Morrow and Company, 1994. The 1994 version addresses some tactical aspects of counterinsurgency but only as a response to communist insurgency. See: Robert Thompson, *Defeating Communist Insurgency: Experiences*

Counterinsurgency: A Global History, does a good job at redirecting the historiography of insurgency and counterinsurgency to an earlier period yet Black avoids specifics on the development of counterinsurgency in the eighteenth and nineteenth century, and instead focuses on the insurgent theme supporting the central argument. In other words, while Black is correct, he misses the crucial developmental period of U.S. counterinsurgency doctrine in a rush to address the more recent conflicts in Vietnam, Iraq, and Afghanistan. These works are important but the history of the origins of counterinsurgency as it relates to U.S. military doctrine is overlooked.⁴⁵

The simple reason that all of the aforementioned works have not addressed the origins of U.S. counterinsurgency doctrine is because its first test – the Mexican-American War – was a stunning success. Had the conflict looked anything like the Peninsular War, or the Mexican War of Independence, it would be a major milestone in the history of guerrilla warfare and counterinsurgency studies. In other words, military historians have only given the most important formative conflict of U.S. military doctrine leading to the Civil War lip service because a major insurgency did not break out. In 2011, Thomas W. Spahr’s dissertation at The Ohio State University, “Occupying For Peace,” took a good look at many of the successful benign occupation policies initiated by Scott. Spahr properly employs Scott’s term “conciliatory” throughout the text and even mentions the rescinding of the *alcabala* tax but does not connect Halleck’s key role in what was essentially a counterinsurgency program designed to mitigate an environment conducive to insurgency. Furthermore, Spahr’s assertion that Scott “came on board with policies that President Polk had been pushing from the beginning by making the Mexicans pay for the cost of the occupation” to induce the Mexicans to seek peace does not square with the opposing views and actions of Polk and Scott.⁴⁶

A cursory search of Henry Halleck’s name in all the previously mentioned works leads a reader to believe that General Halleck only played a minor role in the Civil War – which

from Malaya and Vietnam (London: Chatto and Windus, 1966); Ian R. Beckett, *The Roots of Counterinsurgency: Armies and Guerrilla Warfare, 1900-1945* (London: Blandford Press, 1988); Becket: *Modern Insurgences and Counter-Insurgencies: Guerrillas and Their Opponents since 1750* (London: Routledge, 2001).

⁴⁵ Jeremy Black, *Insurgency and Counterinsurgency: A Global History* (Lanham, MD: Rowman & Littlefield Publishers, 2016).

⁴⁶ Thomas W. Spahr, “Occupying For Peace, The U.S. Army in Mexico, 1846-1848,” (PhD diss., The Ohio State University, 2011), 266.

is not the case. In fact, Halleck's fingerprints are all over the origins of the U.S. Army's nineteenth-century COIN doctrine. Another more obvious reason why the Mexican War has been ignored is that the nomenclature had not yet been developed, and therefore Scott's term, *measures of conciliation*, was simply not equated with counterinsurgency doctrine.

Andrew J. Birtle's 1998 history *U.S. Army Counterinsurgency and Contingency Operations, 1860-1941* is the singularly most important work highlighting the roots of the U.S. military's counterinsurgency doctrine in the Mexican War. Birtle notes "three sources" informing the U.S. military's nineteenth century "approach to pacification and counterinsurgency..." Those sources included "frontier experience, antebellum instruction... and the application of those principles by Maj. Gen. Winfield Scott during the Mexican War." Although Timothy Johnson correctly argues that Scott's pacification policy in Mexico was influenced by the Peninsular War, Birtle is the first historian who connects the importance of Henry Halleck to its development. "Reconciliation and retribution formed the twin policies that governed Army conduct during the Mexican War", Birtle writes, and Halleck "remembered what Scott had done..." Birtle notes Halleck's work 1861 *International Law* "drew upon Scott's actions in Mexico as well as the writings of a large number of American and European scholars. Halleck reiterated the dual principles of moderation and retaliation that had been taught at West Point and implemented by Scott."⁴⁷

Although the retaliation side of the U.S. approach to counterinsurgency was important, this thesis focuses on the conciliation aspect because it was a novel approach to warfare informed by Halleck's studies of the Peninsular War. Essentially it could be considered the U.S. Army's first *hearts and minds* COIN doctrine. Furthermore, because Birtle's work focuses on the period after 1860, he does not include the fact that it was Halleck himself who worked *with* Scott to formulate U.S. counterinsurgency doctrine in Mexico. In other words, Halleck did not need to draw upon or remember Scott's actions in

⁴⁷ Andrew James Birtle, *U.S. Army Counterinsurgency and Contingency Operations, 1860-1941* (Washington D.C.: United States Army Center of Military History, 1998), 7, 17. See: Halleck, *International Law; or, Rules Regulating the Intercourse of States in Peace and War*, 1861. See also: Thomas W. Spahr, "Occupying For Peace, The U.S. Army in Mexico, 1846-1848," (PhD diss., The Ohio State University, 2011).

Mexico because he himself was pivotal to the origins of that strategy. For this reason, this thesis fills in the period prior to Birtle's cogent scholarship on the origins of U.S. COIN doctrine.

Due to the large number of memoirs stemming from the Peninsular War, what Halleck and his military contemporaries well understood was the role guerrilla warfare played in defeating Napoleon's army.⁴⁸ The main dispute within the historiography of the Peninsular War has always been (and remains) a competing narrative between British and Spanish historians. Even the names of the wars are different – with the Spanish using *War of Independence* and the British using *Peninsular War* because it includes their campaign in Portugal. In simplified form, British historians have relegated the efficacy of the guerrilla campaign in Spain while simultaneously bolstering the Duke of Wellington's contribution to winning the war. William Napier, an early British historian of the war, expressly wrote in the introduction of *History of the War in the Peninsula* (1828) of his desire to redirect the historiography in favor of the British. "The Spaniards have boldly asserted, and the world has believed, that the deliverance of the Peninsula was the work of their hands: this assertion so contrary to the truth I combat."⁴⁹

In contrast, Spanish historians have focused on the insurgency and its main guerrilla chieftains, such as El Empecinado (1775-1825) and Espoz y Mina (1781-1835). The Anglo-Spanish historiographical rivalry has been ongoing since the war ended in 1814, and both sides have validity. Military scholars, on the other hand, simply avoid the argument altogether by classifying the war a *hybrid war* (or *compound war*) to better analyze the totality of the conflict. Don W. Alexander was the first historian to depart from that approach – that is, Alexander focused on French counterinsurgency using French sources and uncovered the undeniable stress that the Spanish guerrilla movement inflicted on the army of occupation. Built on his previous scholarship in the French

⁴⁸ Other contemporary Peninsular War memoirs (not already cited) in this intro include: Albert-Jean Rocca, *Memoirs of the War of the French in Spain* (London: John Murray, 1815); Anonymous (Translated by a General Officer): *The Military Exploits of Don Juan Martin Diez, The Empecinado; Who first commenced and then organized the system of guerrilla warfare in Spain* (London: Carpenter and Son, 1823).

⁴⁹ William F.P. Napier, *History of the War in the Peninsula and in the South of France, Vol. I* (London: Thomas and William Boone, 1828), ix. For an example of recent bias against the Spanish, see: Charles Esdaile, *The Peninsular War: A New History* (London: Palgrave Macmillan, 2003). See also: Huw J. Davies, *Spying for Wellington: British Military Intelligence in the Peninsular War* (Norman: The University of Oklahoma Press, 2018).

Archives de la Guerra and the *Archives Nationales*, in 1985 Alexander published *Rod of Iron: French Counterinsurgency Policy in Aragon during the Peninsular War*.⁵⁰ Since then, other historians, such as David Gates (*The Spanish Ulcer*, 1986) and more recently John Tone in *The Fatal Knot* (1995) have added to the scholarship supporting the efficacy of the insurgency. Tone addresses the “riddle” of how the combined British and Spanish effort resulted in French defeat by noting that “the Allies never faced the bulk of the Napoleon’s armies” because the insurgency “forced Napoleon to expend hundreds of thousands of French troops in occupation duties, eliminating the emperor’s numerical superiority over the allies.”⁵¹

Within the non-Spanish historiography of the Peninsular War, the *Corso Terrestre* – the document disseminated in the spring of 1809 by the Spanish Central Junta outlining their plan for organizing guerrilla parties (*partidos*) – has received much attention. The formal promotion of small bands of mounted guerrillas played a crucial role in coalescing the resistance. Despite its significance as a foundational model for organizing insurgency – a model that was later emulated by governors Ramón Adame (1815-1884) and Melchor Ocampo (1814-1861) in Mexico – most studies on the war do not go into the specifics of the document but rather rely on previous interpretations that focus singularly on the *Corso* as it relates to plundering French war material.⁵² In other words, historians have overlooked the significance of the document in influencing approaches to organizing guerrilla insurgencies outside of Spain. This is understandable since most

⁵⁰ Don W. Alexander, “French Military Problems in Counterinsurgent Warfare in Northeastern Spain, 1808-1813.” *Military Affairs* 40, no. 3 (Oct. 1976): 117-122; Alexander, “French Replacement Methods during the Peninsular War, 1808-1814.” *Military Affairs* 44, no. 4 (Dec. 1980): 192-197; Alexander, *Rod of Iron: French Counterinsurgency Policy in Aragon during the Peninsular War* (Wilmington, DE: Scholarly Resources, 1985).

⁵¹ John Lawrence Tone, *The Fatal Knot: The Guerrilla War in Navarre and the Defeat of Napoleon in Spain* (Chapel Hill: The University of North Carolina Press, NC, 1995), 4-5; David Gates, *The Spanish Ulcer: A History of the Peninsular War* (London: George Allen & Unwin, 1986). Spanish works on the guerrilla movement include; Florentino Hernández Girbal, *Juan Martín, El Empecinado: Terror de los franceses* (Madrid: Ediciones Lira, 1985); Manuel Ortuño Martínez, *Vida de Mina: Guerrillero, liberal, insurgente* (Madrid: Trama Editorial, 2008); Ramon Guirao Larrañaga, *Guerrilleros y Patriotas en el Alto Aragón (1808-1814)* (Huesca: Editorial Pirineo, 2000); Pedro Pasual, *Curas y frailes guerrilleros en la guerra de la independencia* (Zaragoza: Institución Fernando el Católico (IFC)), 1999; Díaz Terrejón, Francisco Luis, “El movimiento guerrillero en España durante la ocupación napoleónica (1808-1814).” In *Iberoamericana (2001-) Nueva época*, Año 8, no. 31 (Sept. 2008): 129-135.

⁵² Other works (not already cited) in this category include: David A. Bell: *The First Total War: Napoleon’s Europe and the Birth of Warfare as We Know It* (Boston: Houghton Mifflin, Boston, 2007); Charles Esdaile, *Fighting Napoleon: Guerrillas, Bandits, and Adventurers in Spain, 1808-1814* (New Haven: Yale University Press, 2004); Michael Glover, *The Peninsular War, 1807-1814* (London: Penguin Books, 1974).

scholars writing about the war have kept their focus solely within the Iberian context. When outside connections are made to the war in Spain, they generally relate to the independence movements that simultaneously broke out in Latin America. Along similar lines, there is almost no literature (and few references) regarding Spanish Carlist guerrilla activity in the Mexican-American War – even though that activity was followed intensely by U.S. newspapers and officials during the war.⁵³

The Peninsular War marked an unveiling of guerrilla warfare, but that conflict was not its genesis. Eighteenth-century guerrilla warfare under current reexamination is the American Revolutionary War. Although Russell Weigley, renowned for his pioneering work on the American *way of war*, was one of the earliest historians to reevaluate that conflict from a nonconventional point of view, traditional historiography did not address the subject of guerrilla warfare against the British but rather focused on memorable battles enshrined in nationalist history. The reality is that attrition and the advantage of geography – not unlike the situation in Spain – played a major role in the success of the colonists. This thesis adds to that inquiry, but only as a precursor informing the conflict in Spain and American retrospection during the Mexican conflict.⁵⁴

If we expand the timeline of warfare over many centuries it is obvious that guerrilla warfare is ancient. The arrival of the nomenclature (i.e. *guerrilla*) within the context of *civilized* and *uncivilized* marks the hallmark where those distinctions were made. Vattel considered Europe a rules-based civilization, and the periphery of that political entity

⁵³ For an inquiry on international militant Carlism, see: Mario Etchechury-Barrera, “From settlers and foreign subjects to ‘armed citizens.’ Militarization and political loyalties of Spaniard residents in Montevideo, 1838-1845.” *Revista Universitaria de Historia Militar* (RUHM) 4, no. 8 (2015): 119-142. See also: Maurizio Isabella: *Risorgimento in Exile: Italian Émigrés and the Liberal International in the Post-Napoleonic Era* (New York: Oxford University Press, 2009).

⁵⁴ Russel Weigley, *The Partisan War: The South Carolina Campaign of 1780-1782* (Columbia: University of South Carolina Press, Columbia, 1975). See: Weigley, *The American Way of War: A History of the United States Military Strategy and Policy* (New York: Macmillan Publishing, 1973); James W. Pohl: “The American Revolution and the Vietnamese War: Pertinent Military Analogies.” *The History Teacher* 7, no. 2 (Feb. 1974): 255-265; Walter Edgar, *Partisans & Redcoats: The Southern Conflict That Turned the Tide of the American Revolution* (New York: Harper Collins, 2001); Terry Golway, *Washington’s General: Nathanael Greene and the Triumph of the American Revolution* (New York: Henry Holt and Company, 2006); Todd W. Braisted, *Grand Forage 1778: The Battleground Around New York City* (Yardley, PA: Westholme Publishing, 2016). See also: Wayne E. Lee, “From Gentility to Atrocity: The Continental Army’s Ways of War.” *Army History* 62 (Winter 2006): 4-19; Stephen Conway, “To Subdue America: British Army Officers and the Conduct of the Revolutionary War.” *The William and Mary Quarterly* 43, no. 3 (July 1986): 381-407. Conway rightly argues the conflict was “less a struggle for territory on the European model than a contest for political allegiance.” (p. 381). For an earlier approach see: John K. Mahon, “Anglo-American Methods of Indian Warfare, 1676-1794.” *The Mississippi Valley Historical Review* 45, no. 2 (Sept. 1958): 254-275.

was considered uncivilized. Put a different way, in a wider historical context incorporating Roman wars on the frontiers (such as the Sertorian War, 80-72 BC), Napoleonic warfare becomes the aberration – not guerrilla warfare.⁵⁵ What makes the Mexican War significant is that it marks the moment where the reemergence and semi-systematization of an old form of combat is paralleled with increasing modernization in military methods, tactical thinking, and an attempt to understand the social asymmetrical aspects of controlling invaded populations. Guerrilla warfare became a new *system* of combating the established civilized form of war, and thus military strategists and those concerned with the legal aberrations and consequences associated with it needed to adjust their thinking to accommodate a new reality. The argument is that the major adjustments were made during the Mexican War and carried into the Civil War. Although informed by eighteenth-century conflicts, the origins of formal COIN doctrine were informed by the Spanish against Napoleon. Many avenues of inquiry remain to be uncovered.⁵⁶

ORIGINAL CONTRIBUTIONS

In addition to the primary contribution of tracing the evolution of the laws and rules and war from the Napoleonic War in Spain to the Mexican-American War due to evolving guerrilla and counterinsurgency initiatives resulting in the U.S. Army's first "hearts and minds" COIN doctrine, the thesis makes a number of original contributions with respect to the wars themselves. In the third chapter of Part One there is a new reevaluation of the *Curso Terrestre* – the foundational organizational document written by the Spanish Junta at the war's onset to promote "land privateering" and small-unit cavalry-centric warfare antithetical to Napoleonic tactics and grand strategy. In that regard, as mentioned, there has never been a proper accounting of the influence of that document on Mexican leaders who anticipated a protracted guerrilla conflict with U.S. forces and

⁵⁵ Philip Matysak, *Sertorius and the Struggle for Spain* (Barnsley, UK: Pen and Sword, 2013); Daniel Varga, *The Roman Wars in Spain: The Military Confrontation with Guerrilla Warfare* (Barnsley, UK: Pen and Sword, 2015).

⁵⁶ Guerrilla warfare from a female perspective could be done, as similarities often reappear. See: Irene Castells, Gloria Espigado, *Heroínas y patriotas Mujeres de 1808* (Madrid: Cátedra, 2009). See also: Barton C. Hacker, "Women and Military Institutions in Early Modern Europe: A Reconnaissance." *Signs* 6, no. 4, (Summer 1981): 643-671. Hacker writes, "In general, the vast literature on revolutionary and guerrilla warfare largely ignores women."; "The Dutch Wars of Independence against Spain, the English Civil War, the American Revolution, the French Revolution, the Spanish War of independence against France, all furnish instances of women fighting alongside men in the seventeenth and eighteenth centuries..." (Hacker, 658)

made efforts in the spring of 1847 to foster a guerrilla *system* emulating the Spanish model. This is discussed in the third chapter of Part Two.

Although there have been numerous accounts and references to the Spanish guerrilla Padre Jarauta in previous histories of the Mexican-American War, there has never been a lengthy discussion of Carlist motivations behind reimplementing monarchy in Mexico or a discussion about who in Europe may have facilitated their trans-Atlantic journey. This topic, also appearing in chapter three of Part Two, adds to a much-needed reevaluation of the Mexican War in a transnational and Euro-American context.

To my knowledge, this is also the only work to discuss the legal implications of using Texas militia to invade Mexico despite the fact that the U.S. Secretary of War William L. Marcy (1786-1857) explicitly told General Taylor they were entering the war “as militia” under orders from President Polk. Most historians have assumed that the Rangers entered central Mexico as “volunteers” despite all the evidence to the contrary. The fourth chapter of Part Two addresses this issue vis-à-vis Scott’s campaign in central Mexico.

The thesis is arguably the first to assert that the U.S. Army’s decision to rescind the unpopular *alcabala* tax on poor Mexicans seeking to market goods in cities occupied by U.S. soldiers contributed to success – an assertion evinced by Santa Anna’s last-minute appeal to revoke the tax prior to the U.S. capture of Mexico City. This argument is developed on the second chapter of Part Two. Although it will be discussed in detail, there has never been a proper accounting for the attempted policy change by President Polk and his Administration to redirect Scott’s benign counterinsurgency campaign by implementing the Napoleonic maxim that *war should support war* by forcing the Mexicans to contribute material and food to U.S. forces without payment. That both Scott and Taylor kept paying for goods even after being ordered by the Commander-in-chief to stop doing so is significant. The policy change to redirect the war is briefly mentioned in the chapter on the Texas militia but covered extensively in the final chapter of the thesis.

By working backwards, it is easier to see how Halleck and Scott learned from the French mistakes made in Spain when Napoleon forced his generals to live off provincial resources taken from the people after the French treasury ran out of money. For that reason, U.S. Senators like Calhoun who were opposed to the Mexican War were invoking Napoleonic (and other imperial) history while blocking attempts to escalate the conflict and annex all of Mexico. When viewed in that context, the last chapter is a fresh interpretation of the strategic motivations behind opposing what was viewed at the time as an imperial war of conquest. Even though previous historians have superficially mentioned connections between the both the Peninsular War and Mexican-American War, this is the first thesis to explicitly do so.

TERMINOLOGY

Using the term *American* in a work on the Mexican-American War results in unavoidable complications. For the most part *American* in the English language (in this thesis) refers to someone (or something) from the United States, which in Spanish is *estadounidense* – or “person from the states.” The official name of Mexico is also “The United States of Mexico,” but most people have simply accepted *Mexico* as the common name. While anyone from the Americas (north or south) could readily adopt the term *American*, many people generally acknowledge that *Americans* (in English) refers to persons from the United States. Mexico is geographically part of North America, but in that country “*norteamericano*” usually refers to someone from the United States (or perhaps Canada). In the 1840s, the Mexicans referred to the war as “*La Guerra entre Mexico y Norteamérica*” – or “The War between Mexico and North America.” The term *Mexican War* is often substituted where *Mexican-American War* seems redundant and unnecessary. The intention is not to assume any political position regarding the terminology, but to make it easier to understand without the distraction that disparate terminology and definitions can bring to a narrative. Again, the intention is not to take a political position, but to try to be as consistent as possible to avoid distraction. Since the word first came into existence, *guerrilla* has also been spelled *guerilla*, and no changes have been made to conform the spelling. As mentioned, both terms *Peninsular War* and *Spanish War of Independence* are used, with perhaps a preference to the former for being shorter.

SOURCES

Many of the principal sources in this thesis are U.S. and British newspapers. Most of these are available online and have accompanying search engines that previous generations of scholars would have deemed unimaginable. The digital turn and recent availability of these is nothing short of revolutionary – even since my days as a graduate student more than a decade ago.

A core component of non-public material central to this work is the collection of U.S. military newspapers published in Mexico during the war. Most of these newspapers are available either in Washington D.C. or Austin, Texas. The newspapers located in the Nettie Lee Benson Latin American Collection at the University of Texas, Austin (UTA), not only reveal a lot about the thinking of the U.S. military and the social side of the occupation in Mexico, but they illustrate the disciplinary regime implemented by Scott in Mexico.

The Sutro Library at California State University in San Francisco has a large collection of Mexican pamphlets dating from the colonial period to the period after the Mexican War. One of those sources includes a work published during the Mexican War by Spanish Carlist guerrilla leader Padre Jarauta (1814-1848). The Sutro Library material, along with other accounts of Jarauta, have made this thesis the most comprehensive work highlighting Carlist participation in the Mexican-American War thus far.

The University of St. Andrews Pronunciamiento Project and the Virginia Tech Mexican-American War & Media Project compiled newspaper and other published material contemporary to the period. Like the University of Texas, Brown University in Rhode Island has a number of Mexican *pronunciamientos* available that were used while researching and writing this thesis. The pronouncements offer insight into the thinking of a leadership fractured along social, political, military, regional, and religious lines. Since traditional accounts of the war are generally written from the U.S. perspective, the *pronunciamientos* can be viewed as attempts to influence the thinking and actions of the people. They can also be viewed as responses to the effectiveness of

the U.S. campaign – with the wartime references to rescinding the *alcabala* tax as evidence of the effectiveness of the U.S. Army’s approach to occupation.

The *Corso Terrestre*, and a large swath of material relating to the war in Spain, has been made available online by the National Historical Archive (AHN) of Spain. The National Library of Spain (*Biblioteca Nacional de España*) has digital copies of the *Diario de Madrid* for viewing on the Hemeroteca Digital website and has been used extensively. There is still a lot more to be explored, including the *Gazeta de México* in New Spain, which covered both the Spanish war and the Mexican Revolution in the same period. This overlap is important because it shows how one conflict informed the other. There is already much scholarship on the Peninsular War, but this thesis is likely one of the first to make use of information published in the *Gazeta de México* to illuminate what was occurring simultaneously in Spain. Another online source for Spanish newspapers during the Napoleonic Wars is the Miguel Cervantes Virtual Library (*Biblioteca Virtual Miguel de Cervantes*). All of the digital Spanish sources were critical to forming opinions of a complicated war – along with its aftermath and the Carlist Wars.

The U.S. Library of Congress website remains a valuable deposit of material relating to congressional debates and published governmental material from the era. Much of the significant war correspondence between Secretary of War William Marcy and generals Scott and Taylor is found here. The indexing for the congressional debates remains antiquated, and one needs to read through several hundreds of pages to get a fuller picture of the events that transpired in the U.S. halls of power during the war. This effort was started many years ago – which is one of the few advantages of delaying formal PhD research. Although slavery expansion was an issue in the debates, a more thorough analysis of the proceedings supports the position that the push towards military empire (and opposition to it) was of more paramount concern. This was particularly true in the Senate, where the most effective opposition to prolonging the war came from the same political party as the president.

The reader will quickly realize that older secondary source books and articles have been utilized as well. A couple examples include articles by Harris Gaylord Warren. Although known for his work on Paraguayan history, Warren drew out connections as

early as 1938 of the Spanish guerrilla Javier Mina's participation in the Mexican Revolution. Writing during the same period, Richard R. Stenberg remained convinced of President James K. Polk's (1795-1849) subtle (but effective) machinations to annex Mexico, and made cogent arguments to support it. Of the three articles cited in this work by the early Mexican-American War scholar Justin Smith, the most recent one was published in 1920. These are just a few examples. Even though some of the articles used in this thesis were published more than a century ago, they remain valuable sources of insight by passionate academics who literally searched the world to uncover what scholars can often view by clicking.

ORGANIZATION

Part One of this thesis looks at the Napoleonic War in Spain, with a focus on guerrilla warfare. The first chapter in Part One outlines antecedents of guerrilla warfare before its formal advent in the war against Napoleon, the laws of war during the period of its emergence, and some of the tactical counterinsurgency precepts of combating that system. The second chapter in Part One (1.2) discusses how Napoleon lost the compliance of the Spanish people, and how that failure resulted in the development of an insurgency. The following chapter (1.3) highlights Spanish efforts to build an insurgency by creating the *Corso Terrestre*, and the counterinsurgency responses to those initiatives by Napoleon, Suchet, and other French generals. The third chapter (1.4) focuses on the assessment by Mexican War planner Henry Halleck on the inefficacy of sieges in the Peninsular War, and how they cost the French needed time, resources, and manpower. The last chapter of Part One outlines how attrition that wore down the French and summarizes the conflict from a military perspective.

Part Two, larger than Part One, covers the Mexican War. The first chapter (2.1) demonstrates how the two wars were commonly linked in the press and print media during the period, and the main strategy of seizing the ground between Veracruz and the Mexican capital. The second chapter of part two (2.2) focuses on the career of Winfield Scott, the advent of guerrilla warfare during an era of formal military professionalization, and efforts by the U.S. military to learn from the mistakes made by the French by implementing a novel counterinsurgency program in Mexico. The subsequent chapter (2.3) highlights efforts by a politically divided Mexico to mount a

guerrilla war based on Spanish precedent, and why they were unable to organize an effective insurgency after Santa Anna's defeat at Cerro Gordo in April of 1847. The precedent of royalist counterinsurgency during Mexico's independence movement is also discussed, as well as Carlist guerrilla involvement in the war. Chapter 2.4 covers the legal dilemma posed by Scott with the arrival of counterinsurgency militia from Texas who often disregarded rules designed to mitigate support for insurgency, and the campaign in central Mexico to open up the critical logistics route between Veracruz and Mexico City. The last chapter "The Allure of Empire, the Threat of Guerrilla War, and the New Code" (2.5) demonstrates how U.S. generals in Mexico and war opponents in Washington D.C. kept *All-Mexico* annexationists from escalating the war by opposing more troops and the Napoleonic military maxim that *war should support war* (a maxim directly contradicting the new military doctrine established by Scott). The last part of 2.5 also discusses criticism of the Mexican War during the period, and how guerrilla warfare further informed Henry Halleck and U.S. military doctrine in the Civil War. The conclusion addresses the combined legacy of the Napoleonic War in Spain and Mexican-American War, and the origins of formal counterinsurgency.

PART I: THE NAPOLEONIC WAR IN SPAIN

The management of his troops was the great art of [Simon] Bolivar; his partisans in their enthusiasm have compared him to Caesar, but he much more resembles Sertorius. Like him he had to reduce a savage people to obedience, and to combat a powerful and experienced nation. The places of contest were nearly alike; for there were, in this portion of America, the same difficulties to surmount, in the badness of the roads and the height of the mountains, as existed in the time of Sertorius. Like him Bolivar disconcerted his enemies by the rapidity of his marches, by the suddenness of his attacks, and by the celerity of his flights, which rendered it easy for him to repair his defeats at a distance. ...If his military tactics were different from those of Spaniards, his conduct was still more so...⁵⁷

----- *Vermont Aurora*, Vergennes, March 24, 1825.

⁵⁷ *Vermont Aurora*, Vergennes, March 24, 1825. "Character of [Simon] Bolivar and other South American Commanders." From Gaspard Théodore Mollien's *Travels in the Republic of Colombia: in the years 1822 and 1823*, C. Knight, London, 1824. The wars of Latin American independence led by Bolivar utilized guerrilla warfare. Sertorius, a Roman general, fought a guerrilla war in Iberia against the Roman Empire. See: Philip Matysak, *Sertorius and the Struggle for Spain* (Barnsley, UK: Pen and Sword, 2013).

1.1 BEFORE THE SYSTEM: GUERRILLA WARFARE AND THE LAWS OF WAR PRIOR TO 1808

*Mr. Cooke expressed his indignation at finding that a new system of war was likely to be pursued in America... He could not think that the planners of such a system could have attended for a moment to the rules of policy and self-preservation. If a new mode of war was to be introduced, reprisals and retaliation ought naturally to be expected.*⁵⁸

----- *The Newcastle Weekly Courant*, December 12, 1778

On December 4, 1778, at the height of the American Revolution, Sir Grey Cooper rose in the British House of Commons and declared that “Americans were no longer to be treated as Americans – but as Frenchmen...” His point was that the Americans, who were considered insurrectionary rebels by the British government, should be deemed enemies the same as the French actively supporting their cause. Cooper quoted the sixteenth and seventeenth-century legal scholar Hugo Grotius “to prove that burning of towns that were nurseries of soldiers or arsenals, or magazines of military stores, was perfectly consistent with the principles of civilized war.”⁵⁹ Cooper’s speech not only touched on the legal distinction made by the British in waging war against insurgents, it justified a harsh counterinsurgency campaign against a colonial population supporting independence by using a scholar of the laws of war.

The “new system of war,” as Mr. Cooke pointed out moments before Sir Grey Cooper spoke, exasperated the British. While the Continental Army periodically engaged the British in open-field battles, many of the colonists realized that attrition was a more effective long-term strategy. Because of this, much of the revolutionary army, including members of state militia, engaged in guerrilla warfare. As early as 1775, Anglo-Irish parliamentarian Temple Luttrell could see the direction the war was heading when he spoke in the House of Commons about the “social war” unfolding the American colonies. “I therefore presume your colonies are no longer treated as rebels,” Cooper

⁵⁸ *The Newcastle Weekly Courant*, December 12, 1778. House of Commons December 4, 1778.

⁵⁹ *Ibid.*

jested, and “will be entitled to the fame of military honors, to the same clemency and of grace that are usually practiced, according to the modern system of war, by every civilized nation in the world.”⁶⁰

Clemency was often not extended to American prisoners because the British considered them traitors and rebels. At the time the word *guerrilla* did not exist, but the same issue of what to do with captured insurgents employing an illegal form of warfare confronted the British just as it later frustrated the French in Spain. Nor did the British recognize the existence of the United States, which put captured colonial soldiers in legal limbo. In 1781, the Duke of Richmond submitted a petition to the House of Lords on behalf of American prisoners of war at Forton Prison near the English port and naval base of Portsmouth:

His grace called upon Ministers to say whether those unhappy sufferers were detained and treated as rebels, or as prisoners of war. If they were detained as rebels, then they were entitled to be treated as prisoners of state, . . . if they were detained as prisoners of war, their pretensions to just and generous treatment were settled and established by the laws of nations.⁶¹

In the early phases of the American Revolution much of the population was indifferent to the cause of the revolutionaries, and it is generally accepted that a small, engaged percentage of the population was enough to tilt the balance of power in favor of the colonists. As a result, as the conflict dragged on an exasperated British military began utilizing more violent forms of control. This was especially true in the Carolinas, which the British seized by force in 1780 following the siege of Charleston. In that region, Brutality under Lord Cornwallis against the local population resulted in the emergence of guerrilla warfare led by Francis Marion, also known as the Swamp Fox. When the war intensified, George Washington sent Nathanael Greene into that theater to lead the effort begun by Marion by attacking British supply lines emanating from Charleston. These efforts forced Cornwallis to abandon his offensive. After two years of fighting, the British ceased operations.⁶²

⁶⁰ *The Virginia Gazette*, Williamsburg, August 26, 1775.

⁶¹ *The Bath Chronicle*, June 28, 1781.

⁶² Russel Weigley, *The Partisan War: The South Carolina Campaign of 1780-1782* (Columbia: University of South Carolina Press, 1975); Walter Edgar, *Partisans & Redcoats: The Southern Conflict That Turned the Tide of the American Revolution* (New York: Harper Collins, 2001); Terry Golway,

The combination of attrition and open war wore down the occupiers, just as Spain's royalist forces in Latin America succumbed to the grinding effect of guerrilla warfare. Unlike the revolts in Spanish America, for a long time the American Revolutionary War was not considered a guerrilla war. In retrospect, the majority of the wars of independence in the Americas – including the American Revolutionary War – employed elements of guerrilla warfare. Most of these conflicts, including the later success of U.S. forces in Mexico, rested on the ability of the invading army to support itself along a vital logistics corridor. As will be examined, logistics also proved important to the outcome of the Peninsular War. In the waning days of the Revolutionary War, British Prime Minister Lord Shelburne was forced not only to sue for peace, but reluctantly recognized the tactical efficacy of the new method of war. “Enough mischief has been done already by the fatal system of war in America,” he told the House of Lords in 1782, and he “hoped never to see the day when that system should again be pursued.”⁶³ However, the system was coming of age, and new laws to address it would follow.

Ten years after the end of the American Revolution, *The Evening Mail* of London was still citing Grotius and Vattel to navigate the complicated legal terrain that arose during the war concerning British rights over American subjects declaring themselves citizens of a new republic. “Vattel, in his Treatise on the Laws of Nations, lays it down,” the article went, while noting “whether the Americans will submit to disquisitions on the Laws of Nations, is yet in the womb of time.”⁶⁴

The question posed by *The Evening Mail* was rhetorical. Astute British statesmen knew that American colonial jurisprudence modeled itself after English law long before independence, and most of the same conventions and rules for proper conduct during wartime had been assumed by the Second Continental Congress in 1775. One of the reasons Vattel and Grotius were considered authorities during the Napoleonic Wars was that both scholars addressed the law of the sea – which was important to Europeans and the British particularly given that Napoleon was focused on restricting British trade with

Washington's General: Nathanael Greene and the Triumph of the American Revolution (New York: Henry Holt and Company, 2006).

⁶³ *The Pennsylvania Packet*, Philadelphia, September 12, 1782. Excerpt cited from the *New York Royal Gazette*, September 17, 1782. House of Lords, July 10, 1782.

⁶⁴ *The Evening Mail*, London, October 2, 1793.

the continent. In that vein, both scholars addressed the rights of neutral states, which played a large role in diplomacy and commercial activity. Other standards and norms of conduct relating to warfare including decorum, etiquette, and basic assumptions were commonly held among officers, statesmen, and monarchies, and simply passed down from one generation to the next. Many of those standards and norms were unwritten, but the Americans generally adopted long-held English conventions regarding warfare.

Nevertheless, international law in the late eighteenth century was a work in progress. Vattel's deliberations in his 1758 *The Law of Nations* were far from specific, limited to those areas deemed *civilized*, and contingent on mutual recognition between states. Vattel wrote that if "a custom or usage is generally established, either between all the civilized nations of the world, or only between those of a certain continent, as of Europe," then those states "are considered as having given their consent to it, and are bound to observe it towards each other..." The language Vattel used to outline binding international law was far from absolute.⁶⁵

Nor did Vattel address guerrilla warfare – as it did not officially exist. In the absence of the *system*, as guerrilla warfare was initially called in its gradual unveiling, *regular war* was the term most often used to address the subject of *irregular* warfare. By examining existing conventions prior to the conflict in Spain, it is easier to understand how Europeans within the civilized (rules-based) domain considered irregular warfare. One important example where Vattel built on Grotius' ideas was the *just war* theory – a theory of international law governing warfare commonly invoked by the Spanish guerrillas after the war began in 1808. "The end of a just war is to avenge or prevent injury," Vattel claimed, while drawing the limits of whatever action that entailed to the "tribunal of conscience." The theory was malleable enough for any state to justify acting in self-defense. "As soon, therefore, as we have declared war, we have a right to do against our enemy whatever we find necessary for the attainment of that end," Vattel wrote, "for the purpose of bringing him to reason, and obtaining justice and security..." Some conventions existed within that vague definition. For example, in times of regular

⁶⁵ Emer de Vattel, *The Law of Nations, or, Principles of the Law of Nature, Applied to the Conduct and Affairs of Nations and Sovereigns* (Philadelphia: T. & J.W. Johnson, Law Booksellers, 1852), 62. See Book II, Chapter 1, "Of the common duties of a nation towards others". "The maxims laid down in this chapter... were for a long time unknown to nations. The ancients had no notion of any duty they owed to nations with whom they were not united by treatise of friendship." (Ibid. 223)

war executing prisoners was considered forbidden. Vattel asserted that there were “limits of that right. On an enemy’s submitting and laying down his arms, we cannot with justice take away his life.” From a legal standpoint the issue appeared simple. “Thus, in battle, quarter is to be given to those who lay down their arms; and, in a siege, a garrison offering to capitulate are never to be refused their lives.”⁶⁶

Like the American Revolution, the guerrilla war in Spain provoked a debate as to whether insurgent prisoners were afforded the same rights as regular soldiers. The same issues related to both conflicts later arose in 1818 with General Andrew Jackson (1767-1845). During the First Florida War Jackson captured and executed two British citizens accused of aiding the Seminoles. Deborah Rosen, who specializes in American legal and constitutional history, has recently written about Jackson’s conduct. In referencing Vattel’s thinking, Rosen notes that killing prisoners or executing enemies “who had surrendered” was strictly forbidden unless they had “violated the laws of war” and were deemed criminals. Rosen’s assessment of Vattel’s legal reasoning is quite pertinent to what occurred in Spain. “Vattel argued, a nation could also execute prisoners in retaliation if its enemy had killed prisoners, while in more general terms a nation was not obliged to adhere to the rules of war if the enemy ignored those rules.”⁶⁷

As Rosen alludes, there were numerous exceptions and contradictions to Vattel’s rules. Exceptions were allowed if the enemy enlisted citizens to resist occupation. “At present, war is carried on by regular troops: the people, the peasants, the citizens, take no part in it, and generally have nothing to fear from the sword of the enemy.” Vattel argued that during war, if “[w]omen, children, feeble old men, and sick persons” do not resist then “we have no right to maltreat their persons or use any violence against them, much less take away their lives.” Although this was the standard for military occupation, there

⁶⁶ *Ibid.* 454-456. The scholarly deliberation on ‘just war’ theory is robust. See: Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1977); Eric Patterson, *Just American Wars: Ethical Dilemmas in U.S. Military History* (London: Routledge, 2018); James Turner Johnson, “The Idea of Defense in Historical and Contemporary Thinking about Just War.” *The Journal of Religious Ethics* 36, no. 4 (Dec., 2008): 543-556; Brian Richardson, “The Use of Vattel in the American Law of Nations.” *The American Journal of International Law* 106, no. 3 (July 2012): 547-571. For a longer look at ‘just war,’ see: Henry Syse and Gregory M. Reichburg, *Ethics, Nationalism, and Just War: Medieval and Contemporary Perspectives* (Washington D.C.: Catholic University of America Press, 2007).

⁶⁷ Deborah A Rosen, “Wartime Prisoners and the Rule of Law: Andrew Jackson’s Military Tribunals during the First Seminole War.” *Journal of the Early Republic* 28, no. 4 (Winter 2008): 564.

were usually no consequences for unnecessary violence committed against civilians apart from a commanding officer's discretion to punish transgressors. Vattel commented on unnecessary force against civilians:

If sometimes, the furious, and ungovernable soldier carries his brutality so far as to violate female chastity, or to massacre women, children, and old men, the officers lament those excesses; they exert their utmost efforts to put a stop to them; and prudent and human general even punishes them whenever he can. But, if women wish to be spared altogether, they must confine themselves to the occupations peculiar to their own sex, and not meddle with those of men, by taking up arms.⁶⁸

Vattel's prescriptions against killing civilians were not only founded from a moral position, they came from his belief that unneeded violence hindered the invader. In other words, Vattel engaged in one of the first intellectual deliberations on a counterinsurgency strategy later developed by the Americans in Mexico. "By protecting the unarmed inhabitants, keeping the soldiers under strict discipline, and preserving the country, a general procures an easy subsistence for his army, and avoids many evils and dangers." Vattel's counterinsurgency recommendations have generally not been gleaned by historians, but within the veiled reproach to protect civilians was a legal justification for violently cracking down on them. If a general "has any reason to mistrust the peasantry... he has a right to disarm them," Vattel reasoned, "and to require hostages from them: and those who wish to avoid the calamities of war, must submit to the laws which the enemy thinks proper to impose on them."⁶⁹

Similar to Vattel's suggestions to avoid unnecessary violence against civilians was a plea for "moderation" when pillaging and ravaging enemy country. If an unneeded military action was directed towards the property of the enemy, then that action would usually result in "increasing animosity" – which ultimately made peace more difficult to achieve. According to Vattel, this "detestable" approach to warfare – often deemed *scorched-earth* warfare – although not ideal, was nonetheless legal so long as the aggressor had some military justification for it beyond simply punishing the enemy population or reducing their ability to fight by destroying resources:

⁶⁸ Vattel, *The Law of Nations*, p. 460.

⁶⁹ *Ibid.* 461.

Hence, the pillaging of a country, or ravaging of it is not, in a general view of the matter, a violation of the laws of war: but... pillage and destruction of towns, the devastation of the open country, ravaging, setting fire to houses, are measures no less odious and detestable... without absolute necessity, or at least very cogent reasons.⁷⁰

Vattel's legal deliberations on violence against noncombatants were contingent on whether that violence was justifiable. Conforming with Rosen's citation from *The Law of Nations*, if an enemy engaged in irregular warfare consideration of legal protection within the "universal society of nations" engaging in the "voluntary" laws of war was moot. In other words, engaging in irregular warfare nullified the mutual agreement between belligerents. "The first rule of that law, respecting the subject under consideration, is, that regular war, as to its effects, is to be accounted just on both sides."⁷¹ Taken in totality, Vattel's *just war* theory of defensive warfare first articulated by Grotius contradicted his legal argument against the use of irregular war.

Since the French played an active role in aiding the colonists in the American Revolutionary War, they were highly informed of British deliberations on the laws of war and the issue facing their own rebellious colonies. That situation was later reversed when open revolt broke out on French soil in the Vendée in 1793, and the French turned to unmitigated violence to suppress it. In the French National Convention, Joseph Francois Laignelot called the war in the western half of France "deplorable" and testified to the "shocking" counterinsurgency methods employed there – "that the grain, cattle, sheep, and other means of subsistence, had been destroyed... by design."⁷² Ultimately, tens of thousands of citizens were killed in what amounted to civil war.

While British politicians wrestled with the legal implications of the American Revolution, the large-scale violence in the Vendée forced the French military to

⁷⁰ *Ibid.* 479-480. See: David A. Bell, *The First Total War: Napoleon's Europe and the Birth of Warfare as We Know It* (Boston: Houghton Mifflin, 2007). Historians and strategists often differ with the terminology for classification purposes. For historians, the term *total war* tends to represent some element of violence directed at the civilian population and a national mobilization of civilians. *Scorched-earth* warfare is viewed differently by military strategists because it implies the destruction of property and resources. For a response to Bell's work, see: Michael Broers, "The Concept of 'Total War' in the Revolutionary-Napoleonic Period." *War in History* 15, no. 3 (July 2008): 247-268. See also: Donald Stoker, "What's in a Name II: 'Total War' and Other Terms that Mean Nothing." *Infinity Journal* 5, no. 3 (Fall 2016): 21-23.

⁷¹ *Ibid.* 493

⁷² *The Times*, London, October 17, 1794.

confront the tactical efficacy of a novel system of warfare. For the French republican army – the predecessor of Napoleon’s Grand Army – formal counterinsurgency began in the Vendée. It was a prelude to the violence they would later inflict in Spain. In 1793, prior to the implementation of counterinsurgency strategies by General Louis Lazare Hoche in the Vendée, General Francois Westermann wrote, “The Vendée no longer exists... Following the orders I have received, I have crushed children beneath hooves, and massacred women so that they won’t spawn any more brigands.” His report to Paris finished with a bold description, “you can’t reproach me with having taken any prisoners, the roads are littered with corpses.” As Laignelot and others attested, brutality was a legacy of the French war against royalist-supporting insurgents.⁷³

As the British learned and as the French came to learn, extremely harsh measures against populations often fueled rebellion. One historian has recently noted that the conflict in western France “strained the republic’s ability to undertake pacification without persecution and to transform coercion into reconciliation.” Because the uprising tested the resolve of both revolutionaries and traditionalists, the outcome moved to the extreme and “contributed disproportionately to the Revolution’s authoritarian outcome.” Deaths in that ideological confrontation range anywhere between 170,000 to 200,000 people. The Spanish confrontation, which was also defined by extreme ideological and religious contrasts, would be far bloodier.⁷⁴

COUNTERINSURGENCY PRECEDENT

In the wake of the brutality in the Vendée (1793-1796) new rules of engagement were put into effect by General Louis Lazare Hoche (1768-1797). The rules represent one of the earliest efforts to systematically adapt to guerrilla warfare and armed rebellion. Implemented by the military, Hoche’s rule helped pacify the population until the exhausted rebels sued for peace and the government reciprocated with amnesty. Napoleon lauded the state’s military success there and was quoted to say that Hoche

⁷³ Jonathan North, “General Hoche and Counterinsurgency.” *The Journal of Military History* 67, no. 2 (April 2003): 530. Westermann is quoted from North. See also: Howard G Brown, “From Organic Society to Security State: The War on Brigandage in France, 1797-1802.” *The Journal of Modern History* 69, no. 4 (Dec. 1997): 661-695. *Chouannerie* refers to royalist supporters in the provinces of Brittany, Maine, Normandy, and Vendée.

⁷⁴ Howard G. Brown, *Ending the French Revolution: Violence, Justice, Terror, and Repression from the Terror to Napoleon* (Charlottesville: University of Virginia Press, 2006), 237.

“was one of the finest generals that France ever produced.”⁷⁵ While Hoche began his *Instruction* with rigid ideological republican positions, he also advocated a benign military approach. “Whilst swearing to wage war to the death... the Republican troops will... respect the peaceful habitants of the region.” The concept was simple: treating citizens benignly enabled French soldiers “to distinguish between Republicans doing their duty and those detestable individuals who have chosen to follow the despicable career of robbers and murderers.”⁷⁶

Hoche was thorough in his tactical recommendations. In addition to iterating the maxim of “bringing as many troops as possible” to battle, Hoche offered instructions for: escorts, detachments operating against brigands, reconnaissance, reconnaissance at night, night marches, patrols, and billeting. Written in revolutionary language, Hoche proclaimed that “ill-disciplined and disorderly robbers should not be able to withstand the disciplined valor of Republicans fighting for their country and for liberty.”⁷⁷

Hoche’s counterinsurgency prescriptions were also detailed. For escorts, an officer was required to inspect weapons before beginning operations, and ensure vigilance with “a vanguard, a rearguard and scouts on each flank.” Hoche stressed that “caution should be maintained whilst passing through villages... and troops should not proceed down sunken roads” – but instead use embankments. To prevent ambushes Hoche recommended “a quarter of the detachment’s strength” be used to protect the flanks. If a group marched along rough terrain, the distance from the main column to the flankers could be adjusted but generally “less than 300 paces from the main body” to prevent being cut off in case of attack. Hoche advised the appropriate distances vanguards and rearguards maintained from the main column, as well as their sizes depending on the weather. Other imperatives for escorts included silence, “frequent halts,” and attention to stragglers. Even the proper operation for escorting wagons was addressed, with deviations of the rules resulting in severe punishment of officers:

Any commander found guilty of neglecting these instructions will be responsible for the consequences. He will be... tried as a traitor to the Republic and as one who has needlessly sacrificed the lives of his brothers in arms. Similarly any

⁷⁵ O’Meara, *Napoleon at St. Helena*, Vol. 2, 37.

⁷⁶ North, “General Hoche and Counterinsurgency,” 530-1.

⁷⁷ *Ibid.* 532, 535.

commander or member of the detachment who flees when attacked will also be tried...⁷⁸

Most of Hoche's rules were designed to prevent a marching column from being surprised by an ambush – the principal tactic of guerrilla warfare. He elaborated on the need for someone to “specify an alarm signal” in case of attack. “At this signal, or at the very first shot, the vanguard, rearguard and flankers should rejoin the main body.”⁷⁹ Although these instructions seem logical, it is easy to imagine how these basic rules could be ignored by inexperienced officers. The rules were designed to give the column an effective response. In other words, the rules required a trained response that suppressed the instinctual urge to flee – which caused panic and scattering. If the rules were implemented effectively, a group being ambushed could repel an effective resistance after the initial assault. The inverse rule was that the group that panicked and fled ceded the momentum.

Other counterinsurgency rules by Hoche included the use of cover by vegetation and natural contours in the landscape, sealing off the exits of villages where guerrillas were known to be operating before launching an attack, and using stealth to approach targets. Conducting ambushes in anticipation of a brigand's moves was “best done in a ravine or wood.” Hoche also noted that insurgents “frequently make use of women and children to spy for them,” and that they often “warn of the approach... by pretending to whoop and shout at their livestock.” Despite the use of civilians in insurgent warfare, Hoche reiterated that “no harm should come to them.”⁸⁰

In addition to French counterinsurgency experience in the Vendée, Jonathan North has recently written on French experience with guerrilla warfare in eighteenth-century colonial North America. “French officers witnessed irregular tactics in the forests of North America some forty years before the French Revolution.” The New World experiences of Europeans with Native American-style warfare “sparked a debate and generated books such as Grandmaison's *La Petite Guerre* and de la Croix's *Traité de la Petite Guerre*.” Those conflicts, unlike the Vendée, were fought on foreign soil against an enemy whose tactics were novel to Europeans. During the Seven Years War in North

⁷⁸ *Ibid.* 532-4.

⁷⁹ *Ibid.* 534.

⁸⁰ *Ibid.* 535-6.

America (1754-1763), which began two years before a wider war broke out in Europe in 1756, both the British and French employed Native American tribes as proxies in their struggle for continental supremacy, and despite these experiences, the French later had difficulty adjusting to the type of warfare that effectively manifested itself in Spain. North argues that theoretically and practically “French officers were as yet ill-prepared to fight national uprisings or wage counterinsurgency warfare.”⁸¹ While some French soldiers may have been familiar with Native American tactics, like the Americans, they were not accustomed to occupying Native American settlements nor policing villages – which represented a major deviation between the hard and benign forms of counterinsurgency. Tactically, Indian warfare and Spanish guerrilla warfare were similar, but there did not exist a military doctrine to draw previous knowledge or experience from other than the Vendée, which was a civil war that went through an extremely difficult period of bloodletting before peace was achieved.

When examined retrospectively, a pattern of guerrilla wars unfolded before the French invasion of Spain: The Seven Years War and the American Revolutionary War in North America occurring between 1754 and 1783, the Vendée and western France in the early 1790s, and Egypt at the turn of the century. Yet none of these conflicts inspired the French to codify a permanent military doctrine designed to pacify a population to prevent it from supporting insurgency. Those decisions were left exclusively to the generals on the ground. It was the hard lesson learned by the French in Spain that changed military thinking.

After the war in Spain, Jomini cited both Hoche and Gabriel Suchet, the general in charge of subduing northeast Spain, as “models” in pacifying occupied populations. Although circumstances in theater change according to varying factors, the war strategist offered a number of prescriptions including a “display of a mass of troops proportioned to the obstacles and resistance likely to be encountered,” calming “popular passions”, and exhausting the people “by time and patience.” Complementing Hoche’s recommendation that civilians should not be harmed, Jomini advised that generals “display courtesy, gentleness, and severity united, and particularly, deal justly.”⁸² In

⁸¹ *Ibid.* 531. Thomas Auguste le Roy de Grandmaison, *The small war or treaty of the service of the troops in campaigns*, 1756; Armand-Francois de la Croix, *Treaty of the small war in the French campaign*, 1752.

⁸² Jomini, *The Art of War*, 33.

retrospect, these prescriptions seemed like common sense applications to mitigate insurgent support among a population. However, the obvious contradiction to Jomini's praise of Suchet is that – although he subdued Zaragoza and other defiant northeastern cities – the region under his command witnessed some of the most aggressive insurgent activity of the entire war. Militarily, Suchet's tenure in Spain represents a massive contradiction.

There are a number of reasons why the French did not implement Hoche's well-tried rules on Spanish soil, especially as they pertained to the treatment of civilians. Many officers deployed to Spain not only had experience fighting partisans during the revolutionary period in the Vendée, but later in the Tyrol (1809) – including Suchet himself. General Charles Reille (1775-1860), tasked with countering insurgent forces in Aragon and later Navarre, had intimate knowledge of the Italian guerrilla campaigns. Yet, despite his ill treatment of civilians, the established counterinsurgency rules were adhered to religiously as defined by Napoleon's rules of war.

STRETCHING THE TIMELINE: GUERRILLA WARFARE BEFORE SPAIN

One reason the French did not adapt to the new military situation in Spain was an absence of dissemination of the tactical methods employed in either the Seven Years' War in North America or the American Revolutionary War (1754-1783). Viewed through the conventional perspective, New World conflicts did not utilize guerrilla warfare enough to warrant consideration from an army accustomed to winning conventional battles in Europe. In other words, the French were unable to shift from their successful, established methods. Writing during the Cold War, Walter Laqueur deliberated on why the French did not incorporate this knowledge and cited the 1789 work by Prussian colonel Andreas Emmerich, *The Partisan War or the Use of a Corps of Light Troops to an Army*, as one of the earliest works on guerrilla warfare. In that work Emmerich cited many examples of partisan (i.e. guerrilla) tactics from the American Revolutionary War. Laqueur noted that the pre-Peninsular War literature dealt mainly with "highly mobile" smaller units, and that while the American Revolution was rife with examples, "the literature published approximately before 1810 did not accord

these units an independent role and it was exclusively concerned with the operations of professional soldiers acting in close cooperation with the main body of the army.”⁸³

Laqueur’s argument is supported by the facts. While the French engaged in counterinsurgency efforts in the Vendée, that conflict was viewed as more of an aberration than a reflection of an ongoing and revolutionary shift in military methods throughout the western world. Yet, despite the presence of pre-Peninsular guerrilla warfare, conventional counterinsurgency tactics and basic rules to sustain an invading army did exist – as they had for centuries.

If modern counterinsurgency means the application of both violence and coercion (the sword and olive branch) to achieve strategic objectives, the military end of that application is indeed ancient. John Elting wrote in his 1989 work on the *Grande Armée* that militarily the “French counter guerrilla strategy and tactics followed the general rules employed at least since the days of Alexander the Great.” Those rules required the army to control the “major communications centers and main roads.” In hostile territory, an army was required to ensure safe transit for couriers, convoys, or small detachments by maintaining fortified posts a day’s march within each other along critical routes.⁸⁴ The basic tenet of fortifying posts within reachable distance has been a military maxim for centuries – as small armies, logisticians, and couriers have always required safe areas where they can resupply and rest. In Spain, French insistence on these general rules were an Achilles’ heel because Napoleon demanded that secondary roads and routes be maintained to blanket the country. This policy diametrically opposed his own rules and scattered his army considerably. The same case could be made when looking at the defeat of the British during the American Revolutionary War.

Not surprisingly, most of the military memoirs written by French officers (usually generals or marshals) after the Peninsular War were intended to bolster their respective legacies while avoiding discussion of the disastrous policy of trying to control the entire country. This pattern is consistent throughout – save one. Albert-Jean Michel de Rocca

⁸³ Walter Laqueur, “The Origins of Guerrilla Doctrine.” *Journal of Contemporary History* 10, no. 3 (July 1975): 341-5.

⁸⁴ John Elting, *Swords Around the Throne: Napoleon’s Grande Armée* (London: Phoenix Giant, (1989) Reprint, 1997), 548.

(1788-1818), a French lieutenant in Spain, recorded many insightful observations on the French counterinsurgency strategy, but believed since the war was national traditional tactics were ineffective. In his 1815 work, *Memoirs of the War of the French in Spain*, Rocca wrote honestly about the unconventional nature of the war, noting that the “garrisons which they had left on the military roads to keep the country in check, were constantly attacked” by insurgents. Securing posts in population centers where food supplies were more abundant was also problematic because of the pervasive Spanish hostility. Since living in towns or villages was dangerous, the solution mimicked the strategy employed by Spain’s previous invaders. According to Rocca the French constructed “little citadels for their safety by repairing old ruined castles which they found on the heights, and these castles were frequently, Roman or Moorish remains which, many centuries before, had served the same purpose.” The problem then was ensuring a stable supply of victuals in rural posts, which rarely warranted attention in military memoirs written by generals. In areas with fewer heights, isolated French units were forced to become more creative:

In the plains, the posts of communications fortified one or two of the homes at the entrance of each village, for safety during the night, or as a place to treat to when attacked. The sentinels dared not remain without the fortified enclosures for fear of being carried off; they therefore stationed themselves on a tower, or on a wooden scaffolding built on the roof near the chimney to observe what passed in the surrounding country.⁸⁵

Was the French military situation in Spain any different than the Roman or Moorish invaders centuries prior? The answer is complicated but it can easily be discerned from reading military memoirs that the French believed the Spanish were illegally employing tactics similar to those used by North African and Arab fighters, and that (according to them) the difficult military situation was not due to French inability to adapt, but due a combination of geography and long-held stereotypes of the Spanish people embodied in the myth of the Black Legend. Rocca agreed with the French generals in this regard, and – despite obvious differences between military technology and weaponry – perceived similarities between the Spanish mode of fighting and Arab warfare.

⁸⁵ Albert-Jean Rocca, *Memoirs of the War of the French in Spain* (London: John Murray, 1815), 189-190.

French biases of Spanish capabilities permeated the military structure. These beliefs percolated from Napoleon down to the lowest ranks. Informing this denigrating and dismissive perspective was the French Army's first-hand experience overseas with calvary-centric and ambush-oriented warfare when they invaded Ottoman-Egypt in 1798. "There is, even in our days, so striking an analogy between the mode of warfare in many parts of Spain," Rocca recalled, "and that of various tribes the French had to fight on the banks of the Nile..." According to Rocca the parallels were so striking "that, if we were to substitute Spanish for Arab names in many pages of the history of the campaign in Egypt, it might pass for a description of the events of the Spanish war." According to Rocca, not only were the tactics similar, but the social environments as well:

In Spain as in Egypt our soldiers could not remain behind their companies without being murdered; in short, the inhabitants of the south of Spain possess the same perseverance in hatred, and the same liveliness of imagination which distinguishes the nations of the east... The Spaniards, like the Arabs, often treated their prisoners with the excess of barbarity; but they also sometimes exercised towards them the noblest and most generous hospitality.⁸⁶

French writer Vivant Denon, who spent time in Egypt chronicling the French campaign at Napoleon's behest, mimicked Rocca's assessment. In his book, *Travels in Upper and Lower Egypt*, Denon observed that caravans travelling at night needed detachments of soldiers at the front and rear "to protect the convoy from the Bedouin Arabs, who, when they are not in sufficient force to attack the front, sometimes carry off the stragglers of the rear..." Denon's descriptions did not end with the Egyptians. After the French routed the Ottoman Army, its commander Murad Bey "took from us the opportunity of putting an end to the campaign by decisive blows" by avoiding direct confrontation. As a result of using guerrilla-style tactics, the French "were reduced to pursue an active and rapid enemy, who... left us neither rest nor security." From Denon's perspective, Egypt was the French Army's first taste of a nameless non-European style of warfare best articulated through an ancient analogy. That analogy would continuously reoccur when attempting to describe guerrilla warfare:

⁸⁶ *Ibid.* 224-226.

Our mode of warfare was now, to resemble that of Antony against the Parthians: the Roman legions, invincible in the field... found no other obstacle than the space of the country which their foes left behind them; but exhausted with daily losses, the victors thought themselves fortunate to be able to quit the territory of a people who, always beaten but never subdued, would, even the day after a defeat, return with invincible perseverance to harass those with whom they just left masters of an unprofitable field of battle.⁸⁷

Denon described the desert Egyptians as living in “exalted independence, and a state of warfare” leading them to commit depredations.⁸⁸ The same sentiments were echoed by the French *Institut d’Égypte*, which published *Memoirs Relative to Egypt* during the same period. To avoid being attacked Egyptians “are obliged to receive them in their camps, and furnish them with provisions and barley for their horses.” Neither the French Egyptian Institute’s writers nor Denon had much respect for the nomads’ predatory way of life. “The Arabs never attack in line,” he disparaged, “but always like foragers, uttering at the same time loud cries and invectives; their style of fighting being merely that of light troops.”⁸⁹ Although Spanish guerrillas worked with the population, their raiding tactics and calvary-centric mode of warfare were similar.

W.S. Hendrix, an historian who wrote in the early twentieth century, believed echoes of guerrilla-style tactics could be discerned from the medieval Spanish legend of El Cid. El Cid was a hero among the Spanish for his cunning during the Spanish Reconquest of Iberia and remains an important cultural legend in Spain. In the epic twelfth-century poem, “The Song of My Cid” (*El Cantar de Mio Cid*), ambush and surprise played prominent roles in the narrative. The tactics used during the medieval period by El Cid were not codified, as Hendrix noted in his 1922 article, but the poem contains “elements of what later come to be a recognized system of military tactics and strategy.”⁹⁰

One example of these tactics was the attack on the Navarrese town of Castejon. Too fortified to attack directly, El Cid tricked the garrison there by diverting attention using

⁸⁷ Vivant Denon, *Travels in Upper and Lower Egypt in Company with Several Divisions of the French Army, During the Campaigns of General Napoleon in that Country*, Vol. 1 (London: T.N. Longman and O. Rees, 1803), 179-180, 339.

⁸⁸ *Ibid.* 209.

⁸⁹ Institut d’Égypte, *Memoirs Relative to Egypt, Written in that Country During the Campaigns of General Bonaparte, In the Years 1798 and 1799* (London: T. Gillet, 1800), 297-299.

⁹⁰ W.S. Hendrix, “Military Tactics in the ‘Poem of the Cid.’” *Modern Philology* 20, no. 1 (Aug. 1922), 45.

foragers as decoys on the town's environs. When the Moors left to attack the foragers, El Cid's main force ambushed and seized the lightly guarded town. In another instance, El Cid tricked his enemies at Alcocer by pretending to end a siege, and had his forces desperately flee when the Moors came out to attack. While this pursuit was in progress, El Cid "wheeled his forces and... made for the gate, which they held until the main force came up." In examining these and other battles, Hendrix concluded that "the element of surprise in some form" is apparent and "is of course an important factor in battle; that this fact was recognized by the Spaniards of the time of the Cid is clear." Like guerrilla fighters, Hendrix noted that El Cid devoted considerable attention to understanding the terrain before battle. "He strove to take advantage of the terrain if possible, and only fought under disadvantageous conditions when he was obliged to do so."⁹¹ In essence, El Cid's medieval style of warfare was anything but Napoleonic, and more akin to the style that reemerged during the war against Napoleon.

One observer who made a tentative connection between the Reconquest and the guerrilla insurgency was British author Thomas Bourke. While guerrilla warfare was breaking out all over Spain, in 1811 Bourke published *A Concise History of the Moors in Spain*. Bourke, rather than disparage guerrilla tactics, saw in the war romantic echoes of a medieval form of combat. Again, like Rocca, the comparisons (while valid) are borne more from the Black Legend than from a geographic and calvary-centric orientation informing a shift in tactics to confront a more powerful force:

What ideas of tenderness as well as courage does not the illustrious Cid alone awaken us?...we know, that long after the expulsion of the Moors, the Spaniard bore away the palm of gallantry from the French, and that the manners of the chivalrous ages, though lost to the rest of Europe, are still, to a certain degree, perceptible in various parts of Spain.⁹²

The story of El Cid was not well known in the English-speaking world in 1811, and Bourke drew attention to "Moorish Tactics" because they contrasted the military system that most of Europe had adopted. He used the Almohad defeat at the Battle of Tolosa in 1212 to make his point. The Moors "had seized all the defiles... hoping thus either to

⁹¹ *Ibid.* 45-48.

⁹² Thomas Bourke, *A Concise History of the Moors in Spain, From the Invasion of that Kingdom to the Final Expulsion from it* (London: J. Rivington, 1811), 215-216.

compel them to fall back by cutting off their supplies, or to crush them in the passage if they wanted to advance.”⁹³ Essentially these were the same tactics the guerrillas were using against the French after 1808.

Although the leaders of the Spanish insurgency did not publish tactical manuals on guerrilla warfare, surprising the enemy and employing psychological advantages against entrenched forces were implied methods. Even some Spanish historians have ascribed to the belief that the Spanish guerrillas were inheritors of some of the military-cultural traditions passed down from its storied interaction with non-European invaders, and “resuscitated an ancient mode of fighting” out of military necessity.⁹⁴ The same can be said of the Cossacks that hounded Napoleon’s army during its retreat from Russia. Geographically Spain has been a crossroads between Africa and Europe, which like the Cossacks puts it on the periphery of Vattel’s geographic definition of civilized Europe. Nevertheless, most of the French comparisons between the Spanish and other non-Europeans apparent in military memoirs from the war are laden with biases informed by the Black Legend. Apart from Rocca, these biases do little to accurately paint a picture of the counterinsurgency tactics used by French garrisons.

Even though guerrilla warfare was coming of age, it arrived faster than the French could adapt. The Seven Years War (in North America), the American Revolutionary War, the Vendée, and the campaign in Egypt all preceded the 1808 invasion of Spain. Understandably, despite the evidence of a coming sea-change, the French felt that they did not need to learn from previous wars because their mode of warfare had thereinto proved successful. The French were not prepared with how to treat the Spanish people, how to effectively deal with captured guerrillas, or how to fortify their communications

⁹³ *Ibid.* 141-143. One of the earliest English accounts of El Cid is Robert Southey’s *Chronicle of the Cid*, in 1808.

⁹⁴ Francisco Luis Díaz Terrejón, “El movimiento guerrillero en España durante la ocupación napoleónica (1808-1814).” *Iberoamericana (2001-) Nueva época*, Año 8, no. 31 (Sept. 2008), 129. For a contemporary look at this Iberian-African interaction, see: Geoffrey Jensen, “Military consequences of cultural perceptions: The Spanish army in Morocco, 1912–1927.” *The Journal of the Middle East and Africa* 8, no. 2 (2017): 135-150. The Spanish “erroneously attributed a ‘native’ quality to military practices that Europeans themselves had brought to the Maghreb, such as the *razzia* [raiding] in its modern, colonial form.”

and logistics networks. When these issues began to exhaust them, they turned to terror – a “detestable” but nevertheless legal form of confronting irregular warfare.⁹⁵

The larger question Napoleon failed to ask himself was whether warfare waged to put down insurrection was optimal or contributed to victory in Spain. As will be examined, this is the very question the Americans asked themselves before invading the heart of Mexico. Counterinsurgency is not merely about capturing or killing insurgents. Counterinsurgency represents an asymmetrical dilemma for an invading force both militarily and non-militarily. It involves both insurgent and citizen – with *time* being a critical factor working against the invader. Forcing citizens to assist an occupying military power is problematic. This is especially true if the occupiers cannot pacify the people. Mandating compliance, which ultimately pits neighbors against neighbors, and families against families, provokes a bitter sense of resentment among people that might otherwise remain indifferent. Using violence, then, as a means of control, leads to desperation among a citizenry that ultimately becomes the enemy of the invading army. As we will see, this is what occurred in Spain after 1808.

⁹⁵ See: Antoine-Henri Jomini, *Life of Napoleon, with Notes by H.W. Halleck, Vol. 3* (New York: D. Van Nostrand, 1864), 227. Referring to Wellington’s scorched-earth strategy in the Coimbra region (Portugal) to deny the French Army subsistence, Halleck cited his own work 1861 work and that of Vattel: “To lay waste to a country in this manner, is permitted by the severe rules of war...”

1.2 YIELDING COMPLIANCE

*In other respects, the presence of a disciplined army, and the organization of a regular system of internal administration had considerably improved the condition of the province. The inhabitants gradually resumed their peaceful occupations, and appeared to yield ready compliance to our wishes.*⁹⁶

----- General Gabriel Suchet, *Memoirs of the War in Spain*, 1829

Some wars are lost long before the final battle is fought. The word “compliance” originates from Latin and later Old French in the form of *complir* – which meant to “fulfill” or “carry out.” Today the term means “consent” or “act in accordance with another’s will or desire.” The fact that French general Gabriel Suchet used the phrase “yield ready compliance” in 1829 is significant because he believed, like all military officers of the era, that it was incumbent upon the Spanish people to comply with the army of occupation and his dictates. In counterinsurgency “compliance” does not necessarily mean winning support – although that is actively sought after – but merely gaining enough acquiescence among a population to allow for the uninterrupted and unchallenged military occupation. For the French, the inability to win the compliance of the Spanish population was a key obstacle to incorporating that kingdom into their nascent pan-European empire. In 1838, writing with the French defeat in mind, Henri Jomini believed that “invasion against an exasperated people, ready for all sacrifices and likely to be aided by a powerful neighbor, is a dangerous enterprise, as was well proved by the war in Spain.” Writing with the benefit of hindsight, Jomini labeled the conflagration in Spain a “national war” because the population supported the guerrilla war:

National wars, ...those of invasion, are the most formidable of all. This name can only be applied to such as are waged against a united people, or a great majority of them, filled with the noble ardor and determined to sustain their

⁹⁶ Louis-Gabriel Suchet, *Memoirs of the War in Spain, from 1808 to 1814*, Vol. 1 (London: Henry Colburn, 1829), 80-81.

independence: then every step is disputed, the army holds only its camp-ground, its supplies can only be obtained at the point of a sword...⁹⁷

Writing with the outcome of the Peninsular War in mind, Carl von Clausewitz recognized an ominous trend in the trajectory of national wars sparked by the Spanish uprising. He believed that “the organization of national forces is the necessary consequence of the ever-growing extension of intensity which wars have developed in this nineteenth century.” Therefore, winning compliance (or at least ensuring a basic level of indifference) among an occupied people would become more important as wars took on more populist and nationalistic tones. Clausewitz believed that in such an environment, the invading army – no matter how large – has the odds of success against it. “It is perfectly clear that a resistance thus widely disseminated is absolutely incompatible with the continued operations and strong concentrations.”⁹⁸ Essentially the Prussian was saying that time was not something the invader could afford to waste when an invaded people launch a popular insurgency.

DOS DE MAYO UPRISING

The initial revolt against the French in Madrid on May 2, 1808, has been addressed thoroughly by historians. The summary of events leading to a general uprising (*levantamiento*) throughout Spain can best be summarized as an escalation of violence due to popular resistance to Napoleon naming his elder brother Joseph Bonaparte (1768-1844) as King of Spain after forcing the Spanish royals to abdicate. The Peninsular War veteran William Napier, who was neither an admirer of the Spanish nor credited their contribution to ending the conflict, believed “the abstraction of the royal family, and the unexpected pretension to the crown, so insultingly put forth by Napoleon, aroused the Spanish pride.”⁹⁹ That the Spanish reacted violently to Napoleon’s pretensions is enough to know. Those reactions involved not only violence against French troops and sympathetic citizens, but also against fellow Spaniards deemed to be at fault. News of the abdication and revolt in Madrid shocked the Spanish citizenry. Faustino Casamayor,

⁹⁷ Antoine-Henri Baron de Jomini, *The Art of War* (Reprint) (Philadelphia: J.B. Lippincott & Co., 1862), 23, 29.

⁹⁸ A.M.E. Maguire, (translator/ed.), *General Carl von Clausewitz On War* (London: William Clowes & Sons, 1909), 65-67.

⁹⁹ William F.P. Napier, *History of the War in the Peninsula and in the South of France, Vol.1* (London: Thomas and William Boone, 1828), 39.

one of the principal chroniclers of the siege of Zaragoza, observed local reaction to the news of the abdication and transfer of the Spanish royals to Bayonne. The “news... of the disorder and what occurred created a sensation bigger than the spirits of all the inhabitants of this city,” he wrote. It was a prelude to a war marked by unmitigated atrocities.¹⁰⁰

The Madrid revolt was by no means the singular scene of violence. As a result of Napoleon’s machinations, assassinations of officials occurred throughout Spain. In Seville the Count d’Aguilar was seized from his carriage and murdered in the street by a mob. In Badajoz the Count de la Torre del Frenio’s bloody corpse was dragged through the street after befalling a similar fate. In Talavera the mayor escaped from a mob eager for retribution. Valencia witnessed the worst carnage, as livid citizens incited by a monk by the name of Balthazar Calvo went about that city for twelve days butchering several hundred French citizens and their families. Two hundred of the angriest mob participants, along with Calvo himself, were eventually executed to restore order. “In Valladolid, and all the great towns, the insurgent patriots laid violent hands upon every person who did not instantly concur in their wishes,” Napier wrote, “and pillage was added to murder.” The *juntas* hastily erected in Asturias and Seville declared war on the French.¹⁰¹ It was a violent start to French rule that set the tone for the conflict.

Napoleon had grand plans which entailed his brother Joseph ruling Spain. One month prior to the revolt, Napoleon wrote him that “the Spanish army is not formidable” before summoning him from Italy.¹⁰² The Spanish crown was an unwelcome gift for a timid man content to rule his quiet kingdom in Naples. Napoleon informed Joseph of the “good insurrection in Madrid” and noted that “between 30,000 and 40,000” people had partaken in the riots – adding that two thousand people lost their lives as a result of the

¹⁰⁰ Faustino Casamayor, *Zaragoza 1808, 1809* (Zaragoza: Editorial Comuniter: Institución Fernando el Católico (IFC), 2008), 51. May 8, 1808.

¹⁰¹ Napier, *History of the War in the Peninsula*, 34-36.

¹⁰² Napoleon Bonaparte, *The Confidential Correspondence of Napoleon Bonaparte with His Brother Joseph, Sometime King of Spain*, Vol. 1 (New York: D. Appleton and Company, 1856), 318-9. Napoleon to Joseph, April 18, 1808. Subsequently referred to as ‘*Correspondence*’. See: Frederick W. Kagan, *The End of the Old Order: Napoleon and Europe, 1801-1808* (Cambridge: Da Capo Press, 2006), xxi. Kagan believes myths concerning Napoleon were perpetuated by historians who “identified too closely” with him. For other works on French rule during the period see: Alexander Grab, *Napoleon and the Transformation of Europe* (New York: Palgrave Macmillan, 2003); Geoffrey Ellis, *The Napoleonic Empire* (London: Palgrave Macmillan, 1991); John A. Davis, *Naples and Napoleon: Southern Italy and the European Revolutions, 1780-1860* (Oxford: Oxford University Press, 2009).

violence. “I had 60,000 men in Madrid who could do nothing... We have taken advantage of this situation to disarm the town.” A few days later Napoleon ordered Joseph to the French border city of Bayonne. He wrote his brother, “The nation, through the Supreme Council of Castile, asks me for a king; I destine this crown for you.” He attempted to reassure him by noting the proximity of the two capitals. “At Madrid you are in France; Naples is the end of the world.”¹⁰³

Joseph as well as anyone knew that Spain was not in France, nor the Spanish similar. Geographically Spain has been described as closer to Africa than Europe. This salient fact would return to haunt French war planners who never anticipated Spanish insurgents utilizing tactics more common to North African fighters. Napoleon’s most highly regarded general during the war, Louis-Gabriel Suchet, drew precedent from the ancient insurgent wars in Roman times when he wrote that “the geographical form of Spain places beyond a doubt... is borne out by her history from the time of Sertorius to the present day.” Suchet most likely understood that the Sertorian War (80-72 BC) was an insurgent war that tore at the unity of the Roman Empire. Unlike the emperor, Suchet understood that Madrid was closer to Africa than Paris. From “a geographical and physical point of view,” he wrote in his 1829 memoirs, “Spain is in many respects as much connected with Africa as with Europe... the Spanish Peninsula stretching out as it were, to join the extreme point of Africa, which seems to be a mere continuation of the territory of Spain...”¹⁰⁴

Despite the existence of the Black Legend among nineteenth-century critics of the Spanish, contemporary scholars have downplayed such comparative observations as simply indicative of cultural stereotypes. In fact, similarities between the regions abound. Among them, the lack of water in large areas of Spain made it difficult to sustain large armies over scorching territories during summers. Even in ancient times this truth made warring during the hotter months particularly difficult, so much so that nature itself was a lethal factor. Suchet understood that the “plains, and frequently the valleys, are visited with droughts.” The aridity of the geography is especially severe in the plains and in the south, where “immense deserts, or else *desplobados*, the extent of

¹⁰³ *Ibid.* 319-320. Napoleon to Joseph, May 6, 1808; Napoleon to Joseph, May 11, 1808.

¹⁰⁴ Suchet, *Memoirs of the War in Spain, from 1808 to 1814*, Vol. 1, 44-45.

which the eye vainly attempts... at the aspect of a space equally barren and dreary in every direction.”¹⁰⁵

Although Madrid is the geographic center of the peninsula, it is also isolated and facing south away from France. Flanked on two sides east to west respectively by the Sierra de Guadarrama and Sierranía de Guadalupe, the south side of the bowl-like plateau that cradles Madrid ends at the Tagus River, which has cut itself into the earth over millennia resulting in a limited number of passable fords as it snakes its way into Portugal and the Atlantic. The mountains that separate Madrid from the north of the country make up a major part of the watershed that separates the Ebro from the Tagus. In other words, although Madrid is the strategic center of Spain, it shares a separate geography much like the rest of the country resulting in a provincial landscape.

Controlling the landscape began at the border of France. Charles Esdaile, whose contemporary works cover the Peninsular War, refers to the main road from Bayonne to Madrid as the “Hendaye road” (named after the French border town). “As this highway led to Madrid... the French would find themselves having to conquer the Peninsula from, so to speak, the inside out.” This, Esdaile correctly asserts, results in a precarious strategic proposition. “With the Spanish army unlikely to stop them at the frontier or on the Ebro, the French would in effect be sucked deep into the interior.”¹⁰⁶ The mountains in Spain are barriers separating different and often isolated theaters of conflict, and thus acted as perfect refuges for insurgents. Therefore, Madrid was not in France, even though Napoleon may have believed it.

Joseph realized at an early point in the occupation that winning over the Spanish was impossible, and promptly transmitted his misgivings to his wife that he was “King of a people who seem to reject me...” He informed her that he would “prefer to lead the private life... than to be a king.” For the remainder of his short reign in Spain, Joseph approached his position with foreboding reluctance – an attitude that grated upon his ambitious brother.¹⁰⁷

¹⁰⁵ *Ibid.* 46.

¹⁰⁶ Charles Esdaile, *Fighting Napoleon: Guerrillas, Bandits, and Adventurers in Spain, 1808-1814* (New Haven: Yale University Press, 2004), 29.

¹⁰⁷ Quoted from: Michael Ross, *The Reluctant King: Joseph Bonaparte: King of the Two Sicilies and Spain* (London: Sidgwick & Jackson, 1976), 144.

One of Napoleon's first concerns was ensuring the projection of benevolence toward his new subjects, which was the maximum extent of Napoleon's benign approach to the Spanish. "You must speak of the sorrow with which you are filled by the disturbances in Spain," he advised Joseph, "and of your regret at being obliged to obtain by a forcible repression a result which should have been produced by reason and conviction alone." Napoleon continued the optimistic advice by asking him to pretend to want to be among the Spaniards, "conciliate all interests, and begin your reign with acts of pardon and clemency." It was one of the last times Napoleon used benevolent terms in relation to the treatment of the Spanish.¹⁰⁸

Joseph's safety took priority over image. Napoleon ruled Paris with tight security, propaganda, and active intelligence, and he intended Joseph to do the same by employing a reliable Chief Criminal Justice – the Marques de Caballero. Napoleon wrote that "his talents" and reputation were noteworthy.¹⁰⁹ Juan Mercader Riba, whose works written in the twentieth century covered the Napoleonic occupation in Spain, noted that Joseph had a hard time implementing Paris-style oppression "either for fear of stirring up opinion, already so lacerated..." The difficult position was filled by an individual who "had nothing to lose" among the opinion of his fellow countrymen. Caballero was such a man, and once his services were utilized, he was zealous enough that he even targeted other ministers in Joseph's government to the point that "his passion inspired apprehensions to the invaders themselves." These were the sought-after talents Napoleon needed to keep Madrid under control.¹¹⁰

Another important aspect of ensuring Joseph's safety was securing the points along the route between France and Madrid. Maintaining a major logistics lifeline was essentially the same in the Mexican War – where one main road between Veracruz and Mexico City became vital to the occupation's survival. The Hendaye road acted as the corridor for French army offensives in Spain, and at the onset of Joseph's tenure the reinforcement of points along it assuaged him. "A report which you will find annexed

¹⁰⁸ *Correspondence*, 321. Napoleon to Joseph, June 14, 1808.

¹⁰⁹ *Ibid.*

¹¹⁰ Juan Mercader Riba, *José Bonaparte rey de España (1808-1813): estructura del estado español bonapartista* (Madrid: Instituto de Historia Jerónimo Zurita, 1983), 104-5.

will tell you how the places in your rear, Vitoria, Burgos, &c, are guarded,” Napoleon informed him. “¹¹¹ Napoleon ordered “all letters opened” in Navarre and Aragon “to stop the printed papers and bad news which the insurgents circulate.” He believed that controlling the flow of negative information between the French frontier and Spain was “a great means for securing tranquility in your rear.”¹¹² That tranquility was abruptly shattered in July with a major French military defeat.

The Spanish victory at Bailén on July 19 accompanied the national uprising. After three days of fighting, the French surrendered more than 17,000 soldiers. Despite attempts by authorities to minimize its importance, the defeat “fell like a slab on the French conscience.” Bailén marked the first time Napoleon’s army had ever been defeated in an open-field battle, and the victory added fuel to Spanish resistance.¹¹³ Louis-Francois Lejeune, the aide-de-camp of Napoleon’s chief-of-staff for twelve years, wrote that the “catastrophe of Bailén” energized the Spanish. “Everywhere the revolt against the armies of France was declared. The clergy of the main churches of Seville, Valencia, Valladolid and Zaragoza sought to excite the patriotic exaltation of the people... In Zaragoza, it revived the courage of the defenders of the city.”¹¹⁴

As a result, Joseph fled Madrid and Napoleon became increasingly violent toward the Spanish. The emperor quickly set about micromanaging affairs in Spain in preparation for a renewed invasion. He wrote Joseph, “You will have 100,000 men, and in the autumn Spain will be conquered.” From that point on the war escalated, and more men entered Spain. He redirected the siege forces at Zaragoza “to keep down Navarre, and to prevent the insurgents of Aragon and Valencia from penetrating on our left.” He also encouraged his skittish brother to persevere, adding that all the “best kings have passed through this school.”¹¹⁵

¹¹¹ *Correspondence*, 327. Napoleon to Joseph, July 14, 1808.

¹¹² *Ibid.* 329-331. Napoleon to Joseph, July 15 and 18 (1808). Joseph entered Spain on July 9 and Madrid on July 20.

¹¹³ Manuel Moreno Alonso, *La batalla de Bailén: el surgimiento de una nación* (Madrid: Silex, 2008), 109-110.

¹¹⁴ Louise Francois Lejeune, *Memorias del general Lejeune, 1792-1813* (Zaragoza: IFC, 2015), 67.

¹¹⁵ *Correspondence*, 344. Napoleon to Joseph, Aug. 1, 1808. This is one of the only instances where Napoleon wrote of making a deal with the Spanish. “If Savary were to make an armistice, we might obtain some influence over the insurgents: we might hear what they have to say.” And: “The insurgents might think such an armistice desirable, as it would enable them to organize themselves in Madrid, and it might be favorable to us, as it would enable us to see what that organization would be, and to ascertain what the nation really wishes.” (*Ibid.* 344, 346)

After retreating behind the Ebro Napoleon wholly committed himself to a military solution for victory. “All that goes on in Spain is deplorable. The army seems to be commanded, not by generals or soldiers, but by postmasters. How was it even possible to think of evacuating Spain for no reason, without even knowing what the enemy was about?” Informed now of a growing rebellion, Napoleon dismissed its potential and blamed Joseph. Rhetorically, when things went bad for the French army in Spain, it ceased to be Napoleon’s army and became his brother’s:

In your position one sees enemies everywhere, and sees them immensely strong. Your army, organized as it is, is capable of beating all the insurgents; but it wants a head. The country which suits your army is a flat country; and you have entangled yourself in a mountainous one, without reason or necessity... The army retiring in this manner cannot but have been exceedingly demoralized.¹¹⁶

The popular uprising took on added significance in Navarre and the Basque country, the gateway of the military offensive. Napoleon inquired whether the strategic city of Tudela had been fortified or if “redoubts upon the heights which command the line of operations towards Pamplona” were being erected to ensure viable transit. Joseph implored his brother to end the war quickly by giving Galicia to Portugal and annexing the provinces north of the Ebro river to France. Napoleon dismissed his advice and encouraged his brother become more ruthless. “You should order the five or six persons arrested at Bilboa... to be shot,” he wrote.¹¹⁷

Joseph’s lack of ruthlessness wore on Napoleon as he tried to suppress the insurgency. “If you do not perform some acts of rigor, these disturbances will never end. ...It is strange that Navarre is so spared.” Napoleon insisted early on that harsher methods be used in Bilbao to “make a severe example of the insurgents... and to send hostages to France.” He also alluded to a pending crisis: a shortage of food, supplies, and money due to the war’s unexpected escalation. “You should make the inhabitants grind for you, and not always draw your flour from France. The provinces which you occupy can and must furnish you with provisions.”¹¹⁸ This factor would later play an important role in the outcome of the war.

¹¹⁶ *Ibid.* 347-8. Napoleon to Joseph, August. 16, 1808.

¹¹⁷ *Ibid.* 351. Napoleon to Joseph. September. 1, 1808.

¹¹⁸ *Ibid.* 351-2. Napoleon to Joseph, September. 8, 9 (1808).

As Napoleon's methods became more extreme, an ad hoc government called the Supreme Junta organized in Aranjuez (and later established in Seville) issued a defiant manifesto outlining Spain's opposition to the invasion. "The oppressor of Europe saw the time come to throw himself upon the prey he had long coveted... [...] What a beautiful prospect of glory and fortune we have before us... we are going to be the envy and admiration of the world."¹¹⁹

Napoleon surveyed the political and military landscape after Bailén and formulated a military strategy. In the *Plan for the Reorganization of the Army of Spain*, Napoleon outlined his belief that maintaining the flow of troops and supplies through the Navarre and Basque corridor remained critical to controlling the peninsula. Key to this strategy was the city of Tudela along the main route linking France to Madrid and Zaragoza. "If Tudela is not occupied by us, the enemy, seeing your mistake, will occupy it, if he has the means...[it] must be occupied."¹²⁰ The basic strategy followed a long-held maxim of war: the less lines of operation into a country, the easier it is to defend and control. Inversely, the more logistic, supply, and communication lines an invading army launches into a country, the more area to defend. Napoleon also outlined his desire that Marshal Ney protect the king. In his words, "Marshal Ney's corps of the center and the corps round the King." With the news of added attention to his plight from Napoleon, Joseph mustered the courage to hatch an ambitious plan of his own involving an assault on the capital with 50,000 soldiers. He told his brother, "I could disperse the enemy and reach Madrid, where the government which they are trying to create would disperse of itself." Napoleon immediately rejected this idea deeming it reckless and foolhardy. He did this by invoking the sacred art of war and the rules that applied to it. The rules of the art of war were religion to the Corsican:

The art of war is founded on principles which must not be violated. To change one's line of operation is an operation which only a man of genius ought to attempt. To lose one's line of operations is an operation so dangerous that to be guilty of it is a crime. To preserve it is necessary in order to avoid being separated from one's depot, which is the point of rendezvous, the magazine of

¹¹⁹ Don Antonio Ferrer Del Rio (ed.), *Obras Originales del Conde de Floridablanca, y escritos referentes a su persona* (Madrid: M. Rivadeneyra, 1867), 509-512. *Primer manifiesto de la suprema junta gubernativa del reino a la nación española*, October 26, 1808.

¹²⁰ *Correspondence*, 354. September. 9, 1808.

supplies... [...] But at this instance to rush into the interior of Spain, without any organized center or magazines, with hostile armies on one's flanks and in one's rear, would be an attempt without precedent in the history of the world... This scheme, opposed as it is to all the rules of war, must be given up.¹²¹

After lecturing Joseph on the lack of strategic vision akin to Caesar or Alexander, Napoleon demonstrated the hubris that played a large role in his army's undoing in Spain: underestimating the effectiveness of a coalescing guerrilla insurgency and popular resistance to the French:

The line of communication is not lost because it is disturbed by guerrillas, by insurgent peasants, and in general by that which is called a war of partisans. A few detached men will always force their way, whatever course this takes; such enemies may stop couriers, but are not capable of making a stand against a van or rear guard... There is a great difference between operations with a well-considered system from an organized center, and proceeding at hazard without such a center, and risking the loss of one's communications.¹²²

Napoleon's belief that he could win the war in one decisive victory was emblematic of his overall misunderstanding of the unfolding nature of the war. On his way to Bayonne, Napoleon wrote that one "well-arranged maneuver might terminate the war by a single blow; and for this my presence is necessary."¹²³ This was wishful thinking after 1808. Napoleon would take his fight to the people, as the war in Spain transitioned into an insurgency against an occupying army – disastrous to both French soldiers and Spanish civilians.¹²⁴

Napoleon launched a successful counteroffensive in November with more than 250,000 soldiers. Having cleared a path of destruction to Madrid, Joseph was obligated to return. Arriving in Burgos mid-November, the king was privy to the brutal leadership his brother expected of him, and "was an unwilling witness to all the executions, pillage and arson which the Emperor encouraged to terrify the population. Even the house next door

¹²¹ *Ibid.* 359-362. Joseph to Napoleon, September. 14, 1808. Napoleon to Joseph Sept. 16, 1808. "But all these battles must be fought according to the rules of war, that is to say, with the lines of operations secure." (*Ibid.* 363) Napoleon interchangeably referred to the *rules of war* and the *art of war* in his correspondence.

¹²² *Ibid.* 364-5.

¹²³ *Correspondence*, 365. Napoleon to Joseph, October. 13, 1808.

¹²⁴ James Q. Whitman, *The Verdict of Battle*, 3.

to his lodgings [in Burgos] had been set on fire.”¹²⁵ Napoleon encouraged his brother to use the newspapers to further his agenda by publicizing the recent victories against the British. “Print 12,000 or 15,000 copies of the ‘*Gazette de Madrid*,’” and distribute it “in every direction.”¹²⁶

Newspapers were one of the non-violent tools used to attempt to pacify the Spanish. Occupation publications like the *Gazeta de Madrid* were introduced in cities all over the country. Napoleon himself “understood the importance of the press as the principal instrument of ideological control” in the conflict, and spent time monitoring the papers. The main *jozefino* (Joseph-supporting) organ in Madrid was the *Gazeta de Madrid*. The *Gazeta* was an important French-controlled newspaper, but not the only one. In all, some thirty publications appeared in Spain during the occupation, including the *Gazeta oficial de la Navarre*, the *Gazeta de Sevilla*, the *Gazeta del Sexto Gobierno* in Valladolid, the *Diario de Valencia*, and even two Catalan-language publications to appeal to provincial sensibilities.¹²⁷

The *Gazeta de Madrid* was a daily publication listing various items concerning sales, taxes, and information on regions of the empire designed to make Madrid’s citizens feel as though they were part of a larger pan-European organization. The *Gazeta* published numerous edicts and decrees issued by Joseph, and occasionally offered information on the war when it favored the French. The *Gazeta* also devoted a significant amount of time excoriating the British. Although its contents were redacted by the Ministry of Police to ensure information beneficial to the Spanish opposition was not printed, events and trends in the war can be discerned from its pages. The *Gazeta* was one Napoleon’s main mouthpieces towards the population of the capital, and it portrayed the Bonaparte family and their reforms in a positive light.¹²⁸

¹²⁵ Ross, *The Reluctant King*, 163.

¹²⁶ *Correspondence*, Vol. 2, 10. Napoleon to Joseph, January 4, 1809.

¹²⁷ Juan López Tabar, *Los famosos traidores: Los afrancesados durante la crisis del Antiguo Régime (1803-1833)* (Madrid: Biblioteca Nueva, 2001), 31-33. See: Miguel Artola, *Los Afrancesados* (Madrid: Ediciones Altaya, S.A., 1997).

¹²⁸ *Gazeta de Madrid*, January 25, 1809 (No. 25), Biblioteca Virtual Miguel de Cervantes (BVMC) <http://www.cervantesvirtual.com/>. The *Diario de Madrid* was another French daily newspaper in Madrid. See: Biblioteca Nacional de España: Hemeroteca Digital (BNE-HD) <http://www.bne.es/es/Catalogos/HemerotecaDigital/>

Another aspect of maintaining control was the use of collaborators. Many of them had no reason to question Napoleon's continued success given his military and diplomatic record prior to 1808. With these bonafides in mind, it was Napoleon's hope that a small but effective group of collaborators could garner enough support among Spaniards to temper resistance. Apart from the *Josefino* leadership, which mostly consisted of higher-level clergy and statesmen, Juan López Tabar estimated in his 2001 work, *Los famosos traidores*, that the *afrancesado* (French-supporting) administration comprised of a few thousand people.¹²⁹ Included within an important cadre of Spanish collaborators, the ministerial positions held in Joseph's government consisted mostly of reliable Frenchmen reporting directly to Paris and the emperor. In other words, the true ruler of Spain was Napoleon. This system adhered to Napoleon's preference for micromanaging affairs in occupied countries. Keeping the emperor's leadership style in mind, Napoleon had little intention of allowing his brother to form an autonomous Spanish government acting independently of Paris.¹³⁰

Once Joseph was established in Madrid reforms attempting to win over the people were introduced. Almost immediately the Inquisition was suspended in a rebuke to the authority of the church. The popularity of this move among liberals and other *afrancesados* is evinced by the Cortes of Cadiz' abolition of the system in 1813. Although reinstated by King Ferdinand VII (1784-1833) after the war, there was widespread dislike for the institution among liberals.¹³¹

Disarming the population and enlisting civilians was another early strategy to prevent an insurgency, and Tone affirms that those initiatives "met some success in Spain." In areas closer to Madrid, such as New Castile and La Mancha, Joseph sent representatives "to enlist local officials... or to set up new municipal corporations." He also attempted to create a homegrown Spanish army willing to serve imperial interests. Some of these collaborators served in regiments, while others were employed as scouts in counterinsurgency efforts in areas like northeastern Spain. However, as the war

¹²⁹ Tabar, *Los famosos Traidores*, 47.

¹³⁰ Ross, *The Reluctant King*, 171.

¹³¹ For a look at Catholic reaction to secularist French rule on a pan-European level see: Owen Chadwick, *The Popes and European Revolution* (Oxford: Clarendon Press, 1981).

continued and the possibility of French defeat became more likely, those forces became less and less willing to fight their fellow countrymen.¹³²

Support for the regime among the upper clergy in the urban areas contrasted the animosity of the lower clergy who felt for French soldiers who confiscated their convents or monasteries to use as bases in the provinces. In the cities, the ruling classes were generally well-connected to leading ecclesiastical officials, both of whom were large land owners. These officials decided to maintain the *status quo* once the French regime was ensconced. When upheaval ensued, many urban clerics became the victims of reprisals from mobs who felt betrayed. According to Tone, the willingness to work with the new conquerors took on a regional tendency. “In general, therefore, clergy in urban areas, and in southern Spain generally, collaborated with the French more than clergy in rural areas and in the North.”¹³³ However, as Tone notes it is difficult to make sweeping generalities concerning ecclesiastical collaborators because the Catholic Church “was divided in its response” to the abrupt seizure of power. “Much of the church hierarchy collaborated, and even many priests and monks obeyed Napoleon when he reminded them that their mission was spiritual.”¹³⁴ As a legacy, the ill treatment of church officials and the resulting alienation of an influential segment of society was later remembered by the Americans when invading the heart of Mexico. Jomini went even farther by noting the importance of these ecclesiastics to the overall success of the insurgency. “Although the Spanish regency was shut up in Cadiz, it nevertheless, continued to give its orders throughout the monarchy. Priests were the staff officers who transmitted these orders...”¹³⁵

On the administrative and military side of the occupation, many of the lower-level collaborators simply accepted French rule “as a *fait accompli*” and transferred allegiance to Bonaparte while trying to maintain some semblance of neutrality as the conflict worsened. This untenable position became increasingly difficult in regions and cities with limited protection from French troops. Survival was crucial, but “all afrancesados,

¹³² John Lawrence Tone, *The Fatal Knot: The Guerrilla War in Navarre and the Defeat of Napoleon in Spain* (Chapel Hill: The University of North Carolina Press, 1995), 85.

¹³³ *Ibid.* 149.

¹³⁴ *Ibid.* 148.

¹³⁵ Antoine-Henri Jomini, *Life of Napoleon, with Notes by H.W. Halleck, Vol. 3*, 222.

once discovered, had to live with the stigma of having failed to resist the invader.”¹³⁶ These traitors (*traidores*), many of whom were associated with local hierarchies in the regions outside of Madrid, had difficulty avoiding reprisals. Towards the end of the conflict, many were forced to flee to France with Joseph.

With an administrative system of collaborators in place, the regime focused on controlling an unruly population and ending the revolt as quickly as possible. Newspaper propaganda and judicial reforms were benign measures, but Napoleon had his own rules for administrating conquered subjects. He urged his brother to take the reins of leadership and implement oppressive measures. He advised him to put an end to the rebellion by appointing “*corregidores*, and superior magistrates, whom the people are accustomed to obey,” disarm the rebels by granting pardons to those “who submit to bring their arms,” and to “issue circulars to the *alcades* and *cures*” to bring them further into the government. He advised organizing a foreign regiment in Madrid composed of Austrians, Prussians, and Italians capable of displaying their prowess in the streets of Madrid “to clear off the crowd of strangers” who were swarming them.¹³⁷

The *Gazeta* went to work by casting a sympathetic tone to the *dos de mayo* riot. “With difficulty we could have imagined the disorder that reigned in Madrid, unless confirmed by the prisoners, who gave an account of the horrific spectacles presented by this capital.” By resisting “a generous enemy” the attacks on the French troops “forced them to continue the fire.” With order restored the *Gazeta* claimed public affairs were back to normal:

From that moment, men, women and children took to the streets safely: the shops were open until noon. All were occupied in destroying the trenches and paving the streets: the friars returned to their convents; and in a few hours Madrid presented a contrast the most extraordinary and inexplicable for those who ignore the customs of the great populations. All the inhabitants... admire the generosity of the French.¹³⁸

¹³⁶ David Gates, *The Napoleonic Wars, 1803-1815* (London: Arnold, 1997), 174-5. The reforms were exemplified in the Bayonne Statute (or Bayonne Constitution) and were meant to represent Joseph’s progressive rule.

¹³⁷ *Correspondence*, 375-377. Napoleon to Joseph, Nov. 20. Napoleon to Joseph Dec. 5, 1808. *Corregidores* and *alcades* are equivalent to mayors, and *curés* are parish-level priests in France.

¹³⁸ *Gazeta de Madrid*, January 3, 1809 (No. 3). Biblioteca Virtual Miguel de Cervantes (BVMC): 341953.

The public was soon informed that the previous authority enjoyed by the Catholic Church was nullified. “In this way the religious establishment in the empire is completed: the concordat has restored an inalterable peace between the throne and the altar...” In other words, the occupiers implemented the same reforms established in France – namely, the separation of church and state, and ascendance of secular rule. “The authority of the Sovereign is no longer detained in his action: the independence of the state and the church of France will no longer be threatened by foreign maxims.” To this end, the *Gazeta* implored its readers to ignore the dictates of the clergy and follow “their conscience, [the] inviolable asylum for the freedom of man.”¹³⁹ These and other reforms were published daily for public consumption as the French worked to paint their occupation as a benevolent undertaking meant for the good of the country.

The *Gazeta* also worked to dissuade insurrection and argued that to fight meant to “discard a regeneration” of the nation itself. “The true enemies of Spain would henceforth be those who... still stubbornly stop the progress of the victories, which are the fruit of the superior talent of the Emperor of the French and of the valor of his soldiers.” Any traces of revolt would be the “greatest of delusions” that could not possibly help the Spanish people but only “lengthen and increase the ordinary evils in every war, and to involve in the ruin and annihilation the sensible and innocent people.”¹⁴⁰ The public was told that the Bourbons were not coming back to rule. “The establishment of a new dynasty, when in principle has the glory of arms and the justice of laws, is the spring of nations.” The *Gazeta* trumpeted further that the “world is reborn to the voice of the glorious leader of an enlightened dynasty, as he was devoted to the horrible storms under the dishonored scepter of the last remnants of a race molded in softness.”¹⁴¹

The rebirth of Spain under the Bonapartes was not going to take place despite the incantations of French propaganda, and neither the new king nor Napoleon were ready to return to Madrid. “The only object of the King,” Napoleon wrote from Chamartin,

¹³⁹ *Gazeta de Madrid*, January 6, 1809 (No. 6). BVMC: 341956. The *Gazeta* followed these proclamations with a series of “public instructions” espousing rationalism, enlightenment, and separation of church and state: “...the government and the laws, will be preserved from civil dissensions... that civil education and religious instruction walk at the same pace, although separated.”

¹⁴⁰ *Ibid.* January 14, 1809 (No. 14). BVMC: 341964.

¹⁴¹ *Ibid.* January 18, 1809 (No. 18). BVMC: 341968.

“ought to be to keep Madrid. All the rest is unimportant.”¹⁴² Nevertheless, authorities attempted to normalize the French presence and prepare for a long Bonaparte rule:

The remains of the stupor with which the inhabitants of Madrid are overwhelmed are dissipating every day. And those who had concealed their furniture and precious effects, are bringing them back to their homes, the stores return to their ordinary state; the parapets and other defense preparations have disappeared already. The occupation of Madrid has been verified without disorder, and there is tranquility in all the places of this great town.¹⁴³

The *Diario de Madrid*, another regime mouthpiece, implored for calm in the provinces by appealing to mayors, magistrates, and councilmen to reason with those who might oppose the regime. “The time so desired by all the good Spaniards has arrived that the magistrates can raise their time, speak to the people they govern, and make respect their authority hitherto unknown despised.” Time was not on the regime’s side, and the argument used to persuade was an appeal to rationality: “Blissfully arrived is the day in which the people, disappointed by themselves of the mistakes with which some ill-intentioned or deluded men had managed to hallucinate, lend docile ears to the advice of reason.”¹⁴⁴

WINNING THE BATTLES AND LOSING THE PEOPLE

Napoleon’s massive reinvasion of the peninsula met with temporary success. British forces led by General Sir John Moore were pushed back to the northern Galician port of La Coruña. Napoleon demanded that the newspapers “make the most” of the event and ordered the news disseminated. “Print 12,000 or 15,000 copies... let it be circulated in every direction.” On January 16, the French victory at La Coruña and the death of General Moore made Napoleon happy once again. “There exists, in truth, no longer even the shadow of a Spanish army.”¹⁴⁵

¹⁴² *Correspondence*, 379-380. Napoleon to Joseph, December. 22, 1808. Napoleon’s time spent at Chamartín was the subject of Spanish realist novelist Benito Pérez Galdós (1843-1920). Galdós work, *Napoleón en Chamartín*, was part of his larger 46-piece work (which included theatrical performances) entitled *Episodios Nacionales* (National Episodes). The National Episodes were written between 1872 and 1912 and thematically begin during the French occupation of Spain. The first series of the *Episodes* contain ten books encompassing the period from 1805 to 1814. Some of those titles include: *La Corte de Carlos IV*, *El 19 de marzo y el 2 de mayo*, *Bailén*, *Zaragoza*, *Gerona*, *Cádiz*, and *Juan Martín el Empeinado*. The second series begins following the war.

¹⁴³ *Gazeta de Madrid*, January 7, 1809 (No. 7). BVMC: 341957.

¹⁴⁴ *Diario de Madrid*, February 1, 1809 (No. 32) BNE-HD.

¹⁴⁵ *Correspondence* Vol. 1, 386. Napoleon to Joseph, December 31, 1808. *Ibid.* Vol. 2, 10. Napoleon to Joseph, January 4, 1810. *Ibid.* Vol. 2, 14. Napoleon to Joseph, January 7, 1810.

With pressing matters waiting for him elsewhere in Europe, Napoleon started weening his brother from his reliance. “Arrange everything for your entry into Madrid. Try to make it imposing, and to secure a good reception by the inhabitants.” He assured him that his “best regiments” were in Madrid “as a guard for the town and for your person.” He also implored him to handle the daily assassinations of Frenchmen there with summary executions. “If you treat the mob with kindness, these creatures fancy themselves invulnerable; if you hang a few, they get tired of the game and become as submissive as they ought to be.”¹⁴⁶ For the remainder of the war, the French policy towards the Spanish was marked by violence.

The epitome of violence towards civilians occurred at Zaragoza, the defiant capital of Aragon in northeastern Spain. The *dos de mayo* revolt and crackdown on the citizens of the capital may have sparked the resistance, but the example that the French leadership made of Zaragoza was the catalyst ensuring a long and drawn-out occupation marked by brutality. Zaragoza became a symbol of the Spanish cause whose historic defiance was later invoked by Mexicans when confronting an invading U.S. Army. In short, the war mythologized the city’s name in siege history while solidifying Spanish hatred towards the French.

Napoleon believed that taking Zaragoza was necessary for “completing the pacification of the country.”¹⁴⁷ One of the largest Spanish cities between Paris and Madrid, Zaragoza was essential to securing the frontier between Spain and France. On August 4 dozens of French battalions breached the city walls with the result that General Jean Verdier felt confident enough to ask General José Palafox (1775-1847), the leader of the defense forces, to surrender. Palafox and the unified citizenry refused, but their fate was postponed with news of the Bailén victory. On August 14, Verdier withdrew his forces to assist the withdrawal of Joseph north of the Ebro and reaffirm imperial control of Madrid. For the time being, Zaragoza held firm as the symbol of Spanish resistance. “The enemies who... threatened our ruin, have left us free,” The *Gazeta de Zaragoza*

¹⁴⁶ *Ibid.* Vol. 2, 17-20. Napoleon to Joseph, January 9, 10 (1809). Napoleon and Joseph’s relationship suffered considerably, and Joseph felt he was “playing part of the dupe.” (*Ibid.* Joseph to Napoleon, Feb. 19, 1810)

¹⁴⁷ *Correspondence*, 326. Napoleon to Joseph. July 13, 1808.

rejoiced, the enemy's "flight has been so precipitate as shameful having left many provisions, and stores of war."¹⁴⁸

News of the siege of Zaragoza rallied Spain like to the *dos de mayo* uprising in Madrid, and new national heroes such as Augustina of Aragon and General Palafox emerged. In the "standard English account of this event" by Charles Richard Vaughan, Augustina became a legend "to which history scarcely affords a parallel" in defense of her nation. Augustina "rushed forward over the wounded, and slain, snatched a match from the hand of a dead artilleryman, and fired a 22-pounder, then jumped upon the gun," and began attacking the French.¹⁴⁹ Augustina was not the only heroine in Zaragoza. Ramón Cadena, an employee of the cathedral distributing rations, noted that...

The women occupied themselves with all zeal and vigor in bringing bread, wine, water, shrapnel, cartridges and all that was necessary for the subsistence of the defenders of the faith and country, encouraging them and asking the countless martyrs, that there lay the holy bones and ashes of the saints to achieve victory over the filthy and cruel tyrants, enemies of religion, the fatherland, and our beloved King Fernando.¹⁵⁰

The creation of iconic women warriors fighting the invaders was unwelcome news to the French. Suchet noted that even though Joseph had returned to Madrid, "he held no power over the surrounding country." Coupled with a national uprising was the fact that Spanish "armies were forming in all directions..." The Spanish, according to Suchet, may have been lacking in organization, but they were certainly "in the highest state of excitement."¹⁵¹

It was during the second siege of Zaragoza that General Suchet arrived in Aragon. Napoleon thought highly of him, and when asked who his greatest general was, he

¹⁴⁸ *Gazeta de Zaragoza*, August 14, 1808 (ISSN: 2254-4844) BNE-HD.

¹⁴⁹ Diego Saglia, "'O My Mother Spain!': The Peninsular War, Family Matters, and the Practice of Romantic Writing." *ELH* 65, no. 2 (Summer 1998): 376. Saglia is quoting from Vaughan's 1809 work, *Narrative of the Siege of Zaragoza*. Byron also depicted Augustina in his poem, *Childe Harold's Pilgrimage I* (1812). Saglia devotes some space to the 'woman warrior' mythos. See also: Adrian Shubert, "Women Warriors and National Heroes: Augustina de Aragon and Her Indian Sisters." *Journal of World History* 23, no. 2 (June 2012): 279-313.

¹⁵⁰ Herminio Lafoz Rabaza (ed.): *Ramón Cadena: Los Sitios de Zaragoza* (Zaragoza: IFC, 2017), 19. See also: Herminio Lafoz Rabaza, *Sitios de Zaragoza* (Zaragoza: IFC, 1996), 226. Lafoz lists a number of women known for their bravery during the sieges.

¹⁵¹ Suchet, *Memoirs of the War in Spain, from 1808 to 1814*, Vol. I (London: Henry Colburn, London, 1829), 3-4.

responded: ““It is difficult to say... I think, however, that Suchet is probably the first.””¹⁵² There is ample evidence to support the assertion. Suchet had a history of success in the Tyrol, helped stave off the invasion of southern France by a superior Austrian army at Genoa in 1800, and contributed to Napoleon’s bold crossing of the Alps and the decisive victory at Marengo. He also distinguished himself at Austerlitz in 1805 and other prominent campaigns in 1806. With his *bona fides* established during Napoleon’s key moments in his rise to power, it is no surprise Suchet was chosen to secure the Spanish border provinces contiguous to France.

Suchet also had a personal motivating factor to achieve success in Spain. In November, the general married Honorine Anthoine Saint-Joseph, the niece of Joseph Bonaparte’s wife Julie Clary. The union cemented Suchet’s place into the imperial family while illuminating Napoleon’s plans to turn France’s southern neighbor into a subservient client state. First, Zaragoza needed to be taken. Before shutting its doors for the duration of the war, the *Gazeta de Zaragoza* expressed the sentiments of those remaining to defend the city. “In all the same desire for revenge is noted, and the same enthusiasm that animates the Spaniards is against the common enemy.”¹⁵³

The second siege of Zaragoza lasted from December 20 to February 20. The city garrison had been bolstered by 10,000 soldiers, and its walls reinforced. Despite extensive preparations, events did not bode well. Packed with soldiers and citizens seeking refuge, a typhus epidemic broke out killing hundreds daily.¹⁵⁴ Casamayor noted that “the sick continued to die every day” and their bodies transported to vacated houses of residents who had evacuated. Casamayor chronicled the names of Zaragoza’s deceased, many of whom were elderly. In a short time, the typhus inflicted the city’s younger citizens, and those who were not struck by French projectiles were found “falling dead through the streets.”¹⁵⁵

Inside the city’s walls, Casamayor continued daily prayers to Zaragoza’s patron saint for deliverance from the bombardment. By mid-February, the *La Virgen del Pilar* was

¹⁵² O’Meara, *Napoleon at St. Helena*, Vol. 2, 44.

¹⁵³ *Gazeta de Zaragoza*, November 11, 1808 (No. 97), BNE-HD.

¹⁵⁴ Bell, *The First Total War*, 282.

¹⁵⁵ Casamayor: *Zaragoza* (IFC), 198. January 7, 1809.

literally protecting Zaragoza's citizens, as the distraught huddled within the thick cathedral walls to avoid projectiles easily penetrating residences. On February 10, the bombs broke through. It was disheartening to see "the infinite dead people who were all on the streets, most of all to see the temple of Our Patron full of rubble by the ravages of so many bombs that fell on it."¹⁵⁶ The city held on for ten additional days.

David Bell stated recently that once the walls and major defenses were penetrated "then began the worst urban combat ever seen in Europe before the twentieth century." The massacre of the civilians of Zaragoza following weeks of bombardment is depicted in Francisco de Goya's *The Disasters of War* – a scene where siege victims are crushed beneath its shattered remnants. Those lucky enough to survive the bombardment were killed after soldiers moved from house to house blowing up partition walls or shooting through the open holes connecting them. The city was defiled religiously as well, with interned bodies in churches being "blown from their tombs." One of the last redoubts of the holdouts was the convent of San Augustin, where soldiers exchanged fire from opposite sides of the chapel turning the house of worship into a bloody scene of urban combat. Prior to the house-to-house assault as many as 42,000 explosive shells hit the city – reducing much of it to rubble.¹⁵⁷

The result was gruesome. All told, some 54,000 people died. Suchet noted that the municipal "burying grounds were too small for the dead carried thither; the corpses sewed up in cloth bags were lying in hundreds at the doors of several churches." The carnage was a catastrophe to modern Europe. The fall of Zaragoza also brought a false sense of accomplishment to the French, leaving many commanders, including Suchet, to believe that Spanish opposition had been crushed. "Aragon, in fact, appeared to be subdued by the fall of its capital," he boasted, "under the ruins of which lie buried its choicest troops and inhabitants."¹⁵⁸

The destruction of Zaragoza had the opposite effect. The religious community in Spain looked upon the destruction of the city and its many holy buildings with defiant scorn. The usurpation of their king had been one thing, intolerable as it was, but the

¹⁵⁶ *Ibid*, 224. February 10, 1809.

¹⁵⁷ Bell, *The First Total War*, 282-283.

¹⁵⁸ Suchet, *Memoirs*, 7.

annihilation of a religious center dear to Spanish identity was beyond comprehension. In the eyes of the Spanish the French were godless – an enemy of religion and the Roman Catholic Church. The historian Adam Knobler recently wrote that the Spanish “press made the historical parallel even more striking, casting the war against the French as a cause that was as holy as the war against the Prophet Muhammed.” Rallying the cause after Zaragoza was easily accomplished by conservative writers who recast “Napoleon and his humanistic and liberal allies as akin to Muslims,” which “tapped directly into part of Spanish collective historical memory. Those who defended Spain were thus the spiritual descendants of the *Reconquistadores* of the Middle Ages.”¹⁵⁹ The message that the French were ““former Christians and modern heretics”” was promulgated by an incensed clergy. The ecclesiastical influence on Spanish society and the guerrillas cannot be underestimated. “These men and women preached against the invaders without respite and even promised remission from divine punishment for those who fought against them.”¹⁶⁰ In other words, the Spanish viewed the conflict as a holy war.

When news of the siege spread to Spain’s overseas dominions, similar sentiments were echoed. The military commander of the Kingdom of Guatemala, General Antonio González, wrote that “The Moors were divided, and we overcame them. In the same manner we will overcome these fresh hordes, which have not the persevering enthusiastic ardor of the Mahometans, nor the inspiring impulse of their Caliphs.” The general, who would later face his own crisis against insurgent revolutionaries, dismissed the French occupation as a hollow endeavor opposed by the people:

Of what consequence is it to them, that they should have arrived at the pillars of Hercules? It has been by an incursion, similar to those of the wandering Arabs; not by a military conquest which can secure to them the possession of the country, or give them the least dominion over the hearts of the inhabitants;

¹⁵⁹ Adam Knobler, “Holy Wars, Empires, and the Portability of the Past: The Modern Uses of Medieval Crusades.” *Comparative Studies in Society and History* 48, no. 2 (April 2006), 297. The crusades were a “constant theme in Spanish traditionalist polemic... The Revolution's disestablishment of the Catholic Church and Napoleon's support of sweeping social reform stood in direct contrast to the almost theocratic ideology of the far right. Unsurprisingly, the Napoleonic regime in Spain served as the straw man against which traditionalists would use holy war imagery. The royalist polemicist Antonio Capmany compared Napoleon to everything from the Ottoman Sultan Mehmet the Conqueror to Tamerlane... (Ibid. 298) See: Enrique Martínez Ruiz and Margarita Gil, *La iglesia español contra Napoleon: La guerra ideología*, Star (Madrid: Ibérica, 2010). For a look at religious guerrillas, see: Pedro Pasual, *Curas y frailes guerrilleros en la guerra de la independencia* (Zaragoza: IFC, 1999).

¹⁶⁰ Bell, *The First Total War*, 287.

whose minds are more inflamed for this very reason, and more impatient for vengeance.¹⁶¹

Anti-French sensibilities among the Spanish were not born in 1808 but amplified and hardened after the outbreak of war. In this regard, long before the first foreign soldier set foot on Spanish soil the French had an uphill battle winning compliance. For years following the French Revolution (1789-1799), Spaniards had been conditioned to hate their northern neighbors. This was particularly true after the revolution that engulfed France was exported to Spain, and hostilities broke out between them in the 1790s. Napoleon only affirmed what most Spaniards already believed about the French. The “extensive baggage” of the previous century was especially prominent among the ecclesiastics, who used their positions of influence “both with weapons in hand participating in the guerrilla struggle and spiritually assisting the armies... against France and against all French influence” on the peninsula.¹⁶²

Both the May 2 revolt and massacre at Zaragoza confirmed anti-French sentiment brewing in Spain for some time. Foreign observers viewed the destruction of Zaragoza and the Spanish nation in similar terms. British literature and press painted the conflict with a romantic and nationalistic brush by frequently employing the term “crusade.” Many of the pro-Spanish themes included romantic images of a nation reborn from war seizing a “virile heroism of its forefathers and empire-builders.” British literature utilized Zaragoza’s misfortune in depictions of a country defiled like Goya’s female victims of war. A parallel theme in this regard is the literary use of the destruction of family as a metaphor for the plight of the Spanish nation – a nation torn apart by an aggressive usurper.¹⁶³ In the end, Napoleon could not have conceived of a worse public relations disaster.

Attacking the church put Joseph in an impossible position. That relationship became more difficult after Zaragoza when the lower clergy wholeheartedly sided with the

¹⁶¹ *The Vermont Journal*, Windsor, October 8, 1810. González ruled Guatemala from 1801 to 1811. He was later executed by José Morelos in 1812 after defending Oaxaca.

¹⁶² Enrique Martínez Ruiz and Margarita Gil, *La iglesia español contra Napoleon*, 9. See: Angel Smith: *The Origins of Catalan Independence* (New York: Palgrave Macmillan, 2014). Smith cites Antonio de Capmany’s famous 1808 tract, *Centinela contra franceses*, as an example of nationalist hatred toward the French.

¹⁶³ Saglia, “O My Mother Spain!...” *ELH* 65, no. 2 (Summer 1998): 364-7. Saglia cites William Tickner’s *Santos de Montenos* (1811) in these examples.

resistance. The king could not raise enough funds to properly distribute the needed largess to legitimize his position and needed to seek out other sources of revenue. However, doing so worsened his image, especially after the main target for funds became ecclesiastical institutions. As a result, 1809 witnessed continued reforms targeting the church to “dispense our protection and favor” in “the general interests of the kingdom.” Joseph decreed that “secularized regulators should be established in the towns” and that “prelates of the monasteries and convents... will be jointly responsible for all extraction or concealment of the goods... belonging to their respective houses.” Although measures to exfiltrate wealth from the church may have worked in secular France, measures against national and local Spanish church officials did nothing to promote the image of the king. “In accordance with the Decree of February 20 the Ministers of Ecclesiastical Affairs, of the Interior and of the Treasury shall order that the property belonging to the convents be collected, and that it be applied to the nation,” the *Gazeta de Madrid* informed its readers.¹⁶⁴ The schism that developed between the Catholic Church and the French regime during the war was later studied by Americans who did not want to repeat the same mistakes in Mexico.

The *Gazeta de Madrid* alluded to the ongoing conflict between the government and church but failed to mention it was the regime’s policies that caused clergy members to join the resistance. The newspaper admonished regular clergy who “should never take an active part in the turbulence that afflicts the nation, nor mix their interests, which were and should be entirely spiritual...” The *Gazeta* went further and blamed the clergy for causing Zaragoza’s destruction by claiming that “Zaragoza would exist now, case intact, had it not been for the too much influence that the friars had in exile to prolong this reckless resistance...” Adding to the litany of complaints, the *josefino* mouthpiece believed the clergy had gone beyond their...

...just limits prescribed by religion and the obligations that they themselves had imposed, but by abandoning the greatest excesses, they have aroused discord and rebellion among peoples, they have fostered fanaticism and superstition, and abusing the authority that religion gave them to direct consciences, have invested in the weak souls to simple revolutionary principles and maxims...¹⁶⁵

¹⁶⁴ *Gazeta de Madrid*, August 21, 1809 (No. 234). BVMC: 340777.

¹⁶⁵ *Gazeta de Madrid*, August 26, 1809 (No. 239) BVMC: 340782.

Coinciding with the breakdown in the relationship with the church was a rupture between the Bonaparte brothers. Napoleon grew increasingly frustrated with Joseph's lack of will to prosecute the war, and correspondence between the two suffered. Napoleon wrote, "We hear nothing of what goes on in Spain. . . .how is it possible that with so large and so good an army, opposed to enemies so little formidable, so little progress should be made?"¹⁶⁶ As a result of his impatience, the emperor increased his micromanagement by communicating less with Joseph and more with Minister of War General Henri-Jacques Guillaume Clarke (1765-1818) and Napoleon's Chief of Staff Marshal Louis-Alexandre Berthier (1753-1815). Writing to Clarke in August of 1809, Napoleon believed "At Madrid they know nothing of great military operations."¹⁶⁷ During this period the emperor also became more aware of the insurgents' ability to disrupt communications. "I see in the newspapers more news from Spain... it seems as if some of the king's couriers had been intercepted."¹⁶⁸ When the Spanish eventually formalized the targeting of French communications, the disruption increased.

As alluded to earlier, the shortage of money to fuel the conflict forced Napoleon to change the military structure of the occupation and the general dynamic of the war. "Let the King know that my troops in Spain have no power over the provinces," he wrote, "and the feebleness of the Spanish authorities enables the junta to obtain money through its agents; that therefore the administration of the country must be put in the hands of the military commanders."¹⁶⁹ The change in administration implemented to overcome a growing shortage of funds split Spain into several regional theaters under the respective control of governor-generals. This reorganization exacerbated the provincial nature of the war. With each governor-general basically operating independently, Napoleon undermined the cross-provincial coordination needed to fight an insurgency operating without a centralized authority irrespective of boundaries.

Despite reorganizing the landscape of the war Napoleon stubbornly clung to a military solution. Winning the support of the people did not factor into the emperor's thinking prior to the invasion, and a crucial opportunity was missed. Although throwing more

¹⁶⁶ *Correspondence* Vol. 2, 82. Napoleon to Joseph, Nov. 28, 1809.

¹⁶⁷ *Ibid.* 69. Napoleon to Clarke, Aug. 15, 1809.

¹⁶⁸ *Ibid.* 73. Napoleon to Clarke, Aug. 29, 1809.

¹⁶⁹ *Ibid.*

troops into Spain became counterproductive, Napoleon's limitless ability to do so was never questioned and he abandoned any pretense of ruling the Spanish benignly.¹⁷⁰ Don Alexander, who was perhaps the first historian to reexamine the efficacy of the guerrilla war from the French perspective, pointed out in a 1980 article that a steady stream of fresh soldiers via the draft system (known as the *levée en masse*) gave Napoleon "a tremendous advantage in maintaining this army's strength," and was a major mechanism of power.¹⁷¹ However, the power to send troops was difficult *not* to use, which altered the emperor's perception of his strategic abilities. At the time, few outside observers recognized the dangerous consequences of this power.

Since American anathema to large armies was a product of its political divergence from Europe, the potential for disaster was more apparent. The *Hartford Courant* noted in 1809 "[w]hen Napoleon seized the reins of government and seated himself upon the throne of France, it foreboded awful carnage and destruction." The danger was that the France state had become a war machine. By refusing to act, the French Senate, where a check on executive power allegedly lay, not only failed their own people, but the people of Europe:

The plan of general conscription has been organized; and the whole force of the nation, a nation of more than thirty million, could, even at the shortest notice, be raised and concentrated in a mass. Nothing was now wanting but that the whole power should be in the hands of one man, a man eminently qualified "to ride in the whirlwind and direct the storm;" and such a man was Napoleon. Never before had a single individual such means of effecting the work of destruction; and never was a man more able or more disposed to use these means to their utmost extent.¹⁷²

By the time Napoleon invaded Spain, the French Empire was at war with most of Europe. His armies appeared unstoppable and there was little reason to believe he would not be successful in Spain. "No man doubts Spanish bravery. You can do wonders." –

¹⁷⁰ Isser Woloch, *Napoleon and His Collaborators: The Making of a Dictatorship* (New York: W.W. Norton & Company, 2002), 85 "Conscription became the main area in which the Senate routinely used the 'ordinary' *senatus-consulte*. ...Napoleon shifted authorization of troop levies to the Senate in 1803, thereby increasing its complicity... As hope for lasting peace imposed by France waxed and waned, conscription calls grew increasingly onerous. Yet never until the end of 1813 did the Senate raise the slightest objection to ever larger and more frequent levies." For a look at repression and counterrevolution in France, 1797-1802." *The Journal of Modern History* 69, no. 4 (Dec. 1997): 661-695.

¹⁷¹ Don W. Alexander, "French Replacement Methods during the Peninsular War, 1808-1814." *Military Affairs* 44, no. 4 (Dec. 1980): 192.

¹⁷² *Hartford Courant*, September 20, 1809. "Reflections on the State of Europe, Number III"

reported London's *Morning Chronicle* at the beginning of the war. "But, without system, and without leaders, your efforts would be in vain." It was expected that an "invincible Napoleon" would simply overrun the Spanish. "The most numerous bands of undisciplined men dwindle before a regular army, like chaff in the wind."¹⁷³ Indeed, maintaining discipline on the battlefield was something the French excelled at, and Napoleon understood its importance as a maxim in creating a formidable army. The maxim was simple: smaller more disciplined armies often defeated larger ones. The problem for Napoleon was that he believed he was invincible and was incapable of conceiving of a legion of equally disciplined irregular Spanish fighters.

COMPLIANCE AT HOME AND ABROAD

Napoleon's key to keeping the war going despite setbacks was ensuring compliance from the French people. Total control over French newspapers fueled the constant call for more soldiers. Although freedom of the press existed in Enlightenment France and became an ideal during the Revolution, in the era of the Directory all formal media opposition was stamped-out. In his 2002 work, *Napoleon and His Collaborators*, Isser Woloch writes: "Unable to solve the conundrum of when press freedom turns into license or dangerous subversion, they inscribed their ambivalent position in the constitution of 1795." By eliminating press protections, the elites paved the way for a one-man military dictatorship. "The first consul had long considered freedom of the press a dangerous shibboleth, and after the experience of the Directory years he encountered scant resistance to muzzling political newspapers decisively."¹⁷⁴

Napoleon's efforts to stymie political opposition in France was successful, but Spain was entirely different. The defiant juntas in the initial period of the war published decrees that found their way to receptive audiences throughout Europe. Most of these were printed in Great Britain. The message was an implacable resolve to fight a popular war. "To us, Spaniards, Providence has left the alternative of being the first people of Europe, and the deliverers of all of them," one decree reprinted in Edinburgh hailed, and a "general will of all has been long pronounced in the most solemn and expressive

¹⁷³ *The Morning Chronicle*, London, June 28, 1808.

¹⁷⁴ Woloch, *Napoleon and His Collaborators*, 206.

manner.”¹⁷⁵ Almost a year later the *Aberdeen Journal*, among many newspapers, printed the *Manifesto of the Supreme Junta* from Seville. The message had not changed among the “agitated” Spanish who carried “ferocity on the one hand, and of resistance and invincible constancy on the other...”¹⁷⁶ The British public lauded the resistance stoked by the defiant decrees reprinted from Spanish newspapers.

Despite souring Anglo-American relations on the eve of the War of 1812, American animosity to Napoleon reflected the British. In October of 1811, at the height of the war in Spain, the New York *Evening Post* ran an article about the emperor. “He is a studious imitator of Roman policy in the business of breaking down states that thwart his views...” The article further described his methods: “first to the rank of confederates, and afterwards incorporating them into the body of his empire; in dividing and beating his enemies separately, and in all that is imposing, magnificent and terrible.” The *Evening Post* claimed that in France “the press is a tremendous instrument in the hands of a tyrant, and a most fearful support of his power.” A compliant press was where Napoleon drew his power:

Through this channel he has exclusive access to the public mind; and pours into it those systematic falsehoods... from the throne to the humblest officer of the empire; those adulatory effusions, bordering on idolatry, which tend to enervate and corrupt the best feeling; and those detestable lessons of despotism which help to rivet upon the minds as well as the bodies of men the most debasing servitude. The press under its present organization in France, instead of being the friend, is the enemy of liberty and truth...¹⁷⁷

Control of information in France contrasted the American system whose literati were divided evenly along ideological and political lines. A generation later during the Mexican War that relationship was mostly unchanged. In America in the 1840s both political parties, Whig and Democrat, voiced their opinions within a system of checks-and-balances intended by its founders to bulwark political inertia toward despotism. In Napoleonic France however, and in the absence of “any serious constitutional guarantees standing in his way,” the Consulate from an early point forced newspapers to

¹⁷⁵ *The Caledonian Mercury*, Edinburgh, January 5, 1809. “From the Spanish Papers: Decree for the Formation of a Militia of Honor.”

¹⁷⁶ *Aberdeen Journal and General Advertiser*, December 13, 1809. Quoting “Manifesto of the Supreme Junta,” Seville November 3, 1809.

¹⁷⁷ *Evening Post*, New York City, October 19, 1811.

close, “coerced the sale of several others to reliable individuals, and eventually instituted formal censorship over those that remained.”¹⁷⁸ Without a viable press where politicians were held accountable for their actions, the French system gravitated toward military despotism. In the end, Napoleon’s brutality nullified any potential gains he might have made by employing propaganda designed to win the support of the Spanish.

Looking at events in Europe from the outside, Americans saw the consequences of unquestioned mobilization when the time came to decide Mexico’s fate. Supported by a pro-war press, national mobilization for a war of conquest became a major issue when the outcome was far from clear. Would the United States become a military empire modeled along Napoleonic lines, or stay a constitutional republic that checked the authority of the president to arbitrarily raise armies? The moment to decide came in late 1847 and early 1848, when the American Congress resisted escalating the war and annexing Mexico. It was the war in Spain, and its disastrous consequences after years of guerrilla warfare, which the anti-war and anti-annexation advocates cited as the worst of all outcomes for the United States: a Mesoamerican Peninsular War.

The political backgrounds of both conflicts informed the military realities on the ground. To American observers Napoleon personified the United States’ potential march toward empire at the expense of “the liberties of the world.” Critics contrasted what the French nation under Napoleon had become with their own upstart republic. The *Hartford Courant* noted that France was a nation without “freedom of speech and the press, the protection of property, of personal liberty,” and other rights Americans had fought to defend. Even with the disadvantage of late news from Europe, it was easy to see the how the system had sown the seeds of destruction over the old continent. “A few years have sufficed to recruit strength after the most disastrous wars.” The inertia towards despotism in France, according to *The Courant*, seemed to be in the “the exuberance of the [French] population, the genius of the people, whether for policy or for war... he who directs them, at will, must always be considered as the most dangerous enemy to other nations of the earth.”¹⁷⁹

¹⁷⁸ Woloch, *Napoleon and His Collaborators*, 206. “By 1811, only four daily newspapers were appearing in Paris, all virtual instruments of the government.” (Ibid. 207)

¹⁷⁹ *Hartford Courant*, February 7, 1810.

In 1810 the New York *Evening Post* called it a “Dark Age,” and commented on a Napoleonic decree for the “suppression of printing” in France. The newspaper’s editors were decidedly against the nascent empire. To them it was designed “to reduce mankind to a state of barbarism, that tyrants can more easily rule them.” The *Post* warned that the seeds of such a system fueled by the mass manipulation of ignorant citizens had already been planted on the shores of America in the form of the Democrat party. “The system of democracy in this country, goes hand in hand with Bonaparte’s system of tyranny in Europe. Ignorance is supported, and knowledge and civilization are disregarded and discouraged.” Essentially it was a matter of time before the United States mimicked what Napoleon was doing in Europe:

The most ignorant and abandoned of mankind are raised to places and offices of trust, while the enlightened and candid are neglected and oppressed. Our government have not yet suppressed information by interdicting the press, but the people have done everything to keep themselves in ignorance. ... This kind of system lends to riot and anarchy – anarchy leads to absolute despotism, and ignorance fits the people to bear that despotism. So that we find our country not far behind those of Europe in the road to darkness as many may imagine. We are ignorant... and we want nothing but a Bonaparte to reduce us to as a complete state of slavery, as that which all Europe now groans.¹⁸⁰

The *Post*’s predictions of despotism were premature. When the Mexican War broke out in 1846, Americans press freedom acting with a defiant Congress representing the will of their constituents was powerful enough to check an executive pushing to escalate the war. The levers of power available to Napoleon were different from President James K. Polk. Not only did Polk have to contend with an oppositional press and midterm elections, he was required to ask Congress for money and soldiers to escalate the war. Napoleon’s unlimited political and military power contributed to his undoing, while Polk’s limitations were his saving grace. Nevertheless, the Americans would later study and learn from the mistakes made by the French in Spain. As Jomini and Clausewitz later professed, they learned that brute force was not enough to subdue a population opposed to an invader.

Napoleon upended the existing order in Europe (and by extension Latin America) by achieving unprecedented military victories. The Corsican had rewritten the rules the war and his enemies were helpless in the face of his battle-tested and disciplined army. What

¹⁸⁰ *Evening Post*, New York, August 28, 1810.

he did not anticipate, however, was that the Spanish would jettison those rules by creating the most effective guerrilla insurgency in history. The tragedy at Zaragoza was but a foreshadowing of future brutality, and its name was used as a rallying cry not only in Spain, but later in Mexico. The Catholic Church, a powerful social and cultural institution, collectively surveyed the national detritus, took stock of what had occurred, and committed itself to an existential fight against the invaders.

Napoleon's alienation of the church was a serious miscalculation, and disaffected clergy became a powerful ally to the insurgents. An intercepted French dispatch from 1809 outlines how French authorities viewed this influential segment of Spanish society:

Almost all the Spanish authorities, countenanced by the natives... are feeble characters... The idle conversation, and the incendiary writings, are dangerous among a people as irritable as they are hypocritical and rebellious, and they ought to be the object of continual, but secret, attention and punishment. The greater part of the friars and clergy contribute to give the public mind a most pernicious direction.¹⁸¹

After 1809, no amount of propaganda was enough to persuade the Spanish to support the French. The importance of winning some support of the people later became an aspect of war others would learn to abide. The defenders had their own rules steeped in a separate history, and rather than comply, they rewrote them to their advantage. In doing so the Spanish changed the art of war in the modern era.

¹⁸¹*The Morning Chronicle*, London, July 14, 1809. Quoting the *Seminario Patriotico*, June 1, 1809. "Intercepted Dispatch, directed to Joseph Napoleon, from Valladolid, by M. Garnier, his agent, under the date of the 14th of April."

1.3 MOUNTING INSURGENCY AND COUNTERINSURGENCY

*Many people think it possible for guerrillas to exist for long in the enemy's rear. Such a belief reveals lack of comprehension of the relationship that should exist between the people and the troops. The former may be likened to water and the latter to the fish who inhabit it. How may it be said that these two cannot exist together? It is only undisciplined troops who make the people their enemies and who, like the fish out its native element, cannot live.*¹⁸²

----- Mao Zedong, *On Guerrilla Warfare*, 1937

While achieving compliance is critical for an invader seeking to mitigate insurrection, an effective insurgency is equally dependent on receiving support. Without support of the people, guerrillas cannot operate effectively. They cannot hide, communicate, or launch surprise attacks without the aid and assistance of local inhabitants. Since the locals see everything and understand the terrain better than the invaders, their help is crucial to implementing an effective insurgency. Understanding this important social dynamic during wartime later became the cornerstone of the “conciliatory” U.S. counterinsurgency strategy in Mexico.

In his work *On War (Vom Kriege)* Carl von Clausewitz, one of the first scholars of guerrilla warfare, composed a list of essential tactical rules to follow for waging insurgent warfare. In his “Advice to an Armed Nation on the Defensive,” the Prussian war strategist recommended that defenders allow the invaders to penetrate the heart of the country, which the French willingly did themselves: “Lead the enemy well away from his defensive frontier and as far into the center of your country as you can.” Another maxim Clausewitz espoused was utilizing geography to the advantage of the insurgent. “The theater of military operations ought to be extended over as large an area as possible.” When an invading army is spread out, guerrillas have a multitude of

¹⁸² Brig. Gen. Samuel B. Griffith, *Mao Tse-tung on Guerrilla Warfare* (Washington D.C.: U.S. Marine Corps, 1989), 92-93.

smaller, easier targets to attack. In this sense geography becomes a key asset on the side of the defenders. “The line of march of the enemy should lead into mountains, forests, marshes, the country which has these in abundance has all the more chance of successful resistance.”¹⁸³

The new rules of insurgent warfare were easier to discern in the aftermath of the war in Spain. Clausewitz wrote that attacks “ought not be directed against the principal detachments” but rather on the enemy’s “flanks of his lines of operations, seeking to preserve as many districts as they can from the violence of his attack, and to prevent him from radiating far from his center except with feeble detachments.” This is exactly what happened in Spain, but up until that time no force thought to do so since it was inconceivable that the French army – thereinto undefeated – could be crippled by what amounted to a swarming tactic. In nature, an aggressive swarm can overwhelm the largest, most formidable animal:

They ought to hover around his main line of advance and give him no rest, as he penetrates swarming around him. Once the movement is started, it becomes fiercer and fiercer. The bands at length boldly close up on the invader (like the Spanish guerrillas, 1812 to 1813), and approach the enemy’s line of operations gradually ruin them and destroy the very organization of their existence.¹⁸⁴

Mao Zedong (1893-1976), the leader of the Chinese communist insurgency against the Japanese, used those same tactics to chip away at a more powerful army that had penetrated deep into China. “It is more difficult to obtain the initiative when defending on interior lines than it is while attacking exterior lines. This is what Japan [was] doing.” Mao applied the numerical advantage the Chinese had over the Japanese, which “gradually compelled” Japan “to increase her manpower” over vast spaces. With the ability to choose the time and place to attack, Chinese forces could strike anywhere and quickly disperse because the size of their units allowed them to rapidly reform. “Some of our weaknesses are... sources of strength.” One example of this was that small units can “appear and disappear in the enemy’s rear.”¹⁸⁵ In this regard, the element of surprise, combined with fluidity of movement, makes insurgent forces defending their homeland quite powerful.

¹⁸³ A.M.E. Maguire, *General Carl von Clausewitz On War*, 68-69.

¹⁸⁴ Maguire, *Clausewitz On War*, 69.

¹⁸⁵ Griffith, *Mao Tse-tung on Guerrilla Warfare*, 98-100.

Mao Zedong addressed the issue of needing the support of the people living within the conflict zone. He believed that “a unity of spirit that should exist between the troops and local inhabitants.” Mao implemented three basic rules of conduct for his insurgent army: 1. “All actions are subject to command.” 2. “Do not steal from the people.” 3. “Be neither selfish nor unjust.” These simple prescriptions, adhered to by his army for ten years, formed a “code” designed to foster positive relations between the insurgent Chinese army and the population.¹⁸⁶

As Clausewitz noted, the Spanish guerrillas did not achieve military parity with French forces until two years after the war had begun. Organizing an effective insurgency took time. In 1808 the country was still reacting to unfolding events during the early phases of the war, and numerous bands of opportunists remained to take advantage of the chaos. However, the first and crucial phase was complete: the Spanish refused to yield compliance to the French. The brutal treatment Napoleon meted out on civilians resulted in popular support for an insurgency that eventually coalesced around new military leaders eager to fight on new terms.

THE NEW RULES: *REGLAMENTOS AND CORSO TERRESTRE*

Having been routed by Napoleon’s massive reinvasion in late 1808, the Spanish began looking at non-conventional ways of fighting. Examples were found in Aragon, Catalonia, and Galicia, where resistance in the form of small bands operating on familiar territory proved effective at keeping French forces bogged down, separated, and exacerbated. Tone writes: “The success of the Galician campaign convinced the Spanish government to embrace guerrilla warfare as the means of national salvation.”¹⁸⁷ From that point on, insurgents refused to engage French forces in large decisive battles. This strategy, also employed by revolutionary groups in Latin America during their independence movements, completely changed the rules of modern warfare.

¹⁸⁶ *Ibid.* 92.

¹⁸⁷ Tone, *The Fatal Knot*, 70. See also: Charles Oman, *A History of the Peninsular War, Vol. 3* (Oxford: Clarendon Press, 1908), 9. Tone cites the Galicians for convincing the Junta Central of the effectiveness of guerrilla war. Oman cites the Galicians as well as the Aragonese.

However, like any movement the insurgency needed fostering. In the final days of 1808, the Supreme Central Junta in Seville – acting as the *de facto* government in Spain awaiting the restoration of King Ferdinand – issued a decree addressing irregular fighting units operating outside traditional command structures. The regulations, or *Reglamento de Partidas y Cuadrillas*, were designed to legitimize and foster a nascent guerrilla insurgency in Spain by establishing procedures for its organization and operations. The opening of the *Reglamento* promised that the Spanish would channel their hatred of Napoleon and take “advantage of the great opportunities provided by the knowledge of the country” to defeat him. “To facilitate the way to obtain such a noble object” the *Reglamento* read, “[we] create a new kind of militia, with the denominations of parties or gangs, under the following rules” of war.¹⁸⁸ A new type of war was launched.

On the first day of 1809 the Junta disseminated “a ‘Manifesto of the Spanish Nation to Europe’ justifying the mobilization of civilians.” The decree was essentially a declaration of national war against the French. Over the subsequent months various declarations were made outlining the legitimization, regularization, and incentivization of irregular warfare in Spain. The most famous decree promulgated by the Central Junta appeared on April 17, 1809 is known as the “*Corso Terrestre*.”¹⁸⁹

The term *Corso Terrestre* is also referred to as “land corsairs” – with the implication often being that “corsair” is the French word for “pirate.” This assumption is incorrect. David Bell correctly translates “*Corso Terrestre*” to mean “Privateering on Land.”¹⁹⁰ There is an important difference. If one is plundering the enemy army by engaging in ambushes, surprise attacks, or stealing provisions destined to aid military occupation, then semantically there is a legal distinction between “privateering” and “pirating.”

¹⁸⁸ Quoted from: Ramón Guirao Larrañaga, *Guerrilleros y Patriotas en el Altoaragón (1808-1814)* (Huesca: Editorial Pirineo, 2000), 9. The full title of the *Reglamento* was: *Regulation that the King Our Lord don Fernando VII and in his Real name the Central Supreme Board of government of the Kingdom has sent to send*. The Supreme Central Junta (*Junta Suprema Central*) was established September 25, 1808.

¹⁸⁹ Tone, *The Fatal Knot*, 71. See: Edward J. Goodman, “Spanish Nationalism in the Struggle Against Napoleon.” *The Review of Politics* 20, no. 3 (July 1958): 336. “Spaniards were constantly kept aware of Napoleon as a tyrant; the period is rich in anti-Napoleonic literature.” A couple of these include the *Política popular acomodada a las circunstancias del día* (Madrid, 1808), and *Catecismo Civil del Español* (Sevilla, 1809).

¹⁹⁰ Bell, *The First Total War*, 287.

Other historians critical of the *Reglamentos* and *Corso Terrestre* dismiss them as the “legitimization of highway robbery” and link them with the opportunistic bands that robbed fellow Spaniards during the initial chaos of the war.¹⁹¹ The irony with which the Spanish used the term, however, is apparent in the etymological origin of the term itself, as naval corsairs were employed during wartime for generations by French kings to attack enemy shipping. Officially, if a privateer operating under a letter of marque (*lettres de course*) was captured, that privateer was entitled to be held as a prisoner rather than be executed – as was done with pirates.¹⁹² The usage of corsairs by the French, and the legal foundations associated with it, would have been well known to Sevillian officials (where the *Corso* was written) because Sevilla’s merchants’ vessels were among the targets of French corsairs operating in the Atlantic.

In that context, it is obvious the Spanish were using established maritime practices to create a legal framework from which their (thereinto) uncoined mode of warfare could be validated. Just like belligerents during war who recognize neither pirates nor guerrillas, the name “*Corso Terrestre*” itself is proof that the Spanish – although establishing a novel form of irregular warfare – were attempting to build upon legal precedent designed to protect insurgents abiding by Spanish dictates. That the French did not recognize the *Corso* as legitimate is not surprising given that it would undermine long held conventions and tactics. Nevertheless, to call the term “land pirating” is to dismiss exactly what the Spanish did and to take the French position that Spanish partisans were merely opportunists and thieves. In reality, in a historical context “land corsairs” was aptly named and quite apropos to the early nineteenth century context from which it came. The term could easily have become as common as its etymological progenitor but was usurped shortly after the war began by the shorter and legally nebulous term “guerrilla.”¹⁹³

¹⁹¹ Esdaile, *Fighting Napoleon*, 106.

¹⁹² See: Alain Berouche, *Pirates, flibustiers et corsaires de René duguay-Trouin à Robert Surcouf; Le droit et les réalités de la guerre de Course* (Saint-Malo: Éditions Pascal Galodé, 2010); Henning Hillmann, *The Corsairs of Saint-Malo: Network Organization of a Merchant Elite under the Ancien Régime* (New York: Columbia University Press, 2021). The French word *corsaire* derives from the Latin *cursum*, which means “course,” as in a journey. French use of corsairs increased after the Treaty of Tordesillas (1494), which excluded France.

¹⁹³ Espoz y Mina wrote that the authority of the *Corso Terrestre* extended from July 1809 to late March of 1810, after which the guerrillas were officially absorbed into the Spanish Army. He noted “there were no secretaries, no staff, nor any specific point where the reports of the events were deposited...” Of this lack of material there were “no documents with which to support them,” and that the only means of record was

The legal recognition of corsairs in an Atlantic context predates the early nineteenth century by hundreds of years. The historian Thomask Heeboll-Holm notes that as far back as the thirteenth and fourteenth centuries conventions surrounding corsairs and state-sanctioned use of them for reprisals were “neither arbitrary or anarchic but rather followed a sort of regulated custom or convention of conflict and dispute settlement.”¹⁹⁴ Later on, both Grotius and Vattel recognized the concept within maritime law. Vattel specifically stressed that “formal warfare” should be “distinguished from those illegitimate and informal wars, or rather predatory expeditions, undertaken either without lawful authority...” In this regard the jurist commented that the Barbary Corsairs, “though authorized by a sovereign,” were considered pirates because they attacked “without any apparent cause, and from no other motive than the lust of plunder.”¹⁹⁵

The Spanish were not the only ones who had difficulties with state-sanctioned depredations on their merchant fleets. The Americans also had difficulties with the North African Corsairs (1801-1815) but direct conflict with British and French corsairs operating under letters of marque resulted in the Embargo Act of 1807, which was partly an outcome of the Quasi-War between the U.S. and France (1798-1800) and a precursor to formal war between the United States and Great Britain in 1812. When viewed in that context, the Spanish coinage of the term “land corsairs” – although novel in its legal construction – would not have been misconstrued in its intention by any Atlantic state because they all used letters of marque to sanction naval reprisals against belligerent states.¹⁹⁶

“preserved in the memory of the country.” Francisco Espoz y Mina, *Memorias del general Don Francisco Espoz y Mina, escritas por el mismo* (Madrid: M. Rivadeneyra, 1851), Vol. 1, 9-16.

¹⁹⁴ Thomask K. Heeboll-Holm, *Ports, Piracy, and Maritime War: Piracy in the English Channel and the Atlantic, c. 1280-c. 1330* (Amsterdam: Brill, 2013), 137. See also: Maurice Keen, *The Laws of War in the Late Middle Ages* (London: Routledge & K. Paul, 1965), 221-243.

¹⁹⁵ Vattel, *The Law of Nations*, 319-320. See: Hugo Grotius, *On the Law of War and Peace* (1625) (Reprint: Cambridge University Press, 1852), 313. “Another kind of... rights... which the more recent jurists call the Right of Reprisals; the Saxons and Angles... and the French, among whom it is granted by the king, *Letters of Marque*.”

¹⁹⁶ See: *Lancaster Intelligencer*, Pennsylvania, October 20, 1798 (“Arrette of the Executive Directory,” *Journal of Bourdeaux*, Aug. 8, 1798) “For the future there shall not be delivered in the French colonies of America any letters of marque, authorizations or permission to arm, whether in course or in war and merchandise, but by the particular agents of the Executive Directory themselves...” See also: *The National Intelligencer*, Washington D.C., January 2, 1805 (U.S. Congress, House of Representatives, Dec. 13, 1804. “A Decree for re-establishing order in the Leeward Islands, for the issuing and use of letters of

Regardless of how the term is translated, the *Corso Terrestre* of April 1809 allowed for the seizure of enemy property – an incentive for profit while fighting the enemy. The *Corso* read: “The carts, horses, clothes, or any other effects that belong to the French apprehended will be part of the prize or booty.”¹⁹⁷ News of the *Corso Terrestre* was promoted throughout Spain “calling for ‘a novel system of war’ in which the large French armies would be countered with ‘war on a small scale, with guerrillas and more guerrillas.’” In occupied Catalonia, the junta obligated every man to wage war to “show profound hatred” for an enemy in pronouncements that “eerily echoed the French declaration of the *levée en masse* of 1793.”¹⁹⁸

Important discrepancies exist between the *Reglamentos* and *Corso Terrestre* that offer insight into the thinking, practicality, and power of the juntas. Since the *Reglamentos* were created first, they provide a window into their vision of how a guerrilla war could have best manifested itself. For example, in the earliest cited *Reglamentos*, eight of the first ten regulations constituted by the Central Junta in Aranjuez in September, and later disseminated from Seville in December of 1808, specifically mention “horses.” The first five regulations set the tone for the nature of the *partidas* and are a reflection – not only of the vision for the guerrilla war in Spain – but the horse culture that existed in much of Iberia.¹⁹⁹ In Spain horses were essential for waging war. These lessons were not forgotten, because the prescriptions for organizing small, mounted units became so effective that Mexicans later tried to mimic the Spanish approach during the war with the United States. In other words, the organizational efficacy of the junta’s avant-garde approach to waging war became so internationally renowned Mexican leaders were trying to copy it thirty-eight years after its inception.

Article One of the *Reglamentos* said that “each *partida* will consist more or less of fifty horsemen, with others on foot that will ride on the rump if necessary.” If the number

Marque.” Issued by General L. Ferrand, Santo Domingo, 8th Thermidor, 13th year. “Being informed that several owners and captains of French corsairs who have obtained limited letters of marque... continue to renew their cruising...”

¹⁹⁷ Archivo Histórico Nacional (AHN), “Órdenes, decretos, reglamentos, proclamas y manifiesto, Abril de 1809” ES.28079.AHN/1.1.19.4//ESTADO,9,D, Article #12.

<http://pares.culturaydeporte.gob.es/inicio.html>

¹⁹⁸ Bell, *The First Total War*, 287.

¹⁹⁹ Larrañaga, *Guerrilleros y Patriotas*, 9.

fifty was maintained as the standard for small bands, it would effectively force the French to exceed the standard numbers for detachments accompanying couriers or other small units – requiring them to expend more money and resources. The focus on horses continued in Article Two where it required that “the horse must be useful for the service to which they are destined, in the event that size and defects deem it unfit for the cavalry.” This implied what the third article outlined, that “anyone who comes to serve the homeland with his own horse without asking for its value, will be replaced with another whenever he loses it in battle.” Article Three was critical in that horses were expensive and the livelihoods of small farmers. With a guarantee that his money-maker would be replaced if it were killed (or maimed beyond utility) in battle, an insurgent was assured that he would be compensated. For those who wanted to serve with expensive horses, Article Four addressed the issue: “For those who ask for the value of the horse with which he presents himself to serve, he will be paid, remaining as property of the King, and he will be given another for service by the Royal Treasury, whenever he loses it in a war action, or inculpably for his illness or another accident.” Although it was difficult to replace expensive horses, Article Four implied that an effort would be made to account for the loss. This article also seemingly reassured horse owners (and various strata of nobles) who borrowed tenants or farmers their horses to use in the service of an insurgent cavalry unit.²⁰⁰

The early *Reglamentos* created opportunities for individual hussars to plunder the enemy. Many guerrillas did not need this incentive, since they were bent on revenge for wrongs committed to their families, neighbors, or friends. However, for those who were otherwise inclined to sit out the war, the *Reglamentos* offered a compelling incentive to fight for the homeland with the assurance that authorities compensated their initial investment. It did not matter to the defender what title his enemy gave him; “bandit” or “pirate,” what mattered was that he was given the opportunity to take the risk with honor and a modicum of insurance. This was the original intent of the *Reglamentos*.²⁰¹

²⁰⁰ *Ibid.*

²⁰¹ Among the work of the first Seville Junta’s first president, the Count of Floridablanca, is an eighteenth-century essay by the bishop of Cuenca noting in “the service of lancers there is an image of the responsibility of the nobles of the first order to the military service... received from the crown. [...] The nobles of the lower class had only the obligation to go to war for their people, and this service distinguished exemption...” (Del Rio, ed: *Obras Originales del Conde de Floridablanca*, 17) The bishop was addressing a complicated social structure and hierarchy that existed in Spain even at the turn of the nineteenth century.

However, when we examine the subsequent *Corso Terrestre* it becomes apparent that the Junta backed away from its earlier explicit promise to compensate for lost horses, especially those with an assessed value. For example, Article One in the *Corso* of April 1809 gave a general order to “assault and despoil” the enemy, but then continued in Article Two to address the means by stating that those who enlisted with their horse (rather than on foot), that “the Government will attend in all times the merit that these [horses] contract in such useful and risky service.” This statement was vaguer than the original *Reglamentos*, which perhaps prompted the Junta to compensate hussars by creating a new incentive in Article Three of the April 1809 *Corso*:

The Generals in Chief of the Spanish armies will of course reward any warnings of important news given to them by the mounted soldiers of these bands, or any of their individuals, regarding marches of the French troops, their strengths and positions, and their views or projects.²⁰²

The *Corso* carried the concept of evaluating important action against the French into the spirit of the subsequent article (Article Four) by stating: “Then that these actions, or by their activity or patriotism have been accredited. The Generals in Chief who are informed of these bands will give account to the Supreme Board, so that they are taken into consideration and their services rewarded.” In other words, rather than issue a blanket declaration that compensated horse owners for lost or damaged property, the updated *Corso* was designed to create individual *and* group incentives for action. With the issuing of Article Four, the Junta created a type of governmental credit system that accounted for the successes of individual *partidas* known to authorities. Put another way, not only could the individual guerrilla groups keep what they plundered from the enemy, their accounts would be maintained by the government and theoretically evaluated on a monetary basis. The *Corso* thus rewarded bold action and results of the most successful insurgent groups. This was another reason why guerrilla leaders, or *cabecillas*, used *nom de guerres* – as those names could more easily be disseminated without the confusion of common names. Eventually the most effective guerrilla leaders were subsumed into the official military structure.²⁰³

²⁰² AHN: “Órdenes..., Abril de 1809” ES.28079.AHN/1.1.19.4//ESTADO,9,D, Articles 1, 2, 3.

²⁰³ *Ibid.* (AHN) Article 4. If these insurgent groups were merely bandits it is unlikely they would use easily-rememberable nicknames, but rather false names to hide their identities. This would account for the nicknames employed by the guerrilla leaders.

Ramón Guirao Larrañaga, an historian of the Napoleonic War in Spain, outlines another discrepancy between the *Reglamentos* and *April Corso*. The earlier *Reglamentos* stated in Article Twenty-One that “enlisted men or draftees could not serve in the *partidas*.” This policy was originally outlined to keep deserting soldiers of the Spanish army from joining the rank of the guerrillas. However, in the subsequent decrees the reference was eliminated. The initial thinking was that the Spanish authorities did not want to lose much-needed soldiers who – following a major defeat – entered the ranks of insurgent groups.²⁰⁴

Article Eleven was another important aspect of the *Corso*. Most historians tend to focus on the Junta’s legitimization of plundering the French army using guerrilla bands but miss the important military value in targeting the enemy’s communications. The *Corso Terrestre* turned the precedent of respecting communications between sovereigns on its head and applied the same rules (and incentives) towards captured French communications. Article Eleven read:

This also applies to intercepting the mail of the enemy, under the concept that they will be paid at a half *real* for each, and four *reales* if they are sheets of consideration that the Government in Chief of the immediate Army, to whom they must present the case, estimates according to the entity of the correspondence learned and the action.²⁰⁵

The targeting of French communications and couriers carrying vital information was a brilliant move by the Junta. It forced the French to increase the protection afforded couriers using mounted soldiers who would otherwise have been used in offensive operations, and ultimately resulted in longer lag periods between dispatches. By changing the conventional rules of war, the Spanish fostered an organic insurgency that – although initially chaotic – eventually coalesced to challenge and wear down Napoleon’s army of occupation.

Despite efforts by Spanish authorities to organize insurgent groups, in early 1809 Napoleon still dismissed them as “banditti” – the Italian term he accustomed himself to

²⁰⁴ Larrañaga, *Guerrilleros y Patriotas*, 13.

²⁰⁵ AHN: “Órdenes..., Abril de 1809” ES.28079.AHN/1.1.19.4//ESTADO,9,D, Article 11.

using after his experiences with brigands in that country. He could not envision unconventional forces forming in Spain strong enough to challenge his authority – much less an army of “bandits” who had little regard for the rules of war. Writing from Valladolid before his departure to France, the emperor informed Joseph not to “not think of Valencia till Saragossa is taken.” On January 22 Joseph entered Madrid for the second time. Napoleon never returned to Spain.²⁰⁶

The battlefield victories of the French in the summer of 1809 changed the military nature of the war but not the commitment of the Spanish to fight. Alexander notes that after the summer of 1809 “powerful partisan divisions conducted their activities in the rear area of the Imperial Army.”²⁰⁷ The Duke of Wellington wrote that the “inefficiency in regular warfare drove” the patriots to adopt a new mode of hostilities, which harassed and distressed the French to an incredible degree.” He wrote admiringly of the transition that took place:

They collected in small bands; they chose leaders of a ready intelligence and a daring courage; and they commenced a system of war in detail, which granted their thirst for the invaders’ blood, and suited well with their melancholy fortunes. [...] To lead these guerrilla bands, the priest girded up his black robe, and stuck pistols in his belt – the student threw aside his books, and grasped a sword...²⁰⁸

The guerrilla insurgency’s genesis in the summer of 1809 was the result of conventional setbacks. Following the Battle of Talavera in late July, General Wellington and his British forces retreated into Portugal, where they remained for many months. The Spanish army was in disarray, having failed to recapture Madrid. The conventional armies of the northeast were equally scattered. Food on the peninsula was growing scarce, especially in the dryer areas. Despite Napoleon’s successful retaking of Spain, these factors, along with a desire for immediate action, led to the emergence of the insurgency. Ironically, the emperor’s success resulted in the French being vulnerable to insurgent warfare. As Clausewitz later recommended, the French Army was not sucked into the heart of Spain, but happily

²⁰⁶ *Correspondence* Vol. 2, 30-39. Napoleon to Joseph, January. 15, 16 (1809).

²⁰⁷ Alexander, “French Military Problems,” 118.

²⁰⁸ Moyle Sherer (ed.), *The Duke of Wellington: Military Memoirs of Field Marshal*, Vol. 1 (Philadelphia: Robert Desilver, 1836), 157-8. Wellington states there were 50,000 guerrillas in Spain. (Ibid. 159)

marched into it. A new generation of guerrilla fighters would emerge to make it their graveyard.

HUNTING GROUNDS: GUERRILLA ICONS AND PROVINCIALIZATION OF THE WAR

Of the many well-known *guerrilleros* to emerge during the war, the most prominent in central Spain was Juan Martín Díez – *El Empecinado*. With his *nom de guerre* roughly translated as “The Undaunted,” Juan Martín Díez, like other well-known guerrillas such as Espoz y Mina and *El Charro*, came from humble origins. Originally a farmer from the Valladolid area, El Empecinado had previous experience fighting the French in his teenage years during the war against republican France (1793-1795). Like those with previous combat experience, he learned from an early age to hate them and the radical secularist ideas they represented.²⁰⁹

El Empecinado’s military effectiveness became known early in the war. When efforts to capture him failed, French officers led by General Joseph Léopold Hugo, who called the war an “assassin’s war,”²¹⁰ moved to stymie the guerrilla chieftain by arresting his mother, Lucia Díez, in his family’s hometown of Castrillo del Duero. The thinking behind this unusual tactic was to use her to lure him into custody where she was being held in Aranda de Duero – a fortified town on the road between France and Madrid. The arrest was designed to “serve as an example” to other insurgents but had the opposite effect. When El Empecinado learned of the news, he threatened to execute dozens of French prisoners in retaliation. For the French it was a public relations disaster that only led to more acclaim for the guerrilla leader.²¹¹

²⁰⁹ The *nom de guerre* “Empecinado” was a local moniker with its origins literally from the soil. Díez was born in Castrillo de Duero, where nearby streams were filled with black and decomposing mud called *pecina*. Other people from Castrillo used the name *empecinado*. For an early English account of Juan Martín Díez, see: Anonymous (Translated by a General Officer), *The Military Exploits of Don Juan Martín Díez, The Empecinado; Who first commenced and then organized the system of guerrilla warfare in Spain* (London: Carpenter and Son, 1823). Subsequently referred to as *The Military Exploits*. See also: Florentino Hernández Girbal, *Juan Martín, El Empecinado: Terror de los franceses* (Madrid: Ediciones Lira, 1985); Andrés Cassinello Pérez, *Juan Martín, “El Empecinado”, o el amor a la libertad* (Madrid: Editorial San Martín, 1995). For a comprehensive study on the social origins of the Spanish guerrillas during the war, see: Ronald Fraser, “Identidades sociales desconocidos. Las guerrillas españolas en la Guerra de la Independencia, 1808-1814.” *Historia Social* 46 (2003): 3-23.

²¹⁰ Bell, *The First Total War*, 289. Bell states that Hugo “explicitly likened it to the Vendée.”

²¹¹ Girbal, *Juan Martín, El Empecinado: Terror de los franceses*, 159.

El Empecinado at first concentrated his efforts in the Valladolid area by disrupting the logistics route between Burgos and Madrid. He later began to expand his field of operations in the Douro River basin and the Sierra de Gredos in central Spain. From there he moved into the provinces of Cuenca and Guadalajara. In the late summer of 1809, the government of Guadalajara “earnestly solicited Martin to protect that province which was occasionally overrun by a handful of the enemy detached from Madrid for the purpose of levying contributions and plundering.”²¹² El Empecinado answered the call because it was a vital strategic corridor connecting the Ebro river basin to Madrid and the central plateau. Wellington wrote of him, “The famous Juan Martin El Empecinado was constantly descending from the Guadalajara mountains and spreading terror and alarms among the French garrisons... The intrusive king dared not to sleep beyond the gates of Madrid.”²¹³

That El Empecinado operated freely in the heart of Spain is telling. Despite controlling the capital, the French army could not dislodge the guerrillas from the mountains and highlands surrounding Madrid. This fact quickly made El Empecinado a legend both in Spain and abroad. Nineteenth-century Spanish author and playwright Benito Pérez Galdós (1843-1920), who helped make an icon out of El Empecinado, also portrayed guerrillas like him as chivalrous predators:

The foresight of the great captains is often compared to the look of the eagle that, going back in broad daylight to immense height, sees a thousand accidents hidden from the vulgar eyes. The mischief... of the great guerrillas, can be compared to the vigilant nocturnal stalking of the birds of the last carnivorous scale, which, from the roofs, from the caves, from the peaks, towers, ruins and forests, they peek at the careless and quiet victim to fall on her.²¹⁴

As one of the early historians of the war, Gabriel H. Lovett believed that El Empecinado was chosen as a subject in Galdós’ 1874 work because his “greatest victories were achieved in the heart of Spain, both in Old and New Castile” and that, he “was an unusual chieftain, for more often than not he spared the lives of enemy prisoners. To

²¹² *The Military Exploits*, 33.

²¹³ Sherer (ed.), *Wellington Memoirs* Vol. 2, 56.

²¹⁴ Benito Pérez Galdós, *Juan Martín el Empecinado* (1874) (Madrid: Sucesores de Hernando, 1908), 54.

friend and foe alike his generosity and nobility of character were practically legendary throughout the war.”²¹⁵ Indeed, mercy towards the enemy was an exceptional quality among insurgents seeking violent retribution. Many did not adhere to, much less acknowledge, the conventional rules regarding prisoners. As the conflict progressed, gruesome forms of execution became more atrocious – on both sides.

Although a novelist and playwright, Galdós was insightful about expressing the defensive advantage of the insurgents and invoked the landscape as a weapon against the invaders. “Imagine... that the hills, the streams, the rocks, the gorges, the grottos, are deadly machines that go out to meet the ordered troops, and up, down, fall, crush, separate and destroy... the geography itself attacking.” Outmaneuvering the enemy due to intimate knowledge of the terrain, along with the low-level nature of guerrilla warfare, were strong points exploited by the Spanish who did not consider their methods dishonorable:

Among the guerrillas there are no real battles; that is to say, there is no planned and deliberate duel between armies that look for each other, meet, choose terrain and beat each other... The first quality of a guerrilla, even before bravery, is good walking, because he almost always wins running. The guerrillas do not retreat, they flee, and fleeing is not shameful to them. The basis of their strategy is the art of meeting and dispersing. They condense to fall like rain, and they scatter to escape pursuit, so that the efforts of the army can be fought with the clouds. Its main weapon is not... the rifle: [but] the terrain...²¹⁶

Other guerrillas emerged in central Spain in 1809. A parish priest by the name of Jerónimo Merino (*El Cura*) worked within El Empecinado’s stead early in the war by disrupting “couriers and convoys travelling” the road from Burgos to the capital.²¹⁷ Like many priests during the war, Merino’s anti-French sentiment was fueled by his religiosity. Medic-insurgent Juan Palarea (*El Médico*) hailed from Murcia before completing his medical studies in Zaragoza. He later went on to practice in a village near Toledo before taking up the occupation of insurgent during the war and operated

²¹⁵ Gabriel H. Lovett, “Observations on Galdós’s Juan Martín el Empecinado.” *MLN* 84, no. 2 Hispanic Issue (Mar. 1969): 198. See also: Lovett, *Napoleon and the Birth of Modern Spain* (Vol. 1): *The Challenge to the Old Order* (Vol. 2): *The Struggle Without and Within* (New York: New York University Press, 1965).

²¹⁶ Galdós, *Juan Martín el Empecinado*, 54-55.

²¹⁷ Esdaile, *Fighting Napoleon*, 32.

his new profession in La Mancha. His band fought in several conventional battles and skirmished with French forces at several locations.

Apart from El Empecinado, the most well-known guerrillero to ply the central region was Julián Sánchez (1774-1832) – or *El Charro* (The Horseman). Sánchez also came from a farming family near Salamanca but was priest-educated. Like El Empecinado, Sánchez was sent to fight the French in the Pyrenees (War of Rosellón) at age nineteen, and harbored preexisting animosities against them. When the war broke out in Spain in 1808, El Charro enlisted in a cavalry regiment in Ciudad Rodrigo. Because of his various skills – which included extremely adept horseback riding – El Charro became a second lieutenant in early 1809. He would go on to captain a group of his own forging called the “Lancers of Castillo,” which operated on the periphery of Salamanca. His popularity increased to a point that the group became a regiment and finally a much-feared brigade preying on units transiting to Portugal.²¹⁸ Wellington wrote that he “gave the Frenchmen of Old Castile no repose; he was always in the saddle, and continuously surprising detachments and making prisoners.”²¹⁹

El Charro was known for his bravery but the factor behind his success was his transport. Known as the Spanish Pure Horse (*pura raza española*), the Andalusian was exceptionally suitable to warfare and was more than likely El Charro’s preferred mode of transportation. Its closely related cousin, the Lusitano of Portugal, is also native to Iberia. For hundreds of years, the Andalusian’s abilities were well-respected among Europeans, and were the mounts used by the Conquistadores in the Americas. Known for their intelligence, stamina, and compactness, their ability to run long distances and maintain agility in mountainous areas made it a valuable weapon among mounted guerrilla units.

The French also admired the horse perfectly suited to the din the of battlefields. Albert-Jean Rocca wrote that it was a breed that was “proud, spirited, and gentle; the sound of the trumpet pleases and animates him; and the noise and smoke of powder do not

²¹⁸ Emilio Becerra de Becerra, *Las hazañas de unos lanceros: Historia del Regimiento de Caballería I de Lanceros de Castilla, según los papeles de Don Julián Sánchez García, “El Charro,”* (Salamanca: Diputación Provincial de Salamanca, 1999).

²¹⁹ Sherer (ed.), *Wellington Memoirs*, Vol. 2, 56.

frighten him; he is sensible of caresses, and docile to the voice of his master...”
Sensitive to the rider but not the noise was a sought-after quality for mounted warriors. Rocca added that when the Andalusian was “overcome with fatigue, his master, instead of beating him, flatters and encourages him; the horse seems to recover his strength, and sometimes does from mere emulations what blows could never have extorted from him.”²²⁰

The seventeenth-century equestrian polymath William Cavendish, a consummate horseman intellectually and physically, called the Spanish horses the “princes” of the horse world. After riding one he commented that it “was the readiest in the world. He went in corvets forward, backward, sideways, on both hands... and did change upon his voltoes so just, without breaking time, that a musician could not keep time better; and went terra a terra perfectly.” The second Andalusian Cavendish rode made him a true believer:

The second horse I rid... was the finest-shaped horse that I ever saw, and the neatest... no horse ever went *terra a terra* like him, ...so just and so swift that the standers-by could hardly see the rider’s face when he went and truly when he had done, I was so dizzy, that I could hardly sit in the saddle.²²¹

When the Duke referred to “terra á terra” he meant the gait of a charge where the rider and horse maintain their ability to maneuver to strike or avoid being hit by an enemy. In this respect, El Charro was well-known for his riding skills and represented one of thousands of Spanish guerrillas born riding horses. Equally significant was the ability of insurgent cavalry units like El Charro’s to choose their horses among those either plundered from the enemy or preserved in hidden locations. However, despite stealing French horses, Spanish hussars preferred native horses more accustomed to the heat of the scorching Iberian summer. French horses, on the other hand, no matter how swift they may have been, were more prone to heat and exhaustion than their Iberian

²²⁰ Rocca, *Memoirs of the War of the French in Spain*, 220.

²²¹ Duchess Margaret of Newcastle (Charles Harding Firth, ed.), *The Life of William Cavendish, Duke of Newcastle, To which is added the true relation of my birth, breeding, and life* (London: G. Routledge & Sons, 1890), 60-62. The Barb (or Berber) horse from North Africa (which probably had some level of Arabian pedigree) was also bred into the Spanish horse during Umayyad rule period (roughly 700-1000AD) in Spain.

counterparts if not acclimatized properly. Similarly, horses played a contributing factor in the guerrilla action during the Mexican War – itself a cavalry-centric conflict.²²²

Espoz y Mina, the guerrilla chieftain who later replaced his nephew Javier after his capture, cited horses frequently in his memoirs. This is because horses were an essential aspect to warfare throughout the nineteenth century going back to ancient times. The terrain dictated their importance. Along with general statistics concerning enemy deaths during battles and engagements, Mina recalled the number of horses either captured, wounded, or killed. Mina always recounted if the division “lost some horses” after a battle. Horses were factored because they were valuable weapons. Their specific status was important as well. There were “fiery horses,” “fresh horses,” and “useful horses,” since many captured horses were not suitable for operations. Horses captured from couriers were referred to as “mail horses,” since they were faster and usually more valuable.²²³ The role horses played in the war is a critical aspect of the larger military picture. Although in a place like Florida horses may not have been effective due to the terrain, in Spain, Mexico, and the American West, horses were essential. Importantly, as the Peninsular War dragged on, the French loss of horsepower hampered their offensive and counterinsurgency capabilities.²²⁴

LOSING THE CENTER AND REORGANIZATION

The hold on power was also undermined by the invaders’ own policies. Rocca noted that “King Joseph had no regular means of levying his taxes” and therefore had to send “moveable columns to scour the country” surrounding Madrid. Those forays were hated by the population, who either “fled to the mountains or defended themselves in their dwellings...” A decisive advantage for the defenders in this regard was intelligence. The insurgents were well-aware of the king’s shortage of funds:

...the soldiers sacked the villages, but the contributions were not raised; peaceable individuals sometimes paid for all the rest, but they were afterwards grievously punished by the guerrilla chiefs, for not having fled also at the

²²² See: Nathan A Jennings, *Riding for the Lone Star: Frontier Cavalry and the Texas Way of War* (Denton: University of North Texas Press, 2016).

²²³ Francisco Espoz y Mina, *Memorias del general Don Francisco Espoz y Mina, escritas por el mismo* (Madrid: M. Rivadeneyra, 1851), Vol. 2, 30, Vol. 1, 73, 90, 241.

²²⁴ Alexander, “French Replacement Methods,” 193.

approach of the French. The inhabitants of La Mancha as well as those of the neighboring provinces were exasperated by such violent measures, and the number of our enemies daily increased.²²⁵

Beyond the peninsula observers looked at the unfolding insurgency with interest. The editors of *The Freeman's Journal* of Dublin, which later weighed in on the Mexican War a generation later, surveyed a series of "French papers" and acknowledged "curiosity" regarding the "future conduct of Napoleon" in Spain. Indeed, in early 1810 the direction of the war was still an open question. "The Spanish Insurrection is still growing in different provinces of the Peninsula – and notwithstanding that the French papers affect to decry their efforts," the article stated, "it is evident that their irregular movements contribute very materially to embarrass the plans of Joseph's generals." *The Journal* reported that the "patriots, or marauders as the French call them, are everywhere in arms; they carry their irregular warfare almost to the gates of Madrid." The Irish publication also issued a prophetic analysis of Napoleon's massive reinvasion of the peninsula. "What stronger proof can there be of the brave and steady spirit of this extraordinary nation? We are persuaded that 300,000 men... Bonaparte intends to send into Spain, will ultimately be insufficient for the waste of such a war."²²⁶

Rocca's account of the war is an honest and inglorious assessment. Forced to go home in 1810 after an injury, he noted in his memoirs that occupied Spain "was soon filled with partisans and guerrillas, some of them regular soldiers from the broken armies, and others the inhabitants both of mountain and valley." Like Wellington, Rocca recognized that the resistance had grown somewhat organically. "Clergy, husbandmen, students, shepherds even had become active and enterprising leaders." More than that, Rocca travelled the length of Spain from France to Andalusia and understood the roles provincialization (*patria chica*) played in the national insurgency:

Every province, every town, every individual felt more strongly every day the necessity of resisting the common enemy. The national hatred which existed against the French had produced a sort of unity in the undirected efforts of the people, and to regular warfare had succeeded a system of war in detail; a species of organized disorder which suited the fierce spirit of the Spanish nation exactly...²²⁷

²²⁵ Rocca, *Memoirs of the War of the French in Spain*, 323.

²²⁶ *The Freeman's Journal*, Dublin, Ireland, February 2, 1810.

²²⁷ Rocca, *Memoirs of the War of the French in Spain*, 186-187.

Napoleon on the other hand was late in regarding the guerrillas as anything other than illegitimate “banditti.” With reports trickling in about the state of affairs in the vicinity of Astorga, Napoleon wrote Berthier, “Let General Loison know that I am sorry that he has taken no measures for getting rid of the gangs of banditti which are there.”²²⁸ The following day he sent a similar message to General Suchet, who was dealing with similar problems in the northeast. “Write to General Suchet that he does not pay sufficient attention to the banditti of Navarre; that I am sorry to see that he has allowed them to take Tudela.”²²⁹ Suchet however, had other plans that Napoleon encouraged.²³⁰ These plans involved the emperor’s reorganization of the occupation army and governor-general system that undermined Joseph’s authority. Ironically, this reorganization played into the provincial nature of the guerrilla strategy to bleed the French army over time.

As the new year passed Joseph’s hold on Madrid and its vital connection to France became precarious. Reading the unfolding drama from Paris in reports, Napoleon demanded that his chief of staff “maintain perfect security all along the line from France to Madrid.” The line along the “shortest road,” which according to the emperor passed through Segovia, required securing a nearly impossible-to-police area on both sides “ten leagues [32km] on the right and on the left.” He ordered Berthier to “prevent this communication with Madrid from ever being intercepted” in the event that Salamanca, Valladolid, or the Guadarrama were taken.²³¹

The lack of money reached a critical juncture. Joseph biographer Michael Ross notes that his “happiness... was marred by the fact that Napoleon refused to contribute to the maintenance of his armies in any way to the Spanish Exchequer.” Adding to the king’s dilemma was chaos in the provinces. In such a state of disorganization it became “impossible to raise money for taxation.”²³² By early 1810, then, the scarcity of funds

²²⁸ *Correspondence* Vol. 2, 91. Napoleon to Berthier, Dec. 19, 1809.

²²⁹ *Ibid.* p. 92. Napoleon to Berthier, Dec. 20, 1809.

²³⁰ *Ibid.* p. 94. Napoleon to Berthier, Jan. 11, 1810.

²³¹ *Ibid.* p. 98. Napoleon to Berthier, Jan. 20, 1810. The *league* unit of distance, although no longer used, has been interpreted at various distances depending on the period and vary whether one is talking about land or sea units. In this case the French league was measured to be anywhere between 3.25km and 4.68km. 32km is thus taken from the lowest value and rounded down – which would still have been an almost impossible area to police.

²³² Ross, Michael: *The Reluctant King: Joseph Bonaparte*, 171.

led to a total military reorganization of the French Army in Spain. “Spain swallows up a prodigious amount of specie,” Napoleon wrote Berthier. The French treasury “is exhausted by the immense sums which it is constantly obliged to send out.” By the summer of 1810 the treasury was dry. As a result, the armies were reorganized in a regional manner with each general ruling his respective province and directly taxing the population. Six separate military governments were created: Catalonia, Aragon, Navarre, Biscay, Burgos, and Valladolid.²³³ This strategy played into the interprovincial nature of the developing insurgency. Since reorganization meant that the generals could not rely on funding from Paris, it inhibited their cooperation. Each governor-general, operating on limited funds, was thereinto reluctant to spend their own appropriations assisting counterinsurgency efforts in other territories.²³⁴

RECOGNITION AND FORMALIZATION OF THE *PARTIDAS*

News of small victories against the French crossed the Atlantic, and the Spanish guerrilla leaders became icons of resistance. In New Spain, reports of the insurgency and its main chieftains began to trickle into the Viceroyalty and were reported in the *Government Gazette of Mexico (Gazeta del Gobierno de México)*. “The few French people in Guadalajara are very afraid, because they know that the mounted parties of D. Juan Martin are in the immediate vicinity...”²³⁵ Spanish citizens overseas followed events in relative detail from reports published in Cadiz newspapers. The “multitude of exorbitant events that Europe presents to us in such anguished circumstances for our brothers,” recounted the *Gazeta*, whose readers were assuaged by “the fire of the Spaniards, and only this holy virtue, united to the interests of the patriotism and aided by national character.” These “prodigies of courage,” hailed by New Spain’s chief publication, were delivered by providence:

God of goodness and justice, wanted to place the salvation of Spain in the hands of the Spaniards so that they could appreciate a freedom bought and made bitter. So after so many days and disappointments... they have at least seen the hopes of their freedom supported, and God does not discourage them.²³⁶

²³³ *Correspondence* Vol. 2, 104. Napoleon to Berthier, Feb. 8, 1810. See also: *Ibid.* 114: Napoleon to Berthier March 16, 1810; p. 116: Imperial Decree, April 17, 1810; 127: Decree, May 29, 1810.

²³⁴ Alexander, “French Military Problems,” 119.

²³⁵ *Gazeta del Gobierno de México*, July 24, 1810 (No. 81), BNE-HD. Events reported in the *Gazeta de Mexico* were generally two or more months behind.

²³⁶ *Ibid.* July 17, 1810 (No. 79), BNE-HD.

Despite the fall of the Spanish monarchy, the *Gazeta de México* kept an optimistic tone concerning events on the ground, writing “that the advantages of the Spaniards increasing more every day are assuring us that... a large number of guerrillas have risen up.”²³⁷ Nor did the new rules of war bother them. Reports contained information on how the Junta was supporting the insurgency in its novel approach to warfare vis-à-vis the *Reglamentos* and *Curso Terrestre* – with full approval of its Spanish-American leaders. “The result... gives us an idea of the actions indicated by which the value and unalterable enthusiasm of the brave patriots distinguishes you in the correct system...” Indeed, because the *partidas* were effectively undermining the occupiers’ hold on the country, it was considered a different military system:

The activity and energy of our supreme council of Regency encourages and helps those patriotic supporters... whose sacred defense has been entrusted to him, will forgive. The generals and subordinates also do their duty, arranging themselves to the most rigorous system of military discipline, because... instead of weakening the sacred flame of enthusiasm, it grows much more, and the peasants are reiterated.²³⁸

The Mexico City newspaper mentioned other provincial guerrilla leaders with distinction. These included Pedro Villacampa in southern Aragon and Julian Sanchez near Salamanca. Even Suchet’s movements and operations in Aragon and Catalonia were reported.²³⁹ However, it was El Empecinado who received the lengthiest accounts. “This extraordinary man who,” the *Gazeta de México* lauded, “has invented for the loose games a new kind of war that leaves the known rules of the artform useless, and that has already caused so much damage to the enemy, has mocked their time and efforts to destroy him directly and hereafter.”²⁴⁰ Ironically, the “new kind of war” would return to haunt Spanish authorities in New Spain, as revolutionaries later took up guerrilla warfare to overthrow the government.

Not surprisingly, El Empecinado’s military campaigns in Madrid’s environs were rarely published in the Madrid newspapers. Occasionally vague references to insurgent forces

²³⁷ *Ibid.* Recounted from reports in the *Diario de Cádiz*, May 7, 1810.

²³⁸ *Ibid.* August 10, 1810 (No. 86) BNE-HD.

²³⁹ *Ibid.* August 14, 1810 (No. 87); August 24, 1810 (No. 92); August 17, 1810 (No. 89) BNE-HD.

²⁴⁰ *Ibid.* August 28, 1810 (No. 93) BNE-HD.

were alluded to, but only in a context positive to the regime. On January 29, 1810, *The Morning Chronicle* of London noted from the “French Papers” of Madrid that one hundred “banditti” of El Empecinado’s *partida* were slain in an action “between Huerta and Cuenca”. The report claimed that it appeared “certain, that Empecinado, and his cousin Matiana, are among the slain.” The information (or disinformation) was incorrect, but it demonstrates the regime’s frustration with the elusive *cabecilla*. “The gang of the freebooter Empecinado... by its depredations and atrocities of every description struck terror into the peaceable inhabitants” near the capital.²⁴¹

After El Empecinado’s military exploits became known he was officially formalized within the Spanish army. This formalization was the fruitful harvest of the Junta’s initial fostering of the insurgency through the *Curso Terrestre*. In April of 1810, the Regency (Cortes) organized his *partidas* into two battalion groups: one named the *Tiradores de Sigüenza* (Sharpshooters of Sigüenza) and the other the *Voluntarios de Guadalajara* (Guadalajaran Volunteers). These battalions were then subdivided into cavalry squadrons of around two hundred and fifty men each – one of which El Empecinado led personally. The units maintained the ability to expand themselves as they acquired horses and soldiers during their operations – which accommodated to the successful original nature of the insurgent unit that survived, benefited, and grew from sound leadership.²⁴²

Predictably, while the Spaniards of Spain and Mexico remained upbeat about the prospects of the growing insurgency, many British leaders were not. After their retreat into Portugal following the Talavera campaign, skeptics of the resistance voiced their concerns. One of those critics was the Marquess of Lansdown. Lansdown made his position known to parliament in the summer of 1810. His misgivings did not reflect poorly on Spain’s “national character, but on the false system which had been adopted of forming the people into regular armies...” Lansdown’s assessment of what was occurring in Spain is a good indication of the skepticism in 1810 toward the effort against “the greatest military force in Europe commanded by the most skillful generals...” He acknowledged the heroic defenses of Zaragoza and Gerona but was

²⁴¹ *The Morning Chronicle*, London, January 29, 1810. Report from “French Papers” dated December 29, 1809.

²⁴² *The Military Exploits*, 61-62.

doubtful “that a crowd of men collected in any way was a regular army, calculated to meet the phalanx of regulars poured upon them by France.”²⁴³

The marquess was one of many British leaders who believed that “no British army, however numerous, could be usefully employed” beyond the borders of Portugal. The British government continued to receive reports of the insurgency printed regularly in major newspapers, but it would be another year and a half before the government officially countenanced the insurgency. While British newspapers lauded the exploits of Mina and El Empecinado, the government kept quiet because it did not officially sanction the irregular war.²⁴⁴

There was also debate about the effectiveness of formalizing the *partidas*, which has carried on among historians to this day. Wellington, a product of the traditional war school, asserted that the “desultory warfare had its peculiar advantage, was eminently suited to the genius and habits of the Spanish peasantry, and should have been watched and encouraged by the government, or left to grow up into a wide and wild spirit of resistance to the invader.” Despite supporting the guerrilla war, Wellington counterintuitively believed that the insurgent incorporation into the Spanish army reduced its effectiveness:

But the government began to regulate these irregulars; or rather, they clumsily attempted that which was not possible... was not wise or advisable. They rewarded men who had made themselves chieftains, made themselves a name, with military rank, which by subordinating them to the officers of the regular army, destroyed their independence, shackled their movements, and froze up that fountain of zeal which had fed the torrent of their rage. Under this arrangement the once enterprising guerillas became bad, tame, indolent regulars, or they dispersed to their scattered homes. Thus many lesser bands disappeared and melted away.²⁴⁵

Others viewed Wellington’s observations that “lesser bands disappeared or melted away” in a positive light. During the initial year of the war, many *ad hoc* bands were simply opportunists and bandits – and preferred avoiding the enemy rather than fight.

²⁴³ Marquess of Lansdown (Lord Henry Petty), June 8, 1810, House of Lords, *Hansard’s Parliamentary Debates*, Vol. 17, Column 481.

²⁴⁴ *Ibid.* See: April 10, 1811. Inquiry by Lord Boringdon to the government concerning the actions of the “Spanish Armies.” Vol. 19 Col. 754.

²⁴⁵ Sherer, *Wellington Memoirs* Vol. 2, 57.

By 1810, then, many of the informal bands who had been plundering fellow Spaniards in the absence of a central authority were being eliminated, marginalized, or dispersed as the insurgency's informal structure was slowly brought under the auspices of the Cadiz government.²⁴⁶ Don Alexander argues that many conventional-war proponents convolute phases of the war in order to disparage the guerrilla effort, and pushes back the timeline of that transformation after 1810. "By 1811, the large *partidas* had either incorporated or destroyed the small bands of plunderers that had roamed the peninsula in 1809."²⁴⁷ Suchet also wrote about this transition. "We must acknowledge... that the chiefs of the Spanish army made it a point to repress the excesses of these bands and punish them with as much rigor as it was in their power..."²⁴⁸

Whether or not insurgent groups were brought under the umbrella of the Regency in Cadiz during this period is not entirely crucial, only that as the war progressed those groups engaging the enemy (officially and unofficially) were increasing their abilities at the expense of the invader. In short, attrition was wearing down the French. Another important factor is that by incorporating the guerrilla bands into the main structure of the official army, the insurgents were legalized and theoretically entitled to considerations afforded regular soldiers if captured. Predictably, the French stubbornly refused at first to reciprocate or acknowledge that fact.

Writing in the 1960s the historian Elena Lourie believed like Wellington that guerrilla warfare was "eminently suited" to the Spanish. She argued that the Spanish penchant for partisan warfare originated from the medieval period and Reconquista, and that a warlike culture developed among the serfs on the northern plains of Castile, where they lived a semi-autonomous existence relatively free from a strong aristocracy. Non-noble freemen composing this important medieval military class "emerged in the struggles between Castile and León in the tenth century..." She noted that the serfs active participation in the Reconquest was the catalyst of that formation, and composed a

²⁴⁶ Tone, *The Fatal Knot*, 101-102.

²⁴⁷Don W. Alexander, "French Military Problems in Counterinsurgent Warfare in Northeastern Spain, 1808-1813." *Military Affairs* 40, no. 3 (Oct. 1976): 118. Charles Esdaile argues against Tone in this regard by claiming that during this "process of development" Mina's soldiers were "schooled in methods of fighting similar to those of Wellington's army." (Esdaile, *Fighting Napoleon*, 39). While this may be true, it still does not accommodate Wellington's words that the guerrillas were more effective outside official military structure. In essence, Esdaile is arguing against Wellington.

²⁴⁸ Suchet, *Memoirs*, 53-54. See also: Esdaile, *Fighting Napoleon*, 196-197.

“class” of “commoner-knights, the *caballeros villanos*, whose numbers greatly increased... to hold the new frontier in the late eleventh and twelfth centuries.” According to her many of the Spanish settlers of that epoch, while not wealthy, were well enough off to purchase horses as supplies of horses met the growing demand. “Indeed, as settlement became more systematically organized, newly conquered towns would be divided into *caballerías* (cavalry portions) and *peonías* (infantry portions) to be allotted to newcomers who accepted the relevant obligations.”²⁴⁹

Another aspect of the incorporation of the *partidas* into the official military structure in 1810, which some insurgent leaders resisted, was to share in the victories they inflicted on the invader. So, while the criticism that formalizing the *partidas* reduced their effectiveness has validity, it also meant that effective *cabecillas* brought into the conventional fold garnered an eminent amount of respect by being bestowed formal military rank and authority. In the end, El Empecinado’s and Mina’s ascension into the military’s formal apparatus did not reduce their effectiveness but enhanced it.

“AN UNJUST AND INGLORIOUS WAR”: FRENCH RESPONSE AND LOW MORALE

The French regime responded to the enhancement of El Empecinado’s status and military prowess in central Spain in a few ways. The garrison of Guadalajara fortified the city’s gates and defenses, placed restrictions on venturing beyond them, and reinforced itself. Operating so close to the capital, the insurgents in the area “alarmed” the regime to the point where “the destruction of the Empecinado become an object of serious consideration.”²⁵⁰ The *Gazeta de Madrid* noted that, despite laudable citizens “who have happily recognized our government, there are still some perverse men” with the intentions of bringing about “the ruin of their homeland by criminal and violent means...”²⁵¹

The invective in the newspaper was constant. The guerrilla “patriots,” as the *Gazeta* labeled them sarcastically, are “the terror of the towns, the fields and the roads. His love

²⁴⁹ Elena Lourie, “A Society Organized for War: Medieval Spain.” *Past & Present* 35 (1966): 55.

²⁵⁰ *The Military Exploits*, 62-64.

²⁵¹ *Diario de Madrid*, May 17, 1810 (No. 137) BNE-HD.

of the country inspires him to steal and murder the quiet defenseless inhabitants. His patriotic prowess is reduced to exercising the most ferocious vandalism against his own countrymen.”²⁵² Links between the guerrillas and the British were common and contrasted with the benevolent rule of Joseph in an attempt to convince the public that Spain’s true enemy was assisting the rebel government under siege in the south. “Cadiz... occupied little attention of the Sovereign... He still has plenty of troops to ensure the quietude of these, and to dispel those gangs of enemy bandits...”²⁵³

Behind the scenes the siege of Cadiz most likely occupied a great deal of attention from King Joseph, and the Cortes’ ability to persist strengthened the fortitude of the insurgency. As a result, in early April of 1810 the *Gazeta* published a series of royal decrees by the Minister of War. The articles contained within the decree outlined the formation of a domestic army consisting of “scattered soldiers” who could “enlist in the regiments of infantry or cavalry that are forming,” and who would be paid for “the years in which they have previously served.” These efforts, made one year after the *Corso Terrestre* was promulgated, were an attempt to slow the growing ranks of the guerrilla groups by creating incentives for the recruitment of motivated individuals. “The corporal who will appear with five useful men, asking to serve, will be promoted to sergeant: the one of this class to be presented with 10 men, will be promoted to first or junior officer who will present 30 men, will be equally promoted to the immediate degree.”²⁵⁴ Similar efforts to raise guerrilla units appeared in the Mexican-American War.

Indeed, the war in Spain had devolved into a situation where each general was effectively on his own. In July instructions were sent to Marshal Soult outlining the emperor’s desire that he “take the most effectual means of providing for the pay and requirements” of his army and that he must “act on the principle that war supported war.” This meant that he was authorized to levy “extraordinary contributions, to supply the wants” of his army regardless of the means. Berthier immediately reiterated this policy to Joseph with the same axiomatic language – “war must support war.” Berthier

²⁵² *Gazeta de Madrid*, March 30, 1810 (No. 89) BVMC: 341355.

²⁵³ *Ibid.* April 2, 1810 (No. 92) BVMC: 341358)

²⁵⁴ *Ibid.* April 6, 1810 (No. 96) BVMC: 341362.

also informed him of what he already knew, that “the money of France is exhausted.”²⁵⁵ Napoleon’s military maxim that “war must support war” would later play an important role in the Mexican War as American leaders contemplated annexing Mexico and conscripting more soldiers.

Joseph’s defeatist sentiment during the second year of the war percolated to low-ranking soldiers guarding far-flung outposts in garrisons throughout Spain. Soldiers and logistics-supporters, unlike the king, were unguarded and vulnerable to attack from anyone. They were similar, however, in that they were constantly on edge by insurgents who had the advantage of choosing when and where to attack. This is the psychological home-field advantage of insurgents in guerrilla warfare, and its existence in Spain sapped French morale. Peninsular War expert Charles Esdaile notes that “In memoir after memoir, indeed, we find evidence that isolated Frenchmen were even at this early stage going in fear for their lives,” Esdaile writes of late 1808, “whilst there were stories that men who fell by the wayside out of exhaustion were shooting themselves rather than take the risk of falling into the hands of the Spaniards.”²⁵⁶

The Duke of Wellington also understood the psychological advantage held by the guerrillas. The French “were engaged with the nation” and adverse to people who “stood side by side in the marketplaces with men who were marking them as prey.” Although Wellington himself did not employ guerilla warfare, he admired its contribution to defeating his enemy:

The peasant was seen plowing peaceably in his field; but in one of the furrows lay his long Spanish gun, ready to give aid in any chance contest between the *partidas*, or guerrillas, and the passing detachments of the enemy. Not a mountain pass in the romantic land but there lay among the rocks and bushes a group of these fierce and formidable men, awaiting the expected convoy or the feeble company. Even in the plains the posts of correspondence were compelled to fortify the belfry, or tower, or house; and the sentinel kept his vigilant lookout from a scaffolding of planks, that he might see all that passed in the fields around; nor could any of them venture beyond the enclosure thus fortified, for fear of assassination.²⁵⁷

²⁵⁵ *Ibid.* 129-131. “Instructions for the Duke of Dalmatia”, July 14, 1810; Berthier to Joseph, July 14, 1810. See also: Napoleon to Berthier, July 14, 1810: “...war is supported by war.” (*Ibid.* 129)

²⁵⁶ Esdaile, *Fighting Napoleon*, 32.

²⁵⁷ Sherer, *Wellington Memoirs Vol 1*, 157-8.

Rocca addressed how the insurgent war – where every Spaniard was a potential threat – took a toll on French morale. “This sort of warfare, where there was no fixed object upon which the imagination could dwell, damped the ardor of the soldier, and wore out his patience.” The combination of low morale and supplies, and lack of mission, resulted in a perfect blend of despair. Rocca noted that the French generals and soldiers “could only maintain themselves in Spain by terror; they were constantly under necessity of punishing the innocent with the guilty; and of taking revenge on the weak for the offenses of the powerful.” In addition to terrorizing the people, forced contributions...

...had become necessary for existence, and such atrocities as were occasioned by the enmity of the people, and the injustice of the cause for which the French were fighting, injured the moral feeling of the army, and sapped the very foundations of military discipline, without which regular troops have neither strength nor power.²⁵⁸

By the summer of 1810 morale had disappeared from the French. By August, Joseph believed that he would “be completely abandoned by my guard, by my servants, and by all that constitutes a government... I am here surrounded by the ruins of a great nation.” He lamented his confinement in Madrid, hated how the generals did not recognize his authority. And told Napoleon that the “military governments” formed in the provinces made the situation worse. In effect, the new king had given up.²⁵⁹

Rocca had not voluntarily given up, but due to a leg injury, was granted leave by a Board of Health that normally “had received the strictest orders to grant no furlough to any officer...” In Rocca’s case, his crushed leg, caused after his horse fell on it during an attack, was serious enough to grant him respite pending improvement. “I was among those sent back to France on these conditions; but I was glad, at any price, to quit an unjust and inglorious war, where the sentiments of my heart continually disavowed the evil my arm was condemned to do.”²⁶⁰

²⁵⁸ Rocca, *Memoirs of the War of the French in Spain*, 193-194. “It is thus that we had to struggle forever against difficulties not military and foreseen, such as are met with in regular warfare...” (Ibid. 256)

²⁵⁹ *Correspondence* Vol. 2, 136. Joseph to Napoleon, Aug. 8, 1810.

²⁶⁰ Rocca, *Memoirs of the War of the French in Spain*, 337.

Unlike the memoirs of French generals, Rocca's sober testimonial is an accurate indication of French desperation in 1810. The wounded officer left Madrid with a caravan of other wounded officers under escort of seventy-five soldiers. The group travelled north on roads that had once been alive with commercial activity and travelers. The contrast was stark. "On the long and silent road no single traveler ever met our sight: every two or three days a convoy of ammunition, or an escort met and joined us, to lodge in the ruins of deserted dwellings, whose doors and windows had been carried off to furnish as firewood for the French army." The battered veterans made their way north along the road stretching between Bayonne and Madrid – the most dangerous road in Spain. Many villages were abandoned. There was no usual "crowd of children and idle spectators" nor "strangers at the entrance of a country village," he wrote, but "only a small French out-post, which, behind the palisade, would cry Halt! in order to reconnoiter us." Other times when entering "a deserted village, a sentry would suddenly appear placed in an old tower, like a solitary owl among ruins."²⁶¹

As Rocca's group limped closer to France, the effects after the second year of war were apparent. He passed beyond the unmarked borders of El Empecinado's reach, only to arrive in Espoz y Mina's guerrilla kingdom of Navarre. "The nearer we approached France, the more danger we were in of being carried off by the partisans; at every station we halted we found detachments from different parts of the peninsula, waiting to march with us." The detachments were waiting because only large groups avoided being attacked by the guerrillas whose rule of war was to never confront numerically superior forces but vulnerable convoys when the opportunity arose. Rocca, at the gates of France, witnessed first-hand how the insurgency wore down the French army. "Battalions, and even whole regiments reduced to skeletons; that is, to two or three men only, were sadly bringing back their eagles and their banners" to their homeland. Rocca made it out of Spain at the end of July and never returned.²⁶²

Rocca's fears of being attacked on the road between Madrid to France were well founded despite the regime's constant efforts to secure it. *The Observer* in London became aware of a project through "private letters of the Madrid state," citing the

²⁶¹ *Ibid.* 337-340.

²⁶² *Ibid.* 340-341.

“interception of couriers with dispatches by peasantry,” – a euphemism for “insurgents.” *The Observer* noted that “orders have been issued by King Joseph for the erection of a number of forts, at stated distances, on the great road leading from Madrid to Bayonne.” The plan to create secure waystations in the heart of guerrilla country was an attempt at “overawing the inhabitants, and securing the communication between the principal places... by drawing a line of forts along the public roads.”²⁶³ The effort failed.

Throughout the summer of 1810 Napoleon micromanaged the war from France. According to Napoleon, the “banditti,” as he still referred to them, still needed to be pursued “vigorously” whenever they were found in Navarre or elsewhere. In addition, the emperor ordered that escorts in La Mancha be reinforced to prevent capture, and lastly, that Italian soldiers fighting for France no longer be sent to Catalonia, as the emperor had “no wish to crowd Catalonia with bad soldiers, or to increase the troops of banditti.” This was ordered because Italian soldiers were switching sides and joining the Catalans in that province.²⁶⁴

The press reports of guerrilla achievements along with the continued survival of the government under siege at Cadiz were major reasons among the Spanish for an optimistic outcome of the war. News of “The Undaunted’s” successes reached New Spain, where royalist forces there were turning to tide against the revolutionists. The *Gazeta de México* trumpeted the guerrilla chieftain’s “immortal” achievements. “For a short time, the name of Empecinado was unknown, now it is celebrated and famous, and sweet and pleasing to all humanity apart from the French, for whom it is frightful and terrifying.” The *Gazeta*’s lofty praises were matched with an effort to amass a fund termed a “Subscription in favor of the Soldiers of the Empecinado,” which was collected from various Spaniards and criollos in Mexico City, Jalapa, and Veracruz. On May 16 the fund, which consisted of more than 25,000 pesos, was sent from Veracruz to Cadiz to support the insurgent leader and his soldiers.²⁶⁵

²⁶³ *The Observer*, London, August 19, 1810.

²⁶⁴ *Correspondence* Vol. 2, 132-6. Napoleon to Berthier, Aug. 8, 1810; Napoleon to Berthier, July 19, 1810; Napoleon to Clarke, Aug. 6, 1810.

²⁶⁵ *Gazeta del Gobierno de México*, May, 7 and 24, 1811 (No. 54, 62), BNE-HD. Father Hidalgo was captured March 21 and executed July 30, 1811, along with Allende, Jiménez, and Aldama.

Charles Oman (1860-1946), writing at the turn of the twentieth century, who was dismissive of the insurgents' contribution to defeating Napoleon, believed that "the period between September 1810 and April 1811 were the least disturbed of any in the short and troublous reign of the *Rey Intruso*, so far as regular military affairs went." Oman was disingenuous because the sense of futility in French leadership was not caused by the British recuperating in Portugal, but by the insurgents who were pushing the king to the breaking point. "There was no enemy to face save the guerrilleros, yet these bold partisans, of whom the best known were El Empecinado... sufficed to keep the 20,000 men of whom Joseph could dispose in constant employment."²⁶⁶ Oman's statement was an important admission from a historian working to diminish the role of the guerrilla war.

The Supreme Junta never wrote a manual on how to conduct insurgent warfare. Instead, they created a blueprint via the *Reglamentos* and *Curso Terrestre* for its organization and left the tactical decisions to more experienced chieftains in the field such as Espoz y Mina and El Empecinado. The system itself, although chaotic in its initial stage, was driven and supported by flexible rules that offered incentives to the most successful and disciplined leaders. In other words, the rules were written by political leaders, but the insurgency organized itself. Later it coalesced into something more formal as the guerrillas achieved military parity. Had the Spanish written a how-to guide on organizing insurgency, it may have reflected what Mao Zedong wrote on his approach to fighting the Japanese: "We must unite the strength of the army with that of the people; we must strike the weak spots in the enemy's flanks, in his front, in his rear. We must make war everywhere and cause dispersal of his forces and dissipation of his strength..." If these simple prescriptions were followed, "the time will come when a gradual change will become evident in the relative position of ourselves and our enemy..."²⁶⁷

Tactically the insurgent strategy amounted to swarming and exasperating a more powerful foe. Once the insurgency's organization took shape, the strongest and most effective *partidas* were brought into the official military structure of the army. Nor were

²⁶⁶ Oman, *A History of the Peninsular War*, Vol. 4, 213-214.

²⁶⁷ Griffith, *Mao Tse-tung on Guerrilla Warfare*, 68.

the guerrillas reluctant to utilize a style of warfare the French considered illegal – as they believed they were justly defending their homeland. The French, on the other hand, felt justified in increasing their repressive methods against civilians. Taken as a whole, the growing efficacy of the *partidas* contrasted the dismissive sentiments of French officials in late 1808:

In reality, without derogating from the bravery of our soldiers, we must say, that worse troops than the Spanish soldiers do not exist. Like the Arabs, they make a stand behind houses, but they have no discipline, no knowledge of tactics, and it is impossible for them to make any resistance on the field of battle. Even their mountains have afforded them but a feeble protection.²⁶⁸

Napoleon's strategy to divide and conquer had been implemented successfully elsewhere in Europe. When that plan was stymied by the May 2 uprisings, surprise defeat at Bailén, and the resistance of cities like Zaragoza, the emperor increased his brutality and force projection by sending hundreds of thousands of additional troops to Spain. As a result, the Spanish soldiers, defeated on the battlefields, coalesced into guerrilla units focused on attacking smaller targets, supply convoys, and communications. When the *partidas* emerged, the French were forced to launch counterinsurgency operations. Ultimately, Napoleon decided to wage an ugly war against the people of Spain.

FRENCH COUNTERINSURGENCY: DIVISION, VIOLENCE, AND COERCION

Napoleon did not adequately plan on winning the compliance of the Spanish people because he had planned to divide and conquer Spain just as he had done successfully elsewhere in Europe. In 1807, almost a year before the battle of Bailén, the *Caledonian Mercury* of Edinburgh published a prescient analysis on the precarious position of the Spanish. With the French Army amassing on the Spanish frontier, "Bonaparte now seriously intends to unite Spain to France, or to place his family on the Spanish throne." The *Mercury's* writers conceded to the emperor's cunning: "He has artfully contrived to get all the Spanish troops out of the country, between 20,000 and 30,000... in Germany and Italy. This certainly facilitates the design, both by the removal of the means of resistance, and the opportunity it affords to debauching the Spanish army..."²⁶⁹ In other

²⁶⁸ *The Caledonian Mercury*, Edinburgh, December 19, 1808. English translation of the French "Tenth Bulletin of the Army of Spain."

²⁶⁹ *The Caledonian Mercury*, Edinburgh, August 31, 1807.

words, fostering internal political divisions and reducing the number of Spanish fighters in country prior to the onset of hostilities was essentially a preventative counterinsurgency strategy.

The *Mercury*'s writers humbly noted that their deliberations were "mere speculations, unsupported by any intelligence whatsoever." Despite the disclaimer, their speculations were accurate. The absence of Spanish fighters *in* Spain made it easier "for a French army... to execute this project, and there are many circumstances in favor of its probability." They looked at Napoleon's exclusion of the Bourbons from France and Naples and concluded that Spain was a major unconquered piece of Napoleon's pan-European project. "He has now hardly anything else to do, and if Lucien Bonaparte would make submission, probably he might yet be King of Spain, and the whole family, would be kings and emperors."²⁷⁰ Apart from the role of Lucien, the *Mercury* was correct in its prognostication. Napoleon was not merely planning to conquer Spain, he was planning to divide it.

For more than five hundred years northeast Spain existed as a separate kingdom known as the Crown of Aragon (1162-1716). The Crown of Aragon was a union between three political entities: the Kingdom of Aragon, the Principality of Catalonia, and the Kingdom of Valencia. Severing this section from Spain adhered to Napoleon's strategy of building political legitimacy while redrawing maps – a strategy carried out on several occasions in occupied lands. The Kingdom of Italy (1805-1814), the Rhodanic Republic (1802-1810), and the Republic of Danzig (1807-1814) were among a few "sister republics" created by Napoleon. These client states, formed under the guise of historical precedent, helped control occupied lands in the First French Empire. It was General Louis-Gabriel Suchet who was designated to be the first king of the newly reconstituted Crown of Aragon.

British statesman George Canning anticipated Napoleon's scheme, and pondered aloud in the House of Commons in 1810 whether "Bonaparte might... create a most injurious division in Spain – a division too likely to be prohibited by the old provincial distractions and jealousies which were known to exist." According to him, separation

²⁷⁰ *Ibid.*

could be exploited by calling the “Cortes of the Aragonese against those of Castile, and thus take measures to divide Spain within herself, more effectually than she is divided at the Ebro.”²⁷¹

That division formally took place in a decree February 8, 1810. In it General Suchet was named governor of the new government of Aragon tasked with uniting the “civil and military” authorities. “The governor will remain in charge of the administration, the police, justice [system], and the rents... and all the necessary regulations will be written.” Article Four of the decree also portended the direction Napoleon was taking the war. “All the rents of Aragon, in both regular and irregular impositions, will enter the French treasury, with the object to support the payment of the soldiers and the costs of their maintenance.” Essentially the French government precluded paying for further military operations in Spain with the cost falling on the population itself.²⁷² The decree represented a favorite and ancient military maxim of Napoleon – that *war should support war*.

Spaniards as far as Mexico City knew what Napoleon was doing, as news of the imperial decree reached the shores of the Americas that summer. The *Gazeta de México* noted that “The decree of February 8 in which Napoleon Bonaparte has begun to tear the veil that conceals his true plans on the future fate of our peninsula, is a monument of iniquity that must reach news of the Spanish” in order to keep Spain from “disappearing from the list of nations.”²⁷³ Spaniards in New Spain kept abreast of events with concern, which were again published ten days later in Mexico City:

General Suchet has returned from his expedition to Valencia, the decree of February 8 was published in which Napoleon separates the kingdom of Aragon from the rest of Spain, and from the dominions of his brother Josef, adding it to his empire, and forcing him a particular government. On the same day, General Suchet, [was] appointed Governor of Aragon by the aforementioned decree with unlimited faculties...²⁷⁴

²⁷¹ *The Morning Chronicle*, London, January 25, 1810. House of Commons, January 24, 1810.

²⁷² Pedro Rújula (ed.), *Memorias del mariscal Suchet sobre sus campañas en España, 1808-1814* (Zaragoza: IFC, 2012), 507. “Extract of the decree from Tullerías Palace dated February 8, 1810.”

²⁷³ *Gazeta del Gobierno de México*, August 7, 1810 (No. 85) BNE-HD.

²⁷⁴ *Ibid.* August 17, 1810 (No. 89) BNE-HD.

There were formidable obstacles to carrying out the plan. The Catalans controlled the towns of Lerida, Mequinenza, Tortosa, Tarragona, and Gerona, and managed to keep Suchet and General Gouvion Saint-Cyr in Catalonia from working together. Suchet would later spend critical time and resources besieging these Catalonian cities. The communication between Suchet and St. Cyr was severely restricted, so much so that “the only way of getting a dispatch from Saragossa to Barcelona was to send it by the circuitous road through France.”²⁷⁵ In May of 1809, three days after taking command of Zaragoza, Suchet’s problems increased after losing to General Joaquín Blake’s Spanish forces at Alcaniz. The French retreat became a telling account of their experience in Spain. Suchet wrote that the “terrified soldiers fancied that the enemy was close at their heels... they fired upon each other and took to flight in the utmost confusion... The light of day, however, had the effect of dispelling the phantoms which the night had created.”²⁷⁶ Fortune changed the following month as Suchet avenged himself at the battles of Maria and Belchite. Spanish losses from those defeats caused many Spanish soldiers to head to the hills where they joined the insurgency.

While Suchet boasted that “Blake’s army had disappeared” he realized that his victories created a “more dangerous” situation – as soldiers entered the ranks of a multitude of “guerrilla bands already formed” by seasoned officers. In describing the Peninsular War’s transition, Suchet used the analogy of the ancient guerrilla war in Iberia waged by General Sertorius against Rome:

There it was that this new system of resistance was brought into action in the north of Spain... so skillfully wielded by some of its chiefs, and which defended the country in a far more effectual manner than the regular war carried on by disciplined armies, because it was more consistent with the nature of the country... This is the truth which the geographical form of Spain places beyond a doubt, and which is borne out by her history from the time of Sertorius to the present day.²⁷⁷

The military side of the counterinsurgency was only half the struggle, as the French employed repressive, counterproductive tactics that inflamed the population. These methods included hostage taking, punishing entire villages deemed sympathetic to

²⁷⁵ Oman, *A History of the Peninsular War*, Vol. 3, 9.

²⁷⁶ Suchet, *Memoirs*, 21.

²⁷⁷ *Ibid.* 43-44. See: Matysak, *Sertorius and the Struggle for Spain*, 2013; Varga, *The Roman Wars in Spain: The Military Confrontation with Guerrilla Warfare*, 2015.

brigands, and “swift execution of civilians captured bearing arms.” According to Bell, poor implementation of an effective benign counterinsurgency strategy came from Napoleon. The emperor hated the Spanish, and this attitude percolated through the ranks descending hence to his marshals, generals, and lower officers. Bell notes that all “[t]he orders for summary executions, hostage taking, and arson came straight from the top.” There is plenty of evidence to support Napoleon’s demand for cruelty, which including arresting the relatives of guerrillas, forcing them to exile in France, and burning their homes.²⁷⁸

Another reason Generals Hoche’s successful prescriptions (used in the Vendée) to “respect the peaceable inhabitants” were disregarded is that the French did not anticipate a drawn-out conflict and could not spare the soldiers. Many were needed to engage the British in the southwest while holding occupied territory and securing vital logistics routes. Alexander concludes that “Napoleon wanted to duplicate in the peninsula Hoche’s victory in the Vendée without furnishing the required number of troops.”²⁷⁹

Not furnishing the army with the requisite number of troops coupled with the top-down policy of brutality was a caustic blend of policies. The animosity desperate French soldiers caused committing outrages only increased the level of pre-existing hatred towards them. Rocca noted that even common citizens were out for blood. “Like avenging vultures eager for prey, they followed the French columns at a distance, to murder such of the soldiers as, fatigued or wounded, remained behind on a march.” Depredations were not merely limited to the roads. As the insurgency turned itself into a national struggle, even innkeepers entered the fray. “Sometimes they invited the French to feast on their arrival, and would endeavor to intoxicate the soldiers that they might plunge them into that security which is a hundred times more dangerous than all the chances of battle.”²⁸⁰

The invaders legally justified the violence directed at the general population. Since the insurgency could not be suppressed, the French changed tactics by terrorizing a

²⁷⁸ Bell, *The First Total War*, 288. Napoleon believed Spain a “feeble, imbecile, and superstitious race of Bourbons... sunk under the yoke of superstition and ignorance.” See: Barry Edward O’Meara, *Napoleon at St. Helena*, Vol. 1, 195.

²⁷⁹ Alexander, “French Military Problems,” 118.

²⁸⁰ Rocca, *Memoirs of the War*, 192-3.

population considered as guilty as the guerrillas. Vattel commented on the “Rights of Nations in War” in this regard. “When we are at war with a savage nation, who observe no rules, and never give quarter, we may punish them in the persons of any of their people whom we take,... and endeavor, by this rigorous proceeding, to force them to respect the laws of humanity.” Since the French believed the Spanish had launched an illegal insurgent war, a perfectly acceptable response was to wage war against a population supporting the guerrillas. However, the right to retaliate invoked by the French was obscured by the distinction as to whether the war was initially justified in the first place. Naturally, Vattel’s rules appear contradictory:

The enemy who attacks me unjustly, gives me an undoubted right to repel his violence; and he who takes up arms to oppose me when I demand only my right, becomes himself the real aggressor for his unjust resistance: he is the first author of the violence, and obliges me to employ forcible means in order to secure myself against the wrong which he intends to do me either in my person or my property.²⁸¹

In response to a long summer of guerrilla activity, in late October, Suchet implemented a comprehensive administrative counterinsurgency plan for Aragon. The sixteen articles outlined in the decree were designed to force local officials to aid the French in capturing insurgents. Issued from Zaragoza, the decree noted that local officials in the Kingdom of Aragon “do not exercise all the necessary vigilance, nor do they use all the means of repression that they are responsible for” in their respective jurisdictions. Therefore, the onus for the restoration of “tranquility” to “put an end to the larcenies that are committed daily” fell on the shoulders of local officials:

That the gangs of armed smugglers, inmates, murderers &c. transit through the towns and still dare to enter Aragon; that many inhabitants, out of weakness or fear grant them asylum, and that there are still wicked people who encourage them; that several military and peaceful inhabitants have been robbed and killed on public roads by these gangs who dare to intimidate young people join them under penalty of death.²⁸²

The first article of Suchet’s *Orders* required justices to imprison “smuggling gangs” that appeared in their towns or villages and to inform French officials of their arrest. If gangs

²⁸¹ Vattel, *The Law of Nations*, 347-348.

²⁸² *Orden impresa del general Luis Gabriel Suchet para acabar con la rapiñas y atracos que las cuadrillas de contrabandistas armados cometen en el Reino de Aragón*. October 23, 1809. Archivo Histórico Nacional (AHN) ESTADO, 3099, Exp.23.

were too large to make an arrest, officials were required to find the “nearest French commander, expressing the number of men, time of their arrival and the path they follow.” Article Four put the onus of informing specifically on the local officials. “If it is discovered that smugglers or murderers have entered a city or town, without being detained, nor given notice of their arrival, the justices of the people who have tolerated them will be deposed from their jobs and persecuted criminally, as well as priests, beneficiaries” and others affiliated with those institutions. The decree warned that anyone who deigned to “protect or give asylum to the aforementioned gangs will be treated as if they were part of them; and conducted by order of justice before the most immediate French commander.”²⁸³

Suchet’s decree essentially required the Aragonese to turn on each other. Article Six required informers to provide the “names, surnames, professions and addresses of those known to be part of the aforementioned gangs,” and to provide information of their known marital status, assets, and relatives. To reward informants and the capture of guerrillas the decree promised an unspecified reimbursement from the royal treasury (Article 7). On the other hand, Spanish officials who did not comply with the orders could themselves become the target of anonymous informants acting out of financial self-interest. Article Ten stated: “The same shall be executed against the justices that refuse to comply with the provisions of Article I and II: the military commander to whom the denunciation is made shall advance the gratification of 1,000 *reales* to the complainant, whose name shall be reserved.”²⁸⁴

Suchet’s decree reiterated that the police apparatus set up in Aragon remained intact, and that the decree and its articles were intended to buttress a system already in existence. French military commanders were required to assist local officials and magistrates requiring help, and correspondence between local justices and the General Commissioner of Police in Zaragoza, which was required every eight days, was expected to be carried out “whenever circumstances require.” The decree was

²⁸³ *Ibid.* (AHN). Suchet’s *Orders*: Articles 1-5. The Orders use the term ‘secularized religious’ to refer to those associated with ecclesiastical institutions, which were commonly the only source of authority in small towns.

²⁸⁴ *Ibid.* (AHN) Suchet’s *Orders*: Articles 6, 7, and 10. “Art XI: All the justices will give each other relief for the execution of the provisions contained in this order: those who refuse to do so will incur the penalty provided for in Article IV.”

disseminated “in both languages, and addressed to all civil, and military authorities of the province of Aragon.” Lastly, Article Sixteen read: “The General Commissioner of Police, the Military Commanders, and the justices, each one in the part that pertains to him, are entrusted with the execution of this decree.”²⁸⁵

By late 1809, much of the guerrilla resistance south of the Ebro had been pushed into the mountains or into Valencia. The Spanish *Daily Mercantile of Cádiz* noted optimistically that in “Aragon vandals progress in their devastations. Lately they have occupied mountainous sites; but... will soon be evicted...” The violent French effort, the paper claimed, would backfire because it “arouses the terror infused by the patriotic parties” who “daily intercept... their couriers in all directions.”²⁸⁶ Despite French gains, Suchet found little glory in fighting guerrillas or counterinsurgency initiatives, and instead preferred conquests of cities or victories on battlefields. Nevertheless, there were positive corollaries in that the “tedious petty warfare was attended with the advantage of forming good officers” who could think independently.²⁸⁷

In the end the counterinsurgency policies met with limited success. Local *corregidores* and *alcaldes* were forced to “give open support to an administrative system” they loathed under penalty of injury or death. Employing smugglers who knew the countryside to act as scouts or spies also brought limited gains in the early phases of the counterinsurgency – when the outcome of the war was uncertain. The smuggler-collaborators reported insurgent positions so the French could “follow them in their most secret place of resort.” Although Suchet did his best to force locals to inform on guerrilla activities, getting information on their movements was next to impossible. This was the reality in almost every corner of Spain, where coercing mayors of villages or towns was relatively easier since their locations were fixed. Enlisting Spanish trackers to sell out their country by following insurgents to their bases, on the other hand, was much more dangerous. Suchet wrote, “We had great difficulty employing spies in a country so new to us, in which every inhabitant was our enemy.” Nevertheless, there were victories in 1809. Whether or not Suchet could capitalize on them and the knowledge acquired from fighting the insurgents remained was an open question.

²⁸⁵ *Ibid.* (AHN) Suchet’s *Orders*: Articles 12-16.

²⁸⁶ *Diario Mercantil De Cádiz*, November 14, 1809, BNE-HD.

²⁸⁷ Suchet, *Memoirs*, 74-5.

Suchet rested long enough to believe that things would stay quiet in Aragon, adding that the people “gradually resumed their peaceful occupations and appeared to yield ready compliance to our wishes.” He believed that there were “no other guerrillas or organized corps formed beyond the frontier of Aragon.”²⁸⁸

French propaganda did its best to sell the occupation. The *Gazeta de Madrid* sang the praises of Suchet’s “paternal care in alleviating and improving the lot of the inhabitants of Zaragoza and their neighborhoods, and notably that of the farmers,” who required “special protection” to integrate them into the local economy. According to the regime’s mouthpiece, the “inhabitants desire nothing more than the complete reestablishment of the tranquility of the city.” If the insurgents would just lay down their arms, the *Gazeta*’s writers pondered, Spain would “enjoy... the benefits of a fatherly and enlightened government under the auspices of a sovereign, whose efforts are all aimed at healing the wounds already caused in the nation... and to prevent their pernicious effects from spreading further.”²⁸⁹

RISE OF THE GUERRILLA KINGDOMS

The lull in insurgent activity in Aragon masked a growing guerrilla war operating beyond its provincial boundaries. Essentially the guerrillas created their own kingdoms with jurisdictions strategically overlapping the strict provincial steads created by Napoleon in his military reorganization of Spain. The *partidas* resurfaced in Navarre or Catalonia and continued to make forays into Aragon. Guerrillas located directly over the provincial border of Aragon – ostensibly beyond the control of Suchet’s counterinsurgency forces – attacked Suchet’s supply lines running from Pamplona to Zaragoza, seized contraband, intercepted couriers, took prisoners, and began negotiating prisoner exchanges. In other words, Suchet had only succeeded in disrupting their footholds, not eliminating them. Adding to this, in Navarre the capture of Javier Mina, a “formidable” *cabecilla*, changed the insurgency in the entire region.²⁹⁰

Eliminating Javier Mina resulted in the creation of another more formidable chieftain. In late March of 1810, Francisco Espoz Ilundáin took control of the insurgency in the

²⁸⁸ *Ibid.* 82-3, 126, 80.

²⁸⁹ *Gazeta de Madrid*, November 19, 1809 (No. 324). BVMC: 340867.

²⁹⁰ Suchet, *Memoirs*, 85.

northeast. Being the uncle of the captured guerrilla leader (his father's name was Juan Esteban Espoz y Mina) gave the elder insurgent the option to replace "Ilundáin" with the *nom de guerre*; "Espoz y Mina." This was done for continuity, recognition, and as a salute to his nephew's efforts. Espoz y Mina, like Javier Mina, was from a farming background. Born in Idocin in the Navarrese hills, Espoz y Mina knew the territory, language, and people who lived in the hills straddling the logistics lifeline of the French. Understandably, the emergence of another Mina alarmed French authorities, especially the newly appointed governor-general of Navarre Henri Dufour. Dufour at first tried to employ his experience in the Vendée by offering amnesty to those willing to put down their arms. He even spared the younger Mina's life to the consternation of Suchet. Dufour also worked to recruit more collaborators. When these tactics did not work he turned to terror.²⁹¹

Dufour's tactics included confiscating property, forcing *alcaldes* and clerics to provide lists of missing men, executing those deemed insurgents without trial, and imposing excessive taxes to fill massive budget gaps. Predictably, the repressive measures had the opposite effect. On the other end of the spectrum, Dufour's occupation policies had an equally positive effect on Espoz y Mina's recruitment. By April of 1810, Espoz y Mina had effectively stymied competition amongst disparate insurgent groups in Navarre and even ordered the execution of the leaders of rival bands more intent on plunder than battle. Soon after Espoz y Mina was recognized by the Junta of Aragon, which bolstered his status. Equally important to his ascendancy was his willingness to fight. Between April and July of 1810 Espoz y Mina fought the French eight times. Many of these efforts were directed at supply convoys. By the summer of 1810, Mina had more than 200 cavalry and 1,200 infantry men – numbers exceeding his nephew's. In short, the new Mina had created a powerbase.²⁹²

Espez y Mina's rise to power in Navarre was directly related to Suchet's successes in Aragon. Although Mina's band was decimated in November at Belorado, his ranks were quickly replaced from insurgents fleeing Aragon. Again, the provincial nature of the war became a factor in the counterinsurgency. The more successful Suchet's

²⁹¹ Tone, *The Fatal Knot*, 84-85. Javier Mina was sent to prison in France for the remainder of the war. The younger Mina carried his guerrilla profession to Mexico where he was executed in 1817.

²⁹² *Ibid.* 86-99. The date of recognition was May 13, 1810.

counterinsurgency became in Aragon, the more Espoz y Mina solidified his powerbase in Navarre. Suchet's successes only enabled the Navarrese guerrillas to strike more formidably against convoys entering Spain via Bayonne – convoys attempting to resupply *his* troops in Aragon and Catalonia.

In 1811 the heart of Spain fared no better as unchecked incursions by El Empecinado forced the French to implement counterinsurgency operations in central Spain. General Augustin Daniel Belliard was given this task, along with four separate columns consisting of two thousand soldiers each. In total, eight thousand men were designated to end El Empecinado. These columns were sent to Guadalajara, Tarancon, Sierra de Molina, Soria, Aranda, and other locations to surround the insurgent group and prevent their escape. Considering the size of the units tasked with capturing or killing El Empecinado and his “undaunted” soldiers, the operation was the largest tactical counterinsurgency effort of the war.²⁹³

According to El Empecinado biographer Andrés Pérez, the spring of 1811 also marked a change in the war where “the deployments of the enemy [were] no longer those of the first years,” nor what they needed.²⁹⁴ This perspective is valid considering that more than eight thousand soldiers were assigned the job of capturing one group and forced to march futilely over long distances. Complicating these deployments were Napoleon's failed “schemes” to compensate supply losses in Spain. These schemes included reorganizing artillery units, creating new units “from cadre already in the Peninsula,” reducing infantry replacements to one-half, and stripping regiments of “elite infantry personnel to expand his imperial guard.” These moves were “bitterly resented” by commanders already experiencing major difficulties due to shortages of supplies and soldiers.²⁹⁵

The counterinsurgency snare was a massive failure. The roughly twenty-day operation resulted in a loss of more than two hundred enemy soldiers killed or taken prisoner. To add to the humiliation, the intensity the French troops pursued the Spanish hussars

²⁹³ *The Military Exploits*, 97-98.

²⁹⁴ Pérez, *Juan Martín, “El Empecinado”, o el amor a la libertad*, 117.

²⁹⁵ Alexander, “French Replacement Methods,” 193-194.

resulted in “four hundred sent to the hospital from fatigue, and above one thousand who had deserted”, including Germans and Italian soldiers.²⁹⁶

Charles Oman, whose history of the Peninsular War downplayed the guerrilla role, called El Empecinado’s escape a “small success.”²⁹⁷ When examined through the conventional narrative of counting body bags after battles and sieges, El Empecinado’s harrowing escape does appear to be “small” – to use Oman’s word. But when considering the desertions following the failure to capture one band of *banditti* we must reevaluate what it means to be victorious. In other words, the French threw more than eight thousand troops into an operation to take down one small group and failed – in the heart of the country.

David Galula points out what most COIN experts know, that “Insurgency is cheap, counterinsurgency costly.” The insurgent advantage of choosing the time and place to attack dictates the maxim. On the other hand, the occupiers must always be ready: “The insurgent blows up a bridge, so every bridge has to be guarded; he throws a grenade in a movie theatre, so every person entering a public place has to be searched. When the insurgent burns a farm, all the farmers clamor for protection...” The result of this advantage is that anyone who does not seek protection from authorities “may be tempted to deal privately with the insurgents, as happened in Indochina and Algeria...”²⁹⁸

When objectively evaluating the scope of the counterinsurgency mission; the force projection, the coordination needed, and the failure, it becomes apparent that the insurgent army is ascendant and the army of occupation is exhausted physically and spiritually. Desertions are especially telling since they essentially constitute a vote by each soldier indicating the war is futile and the risk of being executed outweighs the will to fight. In other words, the counterinsurgency efforts by the French failed.

A major factor in that failure was the inability of the French to recruit collaborators to assist in the field where tracking insurgent movements would have been critical to

²⁹⁶ *The Military Exploits*, 101.

²⁹⁷ Oman, *Vol. 4*, 246.

²⁹⁸ Galula, *Counterinsurgency Warfare*, 6.

operations. Although talented generals like Suchet may have been effective in pacifying the conquered populations of cities like Zaragoza, they did not control the countryside nor the roads where the guerrillas freely operated. They could not find enough Spaniards who believed in the cause espoused by the regime. They tried to force mayors and citizens to report on insurgent activity, but those efforts were deeply resented. The Spanish may have had their internal political differences, but those differences were put aside to deal with the invaders. In contrast, Mexico had major difficulties uniting its various geographical and political factions to confront the invading U.S. Army.

It was during the Mexican War when the U.S. military began using a combination of benign and coercive approaches during an occupation. The lessons learned the hard way by the French were studied by American military strategists, honed, and later implemented during military occupation overseas. The lesson was simple: military counterinsurgency is more effective when employed in conjunction with an effort to maintain the general welfare of a population. A few years before the American invasion of the Philippines in 1898, William E. Birkhimer (1848-1914), an army captain who later rose to the rank of brigadier general, wrote in his work, *Military Government and Martial Law* (1892), that the occupation doctrine consisting of “conciliatory measures” used in the Civil War and predicated upon well-established policies designed to reduce the chances of armed insurrection was the direct result of the American experience in Mexico. The term “conciliatory measures” came directly from Winfield Scott himself, and should be considered the first formal benign counterinsurgency doctrine. Birkhimer also noted that it was the duty of the military to ensure some stability “within states or districts occupied by rebels treated as belligerents” – just as it was the duty of the military to protect civilians in overseas campaigns.²⁹⁹ In other words, terrorizing the population into submission was removed as an option in military doctrine.

The French Army and Spanish citizens paid dearly for Napoleon’s stubborn refusal to see the war for the national struggle that it was. The insurgency’s use of an allegedly illegitimate form of warfare only hardened the emperor’s resolve to fight. Counterinsurgency campaigns were not the only costly expenditures of the French.

²⁹⁹ William E. Birkhimer, *Military Government and Martial Law* (Washington D.C.: James J. Chapman, 1892), 241, 32.

Spain was potted with fortresses and castles of resistance that held out behind ancient walls built to withstand sieges over extended periods of time. The French sieges were a throwback to an older form of warfare not fitted to Napoleon's penchant for strategic operations and moving armies. The invaders spent countless lives, time, and treasure taking important positions throughout Spain. This was especially true in the northeast where Suchet commanded. In the end, they became pyrrhic victories over islands in a sea of hostility.

1.4 PYRRHIC VICTORIES: COSTLY SIEGES

*The old system of intrenched camps and lines of contravallation is unsuited to the spirit of modern warfare. In ancient times, and more particularly in the middle ages, too much importance was attached to tactical positions, and not enough to strategic points and lines. This gave fortifications a character that never properly belonged to them. From the middle ages down to the period of the French Revolution, wars carried on mainly by the system of positions – one party confining their operations to the security of certain important places. Both Carnot and Napoleon changed this system, at the same time with the system of tactics, or rather, returned from it to the old and true system of strategic operations.*³⁰⁰

----- Henry W. Halleck, *Military Art and Science*, 1846

Siege warfare has always presented an ethical dilemma for attackers due to the inevitable loss of civilian life. In ancient times, prudent conquerors tried to avoid unnecessary death and destruction not only because it was deemed unethical, but because rulers understood the value of captured cities and the material support they offered their armies. For example, Talmudic law prescribed laying siege to cities on three sides in order to give civilians the opportunity to flee – a corollary to the ancient requirement of allowing noncombatants the opportunity to leave a city under siege.³⁰¹ In 1839, the American antiwar journal *The Advocate of Peace* published an article on the Austrian siege of Genoa in 1800 – a siege drawing needed soldiers away from the Alps resulting in Napoleon’s surprise victory at Marengo. The siege was not only memorable because it helped launch Napoleon’s career, it was the site of starvation for French soldiers and civilians inside the city. “The miserable soldiers, worn down by fatigue, and attenuated by famine, after having consumed all the horses in the city, were reduced

³⁰⁰ Henry Halleck, *Military Art and Science; or Course of Instruction in Strategy, Fortification, Tactics of Battles, &c; Embracing the Duties of Staff Infantry, Cavalry, Artillery, and Engineers, Adapted to the Use of Volunteers and Militia* (New York: D. Appleton & Company, 1846), 62-63.

³⁰¹ James Turner Johnson, “Maintaining the Protection of Noncombatants,” in (Syse and Reichburg) *Ethics, Nationalism, and Just War: Medieval and Contemporary Perspectives* (Washington D.C.: Catholic University of America Press, 2007), 163, 179. Johnson quotes: Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1977).

to the necessity of feeding on dogs, cats, and vermin... The wretched inhabitants were also prey to the most unparalleled sufferings.”³⁰²

Because sieges usually target population centers it was considered an option of last resort. Although Vattel commented in the *Law of Nations* that the “maxims of war require” laying siege if it meant capturing an “important post, on which the success of the war may depend,” he also cautioned that such measures, which lead to civilian deaths, should be undertaken “only in cases of the last extremity, and with reluctance...” Rather than starve or bombard population centers into submission, Vattel believed that “humanity obliges us to prefer the gentlest methods” to take important or strategic positions. To become “masters of a strong place, surprise the enemy, and overcome him, it is much better, it is really more commendable... than by a bloody siege or the carnage of battle.” Although Vattel sanctioned seizing important cities during war, he also noted the traditions of the ancients who scorned the tactics of surprise in preference for the pre-planned pitched battle:

The contempt of artifice, stratagem, and surprise, proceeds often, as in the case of Achilles, from a noble confidence in personal valor over strength; and it must be owned that when we defeat an enemy by open force, in a pitched battle, we may entertain a better grounded belief that we have compelled him to sue for peace, than if we had gained the advantage over him by surprise...³⁰³

While the arrival of systematized guerrilla warfare was making the concept of pitched battles nostalgically obsolete, sieges and defending entrenched positions continued to be an important facet of nineteenth-century warfare. Henry W. Halleck, one of the principal architects of the Mexican War, lauded Napoleon’s battlefield victories because the Corsican’s foes were unable to adapt to his changing the rules of war – rules that favored operations incorporating surprise maneuvers. On the other hand, Halleck disagreed with Napoleon’s strategy of spending critical time and effort to reduce entrenched positions – a strategy antithetical to the very system he himself fostered. Entrenched positions in Spain were usually cities like Zaragoza, which had built up massive fortifications over hundreds of years. Many of the sieges took months to carry out. Each siege required a considerable amount of logistics support: horses and draft

³⁰² *The Advocate of Peace* 2, No. 14 (March 1839): 235.

³⁰³ Vattel, *The Law of Nations*, 478-485.

animals to carry heavy cannons and equipment, supplies of food and forage, and specialized personnel like engineers and artillerymen who ran entrenching and bombarding operations. In effect each siege required the French to erect military bases on the outskirts of cities where none had previously existed.

FRENCH LOGISTICS

Halleck believed the logistical needs for the French Army in Spain was one of the principal reasons for its defeat. These requirements not only included siege operations, but general operations as well. One example was provided by Jomini, who noted the difficulty of Marshal Michel Ney's siege of Ciudad Rodrigo in 1810. "To collect and move his material for a siege two hundred leagues from his frontier, in the midst of an insurgent and hostile population, who pillaged the convoy, and massacred the escorts, was a herculean task."³⁰⁴

From the outset of the war French operations were plagued by logistics problems. Before setting foot in Spain Napoleon excoriated his Director of the Administration of War, Jean Dejean, for the ill-equipped army amassing in the city of Bayonne. "My army will begin the campaign naked, it has nothing. The conscripts are not clothed. Your reports are wastepaper." The emperor complained that his orders were not being followed, that the "Commissary cannot be relied upon," and that many of the army suppliers were "rogues." He also added some advice for Dejean: "Act on this principle, that every contractor is a thief."³⁰⁵

That Napoleon would refer to military contractors as thieves is not surprising. Principally determined to make money from facilitating war, contractors "had a practically universal reputation for theft, embezzlement, cowardice, and any other available sin." Serving as a logistics service during wartime, contractors usually worked behind the front lines and "naturally drew men who had no liking for danger or physical discomfort and therefore were unlikely to be useful in a crisis."³⁰⁶ In short, contractors were more opportunists than warriors, and their level of eagerness to work in combat

³⁰⁴ Jomini, *Life of Napoleon, with Notes by H.W. Halleck, Vol. 3*, 223.

³⁰⁵ *Correspondence* Vol. 1, 369-370. Napoleon to Dejean, November. 4, 5 (1808).

³⁰⁶ Elting, *Swords Around the Throne: Napoleon's Grande Armée*, 555, 535.

zones usually reflected how the general population felt towards the invaders. In the case of Spain, the sentiment was grim.

Yet, supply contractors were critical for the survival of the army, especially in occupied territory where the army could expect less than forthcoming assistance from the local population. Directed by the Intendent General, the French logistics services included “all types of skilled and unskilled workmen – masons, bakers, drovers, butchers, teamsters, blacksmiths, wheelwrights, laundresses, and laborers.”³⁰⁷ Essentially Napoleon not only had a difficult time funding his soldiers, he needed to employ a logistics network for each major campaign akin to the size of a small city. In an era before warfare logistics integration, the massive effort of supplying large armies required intense coordination between the civilian contractors and the Intendent General.

The “*Intendance* proper had five principal ‘Services.’” These were made up of bread suppliers (*Vivres-pain*), meat suppliers (*Vivres-viande*), hay, straw, and grain suppliers (*Fourrages*), candle and fuel suppliers (*Chauffage*), and clothing suppliers (*Habillement*). Each sector of the logistics network served an essential role in keeping the army supplied. According to John Elting, the oven-builders associated with supplying bread “were key personal and were very much aware of it.” In normal warfare “detachments of oven-builders and bakers often were sent ahead of the troops, to have bread ready” for arriving soldiers.³⁰⁸ Since much of this system broke down in a country teeming with hostile guerrillas looking for easy targets, it became suicidal to send French bakers into unsecured areas. Taking these obstacles into account, it is understandable why Napoleon implored his brother to “make the inhabitants grind... and not always draw your flour from France.”³⁰⁹

Other services were important to maintaining the army’s ability to wage war outside of France. *Fourrages* who supplied hay, straw, and grain for the horses needed to haul

³⁰⁷ *Ibid.* 553

³⁰⁸ *Ibid.* 553-4. Elting writes: “A crew of four master masons and four assistants could build a standard army oven in twelve or fourteen hours. ... The bakers (*boulangers de munition*) were organized in ‘brigades’ of four men each: three ‘kneaders’ and one ‘brigadier’ in charge of actual baking. The standard oven could produce five hundred bread rations at once, and, if the fuel supply was adequate, could handle five to six loads a day. Forty ovens could bread for 100,000 men.” (*Ibid.* 554)

³⁰⁹ *Correspondence*, 352. Napoleon to Joseph, September. 9 (1808).

cannon and wagons on difficult roads were notoriously lacking in Spain. For example, “it took fifty wagons to move forage for some 2,500 horses for two days.” The problem of keeping horses and other draft animals was acutely severe where dry weather during much of the year limited the amount of local crop needed to keep animals well-fed. When the *Fourrages* were nowhere to be found, cavalry often “had to feed their horses on what they could find: green grain, twigs and leaves, or dirty straw from the thatch of peasants’ roofs.”³¹⁰ As the war progressed, maintaining horses in Spain became a major problem.

Elting asserts that the *Intendance* system was inherently corrupted with graft and full of self-serving actors despite Napoleon’s best efforts to instill “a certain minimal degree of honesty.” As noted, the integrity of the contractors and their loyalty only extended as far as their personal safety was concerned, and in “times of defeat or retreat *Intendance* personnel could be relied on to save themselves and any portable ill-gotten gains they could carry with them.” In Spain, even the best logistics network was stretched to its limits. Compounding these difficulties was the fact that the “lower grades of the *Intendance* staff sent there in 1808 were hastily selected and often unqualified.” These factors added up to make Spain “a dangerous place with few safe rear areas; they lost heavily, usually to guerrillas while searching for supplies.” Because of the danger they were forced to move with combat units and were often required to be armed to ensure a minimal chance of defending themselves.³¹¹ In other words, when the supplies could not be brought in, which became commonplace, the French were required to take them from the population. In a battle for the tacit compliance of the people, this was later viewed – especially by the Americans – as the surest way to alienate a population that could support an insurgency.

On the eve of the Mexican War, Henry Halleck concluded that the logistics requirements of laying siege hampered the overall success of the campaign in Spain. Halleck did the math and recognized that efforts to reduce cities like Zaragoza wore

³¹⁰ *Ibid.* 554.

³¹¹ *Ibid.* 555-6. Elting says that “Napoleon was never able to break away from partial dependence on them, simply for the reason that the services they rendered... *were* essential... Napoleon realized that such functions could be more efficiently discharged by military organizations and did gradually militarize some of them, but the sheer size of the problem, the lack of suitably trained and experienced officers, and the constant wars which consumed his time all made the task impossible to complete.” (*Ibid.* 557-8)

down the invading army by forcing them to spend critical amounts of time, energy, supplies, and specialized personnel on sieges. “For those who wish to know the exact organization of the French engineering train, we give it as it existed in 1811,” Halleck wrote in his 1846 work, *Military Art and Science*. The numbers for supporting engineers are telling. While they are often passed over by historians, they are rarely overlooked by military logisticians:

...seven troops, each troop consisting of three officers, one hundred and forty-one non-commissioned officers and privates, two hundred and fifty horses, and fifty wagons, conveying five thousand two hundred and seventy entrenching tools, one thousand seven hundred cutting tools, one thousand eight hundred and two artificer’s tools, two hundred and fifty-three miners’ tools, and eight thousand three hundred and eighteen kilograms’ weight of machinery and stores.³¹²

That is not to say that Halleck did not find fortifications important in modern warfare, but only that when examining the outcome of the war in Spain there appeared to be an overreliance on laying siege and seizing fortified cities as a strategy to win the war. Instead, Halleck advocated both fortifications *and* strategic operations. “To follow exclusively either of these systems would be equally absurd.” He wrote, “The wars of Napoleon demonstrated the great truth, that distance can protect no country from invasion, but that a state, to be secure, must have a good system of fortresses, and a good system of military reserves and institutions.”³¹³

SUCHET’S SIEGES

Many of the sieges in Spain took place in the northeast under Gabriel Suchet’s command. After Zaragoza, Valencia, the major sanctuary for *partidas* and a supply hub for the insurgency, became the main target. However, in order to take Valencia there

³¹² *Ibid.* 311. Halleck devoted an entire chapter to logistics, which was in the process of military development. The logistics “officer should satisfy himself respecting the condition of the various materials belonging to the different departments of the army; – the horses and horse equipment, carriages, caissons, ponton and artillery equipages, siege equipages, moveable hospitals, engineer and artillery utensils, clothing, and munitions of all kinds; he must supply whatever may be wanting, and provide means for the transportation of everything.” (*Ibid.* 89)

³¹³ *Ibid.* 63.

were a series of cities that needed to be reduced first. These were the northeast cities of Lerida, Mequinenza, Tortosa, and Tarragona.³¹⁴

Located upstream along the Segre River where it connected to the Cinca River, Lerida was the largest city on the “main communication line” from Zaragoza to Barcelona. Owning Lerida allowed French forces to coordinate with each other over the Catalonian-Aragonese border. It was also a major base of guerrilla activity in the area, and it was discovered that Felipe Perena – a guerrilla leader and enemy of Suchet – was held up within the city’s besieged walls. Because of this taking the city was not only strategic, but personal. The resistance was heavy, and General Garcia Conde, leading the defense of the city, “indulged the hope of making the siege of Lerida last as long as that of Gerona.”³¹⁵

The siege of the heavily fortified citadel dominating the city provoked in Suchet a romantic sense of history more fitting to his conventional nature than the counterinsurgency campaign he left behind in Aragon and Navarre. He waxed poetic on ancient Roman triumphs. “The name of Lerida recalls to the mind a variety of recollections which the history of ancient and modern wars has stamped with celebrity... *Ilerda* acted during the campaigns of the Scipios, in the second Punic war,” he wrote. Suchet even assigned Perena and Conde analogous roles in the drama: “Caesar besieged or rather kept in check, within the walls of this town, Afranius and Petreius, the two lieutenants of Pompey...” Frustrated with his inability to provoke a surrender after laying siege for a month, Suchet had his soldiers drive the people of Lerida inside the fortress walls by threat of bayonet, where they were fired upon by artillery. As a result, hundreds of civilians died from the shelling. The city raised the white flag of surrender.³¹⁶

³¹⁴ See: *Correspondence* Vol. 2, 109-111 Napoleon to Berthier Feb. 19, 1810; Bethier to Suchet February 22, 1810.

³¹⁵ Suchet, *Memoirs*, 119-121.

³¹⁶ *Ibid.* 116. Afranius controlled the Pyrenean passes after Caesar seized power in Rome. Caesar needed the route to secure Iberia. Suchet omits the use of civilians in his account. Michael Ross credits Suchet as a “benevolent administrator.” (Ross: *The Reluctant King*, 204) Carlos Forcadell, the Chronicler (*cronista*) of Zaragoza has told this author that Suchet’s rule in Zaragoza was somewhat well-received. Suchet, like many generals, was brutal in war and kinder in peace.

Like Zaragoza, the siege of Lerida demonstrated a ruthlessness toward civilians to achieve strategic ends. Tone writes that “Suchet’s success was partly the result of his savagery... he sacked and burned the town, levied a punitive fine of over a million pesetas, and shot twenty-six residents on suspicion of sympathy with the guerrillas.”³¹⁷ In Jomini’s biography of Napoleon, Halleck himself recognized the brutal tactics Suchet employed to achieve victory but claimed that Suchet’s actions were necessary and legally permissible. “The conduct of Suchet in driving the inhabitants at Lerida into the citadel along with the garrison,” Halleck wrote, “can be justified... [and] was not contrary to the laws of war.”³¹⁸

Following another siege victory at Mequinenza that spring, Suchet rested for a few months before taking Tortosa at the end of 1810. By the beginning of 1811 he was ostensibly in control of much of western Catalonia. In his words the siege victories were his way of “repairing lost time.” Because of the incessant reemergence of partisan forces in northeastern Spain, Suchet had been forced to abandon his plans time and time again in order to attend to the immediate needs of suppressing forces intent on disrupting his logistic and communications lines.³¹⁹

The strategy of taking towns located along logistic networks was not without rationale – as it adhered to the most common set of military maxims. The history of the war shows that the French, with the help of collaborators, did not have difficulty holding major cities like Madrid, Barcelona, or Seville, which the Spanish rarely contested once invading troops were ensconced within their defensive fortifications. What became more problematic was holding on to the smaller “towns and lines of communication posts” essential to coordinating armies scattered over long distances. To do this, the army used small detachments, and generally requisitioned sturdy and defensible buildings such as convents or monasteries.³²⁰ Suchet wrote that “churches and convents are, generally speaking, vast and solid edifices... which offer great resources for defensive warfare.”³²¹ These buildings were ideal for housing men, storing grain and supplies, and more resistant to insurgent artillery in the event of an organized attack. The

³¹⁷ Tone, *The Fatal Knot*, 205.

³¹⁸ Jomini, *Life of Napoleon, with Notes by H.W. Halleck, Vol. 3*, 238.

³¹⁹ Suchet, *Memoirs*, 110-111.

³²⁰ Alexander, “French Military Problems,” 120.

³²¹ Suchet, *Memoirs*, 69.

“blockhouses” also housed wounded soldiers and supported mobile units that could more readily secure the immediate vicinity surrounding a town or village – a much safer approach at counterinsurgency than conducting far-flung sweeps resulting in detachments becoming isolated and vulnerable.³²²

For these reasons, garrisoned posts were somewhat effective against the guerrillas *if* they were properly manned. Unfortunately for the invaders, the lack of troops made implementing that strategy almost impossible. A tertiary look at the numbers reveals that “Hoche had 100,000 men for the pacification of a province, while the Imperial forces in the peninsula barely exceeded 300,000 at the height of the intervention.”³²³ In order to secure the gains he had made in 1810, Suchet would have needed to station a garrison in every town and decent-sized village, which he could not do. If towns were abandoned, “the insurgents would descend and occupy them.” Putting the troop shortage into perspective: of the 26,000 troops under his command, only 12,000 could be used for the three sieges in western Catalonia. The other half were needed to secure what had already been taken in Zaragoza and the Ebro River valley.³²⁴

Suchet’s last major siege of 1811 was Tarragona – a major center of resistance on the eastern coast. The ancient Roman town had a long history of occupation by Vandals, Visigoths, and Muslims, before becoming part of the Kingdom of Aragon in 1164. In 1641, the French assisted the Catalans in taking the city from the Spaniards. In the summer of 1811, however, the situation was quite different. Napoleon believed that taking Tarragona was “the only means of preventing the insurgents from invading Upper Catalonia.”³²⁵ Suchet’s motivation, on the other hand, was more personal. That spring the general received news and a promise by Napoleon (by personal courier) that he would “find his marshal’s baton” in Tarragona.³²⁶ Suchet became the first French general in Spain to achieve that honor.

³²² Alexander, “French Military Problems,” 120.

³²³ *Ibid.* 118.

³²⁴ Oman, *Vol. 3*, 13-14.

³²⁵ *Correspondence* Vol. 2, 179. Napoleon to Berthier, April 15, 1811. This is one of the first uses of the term *insurgents* by Napoleon, rather than *banditti*, which means he was beginning to take them more seriously.

³²⁶ *Ibid.* 164. Napoleon to Berthier, March 9, 1811.

On June 29, after two long months of besieging the city, and despite harassment by British cannon support from the sea, the city fell. Suchet's forces suffered more than 3,000 losses. The enraged soldiers took revenge on an equal number of its inhabitants after they stormed the city. The scene, worse than Lerida and reminiscent of Zaragoza, was stunning in its brutality towards civilians caught within the city's walls. Suchet wrote that the soldiers' "excitement had reached the highest pitch; [and] it was not possible in so short a time, amid such a scene, to moderate them by words." Essentially the general denied culpability of the slaughter. "They were inebriated as it were, by the noise, smoke, and blood, by the recollection of danger, by the desire of victory, by the thirst of revenge... after so obstinate a resistance, their rage knew no bounds..."³²⁷

Oman recounted the sacking of Tarragona in a more telling light by stating that the French went from home-to-home murdering people in "something that almost amounted to the systematic massacre of non-combatants." He estimated that half of the 4,000 dead laying in the streets of Tarragona were civilians. Suchet's words regarding Tarragona, although true in one sense, are misleading in that he would have the reader believe that *so short a time* referred to the initial storming of the city and not to the overnight melee of rape and pillage the general allowed his vengeful soldiers to engage in. "450 women and children were among the slain... the victorious stormers generally gave quarter to any man wearing a uniform, and let off their fury on priests and unarmed citizens." Oman's account disputes Suchet's recollection of the slaughter occurring in *so short a time*. "Plunder was even more general than murder... drunkenness and rape... riot and slaughter went on all night, and it was not till the next day that order was restored."³²⁸

News of the massacre at Tarragona made it back to Britain. *The Times* called Suchet "the most inhuman Frenchman who has passed the Pyrenees...." Known "as the soldier of Robespierre, and execrated for the atrocious cruelty with which, under the orders of the monstrous tyrant, he spilt the blood of his countrymen, [and] has poured out the remains of his barbarity upon unfortunate Tarragona..." Exaggerations of the sacking existed, but "the relations of the excesses committed by the French in Tarragona have rendered them horrible, even among the others which the peninsula has witnessed." The

³²⁷ Suchet, *Memoirs* Vol. 2, 99-100.

³²⁸ Oman, *Vol. 4*, 524-5.

savagery committed under Suchet's command belie the gains later lauded by Jomini as an example of effective military occupational rule. The London newspaper did not hold back on its criticism of the outcome:

In a few hours, more than 6,000 persons of all classes were equally and cowardly assassinated. Neither the old, the servants of God, women, nor infants lately born, were spared; the soldiers robbed and plundered in the most violent and atrocious manner; they violated maidens, nuns, children, widows, married women, and committed such abominations that the pen refuses to record them.³²⁹

International observers witnessed the protracted war with keen interest. The Spanish resistance to the French Empire had become known throughout the western world, and despite the siege victories the image of French invincibility was battered. U.S. Minister to Russia John Quincy Adams, in his frequent conversations with a confident French ambassador in Moscow, noted skeptically in his diary that he was happy to hear that “there would be no war between this country [Russia] and France, for I had for a long time been afraid there would.” However, Napoleon was still planning an invasion and impatiently waiting for Suchet to finish his offensive to free up needed troops and supplies. Adams wrote that the French ambassador believed the emperor “intended first to sweep all clear in Spain, to wear out all the guerrillas, and take Valencia and Cartagena, which would not cost so much trouble as Tarragona. Cadiz would... be the last hold.”³³⁰ The emperor could not have been more delusional, as attrition was on the side of the insurgency, not the French.

Napoleon (like Suchet) viewed the sieges from a histrionic rather than strategic perspective. In a mid-June speech made to the Corps Legislatif he bragged that “most of the fortified towns in Spain have been taken by memorable sieges; the rebels have repeatedly been beaten in battle. England understands that the war is coming into its final phase.” It was a denial of the reality on the ground and the military doctrine that had made him master of Europe. He did not control the seas, nor did his soldiers control the Spanish countryside. Nevertheless, the emperor refused to abandon plans that he viewed, like Suchet, in epic terms: “Our struggle against Carthage... will now be settled

³²⁹ *The Times*, London, September 18, 1811.

³³⁰ Charles Francis Adams (ed.), *Memoirs of John Quincy Adams, Comprising Portions of His Diary from 1795 to 1848*, Vol. 2 (Philadelphia: J.B. Lippincott & Co., 1874), 299-300. August 30, 1811.

on the plains of Spain. A clap of thunder will put an end to the Spanish business... It will avenge Europe and Asia by ending this second Punic War.”³³¹

One the other end of the Atlantic the Spaniards of Mexico, who were winning their own war against an insurrectionary movement, remained cautiously optimistic about events back home. Reports of Espoz y Mina’s “brave defenders of the homeland” sent through the Junta Superior of Aragon trickled in. The reports, which were detailed and confident, bolstered the spirits of those lamenting the unraveling of their empire – amidst the fall of their cities:

In all the other points the Spanish enthusiasm and the allied armies are observed unchanged, because despite having been seized by the French, at the cost of much blood, the Plaza of Tarragona, after three terrible attacks suffered by that heroic garrison, it emulates that of Zaragoza and Gerona, and the courage of our generous warriors has been increased with this. Espoz y Mina cheats them without intermission, and divine providence has visibly protected him in various actions undertaken against the desperate *gabachos* that persecute him as desperate. The other guerrilla *partidas* circulate with the same vigor...³³²

The victory at Tarragona and the awarded title of “marshal” illustrates an important dichotomy in Suchet’s sieges. As the French seemed to relish in substantial victories pleasing to Napoleon, the guerrilla war took on an intensity that made the victories hollower and their hold on the state more precarious. This was especially true in the northeast. It is as if two separate wars were being fought – one conventional and one unconventional. In other words, the French were in total denial of the effectiveness of the guerrilla war – thinking that each new city they took was one step toward the ultimate collapse of the insurgency.

According to Don Alexander, “Napoleon’s greatest mistake was his failure to understand the factors motivating the Spanish resistance.”³³³ French leadership did not understand that the more brutal they became in their prosecution of the war the more entrenched the insurgency became. For the Spanish, the war was an existential crisis. No amount of terror by imperial troops could reduce that determination. Unfortunately for both sides, Napoleon realized this at a late date. Despite Suchet’s 1810 and 1811

³³¹ Quoted in: Michael Glover, *The Peninsular War, 1807-1814* (London: Penguin Books, 1974), 169.

³³² *Gazeta del Gobierno de México*, July 27, 1811 (No. 89); September 24, 1811 (No. 114). BNE-HD.

³³³ Alexander, “French Military Problems,” 119.

victories in Lerida, Mequinenza, Tortosa, and Tarragona, the insurgency he left behind in the northeast only improved their methods. This contradiction belies these victories as less strategically sound given the guerrillas were improving their capabilities in the same locations Suchet spent the entire year of 1809 working diligently to suppress. In retrospect, the pyrrhic victories did not improve France's hold on Spain in the least, but only resulted in the army being terminally overstretched.

One month after taking Tarragona, Marshal Suchet led two divisions into the hills west of Barcelona to storm the sacred Catalonian site of Montserrat. Suchet deemed the mountain and its convent "a position of great importance from a military point of view" because of its location in the heights along the main road linking Barcelona and Lerida in the center of the province. To Suchet, the site also served as a fortress and symbol of Catalan resistance. A stiff defense by a small group of *miqueletes* managed to hold off French soldiers for a few days. Writing in his *Memoirs*, Suchet considered the Montserrat and Tarragona victories as having a "strong moral effect" upon the "war like" Catalonian population. Unfortunately for Suchet, time was limited, as Napoleon "was all impatience at Paris" due to his pending plans to invade Russia. Because of the growing shortage of troops, Napoleon needed to strip forces in Iberia to bolster his numbers for invading Russia. In late August, the same day that Napoleon officially annexed Catalonia to France, Suchet received a communication from Napoleon specifically telling him to be at "the gates of that city" by mid-September.³³⁴

Suchet's 20,000-strong army began the siege of Valencia early November after badly beating General Joaquin Blake's relief force at Saguntum. The siege lasted two months, and General Blake was taken prisoner after capitulating in early 1812. The decision to surrender was controversial, but given the large city's low supplies, scant defenses, French desire for avenging the *dos de mayo* mob killings, and Suchet's record for brutality, the decision probably spared many innocent people from meaningless death. The victory for Suchet over his nemesis was especially sweetened after receiving the

³³⁴ Suchet, *Memoirs*, Vol. 2, 118-129, 141. Suchet did not hold Montserrat long as guerrilla forces led by Colonel Green and the Baron de Eroles retook the site. See: *The Hull Packet*, December 17, 1811. (via *The London Gazette*, December 5). Report from Colonel Green, from Berga, dated October 16, 1811. The French resorted to "burning of the church, and everything which could be useful in a re-establishment of that important point, taking the route of Barcelona..." The same report was reprinted in the *London Times* December 9 and *The Caledonian Mercury* December 12.

governorship of Catalonia and the ennobled title from Napoleon, “Duke of Albufera” (*Albufera da Valencia*). The title represented the pinnacle of Suchet’s career.³³⁵

Despite Napoleon’s grand plans the most important siege of the war at Cadiz ended in failure. Michael Glover, a historian of the Peninsular War, describes the effort to take that city an “illusory” impossibility. From February 1810 to August of 1812, the French laid siege to the capital-in-exile with more than 60,000 soldiers in the hope that reducing it would stamp out resistance. During the two-year effort the French supply lines stretched north-to-south throughout the entirety of the country – affording numerous opportunities for insurgents to attack convoys, couriers, and small detachments. Lord Castlereagh, the leader of the House of Commons and the Foreign Secretary, outlined why Napoleon continued the siege. His assessment mimicked Glover’s assertion that there was “no real hope that they would ever take the place.”³³⁶ Instead, the massive effort was continued for optics:

The siege of Cadiz was in consequence abandoned, – a siege of such importance, that repeated orders were issued to the French commanders not to raise it on any account: because the moral effect of that siege was duly appreciated; because it was seen, that while Cadiz was in possession of the French, the world would suppose that Spain was completely in their power.³³⁷

LESSONS FROM THE SIEGES IN SPAIN

The war had a devastating effect on dozens of Spanish cities after numerous sieges, assaults, and occupations. Zaragoza was almost completely leveled, Tarragona and Lerida attacked brutally: Astorga, Cadiz, Gerona, Figueres, Pamplona, Tortosa, and Valencia, all suffered from similar operations by the French army. Badajoz lost four

³³⁵ O’Meara, *Napoleon at St. Helena*, 360. The guerrillas adjusted quickly by switching their logistics hub to the north coast. Mina began relaying information from La Coruña and sent hundreds of French prisoners to the British. See: *The Hull Packet*, December 17, 1811. (via *The London Gazette*, December 5). Mina to General Gabriel Mendizabal from Sangüesa. The letter indicates that the insurgency was a highly coordinated effort crossing provincial lines. Both letters to Douglas and General Mendizabál dated October 12, 1811. General Mendizabál led the Seventh Army in northern Spain in the region around Biscay, Santander, La Rioja, and Burgos. See also: *The Morning Chronicle*, London, January 26, 1813. Report on new administrative region “‘Department of the Mouths of the Ebro.’” (*Bouches-de-l’Ébre*). One of four Catalonian regions annexed to France in early 1812. The others were Montserrat (Barcelona), Ter, and Ségre. The French were “anxious that the project for the dismemberment of the country should be known to Spaniards far and wide.”

³³⁶ Michael Glover, *The Peninsular War*, p. 120.

³³⁷ *The Times*, London, December 4, 1812.

thousand civilians after Wellington's army – an ally of Spain – brutally pillaged that city after bombarding it. The effects on these cities from numerous sieges were lasting.

Importantly, David Gates notes that before the outbreak of the war in Spain, “full-blown sieges were unheard of in the Napoleonic Wars. The emperor's whole strategic doctrine was founded on brisk maneuver aimed at the destruction of an adversary's army...” For many reasons Napoleon abandoned all prior sound strategy in Spain, including successful counterinsurgency tactics used in the Vendée. The Napoleonic War historian also claims that “Napoleon's military and diplomatic policies were out of step,” and that “while French troops might put Joseph on the throne, they could not gain him popular support.” The second reason given for French defeat “was a failure of strategic doctrine, as, if only from a geographical perspective, the Peninsula was an environment quite unsuited to the French way of war.”³³⁸

Gates is correct, but he omits that fact that Napoleon's army laid siege to Gaeta, Magdeburg, and Hamelin, Stralsund and Danzig in 1806 and 1807, Riga in 1812, and Breda in 1813. Many of these positions, along with cities such as Hamburg and Antwerp, were later defended at the war's end. Nevertheless, Gates accurately points out what Halleck himself meticulously concluded – that Spain was exceptional because of the sheer time, resources, and soldiers spent taking dozens of cities. The corollary to the insurgency is that the sieges not only sapped the resources from the French Army – they contributed to the anger felt by citizens towards them.

The Americans would later remember the mistakes made by the French in Spain before embarking on their campaign to invade the Mexican capital in 1847. Henry Halleck was not arguing against seizing important strategic points, but only that the French spent too much time, money, and resources taking *every* point. Before the war with Mexico, Halleck believed that although Napoleon “gained possession of the country for eight years... it required years and the expenditure of millions in blood and treasure to expel from the country those that had possession of them.” In effect, the defenders wore down the French by forcing them to engage in long, drawn out operations that did nothing to increase their strategic foothold in the country:

³³⁸ Gates, *The Napoleonic Wars*, 184.

Those works which had been given up to Napoleon previous to the opening of hostilities, contributed very much to the success of his arms; while those which had been retained by Spain and her allies contributed in an equal degree to fetter and embarrass his operations. Some of these, like Saragossa, Tarragona, Gerona, Tortosa, &c. &c., with their broken walls and defective armaments, kept the enemy in check for months; and, by compelling the French to resort to the tedious operations of sieges, did much to weaken the French power on the peninsula.³³⁹

The largest battle of World War Two was at Stalingrad, Russia. For five months between 1942 and 1943 German forces laid siege to that city. Despite constant artillery attacks and bombing, the defenders clung to life. Losses on both sides were staggering. Germany and its allies lost anywhere from 650,000 to 850,000 soldiers and untold amounts of equipment, vehicles, and supplies. The Russians, numerically stronger, lost upwards of a million people. Indeed, the battle of Stalingrad was a gruesome spectacle, but the prolonged siege turned the tide of the war on the eastern front in favor of the Russians.

At the height of the siege in the winter of 1942, *The Circleville Herald* of Ohio chastised the German leader's stubborn decision to seize Stalingrad. "Hitler clearly does not profit from history. Had he studied carefully not merely Napoleon's Russian campaign, but his years of war in Spain, he would not have got into his present difficulties. And when he planned to take Stalingrad, he certainly overlooked the siege of Zaragoza." While it was true that the French took Zaragoza, they only did so after a long and bloody effort. "The Spanish city was the key to the people's resistance against Napoleon. The emperor ordered it taken at all costs. In this one point Hitler imitated his predecessor." And like the French, breaching the perimeter and storming the city was only the beginning for the Nazi soldiers:

Then followed day after day like those before Stalingrad. Slow advance street by street, and house by house, with the defenders hurling down every conceivable missile from the housetops, and burning the buildings that could not be held. In the end Saragossa fell... Its siege had lasted two months. More than that has gone by at Stalingrad, and the German chances are not so good as they were a month ago. Saragossa bled the French forces nearly to death.³⁴⁰

³³⁹ Halleck, *Military Art and Science*, 308-9, 83.

³⁴⁰ *The Circleville Herald*, Ohio, December 10, 1942. Article titled: "Another Siege"

The Americans learned a critical lesson in not capturing every Mexican city. In contrast, Monterrey and Veracruz were the only two major population centers besieged and attacked.³⁴¹ Other cities, such as Puebla, gave way to the invaders. Had the large capital of Mexico decided to resist the Americans it is likely many more American soldiers would have been killed. As Vattel admitted, sieging was a necessary evil in war. Sieges were used for gaining footholds by seizing strategic ports, or in taking capitals often resulting in the enemy leadership acquiescing to defeat. They were not, however, important to a general whose main objective was not the permanent conquest of the heart of a country, but for a political and peaceful resolution to a conflict with the least amount of unnecessary death and destruction.

³⁴¹ Some do not consider the Battle of Monterrey a siege but it is included because most casualties occurred while U.S. forces stormed fortified positions within the city. The Mexicans laid siege to Fort Texas (1846), La Paz (1847), Puebla (1847), San José del Cabo (1848). The small town of Puebla de Taos was sieged by the Americans in 1847.

1.5 ATTRITION AND AFTERMATH

[Napoleon] was to make his greatest mistake in invading Russia, but a major factor in his final defeat was the failure of his policy in Spain. Thousands of his troops were pinned down there as the proud Spaniards resorted to guerrilla tactics which were all too effective. Cold and hunger decimated Napoleon's forces in the retreat from Moscow, but the operations of guerrillas added a ceaseless attrition. ...Now there is widespread opinion that our nation had made a similar miscalculation with respect to Vietnam.³⁴²

----- *The Van Nuys News*, February 29, 1968

In his work, *The Art of War*, the ancient Chinese military strategist Sun Tzu wrote: “There is no instance of a country having benefited from prolonged warfare.” Prolonged warfare during an occupation is especially difficult for the invader. The population begins to believe that the occupiers have no intention of leaving, which makes it much more difficult to win the compliance of those who might otherwise remain indifferent. If the occupiers cannot provide some sense of normalcy, then they risk the chance of alienating potential allies. When the people perceive that the occupiers are on the defensive, it becomes nearly impossible to recruit personnel essential for administrative functions to assist the occupiers. In only rare cases a population may consider the ruling invaders more beneficial to their general wellbeing.

During a prolonged insurgency everything becomes more difficult: communications between headquarters and smaller units are negatively affected, supplying and replacing soldiers in the field becomes more dangerous, and maintaining basic economic activity and services – the backbone of benign counterinsurgency – deteriorates as the guerrillas disrupt the invaders' efforts to pacify a country. In short, the system begins to break down.

Despite more advanced communications technologies, the Americans faced a similar situation in Vietnam. After decades of studying the causes and phases of guerrilla

³⁴² *The Van Nuys News*, California, February 29, 1968.

insurgencies, U.S. forces still had difficulty propping up South Vietnam. At the time Mao Zedong's three stages of revolutionary warfare were generally accepted as the standard progression for insurgent war: incipient stage, guerrilla warfare, and transition to conventional warfare. U.S. counterinsurgency historian Andrew Birtle comments on a 1965 military study conducted during the war in Vietnam. "Nation building still took precedence when insurgency was in a latent or incipient stage (phase one). Once guerrilla warfare had emerged (phase two), these efforts would share center stage with police, intelligence, and population – and resources and control programs." Citing the U.S. Army study, Birtle notes that phase three poses the most challenging for authorities since it undermines a government's ability to rule. "If the guerrilla forces organize for conventional military operations, the problem for the government forces is resolved to that of defeating the insurgents" by using conventional methods. The problem then, is that the regime's forces cannot be everywhere and still maintain their hold on the vital power centers. Insurgents understand and exploit this predicament by avoiding large battles and concentrating "sufficiently to cause severe government attrition..." The result of those tactics therefore becomes a major problem for the government. "Concentration of government forces permits the spread of insurgent control to those areas where government strength has been reduced. Conversely, the failure to concentrate invites piecemeal destruction."³⁴³

Piecemeal destruction is exactly what the French experienced in Spain as proxy governments outside of the capital lost control. One by one smaller garrisons were forced to abandon their posts for the safety of larger command centers. The regional command centers were usually located in midsize cities along the main roads. Although Madrid was retaken briefly after it was abandoned by the regime in 1812, the cities of Calatayud, Huesca, Cuenca, and Guadalajara were retaken by the insurgents. Navarre and the corridor to Madrid was under constant attack by Espoz y Mina. The northern coast, separated from the interior by rugged mountains, was lost to Spanish forces. With

³⁴³ Andrew J. Birtle, *U.S. Army Counterinsurgency and Contingency Operations Doctrine, 1942-1976* (Washington D.C.: U.S. Army Center of Military History, 2006), 253-254. Excerpt quoted from "Concepts and General Doctrine for Counterinsurgency." (1965). In the summer of 1965, the Combat Developments Command published the study to understand and challenge insurgent efforts undermining the U.S. presence in South Vietnam. Birtle notes that the CDC "intended this study to be the conceptual mainspring for all future doctrine. What was most notable about the study, however, was how little it differed from existing doctrine." (Ibid. 253)

these and other districts falling under the control of the resistance, the authority of the central government collapsed.

BREAKDOWN AND BLOCKADE

The provincial architecture of the war made matters worse for the French. Although the French courier service developed an efficient system adjusted to the realities of conventional warfare in theaters outside of Spain, it was ill-suited to operating in an uncontrollable countryside. Unaccompanied couriers expediting essential strategic information were targeted. The result of poor intra-provincial communication was a series of provincial wars within a national arena – often with little cross-border coordination taking place.³⁴⁴ “Consequently, the *partidas* could usually escape a sweep in one province simply by retreating to another area where the pursuing French could expect no assistance.” This was especially true in the Navarre, Aragon, and Catalonia. “In every direction, the communications are extremely difficult,” Suchet wrote, “the provinces are isolated from each other, the towns and villages separated by immense distances.”³⁴⁵

In an August of 1811 article titled, “Banks of the Douro,” *The Caledonian Mercury* informed its readers on the state of the insurgency in northern Iberia. The portrayal resembled nothing like the first year of the war. “The total force of the troops and patriotic parties which scour this part of Old Castile, from Soria to the frontiers of Portugal, amounts, by a moderate computation, to 5000 infantry and 5000 cavalry.” *The Mercury* noted prominent *cabecillas* by name along with a few forgotten ones. The point, however, was that the French were not in control, and “some judgement may be formed how precarious is the dominion of the French in the north of Spain, which, they say, they have *occupied*.”³⁴⁶

By 1811 all the advantages previously held by a more experienced French Army were wiped out. Guerrilla forces in Aragon and Navarre, led by Espoz y Mina, had coalesced into a formidable force that included two cavalry units, nine infantry battalions, and

³⁴⁴ Alexander, “French Military Problems,” 118.

³⁴⁵ Suchet, *Memoirs*, 51.

³⁴⁶ *The Caledonian Mercury*, Edinburgh, October 10, 1811. “Banks of the Douro (Spain) Aug. 8” 1811.

even engineer and artillery units. The coalescing of these forces mimicked phase three of Mao's transition to conventional warfare. The most important asset for the guerrillas in that transition was their home support, and Mina's logistics organization was by no means primitive. "Because of his ability to exploit popular support, Mina was able to erect an administration that could feed, pay, and clothe personnel without outside assistance, and enable him to replace his combat losses without difficulty." By 1811, Mina's organization resembled anything but the *ad hoc* groups in the early years of the war.³⁴⁷

Other advantages the *partidas* exploited included their ability to disperse rapidly and reform when needed, intimate knowledge of the land, faster movement due to light equipping, and the ability to launch attacks at the time and place of their choosing (which mitigated the efficacy of French cavalry).³⁴⁸ Espoz y Mina was careful not to engage the enemy when his soldiers were outnumbered or outgunned – a critical maxim of guerrilla warfare. "When our forces could not compete" with numerically larger forces, he wrote, "we shielded ourselves within the mountains and crags, which were very strong natural parapets when the forces were balanced."³⁴⁹

Handicaps on the French side included "heavy desertion", much heavier equipment for soldiers, burdensome artillery (and wagons) impeded by inclement weather, and a lack of knowledge of the land – including poor maps. Another reason the French were disadvantaged was their difficulty pursuing guerrillas. Following an engagement some troops stayed behind to protect the wounded otherwise guerrillas would simply double-back and take them out. To prevent this, commanders often kept their field detachments closer to their garrisons to keep the support advantage, as well as offer reinforcement to vulnerable posts. Pursuing guerrillas into the mountains meant that any wounded soldier left behind without protection was an easy target.³⁵⁰ In this regard, Suchet was honest about the efficacy of the guerrillas:

³⁴⁷ Alexander, "French Military Problems," 118.

³⁴⁸ *Ibid.*

³⁴⁹ Espoz y Mina, *Memorias del general Don Francisco Espoz y Mina, escritas por el mismo*, Vol. 2, 9.

³⁵⁰ Alexander, "French Military Problems," 118. Alexander notes that French deserters would join guerrilla groups and "the insurgents made great efforts to encourage imperial desertion, offering the impressed foreigner the promise of good food, regular pay, and plenty of companionship." Alexander cites: *historique de l'Armée* (Vincennes) Suchet to Berthier, April 30, 1810. Suchet acknowledges that in 1809 "the pay was in arrears, the chests without funds..." *Memoirs*, 11. See also: Oman: *Vol. 3*, 116-117.

These numerous bands, spread over so vast a circumference, began to operate in a simultaneous and uniform manner. They destroyed our stragglers, and frequently even our detachments when they were small in number and off their guard; they spread terror throughout the country, harassed our partisans, compelled all young men to re-enlist in the Spanish armies, intercepted the couriers, arrested the convoys, and obstructed the return of the contributions or provisions we had raised.³⁵¹

The effectiveness of the guerrillas coincided with a breakdown in French provincial administration, and the conflict became more exacerbated after 1811 when guerrillas reached a parity with the French. Alexander's research on French military correspondence led to the conclusion that "Napoleon's creation of independent military governments did not encourage coordinated activities." Compounding this administrative provincialism were deteriorating troop replacement methods. In Spain, replacing troops became a major burden in an unexpected long-term war.³⁵² In essence, "Napoleon mortgaged the future to replace the catastrophic losses suffered in 1808." Unable to replace large numbers of troops to occupy and hold vast areas of Spain amidst a growing insurgency, the French became "locked in a vicious battle of attrition."³⁵³

Even though the *levée* system trained and assimilated new conscripts into the army, the replacement method became hampered due to the suddenness of the unanticipated conflict. French officials were not ready to confront the realities of a protracted war in Spain – a war that required hundreds of thousands of troops to confront an insurgency *and* occupy vast territory. This was especially true in the vital logistic corridors connecting troops and supplies to France. The continuous supply of fresh troops – "literally the lifeblood of the army" – was negatively affected by "drastic deviations from the standard French procedure, and these deviations had catastrophic repercussions on the efficiency of imperial replacement methods." In essence, Napoleon's army had "expanded beyond the limits of his managerial bounds, and his troops suffered the consequences."³⁵⁴

³⁵¹ Suchet, *Memoirs*, 56-7.

³⁵² Alexander, "French Military Problems," 119.

³⁵³ Alexander, "French Replacement Methods," 192.

³⁵⁴ *Ibid.* 192-3.

Adding to French troubles in Spain was the emperor's refusal to acknowledge military realities. Oman concurred with Alexander's modern assessment. "It was no use to tell him that the magazines were non-existent, that numbers were low, that roads were impracticable, that communications were intercepted, that he had undervalued the enemy's forces..."³⁵⁵ Writers for the *El Conciso* of Cadiz, like others applauding the destruction of the French army, were confounded by Napoleon's inability to face up to the unfolding realities. The only conclusion then, was that the emperor was suffering from some type of "mania" inhibiting him from evaluating the military situation. For Bonaparte, "there is nothing left to do" *El Conciso* opined, but to "laugh more than Cervantes with his Quixote: here we will limit ourselves to quickly demonize the public deeds and mania of the Corsican..."³⁵⁶

Compounding the shock to a system predicated on conventional norms was a shortage of officers. This shortage was apparent as early as 1807. "From 1802 to 1815, the officer schools in France produced some 4,000 graduates, scarcely enough to cover the wastage of Wagram and Borodino." In large battles in northern Europe, a smaller number of highly trained and talented officers might have been enough to turn the tide on a large battlefield where troop levels compared to small cities. In Spain, however, the lack of lower-level talent on small posts in isolated locations meant that engaging in counterinsurgency sweeps of the countryside became an impossibility, or, at the very least, more dangerous than simply defending a fortified position. By 1809 "Napoleon was rapidly draining the barrel of this most precious asset." The shortage of officers with experience in Hoche's counterinsurgency methods, along with a shortage of troops (veteran or conscript) meant that it was a matter of time before the French were bled dry.³⁵⁷

Complicating the managerial difficulties from an overextended army was Napoleon's penchant for over-rotating divisions and transferring commanders. This resulted in poor knowledge of the local terrain among officers and soldiers. One of the worst examples of this tendency was the replacement of General Reille, who ruled Aragon from 1810 to

³⁵⁵ Oman: *Vol. 4*, 593.

³⁵⁶ *El Conciso*, Cádiz, June 15, 1811 (No. 15) El Biblioteca Virtual de Prensa Histórica (BVPH) https://prensahistorica.mcu.es/en/consulta/resultados_ocr.do.

³⁵⁷ Alexander, "French Replacement Methods," 193.

1812, with General Clausel, who was accustomed to fighting Wellington near Portugal. “Thus, in 1813 a veteran counterinsurgent officer faced the Anglo-Portuguese Army while Clausel, who knew little of the guerrilla capabilities...”³⁵⁸

Other serious logistics problems existed. Disorganization in the rear stymied progress made at the beginning of the war. Logistically, as early as 1809, the main depot supplying the war at Bayonne was reported to be in “great disorder.” This disorder became worse as the war continued and was negatively affected by the regimental depots in France that were the troop-supply backbone of a hastily-organized occupation. Alexander argues that there was an unevenness in the regimental recruitment system in France, which officials had not centralized. “The regiment was the heart of Napoleon’s military administration, and he was hesitant to tamper with what had hitherto been successful.”³⁵⁹

The lack of horsepower became a problem. A shortage of horses in Iberia affected cavalry units and the army’s capability to transport artillery and heavy guns the distances required to launch offensive operations. After a period, the inability to replace dead or injured horses meant fewer wagons and fewer supplies reaching the soldiers. Artillery replacement was also similarly affected “owing to the large number of sieges conducted in Spain.” Logistically then, by the time Napoleon began planning his ill-advised invasion of Russia in 1811, the French army in Spain was exhausted from a lack of soldiers, supplies, horses, cannons, experience, and everything else needed for a successful long-term occupation. What was not sent to Spain was being diverted to the transport companies being assembled to march across Russia.³⁶⁰

The continuation of policies terrorizing the Spanish people worsened the situation. The city of Pamplona became a police state where spies were inserted into every walk of life: churches, markets, and street corners. People suspected of being insurgents or aiding them were summarily hung on trees outside the city, incarcerations of citizens increased, and deportations ramped up. The *regidores* (aldermen) and priests were especially targeted. “The French removed dozens of priests for reading Mina’s

³⁵⁸ Alexander, “French Military Problems,” 119.

³⁵⁹ Alexander, “French Replacement Methods,” 193.

³⁶⁰ *Ibid.*

proclamations to their parishioners or for sheltering wounded guerrillas.” Another weapon of terror the French employed was burning homes. In the village of Roncal near the Aragon-Navarrese border, the French burned some 311 homes during the war.³⁶¹

The French were not the only ones employing sieges during the war. On December 14, 1811, Espoz y Mina issued a decree implementing an economic blockade of Pamplona. It was another novel deviation from the rules of war. “Navarre is filled with wretchedness,” the decree began. “Fathers have seen their children hung for their heroic conduct... sons have seen their fathers consumed in prison, for no other crime than that of being the parents of such valiant defenders.”³⁶² The decree legitimized a siege of terror designed to starve the French garrison into submission. “The Decree prohibits all provisions, &c. from being taken to Pamplona... under pain of death; and that all persons attempting to enter it shall without ceremony be fired upon, and if wounded and taken, immediately hung.” Mina allowed people to leave Pamplona, but no one could enter the city. Deserters “approaching our advanced parties, and repeating ‘Deserted’ will be protected, and suffered to choose between the service of England, or being sent to their own country.”³⁶³

Espoz y Mina’s five-article decree forced the remaining citizens of Pamplona to choose sides. Article Three warned that “Any officer, soldier, or person of whatever description, who assists or suffers a Frenchman to escape, shall infallibly be shot.” Dissent was not an option either, as the chieftain iterated in the following article: “Any person speaking against or concerning this Decree, shall be shot, and their property distributed among the division.” Lastly, to drive the point home about the prohibition of aiding the French, Mina added a fifth article. “The house in any town in which any Frenchman is concealed, shall be burnt, and its inhabitants shot.”³⁶⁴ The only way out of the city for a Frenchman was to either fight or surrender – as deserters could not rely on the aid of locals to aid their escape.

³⁶¹ Tone, *The Fatal Knot*, 111-117.

³⁶² *The Freeman’s Journal*, Dublin, April 2, 1812.

³⁶³ *The Morning Chronicle*, London, March 28, 1812. See also: Tone, 132-133. “People could leave the capital [Pamplona] to take up residence in guerrilla territory, but nobody could reenter the city.”

³⁶⁴ *Ibid.*

Two months into the blockade the French were feeling the effects and the scarcity of supplies forced them to make dangerous foraging expeditions in the environs of Pamplona. Despite the suffering it inflicted on the citizens, Espoz y Mina believed it was “a well designated moral blockade” justified by the right to defend Spain in a conflict where the rules of war were jettisoned. General Reille tried in vain to countermand the decree’s effectiveness with his own, equally stern proclamation:

Inhabitants of Navarre: The guilty adhesion... to the foolish orders of a gang leader, and lack of compliance to those that I have given [notice], have forced me to take measures of rigor... The leader of the band despising the lives of the inhabitants, [thus I am] to order them under penalty of death [those] that do not obey the government...³⁶⁵

What Espoz y Mina issued was more than just a blockade. In response to the executions of Spanish military and civilian prisoners, the decree also announced (Article One) that war “without quarter, is declared against all French soldiers and officers, including the Emperor himself.” Article Two was equally explicit about the ugly direction the war took in 1811. “The French officers or soldiers, taken with or without arms in any action, shall be hung, and their uniforms placed in the high roads.”³⁶⁶

Espoz y Mina’s legend was amplified internationally by reports in England, and the British government had received letters from Wellington describing events unfolding in the Spanish interior. “The indefatigable and gallant leader Espoz y Mina continues to harass the enemy in all directions – intercepting his convoys, cutting off his supplies, and making him feel, when he least expects it, the vengeance of his arm.” Espoz y Mina could not be everywhere at all times, but his successes made it appear so:

Nothing is too difficult for him to undertake – nothing checks the ardor of his patriotism – no privations, no dangers appall him. By night he is as active as by day, and marching with a rapidity almost unparalleled, he bursts upon the enemy in Aragon, when they thought him to be in Castile, and measuring back his steps with the same speed, attacks them in Castile the moment after they had received

³⁶⁵ Espoz y Mina, *Memorias*, Vol. 1, 122. The proclamation is dated May 8, 1811. Mina used blockades on a number of different towns and cities, such as Jaca, but his focus was Pamplona. See also: Rocca, *Memoirs of the War*, 197. Mina “held Pamplona in a state of almost perpetual blockade, and were continually attacking the detachments and convoys on their way to the French army in Aragon.”

³⁶⁶ *The Morning Chronicle*, London, March 28, 1812; *The Freeman’s Journal*, Dublin, April 2, 1812

intelligence of his having marched to Aragon. Such a man is formed to be the deliverer of his country.³⁶⁷

In 1812 the British government, which thereto had been reluctant to officially sanction the guerrilla war in Spain, reversed course. While it was true that newspaper reports of the guerrillas' activities reached the British public, the government had remained quietly skeptical of the unconventional efforts of the partisans fighting behind the lines. All that changed January 7, 1812, when public notification for British support of the insurgent "system" occurred at the opening of the parliamentary session, when the Lords Commissioners and the Prince Regent (George IV) provided a speech to both houses outlining the official position of the British government. British leadership was ecstatic, because after years of doggedly fighting the French progress against the enemy was finally taking place:

In Spain the spirit of the people remains unsubdued; and the system of warfare so peculiarly adapted to the actual condition of the Spanish nation, has been recently extended and improved, under the advantages which result from the operations of the Allied Armies on the frontier, and from the countenance and assistance of his Majesty's navy on the coast. ...his Royal Highness is persuaded, that you will admire the perseverance and gallantry manifested by the Spanish armies. Even in those provinces principally occupied by the French forces, new energy has arisen among the people; and the increase of difficulty and danger has produced more connected efforts in general resistance.³⁶⁸

"DETESTABLE SYSTEM"

In the spring of 1811 an ambush of a large French convoy by Espoz y Mina's forces at the Basque mountain pass of Arlaban represented another turning point in the war. The attack was disconcerting to French officials because the Vitoria to Irun supply corridor was vital to efforts elsewhere on the peninsula. When news of Mina's victory reached Paris, the emperor reacted with both dismay and stubborn conventionality. He wrote Berthier that the "passage of the Ebro must be secured." In addition to fortifying Miranda with guard-house towers, ten large towers were ordered to be built between Vitoria and Irun as "outposts to reconnoiter the heights, and to keep us always the masters of them." Furthermore, Napoleon informed his chief-of-staff that General Reille

³⁶⁷ *The Derby Mercury*, June 25, 1812. Article dated London, June 20.

³⁶⁸ Lords Commissioners Speech, Opening Ceremony for Parliament (House of Lords and House of Commons), January 7, 1812, *Hansard's Parliamentary Debates*, Vol. 21, Columns 2-3.

“should pursue Mina, and do all he can to destroy the *banditti* and pacify Navarre... [and] must make an end of the *banditti*, terrify them, shoot them by the hundreds, disarm the country...” These were high-handed orders for a general already well known for brutality against civilians.³⁶⁹

The tower project between Bayonne and Madrid is emblematic of a failed strategy. Mechanical semaphore stations, which used signals to communicate over long distances between visible towers, were constructed in France prior to the turn of the century but in regions well-subdued like the plains between Paris and Amsterdam. They were generally used for senior military officers and government officials, and the “complex network eventually linked important French towns” extending even as far as Milan. Between Bayonne and Madrid, especially in the Vitoria, Irun, and Pamplona area, the guerrillas rendered such a system useless, as each station required a protective and well-armed unit to defend. In other words, the system was only as useful as its weakest link. If one station was attacked and its team taken out, the communications broke down. The system under “ideal conditions” could operate near 200km (120mph) an hour,³⁷⁰ but with a break in the link its efficacy was neutralized. That Napoleon considered such a construction project in the heart of Mina’s guerrilla kingdom demonstrates – not only his stubbornness to reevaluate his military strategy – but the ascendancy of the insurgency in 1811. The towers therefore represent Napoleon’s denial of the political and military reality in Spain.

After Mina’s victory at Arlaban French counterinsurgency efforts were stepped up in a desperate attempt to subdue Navarre. 20,000 troops were borrowed from the military

³⁶⁹ *Correspondence* Vol. 2, 185-188. Napoleon to Berthier, June 10, 1811. See also: Tone, 121. Joseph slipped out of Madrid that month to visit Paris. Napoleon initially objected and threatened to have him arrested at Bayonne because he was concerned that Joseph would abdicate. The other reason was that Joseph could be kidnapped on his way back from Paris, and securing the road was doubly important. This is another reason for the June letter to Berthier to construct the towers. Spanish partisans attempted to kidnap him July 7, 1810, while staying at his country house in Cuenca, near Madrid. See: *Jackson’s Oxford Journal*, September 1, 1810: The “*Guerrillas* (flying parties)” were “doing wonders... an attempt to surprise King Joseph at his country seat near Madrid, where he occasionally resorts to visit a *chere amie*.” See also: Rocca, *Memoirs of the War of the French in Spain*, 324: “Some Spanish partisans had been on the point of taking King Joseph prisoner in one of his country houses near Madrid.”; *The Morning Post*, London, October 4, 1810. An account of the July raid “at his country seat near Madrid.” There are few accounts of the attempted kidnapping.

³⁷⁰ Christopher H. Sterling (ed.): *Military Communication: From Ancient Times to the 21st Century* (Santa Barbara, CA: ABC Clio, 2008), xxv-xxvi. These systems were built by Claude Chappe “at various highpoints around the country [France] in 1791.”

district of Biscay for the purpose of putting down the Navarrese insurgents. This force almost doubled the number of soldiers designated to destroy El Empecinado. Taken together, the two actions demonstrate the seriousness the French on the ground viewed the guerrilla threat.³⁷¹ Napoleon's insistence on taking Valencia also undermined progress against the guerrillas. He grew so impatient with the counterinsurgency effort that he wrote Berthier in November to "order General Caffarelli to proceed with his division against Mina; to pursue him in every direction till he is utterly routed."³⁷² To Caffarelli, this order must have seemed somewhat contradictory, since it was Napoleon himself who ordered the taking of Valencia sapping troop strength from northeast Spain.

The population aiding the rebels increased their intelligence gathering capabilities, and vital information was disseminated throughout the peninsula in favor of the guerrillas and their British allies. Conversely, the occupation army's military intelligence was being undermined daily. Couriers unaccompanied by large escorts disappeared, and critical information arrived too late to be strategically useful. Insurgents intercepting imperial communications were privy to the thinking and decisions being made by the upper echelon, and could read in those intercepted communiques the frustrations, issues, and plans. In other words, the insurgency's war of attrition was bleeding the French in what amounted to a death by a thousand cuts. One historian claims that "Half the French troops in Spain were thus usually tied up in protection of their communications."³⁷³ Even if half that number were true, it represents an astonishing percentage of imperial manpower devoted to maintaining communications.

Denying military reality since the beginning of the war, Napoleon finally saw the situation as it truly was at the late point of November 1811. In a letter to Chief-of-staff Berthier (who was on the verge of a nervous breakdown) Napoleon revealed that he at last comprehended the threat of the insurgency in Spain and the ineffective "detestable system" that he had been managing for more than three years. He finally understood that the small garrisons were being eliminated one by one. Ironically, it is also at this late stage in the war that Napoleon invoked the counterinsurgency tactics used in the Vendée. He lamented...

³⁷¹ Tone, *The Fatal Knot*, 121-123.

³⁷² *Correspondence*, 194. Napoleon to Berthier, November 19, 1811.

³⁷³ Elting, *Swords Around the Throne*, 514.

...that immense forces are stationed in the villages to resist troops of banditti that are in motion; that this produces continual misfortunes; that the opposite course should be adopted, only the principal posts should be occupied, and moveable columns sent from them in pursuit of the banditti; that if things were managed in this way, many accidents would be prevented; that this plan must be immediately adopted and the banditti actively attacked; that experience in the Vendée has taught us that the best way is to have moveable columns scattered and multiplied in every direction, and not stationary bodies.³⁷⁴

Napoleon's change in strategy came too late, and rather than address the variety of outstanding issues his army faced, he focused on the coming campaign against Russia. As soon as Suchet took Valencia, Napoleon ordered a crippling withdrawal of "his finest troops from Spain to the eastern front while still garrisoning the whole country with second-rate, reduced division." This was done to amass an army of 500,000 soldiers he believed would destroy the Czar.³⁷⁵ As his army set out for the spring campaign in March, Napoleon wrote to "inform the king of Spain that I entrust to him command of all my armies in Spain," and that he was on his own.³⁷⁶

The Spanish knew about the troop draw down and Napoleon's pending Russian campaign. The citizens of Irun and other border towns had been counting the number of French soldiers coming into and leaving Spain since the beginning of the war. Because the British controlled the seas, the only way into Spain was by land. Rocca noticed this when he passed through the border city. "A great number of the inhabitants of all ages assembled at the gates of that town to see us enter," Rocca wrote upon leaving Irun, and they "kept an exact account of all the French who entered Spain, as well as the wounded who quitted it, and that it was according to these reports that the partisans and guerrillas directed their operations."³⁷⁷

Rocca's observations were verified by reports in London. In addition to increasing desertions among the French in Galicia, there was a perceptible change in the war. "While the forces of the guerrillas are acquiring strength and organizing, the French

³⁷⁴ *Correspondence* Vol. 2, 194-195. Napoleon to Berthier, November 20, 1811. This was the strategy Winfield Scott would later employ in Mexico.

³⁷⁵ Ross, *The Reluctant King*, 203.

³⁷⁶ *Correspondence* Vol. 2, 224. Napoleon to Berthier, March 16, 1812.

³⁷⁷ Rocca, *Memoirs of the War of the French in Spain*, 105-106.

troops are quitting Spain, for their armies in the North of Europe.” April intelligence indicated “50,000 men are subtracted for that purpose from the French armies in Spain, of which number, 25,000 had already passed through Irun.” *The Observer* elaborated on the war’s changing momentum:

Throughout the peninsula the French now manifest a spirit wholly different from that which they displayed when Massena announced his determination of driving Lord Wellington into the sea. The salutary lessons of the last two years have subdued the pride and insolence of France, whose generals no longer affect to despise an enemy, by whom they have in so many instances been defeated.³⁷⁸

PRISONER PROBLEM

Gains made by the insurgents wore on the occupiers and desperate measures ensued. In May authorities implemented a new policy calling for the execution of captured prisoners. The policy marked a major escalation in hostilities and departure from conventional norms. Since the guerrillas had untold numbers of French prisoners, it was a dangerous move. In response El Empecinado wrote to King Joseph in protest. The “barbarian system that you intend to adopt,” he began, would have negative consequences. “Belliard, once said, the architects of the scaffold will be given their destiny.”³⁷⁹

El Empecinado was known for his leniency towards prisoners, but the French policy changed that. While it was always a rule of war for collaborators “that no quarter is given,” Mina’s new retaliatory policy of executing French prisoners was an especially nasty turn to violence. There is no telling how many Spaniards or French met their fate this way. Mina was frank to Joseph:

To this end I preserve and have ordered a large number of prisoners [executed] who have enjoyed my humanity, and these unfortunates are the first to suffer your bloodthirsty decree, to whom I will say to your consolation: your emperor

³⁷⁸ *The Observer*, London, May 17, 1812. Intelligence on troop numbers dated April 22, 1812. See also: *The Freeman’s Journal*, Dublin, April 11, 1812. Report from La Coruña dated March 25, 1812: “Intelligence has been received from the celebrated Mina... which gives this confirmation, add, that there is not the least doubt of 22,000 enemies having returned to France, 7,000 by Jaca, and 15,000 by Vittoria. There is no appearance of others having entered in their place, nor of French reinforcements.”

³⁷⁹ Pérez, *Juan Martín, “El Empecinado”, o el amor a la libertad*, 200-201. The letter to Joseph was dated May 25, 1812.

and his brother Joseph, humane and beneficent philosophers, [it is] they who kill you.³⁸⁰

The war had become a lawless conflagration in the insurgency's main theaters. Immediate execution of Spanish traitors (*chacones*) working for the French were carried out among the insurgents since the beginning of the war, but reprisal executions of French prisoners increased dramatically in 1812 in response to Reille's brutal rule in Navarre. Tone writes that French prisoners "became scapegoats of the guerrilla terror. When the French executed a Navarrese official, four French officials died. When they killed an enlisted man, Mina had twenty French soldiers executed." Later, after Napoleon replaced Reille, an accommodation was found between Mina and the new governor-general and the reprisal executions ceased at the end of 1812. This reduced "the climate of barbarity (at least between combatants) during the last year of the war."³⁸¹ The same issue of executing captured guerrillas would later appear in the Mexican War.

From the Spanish perspective, since most of the major guerrilla units had been formally incorporated into the politico-military structure of the Spanish army, they were entitled to protections based on long-standing traditional conventions. The French, on the other hand, simply refused to accept the *partidas*' legitimacy. The French believed that since the Spanish forces were employing guerrilla tactics, regardless if they were sanctioned by Cadiz, they were operating outside the rules of war and therefore not entitled to protections afforded regular soldiers. Vattel elaborated on the position from the French perspective – which included a general exception to the rule against killing prisoners:

There is, however, one case in which we may refuse to spare the life of an enemy who surrenders, or to allow any capitulation to a town reduced to the last extremity. It is when the enemy has been guilty of some enormous breach of the law of nations, and particularly when he has violated the laws of war. This refusal of quarter is no natural consequence of the war, but a punishment for his crime, – a punishment which the injured party has a right to inflict.³⁸²

³⁸⁰ *Ibid.* 201-3.

³⁸¹ Tone, *The Fatal Knot*, 128-9. See also: Bell: *The First Total War*, 289. Bell cites the 4 to 1 back-and-forth reprisal executions between Reille and Mina while noting that Reille's "reports come to seem like the draft of a bill of indictments against him for war crimes."

³⁸² Vattel, *The Law of Nations*, 347-348.

Essentially there existed no common ground between the two belligerents. The French simply could not accept the Spanish-sanctioned mode of warfare as a legitimate and necessary means of defending their country against a conventionally superior foe. On the other hand, the Spanish felt justified in fostering the *partidas* since it was their country that had been unjustly invaded. Here as well, Vattel outlined prescriptions for conduct regarding reprisal executions. The Spanish abided, and often went over the mark. “If the hostile general has, without any just reason, caused some prisoner to be hanged, we hang an equal number of his people, and of the same rank, – notifying to him that we will continue to retaliate, for the purpose of obliging him to observe the laws of war.”³⁸³ In that sense, Mina abided Vattel’s proscriptions on the proper mode of conduct under those circumstances, but violated the norm by increasing the ratio of reprisal.

The issue of executing prisoners, which went back and forth for months, resulted in much bloodletting before the French eventually capitulated to the Spanish and backed off the executions. Backing away from the policy was an admission itself. It was the recognition that the insurgent forces were on equal terms militarily, and the Spanish had no shortage of French prisoners. From this perspective, 1812 can be viewed as the year the French began to recognize their eventual defeat.

In 1812 Mina made major inroads against the French. The Navarrese farmer had become so formidable that Suchet ordered a division from Valencia to assist Reille, but “by this time Mina had grown too strong to be defeated.” Reille’s Army of the Ebro was useless against an army that refused to engage in pitched battle, could strike wherever and whenever, and could disperse and reorganize at will in a country supported by the population. The French garrison at Pamplona was essentially “under siege” on an island surrounded by Mina’s *partidas*. Mina was no longer interested in trying to win the war outright, but instead focused on bleeding the French army slowly. By doing this he “placed the strategic burden entirely on the French.”³⁸⁴ Alexander writes that through “a combination of partisan persistence and attrition, the combat superiority that the French initially had enjoyed gradually disappeared; by 1812 the partisans were nearly on an

³⁸³ *Ibid.* 348.

³⁸⁴ John Arquilla, *Insurgents, Raiders, and Bandits: How Masters of Irregular Warfare Have Shaped Our World* (Lanham, MD: Rowman & Littlefield, 2011), 52.

equal footing with the best French regulars.” This, coupled with Wellington’s desire to begin fighting again after a long hiatus from battle, turned the tide of the war.³⁸⁵

From 1812 on it became impossible for Suchet to oust the guerrillas. The Zaragoza-Madrid route had become untenable, and Suchet tried to organize a counterinsurgency sweep in that region in February and March by using detachments formed in a line extending from Valencia through Cuenca and Guadalajara. However, due to Mina’s forays, the troops needed for the sweep had to be diverted to protect already weakened positions. The provincial nature of the war manifested itself again in June when Suchet forbade Reille in Navarre from using his troops in Aragon to “assist in pursuits against Mina.” Thus, the inability and unwillingness of French commanders to coordinate efforts to fight the guerrillas became a major Achilles heel. “Mina obviously presented a grave menace to French rule in the province, but Suchet would not permit his soldiers to aid the occupation forces in Navarre to defeat the *partida*.”³⁸⁶

Joseph was in no less a precarious position. With Wellington’s forces engaged in battle again 1812 marked a major turning point in the momentum of the war on a conventional level. The combined action of conventional forces and seasoned insurgent groups ripped apart the logistics and communications sinews of the occupation army. With this coordination, the guerrillas were “a priceless source of information for Allied Generals.” David Gates elaborates by quoting Wellington in his 1986 work, *The Spanish Ulcer*: “Wellington remarked, ‘The French armies have no communications and one army has no knowledge of the position or of the circumstances in which the others are placed, whereas I have knowledge of all that passes on all sides.’ Indeed, so severely harassed were the French lines of communication that scores of vital messages failed to get through.”³⁸⁷

³⁸⁵ Alexander, “French Military Problems,” 118. There were significant periods of the war where Wellington was absent from fighting. After Talavera in July, 1809, Wellington retreated to Lisbon until the Battle of Albuera in May of 1811 – ten months. After liberating Madrid in August 1812, Wellington’s failed siege at Burgos was abandoned in October to retreat to Portugal. He did not reappear until the Battle of Vitoria in June of 1813 – nine months later.

³⁸⁶ *Ibid.* 119. Tone notes that “a whole range of Aragonese towns previously dominated by the French escaped tax obligations for the first time. By June Benavarre, Tarazona, Borja, and Jaca could no longer be taxed, and by the fall the list expanded to include Teruel, Daroca, Alcañiz, and Calatayud.” (Tone, 138)

³⁸⁷ David Gates, *The Spanish Ulcer: A History of the Peninsular War* (London: George Allen & Unwin, 1986), 35. John Elting states that the guerrillas “were Wellington’s main source of military intelligence.” (Elting, *Swords Around the Throne*, 514)

Gates notes that in “early 1812, for example, hardly any correspondence between King Joseph and Marshal Marmont reached its destination...” The result was Wellington’s victory at Salamanca in July. That the British received actionable information on the positions and headings of French armies from the insurgents was not a new development, as that vital relationship had been important to the British army’s survival since 1809.³⁸⁸

However, by 1812 the combination of the two forces after years of grinding on the French army, wore the occupiers down. Much of the blame rested firmly on Napoleon, who despite the obvious, had “continued, with all serenity to ignore tiresome hinderances, and to issue orders grounded on data many weeks old, often on data which had never been true at any moment, but which suited him to believe.” Stubborn refusal to accurately assess the military situation in Spain, along with the Russian campaign, hastened the French “catastrophe of 1812.”³⁸⁹

On August 12, 1812, the allied army headed by Wellington liberated Madrid. Joseph fled to Valencia. “The inhabitants are ready to pull the officers off their horses with joy”, wrote one British soldier upon entering the Madrid.³⁹⁰ The retaking of Madrid, along with the lifting of the siege at Cadiz two weeks later, marked the beginning of the end of the war. While the French army tentatively held northeast Spain, it was obvious that they could no longer project power over the peninsula. Following behind Wellington’s army, British ensign John Aitchison noted the deployment structure of the French army on the outskirts of the city. “In all the villages which we have passed through on the high road since we came near Segovia the enemy have had fortified posts for about 150 or 200 men. The *guerrilleros*, it seems, were so active that it became necessary to have these for escorting couriers.”³⁹¹

³⁸⁸ *Ibid.* “Wellington owed his salvation to the intelligence role of the guerrillas.”

³⁸⁹ Oman, *Vol. 4*, 593.

³⁹⁰ Michael Glover (ed.), *A Gentlemen Volunteer: The Letters of George Hennell From the Peninsular War, 1812-1813* (London: Heinemann, 1979), 38.

³⁹¹ W.F.K. Thompson (ed.) *An Ensign in the Peninsular War: The Letters of John Aitchison* (London: Michael Joseph, London, 1981), 188. August 13, 1812.

A recombined French force organized in Valencia briefly rallied to retake Madrid the following month, but the war's outcome was unavoidable. While Joseph briefly reaffirmed himself in Madrid, Napoleon's army was in full winter retreat across western Russia. Speaking to his close personal aide General Armand de Caulaincourt on the way back to Paris, the emperor reached an unusual candor by admitting that "it would have been better to have wound up the war in Spain before embarking on this Russian expedition..." He also uncharacteristically confessed that "the war in Spain itself, it is now a matter only of guerrilla contests."³⁹²

Soon after news of Napoleon's massive defeat in Russia began trickling into the peninsula. "Simple calculations were presented to me at the same moment that I came to know the fatal outcome for Bonaparte of the Russian campaign," Mina wrote of the event in his *Memoirs*. With the British engaged again, the calculations portended the destruction of the French army in Spain. "After the successful defeat of the Muscovite czar's enemy... it became clearer every day the disadvantaged position of the enemy army. Their strength could be counted at the beginning of this year from eighty to one hundred thousand men in all, spread out in a vast space."³⁹³

As the guerrillas ramped up their efforts against French communications and logistics, the tentative hold on Madrid became precarious again. General Clarke wrote to Joseph from Paris that the "increase of the guerrillas in this direction has rendered Caffarelli unable to perform all his duties." The message portended defeat: "In these circumstances the Emperor thinks that your Majesty should move your headquarters to Valladolid, and let Madrid be occupied only by one of the extremities of your line. The communications between your headquarters and France will thus be shorter, safer, and the north will be better protected."³⁹⁴ Clarke's signal marked the end of Bonaparte reign in Spain. Joseph abandoned Madrid on March 17, 1813 and left Spain for the last time June 28. The long retreat followed the same route he used to enter the kingdom in 1808. After five years of war, the French were being pushed back over the Pyrenees.

³⁹² Jean Hanoteau (ed.), *Memoirs of General de Caulaincourt, Duke of Vicenza, 1812-1813* (London: Cassell and Company Limited, 1935), 441.

³⁹³ Espoz y Mina, *Memorias del general Don Francisco Espoz y Mina*, Vol. 2, 6-7.

³⁹⁴ *Correspondence* Vol. 2, 245. Clarke to Joseph, January 4, 1813.

CAUSES OF DEFEAT

The inevitable defeat of the French was foreseeable as early as 1812. Shortly after Suchet's triumph in Valencia, an optimistic Napoleon could see his plans of Iberian domination crumbling. The emperor commented that the "most distinguished officers looked upon it as a disgrace to be sent to the Peninsula." Napoleon himself admitted that "it was easy to foresee that the period was not far distant when the French would be obliged to recross the Pyrenees." Despite throwing 300,000 soldiers into Spain, the country had not been subdued. With the advantage of hindsight in exile on a far-flung island in the south Atlantic, Napoleon admitted he underestimated the Spanish. He summed up the entire campaign by highlighting the early victories of Suchet and other generals, while acceding to a harsh retrospection:

At first we were uniformly successful, but our advantages were so dearly purchased that the ultimate issue of this struggle might have easily been foreseen, because when a people fight for their homes and their liberties the invading army must gradually diminish, while at the same time the armed population, emboldened by success, increases in a still more marked progression. Insurrection was now regarded by the Spaniards as a holy and sacred duty...³⁹⁵

Henri Jomini, who was in Spain during part of the war, echoed the emperor's explanation for what went wrong. Like Napoleon, Jomini spent time in Spain during the war and had a first-hand account of the ferociousness of the Spanish rejection of *el rey intruso*. The defeat of the greatest army in the world boiled down to the French inability to suppress a population supporting partisan forces defending their homeland:

No army, however disciplined, can contend successfully against such a system applied to a great nation, unless it be strong enough to hold all the essential points of the country, cover its communications, and at the same time furnish an active force sufficient to beat the enemy wherever he may present himself. If this enemy has a regular army of respectable size to be a nucleus around which to rally the people, what force will be sufficient to be superior everywhere, and to assure the safety of the long lines of communication against numerous bodies? The Peninsular War should be carefully studied, to learn all the obstacles which a general and his brave troops may encounter in the occupation or conquest of a country whose people are all in arms.³⁹⁶

³⁹⁵ Napoleon: *Memoirs*, Vol. 3, 300, 277.

³⁹⁶ Antoine-Henri Baron de Jomini: *The Art of War*, 32.

Other students of the war examined what occurred. Carl von Clausewitz wrote a multi-volume treatise *On War* (1832-5) stressing psychological factors that Napoleonic tacticians such as Jomini often overlooked. One of his most famous quotes, that “war is only the continuation of political methods” related to the reexamination of benign approaches in warfare, which was illuminating in the Spanish context. “All citizens became soldiers, hence war was no longer a matter for cabinets and their hirelings, but the nation itself turned the balance of the military scales.” According to him, after conquering a country, a commander must assess “the moral effect which the exhaustion of certain resources... may produce... He must be able to estimate how far the enemy may allow himself to be prostrated by a severe blow, or whether like a wounded bull he may not become more furious at each wound.” Referring to Napoleon, Clausewitz offered a parallel explanation on the Spanish national uprising:

The more territory the invaders occupy, the more points of contact between them and the popular resistance, and the more extensive and exhausting the actions of the defenders. Like slow combustion it gradually exhausts and wears away the very foundations on which the invaders’ force depends. It destroys the very element on which it works. Its work is done by imperceptible degrees, perchance on some points the tension is diminished for a while; on other points vigorous operations may stamp it out, but on the whole when the flames of a general rising extend over the land, it will have a resistance influence. The invader must abandon the country or it will become his grave.³⁹⁷

Clausewitz’s sentiments echoed the opinions of contemporary observers, such as those made in March of 1813 by the former British Secretary of State, Marquess Richard Wellesley. Even though Wellesley, the older brother of the Duke of Wellington, understood the military tide had turned in Spain, he was critical of the way the British conducted the war with oscillating advances and retreats from Portugal. “What is this system of protracted warfare, which, I cannot say, never begins, but which is never to end; which is to linger on at its ease from year to year, full of all the helpless indolence of peace without its enjoyments, and all the miseries without its successes?” Indeed, the statesman described a new type of war of attrition against an occupying force, and Wellesley recognized the fatal fallacy of Napoleon’s military provincial government system. “Instead of superintending the army in person, its general [Napoleon] was compelled to abandon it; to leave it to conflicting powers, – to authorities ridiculous and

³⁹⁷ Miss Maguire (ed.), *General Carl von Clausewitz On War* (London: William Clowes & Sons, 1909), 155, 139, 118, 67.

contemptable.” In effect, the French governor-generals could not work together, and only did so after it was too late. “Their commander in the south [was] not able to assist, or draw assistance from, the commander in the north; and the general in the north, as little able to calculate upon, the assistance and co-operation of the commander in the south.” Although he lauded his brother’s victories, he understood long before Clausewitz that the Spanish forced the French to occupy the entire country, which lessened the burden and threat to the British army. Because...

...the French force must be spread out over a large surface of the country; that they would be under the necessity of extending themselves over a great portion of the Spanish territory; and that therefore, they could not present themselves in any united body, to the whole of your [British] army; that they could not oppose to you the whole body of their force. Your system, therefore, shall have been, to have had a force able to maintain active operations in the field, and another force competent to keep in check the main body of the French army.³⁹⁸

The city of Zaragoza was liberated in 1813. Shortly after the main French force left the city in early July of that year, Espoz y Mina entered it triumphantly. The *Zaragoza Gazette*, whose printing press began operating after again the five-year occupation, happily informed its citizens October 5 “of the greatest entity and glory for our armies” in that “we still remain in the same confusion about the movements and progress of Suchet... we know that with all his army he has retreated towards Barcelona.” Two weeks later the newspaper offered an understatement on the downfall of Napoleon. “Emperor Napoleon had arrived in his career to that point at which he should prefer the preservation of his conquests to a restless struggle for new domains. Any increase in possessions, which already extended beyond their natural limits.”³⁹⁹ On October 26, as the government transitioned to self-rule, the *Gazette* printed a notice from the Superior Junta Supervisory Board of Aragon. Relief over the ending of the war was palpable. “The Board has the glory to make you present, that wishing to become worthy of the heroic people it has represented, has not yielded to any other corporation of its kind in love to you...”⁴⁰⁰

³⁹⁸ Marquess Richard Wellesley, House of Lords, March 12, 1813, House of Lords, *Hansard’s Parliamentary Debates*, Vol. 25, Column 47, 30-32. Wellesley was Secretary of State from December 6, 1809 to March 4, 1812. The speech (“Conduct of the War in the Peninsula”) in the House of Lords was critical of British officials such as Lord Grenville and their failure to supply the British Army.

³⁹⁹ *Gazeta de Zaragoza*, October 5, 19, 1813 (No. 27, No. 33), BNE-HD.

⁴⁰⁰ *Ibid.* October 26, 1813 (No. 35), BNE-HD.

The war had a devastating effect on Zaragoza. After enduring eight months of being under siege, destruction, pillage, and occupation, Zaragoza needed to rebuild much of what it had lost. The “Aragonese town had been a vital center boasting of two cathedrals, twenty-five monasteries, sixteen convents, and more than seventy smaller churches.”⁴⁰¹ The story of Zaragoza and its defiance in the face of impossible odds would be retold again and again. Its name would live on, and later invoked in Mexico as a symbol of national resistance.

General Jose Palafox, tasked with rebuilding the city he tried desperately to defend, ensured that the siege of Zaragoza would not be forgotten. He proposed leaving many ruins unmolested so future generations could physically see what had been done to the martyred city.⁴⁰² Many of the ruins from the war, with their bullet holes and shell markings, are still there to see. Zaragoza thus became a symbol of the defiance, independence, and heroism of a people who refused to be conquered. In this way, it represented not just the geographic and strategic failures of the French in subduing Spain, but the spiritual persistence and determination of the Spanish people. Zaragoza’s buildings may have been crushed, but her unconquerable spirit survived the war.

Long after the war ended *The St. Joseph Weekly Gazette* of the Missouri town ran an article contemplating a chaotic situation in Spain. The article reflected on the country’s long history. “Perhaps there is no more curious race in all of history than this Spanish one. Julius Caesar, who appeared to accomplish pretty much everything he undertook, could never conquer the ancestors of these people.” The editors of the small Missourian city newspaper might have added that the Sertorian War in Roman Iberia was also a guerrilla war. According to the *Gazette*, the arc of Spain’s history was apparent even to the novice observer. “In point of fact Spain has never been conquered. What time the Moors held nominal sway there, they took good care to fortify every town they occupied. An uncovered garrison was an anomaly.” Despite the insurgency’s

⁴⁰¹ Tara Zanardi, “From Melancholy Pleasure to National Mourning: ‘Ruinas de Zaragoza’ and the Invention of the Modern Ruin.” *Zeitschrift für Kunstgeschichte* 72. Bd., H. 4 (2009): 524. “The French invaders targeted sacred architecture throughout Spain as part of their strategy to undermine the people’s resolve to fight.”

⁴⁰² *Ibid.* 542.

historiographical detractors, that trajectory carried on through the legacy of the war against the French:

Napoleon's legions overran the land and garrisoned the capital, but they fought him perpetually. It was one long, bitter, wild beast fight, wherein the Spanish battalions simply had to be ground to powder. They would disappear as veterans... and reappear as guerrillas... They could be seen, touched sometimes, now and then surprised, once or twice butchered; but they generally entered into the unknown, or emerged from it monsters. Napoleon's losses in Spain were frightful. These old grenadiers whose gray mustaches he used to pull, and gossip with about their bivouac fires, perished by attrition.⁴⁰³

Attrition caused by guerrilla attacks ground down the French army long enough for the British forces to continue to exist in Iberia. This much the former emperor was later recorded admitting before his death on St. Helena. Napoleon "alluding to the Spanish war, he said, 'That unlucky war ruined me; it divided my forces, obliged me to multiply my efforts, and caused my principles to be assailed; and yet it was impossible to leave the Peninsula as prey to the machinations of the English...'"⁴⁰⁴ The assailed principles Napoleon referred to were his sacred rules of war. His military religion was undermined by a sacrilegious form of warfare that destroyed his "detestable system." The Americans would learn from the mistakes made by the French, as both systems would again face off midcentury in the defiles and hills of Mexico.

⁴⁰³ *The St. Joseph Weekly Gazette*, Missouri, August 23, 1883. See: Varga, Daniel: *The Roman Wars in Spain: The Military Confrontation with Guerrilla Warfare*, Pen and Sword, Barnsley, UK, 2015.

⁴⁰⁴ Count Emmanuel Las Casas, *Memorial de Saint Hélele. Journal of the Private Life and Conversations of the Emperor Napoleon at Saint Helena*, Vol. 2 (London: Henry Colburn and Co., 1823).

SUMMARY

The destruction of the French Army by the Spanish guerrillas during the Peninsular War changed the trajectory of modern warfare. Until that time the French were undefeated in battle. The invasion of Spain and imposition of Napoleon's brother on the throne was the catalyst that upended that status quo. Rather than accede to the more powerful occupier, the Spanish rose to challenge the invaders by waging a national war. The May 2 uprising in Madrid and the resistance forged during the sieges of Zaragoza became symbols of popular defiance in the face of a superior military foe. When conventional military means failed, the Spanish revised strategies and launched an unprecedented guerrilla war that defied the rules and laws of regular warfare. The insurgent war was initially fostered by the *ad hoc* central juntas of Spain through regulations and later the *Curso Terrestre* ("land privateering") – a proclamation that legitimized and incentivized the interception of enemy material and communications by small *partidas* throughout the occupied provinces.

The tactics employed by the small units organized under the auspices of the *Curso* were antithetical to Napoleon's larger armies and the military paradigm of the era. Various precepts such as avoiding direct confrontation with larger forces, striking unsuspecting units in surprise attacks, and dispersing and reforming, became the norm for insurgent forces in Spain. This swarming strategy, later employed in other conflicts such as the Mexican War of Independence, forced the occupiers to be ready at all times. By abandoning conventional military engagements, the guerrillas undermined the enemy by compelling him to protect convoys and couriers with heavily armed escorts. Because of this, soldiers that may have otherwise been used in counterinsurgency or offensive operations against the British were designated to keep logistics efforts of the war going. As a result, increasing logistical obligations became a constant burden undercutting the army's basic capabilities.

The efficacy of guerrilla warfare during the conflict contrasts the stubborn belief held by Napoleon that conventional rules of engagement could eventually bring victory. The strategy of occupying the entire country undermined the French because it forced Napoleon to send troops to nearly every corner of the peninsula. Once the French spread

out, it became easier for guerrillas to attack smaller isolated garrisons in locations strategically unnecessary to the regime's main goals of destroying the holdout government in Cadiz and ousting the British from Iberia. Napoleon micromanaged the conflict from a distance, lacked the insight to adapt to new methods, and only realized his army was critically weakened at a late stage in the war. Ultimately, fraying communications and lack of strategic intelligence undermined the French ability to adapt to the changing military landscape. In the end, Napoleon's top-down method of waging war not only undermined gains made by generals in the war theater, it was incapable of confronting guerrilla warfare.

The policy of state terror implemented by Napoleon from the war's inception also aided the insurgent cause. Executions, forced exiles, kidnappings, imprisonment, and surveillance became the norm. Although justifiably legal according to Emer de Vattel, those policies were exacerbated by the adherence to the right of sacking cities and towns under siege, which only served to further inflame the population. By stubbornly escalating the violence against the people, Napoleon inadvertently fueled the very insurgency undermining his hold on the country. Adding to these sentiments was the unsavory treatment of the Catholic Church and ecclesiastics – many of whom were already opponents of French secularism. Because of previous conflicts with the French, the occupier faced an uphill battle to win the compliance of the people at the onset of the war. The inability to placate such an influential institution in Spanish society posed a major dilemma. Taken in total, harsh French methods against Spanish combatants, ecclesiastics, and civilians undermined efforts to win over needed domestic allies and collaborators essential for successful long-term occupation.

The policy of severely punishing those deemed critical to the French regime, sympathizing with, or aiding insurgents, was the biggest mistake made by the French. This policy, which percolated from the top down throughout the military command structure, alienated the regime and occupation army from a population already skeptical of French intentions. Much of this skepticism existed prior to the war due to previous conflicts with France as well as a common perception among the Spanish that the French were anti-Christian. Executions, imprisonment, and forced exile of those associated with the insurgency turned the war into an existential threat for Spanish

society and made enemies among people who might otherwise have been disinterested. Confiscation of wealth, whether it was done to churches, convents, parishes, or owners of private homes, convinced a critical majority of Spaniards (lay and clerical) that French intentions were hostile to their interests – despite all the rhetoric by the regime claiming the contrary. Napoleon’s personal animus towards the Spanish was therefore redirected to the people of Spain by his generals, their colonels, their captains, and henceforth down the command structure for the duration of the occupation.

When examining other wars in retrospect, turning points can be seen where the insurgent home army begins to reach military parity against the invader’s forces. From examples as diverse as the British during the American Revolutionary War – to the Russians fighting the Afghans – the insurgency grinds against the logistics network and morale of the invading army while the frustrated invader enacts counterproductive counterinsurgency policies to root out rebels or their sympathizers among the general population. In such a situation time is the enemy of the invaders. When the moment passes, as Clausewitz wrote, “the invader must abandon the country or it will become his grave.” Once this turning point becomes apparent, there is little that army can do (apart from massacring the entire population) to win the ready compliance of a population whose sons, fathers, and mothers are engaging the enemy. Politically that point arrived early in the war against France. Military that point came in 1811, when the guerrillas reached parity with the French. By the time the British reasserted themselves in 1812 with their well-rested soldiers, the combined action between insurgents and conventional forces hastened the destruction of the French Army in Spain.

When Napoleon told his brother Joseph that “at Madrid you are in France” he demonstrated a tragic amount of hubris. Despite their internal political arguments over liberalism, enlightenment, and absolutism, the Spanish at the least agreed that an invader that did not respect its religious institutions or its king was not welcome. This – among many other mistakes made by the French in Spain chronicled by Clausewitz and Jomini, was one of many lessons the Americans remembered before penetrating into the heart of Mexico.

PART II: THE MEXICAN-AMERICAN WAR

The supreme art of war is to subdue the enemy without fighting.

----- Sun Tzu, *The Art of War*

2.1 THE “SECOND SARAGOSSA”

The Mexicans had never any apprehension of an effective invasion from [Veracruz] or from Tampico. In respect to either of these routes, they might have expressed what the Russians felt when Napoleon marched upon Moscow: ‘Come unto us with a few and we will overwhelm you; come unto us with many, and you shall overwhelm yourselves.’⁴⁰⁵

----- Lt. Gen. Winfield Scott, *Memoirs*, 1864

In early 1845 the incoming administration led by President James K. Polk worked to finalize the annexation of the Republic of Texas – a breakaway state formally in the hands of Mexico. That July, Polk sent soldiers under the command of General Zachary Taylor into the disputed region between the Rio Grande and Nueces rivers, and later dispatched envoy John Slidell to Mexico City to negotiate for the purchase of that area. After skirmishes with Mexican soldiers broke out on the northern side of the Rio Grande in late April of 1846, the American government responded by declaring war on Mexico May 13. Despite the controversial origins of the war, the U.S. Army commenced the invasion of northern Mexico.

The invasion of northern Mexico led by Zachary Taylor represented one of the two major theaters of the conflict. The other theater – excluding the naval forces and soldiers sent by Polk to California and New Mexico – was directed at the heart of Mexico to force the Mexicans to sue for peace. The campaign to seize Mexico City, led by General Winfield Scott, commenced in April of 1847 with a surprise amphibious assault on the coastal city of Veracruz. Leading the defense of Mexico was the former Mexican president General López de Santa Anna – who had returned from exile in Cuba to unite a fractured country. As unity dissipated in the spring of 1847, Mexican guerrillas began attacking U.S. forces along the line between Puebla and Veracruz and continued (against the Mexican government) even after the Americans left the country more than a year later. Ultimately, Mexican infighting and disorder contrasted the U.S. Army’s unity

⁴⁰⁵ Lieutenant General Winfield Scott, *Memoirs* (New York: Sheldon & Co., 1864), 404.

and preparedness, and the war ended with the Treaty of Guadalupe Hidalgo in 1848 and the incorporation of western lands that include the present-day states of California, Arizona, New Mexico, Nevada, and Utah. Politically, the Mexican-American War remained controversial in the United States throughout the conflict, but when the fighting commenced much of the American press promoted the conflict by framing it as a romantic endeavor pitting enlightened republican warriors fighting against corrupt and despotic Mexican rulers with monarchical tendencies. Underlying that general theme was a growing interest among Americans in Spanish history and more specifically the Napoleonic War in Spain.

VERACRUZ

On April 9, 1847, the *New York Daily Herald* printed a short article about a ship named the *Oregon* that set sail from Veracruz the month before. The snippet stated that after heading “three or four hours” on open water towards New Orleans, “heavy firing was heard in Veracruz, and from the sound, it came from the Americans.” Indeed, it could not have been any other military. The bombardment of Veracruz on March 9 ushered in the second phase of a war that started almost exactly a year before. The *Daily Herald* promised its readers more updates as they trickled in, adding eagerly that “Veracruz is to be the second Saragossa!”⁴⁰⁶

The assault on Mexico’s main port city was received with both eager praise and wild consternation by a politically divided America. As such, both pro- and anti-war advocates in the United States found ways to compare the event to the actual siege of Zaragoza a generation earlier in Spain. Northern anti-war newspapers focused on “the immense horror of the scene, 500 women and children perished with their ruined homes and slaughtered husbands and fathers.” The literary imagery was reminiscent of Goya’s *Disasters of War*. While acknowledging that General Winfield Scott “invited” the civilians to leave before the bombardment, the anti-war press often added praise to the Mexicans defending their homes with a reference to the defiant city’s most famous heroine – Augustina. “We know something of the brave stock from which they

⁴⁰⁶ *New York Daily Herald*, New York City, April 9, 1847.

sprung... that nerved women's hands to join the awful strife at Saragossa? Better, they might have thought, to die with their defenders, than to live widowed and fatherless."⁴⁰⁷

The use of female imagery was common. One North Carolina newspaper published an article titled "Female Patriotism" while noting that the idea of Augustina inspired a woman from Alabama to inquire about how "to join our forces in Mexico." The article claimed she was motivated by patriotism and "determined, if possible, to do her part towards sustaining the honor of her country" by enlisting in an infantry, artillery, or dragoon company. The writer asked, "After this, who shall say that the spirit of Joan d'Arc has fled, or that the patriotism of the Maid of Saragossa does not still burn in the bosoms of some of her sex?"⁴⁰⁸

Newspaper editors and columnists asked themselves and their readers if a defiant Spanish-style spirit existed among the Mexicans. *The Liberator* of Boston, opposed to the war along with most of New England, affirmed the presence of a Spanish-inspired hostility to invaders among the Mexicans harkening back to the days of Hannibal and the Punic Wars. "The Spanish blood is as remarkable, in its way, as the Anglo-Saxon. It has been very hard to conquer, from the siege of Saguntum down to that of Saragossa."⁴⁰⁹ Comparisons with the Carthaginian siege of the ancient Spanish city of Saguntum seemed to lend the modern siege more epic and Iberian credentials. During the war, ancient military campaigns were commonly compared among a press eager to sell the conflict to the public. The *Buffalo Commercial* made a case for expecting further opposition after the outbreak of the war by claiming that "everybody knows that the very women of invaded countries, and especially when those women are of the Spanish race, fight for their tiresides like so many born devils." The upstate New York newspaper claimed that "ladies are instinctive soldiers" while, again, referencing "Joan of Arc or the Maid of Saragossa" as examples:

Witness how she of Saragossa, Augustina, one of the beauties of her city, shone in its two sieges... among the most desperate of its unconquerable defenders, and verified how, when people strike for their hearths and altars, you have 'The man nerved to the spirit, and the maid waving her Amazonian

⁴⁰⁷ *Green-Mountain Freeman*, Montpelier, Vermont, April 22, 1847.

⁴⁰⁸ *Wilmington Journal*, North Carolina, June 18, 1847.

⁴⁰⁹ *The Liberator*, Boston, October 15, 1847.

blade.’ We may meet, in overrunning Mexico, a fierce popular – or rather, we should say, fierce feminine – resistance of this old Numantian sort.⁴¹⁰

Comparisons between the two sieges continued in reports long after the walls of Veracruz were breached by American cannon fire. When news reached New Orleans – the closest major American city to the war theater – the information was relayed more rapidly to the eastern United States via couriers and a newly-invented (and developing) telegraph system. Many newspapers shared reports and stories. One of Natchez’s main newspapers, *The Mississippi Free Trader*, noted how Veracruz’ “main streets had been barricaded, the pavements broken up, and cannon placed in position to enfilade them... every house was a fortress, and the city was capable of presenting a resistance equal to that of Saragossa.”⁴¹¹ The *New York Daily Herald* reported that, like the French siege of Zaragoza, “every house here was a fortress, loopholed, in readiness to envelop our columns in murderous fire, the moment they should attempt to penetrate its interior.”⁴¹² Indeed, many of the reports of the siege of Veracruz employed similar phraseology to describe the event.

Nor was accuracy important to a press eager to sensationalize the war. *The Washington Union* claimed the “French were defeated at Saragossa, but Taylor conquered at Monterrey. Wellington was repulsed from Badajoz on his first attack; but Scott stormed Cerro Gordo in an hour.”⁴¹³ One widely-circulated article claimed that “there is no peace-party at Mexico. The voice of all is for open war: There is no terrorism; people are not driven to patriotism by the guillotine and the gallows as at Saragossa and Barcelona.”⁴¹⁴

So where did the Americans receive these romantic histories and fanciful notions? In his 1985 work, *To the Halls of the Montezumas*, the historian Robert Johannsen demonstrates that many historical works during the war “suggested parallels between

⁴¹⁰ *The Buffalo Commercial*, Buffalo, New York, July 7, 1846. Numantia was the site of a famous clash between Celtiberians and Romans. Scipio laid siege to the city for more than a year by erecting a barrier around it. Rather than surrender, the Numantians committed suicide and burned the city. Fort Saguntum (Sagunto Castle) was also a critical defense point in the siege of Valencia, but most references are referring to the older, more ancient siege.

⁴¹¹ *The Mississippi Free Trader*, Natchez, Mississippi, June 10, 1847.

⁴¹² *New York Daily Herald*, May 5, 1847.

⁴¹³ *The Washington Union*, Washington DC, October 6, 1847.

⁴¹⁴ *New York Evening Post*, New York City, June 19, 1847

the Mexican War and the Napoleonic wars that broadened support for the conflict.” These works included Joel Taylor Headley’s *History of Napoleon and his Marshals* (1846), William Hazlitt’s *Life of Napoleon Buonaparte* (1847), and Adolphe Thier’s *History of the Consulate and the Empire of France Under Napoleon* (1845). Johannsen notes that entrepreneurial publishers at the time reprinted new editions of various English works on the Peninsular War’s history by authors such as Archibald Alison, Charles Vane, and William Napier, and that significant portions of those were included in extensive excerpts published in U.S. papers. Headley’s *Napoleon and his Marshals* was even “dedicated to [Gen. Winfield] Scott, whom Headley admired and thought would soon become the Napoleon of the Mexican War.” These, among a myriad of other works that included dime novels and magazine stories “aroused the midcentury’s romantic imagination.”⁴¹⁵

Newspapers ran stories throughout 1847 comparing the siege of Veracruz to contemporary historical accounts of the siege of Zaragoza – often with a racial element. “To give our readers some idea of the indomitable pertinacity of the Spanish race when their homes and their altars are assailed,” the *Buffalo Commercial* read, “and to show what the thirty Mexican departments [states] would probably do on their own account” if the Americans kept the war going. The newspaper then ran an excerpt from Headley’s book on Napoleon, noting that that portion had been taken from Marshal Lanne’s account (italics added):

“Unyielding to the last, the brave Saragossans fought on... rushed up to the very mouth of the cannon, and perished by hundreds of thousands in the streets of the city. *Every house was a fortress*, and around its walls were separate battlefields, where deeds of frantic valor were done. Day after day did these single-handed fights continue, while famine and pestilence walked the city at noonday, and slew faster than the swords of the enemy. The dead lay piled up in every street, and on the thick heaps of the slain the living mounted and fought with the energy of despair for their homes and their liberty.”⁴¹⁶

⁴¹⁵ Robert A. Johannsen, *To the Halls of the Montezumas: The Mexican War in the American Imagination* (New York: Oxford University Press, 1985), 74-76; Sir Archibald Alison (1792-1867), *History of Europe from the Commencement of the French Revolution in 1789 to the Restoration of the Bourbons in 1815*, 10 vol. (1833-1843); Charles William Vane (1778-1854), *Narrative of the Peninsular War* (1828); William Francis Patrick Napier (1785-1860), *History of the War in the Peninsula and the South of France, from the Year 1807 to the Year 1814*, 6 vol. (1828-40).

⁴¹⁶ *Buffalo Commercial*, October 9, 1847. Article title: “When will the War End?” See also: *Wisconsin Argus*, Madison, March 23, 1847.

Zaragoza was also used as a general symbol of defiance against an aggressor *before* the siege of Veracruz. Since plans for taking the city were initiated in the fall of 1846, it was an open secret in Washington that the Americans were planning an amphibious assault on Mexico's main port. Even prior to that siege, however, the siege in the northern Mexican city of Monterrey – captured by General Zachary Taylor in September of that year – was used to invoke the spirit of Zaragoza resistance.

A myriad of papers ran a story claiming that the capture of Monterrey “brings to mind parallel instances” among historical events including “the last great struggle between Rome and Carthage” and “the Peninsular War of the present century.” William Napier's history of the war in Spain was quoted. Using a feminine analogy, the article described how the “walls of Saragossa thus went to the ground; but Saragossa herself remained erect, and as the broken girdle fell from the heroic city the besiegers, startled at the view of her naked strength.” Thus, the Americans were taking on the role of the Spanish city's French violators, with an updated account of modern American weaponry:

...mines were prepared in the more open spaces and the internal communications from house to house were multiplied until they formed a vast labyrinth, the intricate windings of which were only to be traced by the weapons and the dead bodies of the defenders. – advantages secured by thus advancing under cover, the American rifle, in the hands of such men as the Texas Rangers and the Western volunteers, were a more efficient weapon in such a contest as this than any which the assailants of Saragossa possessed.⁴¹⁷

The *Natchez Weekly Courier* of Mississippi reported similar events during the storming of Monterrey. “Americans had found the streets of the city barricaded with stone walls, but no obstacles, no difficulties were found insurmountable to American valor.” The language of American valor was typical of the pro-war dispatches. “The enemy thought to have Monterrey recorded in history as the Saragossa of Mexico, and to win unfading laurels in the repulse which they were to inflict upon the American forces.” Indeed, that city, stormed by U.S. soldiers in the fall of 1846, had been labeled by dozens of newspapers as the “Saragossa of Mexico” before being replaced by a more fitting

⁴¹⁷ *The Somerset Herald*, Pennsylvania, December 15, 1846; *The Buffalo Commercial*, November 21, 1846. During the siege of Monterrey another Augustina-like female defending her city made its way into press accounts. Her name was Dos Amades, and she had apparently commanded a company of Mexican lancers. (Johannsen: *To the Halls of the Montezumas*, p. 137).

Veracruz when the moment arrived the following year. Nevertheless, the fact that Americans had been fighting within the walls of a foreign city was close enough to render a comparison. “The fiercest of the fight was in the very streets of the city, and there the deadliness of Texan retribution found no obstruction to its revenge in the walls of stone which had been reared to oppose its advance.”⁴¹⁸

Seeking recognition of its own histrionic glory, the American press constantly compared the U.S. Army’s achievements to those of the Europeans. Americans “cannot look back on the career of our army in Mexico without a thrill of honest pride! Such prodigies of valor, such heroic perseverance, has never been passed in history, and has only been equaled by the fabled deeds of the Paladins of old.” Many papers diligently worked to ensure that “[f]uture analysts will tell the story of the war,” and put the “miraculous” American efforts against insurmountable odds in the best possible light. The U.S. Army’s achievements in Mexico, according to the pro-war press, even surpassed those of the “prodigies performed by the old guard” of Europe. Among these epic levels of comparisons, the former French emperor was king. “Napoleon often won battles against armies thrice his own number; Taylor and Scott have conquered against fourfold odds. The victories of Napoleon were achieved by veteran troops; our successes have been gained chiefly by volunteers.”⁴¹⁹ *The Daily Picayune* of New Orleans, an important source for national news in the eastern U.S., claimed that General Zachary Taylor’s victories proved “to the world that he is the ‘second Napoleon.’”⁴²⁰ Others wrote that Scott was “always admired” as a general but “Old ‘Rough and Ready’ however will still remain with us, to all who know him [as] ‘Napoleon’ of the army.”⁴²¹

If the American pro-war press was not comparing generals Taylor or Scott to Napoleon, it was criticizing Mexicans for failing to put up a resistance akin to their Spanish cousins. “New Spain is as like Old Spain as ever a child was like a parent. If the

⁴¹⁸ *The Natchez Weekly Courier*, Mississippi, October 14, 1846. “The Texans acting as light infantry actually made their way from house to house with axes and spades.”

⁴¹⁹ *The Washington Union*, Washington DC, October 6, 1847.

⁴²⁰ *The Daily Picayune*, New Orleans, Louisiana, April 22, 1847. Santa Anna was also known as the “Napoleon of the West,” or the “Napoleon of Mexico.” Sensationalism dramatized the war and portrayed the Mexican general as a formidable enemy. For examples see: *Vicksburg Daily Whig*, Mississippi, April 29, 1847; *Vicksburg Whig*, August 18, 1847; *Prairie De Chien Patriot*, Wisconsin, July 27, 1847; *Richmond Enquirer*, Virginia, June 25, 1847; *The Tennessean*, Nashville, May 26, 1847.

⁴²¹ *The Tennessean*, Nashville, February 19, 1847.

Mexicans had been blessed with a little Bailen, the whole scene would be a wonderful representation of the peninsula in 1809.” Some even compared Santa Anna’s flight after the Battle of Cerro Gordo to the end of the Peninsular War. “Santa Anna is said to have decamped in good time, leaving his carriage, like Joseph’s at Vittoria, to the spoils of his pursuers...” To many editors it did not matter if the Americans took on the role of the Spanish in the analogy.⁴²²

Other romantic analogies were widely disseminated. Since it was known that Scott’s army was heading to Mexico City, newspapers in the early phases of the war made romantic comparisons between the U.S. Army and Cortez’ band of conquistadors:

The Anglo-Saxons were cut off from all succor and support from home... The Yankee invaders found the valley bristling with bayonets... They had before them a city of 200,000 inhabitants – a city in which every house was a fortress – they had a population incited against them by a thousand and one idle tales and calumnies – by stories of brutalities and excesses they were said to have committed, and which they were advancing to repeat; a population which had learned the sieges of Saguntum and Saragossa by heart, and in their exceeding pride of valor doubtless thought they were to rival if not excel the deeds enacted by the defenders of those valiant cities.⁴²³

Even General Winfield Scott, not known to be overly histrionic, entered the game of employing romantic comparisons in a report to the Secretary of War outlining his lack of logistical support from Washington D.C. during the invasion. “Thus, like Cortez finding myself isolated and abandoned again like him,” Scott wrote his superior succumbing to comparisons between the U.S. campaign and the Spanish one of 1519, “always afraid that the next ship or messenger might recall or further cripple me, I resolved no longer to depend on Veracruz or home, but to render my little army ‘a self-sustaining’ machine... and advance to Puebla.”⁴²⁴

Reprinted accounts of the Spanish conquest of Mexico appeared almost as often as popular excerpts on the Peninsular War or vivid tales of Napoleon. One of the most

⁴²² *Baltimore Commercial*, Maryland, June 26, 1847; *The Portage Sentinel*, Ravenna, Ohio, July 14, 1847; *New York Post*, June 19, 1847.

⁴²³ *Vicksburg Whig*, Mississippi, November 17, 1847.

⁴²⁴ House Executive Document No. 60, US Congressional Documents: Library of Congress, (US Serial Set No. 520), p. 1223. Winfield Scott (Mexico City) to Secretary of War William L. Marcy (Washington D.C.), February 24, 1848. Subsequently referred to as HED No. 60. (LOC).

acclaimed books during the war was William H. Prescott's *History of the Conquest of Mexico* (1843). The "immensely popular" work was even read among the American soldiers while fighting in Mexico. The book, Johannsen writes, "published just two and a half years before the war, had turned public attention towards Mexico, stimulated interest in that country, and familiarized countless Americans with the titanic struggle between Cortez and Montezuma." Ironically, even though Prescott ultimately opposed the war, his widely read book "had much to do with stimulating" it.⁴²⁵

Indeed, many American readers of Prescott drew historic parallels in the civilizing sense of mission among the conquistadors of Spain and the U.S. Army's efforts in Mexico – particularly after comparisons between the two became more acute following the siege of Veracruz. Prescott wrote: "The Spanish cavalier felt he had the high mission to accomplish as a soldier of the cross. However unauthorized or unrighteous the war he had entered may seem to us, to him it was a holy war. He was in arms against the infidel."⁴²⁶ This kind of romantic imagery was in high demand among American readers in the mid-nineteenth century.

The *Weekly National Intelligencer* among others printed a July 31 story aside columns on the war titled "Romance of Louisiana History." The romantic depiction was a long excerpt from *De Bow's Commercial Review of the South and West*, a widely circulated magazine that sprang up in New Orleans during the war in response to demand for Spanish and Mexican-related literature. The focus of *De Bow's* was the frontier beyond New Orleans. "Poetry is the daughter of the imagination, and imagination is perhaps the highest gift of Heaven," the excerpt began. To "conceive an Alexander, a Caesar, a Napoleon... or any of those wonderful men who have carried as far as they could go the powers of the human mind... without supposing them gifted with some of these faculties of the imagination which enter into the composition of poetical organization." The article went on to posit the existence of "Grecian figures and letters" in native American pottery, Phoenician visitors to the New World, and Tacitus' descriptions of "ancient barbarian tribes of Germany" before jumping into the sixteenth-century exploits of the conquistador Hernando de Soto in the Gulf of Mexico:

⁴²⁵ Johannsen, *To the Halls of the Montezumas*, 245.

⁴²⁶ William H. Prescott, *The History of the Conquest of Mexico* (New York: The Modern Library, 1843), 155.

Here is chivalry, with all its glittering, its soul-stirring aspirations, in full march, with its iron heels and gilded spurs, towards the unknown and hitherto unexplored soil of Louisiana. In sooth, it must have been a splendid sight! Let us look at... those bronzed sons of Spain, clad in refulgent armor! How brave that music sounds! How fleet they move, those Andalusian chargers, with arched necks and dilated nostrils. [...] Blest be the soul of the noble knight and of the true Christian!⁴²⁷

Anti-war advocates admonished the depictions and analogies of Americans as new conquistadors gloriously fighting civilization. They sternly warned that America was bound to become embroiled in a conflict that it would be unable to extract itself from – especially since Scott and his army were heading towards the capital of a foreign country Americans knew little about. According to naysayers, this was the unromantic history of the Peninsular War being reenacted in North America. Yet even anti-war diatribes were couched in romantic tones. In a speech made on Christmas Eve in 1846, Ohio Congressman Joseph M. Root warned of becoming mired there. “Suppose we presented ourselves before their last refuge. – What then? We should there find that old genuine Castilian spirit that shone so brightly in their fathers in Old Spain. The cry would be no surrender! No Capitulation! But war to the knife!” Like other anti-war advocates, Root argued that the war might easily spiral out of control and turn into something akin to the war in Spain. “They might there behold, as was seen at Saragossa, the priest laying aside their sacerdotal garments and hallowing the war by participating in it...”⁴²⁸

Similar concerns were voiced. “Is there an instance in all history of a nation, and a nation thoroughly united as is Mexico, with a population of eight millions, and abundantly supplied with all the munitions of war, having been conquered?” Napier’s history of the war in Spain was used as an onerous warning:

It is remarked by Napier, in his history of the Peninsular War, that “no country in Europe is so easy to overrun as Spain – none so difficult to retain.” The ultimate fate of the legions of Bonaparte confirms this truth. Where else, in history, do we find a war to have continued for eight hundred years, as did that between the Goths and the Moors?⁴²⁹

⁴²⁷ *The Weekly National Intelligencer*, July 31, 1847. Excerpt cited in the article is *De Bow’s Commercial Review of the South and West* Vol. 3, No. 6 (June).

⁴²⁸ *Hartford Curant*, Connecticut, January 5, 1847.

⁴²⁹ *Weekly National Intelligencer*, Washington DC, February 6, 1847.

Strategic questions about the feasibility of seizing the Mexican capital also arose. “Are we to march to the city of Mexico and then march back? How long must we remain there?” More importantly, people were inquiring about the amount of time it would take to provision the army on foreign territory. “Garrisons must be left at Tampico, at Veracruz, Jalapa, and Perote, of two thousand men at each place.” Indeed, these were the same questions Scott and his war planners asked themselves before seizing Veracruz. “How many [soldiers] at Puebla – a city of ninety thousand inhabitants and in the center of the most dense and warlike population of Mexico – in the neighborhood of the renowned and warlike Tlascalans.” Since Puebla was the largest city between the capital and the coast, some surmised the garrison there would require at least “six or eight thousand men.” To the romantic observer these considerations had the appearance of the Napoleonic conflict in Spain – the last major war of a potential similar nature in contemporary memory. All of the best laid plans would be undone if “resistance is offered... the thousand natural defiles which the route presents, with more than one walled town to be stormed... To collect these troops, concentrate at Veracruz, march to the city of Mexico, and remain there... will require at least a year.” Many Americans were led to expect the worst-case scenario, because the Mexicans were “the descendants of the heroes of Saguntum, Numantis, and Saragossa.”⁴³⁰

The Louisville Daily Courier of Kentucky, one of the most informative newspapers of the war, echoed similar concerns about the plan’s feasibility by noting that the difficulties in taking Veracruz could critically hamstring the entire endeavor at its inception. “It may not be too late to withdraw our armies from the present plan of operations, and land to the left or right of Veracruz, without any probability of the garrison interrupting their march to the Capital...” The U.S. Army had two main routes to Mexico City, “either by Perote, the route selected by Cortez, or by Puebla, the present stage route.” The editorial stressed a “speedy peace” being important to overall success, and made the comparison that “in Europe, especially in the day of Napoleon, the capture of the capital led to a general submission by the country.” However, capturing the capital did not always guarantee peace, as anti-war opponents and war skeptics began reading about the non-British versions of the war in Spain:

⁴³⁰ *Ibid.* (Often spelled ‘Tlaxcalans’) See: Josep M. Fradera, “José María Portillo, Fuero indio. Tlaxcala y la identidad territorial entre la monarquía imperial y la república nacional, 1787-1824.” *Historia Mexicana El Colegio de México* 67, no. 4 (2018): 1888–1896.

But there is reason to apprehend that the enemy may adopt the Fabian policy, of avoiding a general battle, and resort to the guerrilla system, so fatal in its effects to the army of Napoleon in Spain. The Mexican inherits the pride and obstinate valor of the Castilian, and is superior in the use of the lance... Wellington, in the war of the Peninsula, was not more indebted, for his victories, to his own genius and the valor of his troops, than to the partisan efforts of the Spanish peasantry, who intercepted communications... and thus saved Wellington from destruction. To meet this kind of warfare, we should increase the regiments of riflemen – mounted if possible, and corps of light artillery.⁴³¹

The Free Soil Courier and Liberty Gazette of Burlington offered scathing criticism of the war, along with a corresponding political message. In an editorial titled “Historical Parallels,” the Vermont newspaper began with a subdued attack on President Polk by noting that the “crowned bandit Napoleon was the embodiment of the aggressive Democracy of France. In violation of international law, of solemn treaties, and all principles of equity, he sought to extend the limits of his empire.” *The Gazette* continued by asking its readers, “Does history afford no example of our present condition, no warning of our future?” The historical similarities served as important “illustrations of principles” not to be dismissed. “Napoleon invaded Spain, a nation distracted and seemingly incapable of resistance, and overcame its territories with facility.” These initial victories came at a price:

He did not conquer, though he overran the country... six hundred thousand Frenchmen entered Spain at different times. Of these, about two hundred and fifty thousand returned to their country. [...] Our victories will be our losses. We may take Veracruz and the city of Mexico, fortify or destroy them. We shall obtain no foothold in the country. Our armies will daily diminish from the pestilence, if encamped in large bodies; and, if scattered over the country, will be destroyed in detail by the various guerrilla bands, or rancheros, who will hover like a dark cloud over them.⁴³²

Other New England newspapers offered similar sentiments. Although many admitted that the siege at Veracruz was a military success, they were still not convinced the war could be won. “Is peace conquered?” they asked. “True another stronghold has gone down before the ruthless invader, but there are distance and time, thirst and the plague,

⁴³¹ *The Louisville Daily Courier*, Kentucky, December 25, 1846. Fabius Maximus wore down Hannibal’s army by avoiding decisive battles and engaging in guerrilla tactics.

⁴³² *The Free Soil Courier and Liberty Gazette*, Burlington, April 1, 1847. ‘Rancheros’ was another term used in the war for ‘guerrilla.’ The implication of the term is that they were mounted.

in the field yet.” In addition to the environmental obstacles opposing Scott’s army, there were “scattered Mexicans crowding their mountain passes, in guerrilla bands, that hang around an army like vultures, aloof and unseen till the hour to swoop, and away again to their eyrie.”⁴³³

The Louisville Daily Courier offered an analogy using similar language. In an article title “The Guerrilla Chief,” the author G.H.B. described how the “wars of France and Spain have been proverbial in modern warfare, for their sanguinary acts of the destruction. The invasion of Napoleon has instances marked by desperate resistance and uncompromising severity.” The author described how the people of the Sierra Morena in Spain “had become noted for their unsubdued spirit” of resistance against invaders. “Driven one day from the bosom of their pleasant homes into the recesses of wild crags – on the next they would swoop down suddenly like an Alpine storm up on their invaders, men, women and children vying in mutual fortitude and courage.” The article gave an account of a popular guerrilla leader named Juan d’Estano who was caught and executed – further enraging the locals. “The blood of Juan d’Estano seemed to have found a thousand arms of revenge. Not a hill or mountain but was a tower of insurrection.” The fabled guerrilla was then replaced by his “superhuman” brother, himself bent on revenge, and “woe indeed to the captives who fell into the hands of his ruthless band.” The “old and experienced veteran” opposing the guerrillas in the story soon found himself not sufficiently accustomed to the wonderful acuteness and endurance of the guerrillas,” and thus were eventually defeated.⁴³⁴ Stories of this kind ran side by side with news columns during the Mexican war – as Prescott’s American paradigm took root from the European Black Legend on North American soil.

Most major publications skeptical of the war employed more rational-based arguments while utilizing the comparative approach to drive home their points. The *New York Daily Herald* soberly explained that nearly “all the newspapers in the country, for years past, have told us the Mexicans would not fight at all, and that a few thousand U.S. troops could proceed quietly to, and capture the city of Mexico itself and ‘revel in the halls of the Montezumas.’” However, the *Herald*’s writers noted that a “discovery

⁴³³ *Green-Mountain Freeman*, Montpelier, Vermont, April 22, 1847.

⁴³⁴ *The Louisville Daily Courier*, Kentucky, May 26, 1847.

seems to have been made, during the short period of operations by our army of occupation, that the city of Mexico cannot be taken ‘without the shot of a gun,’ and we begin to doubt our own invincibility.” The *Herald* warned against the same base instincts many foreign soldiers (French and English) succumbed to while fighting in Spain – the desire to plunder. Many of the volunteers “are influenced by a hope of extensive plunder, and the indulgence of other gratifications,” which marked the Peninsular War. “This plundering disposition, if indulged in,” would create “an inevitable tendency to unite the Mexicans... whilst their enemies, from this very cause, will become, to a certainty disunited.” This was a strong argument for maintaining discipline. Without it, the New York paper argued, U.S. forces might become embroiled in something beyond their control:

The example of Napoleon in Spain, with one of the most numerous and courageous armies, and the best marshals and generals the world ever saw, will then be realized on this continent, with precisely alike results. An interminable guerrilla warfare will be carried on with disastrous and fatal effects.⁴³⁵

Pro-war advocates were not convinced the Americans would have to contend with a defiant, Spanish-like opposition, and sought to distinguish the Mexicans from their former Iberian rulers while criticizing anti-war proponents. They frequently couched their arguments in racist language, and believed the Mexicans were not nearly as formidable as the Spaniards. The *Evening Post* of New York, a rival of the *Herald*, wrote:

The advocates of peace, as they style themselves, among us, are perpetually harping upon the Mexicans as if they were Spaniards, or Europeans, or of European descent; and talk of Zaragoza and Badajoz, and guerillas, as if the history of Old Spain were to be re-enacted on our continent. One would really suppose that by this time the delusion would have dissipated. One Maid of Zaragoza were worth all the Mexicans that were ever cradled.⁴³⁶

The *State Indiana Sentinel* ran a speech by Senator Edward A. Hannegan (1807-1859) towards the end of the Veracruz siege comparing the Napoleonic Spain and the holy

⁴³⁵ *New York Daily Herald*, New York City, June 2, 1846.

⁴³⁶ *New York Evening Post*, New York City, December 24, 1847. “The Mexicans are Aboriginal Indians, and they must share the destiny of their race.” This article also appeared in *The Washington Union*, December 28, 1847 and *The Daily National Whig*, Washington D.C., December 28, 1847.

wars in Iberia. The pro-war Polk ally who would later push to annex all of Mexico argued that the U.S. “must seek peace with our armies in their seats of power and wealth, the homes and palaces of their rulers,” to successfully prosecute the war. The Indiana senator supported plans to seize the Mexican capital while prognosticating a speedy conclusion to the war. “The road to the city of Mexico is the road to peace. Their capital and other principal cities in the hands of a well-appointed army... will insure us peace before the autumn leaf has fallen.” Like other war hawks, he dismissed the myth of a fiery Spanish-like militancy among the Mexicans based on the “indomitable resistance to the Moors several centuries back...” Hannegan said the comparison with the Spanish was “worth nothing” by noting that only “one-fifth of their entire population” consisted of Spaniards. “So that the great proportion have not this inherent obstinacy in conflict. But admitting they were all Spaniards, all descendants ‘of high Castile or lofty Aragon,’ to make the argument of value the cases must be parallel...”⁴³⁷

U.S. newspapers often responded to criticism from foreign papers, especially British publications. The *New Orleans Weekly Delta* reprinted several excerpts from British newspapers downplaying American military achievements in Mexico. One excerpt stated “that the genius of a Carnot and a Napoleon could not get our armies out of its difficulties, and that Mr. Polk is not a Carnot, nor Gen. Taylor a Napoleon.” The editors of the *Delta* replied concerning the British criticism that they had “long since grown indifferent to their slander.”⁴³⁸

The *Richmond Enquirer* responded to British criticism of the siege at Veracruz. “The slaughter of women and children, and of neutral persons at Veracruz is especially dwelt upon in the English press,” the article stated, “but this was a necessary incident to the siege, and was novelty in warfare. Besides, with unusual clemency ample time was given for the removal of such persons.” The article pointed out the hypocritical criticism of civilian deaths by pointing out the British bombardment of the city of Copenhagen in 1807 – before returning to the subject of Spain. “In the celebrated siege of Saragossa, that city contained not only its own inhabitants, but an immense multitude of the neighboring peasantry; yet the French were never blamed for assaulting it.” The

⁴³⁷ *State Indiana Sentinel*, Indianapolis, March 25, 1847.

⁴³⁸ *New Orleans Weekly Delta*, January 4, 1847.

Enquirer article argued that the carnage at Zaragoza held little similarity to Veracruz. “Regardless of the havoc which necessarily ensued, they threw into the crowded town thirty-thousand canshot, and sixteenth thousand bombs.” The article quoted historian Archibald Alison’s account:

When the French troops entered, says Allison, “six thousand dead bodies still lay unburied in the streets among the fragments of buildings, or around the churches; half the houses were in ruins... Fifty-four thousand human being[s] had perished during the siege; of whom only six thousand were killed by the sword or fire of the enemy, the awful plague had carried the rest.” Such were the results of the siege of Saragossa... acknowledged to be one of the most glorious events in the history of the war.⁴³⁹

With an accurate and objective comparison in mind, the editorial dismissed the accusations of wanton brutality among the Americans, and Scott in particular, to effect strategic military objectives with the least amount of civilian deaths possible. In other words, the comparison fell flat. “Criticisms upon the siege of Veracruz become ridiculous, when its attendant circumstances are compared with such wholesale slaughter as Napoleon and Wellington never hesitated to undertake, if it was necessary to accomplish a military end.”⁴⁴⁰

The *New York Daily Herald* concurred. “The defense of the breach should have been desperate, for the Mexicans had their interior fortress to retreat to.” However, the carnage of Zaragoza was not repeated despite attempts to portray it as such. “Infinite was their disgust that we did not storm the city, as the English did at Badajoz... and like the French at Saragossa, fight from street to street, from house to house.” The *Herald* noted that the result of the siege – although perhaps not as romantic – was exemplary. “And if the science of war consist in the proper adaptation of the means to the end, the projection and execution of the siege was eminently scientific.” According to them the loss of life and capture of the port city was nothing to be ashamed of. “With these convictions, let us exult our brilliant victory, and cheerfully commit it to the military criticism of this country and of Europe.” The article finished with its own rebuke to those who “looked to bloody results and superhuman exertions, as evidence of a well

⁴³⁹ *The Kalida Venture*, Ohio, July 9, 1847. (Quoting the *Richmond Enquirer*)

⁴⁴⁰ *Ibid.*

conducted enterprise... forgetting that this ease and no loss were the results of a rightly planned attack.”⁴⁴¹

Others took the same position while acknowledging General Winfield Scott’s meticulous preparation for the landing and assault. “But Gen. Scott seemed to think that, if by display of military skill he could effect the same result – the reduction of the city and castle with but little loss of life – the reflecting and humane would appreciate his motives and his conduct.” According to many the tradeoff was worth it. “In a word, he generally surrendered the brilliant for the solid – the evanescent praise of popular excitement to the more discriminating judgement of posterity.” That is not to say the Americans were not making plans to storm the city. After breaching the walls in two spots a massive storming party was planned in case the Mexicans did not surrender. Thankfully, the city was not stormed. “The disgraceful and sanguinary scenes of Badajoz and Ciudad Rodrigo would most assuredly have been reenacted; and humanity revolts at the idea.” With the city taken at a minimal loss of life, the next phase of the operation commenced. After all, that was the objective of landing at Veracruz – despite attempts to romanticize the siege by turning it into a violent reenactment of the Peninsular War in Spain: “What we wanted was the place, as a mere means to secure a great ulterior object... is it not then a matter of congratulation rather than censure, that this has been attained with so little delay, and with so small a sacrifice of life?”⁴⁴²

In fact, preventing mass slaughter was Scott’s original intention from the beginning. While consulting with his war cabinet following the bloodless landing of 12,000 soldiers involving more than eighty vessels, Scott offered two options for conducting the second phase of the operation. The first option consisted of a slower, “scientific” siege; the second option, storming the city at night, would “result in an immense slaughter, with the usual terrible accompaniments” that Scott found “most revolting.” He told his cabinet:

I added, quoting literally – “although I know our countrymen will hardly acknowledge a victory unaccompanied by a long butcher’s bill (report of killed and wounded) I am strongly inclined – policy concurring with humanity – to

⁴⁴¹ *New York Daily Herald*, New York City, May 5, 1847.

⁴⁴² *The Mississippi Free Trader*, Natchez, June 10, 1847.

forgo their loud applause and ayes vehement, and take the city with the least possible loss of life.”⁴⁴³

Indeed, the loss of life was nothing comparable to Zaragoza. U.S. forces lost a total of sixty-four men killed or wounded. According to Scott’s account among the Mexicans, the losses “in killed and wounded was not considerable, and of other persons – citizens – not three were slain – all being in stone houses, and most of the inhabitants taking refuge in basements.”⁴⁴⁴ Although the real number of civilians killed was most likely one or two hundred, considering that Scott’s army bombarded the city for three days, the loss of life was relatively low.

Following the capitulation of the city, the next phase was to march the army into the interior where it could ostensibly work with General Taylor’s northern army based in the captured city of Monterrey. The route inland had been carefully selected in Washington during the planning phases and mimicked that taken by Cortez in the early sixteenth century. First, the army would move northwest past the National Bridge (*Puente Nacional*), a location given that name because it passed through the fortified “royal road” – often called the National Road – which connected Veracruz to the capital. The royal road was key to maintaining communications between Mexico City and the outside world and was critical for Scott as well. From there the army would have to march uphill through Cerro Gordo, a formidable mountain pass to transit before arriving in Jalapa – 1,400 meters above sea level. After arriving in Jalapa, the army expected to ascend uphill another 1000-plus meters into the Sierra Madre before arriving at the town of Perote. From Perote the army would descend southeast almost 200 kilometers until it arrived at Puebla – the largest city between Veracruz and the capital. At Puebla, the U.S. Army would be roughly two-thirds of the way to the capital.

The military operation therefore depended on logistics. Scott biographer John S. D. Eisenhower wrote that “Scott’s most serious problem was his lack of transportation to carry supplies.” The amphibious landing at Veracruz had been a success largely because it went unopposed by the Mexicans, “but the campaign into the interior of Mexico would require him to carry great amounts of food and ammunition.” Scott estimated the

⁴⁴³ Scott, *Memoirs*, 423-424.

⁴⁴⁴ *Ibid.* p. 429.

need for a thousand wagons and an army of eight thousand mules.⁴⁴⁵ In the words of a young Ulysses S. Grant (1822-1885), it was “absolutely necessary to have enough to supply our army to Jalapa.” While waiting in Veracruz hundreds of needed wagons and draft animals “were expected from the North,” but were “arriving slowly.”⁴⁴⁶ These needed draft animals, according to Scott, were “never in sufficient numbers.” In addition, every division was required to carry by wagon “subsistence for men equal to six days, and oats for horses equal to three...” Once at Jalapa (and out of the dreaded yellow fever zone) Scott believed more supplies could be obtained for the next stage into the Sierra Madre. Scott wrote that Jalapa was a “productive region abounding in many articles of food as well as in mules,” which were needed to bring up the remaining transports left in Veracruz and continue the march towards the capital.⁴⁴⁷ Once the bulk of the army moved, a garrison was left behind in Veracruz to ensure the port, and logistics lifeline, stayed in American hands.

Despite the success of the risky (yet unopposed) amphibious landing and the relatively bloodless seizure of Mexico’s port to the world, others were far from convinced of the plan’s feasibility – especially war skeptics in New England. *The Liberator* of Boston, a staunch anti-war and anti-Polk publication, ran an editorial comparing Scott to both Cortez and Napoleon. “The force of desperation is, undoubtedly, one of the strongest that can bind men together, and impel them upon a more numerous enemy.” According to them this “was the secret of Cortez’ success, and this is no small part of that of this new Brummagen Cortez of ours.” While Scott may have held a foothold in Mexico, the editorial admitted, “Mexico is not fallen; she may still recover her losses and roll back the barbarian hordes of this invasion.” To make the point the paper switched analogies. “Napoleon is said to have taught Europe how to conquer himself. General Scott, though no Napoleon, may teach the Mexicans in a like manner, the necessary lesson of union and subordination.” In other words, *The Liberator* was saying that the Mexicans would adjust themselves to learn how to defeat the U.S. Army. By adapting to the American

⁴⁴⁵ John S.D. Eisenhower, *Agent of Destiny: The Life and Times of General Winfield Scott* (New York: The Free Press, 1997), 246.

⁴⁴⁶ Ulysses S. Grant, *Personal Memoirs of U.S. Grant*, Vol. 1 (New York: Charles L. Webster & Company, 1885), 130.

⁴⁴⁷ Scott, *Memoirs*, 429. *Vomito* is yellow fever, which afflicted thousands of U.S. soldiers in Mexico. Including other diseases such as typhoid, diarrhea, and dysentery, around seven times more soldiers (14,000) died from diseases in Mexico than Mexican weapons (2,000).

mode of war “it is impossible that they should not be able to crush any force we can send against them.” These anti-war diatribes were excoriated by pro-war Americans who viewed them as treasonous. Critics often cited them as providing the Mexicans with moral support and prolonging the war since the Mexicans were reading U.S. publications and were keen to the political divisions in the United States. To pro-war advocates, anti-war newspapers like *The Liberator* aided the enemy when they printed statements that the Mexicans “have the cause, which all but the most ultra of peace men consider as the holiest, and a justification of war, even ‘to the knife,’ as Palafox said at Saragossa.”⁴⁴⁸

Historical analogies between the war in Mexico and the war in Spain were not just a romantic fabrication of the American mind. If the Mexicans were reading about American divisions at home, the Americans were reading about what the Mexicans themselves were saying about the war. Excerpts from Mexican papers and speeches were reprinted widely in American newspapers, as Americans on both sides of the pro- and anti-war political spectrum yearned for a sense of what the enemy was saying to itself and to the outside world. Many of these reports first came via the New Orleans newspapers, such as the *Picayune* and *Weekly Delta*.

The *Weekly National Intelligencer* reprinted a May 2 article from the *Picayune* quoting excerpts from Mexican newspapers such as *El Republicano* and the country’s main governmental organ the *Diario del Gobierno de la Republica Mexicana*. Since Mexico was fraught with deep political divisions between federalists, centralists, and monarchists, these divisions were reflected in their editorial stances. However, areas where they could all agree was in their hatred of the Americans, the war, and particularly the attempt to take Mexico City via Veracruz.⁴⁴⁹

The *Intelligencer* noted the election of Pedro María de Anaya (1795-1854) as the new president and *El Republicano*’s belief that he was capable to “unite all parties” in Mexico. With the ““enemy conquering and menacing, we conjure all Mexicans who love the honor and existence of their country that henceforth they have but one part –

⁴⁴⁸ *The Liberator*, Boston, October 15, 1847.

⁴⁴⁹ *Weekly National Intelligencer*, Washington DC, May 15, 1847.

that of independence... Vengeance and War.” The *Intelligencer* noted the *Diario*’s recent position that “one source of the weakness” of Mexico was that “different states seem to be providing means to each to defend its own territory” rather than fighting in unity. Akin to Spain in this regard, nineteenth-century Mexico had its own provincial tendencies to overcome to successfully repel the invaders. The article also reprinted an extensive excerpt from *El Monitor*, another popular Mexican newspaper, noting that the “Mexicans are counselled to change their mode of conducting the war, and instead of confining themselves to defenseless cities... advised to guard the many natural passes and strong defenses... and to carry on [a] fierce partisan warfare.” Although the Mexican Army under Santa Anna had not yet been routed by Scott’s army, conversations among the Mexicans about changing the war strategy were beginning to take hold. Quoting *El Monitor*:

Shall we expose delicate women and innocent children to cruel deaths, and still more cruel outrage, by keeping up this disastrous system of warfare? [...] ...will this be a motive why we should leave open and unprotected the gates of our capital, and allow the enemy to penetrate into the very heart of our Republic, to carry on their customary depredations? [...] I will not propose what I wish to see – that is, that the Mexicans should imitate the Numidians and Carthaginians, when attacked by the Romans in ancient times; or should follow the example of the memorable Saragossa, which... was reduced to a pile of ruins, burying 100,000 combatants beneath them...⁴⁵⁰

Other drastic recourses to prevent the Americans from achieving victory were considered. Using the example of Russia during the Napoleonic Wars in Europe, the *Diario* cited the “heroic example” when they “set Moscow to fire to remove that sanctuary from the conqueror Napoleon,” and how that sacrificial act “speaks very loudly in favor of the patriotic fire that encourages the people when they see their

⁴⁵⁰ *Ibid.* Also quoting excerpts from *El Republicano*, *Diario del Gobierno de la Republica Mexicana* and *El Monitor*. Like the United States, political debates in Mexico occurred in the press. For a look at the political fracture between *Puros* and *Moderados* in Mexico prior to and after the U.S. invasion see: Pedro Santi, *Mexicans at Arms: Puro Federalists and the Politics of War, 1845-1848* (Fort Worth: Texas Christian University Press, 1996). Following the more than ten-year revolution “Mexico began a long struggle in 1821 to achieve social, economic, and political stability. But several factors soon dampened the aspirations ushered in by independence. Regionalism, fiscal insolvency, acerbic political discord, incessant military rebellions, and class apprehensions destroyed the hopes of stable government. The new republic became submerged in a ‘system of institutionalized disorder’ that propelled it ‘from crisis to crisis.’ Consequently, the process of state-building in nineteenth-century Mexico remained incomplete when the United States confronted the young republic with war in 1846.” (Santi, 1)

religion, their freedom, and their imprescriptible rights are threatened.”⁴⁵¹ Some Americans concurred with the possibility that the Mexicans could “resort to the devastation of their own country, wherever it can be made to fall on the heads of our forces.” They also corroborated the alleged contemplation to sacrifice the capital in a “patriotic fire” like Russia in 1812, and noted it was the Spanish-Mexican publicist and diplomat, Juan de la Granja (1785-1853), who recommended to his friend Santa Anna to burn Mexico City.⁴⁵² Another publication made a similar (albeit skeptical) argument after Veracruz that Scott’s march to the capital “is about as visionary as that of Napoleon upon Moscow.”⁴⁵³

Santa Anna, never one to pass up an opportunity to display, joined in the comparisons by invoking commonly used Spanish and Mexican histrionics prior to the battle:

Mexicans! The conquest made you kindred to that noble race, illustrious by the memory Numantia and Saguntum, and, which in more modern times, has presented examples for your imitation in the defense of Zaragoza and Gerona. The epoch has arrived for you to prove that the descendants of heroes are also heroes under the beautiful sky of the New World.⁴⁵⁴

Political leaders in the United States rarely missed an opportunity to express their own romantic opinions of the war. Ohio Senator Thomas Corwin’s staunchly anti-war speech was published after the landing at Veracruz. First citing Tamerlane, Alexander the Great’s “drunk” death in Babylon, and the “lovely Mexican girl” Dos Amades, who died heroically at Monterrey “carrying water to slake the thirst” of a wounded U.S. soldier, the senator then launched into a Napoleonic analogy. “Suddenly we see, sir, six hundred thousand armed men marching to Moscow. Does his Veracruz protect him now? Far from it... and finally the conflagration of the old commercial metropolis of Russia.” That Scott’s army was considerably smaller than Napoleon’s was not important. Carrying the analogy in a further criticism of Polk’s apparent lust for power, Corwin cited Napoleon’s final status as “a prisoner on the rock of St. Helena,” before comparing that empire’s demise to America’s unavoidable fate:

⁴⁵¹ *Diario del Gobierno de la Republica Mexicana*, Mexico City, August 15, 1847 (No. 155). BNE-HD

⁴⁵² *The Louisville Daily Courier*, October 25, 1847.

⁴⁵³ *The Tennessean*, Nashville, April 30, 1847.

⁴⁵⁴ *Daily American Star*, Mexico City, November 24, 1847. (BLAC). Quoted from August 9, 1847.

Her ‘eagles’ now no longer scream along the banks of the Danube, the Po, and the Borysthenes. They have returned home, to their old eyrie, between the Alps, the Rhine, the Pyrenees; so shall it be with yours. You may carry them to the loftiest peaks of the Cordilleras, they may wave with insolent triumph in the Halls of the Montezumas... but the weakest hand in Mexico, uplifted in prayer to the god of justice, may call down against you a power...⁴⁵⁵

Ultimately the Mexicans spared their capital from self-immolation. Still fielding conventional forces, they believed they could keep Scott from making the trek over the Sierra Madre Oriental to seize Puebla. When that effort failed, and Santa Anna’s army was routed at Cerro Gordo, the Mexicans looked at other ways to defeat a relatively small but seemingly unstoppable army. In that case, like the collapse of Spanish conventional forces against a superior Napoleonic army, the Mexicans started looking at the efficacy of launching a nation-wide guerrilla war. The possibility existed for such a war – as the history of Mexico’s independence movement demonstrated – *if* such an effort could garner popular support.

The reality that Veracruz, nor Monterrey for that matter, did not amount to the carnage exhibited in the real siege of Zaragoza a generation earlier in Spain did not keep the press from conjuring new, future Zaragozas. *The Freeman’s Journal* of Dublin, a pro-Catholic publication, eagerly claimed that “the Mexicans appear determined that General Scott shall fight every inch of his way to the ‘Halls of the Montezuma’s.’” Indeed, the only reason for taking Veracruz, as the *The Mississippi Free Trader* stated, was to capture Mexico City. As Scott’s army marched inland, Mexican “troops are being mustered from all quarters for the defense of the city – fortifications are going up... the church bells are being cast into cannon, and every other preparation is toward, to make Mexico a second Saragossa for the invader.”⁴⁵⁶ In other words, every Mexican city the U.S. Army approached became the “second Zaragoza.” As the American war in Mexico continued, so too would comparisons to the Napoleonic War in Spain.

⁴⁵⁵ *Poughkeepsie Journal*, New York, May 8, 1847.

⁴⁵⁶ *The Freeman’s Journal*, Dublin, Ireland, July 31, 1847.

2.2 NAPOLEON'S STUDENT: WINFIELD SCOTT

*Napoleon has told us that "good officers, commissioned and non-commissioned, good organization, good instruction and strict discipline, make good troops, independent of the cause for which they are fighting," The truth of this principle was never more fully illustrated than in the recent events in Texas.*⁴⁵⁷

----- *The Evening Post*, New York City, June 12, 1846.

The years between the Peninsular War and the Mexican War represent a period of profound change within the American military. Professionalization of a nascent national army took place as updated tactics and strategies were introduced to accommodate ever-changing innovations, rules, and strategies in warfare. As military scholars absorbed the lessons from the war in Spain, American settlement of frontier regions brought guerrilla warfare out of the shadows where it received reluctant recognition as an illegal mode of warfare capable of challenging the supremacy of Napoleonic military maxims and established rules of war. While the utilization of guerrilla warfare helped create new countries in the Americas, it was also used by native tribes to thwart the expansion of a growing North American power. On the eve of a predictable war with Mexico, mitigating popular support for insurgency became a new and important facet of military consideration. The rules for victory were changing, and laws were changed to accommodate the new rules. Indeed, the antebellum period marked a major turning point in the history of American warfare, and it is Winfield Scott, the commander of the Mexico City campaign, who best embodies the profound change that took place within the U.S. military between 1808 and 1846. Although a student of Napoleonic military strategy and tactics, Scott deviated from traditional military thinking to limit the war in Mexico. By transcending his predecessor, he essentially ushered in an era where

⁴⁵⁷ *The Evening Post*, New York City, June 12, 1846. Article titled, "The New Regiment of United States Riflemen and its Officers." The article focuses on the importance of the United States Military Academy (USMA) at West Point, New York.

conciliatory methods became a cornerstone of benign U.S. counterinsurgency doctrine.⁴⁵⁸

Winfield Scott was a rules man. In 1807 at the age of twenty he learned the importance of adhering to the rule of law when he attended the Aaron Burr trial in his home state of Virginia. “I had just ridden my first circuit as an incipient man of law, when, like a vast multitude of others... I hastened up to Richmond to witness a scene of the highest interest.” At the time Scott was working as an aspiring lawyer and had not yet switched careers. The treason trial of the former Vice President taught him that law and order in the young republic needed to be enforced if the country had any chance of longevity. Since Scott’s first profession was the law, he was familiar with the courts, and this short prelude to his main career affected his long-term military thinking. Nevertheless, Scott saw something imposing and indomitable in Burr that must have prompted him to change his life trajectory. Scott described the courtroom scene in his *Memoirs*, and noted that Burr stood defiant and “immovable, as one of Canova’s living marbles.”⁴⁵⁹

Treason was a serious charge, and a guilty verdict meant death. Suspected to have colluded with the governor of the newly acquired Louisiana Territory, James Wilkinson, Burr was charged with attempting to separate western portions of the U.S. and Spanish territory to form an independent republic. He was eventually acquitted, and went to Europe in 1808 where he unsuccessfully asked the British for support in fomenting a revolution in New Spain before crossing the channel and asking the same of Napoleon. Wilkinson, whose involvement became the subject of congressional investigations, most likely inspired a young Scott on how *not* to conduct himself as a military man once he jettisoned his legal career. The trial and investigations cemented Scott’s feelings against that general, which was unfortunate for the both of them because in 1809 Scott was

⁴⁵⁸ For works on Scott, see: Timothy D. Johnson, *Winfield Scott: The Quest for Military Glory* (Lawrence: University Press of Kansas, 1998); John S.D. Eisenhower, *Agent of Destiny: The Life and Times of General Winfield Scott* (New York: The Free Press, 1997); Lieutenant General Winfield Scott, *Memoirs* (New York: Sheldon, 1864). Scott was largely ignored by historians until Johnson and Eisenhower published their works. For a look at the first biography of Scott, see: Joel Tyler Headley, *The Life of Winfield Scott* (New York: Charles Scribner, 1861).

⁴⁵⁹ Scott, *Memoirs*, 12-13.

ordered to post in New Orleans under the command of the discredited officer and former co-conspirator of Alexander Hamilton's murderer.⁴⁶⁰

During the War of 1812 Scott demonstrated a remarkable sense of right and wrong regarding military conduct. Scott was briefly taken prisoner by British forces in the Niagara region of Canada. The following year, one of the prisoners taken at the Battle of Fort George in 1813 was an officer who had insulted him during his brief period as a prisoner at the same fort. Scott saw to it the prisoner was treated for his wounds, and even "had the pleasure" of returning the enemy officer's horse after he took it to continue an assault on the fort. One of his principal biographers wrote of the episode: "He no doubt wanted to show his foe how gentlemen behave in victory." The story also served to solidify Scott's sense of proper military conduct during a period where America's military was formally transitioning to one patterned after the Europeans. Another notable experience from the war was his employment of spies to create a "spy network to provide information" on British activities.⁴⁶¹ Scott would later do the same on a larger scale in Mexico – which is where the term *contra-guerrillas* originated. Scott's War of 1812 experiences proved to be valuable training.

Prior to his promotion to general, Scott became ensconced in the study of military history and strategy. The scholarly and meticulous approach to war complemented his earlier admiration of the law. Essentially the young warrior was learning how to combine academia with the study of war. Although Scott biographer Timothy Johnson notes that it is "not known" which pre-Napoleonic texts Scott studied, he concludes that a "possible list might include the works of the great French military engineer Sebastien Vauban, Frederick the Great's *Principes Généraux de la Guerre*, [and] Jean-Charles de Folard's controversial *Histoire de Polybe*," among others. Following the mold of the Virginia scholar-gentleman epitomized by Jefferson (albeit in a military fashion), Scott's studies reflected the knowledge of the artform as it was known in the previous century. "Eighteenth-century warfare was largely a process of maneuvers resembling a chess game. It emphasized important positions, cutting supply lines, flanking

⁴⁶⁰ As a result of Scott's dislike of Wilkinson he became involved in his own legal troubles (insubordination) during his period in Louisiana. Aaron Burr killed Alexander Hamilton in a duel in 1804.

⁴⁶¹ Johnson, *Winfield Scott: The Quest for Military Glory*, 31-33, 45.

movements, and surprise attacks,” – all of which required a lot of coordination and “a great deal of planning.” Indeed, Scott was a meticulous planner.⁴⁶²

Following the war with Great Britain a young General Scott requested a leave of absence to embark on a trip to Europe as an “unofficial observer.” Napoleon’s empire had recently collapsed after setting that continent afire. Scott was witness to the aftermath when he arrived in France following the Battle of Waterloo. Acting Secretary of War, Alexander J. Dallas, instructed Scott to “avoid actual service with European troops,” but Scott did take the opportunity to absorb as much as he could relating to military affairs. Having had the recent experience fighting the British, Scott confessed to Dallas his “predilection for France” (Scott spoke French) before informing him that Secretary of State James Monroe and the French Minister to the United States, Jean Serurier, had promised to send letters of introduction to “some of the Marshals of France” and even perhaps the Duke of Wellington.⁴⁶³

Going to Europe was an eye-opening experience for the young officer – as it was the epicenter of knowledge of his adopted artform and the nexus of events in the western world. The continent, after being at war for twenty years, was settling into new political realities. Scott’s *Memoirs*, written after the victorious war in Mexico, were partly inspired by the former French emperor when he recounted how they came about:

Napoleon, on his abdication, turned to the wrecks of his old battalions about him, and said: “I will write the history of our campaigns.” Vindictively recalled from Mexico, but not till the enemy had been crushed and peace dictated, Napoleon’s declarations and memoirs recurred to me, and I resolved, in my humble sphere, to write also.⁴⁶⁴

In late September of 1815, the French capital was under foreign occupation. “Nothing can be more complete than the ruin and degradation of France,” Scott wrote to Monroe.⁴⁶⁵ Scott had no doubt that France’s demise rested squarely on Napoleon. Almost fifty years later, and after the Mexican War, he wrote in his *Memoirs* that

⁴⁶² *Ibid.* 18-19. See also: Eisenhower, John S.D: *Agent of Destiny*, 13.

⁴⁶³ Maj. Charles W. Elliot (ed.), “Some Unpublished Letters of a Roving Soldier-Diplomat: General Winfield Scott’s Reports to Secretary of State James Monroe, on conditions in France and England in 1815-1816.” *The Journal of the American Military Foundation* 1, no. 4 (winter 1937-8), 165.

⁴⁶⁴ Scott, *Memoirs*, xx-xxi.

⁴⁶⁵ Elliot, “Some Unpublished Letters,” 166.

France, a “great nation, exhausted by the victories of mad ambition, had, in turn, become conquered and subdued.”⁴⁶⁶ It was Scott’s first experience with a military occupation of a large capital. Scott informed Monroe that the “Frenchman is the only European without protection in Paris,” and that “the press here is also under British and Prussian governors.” Scott’s time in occupied Paris provided him with crucial insight that later informed his role as a foreign conqueror in Mexico City. He wrote Monroe that “reviews of the allied troops in the neighborhood of this capital have occupied much of my attention.” More importantly, however, Scott was witness to what foreign armies had always done when occupying an enemy capital – engage in plunder.⁴⁶⁷

Scott observed first-hand how the occupation of Paris was causing resentment among the population as well as the remnants of a once-powerful shattered army. Former “officers who served in the late short campaign are excluded from the army and are not even permitted to reside in Paris. Many thousands have lately been ordered away.” Scott further recounted to Monroe the story of a veteran officer who committed suicide by stabbing himself in the heart after pleading with authorities during his arrest. “Similar instances of desperation have not been infrequent of late, but the French papers dare not announce them.” This was Scott’s first encounter with occupation press practices, and served as a future reference to the young general on the manipulation of public opinion during his period of martial governance in Mexico:

Indeed, nothing can be more abject than the state of the French press. The journal I take has been three times suppressed within the last two months. It is required that every political article shall be committed to the censor before publication, and of the court and allies. A neglect of this precaution is fatal to the editor.⁴⁶⁸

Scott deliberated on the independence movements unfolding in the Americas, how those events related to the United States in Spanish Florida, and (the restored) King Ferdinand’s proclivities towards war with the United States. Scott would also play a role in further disassembling the fractured Spanish empire in Mexico. What the remaining

⁴⁶⁶ Scott, *Memoirs*, 157.

⁴⁶⁷ Elliot, “Some Unpublished Letters,” 167-168. Winfield Scott to James Monroe, Secretary of State. Paris, September 28, 1815. “The [French] King is employing himself in throwing down and defacing everything which can recall... the image of Bonaparte... The palaces & the triumphal arch in the *place de carousal*, are also despoiled.”

⁴⁶⁸ *Ibid.* 169. Scott to Monroe, Paris, November 18, 1815.

European power, Great Britain, might do, Scott posed the question: “What would be the probable conduct of England if we should oppose ourselves to the holy march Ferdinand is now making on two continents at once, toward the destruction of every feeling and principle most dear to mankind?”⁴⁶⁹ Republican revolution was on the minds of Americans and Scott was no exception. According to John S.D. Eisenhower, one of his “informal objectives in Europe was to measure the degree of friendliness towards the revolutionary movements in Mexico and South America, where the local populations were rising against their Spanish masters.”⁴⁷⁰

In what must have seemed similar to the Burr trial, Scott wrote to Monroe on the treason trial of Marshal Ney being conducted in Paris – albeit with a more somber outcome. “All the ministers & generals of the allies attend the trial, to overawe the accused, & the better to ensure his conviction. To witness the execution, tickets for places are already granted.” In relation to the foreign military occupation, Scott noted a series of “new laws against seditions,” which “excited a strong sensation among the people, but supported as it is, by 150,000 foreign bayonets, the French are obliged to yield.” The first-hand experience with military rule in Paris in the aftermath of the Napoleonic Wars influenced Scott’s later conduct in Mexico – particularly is it related to placating the population. In a prophetic confession to Monroe, Scott wrote that after his trip: “I shall be very well content to remain at home for the remainder of my life – unless I should be required to march out at the head of an army.”⁴⁷¹

Before returning to the United States Scott passed through England. There he spent time assessing British sentiment concerning revolutionary events unfolding in Latin America, and thanked Monroe for writing a letter of introduction to Lord Holland, whose house was a well-known haven for Spanish and French exiles. It was there that Scott was introduced to Javier Mina, the captured (and released) nephew of Espoz y Mina. According to Scott, Mina and forty other Spanish guerrillas wanted to “join the patriots” revolting against the Spanish government in Mexico. Mina’s goal was to access from Scott “whether an armed ship... would be permitted to touch at one of our ports, & to depart unmolested.” Like many Americans opposed to monarchy, Scott was sympathetic

⁴⁶⁹ *Ibid.* 170.

⁴⁷⁰ Eisenhower, *Agent of Destiny*, 107.

⁴⁷¹ Elliot, “Some Unpublished Letters,” 170-171. Ney was executed by firing squad December 7, 1815.

to the revolutionary movements sweeping the Americas. Scott wrote Monroe that the “best friends of freedom in this country and on the continent, regard the present moment as particularly favorable to the independence of our hemisphere.” Scott, acting in a capacity seemingly more formal than admitted by U.S. authorities, told the guerrilla leader that “in the event of our being at war, he would be able to purchase in our ports, the arms, &c. which he requires to complete his equipment.” Scott also informed Monroe that Mina...

...has already found the means of shipping some 2,000 stand of arms, & now only waits the collection of his associates, some of whom are on the continent. His ship is in this port, & he is not a little apprehensive of discovery & detention. [...] His associates have been banished by Ferdinand at different times... & [Mina] fled to save his life. These gentlemen will constitute an important acquisition to the patriots, particularly Gen'l M. who was the author of the *guirrella* [sic] system in the peninsula war.⁴⁷²

Mina was granted permission to dock in Baltimore and was further outfitted in New Orleans. Eventually he was captured in Mexico in 1817 and shot for exporting revolution to a country ruled by those determined to maintain their political ties with Spain.⁴⁷³ Coincidentally, Scott's unofficial visit with Mina would not be the last time the general would have to deal with a guerrilla from the Pyrenees in Mexico. What was also telling about the “unofficial observer” and his encounter with the insurgent-turned-revolutionary was that he was willing to work outside of normal conventions to achieve ends. When it came time for Scott to confront guerrillas in Mexico, the conventional military officer acquiesced to some unconventional counter guerrilla tactics used by seasoned fighters from Texas to achieve the desired results – despite the fact that those fighters often utilized undesirable means to achieve success.

⁴⁷² *Ibid.* pp. 172-173. Scott to Monroe, Liverpool, March 19, 1816. For a look at protests by the Spanish government regarding the U.S. role in aiding Mina, see: Manning, William R: *Diplomatic Correspondence of the United States Concerning the Independence of Latin American Nations, Vol. 3* (Spain) (New York: Oxford University Press, 1925), p. 1891, Luis Onis, Spanish Minister to the U.S. to James Monroe, Secretary of State, Washington D.C. December 30, 1815; p. 1895, Onis to Monroe, January 2, 1816; p. 1925, Onis to Richard Rush, March 29, 1817, p. 1949; Onis to John Q. Adams, September 2, 1817; see also: pp. 1996-1997, John Forsyth, US Minister to Spain to John Q. Adams (Madrid), July 13, 1820.

⁴⁷³ See: Harris Gaylord Warren, “The Origin of General Mina’s Invasion of Mexico.” *The Southwestern Historical Quarterly* 42, no. 1 (July 1938): 1-20; Warren: “Xavier Mina’s Invasion of Mexico.” *The Hispanic American Historical Review* 23, no. 1 (Feb. 1943): 52-76.

There are a couple of points, however, that can be gleaned from Scott's letter to Monroe. First, that Scott misspelled the word *guerrilla* is not surprising, given the novelty of the term. Also, the constant use of the word *system* in the two-word term addresses the point that, militarily, it was considered worthy of study since its use played a major role in victory. Put together, it shows that – while Scott was at least aware of the “system” used by Mina and others to attack and wear down the occupation force – he was not entirely familiar with its conventions on an academic level. Nor could he. Being a traditionalist willing to utilize the newest technology and tactics to win battles, Scott was still not yet totally familiar with guerrilla warfare because most military scholars in the early nineteenth century were not discussing it. In other words, by 1816, the late war in Spain was still too recent for serious consideration among military strategists whose primary focus was the study of Napoleonic tactics.

Undoubtedly western settlers encroaching on Indian lands in the Ohio valley and further west were familiar (if not anecdotally) with Native American-style warfare reminiscent of the “system” used in Spain. However, when it came to meticulous studies of methods used in the Peninsular War, which generally focused on attacking communications networks, supply convoys, and small posts, we are left with little to glean apart from the works of French authors related to *La Petite Guerre* in North America during the Seven Years War, the experiences of New Englanders in the seventeenth century, and the use of guerrilla tactics in the American Revolutionary War.⁴⁷⁴ Although Americans in the early antebellum period were invoking the heroism of the Revolution, it was considered unheroic to engage in ungentlemanly sneak attacks and ambushes. Guerrilla tactics employed by the colonists were downplayed (or conventionalized) in retrospective narratives that lauded Washington and conventional battles more than the raids of Nathanael Greene, Daniel Morgan, or Francis Marion. Yet, even when examining the Forage War in New Jersey during the revolution a strong case can be made that Washington's use of skirmishing against hungry British and Prussian troops amounted to an adoption of guerrilla warfare.⁴⁷⁵ The scenario was similar to French troops in

⁴⁷⁴ Thomas Auguste le Roy de Grandmaison, *The small war or treaty of the service of the troops in campaigns*, 1756; Armand-Francois de la Croix, *Treaty of the small war in the French campaign*, 1752. Beginning in the 17th century, colonists living in New England experienced guerrilla-style raiding tactics by Native Americans going back to King Philip's War (1675-1678). See also: Walter Laqueur, “The Origins of Guerrilla Doctrine.” *Journal of Contemporary History* 10, no. 3 (July 1975): 341-2.

⁴⁷⁵ See: Todd W. Braisted, *Grand Forage 1778: The Battleground Around New York City* (Yardley, PA: Westholme Publishing, 2016); Walter Edgar, *Partisans & Redcoats: The Southern Conflict That Turned*

Spain who needed to venture out into enemy-controlled territory to forage for sustenance. That acknowledged, guerrilla war was honed in the military laboratory of Spain to such an extent that it received its destined nomenclature. In other words, guerrilla war certainly existed but the study of it was still in its infancy while Scott was in Europe.

GUERRILLAS VERSUS PATRIOTS: THE PRESS AND THE BIG PICTURE

What did Americans know about guerrilla warfare in Spain during and after the war? Much of the information about the war originated in Britain, which had a keen interest in following peninsular affairs. There is little reference to *guerrilla* war in 1809, and what limited references exist demonstrate that the nomenclature was far from standardized. On November 8 of that year, *The Morning Chronicle* of London noted a story from Bordeaux citing “guerrillas, or skirmishes, which is the mode of warfare the Spaniards have now adopted.”⁴⁷⁶ The article neglected to go into detail on what that mode tactically meant – apart from skirmishing. Nevertheless, the term “guerrilla” at that early point was not disseminated, and there is no available reference to it in U.S. newspapers.

In 1810 references to guerrillas and guerrilla war in British newspapers increased dramatically. This was due to the time delay in receiving news from the peninsula, and because, by the fall of 1809, the efficacy of the insurgent movement was beginning to garner attention outside Spain. One of the earlier references appeared in *The Caledonian Mercury* of Edinburgh July 28 claiming that “intercepted correspondence” out of Salamanca was their source. “The Castilians are so harassed and oppressed, that on the least appearance of an English or Spanish army, thousands of them flock to, and of course increase it. A proof of this is the infinite number of guerrilla parties throughout all Castile, which daily annoy the enemy.” The two-word term “guerrilla parties” was commonly used in early accounts. In a widely disseminated article from Cadiz, *The Morning Post* of London ran an account of a July raid against King Joseph “at his

the Tide of the American Revolution (New York: Harper Collins, 2001); Terry Golway, *Washington’s General: Nathanael Greene and the Triumph of the American Revolution* (New York: Henry Holt and Company, 2006).

⁴⁷⁶ *The Morning Chronicle*, London, November 8, 1809. The Bordeaux citation is dated October 25.

country seat near Madrid”, and referenced insurgents in the Cuenca area where El Empecinado was operating. The snippet noted that “the guerrillas (flying parties) are doing wonders lately.” *The Times* of London followed up two weeks later by writing that occasionally “we receive information from Madrid, that its environs are scoured by strong parties of guerrillas.” Another London publication described the guerrillas as “flying parties” in a brief mention, as did the *Aberdeen Journal*, “The guerrillas, or flying parties, are represented as being everywhere successful.” On October 4, after compiling reports from both La Coruña and Cadiz, *The Morning Post* wrote that news “of different guerrillas in the interior are of the most gratifying nature.” *The Hull Packet* later that month mentioned “guerrillas” while commenting that they “prosecute their desultory warfare with their usual activity and success.” Other publications not yet familiar with what to call the insurgents, described them as “parties guerrillas” – which perhaps was a crude attempt to translate the term from the Spanish *partidas de guerrillas*.⁴⁷⁷

In the fall of 1810, a series of reprinted articles covering events unfolding in Catalonia appeared. Again, *The Caledonian Mercury*, still unaccustomed to the new nomenclature, noted “a guerrilla of 30 men” and a “another guerrilla of 20 men” while citing correspondence from a Flanders-turned Catalan *miquelet* commander named Felipe Fleyres. The same paper (using the “*Gazette Extraordinary of Catalonia*” as the source) cited a letter from General Leopold O’Donnell to the Junta in which the Spanish general informed the government that Marshal McDonald was supporting Suchet’s rear during the Catalan siege campaigns, and that he was focusing his attacks on Suchet’s vulnerable rear columns. “This kind of warfare which is suited to us to carry on,” O’Donnell is quoted, “had determined me to attack all the posts which the enemy had left in his rear.”⁴⁷⁸ O’Donnell was describing guerrilla tactics. The same day *The Exeter Flying Post* mentioned Catalonia as well, saying that the “whole interior of the country

⁴⁷⁷ *The Caledonian Mercury*, Edinburgh, July 28, 1810; *The Morning Post*, London, August 30, 1810 (Reprinted in *Jackson’s Oxford Journal*, September 1, 1810; *The Freeman’s Journal*, Dublin, September 4, 1810; *The Hull Packet*, Hull, September 4, 1810); *The Times*, London, September 15, 1810; *Cobbett’s Weekly Political Register*, London, September 19, 1810; *Aberdeen Journal*, October 31, 1810; *The Morning Post*, London, October 4, 1810; *The Hull Packet*, Hull, October 30, 1810; *The Morning Chronicle*, London, September 3, 1810. Other mentions of ‘guerrillas’ were *The Derby Mercury*, October 11, 1810; *The Observer*, London, October 28, 1810.

⁴⁷⁸ *The Caledonian Mercury*, Edinburgh October 25, 1810.

is covered with portidos de guerrilla, from 100 to 500 each strong.”⁴⁷⁹ Despite the inaccurate spelling, the essential terms of the novel style of warfare were represented.

It was not until the fall of 1810 that the word *guerrilla* began to appear in U.S. newspapers. In late November of that year, *The Adams Sentinel* of Gettysburg, citing *The Freeman’s Journal* of Dublin quoted the exact same “guerrillas (flying parties)” account noted elsewhere. Predictably, since the material was being transmitted through second-hand (and even third-hand) accounts almost none of the American articles were original. On December 17, *The Vermont Journal* of Windsor printed *The Caledonian Mercury’s* story of events unfolding in Catalonia where “a guerrilla of 30 men” and “another guerrilla of 20” men appeared.⁴⁸⁰

Although in 1811 the term *guerrilla* was ubiquitous in British newspapers, it was still in the process of being disseminated in the United States. For example, articles that appeared in the *Hartford Courant* and the *Pittsburg Weekly Gazette* October 2 and 11 (respectively) were the same article printed in *The Caledonian Mercury* October 25, 1810 – nearly a year apart.⁴⁸¹ Nevertheless, information on the insurgent war was beginning to make its way to the United States. The usual papers in Britain keep abreast of guerrilla-related events on the peninsula while Americans slowly learned of what was transpiring in Spain.⁴⁸²

Despite the outbreak of war with Great Britain in 1812, American knowledge of the new style of warfare introduced in Spain began to percolate into the United States. For example, *The Pennsylvania Gazette* published a story in February 1812 attributing its information to a source in Lisbon.⁴⁸³ *The Gazette* noted that the French “situation in that

⁴⁷⁹ *The Exeter Flying Post*, October 25, 1810.

⁴⁸⁰ *The Adams Sentinel*, Gettysburg, November 21, 1810; *The Vermont Journal*, December 17, 1810. An interesting corollary to this transmission over the Atlantic is the fact that both American papers were still using various early-modern English scripts in their typefaces. The Americans were literally behind the times.

⁴⁸¹ *The Hartford Courant*, Connecticut, October 2, 1811.

⁴⁸² British newspapers using the term “guerrilla” include (1811): *The Times*, London, Aug. 7, Aug. 31, Sept. 16, Sept. 19, Oct. 17; *The Morning Post*, London, Feb. 11, July 27, Oct. 28, Oct. 31; *The Freeman’s Journal*, Dublin, May 23, July 17; *The Hull Packet*, Jan. 22, *The Derby Mercury*, Aug. 1; *The Morning Chronicle*, London, June 26, July 29; *Aberdeen Journal*, May 8; *The Royal Cornwall Gazette*, Aug. 10; *The Lancaster Gazette*, Dec. 14; *The Yorkshire Herald*, Nov. 9; *The Ipswich Journal*, June 1; *The Hampshire Telegraph and Naval Chronicler* Jan. 21, June 3, Nov. 11.

⁴⁸³ See: G.E. Watson, “The United States and the Peninsular War, 1808-1812.” *The Historical Journal* 19, no. 4 (Dec. 1976): 870: “By 1809-10 Spain and Portugal had become the most important consumers of

country grows every day more insupportable to them, on account of the numerous bodies of guerrillas, which, harassing their foraging parties everywhere, put them under the necessity of scattering their forces.”⁴⁸⁴

1812 is also the year the word *chief* began its common association with *guerrilla*. This connotation seemingly denotes a fusion between the term in North America as it related to Native American tribes and the comparative methods the Spanish were employing against the French. Indeed, the terminology appeared complementary. *The Buffalo Gazette* (via Boston) used the term “the principal chiefs of the guerrillas” as well as the *Pittsburg Weekly Gazette*.⁴⁸⁵ By the spring of 1813, then, it appears that there was general knowledge that in Spain there were “several large divisions of guerrillas, which are spread all over the peninsula.”⁴⁸⁶ However, it is unlikely that Scott would have been seriously informed of matters in Spain as they were unfolding because he was busy fighting the British in the Niagara frontier region at that time.

By 1814 the terms “guerrilla chief” and “guerrilla warfare” made their way into the nomenclature.⁴⁸⁷ The term “*Guerilla Chief*” was even used as the title of a romance novel set in Spain by Emma Parker published in London in 1815. However, Parker does not use the term “guerilla chief” until the third volume of her story, implying it was still uncommon in England until 1814 or thereabouts (depending on her writing speed).⁴⁸⁸

As the term came into limited usage among the literati, it was shelved briefly and

American grain exports... By 1811, however, 835,000 barrels were purchased out of a total of 1,385,000: the bulk of this going to Portugal. In 1812, the proportion of American grain exports consumed in Portugal and Spain was even greater: 938,000 barrels. In spite of the war with Britain, this total rose to 972,500 barrels in 1813. At the height of the Peninsular War over three-quarters of all American exports of grain were shipped to Portugal and Spain.”

⁴⁸⁴ *The Pennsylvania Gazette*, Philadelphia, February 19, 1812. (Lisbon, Dec. 12)

⁴⁸⁵ *Buffalo Gazette*, September 8, 1812; *Pittsburg Weekly Gazette* September 11, 1812. See also: *The Caroline Federal Republican*, New Bern, March 28, 1812. The North Carolina newspaper quoted (from the *Baltimore Federal Republican*) news that “the guerrillas have already levied contributions” on the frontiers of France and Navarre.

⁴⁸⁶ *The Pennsylvania Gazette*, Philadelphia, April 28, 1813; *The Vermont Journal*, Windsor, May 3, 1813; *The Adams Sentinel*, Gettysburg, May 5, 1813; *Pittsburg Weekly Gazette*, May 7, 1813; *Buffalo Gazette*, May 11, 1813. See also: *The Pennsylvania Gazette*, January 20, 1813: “In Spain these French ruffians began by putting to death their Spanish prisoners, till the Empecinado, and other guerrilla leaders, repaid them with tenfold retaliation.”

⁴⁸⁷ *The Times*, London, March 1, 1814; *Jackson’s Oxford Journal*, March 5, 1814; The earliest reference to the two-word term *guerrilla warfare* is in *The Times* (London) July 5, 1813. “That mass [French army] has been diminished by sickness, by the continued drain of the guerrilla warfare, and by the drafts made by the German campaign.”

⁴⁸⁸ Emma Parker, *The Guerilla Chief*, 3 Vols. (London: William Lindsell, 1815).

revived to describe independence fighters in Latin American. The British, with its large contingent of soldiers in Spain, were more informed of guerrilla warfare, which their forces used for critical intel, and initially looked at events unfolding in the Americas through that prism:

...New Spain, is exactly the same as that of Old Spain in the late war; the Royalists possess only the capitals of provinces, in which they are obliged to keep many troops to maintain internal order, and keep their communications open as well as they can. They can hardly venture into the field, ...their advanced posts are frequently attacked, as was lately the case with the outworks the Viceroy had established two miles from Mexico. The insurgents are completely organized into strong guerrillas and parties, and nothing Royalists can traverse the roads without covering troops.⁴⁸⁹

With first-hand knowledge of the guerrilla war in Spain, it was the British who frequently employed the word *guerrilla* to describe the independence movements in Latin America. The term was used because the insurgents in Mexico employed similar unconventional tactics. On the other hand, Americans were anathema to monarchy and usually (although not exclusively) referred to the revolutionaries fighting for their independence as “patriots,” as Scott did in his 1816 letter to Monroe. Interestingly, while the British were using the term *guerrillas* to describe Latin American insurgents in Mexico, they also started to use the term *patriots* as well. There is some irony in this considering the British did not call the American colonial revolutionaries *patriots* but *rebels* and *traitors*. In addition, it is important to remember that the Americans were calling the Mexican revolutionaries *patriots* as early as 1812. Thus *patriot* in the Anglosphere meant something entirely different than the invocation of *patria* in Spain or Latin American – which generally denoted loyalty to the crown, the mother country, and one’s local regional familial network. It took on the opposite political meaning in the United States and Britain.⁴⁹⁰

In the American world view the Latin American insurgents were working to spread the sphere of liberty and republicanism in the western hemisphere. Henry Clay, a prominent

⁴⁸⁹ *The Morning Chronicle*, London August 15, 1815.

⁴⁹⁰ For early *patriot* references in the Mexican Revolution in U.S. papers see: *Missouri Gazette*, St. Louis, September 12, 1812; *Buffalo Gazette*, March 16, 1813; *Sentinel and Democrat*, Burlington, April 8, 1813; *Vermont Republican and American Journal*, Windham, July 12, 1813 and January 24, 1814; *The Vermont Journal*, Windsor, October 18, 1813; *War Journal*, Portsmouth (NH), October 22, 1813; *Buffalo Gazette*, August 24, 1813.

formulator of U.S. policy during this period, made pains in 1818 to ensure that the proper republican nomenclature was codified in official government statements. While describing this policy he noted that the “committee will remark that the document does not describe the patriots as rebels or insurgents, but using the term which I have no doubt has been well weighed, it declares the existence of a ‘state of warfare.’” Clay, in a speech in the House of Representatives titled, “On the Emancipation of South America,” outlined the American perspective:

The immense country watered by the Mississippi and its branches have a peculiar interest... if the independence of Mexico upon any European power were effected. [...] Spain, it is true, is not a dangerous neighbor at present, but... her power may again be resuscitated. Having shown that the cause of the patriots is just, and that we have great interest in its successful issue, I will next inquire what course of policy it becomes us to adopt.⁴⁹¹

Geopolitical strategy then was the principal reason the Americans supported revolution in New Spain and later enacted the Monroe Doctrine in 1823. *The Evening Post*, writing after Scott’s trip to Europe in the spring of 1816, noted the situation in Mexico from a different perspective than London by referring to the revolutionaries as *insurgents* and the Spanish as the *guerrillas* when deliberations on enlisting Peninsula War guerrilla veterans to put down the rebellion in Mexico was discussed. In other words, the information came from London, but the message was changed to suit American sensibilities:

Propositions have been made to several Guerrilla chiefs who distinguished themselves in the late war against the French; some have accepted active service; but in the midst of these hostile preparations and threats of revenge against the Spanish American insurgents,... now fast approaching the attainment of the great object for which they have been fighting during a period of seven years.⁴⁹²

Due to the slow dissemination of information over the Atlantic, war with Britain, and differing world-views concerning Mexican independence, many Americans did not use the term *guerrilla* to the extent that the British did – either to describe the war in Spain or the subsequent Latin American independence movements. There were of course exceptions, especially before the jargon became standardized in the U.S. press. To the

⁴⁹¹ James B. Swain (ed.), *The Life and Speeches of Henry Clay* (New York: Greeley & McElrath, 1843), 105, 93. March 24, 1818.

⁴⁹² *The Evening Post*, New York, September 21, 1816.

consternation of Madrid, *The Evening Post* reported on Mina's suspicious presence in England. "Mina the celebrated guerrilla chief had arrived in England."⁴⁹³ However, after 1816, as the Peninsular War faded into the background, the British were using both *guerrilla* and *patriot* to describe insurgents in Mexico while the American newspapers were using *patriot* almost exclusively. To be sure, most Americans felt the same way Clay and Scott did regarding monarchy, and so the semantic shift was not a burden to editors or columnists on either side of the United States divided political spectrum.

By 1816 *patriot* in the Latin American context referred to any insurgent fighting to overthrow Spanish monarchical control. *The Evening Post* wrote that the "Mexican patriots" were "engaged in the glorious contest for their liberty," while printing the Spanish priest-turned insurgent José Manuel de Herrera's proclamation "in the name of the Mexican Republic" that "the bands of the tyrant, which infest the provinces of Veracruz and Oaxaca, will soon be defeated and driven out. In a short time the flag of Spain will float no longer in the Gulf of Mexico."⁴⁹⁴ By 1816, with the geographic situation reversed, it was British newspapers receiving late news of events in Mexico from American sources. For example, on July 29 *The Caledonian Mercury* reported the capture and late December 1815 execution of insurgent leader José Maria Morelos after receiving news from New Orleans dated June 1:

It was in vain that the Republican Government, by many petitions addressed to Viceroy Callejas, reclaimed the observance of the laws of war, in vain did it seek... to save the life of the prisoner – the tyranny, superstition, and fanaticism, which exercises openly its sway in the capital of the New World, sacrificed a most virtuous patriot...⁴⁹⁵

News of the insurgent rebellions that embroiled Mexico from 1811 to 1821, which had begun after Napoleon's failed campaign in Spain, were disseminated in the United States in a narrative that relegated the tactical novelty and use of guerrilla war. The focus instead was put on the "patriot" and "republican" causes of the revolutionists. That was the bigger story. It was no longer depicted as a David versus Goliath-like

⁴⁹³ *Ibid.* July 31, 1815.

⁴⁹⁴ *The Evening Post*, New York, November 21, 1816.

⁴⁹⁵ *The Caledonian Mercury*, Edinburgh, July 29, 1816. "The Mexican patriots by proclamation of the government, and in a circular to all the provinces, have solemnly sworn to revenge the death of their illustrious defender, protesting that they will always hold the Viceroy, and 60,000 Spaniards who inhabit that immense country."

struggle that characterized the Spanish War against Napoleon. In other words, since the *patriots* were guerrillas employing unconventional tactics to achieve military victories, their illegal mode of war was downplayed or ignored altogether. The narrative of the newspapers, rather than being militarily oriented, was disseminated through a histrionic perspective akin to the American separation from England during that revolution. Boiled down, military considerations took a backseat to the more salient political narrative.

CHANGING WAYS OF WAR

The difference in perspective then, begs the question relating to accumulative military knowledge: Did Winfield Scott study the guerrilla tactics of the Peninsular War? The short answer requiring a more complex explanation is *not entirely* – at least not until after his experience in Florida after 1836. This is not to say he did not study the French side of the war – an important distinction. Scott’s career trajectory was a two-tiered track weaving his inclination towards law and order with his desire to advance his military knowledge and status in an ascendant country. Military organization was best served in the United States by emulating the dominant military state of the era – which was France. After all, his trip to Europe was devoted to observing and studying European militaries.

The question is partially answered by Scott’s academic focus before and after his trip. During the post-War of 1812 period, while Americans were still skeptical of a national army, the U.S. Army was in the beginning stages of organizing a nascent force modeled along European lines. At the time, national military bases were using disparate training guides. Therefore, whenever separately-trained units were combined into larger forces, they were required to relearn whatever system the highest commanding officer was most familiar with – resulting in inefficiency. The federal government took notice of this inefficiency in 1814 and made moves to streamline the system by “establishing a board of officers charged with the duty of writing a new system of tactics for the army.” Scott shrewdly “positioned himself to be the vanguard” of the process, and thus “expressed his pleasure in adopting the French system as the model for the U.S. Army.” After being appointed to the board charged with implementing the streamlined rules and regulations

based on a translation of the French text “incorporating changes in terminology” for Americans, Scott departed on his trip to Europe.⁴⁹⁶

Johnson correctly notes that, although many Americans were skeptical of large European-size armies epitomized by the Napoleonic Wars, the burning of Washington D.C. by the British in 1814 necessitated organizing a professional force capable of defending national interests. It was this period where West Point Military Academy (USMA) in upstate New York took on a more prominent role in training future officers for future wars. “Through professionalization the most obvious route to high rank began at the first rung – West Point.” Many officers in the Mexican War and Civil War were trained at West Point. This was one of Scott’s legacies. “Scott thought the militia too unreliable. Military success hinged on discipline, and Scott sought to bring order and control to every aspect of military life.”⁴⁹⁷

In a recent article, the military historian Michael Bonura called the American adoption of French military methods during a “pre-paradigmatic period in American tactics” a leading factor in the United States’ “way of war,” and uses the term as it “describes its strategic traditions that determine the ways in which military force is used to accomplish political objectives.” The definition includes “intellectual military traditions, doctrines, and accepted ideas concerning the fundamental nature of war.” According to Bonura, a nation’s way of war encompasses the complicated “relationship between the citizen and state,” and the advent of its development amounts to a historical precedent similar to the scientific revolution.⁴⁹⁸

⁴⁹⁶ Johnson, *Winfield Scott*, 67-68. “The end result was a 360-page text, *Rules and Regulations for the Field Exercise and Manoeuvres of Infantry* (usually referred to simply as the *1815 Regulations*).” During the era the army began to reflect its Napoleonic influence. Ribands used in the revolutionary war were scrapped for the European insignia system (for example, epaulettes and chevrons) and is the model still used for the ranks: (enlisted) privates, corporals, and sergeants, and (officers) ascending from warrant-, lieutenant, captain, major, colonel, and general.

⁴⁹⁷ *Ibid.* 78. See: Eisenhower, *Agent of Destiny*, 124. Eisenhower called West Point “the core of Scott’s very being.”

⁴⁹⁸ Michael A. Bonura, “A French-Inspired Way of War: French Influence on the U.S. Army from 1812 to the Mexican War.” *Army History*, no. 90 (Winter 2014): 6-7.

Beginning during the American Revolution with Friedrich Wilhelm von Steuban's *Blue Book*,⁴⁹⁹ the more formalized adoption of French methods progressed after French artillery officer, engineer, and Napoleonic War veteran Claudius Crozet introduced Simon Gay de Vernon's *A Treatise on the Science of War* into the curriculum at West Point in 1816. The work was pure French, and "Napoleon personally endorsed Gay de Vernon's *Treatise* for use in officer education in 1805." Vernon's work "trained thousands of French officers before it became part of American officer education as a central part of the academy's engineering curriculum." Although the *Treatise* was heavily influenced by engineering theories and focused primarily on sieges, fortifications, and lines of operations, the West Point manual also included "a new appendix" compiled by John O'Conner, a U.S. Army captain with a penchant for praising the military skills of Napoleon and Frederick the Great.⁵⁰⁰

O'Conner's one-hundred-page addition to the West Point French *Treatise*, titled *A Summary of the Principles and Maxims of Grand Tactics and Operations*, was influenced by Henri Jomini. The appendix was the beginning of an era where maxims became important in military education at West Point. As students of military history searched for scientific truisms with the potential to be implemented successfully on the battlefield, the maxims brought order and system to a developing school of martial education. "The idea of reducing the system of war to one primitive combination, upon which all others depend; and which should be the basis of a simple and accurate theory, presents innumerable advantages." Simplification, O'Conner believed, "would render the study of the science much more easy, the judgement of operations always correct, and faults less frequent." The American captain was no short of praise for Jomini:

General Jomini has transcended all writers on war, and has exhibited the most extraordinary powers of analyzing and combining military operations. His work form an epoch in the history of the science, and should be read by every person ambitious of extending their knowledge, or of understanding military history.

⁴⁹⁹ *Ibid.* 8. *Regulations for the Order and Discipline of the Troops of the United States*, also known as the 'Blue Book,' "remained the only drill regulation for the armies of the United States (this includes the regular army, volunteer units, and state militias) through the outbreak of the War of 1812."

⁵⁰⁰ *Ibid.* 17-18. (de) Vernon, Simon Gay: *A Treatise on the Science of War and Fortification Composed for the use of the Imperial Polytechnick School, and Military Schools; and Translated for the War Department, for the use of the United States: To Which is Added A Summary of the Principles and Maxims of Grand Tactics and Operations by John Michael O'Conner*, Vol. 2 (New York: J. Seymour, 1817).

The writer has... reduced the hitherto mysterious science of war to a few self-evident principles and axioms.⁵⁰¹

Like previous military scholars, O'Conner focused heavily on the importance of maintaining lines of operation and lines of maneuver, noting that "Napoleon never operated upon any other than one principal line." Using the 1800 Alps campaign as a model, O'Conner stated that the emperor's decisive direction at that moment "is sufficient to convince any mind of the importance of the choice of maneuver in war. We see empires saved, or invaded, by the mere combinations of this choice" in war. Another maxim O'Conner espoused was that "retreating troops must concentrate [their forces] or die" from being attacked separately.⁵⁰²

Focusing entirely on conventional applications, *A Summary of the Principles and Maxims of Grand Tactics and Operations* also addressed logistics, stating that it "is better to supply the wants of a siege, or army, by small and constantly successive conveys, than by periodical and large convoys." O'Conner's advice in this regard did not take the military realities of guerrilla warfare into account because he claimed that large convoys risked the loss of too much material. The opposite situation later unfolded in Mexico, as Scott needed large convoys (with large escorts) to prevent capture: If "one or two" small convoys were captured "their loss will not be felt. But a large periodical convoy offers a temptation to the enterprise of the enemy, and is so great an object and so difficult to escort, that the enemy will much venture to destroy it."⁵⁰³

Using Jomini's maxims of war, O'Conner's *Summary* taught West Point cadets what Napoleon espoused when short of supplies in occupied territory: any "army in march to undertake decisive operations, can always find resources while in motion. We may therefore, in proportion to the resources, dispense with the train of provisions and transports." This was the first of many military maxims laid down as inviolable rules of war reminiscent of Napoleon's admonishments to his older brother in 1808. "Genius has undoubtedly a great share in victory," O'Conner wrote, "because it presides over the application of acknowledged rules, and seizes all the modifications of which this

⁵⁰¹ John Michael O'Conner, *A Summary of the Principles and Maxims of Grand Tactics and Operations* (found in de Vernon's *Treatise*, Vol. 2) (New York: J. Seymour, 1817), 467, 386.

⁵⁰² *Ibid.* 415, 428, 430.

⁵⁰³ *Ibid.* 447.

application is susceptible. But in no case will a man of genius act in violation of these rules.”⁵⁰⁴ Among many of the military maxims to reappear during the Mexican War, the ancient military maxim to find resources in theater would later play an oversized role in the Polk Administration’s efforts to change the course of the war.

Other maxims included: “a saying of the Emperor Napoleon that the secret of successful war, consisted of operating against the enemy’s communications,” the “fundamental principle” of effecting “a combined effort with the greatest possible mass of force” against an enemy’s weakest point, taking the initiative with movements, the efficacy of attacking “extreme flanks,” the importance of keeping “forces united,” inducing the enemy to “commit faults,” and pursuing “a beaten army.” Each of the maxims listed was carefully examined within a historical military context (involving either Napoleon or Frederick the Great) that helped the student understand the applicable situation to best apply the maxim.⁵⁰⁵

And what of the newer Spanish way of war (i.e. guerrilla warfare) violating the sacred military rules? On the last page of the *Summary* O’Conner admitted to the limitations facing an invading army when occupying a country, but he offered no prescriptions to preventing insurgency:

National wars, in which we have to fight and conquer a whole people, are the only exceptions to the great rule of acting constantly in mass. In wars of this kind, it is difficult to enforce submission without dividing our forces... The means of guarding against these evils, is to have an army constantly in the field, and independent divisions to keep in subjection the country in the rear. In this case the country should be commanded by enlightened generals who are good governors and men of justice and firmness; because their services may contribute much to the force of arms, to produce the submission of the provinces confided in them.⁵⁰⁶

Despite the focus on military education, the curriculum at West Point during the antebellum period did not specifically address guerrilla warfare. Rather than study the novel system of warfare that broke the rules of war, Scott, like everyone else until Clausewitz, focused on creating a better, more highly trained army based on

⁵⁰⁴ *Ibid.* 449-450, 467.

⁵⁰⁵ *Ibid.* 480-490.

⁵⁰⁶ *Ibid.* 490.

conventional and updated practices. He even implemented a policing system for the army to enforce discipline – itself a novel initiative at the time. In 1821 Scott published his *General Regulations* outlining his vision of the army. “Scott meticulously described policies regarding army discipline, dress, duties of officers, treatment of staff officers, the chain of command, tactical movements, and camp sanitation.” Complementing his creation of a military police the “*Regulations* provided the army with its first comprehensive, systematic set of military bylaws; and as the author proudly asserted, ‘There is a due logical connection and dependence between the parts, not found in other books.’” That statement demonstrated Scott’s ability to push the evolution of the army when he believed it appropriate. *General Regulations* was his most important work (to date), and his stamp on the trajectory of the future U.S. Army.⁵⁰⁷ The introduction to the second edition, co-authored by artillery expert Pierce Darrow, noted that the 1820 “rules and regulations adopted for the army of the United States, should be the governing principle for the militia of the several states, so far as applicable to their particular organization.” Darrow also noted that “the system which is now in use in the army [was] called ‘Scott’s Exercise.’”⁵⁰⁸

As the language indicated, the regulations were formulated during a period in American history where states’ rights ideology was strong and it was difficult for the federal government to impose its will. Also, although the title used Scott’s name, Scott biographer Timothy Johnson notes it “would be more accurate to describe his works as compilations, adaptations, and translations mostly drawn from British and French texts.” That the material was not original did not bother Scott, what mattered was that “he provided regimentation and system where little had previously existed, and his manuals and regulations served the army well for years.”⁵⁰⁹ Nor did Scott claim that the material was original. What mattered was that it was compiled appropriately for practical application. In his words:

⁵⁰⁷ Johnson, *Winfield Scott*, 75-76.

⁵⁰⁸ Darrow Pierce and Winfield Scott, *Scott’s Militia Tactics; Comprising the Duty of the Infantry, Light-Infantry, and Riflemen* (Second Edition) (Hartford: Oliver D. Cooke, 1821), iii. Scott’s disciplinarian approach to life was manifest in the social sphere, and he supported temperance. See: Scott, *Memoirs*, p. 204. “In the *National Gazette* of Philadelphia (September 22, 1821), I published a *Scheme for Restricting the Use of Ardent Spirits in the United States*.”

⁵⁰⁹ Johnson, *Winfield Scott*, 79.

I made a rigorous analysis of the whole subject, and submitted it to the War Department... This was the first time that the subjects, embraced, were ever reduced, in any army, to a regular analysis, and systematized into institutes. The *Législation Militaire* of France, was indeed, most copious, containing all that can be desired for an army, in the field – excepting tactics, and strategy, and engineering – each of which and some other branches of war, properly requiring separate treatises. And the English book of *General Regulations*, was also composed of independent articles, without connection or system.⁵¹⁰

Put another way, Scott was not creating the system from scratch, he was rewriting and updating it to advance the interests of the country, and by extension his career. Like train tracks, those two lines ran parallel and inseparable during his career.

An examination of the updated version of the *Regulations* published in 1830 illuminates the thinking not only of Scott, but of the evolving U.S. Army. In that version, Scott, along with notables such as Major General Thomas McCall Cadwalader and (Colonel) Zachary Taylor, composed a committee formed in 1826 in charge of compiling a new version approved in 1829. The *Abstract of Infantry Tactics* represented an increased focus on the education of a new class of professional military students at West Point and later the Virginia Military Institute (VMI). The updated version also used the term “school of the soldier” for the first time, which reflected the systematic shift toward education in the American military. Non-commissioned officers were required to “comprehend the *School of the Soldier*, and that of the *Company*; they shall be required to possess an accurate knowledge of the exercise and use of their firelocks, of the manual exercise of the soldier, and of the firings and marches.”⁵¹¹

Education was not merely limited to martial studies, as U.S. cadets received a comprehensive education spanning a multitude of subjects. For example, a “Synopsis of Course Studies at V.M. Institute” one year before the Mexican War included: Natural Philosophy and Chemistry (*Bouchariat’s Mechanics; Turner’s Chemistry; Hershel’s Astronomy and Lectures*) Rhetoric and English Literature (*Blair’s Lectures; Murray’s Grammar*) Engineering and Science of War (*Mahon’s Engineering*) Drawing, French

⁵¹⁰ Scott, *Memoirs*, p. 206.

⁵¹¹ Scott, et al, *Abstract of Infantry Tactics; Including Exercises and Manoeuvres of Light Infantry and Rifleman; for the Use of the Militia of the United States* (Boston: Hilliard, Gray, Little, and Wilkens, 1830), 14. There are two numbering systems for the pages, but it appears the ones at the bottom are more accurate.

and Latin (*Cooper's Virgil; Cicero and Horace; Levizac's French Grammar; Buillion's Latin Grammar*) Mathematics (*Davies' Bourbon's Algebra; Davies' Legendre's Geometry; Smith's Biot's Analytical Geometry, Davies' Descriptive Geometry*), and Geography (*Mitchell's Geography*). Opened in 1839, VMI was in a healthy competition with West Point aimed at producing – not only good soldiers – but classically-educated intellectuals. Both institutions used Scott's *Infantry Tactics* before the Mexican War.⁵¹²

Unlike the older version of *Infantry Tactics*, the 1830 updated version of the U.S. Army's tactical manual dealt with skirmishing. Skirmishing was generally associated with and often used to describe guerrilla tactics in early press reports during the war in Spain. Skirmishers were also key to French successes during the Napoleonic Wars, and other European armies adopted the practice of using open-formation skirmishers to protect the flanks, vanguard, and rearguard of marching units from harassment. Since skirmishers were detached units, they operated more independently of larger, more regimented units. The introduction of updated skirmishing tactics in the *Infantry Tactics* manual was important. Acknowledging skirmishing was the first step in the evolution of a combat structure ubiquitous among modern armies. In other words, since skirmishing tactics were usually used by smaller guerrilla units to harass larger forces, the 1830 *Infantry Tactics* manual demonstrates that Scott at least acknowledged the efficacy of those tactics and tried to write some of them into the rules governing the army.⁵¹³

The systematic teaching of skirmishing was the beginning of the American military's evolution from a militia structure to a professional army. Many years later, John Watts de Peyster, a New York militia member in the Mexican War and military scholar,

⁵¹² Colonel William Cooper, *One Hundred Years at V.M.I.*, Vol. 2 (Richmond: Garret and Massie, 1939), 149. Course Studies listed for July 1845. Before the Civil War, the *Rifle and Light Infantry Tactics* (1855) by Colonel William J. Hardee was commonly used.

⁵¹³ See: Bonura, "A French-Inspired Way of War," 14-16. Bonura claims that the 1821 *General Regulations* manual "codified the practice of rifleman fighting as heavy infantry and the line infantry battalions dispersing as skirmishers when necessary." This is mostly true, as Bonura explains in the "Tenets of French Warfare," which often utilized "a cloud of skirmishers out in front of the main infantry line," which buttressed the main force group allowing it time and thus maneuverability prior to a large battle. However, the 1821 text is much more regimented in its approach (as evident by the diagrams accompanying the riflemen section calling for systematic movement) and does not employ the actual term *skirmish* in the entire text. In other words, the 1821 text is not skirmishing in the way that skirmishing was taught in the 1830 *Infantry Tactics*. In Bonura's defense, for lack of a better word, *skirmishing* is the most apropos term to use even though using it reduces the important tactical difference in instruction between the texts. See also: *General Regulations* (1821), 231-251. The 20 light-infantry maneuvers are accompanied by rigid (geometric) diagrams outlining movements.

advocated the U.S. Army adopt skirmishing tactics as the standard tactical *modus operandi*, which was a revolutionary proposal at the time. “In articles which appeared in the Army and Navy Journal of 1865-66 he maintained” that the carnage of the Civil War showed that...

...the old Napoleonic conception of infantry tactics in columns of brigades was doomed to pass away with the use of better arms and field works of modern warfare... he maintained that the infantry fighting of the future would be by means of single lines of men following one another at some distance – a succession of skirmish lines. These ideas were adopted by the armies of the civilized world.⁵¹⁴

Scott took the first step in that transition by recognizing the efficacy of skirmishing tactics and codifying it into U.S. military training. In the 1830 *Infantry Tactics* section of exercises “covering light-infantry and riflemen,” the updated rules allowed the individual soldier leeway when engaging an enemy. For a soldier traditionally required to stand in a column and hope to not be hit by incoming projectiles, the adoption of skirmishing tactics, although not yet the standard, was welcomed news. Furthermore, like guerrilla warfare, the manual accounted for the necessity to assess diverse terrain and react appropriately (*italics not added*):

In firing in extended order the skirmishers will be governed by circumstances, and fire *standing, kneeling, or lying*, as they may require, and take advantage of any object which presents itself to shelter the person; and for this they may advance a few paces, more or less. In occupying fences, or the edge of hills, whether in close or extended order, the line will always follow the direction of these objects...⁵¹⁵

The updated 1830 training manual thoroughly covered skirmishing, and even took into consideration the “very fatiguing” aspect of that mode of combat. Because of the nature of skirmishing, replacing soldiers engaged in combat had to be systematized. “In relieving a line of skirmishers, the new line will extend in the rear, out of reach of the enemy’s fire, and afterwards run up rapidly to the old line; each file of the former, proceeding straight in the rear of the latter, so as to keep them between themselves and the enemy fire.” Covering aspects of both retreating and advancing, the manual advised:

⁵¹⁴ Frank Allaben, *John Watts de Peyster*, Vol. 2 (New York: Frank Allaben Genealogical Society, 1908), 197.

⁵¹⁵ Scott, *Abstract of Infantry Tactics*, 173. “Intervals between Ranks” #1752, #1753.

...each file of the old skirmishers will run straight to the rear, the instant that a file of new skirmishers reaches the line of defense; and, whenever the former is out of reach of the enemy's fire, they will close in upon their supports... If the relief take[s] place while advancing, the new skirmishers will run up in the same way, and pass briskly in front of the others; the old skirmishers will lie down, until they are out of the enemy's fire, after which they close upon their support as before.⁵¹⁶

Because Scott was creating order out of a mode of warfare individually oriented, the skirmishing tactics were accompanied by a series of bugle signals used by a commanding officer to direct his soldiers in the field. Thus, soldiers engaged in combat could respond to various calls of the bugle. The instrument most associated with nineteenth-century western cavalry charges, the bugle was usually loud enough to pierce the noise of both sprinting horses and gunfire. The 19 "Simple Signals" included: 1. to extend, 2. to close, 3. to advance, 4. to halt, 5. to retire, 6. to fire, 7. to cease, 8. to annul, 9. to relieve skirmishers, 10. to recall, 11. to assemble, 12. too fast, 13. too slow, 14. to incline, 15. right, 16. left, 17. center, 18. double quick march, 19. alternative ranks. In addition, these signals could be doubled up to create more complex orders "under various circumstances." For example, a bugle call using orders 15 and 3 would mean to "throw forward the right," while a combination of 7 and 3 would mean "To cease firing and advance."⁵¹⁷

Because large troop formations were still the dominant military paradigm, skirmishing was Scott's tactical response to guerrilla warfare without directly acknowledging it. Changes over time and advancement in weaponry, as Peyster later believed, made adopting more complex forms of combat necessary. However, as pompous as Scott was, he did not recognize the evolutionary trajectory of skirmishing as the future mode of warfare for modern armies – even though he ushered the process along. A disciplinarian who respected and admired Napoleon and the French Army, Scott rarely mentioned Mexican *guerrilleros* in his *Memoirs*. He dealt with them, and used both *banditti* (emulating Napoleon) and *guerrilla* in correspondence, but he believed with tactical training and preparation the efficacy of guerrilla warfare could be mitigated with both benign and hard approaches to warfare. It was as if Scott himself was competing with

⁵¹⁶ *Ibid.* 195, 173. #1754, #1755, #1756.

⁵¹⁷ *Ibid.* 174-176. The sheet music for the bugle appears on page 175.

Napoleon to rewrite the rules of war, or at least to improve on the mistakes made by his predecessor. To acknowledge guerrillas would be to respect them and their mode of warfare, and Scott could not do that. On the other hand, Scott was proud of the role that skirmishing played in Mexico. We know this because he included it in the opening line in the most important chapter of his life story – the siege of Veracruz. To include skirmishing in a short litany of successes meant that it was a focal point of his thinking. “Successful was every prediction, plan, siege, battle, and skirmish of mine in the Mexican war,” he boasted in his *Memoirs*.⁵¹⁸

Nevertheless, in 1830 Scott had trials to go through before invading Mexico. He continued to absorb the most recent publications on military knowledge, many of which related to the war in Spain. In fact, the 1830s was a renaissance decade for military studies, as many prominent works applicable to military education were published. Most similar to O’Conner’s 1817 *Summary* was the 1831 release of *The Officer’s Manual: Military Maxims of Napoleon*. The *Maxims* were ostensibly written by Napoleon (although likely a compilation) and “translated” by Sir George Charles D’Aguilar, an officer with a colorful career who was present when Wellington seized Paris in 1815. *Napoleon’s Military Maxims* would go through several editions and was published periodically before, during, and after the Mexican War.⁵¹⁹

Comprising seventy-eight maxims illustrated in a second “notes” section using historical examples including Napoleon, Frederick the Great, Gustavus Adolphus, Caesar, and Hannibal, among others, D’Aguilar’s compilation of maxims covered conventional tactics wrapped in platitudes. For example, Maxim 5 stated that “wars should be governed by certain principles, for every war should have a definite object and be conducted according to the rules of art.” Other topics included maintaining an army’s morale, the importance of having one line of operation, to “never do what the enemy wishes you to do,” and avoiding confrontations with a superior army.⁵²⁰ Regarding

⁵¹⁸ Scott, *Memoirs*, 415.

⁵¹⁹ Sir George Charles D’Aguilar (ed./translator), *The Officer’s Manual: Military Maxims of Napoleon* (Dublin: Richard Milliken and Son, 1831). *Napoleon’s Maxims* was often advertised next to *Scott’s Tactics* during the war. See: *New York Daily Herald*, April 29, 1847; *Mississippi Free Trader*, August 8, 1846.

⁵²⁰ *Ibid.* 9-18. Maxims 12 and 13, 5, 16, 17.

occupying an enemy country, *Napoleon's Maxims* mimicked O'Conner's vague prescriptions (Maxim 70):

The conduct of a general in a conquered country, is full of difficulties. If severe, he irritates and increases the number of enemies. If lenient, he gives birth to expectations which only render the abuses and vexations inseparable from war, the more tolerable. A victorious general must know how to employ severity, justice, and mildness by turns, if he would allay sedition or prevent it.⁵²¹

Like O'Conner's work informed by Jomini, the maxims did not cover guerrilla warfare. There was a single reference in the notes section based on Maxim 76, which called for certain actions to be taken when operating within an occupied country such as: reconnoitering the surrounding area, employing dependable guides, "to interrogate the *curé* and postmaster. To establish a good understanding with the inhabitants. To send out spies. To intercept public and private" correspondence, and properly "translate and analyze their contents." Maxim 76, according to D'Aguilar, amounted to a tacit recognition of insurgent warfare that could manifest in occupied country. "A chief of partisans is to a certain degree independent of the army. He receives neither pay nor provisions from it, and rarely succor, and is abandoned during the whole campaign to his own resources." In this type of warfare, the partisan leader needed to be resourceful:

Always harassed, always surrounded by dangers which it is his business to foresee and surmount, a leader of partisans, acquires in a short time, an experience in the details of war rarely obtained by an officer of the line; because this last is almost always under guidance of superior authority, which directs the whole of his movements, while the talent and genius of the partisan are developed and sustained by a dependence on his own resources.⁵²²

Had Scott not been a Francophile he may have been more receptive to the Prussian school of military studies epitomized by Clausewitz. It was Clausewitz, rather than his competitor Jomini, who first took the efficacy of guerrilla war seriously and applied it to military analysis. However, we know that Scott did not study Clausewitz's pioneering work on small war (*Kleiner Krieg*) because the notes from the 156 lectures Clausewitz gave at the Prussian War Academy over a nine-month period beginning in 1810 were

⁵²¹ *Ibid.* 56.

⁵²² *Ibid.* 247-248. In addition, D'Aguilar notes that "Foraging parties composed of small detachments, and which were usually entrusted to young officers, served formerly to make good officers of advanced posts; but now the army is supplied with provisions by regular contributions, it is only a course of partisan warfare, that the necessary experience can be acquired to fill these situations with success."

not compiled until 1816 – nor published until the twentieth century. Nevertheless, from a military perspective, they are worth noting since they spoke to many of the problems the French army faced from the guerrilla units in Spain. Interestingly, even though Clausewitz “was familiar with events in the Vendée and in Spain, he refers in his lectures only to regular army units, never to insurgents.” This is understandable considering his audience consisted of fellow Prussian soldiers and officers.⁵²³

The prescriptions Clausewitz espoused to carry on successful partisan operations may seem obvious in a modern context, but at the time the idea of formalizing guerrilla warfare – much less creating rules and standards for its success – was unheard of. Some of those tenets included avoiding danger “whenever possible,” collaborating with mounted units, and marching “at night... and camp in small detachments in a forest during the day.” Other recommendations were to “move forward on concealed roads” and treat the native population “in a friendly way.” The Prussian also “emphasized that secrecy was of paramount importance; only a few people should know about the intention (and direction) of the raid.” Since surprise raiding was one of the key advantages of partisan warfare, those attacks “were best carried out at night, or at midday when those in the camps would be cooking and least prepared to face the enemy.” Clausewitz was meticulous in drawing his recommendations from the insurgent perspective, even noting that inducing “false alarms in the enemy camp the night before an attack was always advisable, since this would result in less vigilance the day after.” Other “assignments of partisans” included: “to collect intelligence; to arrest enemy couriers; to kidnap enemy generals or other important persons; to destroy bridges and arms stores; to make roads impassable; [and] to seize enemy funds and supplies.”⁵²⁴

Notably, Clausewitz (c.1816), O’Conner (1817), and D’Aguilar (1831) all advocated the targeting and interception of enemy communications. Military essays always stressed the importance of maintaining proper communications, to be sure, but it was generally considered the obligation of *that* army to do so. After the guerrillas in Spain (under the auspices of the *Corso Terrestre*) decimated the once-invincible French Army’s ability to communicate, a new generation of military analysts jettisoned the antiquated concept of

⁵²³ Laqueur, “The Origins of Guerrilla Doctrine.” *Journal of Contemporary History*, 350.

⁵²⁴ *Ibid.* 350-351.

granting safe passage to enemy couriers claiming to be carrying diplomatic material. Accepted norms of communicating between states during both wartime and peacetime were outlined by Vattel. As a precursor to the development of standards in international law influenced by his predecessor Grotius, Vattel believed that “a sovereign who attempts to hinder another from sending and receiving ministers, does an injury and offends against the law of nations.” However, those tenets did not extend to besieged towns or cities, since the military campaign took precedence over the general rule. Nevertheless, it was assumed that “war introduces other rights.” According to Vattel:

As nations are obliged to correspond together, to attend the proposal and demands made to them, to keep open a free and safe channel of communication for the purpose of mutually understanding each other’s views and bringing their disputes to an accommodation... [...] The greater the calamities of war are, the more incumbent on nations to preserve means for putting an end to it. Hence it becomes necessary that, even in the midst of hostilities, they be at liberty to send ministers to each other, for the purpose of making overtures of peace... accordingly, a passport, or safe-conduct, is asked for him, either through the intervention of some common friend, or by one of those messengers who are protected by the laws of war...⁵²⁵

By the early nineteenth century gentlemanly scriptures as they related to the enemy’s communications were eliminated partly due to the efficacy of guerrilla war. The advent of mass printing and communication also rendered unnecessary the need to send emissaries to announce a state’s formal declaration of war, since those declarations could be easily read in foreign accounts or newspapers published in border cities. Conventional proponents nevertheless tried to maintain semblance of the old system undergoing – as Bonura puts it – a revolution akin to the one upending the scientific world.

Other transitions in the rules of warfare occurred around the same time. Robin Fabel argued in a 1980 article that “unlimited war was reborn” during the French Revolution in 1793 and the Americans were late in recognizing that fact by the War of 1812. Rather than adapt to the new conventions as Europeans understood them, the Americans tried to work within the ideal of the “limited war” of the eighteenth century. Scott may have

⁵²⁵ Emer de Vattel, *The Law of Nations, or, Principles of the Law of Nature, Applied to the Conduct and Affairs of Nations and Sovereigns* (Philadelphia: T. & J.W. Johnson, Law Booksellers, 1852). The (June) 2015 United States Department of Defense’s *Law of War Manual* cites both Vattel and Grotius (see pages 19, 18, footnotes 67, 69, 70).

been a product of this thinking, but inarguably Americans learned of the changing nature of western thinking regarding the limits of war after the British burned the American capital. Nevertheless, Fabel makes a good argument about the existence of the written and the unwritten conventions of waging warfare during the early nineteenth century by noting that the construction of the American Articles of War in 1775 “blended the contents of the British code” and evolved over time. Here again, Fabel notes that Vattel was a preeminent authority on international law within the founding generation of American intellectuals. Many of Vattel’s scriptures included pronouncements on the laws of war, but as the author recognizes, a “source of difficulty is that military necessity could justify and legalize conduct that would in other circumstances, be illegal and unjustifiable.”⁵²⁶ For some military strategists the entire concept of guerrilla warfare fell into this category – including the American use of it during the Revolutionary War and the Spanish use of it on the peninsula. It was illegal in the sense that it violated the unwritten rules of war but justifiable in that it was borne out of military necessity.

Clausewitz’s lectures on small war informed his main work, *On War*, which was posthumously published beginning in 1832. Between Jomini and Clausewitz, the latter took on the efficacy of social factors sparking guerrilla conflict most seriously, and it was most likely *On War* that garnered Scott’s attention. In addition to basic essays on lines, sieges, and provisioning, Clausewitz recognized that the “mental and material cannot be separated from war.” In other words, capabilities are often influenced by moral factors, such as “that personal feeling of confidence on one’s own power,” and that each commander needed to take into account “the moral tone of his own and of his enemy’s troops.” Clausewitz called the “moral force and its effects” the “first element,” which affected the entire mood of a war – particularly as it related to the changing nature of war in the early nineteenth century. “National hatred, which is seldom lacking

⁵²⁶ Robin F.A. Fabel, “The Laws of War in the 1812 Conflict.” *Journal of American Studies* 14, no. 2 (Aug. 1980): 199-203. These conventions did not extend to the Native American: “It was assumed that the Indians had no civilization and their mode of warfare would reflect the lack. [...] American repugnance for the Indian mode of warfare was matched by the British government.” (Ibid. 207) Fabel blurs the distinction between occupying an enemy capital and destroying it: “The British conquest of the American capital is often seen with a distorted perspective. There is nothing illegal in seizing an enemy capital. Vattel omits specific comment on the subject... Lord Bathurst said that the lives and property of all the people of Washington were forfeited ‘by the laws of war’ because an attempt was made there to assassinate General Ross.” (Ibid. 210)

in modern wars, may be considered as a substitute for the personal hate of the old warfare, and even when national hatred is not present... the feeling is kindled of the battlefield itself...”⁵²⁷

Clausewitz analyzed the “people’s wars” against France that manifested after the Spanish revolted. “War which under Bonaparte and then all over Europe had become a national affair, came back to its original nature... Its limits were determined only by the energy and enthusiasm of the governments and peoples.” The result was a state of affairs Clausewitz described as “war’s true form” – a scenario often described as *total war*. “War was set free from conventional trammels by the intervention of the whole people... assumed its true form, and was able to put forth all its strength.” Here Clausewitz was attempting to create a unified theory of war blending scientific factors with ever-changing and unpredictable social variables:

The wise theorist, then, will confine himself to teaching the rules for the most perfect form of war, ...it is necessary to consider all the numerous and varied relations from which war can arise, to expound its principal lines and always take into account the events which the particular epoch or moment may bring forth.⁵²⁸

Assuming Scott read *On War*, we know that Jomini’s 1838 *The Art of War* was written in part as a response to Clausewitz’s success. In a barb to his rival, Jomini stated that Clausewitz’s “logic is frequently defective” – which was the singular reference by name to the Prussian in his book.⁵²⁹ *The Art of War* was required reading for officers at West Point in the years leading up to the Mexican War, and was most assuredly read by Scott, who was known to travel with a bulky military library that leaned heavily toward the French school.⁵³⁰

⁵²⁷ Maguire, *General Carl von Clausewitz On War*, 8-9.

⁵²⁸ *Ibid.* 139-142.

⁵²⁹ Jomini, *The Art of War*, 166.

⁵³⁰ Johnson, *Winfield Scott*, 169. See: Eisenhower, *Agent of Destiny*, 52. Since the War of 1812 Scott developed a “lifelong habit of taking along his military library, his five-foot portable bookshelf of military writers.” See also: James S. Pohl, “The Influence of Antoine Henri de Jomini on Winfield Scott’s Campaign in the Mexican War.” *The Southwestern Historical Quarterly* 77, No. 1 (July 1973): 88. “According to Scott’s principal biographer, he also took a copy of Jomini’s *Treatise on Grand Military Operations* with him when he moved to the frontier.” Jomini’s earliest work (1805) *Traité des Grandes Opérations Militaire (Treatise on Grand Military Operations)* was based on Frederick the Great’s campaigns. Pohl shows tactical similarities between Scott and Jomini.

Jomini frequently reiterated, as the title of his book suggests, that war was not a science – but rather an art. Putting distance between himself and his rival, Jomini stated that the “art of war, independently of its political and moral relations, consisted of five principal parts, viz: strategy, grand tactics, logistics, tactics of the different arms, and the art of the engineer.” Expounding on these themes, Jomini stressed the traditional “maxims on lines of operations” that he believed (like Napoleon) were of paramount importance. “If the art of war consists in bringing into action upon the decisive point of the theater of operations the greatest possible force, the choice of operations... may be regarded as the fundamental idea in a good plan of campaign.” Here again, focus was put on maxims and truisms related to strategy.⁵³¹

Regarding “grand tactics and battles” Jomini was in agreement with Clausewitz that “the morale of armies, as well as of nations, more than anything else... make victories and their result more decisive.” He did, however, draw distinctions between *tactics* and *battles*. “Battles are the actual conflicts of armies contending about great questions of national policy and strategy. Strategy directs armies to the decisive points of a zone of operations, and influences, in advance, the results of battles.” Tactics, on the other hand, “is the art of making good combinations preliminary to battles, as well as during their progress.” In telling retrospect, and without mentioning Spain (nor Russia for that matter), Jomini continued, “Battles have been stated by some writers to be the chief and deciding features of war. This assertion is not strictly true, as armies have been destroyed by strategic operations without the occurrence of pitched battles...” In other words, once affairs turned negatively for an army over a prolonged period, the needed momentum necessary for victory was lost. In Jomini’s estimation, following the rules did not necessarily prevent disaster but only mitigated unforeseeable difficulties:

No system of tactics can lead to victory when the morale of an army is bad. [...] These truths need not lead to the conclusion that there can be no sound rules in war... It is true that theories cannot teach men with mathematical precision what they should do in every possible case; but it is also certain that they will always point out the errors which should be avoided... for these rules thus become, in the hands of skillful generals commanding brave troops, means of almost certain success. ...and it only remains to be able to discriminate between good rules and bad. In this ability consists the whole of a man’s genius for war... Every maxim

⁵³¹ Jomini, *The Art of War*, 66, 114.

relating to war will be good if it indicates the employment of the greatest portion of the means of action at the decisive moment and place.⁵³²

One area where the Frenchman excelled over his Prussian competitor was in addressing the importance of logistics. “The word logistics is derived, as we know, from the title of the *major général des logis*, (translated in German by *Quartermeister*,) an officer whose duty it formerly was to lodge and camp troops,” and to maintain order among marching columns. Jomini noted that these duties fell under the obligation of a competent chief of staff to carry out operations. According to Jomini, this was a difficult job because “it became in this way necessary that a man should be acquainted with all the various branches of the art of war.” Here Jomini was describing the backbone of an army’s ability to project power abroad.⁵³³

The responsibilities of the logistics division were innumerable. Duties of staff officers working under the chief of staff included: moving material, ensuring “proper composition to advanced guards, rearguards, flankers, and all detached bodies,” organizing and “superintending the march of trains of baggage, munitions, provisions, and ambulances,” and administration of “lines of operations and supplies, as well as lines of communication with lines of detached bodies.” In other words, in addition to locating, building, supplying, and policing camps required to sustain large (and sometimes scattered) armies, army logistics officers were required to ensure that whatever orders a general gave under a strategic plan could be implemented within reasonable flexibility. Essentially the logisticians were (and remain) the interlaying sinews of an army’s body of operations. Without the sinews then, muscles (no matter the size) would not work.⁵³⁴

In addition to stressing the importance of logistics, the French strategist addressed other specifics including covering bridges during construction, the difficulty of retreating in war, pursuing a retreating army, wintering soldiers, and employing spies to gather information. Not surprisingly, Jomini underestimated the efficacy of insurgent spying operations. “The partisans who are sent to hang around the enemy’s lines of operations may doubtless learn something of his movements; but it is almost impossible to

⁵³² *Ibid.* 178, 323.

⁵³³ *Ibid.* 252-253.

⁵³⁴ *Ibid.* 254-255.

communicate with them and receive the information they possess.” While Jomini avoided discussing guerrilla operations, he did maintain that certain “evolutions” in warfare were taking place requiring “great changes in army organization” to adapt to newer concepts and technologies.⁵³⁵

One of the areas of military evolution that Jomini specifically contrasted with the “old system” was skirmishing. Here he asserted that Napoleon’s “system of modern strategy” employed for the first time in 1800 and utilized in Italy in 1805 and 1806 “marked a new era in the conception of plans of campaigns and lines” and that the tactics used in “the system of columns and skirmishers was too well adapted to the features of Italy not to meet with his approval.” Despite Jomini’s assertions, there was a notable lack of consideration in *The Art of War* to the unartistic mode of warfare that led to Napoleon’s demise in Spain. “It may now be a question,” Jomini wrote triumphantly, “whether the system of Napoleon is adapted to all capacities, epochs, and armies, or whether, on the contrary, there can be any return, in the light of events in 1800 and 1809, to the old system of wars of position.”⁵³⁶

Even when Jomini came close to describing guerrilla warfare he still could not muster the courage to specifically mention the Spanish debacle and deferred instead to the Russian campaign. “We must by no means conclude it possible for a body of light cavalry deployed as skirmishers to accomplish as much as the Cossacks or other irregular cavalry.” Even in 1838, the French Peninsular War veteran could not admit to the effectiveness of Spanish partisans. When looking for citations, it is obvious Jomini avoided direct reference to Spain:

The history of the wars between 1812 and 1815 has renewed the old disputes upon the question whether regular cavalry will in the end get the better over an irregular cavalry which will avoid all serious encounters, will retreat with the speed of the Parthians and return to combat with the same rapidity, wearing out the strength of its enemy by continual skirmishing. [...] Whatever system of organization is adopted, it is certain that numerous cavalry, whether regular or irregular, must have a great influence in giving a turn to events of a war. ...it can carry off his convoys, it can encircle his army, make his communications very perilous, and destroy the *ensemble* of his operations. In a word, it produces

⁵³⁵ *Ibid.* 227, 230, 241, 247, 270, 288.

⁵³⁶ *Ibid.* 137.

nearly the same results as a rising *en masse* of a population, causing trouble on the fronts, flanks, and rear of the army, and reducing a general to a state of entire uncertainty in his calculations.⁵³⁷

To Jomini's credit, he posited a number of important questions concerning potential changes in warfare on the horizon. "Will the adoption of the rifled small-arms and improved balls bring about any important changes in the formation for battle and the now recognized principles of tactics?" It was a serious question that ultimately played no small role in the Mexican War when revolutionary rifle technology was introduced. Another question was one that Scott (and later Peyster) were in the process of addressing. "Will whole armies be deployed as skirmishers," he asked, "or will it not still be necessary to preserve either the formation lines deployed in two or three ranks, or lines of battalions in columns?" The ever-changing and evolving factor of technology, especially during a period of rapid scientific development, was altering the equations used by strategists to formulate their tactics and theories. "Will battles become mere duels with the rifle, where the parties will fire upon each other, without maneuvering, until one or the other shall retreat or be destroyed?" All these were pertinent questions concerning the changing nature of warfare in the first half of the nineteenth century.⁵³⁸

FAILING THE FIRST TEST: FLORIDA AND "INDIAN" WAR DICHOTOMY

Even if Scott had read Jomini's 1838 rebuttal to Clausewitz, he could not have applied any of those precepts to the Second Seminole War (1835-1842) in Florida when he was sent there in 1836. Nor is there any indication he relied on Clausewitz's small war theories prior to organizing the campaign to oust the unruly Floridian tribes and their escaped-slave allies from the former Spanish domain. The point is somewhat moot since the Seminoles were not white, and thus considerations granted to other European states were not applied to native tribes. This, ironically, was a major advantage for the

⁵³⁷ *Ibid.* 313-314. "Experience has shown that irregular charges may cause the defeat of the best cavalry in partial skirmishes; but it has also demonstrated that they are not to be depended upon in regular battles upon which the fate of a war may depend." Parthians known for their horse archers would feign retreat, double back, and fire arrows.

⁵³⁸ *Ibid.* 355. One example of cutting-edge rifle technology was the M1841 Mississippi rifle, which included revolutionary interchangeable parts and a percussion lock system (for faster reloading), and rifled (as opposed to smoothbore) musket for greater stability and accuracy. See: Richard Bruce Winders, *Panting for Glory: The Mississippi Rifles in the Mexican War* (College Station: Texas A&M Press, 2016).

Seminole: that white Americans continuously underestimated the military capabilities of tribes – particularly as those capabilities related to the traditional Native American utilization of guerrilla-like tactics.

Schooled in Napoleonic military studies that “followed European precedents and pointed toward formal ‘civilized’ warfare” between Europeans, Scott was dumbfounded by the tactics used by the Seminoles. In an interesting contrast to his military predecessor, Andrew Jackson, Scott attempted to apply conventional tactical thinking to a military situation nearly almost impossible to settle by conventional means. This is another aspect of the Europeanization of American military jurisprudence in relation to the Native Americans. White Americans applied European norms to the rules and laws of war when it came to European matters in the Americas but were entirely flummoxed when trying to apply those norms and conventions with tribes that had no recognition of such conventions beyond their own local and regional traditions. As one historian has noted, American “officer corps never developed a systematic body of thought concerning Indian affairs or even the conduct of military operations.”⁵³⁹

With this dichotomy in mind, it was generally easier for American officers who had grown up on the frontier to jettison Euro-American norms when fighting Native Americans. That is not to say American officers were always trying to exterminate them, as the U.S. military often served the role as mediator between unruly frontier whites and native tribes recognized by the federal government. However, once war broke out, such niceties were abandoned by undisciplined officers. These sentiments worked both ways. “The pressures of guerrilla warfare often turned paternalism into hatred and brutality, but such tensions also sharpened the guilt felt by certain regulars” for the fate of the Native Americans.⁵⁴⁰

⁵³⁹ William B. Skelton, “Army Officers Attitudes toward Indians, 1830-1860.” *The Pacific Northwest Quarterly* 67, no. 3 (July 1976): 114.

⁵⁴⁰ *Ibid.* 113. See also: Wayne E. Lee, “From Gentility to Atrocity: The Continental Army’s Ways of War.” *Army History*, no. 62 (Winter 2006): 4-19. Lee cites Russell Weigley’s *The American Way of War* (1973) as a “landmark volume” on the “development of the peculiar characteristics of American strategic conceptions of war.” He writes that “Weigley opened by examination the American War of Independence, comparing the European-style continental strategy of attrition used by George Washington to Nathanael Greene’s more innovative combo of conventional battle and partisan warfare.” He agreed that “there is little doubt that some combination of ‘European’ and ‘Native American’ ways of war produced an ‘American Way,’” (Lee, p. 5) In the Seminole conflict Scott demonstrated his preference to the European way of war. See also: John K. Mahon, “Anglo-American Methods of Indian Warfare, 1676-1794.” *The Mississippi Valley Historical Review* 45, no. 2 (Sept. 1958): 254-275.

When General Jackson entered Florida during the First Seminole War he employed a scorched-earth strategy of burning Seminole villages that Scott had no will to partake in himself – even though Jackson advised him to. “Find out where the women and children are and go to them, Jackson counseled; this would draw the braves out of hiding and allow Scott to end the war with one stroke.”⁵⁴¹ Having grown up on the frontier, Jackson understood the lawless nature of frontier warfare beyond the borders of states and outside of presumed international norms regarding the proper conduct of war.⁵⁴² In that regard the Texas frontier was not much different, and Jackson was merely the product of his environment and times. Scott, on the other hand, was an elitist unwilling to deviate from the accumulated formal military knowledge he had thereinto spent most of his life learning. In other words, in 1836 Scott was not ready to adopt a style of warfare that stretched the rules and laws of war to achieve victory.

Myer Cohen, an officer during the campaign under Scott, wrote a book on the U.S. Army’s experiences tracking elusive Seminoles in the swamps of Florida. “Baffled in his effort to find and subdue the foe,” Cohen wrote after returning to base camp, “Gen. Scott is determined once again to take the field.” Indeed, for many northern troops unfamiliar with the terrain maneuvering in the swamps was more difficult than actual fighting. As Cohen attested, the difficult Floridian environment made it nearly impossible to operate using traditional military tactics – which diminished the efficacy of mounted units. “I weary of stating the one unchanging result of almost all our efforts,” Cohen wrote in his journal April 23, “that the foot could not come up near enough to the Indians, to fire upon them, and that the mounted men, after flanking a series of hammocks, found that the enemy were not to be found.” Cohen stated that when the Americans entered an abandoned Seminole village they usually “discovered a trail by which they could proceed much more rapidly.” The Seminoles were almost impossible to confront because – like guerrillas in other wars – they had the advantage of operating on well-known territory:

⁵⁴¹ Johnson, *Winfield Scott*, 113.

⁵⁴² See: Deborah A. Rosen, “Wartime Prisoners and the Rule of Law: Andrew Jackson’s Military Tribunals during the First Seminole War.” *Journal of the Early Republic* 28, no. 4 (Winter 2008): 559-595.

The Indians must have entered the wood by this secret pass, and thus were enabled to flee so quickly... This one fact will explain, as fully as a volume could, the cause of the often escape of the Indians, in their superior knowledge of the locations. In a word, they are on their own familiar grounds – we are strangers in a very strange land.⁵⁴³

Despite drawn-out preparations made by Scott the war in Florida was a failure. Cohen proffered analogies to the over-meticulousness of his commanding officer, which could easily be applied to the situation the French faced in Spain. “We are not inaptly compared to a prize ox, stung by hornets, unable to avoid, or catch, his annoyers; or are we justly likened to men harpooning minnows, or shooting sandpipers with artillery.” Cohen shuttered at the thought that the Seminoles had bested the U.S. Army. In addition to the lack of transportation, ignorance among the politicians in Washington, and humid climate causing illness among several hundred soldiers, Cohen claimed that “the most prominent cause of failure was to be found in the face of the country, so well adapted to the guerilla warfare which the Indians carry on, affording ambushes and fastnesses to them, and retardation to us.” The Second Seminole War was a hard lesson for Scott; that bringing 10,000 men to fight less than 2,000 Seminole warriors did not guarantee victory. Cohen wrote, “In such as region, their strength was in their fewness, our weakness in the number, of our respective forces.”⁵⁴⁴ Scott learned this lesson and later applied in Mexico. Timothy Johnson summed up the dichotomy between Scott’s formal training and the unfamiliar Indian warfare. “The plan might have worked against a conventional European foe, but against an opponent skilled in evasion the scheme was doomed to fail.”⁵⁴⁵

If Scott learned from the mistakes made in Florida his retrospective analysis of the campaign in his *Memoirs* do not show it. He blamed the debacle on a lack of supplies from Georgia and the irregular “term of service” for the soldiers, which “was near its expiration.” These very same issues would arise during the Mexican War. He also blamed his future Quartermaster General, Thomas Jesup, for interfering politically with his prosecution of the war. With a panoply of similar issues, it was as if Florida was a testing ground for the Mexican campaign and the ability of the nascent national army to

⁵⁴³ Myer M. Cohen, *Notices of Florida and the Campaigns* (Charleston: Burger & Honour, 1836), 193, 214-215.

⁵⁴⁴ *Ibid.* 222.

⁵⁴⁵ Johnson, *Winfield Scott*, 115.

project power over extended distances. If Florida had indeed been a test run for Mexico, Scott failed it. Scott falsely claimed that he had “small numbers and inadequate supplies,” and less than one month to conduct his campaign. The adverse relationship with President Jackson, which General Jesup (“now the double pet of the President”) understood all too well, was in Scott’s mind the cause of the failure. In Scott’s words, Jesup “commanded in Florida some eighteen to twenty months, and had lavished upon his men, means of transportation, and supplies of every kind, beyond anything ever known before in war, everything depended, – with full power to buy up all the Indians he could not capture.” Scott felt his efforts had been hamstrung from the very beginning, and like other generals too proud to admit mistakes, blamed others.⁵⁴⁶

Although Scott had been bested by the Seminoles, his reputation was not severely impacted because the U.S. press turned its focus to the rebellion in Texas and siege of the Alamo in early 1836. Nor did the press refer to the Seminoles in any context related to guerrilla warfare. Throughout the Seminole Wars (also called the Florida Wars) there was virtually no reference to Seminoles in the context of guerrilla warfare. Guerrilla warfare references with native tribes came *after* the Mexican War – particularly to describe the Apaches who fought the U.S. Army for decades.⁵⁴⁷ On the other hand, accounts of guerrilla warfare reaching the American public in the 1830s continued to trickle in from Spain, which between 1833 and 1840 was roiled in the first of a series of civil wars known as the Carlist Wars. Therefore, even by the 1840s, the term *guerrilla* was still exclusively used in reference to Spanish fighters or insurgents in former Spanish-American dominions.⁵⁴⁸

⁵⁴⁶ Scott, *Memoirs*, 262-264. Scott and Jackson hated each other and Jesup was aware of it. After the campaign Scott was subject to an official inquiry and cleared. After failing in Florida like Scott, Jesup changed tactics and adopted Jackson’s, which led to the capture of Seminole leader Osceola and ended the war. Thomas Sidney Jesup (1788-1860) served in the U.S. Army from 1808 to 1860, which was one of the longest careers of any serviceman. He is known as the “Father of the Modern Quartermaster Corps.” He was Quartermaster General in Washington D.C. during the Mexican War, which thereto was the largest logistics endeavor the army had ever faced.

⁵⁴⁷ During the Apache Wars (1849-1886) the American press frequently used the term *guerrilla* to describe the Native Americans and their tactics, especially when referring to Geronimo.

⁵⁴⁸ There are references to ‘guerrilla’ being used in the U.S. press to refer to Democrat politicians (Locofocos) who abandoned their party, but these occur after the Mexican War. See: *Pittsburg Daily Post*, December 13, 1849 “guerrilla democrats”; *The Mountain Sentinel*, Ebensburg, Pennsylvania, October 25, 1849 “guerrilla democrats”; *The Star and Banner*, Gettysburg, September 14, 1849, “new system of tactics... ‘Locofoco Guerrillas’ – that’s the phrase, not ‘Mexican Guerrillas.’”; *The Star and Banner*, September 7, 1849, Locofoco leaders “have determined to change their tactics and try the guerrilla system.”

A cross-reference of the overlapping dates between the Second Seminole War and First Carlist War demonstrates that, like the Peninsular War, most of the information regarding the guerrilla conflict in Spain at the time was filtered through Britain's various London papers such as *The Morning Post*, *The Morning Chronicle*, and *The Standard*. The American press however, apart from a few newspapers on the East Coast, was not entirely interested in Spanish affairs. *The Gettysburg Compiler* noted on June 21, 1836, that in Spain "the bold system of the guerrillas, invincible in their own localities, always ready to start unexpected expeditions," were confounding the southern forces (*crístinos*). The article described guerrilla tactics and went on to explain that "the Carlists are continually insulting the lines of the constitutional troops, and the latter notwithstanding the superiority of their forces, dare not, or are not able to penetrate, into the quarters of the Carlists." Later that fall, *The National Gazette* printed a rather large excerpt of Charles Henningsen's recently published *Twelve Months' Campaign with Zumalacárregui* (1836) – an account of time spent with the popular Basque guerrilla chieftain Thomas Zumalacárregui Imatz. Zumalacárregui had been present at the first siege of Zaragoza and later plied Navarre during the First Carlist War before his death.⁵⁴⁹ A *Times-Picayune*'s analogy illustrated the semantic (but not tactical) difference Americans distinguished between the Native American warrior and Spanish guerrilla prior to the Mexican War:

We heard a young man yesterday pay a very high compliment to New Orleans mosquitoes, as contradistinguished from their fellows over the lake. Here, he says, like an honorable enemy, they sound the tocsin of war – you hear the note of preparation before the advance to attack; but *there*, they act as treacherously as an Indian, or a Spanish guerrilla – they lie in ambush and pounce on their victim before he is aware of their offensive intention; their weapons are imbued in his blood before he discovers their presence.⁵⁵⁰

Tactically Native American methods of warfare were viewed in the same light, but the Spanish had a proprietary hold on the nomenclature of the newer system of warfare

⁵⁴⁹ *The Gettysburg Compiler*, Pennsylvania, June 21, 1836; *The National Gazette*, Philadelphia, October 28, 1836. Charles Frederick Henningsen: *Twelve Months' Campaign with Zumalacárregui*, E.L. Carey & A. Hart, London, 1836. For Carlist War (with guerrilla) references in US newspapers see: *The Evening Post*, New York, September 20, October 11, 1839; *The Mississippi Free Trader*, Natchez, October 21, 1839; *The Pilot and Transcript* (Baltimore), November 23, 1840; *The Brooklyn Daily Eagle*, June 12, 1846 (Martin Zurbano).

⁵⁵⁰ *The Times Picayune*, New Orleans, August 21, 1841.

before the Mexican War. Apart from sporadic references, then, the Carlist Wars in Spain were simply not covered in the U.S. newspapers like the Spanish War of Independence against Napoleon. However, American interest in Spain would increase as the war with Mexico inched closer.

In addition to an economic panic in 1837, there were a myriad of other pressing issues of more immediate concern to Americans. One of those issues was the possibility of war breaking out on the northern border with Canada. Interestingly, the *Detroit Free Press* published a widely-reprinted article in the summer of 1838 asking that “[i]mmediate and energetic measures must be taken, or the whole country will be plunged into the horrors of a Guerrilla warfare; a disgrace to the mother country and the civilized world.”⁵⁵¹

Winfield Scott, still licking Floridian wounds to his pride, was ordered to the region to deescalate tensions on the border. One of his early biographers, Joel Headley, wrote that Scott’s duties in the winter of 1838-39 required him to travel along the vast frontier stretching between Detroit and Vermont, while “baffling the efforts of the conspirators – intercepting correspondence, and allaying excitement.” Recurring violence along the northern border kept Scott returning to the region. Meanwhile, on the southern side of the continent, he was also tasked with coordinating the removal of various southeastern tribes to Oklahoma.⁵⁵² With the northeast border finally demarcated in 1842, and the remaining Indian tribes forced out, the United States began looking west to acquire more territory.

PLANNING PEACEFUL OCCUPATION: HALLECK AND THE NEW STRATEGY

Americans could see a conflict with Mexico approaching as early as 1836. That year Texas declared itself an independent republic and defeated Santa Anna’s forces at the Battle of Jacinto. The Mexicans, bitter for years afterwards over the loss of their northern state, lingered in the hope that they might someday reassert military control over the breakaway province. Mexican statesmen even used ethnic arguments to make comparisons between the Texas revolt and that of the Vendée in France. “Many say it is

⁵⁵¹ *Detroit Free Press*, June 30, 1838; *Huron Reflector*, Norwalk, OH, July 3; *The Tennessean*, July 7, 1838.

⁵⁵² Headley, *The Life of Winfield Scott*, 67-69.

better to continue the war... for were a truly Mexican province to revolt we could recover it, as France recovered La Vendée, because the people would be of our race.”⁵⁵³ Adding to Mexican political difficulties was the short-lived establishment of the unrecognized Republic of the Rio Grande in 1840. Following that revolt was the reemergence of the second Republic of Yucatán in 1841, which existed during the entire war with the United States. While the Rio Grande Republic buffered Texas with its capital in Laredo, both breakaway republics demonstrated a lack of Mexican unity prior to the brewing conflict over Texas.⁵⁵⁴

With war on the horizon, in 1844 Winfield Scott awarded Henry Wager Halleck, a promising West Point graduate later nicknamed “Old Brains,” with a trip to Europe to study the French military. Halleck, third in his class at West Point, caught the eye of Scott after his submission of a well-received Senate-sponsored *Report on the Means of National Defense* (1843), which outlined coastal defenses. Citing Jomini frequently, Halleck’s work, underappreciated by historians, amounted to a blueprint study for the future war with Mexico. *Military Art and Science; or Course of Instruction in Strategy, Fortification, Tactics of Battles* was made available to the public soon after the war broke out in the late spring of 1846. As the title suggests, its contents synthesized military precepts of Jomini’s *Art of War* with various scientific and social approaches similar to Clausewitz.⁵⁵⁵ The *New York Tribune* advertised that within the 400-page work a “full account is given of modern army organizations including the history, uses, and relative numbers of the staff and administrative corps, and of the four arms – infantry, cavalry, artillery, and engineers.” The format followed previous military

⁵⁵³ Justin H. Smith, “The Mexican Recognition of Texas.” *The American Historical Review* 16, no. 1 (Oct. 1910): 37-38. Smith was quoting the *Revista Económica y Comerical de la República Mexicana*, January 15, 1844.

⁵⁵⁴ Justin H. Smith, “La Republica de Rio Grande.” *The American Historical Review* 25, no. 4 (July 1920): 660-675. The Yucatan Republic lasted for the duration of the war (1841-1848). The flags of both republics mimicked that of Texas. *The Times-Picayune* reported that the Rio Grande Republic was led by “a lawyer by profession,” President Jesus de Cardenas, and claimed all of northern Mexico save the northwest. *The Times* noted that the “new government is calling for volunteer aid, and expects to receive it from Texas and the United States.” The expected aid did not come, but the centrifugal tendencies of Mexican affairs illustrates the infighting between the centralists and federalists before the U.S. Army invaded in 1846. (See: *The Times Picayune*, New Orleans, March 12, 1840. See also: *The Evening Post*, New York, March 30, 1840; *The National Gazette*, March 30, 1840; *New York Daily Herald*, March 30, 1840).

⁵⁵⁵ Henry Halleck, *Military Art and Science; or Course of Instruction in Strategy, Fortification, Tactics of Battles* (New York: Appleton & Company, 1846). Jomini is cited more than two dozen times. Clausewitz is cited three times. Preference for the French reflects West Point curriculum. Halleck graduated in the class of 1839.

studies by including rules and maxims related to tactics and strategy. “Each principle and rule is illustrated by numerous historical examples, and explained by drawings,” *The Times* explained. Furthermore, the newspaper claimed that there was “no similar work in the English language, and no pains have been spared to make it a useful book for military men and valuable to the general reader” for its focus on history.⁵⁵⁶

Military Art and Science reiterated traditional military maxims. “The first and most important rule in offensive war,” Halleck wrote, “is to keep your forces concentrated as much as possible.” Halleck noted that certain exceptions to the rule existed, such as when foraging or intercepting an enemy’s convoys. Using the American Revolutionary War as an example, Halleck criticized the British for having been “most wretchedly ignorant of these leading maxims for conducting offensive war. Instead of concentrating their forces on some decisive point... they scattered their forces over an immense country, and become too weak to act with decision and affect any one point.” He also recited one of Napoleon’s sacred rules about keeping forces “fully employed.” The belief behind that ancient maxim was that soldiers with too much free time would grow lazy, become unprepared, and engage in licentious activity detrimental to readiness.⁵⁵⁷

Halleck advocated offensive warfare like his predecessors. “Offensive war is ordinarily most advantageous in its moral and political influence. It is waged on foreign soil, and therefore spares the country of the attacking force.” He also asserted that invasive war “augments” the resources of the attacker while simultaneously reducing the enemy’s, and “adds to the moral courage of its own army, while it disheartens its opponents.” However, Halleck warned that wars of invasion have downsides. An invading army’s “lines of operation may become too deep, which is always hazardous in an enemy’s country.” In addition, terrain could become an obstacle for an invader – while always aiding the invaded. Like Spain, Halleck referred to the importance of perception among the population of an invaded country. When “local authorities and inhabitants oppose, instead of facilitating his operations; and if patriotism animate the defensive army to fight for the independence of its threatened country, the war may become long and

⁵⁵⁶ *New York Tribune*, New York City, June 20, 1846. If Halleck’s work was published in the spring of 1846 Scott must have been privy to drafts before its publication. Halleck was well-versed on the Napoleonic Wars, and even added notes to the large 1864 biography of the emperor written by Jomini. See: Jomini, *Life of Napoleon, with Notes by H.W. Halleck, 4 Vol.* (New York: D. Van Nostrand, 1864).

⁵⁵⁷ Halleck, *Military Art and Science*, 40-42. See: *Napoleon’s Military Maxims*, 10, No. 7.

bloody.” Halleck asserted that that situation, however, could be avoided by a scrupulous general “if a political diversion be made in favor of the invading force, and its operations be attended with success.”⁵⁵⁸

Of the military legends throughout history, Halleck cited Napoleon most. Indeed, one of the French emperor’s military strategies was seizing an enemy’s capital, which “is almost always a decisive strategic point, and its capture is therefore frequently the object of the entire campaign.” Halleck referenced Napoleon’s conquests of Venice and Rome (1797), Vienna (1805, 1809), Berlin (1806), and Madrid (1808), as examples, while stating that the “taking of Washington, in 1814, had little or no influence on the war, for the place was then of no importance in itself, and was a mere nominal capital.” Like Napoleon, Halleck advised against changing lines of operations in the middle of a campaign (unless commanded by a general with considerable talent) and employing “the shortest and most direct line of operations, which should either pierce the enemy’s line of defense, or cut off his communications with his base.”⁵⁵⁹

Reflecting the U.S. Army’s increasing egalitarian trajectory, Halleck advocated meritocracy – a system rewarding soldiers based on talent and initiative rather than age and political connections. He cited the medical corps as a progressive example in that field. “As a military maxim, secure efficiency, by limiting the privileges of rank; excluding favoritism, by giving power of selection to boards of competent officers, totally independent of party politics.” In a sense, Halleck, like Scott, was encouraging the development of a military free from “political engines” that drove the organization and administration of European militaries. Being free from politics, according to Halleck, ensured that officers could focus on the core goals of perfecting military education and achieving maximum efficiency – rather than be reduced to acting as representatives of whatever political party was currently in power.⁵⁶⁰

Halleck’s work focused heavily on education and included a reading list of the “best works” on military strategy “either directly or in connection with military history.”

⁵⁵⁸ *Ibid.* 39-40.

⁵⁵⁹ *Ibid.* 47-48, 55, 229.

⁵⁶⁰ *Ibid.* 405-406. “In actual service the system of exclusive seniority cannot exist; it would deaden and paralyze our energies. Taking advantage of this politicians would drive us to opposite extremes...”

Along with Jomini, Clausewitz, and Napoleon, Halleck included other notable works such as *The History of the Seven Years' War* (1808) by generals Henry Lloyd and Georg von Tempelhoff, General Maximilien Foy's *History of the War in the Peninsula* (1827), Marshal St. Cyr's *Memoirs* (1831), and Suchet's *Memoirs of the War in Spain* (1829). He also noted that "Napier's *History of the Peninsular War* is the only English history that is of value as a military work: it is a most excellent book." Of the list including mostly French works, Halleck wrote that no "military man should fail to study them thoroughly."⁵⁶¹

Military Art and Science also addressed something that Jomini failed to do – account for the strategic mistakes made by the French Army in Spain. Halleck began with an examination of sieges. "The influence of the fortifications of Spain upon the Peninsular campaigns has often been alluded to by historians." Halleck issued a critical analysis of the numerous sieges during that war – most of which were directed by under the command of Marshal Suchet.⁵⁶²

Halleck was keen to the importance of fortifications in warfare. With his 1843 *Report on the Means of National Defense* in mind, Halleck wrote that laying siege – albeit a stationary exercise – required massive amounts of logistical support. During a long, drawn-out siege, a general's army, he wrote, "will be separated from its magazines, its strength and efficiency diminished by detachments, and his whole force exposed to horrors of partisan warfare." Concurring with other military theorists, Halleck stated that "an army supported by a judicious system of fortifications, can repel a land force six times as large as itself." Citing numerous sieges throughout history including Constantinople – which endured fifty-three sieges over an eight hundred-year period – Halleck asserted that if Madrid had had similar fortifications, "the French army, after the victories of... Tudela, Burgos, and Somosierra, would not have marched toward the capital..." Although siege victories during the Peninsular War brought acclaim to Suchet and others who managed to pierce the medieval fortifications of dozens of Spain's walled cities, the effort it took to achieve their ultimate military goals made such victories costly in terms of time and effort.⁵⁶³

⁵⁶¹ *Ibid.* 59-60.

⁵⁶² *Ibid.* 83.

⁵⁶³ *Ibid.* 65, 86.

More importantly, Halleck was critical of French logistics in Spain and tied those efforts directly to the insurgent war. In chapter four titled “Logistics,” Halleck used the term “civico-military corps” to describe the multitude of essential functions logistics officers were tasked with, including “everything connected with preparing, moving, and guarding the *impedimenta* of an army.” Under the heading “subsistence,” Halleck elaborated that the “art of subsisting troops during active operations in a hostile country, is one of the most difficult subjects connected with war.” He cited a handful of ancient military legends like Darius, Xerxes, and Alexander, before arriving at Caesar: “Caesar has said that war should be made to support war; and some modern generals have acted upon this principle to the extreme of supporting their armies entirely at the expense of the country passed over.” Other more modern armies, Halleck wrote, used magazines and maintained a “system of regular depots of supplies.” It was here where the French erred:

...France made war without magazines, subsisting, sometimes on the inhabitants, sometimes by requisitions levied on the country passed over, and at others by pillage and marauding. Napoleon found little difficulty in supporting an army of a hundred or a hundred and twenty thousand men in Italy, Swabia, and on the rich borders of the Rhine and the Danube; but in Spain, Poland, and Russia, the subject of subsistence became one of extreme embarrassment.⁵⁶⁴

According to Halleck, the looting of the Spanish countryside by desperate and undisciplined French officers and their subordinates was the chief reason for the emergence of the insurgency. “The inevitable consequence of this system are universal pillage and a total relaxation of discipline; the loss of private property and the violation of individual rights,” Halleck wrote. In other words, by plundering the Spanish population the French army turned the entire country against them. As a result, “the ordinary peaceful and non-combatant inhabitants are converted into bitter and implacable enemies.” This failed policy was the key aspect in the war’s outcome:

In this connection the war in the Spanish peninsula is well worth a study. At the beginning of this war Napoleon had to choose between methodical operations with provisions carried in the train of his army, or purchased of the inhabitants and regularly

⁵⁶⁴ *Ibid.* 88-90.

paid for; and regular warfare, with forced requisitions – war being made to support war. The question was thoroughly discussed.⁵⁶⁵

So, what would have been Napoleon's alternative to plundering Spain while forcing his governor generals to become self-sufficient? Halleck addressed the question. If Napoleon had paid "three or four million francs from the French treasury," as Joseph had requested continuously at the beginning of the conflict, "he would have been able to support his troops without requisitions..." Such a benign strategy "would have maintained good order and discipline in his armies, and by the distribution of this money among a people poor and interested, he would have made many partisans." In other words, Napoleon could have paid for a more peaceful occupation but instead took a hard line. "He could have offered them, with a firm and just hand, the olive or the sword."⁵⁶⁶

Halleck did not put all the blame at Napoleon's feet, however. "But the draft upon the French treasury, had the war been a protracted one, would have been enormous for the support of an army of 200,000 men in Spain." The cost, along with other factors such as "the hostile and insurrectionary state of the local authorities, rendered regular and legal requisitions almost impossible." Another factor that hamstrung the occupation in this regard was a lack of "navigable rivers, good roads, and suitable transport" for all the supplies the army would have needed to bring into Spain. Thus, the difficult terrain "rendered problematical the possibility of moving a sufficient quantity of stores in an insurrectionary country."⁵⁶⁷

Halleck admitted that, even if Napoleon had reduced his pillaging of Spain, he still would have had difficulty holding the mountainous regions. By moving swiftly "against all organized masses, living from day to day upon the local resources of the country, as he had done in Italy, [and] sparing his reserves for the occupation and pacification of the conquered provinces," Napoleon, according to Halleck, utilized a mode of warfare "which promised more prompt and decisive results than the other." Spain however, with its diverse terrain and geography, did not lend itself to universal generalizations. Indeed,

⁵⁶⁵ *Ibid.* 91.

⁵⁶⁶ *Ibid.*

⁵⁶⁷ *Ibid.*

more abundant provinces were more capable of supporting larger armies. “In favorable parts of the country, Soult and Suchet, with smaller armies, succeeded in obtaining in this way regular supplies for a considerable length of time, but the others lived mainly by forced requisitions levied as necessity required.”⁵⁶⁸

On the eve of the Mexico war Halleck laid out a half dozen “maxims on subsistence” designed to reduce the possibility of insurgent warfare. These prescriptions included maintaining regular magazines and properly manned depots organized in defensible locations (“communicating with the lines of operations”), and ensuring an army’s “supply for ten or fifteen days,” which always included an ample amount of bread. “Tempelhoff says that the great Frederick, in the campaign of 1757, always carried in the Prussian provision-train bread for six, and flour for nine days,” and that in ancient times the typical “Roman soldier usually carried with him provisions for fifteen days.” Citing Napoleon’s calculations, nearly five hundred wagons were required to sustain an army of forty-thousand soldiers – with a large number of those wagon requisitioned from the local population. In an era still dependent on horsepower, the rules for organizing and sustaining large armies were thought of as unchanging. Halleck quoted Napoleon:

“Supplies of bread and biscuit,” says Napoleon, “are no more essential to the modern armies than to the Romans; flour, rice, and pulse [edible seeds], may be substituted in marches without the troops suffering any harm. ...it may be seen in Caesar’s *Commentaries*, how much he was occupied with this care in several campaigns. The ancients knew how to avoid being slaves to any system of supplies, or to being obliged to depend on the purveyors; but all the great captains well understand the art of subsistence.”⁵⁶⁹

Halleck addressed forage for the draft animals hauling an army’s goods. Forage included “grass, hay, corn, oats,” and anything else eaten by horses or cattle. “Forage is of two kinds, green and dry; the former being collected directly from the meadows and harvest-fields, and the latter from the barns and granaries of the farmers, or the storehouses of the dealers.” Halleck noted that it was expensive and difficult to transport forage, and generals usually resorted to requisitions (i.e. forced contributions) from a

⁵⁶⁸ *Ibid.* 92.

⁵⁶⁹ *Ibid.* 92-94. *Commentarii de Bello Gallico* was a first-hand account of Julius Caesar’s nine-year campaign (58-50BC) in Gaul fighting various Celtic tribes.

population's supplies. However, in order to mitigate animosities among the local population, the "commanding officer of the troops should always use his best endeavors to obtain his forage by purchase of the inhabitants," or by using local authorities as intermediaries. These levies, Halleck advised, should be done using written accounts and with "due moderation." Thus, the French experience in Spain informed these avant-garde prescriptions of protecting property during war and were deliberately designed to keep the occupied population tempered enough to assuage insurrectionary reactions.⁵⁷⁰

Informed by the failure of the French to pacify the Spanish people, *Military Art and Science* outlined Halleck's vision of improved non-violent approaches to warfare. Those approaches complemented Scott's law-and-order style of military management and were applied effectively during the Mexican War. The prescriptions were the origins of the benign policies directed toward civilians during the occupation. "Under no circumstances should individuals be permitted to appropriate to themselves more than their *pro rata* allowance." Here Halleck advised a more diplomatic approach to the seizure of goods belonging to a citizen of an invaded country. "Foraging parties may sometimes attain their object in a peaceful manner, by representing to the inhabitants the nature of their instructions and the necessity of obtaining immediate supplies." The negative impulses of an owner of seized goods in such an encounter, Halleck advocated, might be reduced by employing simple and novel measures thereto unheard of. "Even when no recompense is proposed, it may be well to offer certificates to the effect that such articles have been taken... These certificates, even when no value in themselves, frequently tend to appease excited passions and allay insurrections."⁵⁷¹

Halleck linked the protection of property explicitly with the development of insurgency. Again, foraging (different from forage), although at various times a necessity, needed to be done in a way that alleviated tensions between an occupying force and the population. Naturally, foraging parties' first-priorities were to ensure the safety of their own members by reconnoitering the surrounding countryside prior to venturing out. This was done "for protection against the enemy's light cavalry and an insurgent militia." But a secondary prescription was that "[t]rustworthy troops must be placed in

⁵⁷⁰ *Ibid.* 94-95.

⁵⁷¹ *Ibid.* 95.

the villages and hamlets of the country to be foraged, in order to prevent the foragers from engaging in irregular and unauthorized pillage.” Halleck even considered bureaucratic measures to ensure proper conduct. “Officers of the staff and administrative corps are sent with the party to see to the proper execution of the orders, and to report any irregularities on the part of the troops.” If any improprieties were discovered, Halleck advocated that...

...due restitution should be made to the inhabitants, and the expense of such restitution deducted from the pay and allowances of the corps by whom such excess is committed. A few examples of this kind of justice will soon restore discipline to the army, and pacify the inhabitants of the country occupied. [...] In a country like ours, where large bodies of new and irregular forces are to be suddenly called into the field in case of war, it is important to establish very rigid rules in relation to forage and subsistence; otherwise the operation of such troops must be attended with great waste of public and private property... the consequent pillage of the inhabitants, and a general relaxation of discipline. Regular troops are far less liable to such excesses than inexperienced and undisciplined forces.⁵⁷²

As Halleck alluded, the debate within the U.S. military about the efficacy of regular soldiers versus irregular (or volunteer soldiers) was a central aspect of the war with Mexico. While both types of soldiers proved themselves on the battlefield during the war, it was widely known that volunteer soldiers were far less disciplined than those with formal military training. Volunteers, then, were more likely to engage in licentious acts during periods of idleness that enraged the local population – a key element in the development of insurgency.

MAXIM OF DISCIPLINE: WEST POINTERS, VOLUNTEERS, AND MARTIAL LAW

General George Meade (1815-1872) was one of the most vocal critics of volunteer soldiers during the Mexican War. An 1835 West Point graduate and third in a class of fifty-six cadets, Meade served with distinction during the Second Seminole War before taking a hiatus from military life. In 1842, he reenlisted as a lieutenant and was promoted to first lieutenant following the Battle of Monterrey. Meade’s observations on volunteer soldiers spoke to the divergent attitudes of Americans concerning the military

⁵⁷² *Ibid.* 95-97.

and its increasing professionalization during the period. In his *Life and Letters*, Meade wrote that while in northern Mexico “regular officers, being disciplined” were more “restrained, kept in subjugation, and the war made a war against the army and government of Mexico, and not against the people...” In contrast, soon after arriving in theater the volunteers “commenced to excite feelings of indignation and hatred in the bosom of the people, by their outrages on them.”⁵⁷³

The undisciplined nature of the volunteer soldier who generally eschewed orders and engaged in drinking to a higher degree than the regular soldier, was a concern for Meade and exactly what Halleck had warned about in terms of foraging (taking) material from citizens under occupation:

Everyday complaints are made of this man’s cornfield being destroyed by the volunteers’ horses put into it, or another man’s fences being torn down by them for firewood, or an outrage committed on some inoffensive person by some drunken volunteer, and above all volunteers, those from Texas are the most outrageous, for they come here with sores and recollections of wrongs done, which have been festering for years, and under the guise of the entering the United States service, they cloak a thirst to gratify personal revenge.⁵⁷⁴

Meade warned that if the conduct of the volunteers continued, the population would become alienated to the point of supporting a general uprising. On the Mexican side of the Rio Grande at Matamoros, Meade wrote that the volunteers “are perfectly ignorant of discipline, and most restive under restraint. They are in consequence, a most disorderly mass, who will give us, I fear, more trouble than the enemy.” As the soldiers settled into their new role of military occupiers in the river city separating modern-day Texas from Mexico, even policing the volunteers became burdensome. “Already are our guardhouses filled daily with drunken officers and men, who go to town, get drunk and commit outrages on the citizens.” The city, Meade wrote, “has become a mass of grogshops and gambling houses...” Meade also lobbed criticism at the commanding officer General Zachary Taylor, who was popular among the volunteer soldiers and elected president after the war due to his common-man image. “Now it is impossible for General Taylor to restrain these men; he has neither the moral nor physical force to do

⁵⁷³ George Meade, *The Life and Letters of George Gordon Meade*, Vol. 1 (New York: Charles Scribner’s Sons, 1913), 108. June 14, 1846. Interestingly, Meade was born in Cadiz, Spain, in 1815. His father was a merchant from Philadelphia who worked as a U.S. naval agent during the war.

⁵⁷⁴ *Ibid.*

it,” Meade wrote, “and my apprehensions are that if we advance with them into the interior, they will exasperate the people against us, causing them to rise *en masse*, and if so there is no telling when the war will end.”⁵⁷⁵

The result of the excesses of the volunteers in Matamoros and elsewhere was an order (No. 94) limiting the liquor trade at the mouth of the Rio Grande. “No spirituous liquors will be permitted to enter the river or the city for the purpose of barter or traffic on account of any person whatever, whether sutler in the army or private dealer.” Violators were warned that confiscated goods would be sent to New Orleans and resold for the benefit of the army hospital department. Informants were also offered incentives, but the catch was that the merchants of Matamoros were allowed to sell liquor they already had “on hand but to receive no new supplies.”⁵⁷⁶

George Ballentine, an English soldier in the U.S. Army, gave a more flourishing description of the volunteer soldiers, whose presence caused the locals of Tampico to keep their distance or stay locked in their houses “as if in a state of siege.” Ballentine was not surprised that the Mexicans “should be a little shy of the strange, wild-looking, hairy-faced savages of the half horse and half alligator breed” image the volunteers presented. The American volunteers were eclectically “armed with sabres, bowies, and revolvers, and in every uncouth variety of costume peculiar to the backwoodsman.” Their intimidating and foreign appearance forced the population to deal with the wild-looking invaders diplomatically:

The seniors or caballeros, masters or gentlemen, the Mexicans called them when addressing them, but when speaking of them in their absence, it was “Malditos Volunteros,” which they enunciated with a bitterness in tone, that showed the intensity of their dislike. ...the volunteers seemed to be objects of their special detestation; and I imagine today they looked upon us all with similar

⁵⁷⁵ *Ibid.* 91 (May 27, July 9, June 14, 1846), 108-110. “I believe with fifteen thousand regulars, we could go to the city of Mexico, but with thirty thousand volunteers the whole nature of the war will be changed.” See: Charles N. Pede, “Discipline Rather Than Justice: Courts-Martial and the Army of Occupation at Corpus Christi, 1845–1846.” *Army History* 101 (Fall 2016): 34-50.

⁵⁷⁶ *Niles' Register*, August 29, 1846. (70. 416). *Niles' National Register* articles from Virginia Tech Mexican-American War & Media Project (VTMP). See also: Linda Arnold, “The U.S. Intervention in Mexico, 1846-1848,” in *A Companion to Mexican History and Culture* (Oxford: William H. Breezley, ed. Blackwell Publishing, 2011), 264. On December 22, 1846, Brigadier General James Shields issued Order No. 3 prohibiting gambling in Tampico.

complacency, to that which the Spaniards looked upon the army of France, during its usurpation of the Peninsula.⁵⁷⁷

Halleck's prescriptions for maintaining discipline and Meade's concerns while in Mexico were justified. Ulysses S. Grant, also stationed in northern Mexico during the initial phase of the war, was retrospectively more diplomatic in his analysis of the mixed regular/volunteer army in northern Mexico. He credited Taylor's victories over numerically superior Mexican forces at Palo Alto and Resaca de la Palma to the fact that the U.S. Army "was composed exclusively of regular troops, under the best drill and discipline." Grant credited those victories to an officer corps "educated in his profession, not at West Point necessarily, but in the camp, in garrison, and many of them in Indian wars."⁵⁷⁸

A West Point graduate like Meade, Grant found discipline lacking among the volunteers without overtly criticizing them. "My arrival in Mexico had been preceded by that of two or three regiments in which discipline had not been maintained, and the men had been in the habit of visiting houses without invitation, and helping themselves to food and drink, or demanding them from the occupants." Grant wrote that after he put a stop to those practices, "people were no longer molested or made afraid." The change in approach toward civilians altered public perceptions towards the army of occupation, and Grant noted that after enforcing discipline among the soldiers, he "received the most marked courtesy from the citizens of Mexico as long as I remained there."⁵⁷⁹ In sum, discipline, lawful conduct, and regular order worked.

More importantly, when Scott arrived in theater West Point's newest policy prescriptions on occupation took charge of the war on an unprecedented level. According to Scott, after Taylor had taken Monterrey reports came in "that the wild volunteers as soon as beyond the Rio Grande, committed with impunity, all sort of

⁵⁷⁷ George Ballentine, *The Mexican War, By an English Soldier. Comprising incidents and adventures in the United States and Mexico with the American army* (New York: W.A. Townsend & Company, 1860), 138.

⁵⁷⁸ Ulysses S. Grant, *Personal Memoirs of U.S. Grant*, Vol. 1 (New York: Charles L. Webster & Company, 1885), 167. "The volunteers who followed were of better material, but without drill or discipline from the start." (Ibid. 168)

⁵⁷⁹ *Ibid.* 252.

atrocities on the persons and property of the Mexicans.” Scott elaborated on the legal ambiguousness of operating in an undelineated warzone:

There was no legal punishment for any of those offenses, for by the strange omission of Congress, American troops take with them beyond the limits of their own country, no law but the Constitution of the United States, and the rules and articles of war. These do not provide any court for the trial or punishment of murder, rape, theft, &c. &c. – no matter by whom, or on whom committed. To suppress these disgraceful acts abroad, the autobiographer [Scott] drew up an elaborate paper, in the form of an order – called, his martial law order – to be issued and enforced in Mexico...⁵⁸⁰

In Mexico Scott enacted a zero-tolerance policy of martial law and strict punishments for soldiers who violated it. He later wrote that “without it, I could not have maintained the honor and the discipline of the army, or have reached the capital of Mexico.” First published at Tampico on February 19, 1847, various editions of the Martial Law Order (No. 20) were reprinted in each major city between Veracruz and Mexico City as the U.S. Army meandered its way into the country’s interior.⁵⁸¹

That Scott devoted a considerable amount of space in his *Memoirs* to the enactment of martial law in Mexico reveals his belief in its importance to the campaign and military history. It also reflects considerably the judicial manner he viewed his duties as a military occupier. Scott explained that the American laws of war “were borrowed” from the British prior to independence, but later the “code was enlarged” and subsequently reaffirmed in 1806. Citing English law related to articles of war and standing armies, Scott noted the need for “speedy punishment” for “soldiers who shall mutiny or stir up sedition, or shall desert” during war. These charges usually carried the death sentence, while noting that the “articles of war are entirely subordinate to the mutiny act, and originate nothing but certain details for the better government of the forces.” In other words, Scott was applying historical Anglo-Saxon jurisprudence to argue that critical army discipline and the swift execution of justice to those in violation of it superseded

⁵⁸⁰ Scott, *Memoirs*, 393 “All authorities were evidently alarmed at the proposition to establish martial law, even in a foreign country, occupied by American troops. Hence they touched the subject as daintily as a ‘terrier mumbles a hedgehog.’” (Ibid. 394).

⁵⁸¹ Scott, *Memoirs*, 395, 540.

regulations that allowed an accused soldier a trial by jury during wartime. In Scott's mind expediency trumped other legal considerations.⁵⁸²

Military law and martial law were somewhat different in an occupied country, but when employed within a country they were similar. Military law manages and rules over armies – both in-country and out-of-country. Martial law is proclaimed for the purpose of maintaining order among a population (foreign or domestic). In Scott's era this area of law was not so clearly defined. During mutiny or sedition, a soldier or officer accused of a crime was generally afforded a trial to defend himself. Scott also explained that the enactment of martial law did not nullify common law – but buttressed it. He cited the *Encyclopedia Britannica* to illuminate the concept:

‘Military, or martial law, is that branch of the laws of war which respect military discipline, or the government and control of persons employed in the operation of war. Military law is not exclusive of the common law; for a man, by becoming a soldier, does not cease to be a citizen... He is a citizen still, capable of performing the duties of a subject, and answerable in the ordinary course of law, for his conduct in that capacity (as murderer, thief, and other felonies). Martial law is, therefore, a system of rule superadded to the common law for regulating the citizen in his character of a soldier.’⁵⁸³

However, in foreign countries U.S. laws did not apply, which is why Scott declared martial law regulating not just the military, but Mexicans as they related to U.S. soldiers. Martial Law Orders No. 20 (also called General Orders No. 20) contained nineteenth articles. The first article guaranteed American constitutional protections to soldiers violating laws *within* U.S. territory, the second covered general felonies such as murder, rape, and theft, but also applied importantly to the protection of church property such as “the wanton destruction of churches, cemeteries or other religious edifices and fixtures; the interruption of religious ceremonies, and the destruction, except by order of a superior officer, of public or private property; are such offenses.” That protections affording religious institutions in Mexico were linked with severe felonies was

⁵⁸² *Ibid.* 290, 285-287.

⁵⁸³ *Ibid.* 288-289. Scott noted that Americans did not have a mutiny act and argued that the US Constitution (with guarantees such as *habeas corpus*) prevented to imposition of martial law within the United States. In effect, within the military was subordinate to the political. (*Ibid.* 290-295) For the Articles of War approved by Congress April 10, 1806 see: *Annals of Congress*, 9th Congress, 1st Session, Appendix: “Public Acts of Congress”, Washington D.C., Library of Congress (LOC), 1237-1253.

significant and set the tone for the war of occupation in central Mexico beginning a Veracruz.⁵⁸⁴

Scott also ensured for himself maximum leeway to rule over his army and the conquered areas of Mexico by citing what he called the “supplemental code” of martial law. “That unwritten code is Martial Law, as an addition to the written military code, prescribed by Congress in the rules and articles of war, and which unwritten code, all armies, in hostile countries, are forced to adopt.” The new codes, novel in warfare, were said to be necessary to protect the soldiers *and* “the unoffending inhabitants and their property, about the theater of military operations, against injuries, on the part of the army, contrary to the laws of war.” Martial law thus extended to “all cities, camps, posts, hospitals, and other places which may be occupied” by the U.S. Army. The codes applied to “all columns, escorts, convoys, guards, and detachments” in Mexico.⁵⁸⁵

General Orders No. 20 emphasized important rules in military occupation, and in many cases reiterated earlier rules adopted by the U.S. Congress in 1806. For example, Article 12 strictly forbade U.S. service members from selling “ammunition, horses, arms, clothing or accoutrements.” This law extended to any Mexican (“resident or traveler”) who tried to purchase from a U.S. soldier the same materials, and also applied to horses or “horse equipment,” which was in short supply among the Mexican military.⁵⁸⁶ Santa Anna, who later defended his actions during the war from other Mexicans, addressed this shortage when he wrote that the “collection of materials of war and clothing, horses and mounts [saddles] cost me an immense amount of work amid a shortage of numbers.”⁵⁸⁷ Indeed, good saddles were harder to make and expensive. The Article 12 provision of the Martial Law Order spoke to the efficacy of denying the enemy material

⁵⁸⁴ *Ibid.* 541. General Taylor issued a similar order at the beginning on the war in the northern theater but was less successful in maintaining discipline. See: *Niles' Register*, March 28, 1846. 70.050-70.051. (VTMP). Headquarters, Army of Occupation, Corpus Christi, Texas, March 8, 1846 (Orders No. 30): “No persons, under any pretense whatever, will interfere in any manner with the civil rights and religious privileges of the people, but will pay the utmost respect to both. Whatever may be required... will be purchased... at the highest market price.”

⁵⁸⁵ *Ibid.* 542-543.

⁵⁸⁶ *Ibid.* 544-545.

⁵⁸⁷ D. Antonio Lopez de Santa-Anna, *Apelación al buen criterio de los nacionales y extranjeros* (Mexico City: Imprenta Cumplido, 1849), 21.

and supplies, and Scott made efforts to ensure that these laws were implemented and enforced to the benefit of the U.S. Army.

General Scott also made efforts through Article 13 to ensure that the normal functions of Mexican courts was not interrupted by the occupation. The two exceptions to this article were the potential involvement of a U.S. soldier in a crime or in “political cases” where a Mexican was being accused of providing “friendly information, aid or assistance to the American forces.”⁵⁸⁸ Since the Martial Law Order was printed in Spanish and distributed throughout Mexico in the form of fliers and newspapers, it was known immediately after the Veracruz landing that the U.S. Army was ready to pay for materials it did not receive through its New Orleans or Texas-based logistics network. Therefore, any Mexican being persecuted on charges of aiding the U.S. forces could ostensibly seek assistance from prosecution if the situation arose. This was especially apropos in the strategic cities along the corridor between the coast and the capital: Veracruz, Jalapa, Perote, Puebla, and Mexico City. In other words, Scott worked to foster legal protections for collaborators.

Article 14 also built legal and collaborative ties between the occupation army and local governments by allowing Mexicans to police their own communities. “For the ease of both parties, in all cities and towns occupied by the American army, a Mexican police force shall be established and duly harmonized with the military police force of the said forces.”⁵⁸⁹ This *laissez faire* approach to occupation – viewed in light of Halleck’s prescriptions to avoid alienating a population – speaks to historian Timothy Johnson’s assessment that U.S. military officers, particularly Scott, used the French experience in Spain not as “an example of what to do in Mexico but of what not to do.”⁵⁹⁰ That being the case, allowing the Mexicans to continue conducting their court system and policing their own people was nearly the opposite approach to that of the French – which persecuted the Spanish people under an oppressive system of intimidation using collaborators with vested interests in maintaining French control.

⁵⁸⁸ Scott, *Memoirs*, 545.

⁵⁸⁹ *Ibid.*

⁵⁹⁰ Johnson, *Winfield Scott: The Quest for Military Glory*, 166. See also: Johnson, *A Gallant Little Army: The Mexico City Campaign* (Lawrence: University Press of Kansas, 2007), 17.

That is not to conclude the Mexicans themselves were not without agency, nor ignorant of the complicated legal terrain between civilian and military authorities. Linda Arnold, whose many works cover the war and Mexican legal history, has written on the development of individual legal rights (*amparo*) in Mexico and the civilian relationship with the (Mexican) military before, during, and after the U.S. invasion of Mexico. Arnold notes that Article 25 of the Reform Act of 1847, passed a few weeks after the U.S. landing at Veracruz, “granted the courts the power to protect the rights of individuals against government abuse...” Arnold specifically cites a newspaper publisher by the name of Vincente Garcia Torres who was arrested by the military for criticizing Santa Anna prior to the U.S. seizure of Mexico City. Torres invoked Article 25 and asked the Mexican Supreme Court to “protect his right to freedom of the press...” The Torres case remained in “judicial limbo” during the U.S. occupation of the capital but it demonstrates that informed citizens were aware of military dictates and willing to use the legal system to assert their rights. Furthermore, it also shows that U.S. military authorities like Scott were eager to exploit existing tensions between Mexican military rulers and the people to further social-strategic goals.⁵⁹¹

Working with the Mexico City council also contributed to lowering tensions during the occupation. While Scott may have indeed had some issues with noncooperative local governments and errant U.S. soldiers during the U.S. Army’s tenure in Mexico, his relationship with Mexico City councilman Manuel Reyes y Veramendi was mostly productive. Arnold notes that Veramendi “had become quite well known among the people of the city for his fairness in handling disputes.” Many of those disputes involved overdue rent payments between landowners and tenants and are emblematic that business conducted in Mexico City “did not abate just because war loomed over the city.” Although legal disputes were delayed for about two weeks immediately following the U.S. Army’s occupation, Veramendi played an important role in advocating against resistance and returning the city to relative normalcy.⁵⁹²

⁵⁹¹ Linda Arnold, “Vulgar and Elegant: Politics and Procedure in Early National Mexico,” *The Americas* 55, no. 4 (Apr. 1994): 490-2.

⁵⁹² Linda Arnold, “The U.S. Intervention in Mexico, 1846-1848,” in *A Companion to Mexican History and Culture* (Oxford: William H. Breezley, ed. Blackwell Publishing, 2011), 266-9. See: Denis E. Berge, “A Mexican Dilemma: The Mexico City Ayuntamiento and the Question of Loyalty, 1846-1848,” *The Hispanic American Historical Review* 50, no. 2 (May 1970): 229-256; Justin Smith, “American Rule in Mexico,” *The American Historical Review* 23, No. 2 (Jan. 1918): 287-302

BENDED KNEES AND BRANDED 'D'S: CHURCH RELATIONS AND ENFORCEMENT

American collaboration with the Catholic Church was arguably the most fruitful and strategic decision in the Mexican War. Johnson calls it “crucial” to the success of the U.S. military campaign in central Mexico.⁵⁹³ It was Scott who set the tone of the occupation after the seizure of Veracruz. By the time the army menaced the capital it was widely known what the occupation entailed. It was not one of mass slaughter on a Zaragoza-scale as many Mexicans had initially suggested. In fact, Scott took the extraordinary step of attending a Catholic mass while in the port city, which he later received criticism for in the protestant-dominated U.S. press. *The American Star*, the U.S. Army occupation newspaper later established in Mexico City, noted that at “Veracruz, Jalapa, and Puebla we have seen the churches crowded with American officers and soldiers, and frequently the commander-in-chief, and all our general officers have been seen in their midst.”⁵⁹⁴ The collaboration was fruitful. Ten days after capturing Veracruz, Scott issued a widely printed proclamation “to the good people of Mexico” which stated that the “Americans are not your enemies, but the enemies, for a time, of the men who a year ago misgoverned you, and brought about this unnatural war between the two great Republics.” The proclamation clearly laid out the intentions of benign military rule and respect for the Catholic Church:

We are friends of the peaceful inhabitants of the country we occupy, and the friends of your holy religion, its hierarchy and its priesthood. The same church is found in all parts of our own country, crowded with devout Catholics, and respected by our government, laws, and people. For the church of Mexico, the unoffending inhabitants of the country, and their property, I have from the first

⁵⁹³ Johnson, *A Gallant Little Army*, 133.

⁵⁹⁴ *The American Star*, Mexico City, September 23, 1847. Benson Latin American Collection (BLAC), University of Texas, Austin. The U.S. Army printed their own newspapers in the cities under occupation. These included: *The American Flag* (Matamoros), *The Anglo-Saxon* (Chihuahua), *The Watch Tower* (Jalapa), *The American Star* (Mexico City), *American Star – No.2* (Puebla) *Flag of Freedom* (Puebla), *Picket Guard* (Saltillo). *The American Star* had a Spanish-language section *Estrella Americana* published by Peoples & (Jesse) Barnard from 1847. *The American Star* changed its name to ‘*Daily American Star*’ on October 12, when it began publishing daily.

done everything in my power to place under the safeguard of martial law against a few men in this army.⁵⁹⁵

Scott noted in the proclamation that he was willing to punish American soldiers or those working with the invading army for violation of the new rules. “My orders to that effect, known to all, are precise and rigorous. Under them several Americans have already been punished, by fine, for the benefit of Mexicans,” to which Scott added, “and one for rape has already been hung by the neck.” This level of conciliation by an invading general to an occupied population was avant-garde. Scott asked, “Is this not a proof of good faith and energetic discipline? Other proofs shall be given as often as injuries to Mexicans be detected.”⁵⁹⁶ Indeed, Scott’s system of military justice implemented in Mexico provided proof to skeptical Mexicans.

In contrast, the proclamation addressed attempts to disrupt the U.S. military operations by insurgents, warning that American benevolence extended only to those in compliance with the martial law. Because Mexicans understood the U.S. Army’s destination was Mexico City the proclamation was worded with the logistics network in mind and phrased in such a way to imply that U.S. forces would not tolerate a guerrilla war supported by an insurrectionist population:

On the other hand, injuries committed by individuals or parties of Mexico, not belonging to the public forces, upon individuals, small parties, trains of wagons and teams, or of pack mules, or any other person belonging to this army contrary to the laws of war, shall be punished with vigor; or if the particular offender be not delivered up by Mexican authorities, the punishments shall fall upon entire cities, towns, or neighborhoods.”⁵⁹⁷

With the warning issued, Scott’s proclamation ended with an olive branch by stating that the U.S. Army was ready to do business – not plunder. It was a stunning contrast to Napoleon’s suggestion to Joseph that he ‘make the inhabitants grind’ flour for his armies. Scott wrote that Mexicans “are invited to bring in for sale horses, mules, beef, cattle, corn, barley, wheat, flour for bread, and vegetables.” The policy of paying for

⁵⁹⁵ *Weekly National Intelligencer*, Washington D.C., May 1, 1847. (Proclamation dated April 11); *New York Herald*, May 1, 1847. Scott paid a political price in the 1852 presidential election for cozying up to the Catholic Church. See: Michael Holt, *The Rise and Fall of the American Whig Party: Jacksonian Politics and the Onset of the Civil War* (Oxford University Press, 2003), 673-725. Chapter title: “Scott & Scott Alone is the Man for the Emergency.”

⁵⁹⁶ *Ibid.*

⁵⁹⁷ *Ibid.*

supplies from an occupied population was an innovative approach to warfare in enemy territory. “Cash will be paid for everything this army may take or purchase, and protection will be given to all sellers.” The proclamation ended with a friendly tone, noting that the U.S. Army did not intend to stay in Mexico:

The Americans are strong enough to offer these assurances, which, should the Mexicans wisely accept, this war may soon be happily ended to the honor and advantage of both belligerents. Then the Americans, having converted enemies into friends, will be happy to leave Mexico and return to their own country.⁵⁹⁸

On April 30 Scott issued another proclamation (General Orders No. 128) at his headquarters in Jalapa reiterating the policy that soldiers were absolutely prohibited from maltreating Mexicans. Reiterations of the policy served two purposes: it reinforced the idea that the central Mexican theater would be entirely different than the north and it encouraged Mexicans to enter Jalapa to vend their needed wares to the U.S. Army. “Accordingly, whosoever maltreats unoffending Mexicans, takes without pay, or wantonly destroys their property, of any kind whatsoever, will prolong the war, waste the means; present and future, of subsisting on our own men and animals...” Scott later noted that without cooperation from Mexicans, supplying the army and maintaining agility would have been much more difficult because “no army can possibly drag after it any considerable distance, no matter what the season of the year, the heavy articles of breadstuffs, meat, and forage.” Again, Scott issued a warning in his order, but *not* to Mexicans considering guerrilla warfare:

Those therefore who rob, plunder, or destroy the houses, fences, cattle, poultry, grain, fields, gardens, or property of any kind along the line of our operations are plainly enemies of this army. The general in chief would infinitely prefer that the few who commit such outrages should desert at once and fight against us; then it would be easier to shoot them down or to capture and hang them.⁵⁹⁹

⁵⁹⁸ *Ibid.* See: George Winston Smith and Charles Judah (ed.), *Chronicles of the Gringos: The U.S. Army in the Mexican War, 1846-1848* (Albuquerque: University of New Mexico Press, 1968), 307. “Each day, Mexican women came into American camps to vend their fruits, vegetables, and other wares. There was irony in this, as Capt. John W. Lowe noted in a letter to his son: ‘We have skirmishes with them [the Mexicans] 5 or 6 miles from camp every few days, but others come into our Camp and sell us bread & cakes, pies, green corn, oranges, and so on, but we have to pay for them. We have to give 3 cents for a potato; 4 cents for a sweet potato – 2 cents for a small ear of corn and 12½ cents for 3 rolls of bread as large as your hand – eggs three cents a piece – a pint tin cup 25 cents, an iron tablespoon 12½ cents and almost everything else in proportion.’” For a look at the marketing end of the policy see: Johnson, *A Gallant Little Army: The Mexico City Campaign*, 108-109, 121, 124.

⁵⁹⁹ *Niles’ Register*, May 29, 1847. 72.199 (VTMP). Headquarters of the Army, Jalapa April 30, 1847. General Orders No. 128.

Scott issued a similar proclamation from Jalapa May 11 that he called “the crowning act of conciliation” intended to allay the hysteria disseminated in the Mexican press concerning American intentions. Scott cited General William Worth’s May 19 letter from Puebla as proof of the policy’s success.⁶⁰⁰ “We are rapidly accumulating supplies of the essentials,” Worth wrote to Scott, “and could soon garner up sufficient for all our wants, with a few hundred cavalry to control actively a large circle and allay the fears of the holders.” Supplies were accumulating because Mexicans wanted to make money. Worth lauded Scott’s proclamation:

It was most fortunate that I got hold of one copy of your proclamation. Today I had a third edition struck off [printed], and am now with hardly a copy on hand. It takes admirably and my doors are crowded for it – with the people (of all classes)... and has produced more decided effects than all the blows from Palo Alto to Cerro Gordo. I have scattered them far and wide, and [have] taken three chances to get them into the capital.⁶⁰¹

Even as the Americans were at the gates of Mexico City in late August of 1847, Nicholas P. Trist (1800-1874), the commissioner sent to Mexico by Polk to negotiate a peace settlement, indicated there were segments of “the best and most influential classes of society in the capital” that the U.S. presence was welcomed as a force of stability. This desire stemmed from elites and clergy accustomed to abuse and wealth appropriation by the military and political classes. “The belief is general among them, that we intend to exercise dominion over the country, after the fashion of that exercised by Spain,” Trist wrote to the Secretary of State Buchanan (1791-1868). He also added that many elite Mexicans believed long term U.S. occupation would resemble “that which prevailed before the revolution, they rejoice at the idea of coming under a government which maintains quiet and good order, and above all respects church property instead of subjecting it to contributions and forced loans.”⁶⁰²

⁶⁰⁰ Scott: *Memoirs*, p. 549.

⁶⁰¹ HED No. 60, p. 967. (LOC). “Extracts from an unofficial letter of Major General Worth to Major General Scott,” May 11, 1847.

⁶⁰² Manning, *Diplomatic Correspondence, Vol. 8 (Mexico)*, 929. Trist to Buchanan, Tacubaya, Aug. 24, 1847. Trist noted that pro-American sentiment was more prominent among the “higher clergy” and that “the wish for our permanent continuance here prevails among the foreigners.” (Ibid. 959) Trist to Buchanan, Oct. 25, 1847.

Ensuring safeguards for Mexican property (private and religious) was one of the most effective strategies employed during the occupation. Here, Scott borrowed from Halleck's innovative "certificate" concept from his book *Military Art and Science*, by reprinting the template for the "safeguard" form in his *Memoirs* – including blank spaces for the issuing general's name, along with the date, time, and place:

The person, the property, and the family of _____ (or such a college, and the persons and things belonging to it; such a mill, etc.), are placed under the safeguard of the United States. To offer any violence or injury to them is expressly forbidden; on the contrary, it is ordered that safety and protections be given to him, or them, in case of need.

Scott recommended that the safeguards be accompanied by the articles of war "and held ready to be filled up, as occasions may offer. A duplicate, etc., in each case, might be affixed to the house, or edifices, to which they relate." Here again, Scott employed a legalistic approach to warfare to win the compliance of the Mexicans.⁶⁰³

Article 15 of the General Orders No. 20 reiterated what was pointed out in Article 2 concerning the protection of church property. In his *Memoirs*, Scott printed the Order later distributed in the capital. The Order spoke paternally of the city's institutions: "This splendid capital – its churches and religious worship; its convents and monasteries; its inhabitants and property are, moreover, placed under special safeguard of the faith and honor of the American army." Increasing the level of collaboration, Scott implemented a tax to be collected by the city administrators (*ayuntamiento*) in "consideration of the foregoing protection" to the religious institutions of the capital – the most important and largest city in Mexico.⁶⁰⁴ Ultimately, the Catholic Church of Mexico, accustomed to being taxed by military leaders and liberal politicians, found an ally in the U.S. Army. Tensions in the capital prior to the occupation were particularly acute between the Mexican military and Catholic Church, and the U.S. Army benefitted from those divisions by exploiting them.⁶⁰⁵

⁶⁰³ Scott, *Memoirs*, 548-549.

⁶⁰⁴ *Ibid.* 545-546.

⁶⁰⁵ Michael P. Costeloe, "The Mexican Church and the Rebellion of the Polkos." *The Hispanic American Historical Review* 46, no. 2 (May 1966), 170-178. On January 11, 1847, a law was passed by the Mexican government allowing the requisition of up to 15,000,000 pesos worth of church property to fight the war. "In spite of the military danger, both public and clerical reaction to the law was immediately hostile..." (*Ibid.* 170)

Even a politically minded U.S. President could see to efficacy of working with the Catholic Church, and important consultations occurred prior to the Veracruz landing. Polk, a Democrat whose constituency included large numbers of Irish and German Catholics, made overtures one month after the outbreak of hostilities to the United States' most well-known and influential Catholic, Bishop John Hughes of New York City. Secretary of State Buchanan introduced Hughes to Polk in the Oval Office May 19. Polk wrote in his diary that the subject of that conversation "was to procure his aid in disabusing the minds of the Catholic priests & people of Mexico in regard to what they most erroneously supposed to be the hostile designs... of the U.S. upon the religion and church property of Mexico." According to Polk's account of the meeting, Hughes agreed and said that he personally knew the Archbishop of Mexico. Hughes also agreed to send Spanish-speaking priests to Mexico to accompany the U.S. Army. The following day the president met with Missouri Senator Thomas Hart Benson and the Catholic Bishop of that state for the same purpose. Polk's assessment of the meeting was positive, and he believed that if the "priests in Mexico can be satisfied that their churches and religion would be secure the conquest of the northern provinces of Mexico will be easy..."⁶⁰⁶

The presidential meetings with church leaders were not secret. The *New York Daily Herald* reported Polk's intentions of the meeting, while noting that there was "a correspondence between the Catholic hierarchy, in this country, and that of Mexico." The newspaper reported that that correspondence preceded the Oval Office consultations by a year (1845) and increased after the war began. "The American people have been much misrepresented in Mexico by the military despots of that country, and the Yankee heretics have been, no doubt, held up as hostile, in every respect, to the Catholic faith."⁶⁰⁷ Other newspapers reported that two chaplains from Georgetown College and two St. Louis (Missouri) Jesuits would be sent, and that Polk "stated that there is no law of Congress authorizing the employment of chaplains for the army, but would take the responsibility upon himself." Four "*sine qua non*" stipulations for accompanying the U.S. Army were requested by the priests: that they "be recognized

⁶⁰⁶ Milo Quaife, (ed.), *The Diary of James J. Polk During his Presidency, 1845-1849*, Vol. 1 (Chicago: A.C. McClurg & Co., 1910), 409-411 (May 19 and 20, 1846).

⁶⁰⁷ *New York Daily Herald*, May 27, 1846.

and respected as clergymen in the army,” that they be allowed to speak with the “Catholic soldiers,” that the protestant soldiers be allowed to engage them should they choose, and that “the priests shall have the liberty to visit the Mexican camp, army, and people, at any and all times, except on the eve of an engagement, when their leaving the American camp might be fraught with danger to themselves, or lead to any breach of military discipline.”⁶⁰⁸ Collaboration on this level between an invading army consisting mostly of protestant soldiers and the Catholic Church was new. Some protestants even responded with accusations that the Polk Administration was collaborating with the Catholic Church hierarchy by introducing Jesuit spies into Mexico.⁶⁰⁹

The Freeman's Journal of Dublin, representing its Catholic constituency, acknowledged the benign nature of the occupation as Scott's small army slowly made its way towards the capital. “The policy pursued by the Americans is in the highest degree conciliatory,” their New York correspondent wrote, “not only is the course of paying for everything and repressing all military violence, rigidly continued, but the utmost respect is paid to the religion of the people.” Reports from Mexico indicated the new policy worked. “‘Los Yankis’ were denounced beforehand as ‘heretics and infidels;’ the religious prejudices of the people were most strongly aroused against them; now they have come, they appear determined to show that they are almost as good Catholics as the Mexicans themselves.” *The Journal* described how Colonel Thomas Childs, the military governor of Jalapa, attended mass with Scott “with uncovered heads, presented arms and on bended knee, [with] the procession of the host there. General Scott himself joins in the procession, carrying a lighted candle in his hand.” Attending mass was “but an instance of a system of policy... producing at least in measure, its intended effect.” Nor was the correspondent remiss in pointing out the policy's significance. “Surely never before was war conducted with such reverence for religion. Whatever the motive, I am glad the United States has been the country to establish so excellent an example. It is taking away half the horrors of war.”⁶¹⁰

⁶⁰⁸ *The Louisville Daily Courier*, Kentucky, July 10, 1846.

⁶⁰⁹ *Ibid.* August 12, 1846. “[Reverend] W.L. McCalla to J.K. Polk, President of the United States; concerning the Jesuit Spies, sent to Mexico, with the title of Chaplains of the Army.” See also: *The Washington Union*, (DC) August 6, 1847.

⁶¹⁰ *The Freeman's Journal*, Dublin, July 31, 1847. Colonel Thomas Childs (USMA 1814) was later appointed governor of Puebla once Scott entered the Valley of Mexico.

The contrast with the war in Spain was stark. There were violations of Scott's Order forbidding interfering with the Catholic Church in Mexico, to be sure, but nothing resembling the manner in which the French violated Spanish religious institutions and its members during that conflict. The U.S. Army, as a policy, did not intentionally requisition church-owned buildings, churches, convents, or monasteries for use – even though those buildings were generally the sturdiest and most easily defensible structures (which is why the French used them). There were occasions when such buildings were seized out of military necessity, such as the during the siege of Puebla, or after the *ayuntamiento* of Mexico City recommended some religious buildings be used to house soldiers, but nothing on the scale of the Peninsular War.⁶¹¹

Scott wrote on the subject that while “occupying the capital and other cities, strict orders were given that no officer or man should be billeted, without consent, upon any inhabitant; that troops should only be quartered in the established barracks” and other governmental buildings. He also wrote that despite the restrictions, “several large convents and monasteries, with but a few monks each, furnished ample quarters for many Americans, and, in every instance, the parties lived together in the most friendly manner” until the end of the occupation.⁶¹²

Nevertheless, despite overtures to the Catholic Church by U.S. political and military leaders, the need to enforce discipline in theater superseded diplomatic and social niceties. When more than seventy Irish-American military deserters, known as the Saint Patrick's Brigade (*San Patricios*), were captured by U.S. forces following the Battle of Churubusco on the outskirts of Mexico City, they were summarily court-martialed. The former U.S. soldiers had been induced by Mexican handbills offering incentives of land and money to desert and fight for (Catholic) Mexico. Eventually their numbers reached a few hundred. They also fought well, and thus were doubly hated by the Americans.

Scott made an example of the San Patricios' desertion by conducting two court-martial proceedings in late August while the army threatened the gates of the capital. Fifty soldiers were sentenced to death by hanging, thirty of whom symbolically received their

⁶¹¹ See: *Daily American Star*, Mexico City, December 11, 1847. (BLAC). “The Ayuntamiento have furnished a list of buildings...”

⁶¹² Scott, *Memoirs*, 580.

punishment on September 13 at Chapultepec Castle as the U.S. Army rode into Mexico City. George Ballentine gave an account of the event. "I sincerely pitied these poor fellows, many of whom I had reason to believe had been driven to the foolish step they had taken by harsh and cruel usage, operating on a sensitive and excitable temperament." Ballentine surmised the young men had made their fatal decision due to cruel officer discipline. "The barbarous treatment which soldiers sometimes received from ignorant and brutal officers... would seem almost incredible." One punishment meted out for "trivial offenses" included tying wrists and gagging. Ballentine noted that at the Chapultepec battle the deserters specifically targeted U.S. officers. "The large number of officers killed in the affair was also ascribed to them, as for the gratification of their revenge they aimed at no other objects during the engagement."⁶¹³ In a symbolic gesture of American ire towards the condemned, the majority of the San Patricios were hung the moment the U.S. flag was raised over Chapultepec's walls. Scott reminded his soldiers soon thereafter (General Order No. 296), to ensure that "all our soldiers, protestant and catholic, remember the fate of the deserters at Churubusco."⁶¹⁴

The U.S. occupation publication in Mexico City, *The American Star*, was not as sympathetic as Ballentine. Many of the soldiers who defected prior to the official declaration of war (May 13, 1846) had their sentences commuted to fifty lashes. This included their leader, John Patrick Riley (O'Riley), who was branded with a "D" on the cheek – a common punishment for desertion. *The Star* wrote that Mexican leaders had "stooped to the low business of soliciting desertion from our ranks, and had succeeded in seducing from duty and allegiance the poor wretches who had to pay so dearly for their crimes." Even though Riley escaped the same fate of his cohorts, *The Star*'s editors believed that "all that could be awarded him was well administered."⁶¹⁵ Indeed, many Americans felt the same regarding those who engaged in the traitorous conduct directed at their former comrades. One North Carolinian newspaper was even less gracious towards the "traitors" who "brought dishonor upon the chivalric nation of their birth."

⁶¹³ George Ballentine, *The Mexican War, By an English Soldier*, 255-256. Colonel William Harney carried out the execution at Chapultepec, and even hung Francis O'Conner, who had both legs amputated the day before.

⁶¹⁴ *The American Star*, Mexico City, September 23, 1847. (BLAC)

⁶¹⁵ *Ibid.* September 20, 1847. (BLAC). This article was printed one week after the U.S. Army seized the city. It made its way to New Orleans where it was further picked up by eastern papers a month later. See: *The Baltimore Sun*, October 23, 1847. See also: Edward S. Wallace, "The United States Army in Mexico City." *Military Affairs* 13, no. 3 (Autumn, 1949), 160-161.

The “‘unfortunate Irish’ were composed of a company, who, after receiving the bounty of our government and the protections of our institutions... deserted to the Mexican Standard [flag]. The fate, death, is consonant to the laws of war and agreeable to justice and self-preservation.”⁶¹⁶

What was military justice like in Mexico? In short, “disciplinary” is the word commonly used by historians. The military justice meted out in Mexico in U.S. Army court martial proceedings was strict, and this created the intended deterrent against future transgressions. From the period of the occupation of Puebla – where the U.S. Army was based between early May to August – sentences and punishments were carried out with expedition. In the first issue (July 1) of the U.S. newspaper in Puebla, *American Star No. 2*, the entire first two pages are devoted to thirty-four court martial proceedings carried out by the court on June 18.⁶¹⁷

Of the thirty-four court proceedings conducted in Puebla twelve were devoted to desertion. Most of the soldiers plead “not guilty” to the charges and seven were acquitted of the more serious charge – but were found guilty of being absent without leave (AWOL) and forced to pay five dollars a month as restitution for either five or six months. For example, Private John W. Blair of the mounted riflemen, who fell into that category, was discharged from the service due to “the manner and appearance of the prisoner, that he is unsound in mind and body, and totally unfit for military duty.” Those found guilty had to “refund the United States the thirty dollars paid for his apprehension” and usually received fifty lashes on the back – some “well laid on” – before being restored to duty. Others were confined for the restitution period when not on duty. Since the penalty for desertion could be death, this was considered lenient. In the case of private John Bonecastle, who was in the habit of “leaving his company in camp, and garrison, without permission, for days at a time, and totally disqualifying himself by drunkenness on duty,” a second charge of “utter worthlessness” was added. Before being drummed out of the service and forced to forfeit pay, Bonecastle was branded with a “W” on his right hip.⁶¹⁸

⁶¹⁶ *The Tri-Weekly Commercial*, Wilmington, North Carolina, October 5, 1847.

⁶¹⁷ *American Star – No. 2*, Puebla, July 1, 1847. (BLAC). See also: Johnson, *A Gallant Little Army*, 134-135.

⁶¹⁸ *Ibid.*

Other common charges against soldiers (mostly privates) were insubordination, drunkenness, mutinous conduct (including fighting), highly unsoldierlike conduct, neglect of duty, conduct prejudicial to good order and military discipline, and sleeping on guard. Punishments for most of the charges resulted in reduced rank (for sergeants or corporals), having one's stripes or chevrons cut in front of his battalion, public reprimand by a superior officer, forfeit of pay, and branding. One of the more unusual punishments carried out was to "ride the wooden horse" (*cavaletto squarciapalle*). It was a torture device of some antiquity in Europe where the prisoner would straddle a v-shaped sawhorse with weights dangling from their legs. It could easily cripple an unfit prisoner. Private Robert Thompson was forced to do so "from reveille to retreat" for thirty days after being found guilty of conduct prejudicial to good order and military discipline.⁶¹⁹

The more serious charge was sleeping on post since doing so put the lives of the company and army at risk. In the case of private John Quinn and a couple of other soldiers, the punishment was forfeit of pay and "to wear an iron yoke weighing ten pounds, with three prongs, for three years."⁶²⁰ Sleeping on duty or post was also a violation of the 46th Article of War: "Any sentinel who shall be found sleeping upon his post or shall leave it before he shall be regularly relieved, shall suffer death, or such other punishment as shall be inflicted by the sentence, or a court martial."⁶²¹

Sergeant James Bannan and Corporal Edward Hill of the 5th Infantry were convicted of "drunkenness on guard" in Mexico City soon after the Americans took that city. Because tensions in the city during the time were still elevated, and insurrection or surprise attacks were considered imminently possible, both were found guilty and ordered to be shot the day after their court martial proceeding. However, "Gen. Worth and all of the officers of the 5th Infantry signed a request for pardon" for them, and the sentence was leniently suspended by General Scott.⁶²² Nevertheless, the episode

⁶¹⁹ *The American Star*, Mexico City, September 20, 1847. (BLAC). The French called it the 'chevalet,' with the same 'horse' etymology applied. The Americans used something similar during the colonial period, which was called 'riding the rail.'

⁶²⁰ *American Star* – No. 2, Puebla, July 1, 1847. (BLAC).

⁶²¹ U.S. Articles of War (Art. 46), *Annals of Congress*, 9th Congress, 1st Session, Appendix: "Public Acts of Congress", Washington D.C., Library of Congress (LOC), p. 1245.

⁶²² *The American Star*, Mexico City, September 23, 1847. (BLAC).

undoubtedly scared the condemned and worked as a deterrent to others who engaged in drinking or sleeping while on duty – which every soldier understood jeopardized the entire army.

Other explicit Articles of War violations were used to prosecute soldiers. Private John B. White of the mounted rifles was charged with violating Articles 37 and 38, which forbade the selling, mishandling, or damaging of equipment. This also pertained to ammunition, such as rifle ball cartridges and percussion caps, which White apparently sold in addition to his rifle. The punishment was restitution of five dollars a month for twelve months, and “to refund Signor Huesta for the amount paid for his rifle and to be confined for the twelve months, when not on duty with his company.”⁶²³ Soldiers could try to sell materials to make extra money, but it was risky. In addition, since Article 37 left the punishment to the “discretion of the court,” a determination that supplies or weapons landing in enemy hands after being sold could theoretically result in the death penalty.⁶²⁴ Scott obviously believed Articles 37 and 38 were important to the occupation, since he reiterated them in his General Order No. 20 (Article 12) at the onset of the campaign. The original premise of the law was that keeping supplies out of enemy hands reduced the enemy’s ability to fight.⁶²⁵

When the *Flag of Freedom*, the second U.S. newspaper in Puebla, printed its first edition October 20, the front page included the sentences carried out on the San Patricios after their court martial proceedings in Tacubaya. Next to the names of the “severely guilty” was a warning from Scott that “all is not yet done.” The key to maintaining security, in Scott’s words, were “compactness, vigilance and discipline.”⁶²⁶ This was a reiteration of his message the month before that “companies and regiments will be kept together, and all stand on the alert. Our safety is in our military discipline.” He continued his message (posted a few days after setting up U.S. Army Headquarters at the National Palace) that “there be no drunkenness, no disorders and no straggling.” In addition, he directed that the Articles of War “will be read at the head of every company of the United States forces, serving in Mexico, and translated into Spanish for

⁶²³ *American Star* – No. 2, Puebla, July 1, 1847. (BLAC).

⁶²⁴ U.S. Articles of War (Art. 37, 38), *Annals of Congress*, 9th Congress, 1st Session, p. 1244.

⁶²⁵ Scott, *Memoirs*, 544-545.

⁶²⁶ *Flag of Freedom*, Puebla, Oct 20, 1847. (BLAC).

the information of the Mexicans.” Scott not only wanted educated and informed soldiers, but a compliant and informed citizenry. The law-and-order general, whose first profession was a lawyer appealed to the soldiers’ personal and national integrity. “All the rules so honorably observed by this glorious army, in Puebla, must be observed here.”⁶²⁷

In a public act of leniency directed at the Mexican people, Henrique Garcia, a Mexican soldier who was apprehended by U.S. soldiers, was acquitted by an American court after he was “found in arms in the city of Mexico” and threatening U.S. soldiers after the Mexican Army had officially withdrawn. Despite the fact that Garcia had violated the law by carrying a weapon in the city – which Mexicans were not allowed to do – he was set free. He could have easily been found guilty by the military court and executed, but the acquittal set the tone of the occupation.⁶²⁸

OCCUPATION OPEN FOR BUSINESS: THE *ALCABALA* AND MEXICO CITY

Another important strategy designed to win over the Mexicans was the abolition of the unpopular *alcabala*, a sixteenth-century colonial tax on transactions particularly hated by working-class peasants and Indians. In a recent doctoral dissertation titled, “Occupation For Peace,” author Thomas Spahr points out that Scott “focused the tax program on the upper-class... [and] feared how a universal tax might enflame the masses.” To advance his goals of dividing the Mexican people from their political leaders, Spahr notes that Scott rescinded not only the *alcabala* but “many of the typical taxes the cities and states required to function” while admitting that other efforts to collect taxes from compliant governments under U.S. occupation fell short of expectations.⁶²⁹ However, since Scott was soon drawing funds from Mexico City on credit from London banking interests it is understandable why he did not strictly enforce tax mandates to supply his army. When the *alcabala* initiative is viewed in a counterinsurgency context it becomes obvious that Scott

⁶²⁷ *The American Star*, Mexico City, September 14, 1847. (BLAC).

⁶²⁸ *Ibid.* September 20, 1847. (BLAC).

⁶²⁹ Thomas W. Spahr, “Occupying For Peace, The U.S. Army in Mexico, 1846-1848.” PhD diss., The Ohio State University, 2011.

was not dependent on Mexican tax revenue to maintain his army but was using military administrative leverage to further his social-strategic goals.⁶³⁰

The *American Star* reported that the *alcabala* was rescinded at an early phase of the occupation. “In Veracruz, Jalapa, Perote, and Puebla we gave liberty to the laboring and productive classes, by abolishing the odious system of the *alcabala*, or tax on labor, by which both the producer and consumer are benefitted.” Mexico City was especially reliant on the tax, and enforced the tax on outside merchants seeking to market their goods in the large city:

The poor Indian who presents himself at the gates of the city with a basket of fruit, a dozen eggs, a few fowls, or a load of charcoal, is obliged to pay a tax before he enters, and if he has not the money with him, he is made to deposit with the guard either a part of his produce, or some article of clothing, until he can effect a sale and return with the money to redeem the article pledged.

However, unlike the cities along the corridor where the Americans banned the tax, the pressure to maintain the *alcabala* in Mexico City was great.⁶³¹ Not only did the *alcabala* bring in needed municipal revenue, but it also acted as a security measure justifying inspection at the city’s gates. *The American Star*’s editors lamented “the temporary continuation of this most unrighteous (*alcabala*) tax on labor” and addressed the visible wealth disparities in the capital. “The population of the city is estimated at two hundred thousand, of which number, some twelve thousand... are freeholders,” the *Star* noted, “they are in possession of all the wealth, and power, by which they have managed to keep in force the monarchical custom of *alcabala* or tax on the poor labor... The injustice of this mode of taxation must be obvious to everyone...”⁶³² It was not until

⁶³⁰ See: HED No. 60, 1004. (LOC). Marcy (Washington D.C.) to Scott Aug. 6, 1847. Marcy informed Scott that an agreement had been reached with an agent (A. Belmont) of the “Rothschild & Sons” in London “proposing to furnish funds for the use of the army in Mexico.” Scott leveraged U.S. government-backed credit to London financial interests instead of relying mainly on Mexican resources. British agents (Thomas W. Ward, Baring Brothers, Boston; Ewen C. MacKintosh, British Consul, Mexico City, 1839-1853) acted as middlemen between the U.S. and Mexico and knew of the large incoming post-treaty indemnity payment. See: Barbara A. Tenenbaum, “Merchants, Money, and Mischief, The British in Mexico, 1821-1862,” *The Americas* 35, no. 3 (Jan. 1979): 317-339. “The war... provided marvelous opportunities for a banker... officially connected with the British Government.” (p. 322)

⁶³¹ Denis E. Berge, “A Mexican Dilemma: The Mexico City Ayuntamiento and the Question of Loyalty, 1846-1848,” *The Hispanic American Historical Review* 50, no. 2 (May 1970): 242. Scott banned the *alcabala* in Mexico City beginning January 1, 1848.

⁶³² *Ibid.* September 20; 25, 1847. (BLAC). See: Smith, *The War with Mexico*, Vol. 2, 486. “Transit dues on animals and goods, including the duties at city gates (*alcabalas*), were to be discontinued.” The

December 31 that Scott issued a directive eliminating the tax in the capital. In one of his final acts as commander of the U.S. Army in Mexico, he wrote that “all transit duties (*alcabalas y derechos de internacion*) heretofore payable at the gates of the cities and... between States, have been abolished, together with the national lotteries.”⁶³³

Very few U.S. newspapers caught on to the significance of the abolition of the *alcabala*. This is not surprising since a vast majority of Americans were uninformed of Mexico’s complex history and society. *The Morning Post* of London was one of the few to discern what the U.S. Army was doing:

People in general expect benefit from this occupation. It will do away with the military and the *empleados*, the two greatest plagues of the nation. The interior customs and *alcabalas* are also abolished where the Americans pass the property, and persons are well protected by them. Trade is promoted, and everything receives new life. All these material improvements strike the eye of the lower classes, and this again accounts for the want of *patriotism*, and for the country not rising against the invaders.⁶³⁴

The Democrat of Huntsville, Alabama, was another publication that understood the benefits of opening up to the lower classes previously restricted commercial opportunities. The paper called their assessment a “thermometer of the public feeling,” which they believed went a long way towards reducing resentment caused by the

alcabala originated in fourteenth-century Spain and became an important source of revenue for its overseas empire. Some goods and subjects of the crown (like church officials) were exempt, which varied anywhere between 3-14% percent depending on the area. The *alcabala* was used in Mexico from the late 1500s as both a sales tax and excise tax depending on local authorities. See: Robert Sidney Smith, “Sales Taxes in New Spain, 1575-1770.” *The American Hispanic Historical Review* 28, no. 1 (Feb., 1948): 2-37. See also: Chris Frazier, *Bandit Nation: A History of Outlaws and Cultural Struggle in Mexico, 1810-1920* (Lincoln: University of Nebraska Press, 2008), 110-111. Frazier recounts the life of Luis Gonzaga Inclán, who published *Astucia* in 1865. “Inclán set *Astucia* in Michoacán during the era of Santa Anna, and his narrative follows the adventures of a band of *charros* who trade in contraband. However, these cowboy smugglers are not bandits. They are country gentlemen and enterprising rancheros who form a secret brotherhood to defy the *alcabala* (sales tax) and the government monopoly over tobacco. Both of these institutions were leftovers from colonial practices and were much hated by the rural Mexicans as well as by liberal advocates of free trade.”

⁶³³ *The Baltimore Sun*, January 27, 1848. Winfield Scott, Army Headquarters, December 31, 1847. The same report appeared in both *Weekly National Intelligencer*, Washington D.C., January 29, 1848; and *The Louisville Daily Courier*, Kentucky, January 28, 1848.

⁶³⁴ *The Morning Post*, London, July 9, 1847. “The majority of the people, as you must know, take no part in these continual changes, and no other sentiment prevails among them than disgust, and anxiety for the future advancement of the country. This will explain to you how it is that 4,000 Americans have occupied the city of Puebla without the smallest resistance.” See also: *The Times-Picayune*, December 23, 1847. “They [the Mexicans] have the collection of the revenue, including the odious *alcabala* and the sole control of the police of the city.” The same reference appears in the *New York Daily Herald*, December 30, 1847, *Philadelphia Ledger*, December 30, 1847, and *Buffalo Commercial* January 3, 1848.

occasional outrage committed by errant American soldiers. In other words, they confirmed the same results as the *Morning Post*:

...the rumor is circulated that everywhere the *alcabalas*, or interior custom-houses, have been suppressed by the Americans as well as the monopolies of tobacco and other commodities; that commerce and enterprise have increased tenfold; that money circulates everywhere; that great gains are made, and that everything is cheap. These rumors have great force in producing the rational coolness which prevails.⁶³⁵

Despite acquittals and lenient sentences of Mexicans such as Henrique Garcia, and rescinding the *alcabala* in the occupied cities, the initial phase of the occupation of Mexico City was difficult. Notwithstanding these difficulties, policy designed to win the compliance of the Mexicans – particularly the Catholic Church and propertied classes – was a strategic and fruitful decision made by U.S. officials before the landing at Veracruz. Rescinding the *alcabala* also allowed peasants to market their goods tax free to the U.S. Army, which itself was an olive branch to the lower classes. In effect, by gaining the trust of key elements of Mexican society, the Americans further divided the Mexicans concerning active and even passive resistance to the occupation.

Intimidation in the large Mexican capital occurred but not on the overt level most Mexicans expected prior to the occupation. Before Santa Anna withdrew his forces from Mexico City, he freed around 1,500 “thieves and murderers” from the city’s jails. After taking the city, Scott informed the army of an “extensive conspiracy... to surprise (by means of an insurrection) our guards and quarters, and to murder officers and men.” Many believed there were hundreds of Mexican officers “in disguise” stalking unsuspecting and wandering soldiers. It was also believed that “the conspirators have also the services of several false priests who dishonor the holy religion” by wearing church vestments. Whether or not the conspiracy existed or not, it worked to remind soldiers to think twice before venturing out alone. “Their plan is to assassinate

⁶³⁵ *The Democrat*, Huntsville, Alabama, June 9, 1847. See: *New York Daily Herald*, July 9, 1848. “[O]ur army in Mexico has relieved these poor... people of many oppressions and taxes which they have long been subjected. They are the producers and industrials of the country, and hitherto have contributed, through the *alcabala*, and other taxes, to support the extravagant government of Mexico.” The significance of eliminating the *alcabala* as a benign initiative was recognized more so in 1848. See also: *The Washington Union*, July 7, 1848. The *alcabala* is mentioned in the Mexican version of the Treaty of Guadalupe Hidalgo, but not in the English (U.S.) version that simply refers to it as a “tax.”

stragglers, particularly drunk men; to entice individuals or small parties into shops, to drink, and to stab them when in their cups.” Scott gave some paternal advice that soldiers should never “appear in the streets without side arms; – to walk out only in parties of twos or threes, or more, and to avoid all obscure places – particularly treacherous dram shops and liquor stores.” *The American Star*, responded to the alleged conspiracy to revolt with a cautionary tone:

What could they achieve? With us nothing and they know it... The ending of such a drama is terrible to even think of, for more of the innocent and respectable classes of the citizens would suffer than of the guilty; for so exasperated would our troops become, that they would, blinded by rage, forget those principles of humanity which have actuated them in this war.⁶³⁶

For the rest of the occupation newspapers printed Scott’s General Orders and court martial proceedings on the front page. Scott undoubtedly had a hand in that decision, which clearly demonstrated a contrast to occupation newspapers in prior wars. The promulgation and the dispersion of information among an interested citizenry *and* army showed that the U.S. Army would punish offenses committed by soldiers against innocent Mexicans while simultaneously socializing them towards a new and unprecedented regime of military justice. In a departure from previous norms, newspapers also printed numerous articles related to Mexican viewpoints and current military operations, including guerrilla attacks. This harkened back to Scott’s experiences in occupied Paris – where he objected to the heavy manipulation of information and press censorship. In other words, although newspapers propagated the American viewpoint (since they were primarily printed in English) they also served the purpose of disciplining and informing soldiers.

Even the *El Iris Espanol*, the Spanish newspaper closed by Santa Anna, reopened under U.S. occupation. *The American Star*’s editors wrote to “congratulate its proprietors and the Spanish population upon its resuscitations, from the abyss of silence to which it had been consigned by Santa Anna’s government. We accede to their request for an exchange with great pleasure.” The *Star* claimed that the Mexican “press, for the first time... since the existence of the republic, is free, and stands in no fear of being

⁶³⁶ *The American Star*, Mexico City, September 23, 1847. (BLAC).

suppressed for the liberality of opinions.”⁶³⁷ The assertion was obviously an exaggeration, but it did reflect a certain level of openness in which the Americans conducted the occupation of Mexico City.

Nor was the Mexican capital entirely dreary under occupation. For soldiers who adhered to the rules, Mexico City under U.S. control offered numerous venues where soldiers could congregate during their free time – albeit at restricted hours. The Lone Star House, at the corner of Refugio and La Palma, was officially (like many establishments) a coffee house “supplied with the best wines and liquors to be obtained in Mexico.” The Eagle Coffee House boasted of “procuring wines, liquors, and segars of the choicest brand.” The Theatre Coffee House and Restaurant, run by U.S. Army matron Sarah Foyle, claimed to be open “all hours” of the day to cater to American soldiers. The Orleans House advertised “new cider” made at their establishment. Other locales included the Mansion House, The Anglo Saxon House, the United States Hotel, and the Olive Branch Coffee House. For officers inclined to learn either Spanish or French, lessons were provided by a Harvard graduate in the National Palace “for the benefit of such gentlemen of the army... to cultivate either of said languages.”⁶³⁸

For officers there was the popular Aztec Club. Formed almost exactly a month after the U.S. Army entered the gates of the city, the Aztec Club – a precursor to other veterans’ groups – was originally formed exclusively for officers who took part in Scott’s central Mexico campaign. General John A. Quitman, the Military Governor of Mexico City, was the club’s first president. Scott was also made an honorary member. The club was located in a palace built in the 1700s for the viceroy of New Spain near the zocalo (and Scott’s headquarters). According to the club’s account, the “original home of the Club, was the handsome residence of Señor [José] Bocanegra, who had been formerly Minister to the United States” and briefly president of Mexico. The original 160 club members is a veritable list of U.S. military legends. Membership was later expanded to all war veterans and relatives of original members who had passed away.⁶³⁹

⁶³⁷ *Ibid.* September 23, October 14, 1847. (BLAC).

⁶³⁸ *Ibid.* October 12, 1847. (BLAC). Liquor was prohibited or severely restricted on holidays to reduce confrontation. On All Saints Day (November 1, Day of the Dead) “all liquor stores, grog shops, pulque shops, bar-rooms, and other places where spiritous and intoxicating liquors are sold” were closed. (*Ibid.* October 30, 1847).

⁶³⁹ *The Constitution of the Aztec Club of 1847 and the List of Members, 1893* (Washington D.C.: Judd & Detweiler Printers, 1893), 3. The Aztec Club of 1847 is still in existence, and its membership is extended

In addition to bullfights and balls, there were other venues of entertainment. Madame Armand and Madame Turin performed at the Olympic Circus – which usually hosted European talent. The National Theatre hosted many performances including a Spanish company featuring a “beautiful comedy” of the two-act historical drama *Napoleon lo Manda*. The Principle Theatre offered a crusade romance based on the Sophie Ristaud Cottin work *The Saracen, Or Maltida and Malek Adhel* (1805).⁶⁴⁰ Cottin’s romantic themes of war in *Matilda* undoubtedly spoke in dramatic flourish to the Yankee attendees far from home engaged in their country’s first foreign war: “...European Princes, who, for the interest of religion, abandon their vast and flourishing states, and, through the perils of a stormy sea, come to meet their death in a foreign clime.”⁶⁴¹

After the initial chaos following the American seizure of Mexico City things returned to relative normality. U.S. soldiers fell into their routines of drilling daily and relaxing in their free time. The Alameda Central, the oldest public park in the Americas, became a go-to place for morning and afternoon strolls. “The reader need not be told that it has been a favorite place of resort for recreation, and there are few spots in the world where one can take a more pleasant promenade.”⁶⁴² Violations of Scott’s Martial Law Orders occurred, but nothing on the level characterizing the initial occupation. The city was shut down at night. Early twentieth-century Mexican War scholar Justin Smith noted one soldier’s account that “if the patrol finds you in the street after eight o’clock in the evening you are taken to the guardhouse, and if noisy you are handcuffed.”⁶⁴³ Indeed, one month after taking the city the editors of *The American Star* noted a considerable change in attitude among the citizens:

The women too... have ceased to flash the fire of indignant scorn from their beautiful eyes, and now stand upon their balconies and walk the streets, viewing

to those who can trace kinship back to the original members or those who would have been eligible of membership. “It is not known that any record exists of the early proceedings of the Club...” (Ibid.) The club’s archives are in Carlisle, Pennsylvania, where the U.S. Army War College is located.

⁶⁴⁰ *The American Star*, Mexico City, October 12, 14, 1847 (BLAC). Andrés de la Covert-Spring, *Napoleon lo Manda, drama histórico-novelesco, en dos actos*, D. Francisco Oliva, Barcelona, 1843. Joseph Michaud (ed.), *The Saracen, Or Matilda and Malek Adhel, A Crusade-Romance from the French of Madame Cottin* (New York: Isaac Riley, 1810). Sophie Cottin (1770-1807) wrote other works based on the crusades: *Claire d’Albe* (1799), *Malvina* (1801), *Amelia Mansfield* (1809).

⁶⁴¹ Michaud (ed.), *The Saracen, Or Matilda*, 95.

⁶⁴² *Daily American Star*, Mexico City, October 15, 1847. (BLAC).

⁶⁴³ Justin H. Smith, *The War with Mexico*, Vol. 2 (New York: Macmillan, 1919), 226.

us with mild serenity... The city has changed, indeed; the crack of the rifle or escopeta [shotgun] is heard no more in the streets, the roar of artillery no more startles the ears of the timid, and all walk the streets in quiet without looking for a shot from this or that house top. ...who would have believed in so short a time so palpable a change could have come over the place?⁶⁴⁴

Lt. William H. Davis imparted on his sister Elizabeth his pending lunch date with a Mexican girl who spent several years in New York and asked his sibling if a “Mexican sister-in-law” was out of the question. He noted that a rapid change had undergone the city once it was learned that an armistice had been signed – noting that it had “become much gayer.” True, the large metropolis remained dangerous at night during the occupation, as straggling and intoxicated soldiers were often victimized or killed by opportunists or Mexicans simply compelled to reduce the army of occupation by one less soldier. Daytime, however, was another matter:

Ladies who before confined themselves closely to their houses, now show themselves, radiant in smiles and beauty. They are very pretty, and even hardened soldiers cannot altogether withstand their fine black eyes and winning manners. They now come out to the theatres, and upon the public drives, and are not the least afraid of the American officers. I am going into a Mexican family to live during the rest of my stay in Mexico, for the purpose of learning the Spanish language, and hope to acquire a tolerable knowledge of it.⁶⁴⁵

The Mexican Army did not try to retake the capital. Instead, the Mexicans immediately cut off the main American force from its connection to the coast by laying siege to Puebla – the largest city between Veracruz and the capital. It was the last chance for Santa Anna to muster a significant conventional resistance to the invaders. If the Mexicans retook Puebla, Scott’s army would be isolated from the coast and their critical logistics lifeline severed.

Despite fielding an army twice the size of the Americans, the Mexicans failed to stop Scott’s advance at Veracruz, Cerro Gordo, Contreras, Churubusco, Molina del Rey, and Chapultepec – all to no avail. Understandably those defeats were frustrating. Some Mexican leaders always believed conventional defeat was inevitable, and therefore even before the Americans landed at Veracruz influential leaders attune to the capabilities

⁶⁴⁴ *Daily American Star*, Mexico City, October 15, 1847. (BLAC).

⁶⁴⁵ George Winston Smith and Charles Judah (ed.), *Chronicles of the Gringos*, 400. Letter dated March 14, 1848.

and weaknesses of the Mexicans were invoking a different military approach to stop what appeared to be an unstoppable army.

Winfield Scott spent an entire lifetime making his way to Mexico City. It was the height of his long military career. The rules man, whose first profession was the law, ultimately came full circle by professionalizing the U.S. military and enacting codes of conduct for U.S. soldiers in foreign wars. Scott codified the 1806 U.S. Articles of War and added his own stamp on the history of U.S. military jurisprudence. This was done – as Henry Halleck advised – to prevent the emergence of an insurrection similar to the one that plagued the French army in Spain. In other words, Scott did the opposite of what Napoleon did and won a critical percentage of support among the Mexicans by treating them fairly, paying for goods, respecting their religious institutions, rescinding the *alcabala*, and exacting equitable justice on soldiers who violated laws designed to protect Mexicans and their property. Timothy Johnson, who wrote an important history on Scott’s Mexico City campaign, points out that Scott’s “sophisticated pacification plan was ahead of its time.”⁶⁴⁶ The general that best embodies the profound changes in the U.S. military during the antebellum period later noted in his *Memoirs* that “the order worked like a charm; that it conciliated the Mexicans; intimidated the vicious of several races, and being executed with impartial rigor, gave the highest moral deportment and discipline ever known in an invading army.”⁶⁴⁷ In sum, the pupil of Napoleonic maxims, tactics, and ancient rules of war outgrew the master. Whether or not his efforts to placate the Mexicans through *measures of conciliation* were enough stymie a guerrilla resistance invoked by the Mexicans remained to be seen. The guerrilla system worked in Spain and New Spain, but whether it could be recalibrated properly to the American military occupation was a question on everyone’s minds.

⁶⁴⁶ Johnson, *A Gallant Little Army*, 5.

⁶⁴⁷ Scott, *Memoirs*, 396.

2.3 MEXICO INVOKES THE SPANISH SYSTEM

*Mexico is... alone. Spain received help from England, and the Duke of Wellington, with a powerful army, threw into Napoleon's ranks. The United States had General Lafayette and the French fleets and armaments. To destroy Napoleon, the most powerful nations in Europe were allied. Mexico is alone; but this is not important, nor the setbacks that she has suffered, as long as we have perseverance.*⁶⁴⁸

---- Carlos Maria Bustamante, *The New Bernal Diaz del Castillo*, 1847

The guerrilla war invoked against the Americans was not Mexico's first, and many of the same features of the Mexican insurgency against the Spanish, beginning in 1810 and ending in 1821, informed the guerrilla war against the U.S. Army in Mexico. In other words, the Mexicans had an insurgent strategy based on historical precedent. That formula hinged on isolating the occupation army in Mexico City by attacking the U.S. Army's logistics line from Veracruz. While the initial revolt in 1810 against Spanish rule was put down by veterans of the Peninsular War, attrition eventually took its toll. Despite having been defeated by an effective royalist counterinsurgency supported by the upper echelons of a conservative church, the Mexicans believed a protracted guerrilla war, informed by the Mexican wars of independence, would result in a U.S. defeat. For this reason, the Mexicans looked to both the martyred heroes of their independence movement and the guerrilla campaign waged by the Spanish against Napoleon. Spiritually they invoked the initiator of the Mexican Revolution, Father Miguel Hidalgo (1753-1811), but tactically they invoked the Spanish. The most intense guerrilla activity of the war occurred after the Battle of Cerro Gordo in April of 1847, when Scott's army routed Santa Anna's larger force. Prior to that event authorities in Mexico still believed that the regular army – a powerful political institution in Mexico –

⁶⁴⁸ Carlos Maria Bustamante, *El Nuevo Bernal Diaz del Castillo, ó sea, Historia de la invasión de los Anglo-Americanos en México* (Mexico City: Vicente Garcia Torres, 1847), 16. University of Minnesota Wilson Library (UMWL). Carlos Maria Bustamante (1774-1848) was a conservative statesman and historian who supported independence from Spain. The title of his mid-war book compared the Spanish conquistador of Mexico under Cortés, Bernal Díaz del Castillo, to the U.S. invasion. Bustamante recommended using guerrilla warfare.

was capable of defeating the invaders. Because of this belief, early calls for employing guerrilla warfare were pushed aside during a crucial period of the war.⁶⁴⁹

From the beginning of the war many Mexican observers saw the Spanish system as their only chance to defeat the Americans. Six months after it began, the *New York Tribune* published an October 1, 1846, excerpt from the Mexican newspaper, *El Republicano*, which outlined a previously disseminated belief that the Mexicans should resort to guerrilla warfare. “We shall, on this occasion, repeat what we have already said: the war must be carried on against the Americans as the Spaniards of this country warred against the French, by the system of guerrillas, capable of destroying the most numerous and best organized army.” *El Republicano* called for national unity and urged its readers that the “establishment of the National Guard should be devoted to the practice of this system. In any other way the Republic is lost.” The excerpt further explained that the U.S. Army had better artillery, and thus the Mexicans should “counteract that powerful element by calling into play all the resources of which history, experience, or reason has taught us the efficacy. Shall those lessons be lost on Mexico?” Many Mexicans believed guerrilla warfare, even though antithetical to conventional military tradition, offered the defenders a better chance of victory.⁶⁵⁰

General Anastasio Parrodi, the commander of the Department of Tamaulipas and an old foe of Texan independence, issued a call to arms once hostilities commenced and framed the conflict in epic tones depicting the Mexicans as the underdogs in a righteous conflict:

Soldiers! If we have lost some of our brothers, the glory will be greater, there will be fewer conquerors; it is not the number which gives victory. There were but three hundred Spartans, and the powerful Xerxes did not cross the Thermopylae. The celebrated army of the great Napoleon perished in Spain at the hands of a defenseless people, but they were free and intrepid, and were fighting for their liberty.⁶⁵¹

⁶⁴⁹ See: Hugh M. Hamill Jr., “Royalist Counterinsurgency in the Mexican War for Independence: The Lessons of 1811.” *The Hispanic American Historical Review* 53, no. 3 (Aug. 1973): 470-489; Brian Hamnett, “Royalist Counterinsurgency and the Continuity of Rebellion: Guanajuato and Michoacan, 1813-20.” *The Hispanic American Historical Review* 62, no. 1 (Feb. 1982): 19-48. See also: Timothy J. Henderson, *The Mexican Wars of Independence* (New York: Hill & Wang, 2009).

⁶⁵⁰ *New York Tribune*, November 11, 1846.

⁶⁵¹ Quoted in: Nathan C. Brooks, *A Complete History of the Mexican War: Its Causes, Conduct, and Consequences: Comprising an Account of the Various Military and Naval Operations, from*

Many saw the potential for a long, drawn out, war similar to the U.S. conflict in Florida. “The Florida war is being acted over here again,” reported a correspondent for Baltimore’s popular *Niles’ Register* in September of 1846. “The ‘hawks of the chapparal’ like the Seminoles of the hammock, now infest every road and path to cut off the unwary.” It was true that many U.S. soldiers who wandered from their bases simply disappeared. “The ‘Guerrilla’ system of old Spain is commenced in the new world. The only consolation we have is that at this kind of warfare the Texans are equally good with the Rancheros, and we can put Capt. Walker against Roman Falcon.” Nevertheless, unlike the Spanish, the Mexicans still had not formally sanctioned guerrilla warfare on a national scale. The question in 1846 was whether they would.⁶⁵²

Since the outbreak of the war Americans were actively monitoring the Mexican press for signs of shifting military strategies. One anti-war newspaper wondered if Santa Anna would stay back and fortify the mining state of San Luis Potosi or attack Zachary Taylor’s army further north directly, and that if he should “adopt the guerrilla mode of warfare... Taylor will fare hard and suffer great loss.” The paper also included some advice to the Mexicans by stating that “a guerrilla system of warfare upon Taylor and a poor supply of provisions would melt off his army and conquer him, when all Mexico could not do it in one or two engagements.”⁶⁵³ From the beginning of the war into 1847, the question kept coming up: Would the Mexicans resort to guerrilla warfare to fight the Americans?

The Louisville Daily Courier’s editors, citing the same October *El Republicano* excerpt calling for Spanish-like resistance, claimed that they had “seen the same idea in some of our own papers.” The newspaper however, dismissed the idea of an insurgency in Mexico. “It is like a great many other military suggestions of closet warriors – a very good theory; but when examined, and tested practically, it will turn out a mere historical fancy – a delusion – a hasty dash of the pen.” The article skeptically added that “Mexico may be good country for guerrilla warfare, but the Mexicans will make very poor

Commencement to the Treaty of Peace (Philadelphia: Grigg, Elliot & Co., 1851), 157. “The Commander-in-chief of the Department of Tamaulipas to the troops under his command.” May 13, 1846.

⁶⁵² *Niles’ Register*, Baltimore, September 12, 1846. 71.022. (VTMP). Report from Matamoros August 18, 1846.

⁶⁵³ *The St. Johnsbury Caledonian*, Vermont, November 14, 1846.

guerrillas; they have not the right sort of stuff for this character.” In the United States pro- and anti-war newspapers jostled over Mexican capabilities vis-à-vis the Spanish. While there appeared to be similarities between the wars in Spain and Mexico – the Mexicans were facing a “very different” army than the French “who were so often cut off by the Spanish guerrillas in the Peninsular War.” In other words, the Americans were different because they had their own way of war:

This is just the kind of fighting, this light skirmishing, bush-dodging – these hand to hand squad to squad encounters, are the very cream of fighting for our boys. We will match the Americans against the whole world for irregular warfare – for the frontier, rough, roll and tumble fighting. Indian wars have afforded a constant exercise of these qualities, and developed them to the highest degree of skill and sagacity. If this guerrilla system is your only hope, Mr. *Republicano*, then you may as well “come down” and surrender, it is a settled question, and your republic, as you call it, “is” already “lost.”⁶⁵⁴

Despite the boastful taunts of the pro-war American press, the question was not settled. More prescient voices indicated they had “the fullest expectation of the most active guerrilla war” waged against the U.S., with the advantage of waging a defensive insurgency on their own territory. “Move where we will, the mountains and passes afford every facility to carry it on successfully and most disastrously for us. Our army, as now situated, can be compared to the French in Spain, when Joseph was driven out.” The theme of the Spanish war against Napoleon was repeatedly used because it was the most apropos example of the type of war in which the U.S. invasion and occupation of Mexico could potentially devolve.⁶⁵⁵

Most U.S. observers despite their political positions agreed that Mexican geography was well-suited to guerrilla warfare. Indeed, Mexico and Spain share geographic similarities. That precedent later played out over a long period in Mexican history – including the twentieth century.⁶⁵⁶ Large parts of Mexico are quite dry, and like Spain cannot sustain massive armies in many areas without adequate supplies of water. Furthermore, the

⁶⁵⁴ *The Louisville Daily Courier*, Kentucky, December 10, 1846.

⁶⁵⁵ *The American Citizen*, Canton, Mississippi, November 14, 1846.

⁶⁵⁶ Paul J. Vanderwood, “Response to Revolt: The Counter-Guerrilla Strategy of Porfirio Díaz.” *The Hispanic American Historical Review* 56, no. 4 (Nov. 1976): 551-579. “Burgeoning guerrilla movements have in this century overturned a succession of reputedly powerful and stable national governments, but few such collapses have been expected or so swiftly spectacular as that which in 1911 ended the long dictatorship of Porfirio Díaz.” (Ibid. 551)

Central Valley, where Mexico City is located, is similarly situated in a basin surrounded by mountains with access points from all directions. Complicating an invasion from Veracruz (as opposed to Texas) was the logistical difficulty of maintaining a supply of new soldiers needed to be escorted in from Veracruz to replace those whose enlistment periods expired. Since Veracruz was not adjacent to American territory, troops and other essentials such as weapons and communications needed to transit into the interior from the port city. The frontier from Texas to Mexico City was simply too inhospitable to attempt a large-scale invasion.⁶⁵⁷

Santa Anna demonstrated as much in early 1847 when he led a desperate march from San Luis Potosi to Saltillo to confront the U.S. Army and only 15,000 arrived out of 21,000 soldiers who departed. After that disaster, it became the opinion of General Andrés Terrés that the Mexicans should “follow the example of Spain, and never send back [forces] to these lands more than small batches of troops, who can carry with them the elements of life.” Equally important was General Julián Juvera’s observation that “the cavalry troops had no grain for the horses.”⁶⁵⁸ In other words, the northern border region was not conducive to supporting large armies but was ideal for guerrilla warfare. In addition, central Mexico, the most populous part of the country, was dotted with small towns and villages where partisans could rest and resupply themselves before or after striking the U.S. logistics line. Even today, isolated communities of indigenous Mexicans whose second language is Spanish live in this region.⁶⁵⁹

The mountains separating Veracruz from the capital are formidable. The Sierra Madre Oriental extends from the Rio Grande watershed in the north into the southern part of the country making it part of the American Cordillera – a transcontinental mountain chain extending north to south over the entire western hemisphere. The Sierra Madre Oriental’s 1000-kilometer length makes it a veritable wall separating the humid coast of Veracruz from the drier central plateau, which is roughly 1000 meters in elevation. The contrast is stark. The coastal plains are hot and rainy with palm trees and tropical fauna

⁶⁵⁷ Peter Guardino, *The Dead March: A history of the Mexican-American War* (Harvard University Press, 2017).

⁶⁵⁸ D. Antonio Lopez de Santa-Anna, *Apelación al buen criterio de los nacionales y extranjeros* (Mexico City: Imprenta Cumplido, 1849), 43.

⁶⁵⁹ Irving W. Levinson, *Wars within War: Mexican Guerrillas, Domestic Elites, and the United States of American, 1846-1848* (Fort Worth: TCU Press, 2005), 18.

while the higher elevations of the Sierra Madre contain pine-oak forests. The mountains of this region are similar to the Rocky Mountains – which like its U.S. cousin is home to black bears, cougars, golden eagles, and coyotes. The states straddling this mountainous region include Zacatecas, San Luis Potosi, Guanajuato, Queretaro, Hidalgo (est. 1869), Mexico, Tlaxcala (est. 1856), and Puebla. After descending into the Central Plateau, the pine forests give way to a transitional ecoregion, then to desert, and finally shrubland spotted with occasional oases more conducive to sustaining larger populations – including Mexico City.

Complicating the campaign in Mexico was the dreaded sickness known as *el vomito*, which inflicted thousands of unacclimated U.S. soldiers not only in Veracruz, but in New Orleans and other areas of the gulf. *Vomito* is yellow fever. Including other diseases such as malaria, typhoid, diarrhea, and dysentery, approximately seven times more soldiers died from diseases in Mexico than Mexican weapons. At the time, it was believed that northern soldiers simply could not acclimate quickly enough to the subtropical weather in the Gulf of Mexico. The Central Valley of Mexico was hot, but its elevation meant that diseases such as yellow fever and malaria could not survive. Although it was believed that the summer months in the lowlands of the gulf were simply too much to endure for thousands of dough-faced Americans from northern states, the reality was that those soldiers – unlike veterans of the Florida Wars, southerners, and Texans – had never been in a climate that supported yellow fever or malaria. Prescriptions on maintaining proper hygiene gave West Pointers and other formally trained soldiers an advantage over their peers when it came to preventable diseases (including abstinence from heavy drinking and illicit sex), but yellow fever and other tropical diseases represented an uncontrollable factor favoring a potential guerrilla war, and the Mexicans knew it.

INSURGENT PRECEDENT: MEXICO'S WAR OF INDEPENDENCE

The Mexican guerrilla war for independence began in 1810. While the *Gazeta del Gobierno de México* was relaying information about the guerrilla war against the French in Spain, Mexico itself was on the cusp of falling apart. Led initially by Mexican priest Miguel Hidalgo, the uprising broke out in Guanajuato in September of that year after some 20,000 rioting peasants and indigenous Mexicans stormed the city's Granary

Exchange building (*Alhóndiga de Granaditas*) and massacred three hundred Spanish loyalists and their families.

Leading the war against the insurgents was Viceroy Francisco Javier Venegas (1754-1838) and future viceroy General Felix Maria Calleja (1753-1828).⁶⁶⁰ According to Hugh Hamill Jr., both Venegas and Calleja “were the principal architects of the counterinsurgency.” Although the royalist leadership, including Venegas himself, had not been guerrillas during their tenure in Spain, they were well aware of insurgent tactics. “Viceroy Venegas had proved himself resourceful in meeting Hidalgo’s challenge and he would now draw upon his accumulated knowledge of guerrilla warfare gained fighting the French from 1808 and 1810.”⁶⁶¹ This historical background is important because it demonstrates not only long-term social disunity in Mexico, but contrasts what occurred in the same geographic region the Americans controlled while informing Mexican thinking regarding what an insurgency would entail.

Venegas first attempted to calm the situation by appealing to “patriotism of the motherland” and the “critical circumstances” caused by Napoleon. He also worked to mend animosities stemming from the rigid caste system in Mexico he believed had been exploited by Hidalgo and his co-conspirator, Ignacio Allende. “Will the opposition between Europeans and Americans survive?” He wrote in a pronouncement, “Will we continue to look at each other as enemies who have so many reasons to love and appreciate each other? Are we not all vassals of the same monarch?”⁶⁶² Venegas’ call for unity – along with similar appeals by the *Gazeta* to prevent the destruction of the “most beautiful throne in the world” – were ultimately ignored.⁶⁶³ Deep divisions among classes and races in Mexico was an important factor in the Mexican Revolution – divisions that were never resolved when the war with the United States began.

⁶⁶⁰ Venegas entered Mexico City (September 14) as the insurrection began. See: *Gazeta del Gobierno de México*, September 18, 1810 (No. 103), BNE-HD.

⁶⁶¹ Hamill Jr., “Royalist Counterinsurgency in the Mexican War for Independence: The Lessons of 1811,” 472-473, 478.

⁶⁶² Francisco Javier Venegas, “El virey de nueva españa a todos sus habitantes” September 23, 1810. (sammelband) Mexican Pamphlet Collection (MPC) (San Francisco: Sutro Library: California State University).

⁶⁶³ *Gazeta del Gobierno de México*, September 25, 1810 (No. 107), BNE-HD.)

One of the most powerful church officials in New Spain, the bishop of Michoacan Manuel Abad Queipo, swiftly excommunicated Hidalgo and Allende. The bishop warned, “I exhort and require... the people that he seduces... to return to their homes and forsake him within the third day immediately following the news of this edict, under the same penalty of excommunication.” Queipo looked to the newly arrived viceroy as a savior and wrote that Venegas; “full of military and political knowledge, energy and justification, will utilize our resources... for the conservation of tranquility” to defend the kingdom. Social disorder was widespread and the bishop appealed for class unity “in good faith, in peace... But in disunity and breaking the law, disturbing public order, [and] introducing anarchy, as claimed by the priest of Dolores... this beautiful country will be destroyed.”⁶⁶⁴

The bishop’s prediction of a bloody civil war was accurate. On early October Venegas began the task of organizing “patriotic battalions” and requested by proclamation that any Spaniard older than sixteen living in Mexico City, “as well as Americans and Europeans... come to enlist for such a praiseworthy and honorable destiny.” In addition to asking for enlistments, Venegas requested “individuals who have their own horse and inclination to do the cavalry service,” which generally included citizens sympathetic to maintaining Spanish rule.⁶⁶⁵

Besides General Calleja, Venegas enlisted the aid of another Peninsular War veteran, José de la Cruz. Cruz was granted the title of Field Marshal and tasked with eliminating Hidalgo and the other insurgent leaders José María Morelos and Ignacio Rayón. Cruz worked diligently under Venegas and Calleja, and by all accounts was cruel because he applied methods learned from the French in Spain to terrorize Mexican rebels. Lucas Alamán, a royalist politician and historian who tried to reinstall monarchy in Mexico prior to the U.S. invasion, wrote that Cruz was “severe, having seen in Spain the atrocious mode in which the French worked against the so-called insurgents, and against the guerrillas, [and] he wanted to employ the same system of terror.”⁶⁶⁶

⁶⁶⁴ *Ibid.* September 28, 1810 (No. 112). BNE-HD. The Bishop of Michoacan wrote that revolution “seduces the towns” and that his excommunication was published at Venegas behest “in the *Gazeta de México* which is the newspaper that circulates the most.” Valladolid, September 24, 1810.

⁶⁶⁵ *Ibid.* October 5, 1810 (No. 117). BNE-HD

⁶⁶⁶ Lucas Alamán, *Historia de Mexico con una noticia preliminar del sistema de gobierno que regia en 1808 y el estado en que se hallaba el país en el mismo año*, Vol. 2 (Reprint: 1849) (Mexico City:

Indeed, the Spanish learned first-hand from the French. Venegas implemented “a police system similar to the one that Napoleon had established in France.”⁶⁶⁷ For example, in Huichapan, a town connecting Mexico City to Queretaro and Guanajuato, Venegas enacted strict martial law codes to suppress rebellion and block access to the capital. The codes consisted of thirteen articles, some of which included: the right of patrols to fire upon groups consisting of more than six people, curfews enacted where those in violation without “express permission” would be arrested, and regulations forbidding people to leave their homes. “That in case of alarm, any neighbor that comes out of his house will be reputed as rebellious, because in such a circumstance, all must remain still and within them without leaning out of the windows.” In addition, it was expressly forbidden to own or carry a weapon, “of whatever kind,” and that if found they would be considered in rebellion and subject to death. Spanish authorities also implemented a passport system used by the French in Spain. “Likewise, anyone who walks without a passport will be considered an enemy,” and all were required to explain where they were going, for what reason, and for what duration of time. The laws gave officials the power to “arrest every stranger who without a passport... transits his jurisdiction.” Any person or community giving aid to the enemy was considered in violation of the law. Those violations included “gifts to the rebels, food, money, horses, chairs, or anything else used in war, or even news, or anyone involving the least amount of trade, whether they be parents, children or brothers, will be considered an enemy by the king's troops.”⁶⁶⁸

The royalist counterinsurgency codes were strict and mimicked the oppressive system that Napoleon adopted in Spain. They also worked to make citizens responsible for *not* informing authorities of “meetings of rebels” lest they “be reputed as enemies of the fatherland.” The codes forbade “secret assemblies” to be held in homes, and anyone who did not inform authorities of any such meetings was considered in violation. Neighbors were ordered to inform on neighbors if any suspicious activity was seen or

Victoriano Agüeros y Comp., Editores, 1884), 56. Cruz was later mayor of New Galicia and president of the Audiencia of Guadalajara.

⁶⁶⁷ *Ibid.* 181.

⁶⁶⁸ *Gazeta del Gobierno de México*, November 27, 1810 (No. 140), BNE-HD.

heard.⁶⁶⁹ Many of the same martial law provisions enforced in Huichapan were implemented by Callejas in Mexico City in early 1811. This included the passport system. Official entry into the city was severely restricted and “Indian bearers who brought goods into the city were specifically included.” According to Hamill, hundreds of Mexicans in violation of the martial law orders imposed on Mexico City in late 1811 were brought before the *Junta de Seguridad y Buen Orden* – a tribunal of “ruthless efficiency” that took on a life of its own after the revolt turned violent in late 1810. “The zeal of the tribunal in its efforts to ferret out suspects and convict them on flimsy evidence made it another engine of royalist control.” Royalist proscriptions designed to pacify the population were subsequently enacted in other regions of Mexico.⁶⁷⁰

After Hidalgo and Allende were captured and executed, José María Morelos and Ignacio Rayón took over the rebellion. The two worked together to create what had previously been a mob under Hidalgo into something more tangible and difficult to suppress. Lucas Alamán wrote that “the system followed by Morelos, which consisted in not amassing people (like Hidalgo) in crowds of useless and disarmed people... made the resistance more secure and attacking easier, as well as moving units that were less numerous and better disciplined.”⁶⁷¹ The guerrillas recognized that the royalists needed the main roads (the most important being the Veracruz-Mexico City highway) for logistics and commerce, and targeted them. Jalapa, the gateway through the Sierra Madre, thus came under insurgent control for a period and the “coast of Veracruz burned alive” with guerrilla attacks.⁶⁷² Not surprisingly, this region became an important flash point for guerrilla warfare during the Mexican-American War.

⁶⁶⁹ *Ibid.* Martial law codes issued November 22. Cruz did offer amnesty to some of the rebels. See: *Gazeta Extraordinaria del Gobierno de México*, January, 4, 1811 (No. 3) BNE-HD. The *Gazeta* changed its name late November, 1810.

⁶⁷⁰ Hamill Jr., “Royalist Counterinsurgency,” 482. Hamill quotes Bustamante’s citation of an April 18 letter from Cruz to Calleja. “We are going to spread terror and death everywhere so that not a single perverted soul remains in the land... so that these bandits know it means war or death.” (*Ibid.* 483). See also: Carlos Maria de Bustamante, *Campañas del General D. Felix Maria Calleja, comandante en jefe del Ejercito real de operaciones, llamado del centro* (Mexico: Aguila, 1828), 107.

⁶⁷¹ Lucas Alamán, *Historia de Mexico*, 252. Alamán was critical of Hidalgo’s leadership. “The large scale of military employment of the Spanish system was not enough, and the unknown titles of ‘colonel de colonels’, and ‘brigadier of brigadiers’ were created. ...there were scarcely six or seven thousand men who could be called soldiers.” (*Ibid.* 68)

⁶⁷² Bustamante, *Campañas del General D. Felix Maria Calleja*, 129. The Mexican Royal Road, which ran from Mexico City to Valladolid (Morelia) in Michoacan, was targeted by the insurgents.

Another powerful church official, the Archbishop of Puebla Manuel Ignacio González del Campillo, tried to bring about a reconciliation between the two sides. Like his colleague Bishop Queipo, González was critical of the insurgency. In 1811 he wrote Venegas that it pained him to see the factions “causing so much serious damage, and that he understood that the government needed “to persecute” the insurgents. “On the other hand,” the bishop noted, “I see that this system, necessary after peaceful means have not had good effect, will increase the greatest evil of this kingdom...” Venegas responded promptly to the bishop: “I would much prefer to continue my profession on the peninsula, fighting with the knowingly wicked enemies of the motherland, and those who have no bonds of blood, or common origin...”⁶⁷³

González penned a manifesto addressed to the insurgents. The manifesto was an attempt to get them to lay down their arms. [T]he system of this insurrection is hostile, spills blood, and causes general disorder in the Kingdom of Mexico.” González believed that the continuation of the war was ripping apart the fabric of Mexican society. “The mortal blows which the insurgents suffered in their many defeats, and the evasion of the first leaders, produced the division of those forces into many factions,” he wrote, while “the government has not had at its disposal the necessary forces to go to all points of this vast kingdom, and the incentive of theft is very powerful” among the insurgents. Ultimately, royalist unwillingness to address the root causes of the revolution meant that mediation between the two sides had become impossible. In the end, even the bishop gave up on finding common ground. “The captains of the gangs are men without principles, without instruction, and without morals. Some are known thieves since before the insurrection, and other murderers...”⁶⁷⁴

While the guerrilla war for independence intensified, Venegas, Calleja, and Cruz implemented other counterinsurgency initiatives. Some of these measures would later inform the Mexicans when attempting to organize a guerrilla war against the Americans. The initiatives included regionally specific plans to arm citizens in various towns and cities, maintain armed “companies of fifty men” in larger haciendas, and require

⁶⁷³ Manuel Ignacio González del Campillo, *Manifiesto del excelentísimo e ilustrísimo señor obispo de Puebla con otros documentos para desengaño de los incautos* (Mexico City: Impresa en casa de Arizpe, 1812). BNE: Sede de Recoletos 3/480. (Código: 1001161979), pp. 27-28, 33. Both letters dated September 10, 1811.

⁶⁷⁴ *Ibid.* BNE. 78, 2-3.

hacienda companies “to patrol the roads and report to the urban commanders” if they encountered insurgent activity. Hacienda owners – *de facto* chieftains of economic and political activity in their respective locales – were generally either Spaniards or *criollos* aligned with the crown. Hamill notes that the key to understanding the effectiveness of the counterinsurgency program implemented by royalist forces lay in the provincial tendencies of Mexico. Like Spain, Mexico was administered for generations by states and regions, and therefore any “attempt to explain how the rebellion was contained must acknowledge regionalism.”⁶⁷⁵ Regionalism as a strong persevering facet of Mexican society later played an important role in the war with the United States.

Understandably, U.S. reporting on the royalist counterinsurgency in Mexico was overshadowed by the war with Britain that began in 1812. Prior to the British burning the American capital in August of 1814, one southern newspaper took an aerial view of a war that had rocked two continents. “We now witness the most momentous crisis, which the history of man has ever furnished,” the article began, “we behold her plains reddened with the blood of innocent inhabitants: the fate of kingdoms and empires is at this moment suspended by mere threads...” Predictably, the newspaper held a U.S. perspective on the revolutionary cause because “whether a Bourbon, Braganza or a Bonaparte reign in the peninsula of Spain, is of very little importance to us, but on crossing the Atlantic this revolution changes its character, as it relates to the United States...” American anathema to monarchy in the Americas and Mexico would persist as a factor in the Mexican-American War.⁶⁷⁶

With victory over the French in Spain assured by the spring of 1814, it was assumed that the Spanish would enlist veteran soldiers to put down the rebellions in the Americas. Some speculated that victory over the French in Spain portended disaster for

⁶⁷⁵ Hamill Jr., “Royalist Counterinsurgency,” 478-9, 473. Royalist leadership employed public executions and anti-guerrilla propaganda. Themes such as patriotism, defiance to Napoleon, the *dos de mayo* anniversary, and even an apparent “retraction” by Miguel Hidalgo (*Gazeta* Aug. 3) before his execution were used. “We must imagine, furthermore, how such common themes as the French threat, the spectre of class war, fear of agrarian reforms, and the promises of the Cortes of Cadiz were manipulated in those exhortations, sermons, rumors... have been lost over time. Propaganda was clearly a vital aspect of the total counterinsurgency effort.” (Ibid. pp. 484-8). See also: Carlos Herrejón Peredo, “La revolución francesa en sermones y otros testimonios de México, 1791-1823,” chapter in *La revolución francesa en México* (Mexico City: Colegio de Mexico, 1991).

⁶⁷⁶ *The Mississippi Free Trader*, Natchez, February 23, 1814.

the republican revolutionaries in the colonies. “The Spanish Patriots of Mexico, Venezuela, &c. will probably find their hopes most cruelly blasted, and all their efforts and suffering to obtain the blessing of self-government totally lost and miserably frustrated.” With the French threat reduced, the Spanish focused on preserving the empire. “Spain, made a military nation by her long and inveterate war, has [an] abundance of troops to spare for the re-establishment of her former Vice-royalties in the new world.”⁶⁷⁷ Almost a year later, *The Evening Post* printed a report from occupied Paris (where Winfield Scott was at the time) indicating a “continuation of unexampled horrors and acts of cruelty in Spanish America; and every account concurs in stating; that the civil discord rages with unabated fury.” After what the French had done to captured Spanish guerrillas, the words took on a hypocritical tone. “In Mexico Venegas by a public decree enacted that all insurgents were to be instantly shot and only allowed time to say a short prayer... the consequence has been, that thousands of Indians and Creoles have been put to the sword in cold blood, in exactly the same manner as Cortez did.”⁶⁷⁸ Royalists like Venegas, however, could have easily argued that on the peninsula the guerrillas were defending their country from the invaders. Mexico, on the other hand, was a civil war. Regardless, heavy handed tactics used by the royalists in the Mexican revolution remained a bitter legacy the Americans were willing to exploit when the war began.

1815 was indeed a turning point for royalist momentum. By that time the leadership under Viceroy Callejas even “began the process of expelling insurgent forces from the fringes of the central plateau.”⁶⁷⁹ For some time it appeared that New Spain would remain securely within the Spanish empire. Nevertheless, despite being decimated, resistance continued in other regions of the country and a long war of attrition (not unlike the guerrilla war in Spain) continued. It was a struggle inspired in part by the same authorities who claimed to be oppressed by the French. Venegas articulated as much in a public announcement in 1811 declaring that “our brothers of old Spain have

⁶⁷⁷ *Lancaster Intelligencer*, Pennsylvania, July 2, 1814. The British burned Washington D.C. August 24, 1814.

⁶⁷⁸ *The Evening Post*, New York City, May 6, 1815. Source from Paris February 18, 1815.

⁶⁷⁹ Brian Hamnett, “Royalist Counterinsurgency and the Continuity of Rebellion: Guanajuato and Michoacan, 1813-20.” *The Hispanic American Historical Review* 62, no. 1 (Feb. 1982): 19.

constantly and bravely fought against the oppressive tyrant of the continent of Europe Napoleon Bonaparte, and the intruder Joseph...”⁶⁸⁰

In the end, the tactics employed by the Spanish to maintain their grip on Mexico alienated a native and mestizo population which increasingly turned to guerrilla warfare to achieve their goal of separation from Spain. The “system of war that Calleja rightly believed could be so unfortunate,” conservative historian Lucas Alamán recalled, “was that which the independents adopted... in the last period of the revolution” for independence.⁶⁸¹ In other words, the Mexicans utilized the same mode of warfare that liberated Spain from Napoleon, and they would invoke both struggles in the future war against their northern neighbor.

SANTA ANNA, THE “PLAN”, AND DELAYING “THE ONLY MEANS LEFT”

Some observers demanded the Mexicans utilize the Spanish system even before the advent of the “North-American” invasion. One of those advocates was Juan de la Granja, a wealthy merchant-diplomat who first emigrated to New Spain in 1814 before founding the first Spanish language magazine (*Noticioso de Ambos Mundos*) in New York City in the late 1820s. Mexican officials took notice of La Granja’s advocacy for their country, and after appointing him Vice Consul in New York, was promoted to Consul General when the position became available in 1842. Having spent nearly twenty years living in the United States, La Granja was strategically placed to see the billowing clouds of war and gauge American sentiment. La Granja believed that to understand the country “it is necessary to be here many years, study it well in all its aspects, undergo many vicissitudes, and experience difficulties.”⁶⁸²

Sometime after arriving in Mexico La Granja befriended Santa Anna, and later in the spring of 1844 wrote to him warning the *generalissimo* that Mexico would eventually have to teach the Americans (who were “ambitious without bounds”) some “hard

⁶⁸⁰ Venegas, Francisco Javier, March 19, 1811. MPC, Sutro Library (CSU).

⁶⁸¹ Alamán, *Historia de Mexico*, 378.

⁶⁸² *The Washington Union*, October 18, 1847. Letter from Lan Granja to Santa Anna, New York City, May 7, 1844. The letter “was taken from the hacienda of Santa Anna, after the battle of Cerro Gordo.” Once the war began, La Granja returned to Mexico

lessons” in the looming conflict. “To do this, it is only necessary to prepare yourself to maintain an endless war against this country.” Like other advocates of Mexican resistance, La Granja noted how the “Russians burnt Moscow, and saved the empire. Moscow is now flourishing, and Napoleon terminated his days sadly at St. Helena.” He claimed that the Americans had “the greatest contempt” for the Spanish race, and advised Santa Anna that a guerrilla conflict would need to be long:

Let the people retire from the coasts with all their cattle and effects; and let them guard the mountain passes, continually surprising from thence those who land on the shores, and the climate will do the rest. ...let an army of 20,000 regular troops be planted in Texas... who will act as guerrillas; let both these forces retire to safe positions whenever the enemy advance in large numbers, merely endeavoring to fatigue them by continual marches and countermarches, ...we can imitate the example of Fabius... so that the Mexican army may be preserved intact, and the war may last as long as the one between the Spaniards and the Moors...⁶⁸³

However, like Winfield Scott, Santa Anna was a conventional military officer who did not officially sanction guerrilla warfare, much less promote it so long as a formal army existed. Santa Anna was the figurehead upon which all Mexicans placed their hopes to beat the Americans. Although controversial because he was politically nebulous, Santa Anna seemed to be the only figure capable of uniting a fractured Mexican polity during the critical period. For this reason, his political opponents hoped a united opposition to the U.S. Army would supersede the centrifugal tendencies plaguing Mexico in the years and months prior to the invasion.⁶⁸⁴

In the summer of 1846, after President Mariano Paredes (1797-1849) was ousted by federalists (*Puros*) José Mariano Salas and Valentine Gómez Farías, Santa Anna returned to Mexico from exile in Cuba. Themes of unity and patriotism were relentlessly invoked by Mexicans during this critical phase. Many may not have liked the *caudillo* from Veracruz or his changing political positions, but they knew for certain that he disliked the idea of Paredes’ monarchist leanings. For as long as anyone could remember, monarchism and its main ally, the Catholic Church, constituted a powerful third political faction in Mexico behind the centralist *Moderados* and federalist *Puros*.

⁶⁸³ *Ibid.*

⁶⁸⁴ See: Will Fowler, *Santa Anna of Mexico* (Lincoln: University of Nebraska Press, 2007). Santa Anna was president of Mexico six separate times epitomizing the volatile *caudillo* period.

The fact that Emperor Maximilian I, an Austrian Hapsburg, was installed in Mexico 1864 is evidence of the persistence of monarchism even after the war. Not long ago, Pedro Santoni, in his 1996 work, *Mexicans at Arms*, wrote that the “*Puros* and *Moderados* had no choice but to set aside their political differences to resist the monarchist threat posed by Paredes’ regime.” In this regard, Santa Anna was not only needed for his military skills he was needed to bridge the political divide keeping Mexicans from mounting an effective defense. Despite their efforts, the open hostility between the two main political factions, along with the ever-present threat of monarchist machinations, was a key factor preventing the Mexicans from acting in unity against the Americans.⁶⁸⁵

When Salas and Farías seized the presidency and vice-presidency August 4, 1846, they accused royalists of deceiving Mexico by “gathering an anti-popular congress, in whose bosom the traitors who want... a foreign king.” The new leadership also claimed to have formulated a plan to unify “the people and the army,” – an ever-elusive goal due to counterproductive political intrigues, centrifugal provincial tendencies, and complicated relationships between state and federal armies. In short, they rallied behind “the man of Tampico and Veracruz” because he was their last hope of repelling the invaders and unifying the polity. “Soldiers! Victory or a glorious death awaits us on the banks of the Bravo.” The *pronunciamiento* ended, “Let's march to the border to defend independence... Long live national independence!!! Long live the popular republican system!!! Long live the people and the army!”⁶⁸⁶

⁶⁸⁵ Pedro Santoni, *Mexicans at Arms: Puro Federalists and the Politics of War, 1845-1848* (Fort Worth: Texas Christian University Press, 1996), 111. The *Puro* and *Moderado* rivalry entered a turning point in early 1847 when five Mexican National Guard regiments, in support of the Catholic Church against efforts to tax it for the war, rebelled in Mexico City demanding the resignation of Farías. See: Michael Costeloe, “The Mexican Church and the Rebellion of the Polkos,” *The Hispanic American Historical Review* 46, no. 2 (May 1966): 170-178. For a look at Maximilian, see: Joan Haslip, *The Crown of Mexico: Maximilian and His Empress Carlota* (New York: Holt Rinehart, and Winston, 1971); M.M. McAllen, *Maximilian and Carlota: Europe’s Last Empire in Mexico* (San Antonio: Trinity University Press, 2015). Maximilian was installed at the height of the U.S. Civil War, and many Confederate guerrillas, including General Joseph Shelby, fled there. See: Andrew F. Rolle, *The Lost Cause: The Confederate Exodus to Mexico* (Norman: University of Oklahoma Press, 1992).

⁶⁸⁶ Salas and Farías pronouncement from Mexico City, August 4, 1846. University of St. Andrews Pronunciamiento Project (USAPP), Mexican War Pronunciamientos. “The three-year project on ‘The Pronunciamiento in Independent Mexico 1821-1876’ was funded by the AHRC (Arts and Humanities Research Council) (2007-2010).” Professor Will Fowler of St. Andrews University led the project.

The “Plan of the Citadel” (*Plan de Ciudadela*) was pronounced to a Mexico eager for action and unity. Considered a “national movement” by its federalist proponents, the plan recognized Santa Anna as “general in chief of all the forces committed and determined to fight for the nation...” The plan was subsequently supported in a series of separate pronouncements from the key central states of Puebla (August 6), Guanajuato (August 8), and San Luis Potosi (August 9). Article 5 was especially important because it spoke to efforts to confront U.S. forces conventionally. “The existence of the army is guaranteed, assuring that it will be attended and protected as befits the meritorious military class of a free people.”⁶⁸⁷ The plan therefore expressly protected the established military system that the new government needed for political support. San Luis Potosi’s leaders concurred with Salas – an important endorsement because the Mexican Army’s long march north to confront Taylor’s army in 1846 began from that city:

The garrison of San Luis Potosi supports... the plan of freedom and regeneration that the Honorable Mr. General in Chief Mr. Mariano Salas and the other chiefs and officers and citizens proclaimed in the Citadel of Mexico on the 4th... so that the Mexican Republic is saved, both from the imminent dangers of foreign invasion and the anarchy and dissolution that brings with it fierce civil discord.⁶⁸⁸

In rallying around Santa Anna, Mexican leadership stymied calls to organize a guerrilla movement. There were guerrilla groups actively working in northern Mexico in 1846, but they had not received official sanction. On August 16, Santa Anna himself submitted his own manifesto calling for unity “from its internal and external enemies.” He proclaimed his faith in republicanism and lambasted those who attempted to “fortify the nation by means of a monarchy with a foreign prince...” Although Santa Anna did not abide La Granja’s advice on employing guerrilla warfare, he utilized the factor of “race” by appealing to “the great Hispanic-American family” – a rhetorical tool frequently used by Mexican leaders to bolster unity among the country’s disparate classes. Lastly, Santa

⁶⁸⁷ *Ibid.* “Plan of the Citadel,” Mexico City, August 4, 1846. (USAPP)

⁶⁸⁸ *Ibid.* “Declaration of the garrison of San Luis Potosi,” August 9, 1846. (USAPP). In late August Salas attempted to bolster a civic militia, which the Mexico City papers supported because they thought “it would allow Mexico to organize a more effective resistance against the United States.” Sala’s ordinance “became law on September 11, establishing the civic militia in Mexico’s states, districts, and territories. The victory proved to be fleeting, as the strife between the *Puros* and *Moderados* soon found its way into this military force. Civic militia units became divided along partisan and social lines, and the *cívicos* turned into yet another pawn of the factional struggle.” (Santoni: *Mexicans at Arms*, 140)

Anna vowed to continue the revolution begun in 1810 by invoking the names of Hidalgo and Morelos.⁶⁸⁹

Any anti-war skeptics in the U.S. press aware of Santa Anna's manifesto would have immediately known that it was not his intention to "adopt the guerrilla mode of warfare," but instead fight U.S. forces in a pitched battle.⁶⁹⁰ The first major battle, however, took place without him after General Pedro de Ampudia disobeyed Santa Anna's orders and engaged the Americans at Monterrey on September 21. According to the casualty numbers, the battle was technically a draw but the inability of the Mexican Army to hold the city reduced morale. As a result many Mexican soldiers deserted and resorted to guerrilla warfare. Santa Anna's own chance for victory came on February 22 near Saltillo. However, after a grueling march north from San Luis Potosi beginning in late January, a severely weakened army of roughly 15,000 men was defeated by a force led by Taylor that never amounted to more than 5,000 soldiers. The battle of Buena Vista was a stunning catastrophe for the Mexicans and further contributed to the demoralization of Mexico's soldiers and officers.

According to Ulysses S. Grant, Taylor's surprise victory at Buena Vista made Scott's approach to Mexico City much easier because Santa Anna used the same demoralized army to defend the pass at Cerro Gordo. Low morale was not the only factor affecting the performance of the Mexican soldiers. According to Grant the soldiers were extremely exhausted. In other words, Santa Anna and the Mexican army confronted Taylor in northern Mexico, and then re-crossed the desert to "get back in time to meet General Scott in the mountain pass west of Vera Cruz." Grant correctly believed the long march constituted "a distance not much short of a thousand miles..."⁶⁹¹ With roughly fifty-five days between engagements, the march from Saltillo to Cerro Gordo required nearly 30 kilometers of marching per day – an extremely difficult pace in a tough environment for an already weakened and demoralized army.

⁶⁸⁹ *Ibid.* "Manifiesto of General Santa Anna," Veracruz, August 16, 1846. (USAPP).

⁶⁹⁰ *The St. Johnsbury Caledonian*, Vermont, November 14, 1846.

⁶⁹¹ Ulysses S. Grant, *Personal Memoirs of U.S. Grant*, Vol. 1, 133-134. 1000 miles is approximately 1,600 kilometers.

The turning point in Mexican calls for guerrilla warfare occurred after the battle of Cerro Gordo on April 18, 1847. As Grant noted, the location of that battle was a strategic position in the foothills of the Sierra Madre Oriental west of Jalapa. Even after the U.S. Army landed at Veracruz, many Mexicans believed the Americans could be defeated before they ascended the hills separating the coast from Mexico City. Twelve days before the battle, *El Monitor*'s writers asked themselves if they should abandon conventional tactics and utilize the basic advantages the terrain afforded to the defenders. "Shall we continue this mode of defending our country in preference to selecting innumerable mountains, the passes, the cliffs, which the invaders must traverse before they reach the capital of this great republic?" Indeed, Cerro Gordo appeared to be the perfect place to stop the U.S. advance, but at the same time the Mexicans wondered if the constant defeats were worth "keeping up this disastrous system" of defensive war.⁶⁹²

Despite U.S. forces outnumbering the Mexicans, the odds were against them. The approach to Cerro Gordo was uphill, which gave the Mexicans an obvious advantage in defending an entrenched position from a higher elevation. When U.S. forces flanked the Mexican positions through a combination of surprise and superior skirmishing, Santa Anna and his army panicked and fled. The battle was a complete rout. Only a few hundred U.S. soldiers were killed and more than three thousand Mexican soldiers were taken prisoner. Many exhausted Mexican soldiers simply could not run or decided to take their chances as prisoners of war with the Americans rather than be reintroduced into the Mexican Army. With the pass into the Sierra Madre cleared, Puebla and the gates to the Mexican capital were further opened.

The reaction to Cerro Gordo from the Mexicans was swift. Three days after the debacle, former president Salas, recently promoted to division general, issued a proclamation published in *El Monitor* calling for guerrilla war and additional enlistments from "brave" citizens:

I have obtained permission to raise a guerrilla corps, with which to attack and destroy the invaders, in every manner imaginable. The conduct of the enemy,

⁶⁹² *Weekly National Intelligencer*, Washington DC, May 15, 1847. Excerpt taken from *New Orleans Delta* quoting from *El Monitor*, Mexico City, April 6, 1847.

contrary both to humanity and natural rights, authorizes us to pursue him without pity... *War without pity, unto death!* will be the motto of the guerrilla warfare of vengeance.⁶⁹³

Talk of Zaragoza-like resistance aside, Mexicans had enough of pinning their hopes on Santa Anna. Puebla's *Regenerador Republicano* came out a couple days later with an article titled "The Guerrilla System." They lamented the "disasters suffered" while adding that "no one doubts" that the U.S. Army could make its way to Mexico City. That Puebla would soon become the next city under U.S. control was on the minds of Mexicans. That "sad and desolate" reality, they asserted, "under the iron rod of the conqueror," had caused widespread national demoralization. According to them there was only one mode of warfare remaining to challenge the Americans. "[T]he guerrilla system... is the only means left to us of salvation: this is the dominant thought, quite enunciated by the periodic press and adopted with general approval, consequently, it is undoubted that within a few days the insurrection will be established..."⁶⁹⁴

The newspaper also admitted that "guerrillas can cause harm to the natives of the country," which was a negative but tolerable effect of that system of warfare. However, taken in total, the article affirmed that "the consequent evils of the guerrilla system can be avoided as far as possible, by regulating them, by making leaders capable of containing abuses and acting with prudence and order." It was argued that the negative aspects of unleashing a national insurgency was worth it if it entailed victory. After all, what were they when compared to "the immense evils that would weigh on us... and admitting treaties of a peace so disadvantageous, vile and humiliating for ourselves..."⁶⁹⁵

All corners of the country discussed the military situation. The Poblanos (people of Puebla) argued that the U.S. Army of about 10,000 soldiers was nothing more than a "compact and momentary force" incapable of occupying all of Mexico. Therefore U.S. forces could "only dominate the ground that it covers, and not a span more." This assertion was essentially true. The reality of the small American force size was

⁶⁹³ HED No. 60, p. 951. (LOC). Extracts from *El Monitor*, April 21, 1827.

⁶⁹⁴ *Diario del Gobierno*, May 2, 1847 (No. 51), BNE-HD. *Regenerador Republicano* (Puebla), April 24, 1847.

⁶⁹⁵ *Ibid.* BNE-HD.

contrasted with the previous revolutionary insurgency, where “the Spaniards, whose moral and physical strength extended to the darkest corners of the colony” of New Spain. Furthermore, the *Republicano* noted that the Americans had only two routes to arrive at the Mexican capital, and therefore the theater of war was predictably contained within those areas. In other words, “the guerrillas have nothing to fear in the transit outside those roads where the enemy leads its force en masse.” With the aid of towns near this line and support of the national polity, guerrillas, fighters “accustomed to fatigue,” could “form a fierce legion and make a decisive blow” against the invaders. To many Mexicans, this approach seemed to make sense when examined within the historical context of the long, drawn out struggle for independence against the royalists.⁶⁹⁶

“LET US IMITATE OUR FATHERS”: ADAME, OCAMPO, AND THE SPANISH SYSTEM

Meanwhile in San Luis Potosi, a new governor, Ramón Adame, came to power in early 1847 by criticizing the way national officials had thereto conducted the war. Prior to Santa Anna’s failed northern campaign, that state – a gold and silver mining hub strategically straddling both the northern and central theaters of the war – tacitly supported the Plan of the Citadel and the conventional military efforts with supplies and (often reluctant) conscripts. With the defeat at Monterrey in hindsight, the citizens of San Luis elected Adame, who vowed “to save the national honor” by making “San Luis an example of patriotism” for the rest of Mexico to follow.⁶⁹⁷ The defeat at Buena Vista in February and the disaster at Cerro Gordo in April crystallized the governor’s outlook on the war and the way he believed his state should contribute to it. In essence, Adame jettisoned the ineffectual and squabbling national polity in favor of a more localized war designed to protect his state from a potential Yankee invasion.

Governor Adame’s embracing of guerrilla warfare was informed by the Spanish war against the French. Ten days after Cerro Gordo the San Luis Potosi governor issued a decree for a “*levantamiento*” or uprising of “detached or free guerrilla bodies” of

⁶⁹⁶ *Ibid.* BNE-HD.

⁶⁹⁷ Manuel Muro, *Historia de San Luis Potosi*, Vol. 2 (San Luis Potosi: M. Esquivel y Cía, 1910), 419. Letter from Adame to Santa Anna, January 23, 1847. Santa Anna asked the governors to fill the ranks of his army prior to marching north. The conscriptions were hated by the lower classes, and many soldiers defied the orders or deserted.

soldiers. Adame's outline of how an insurgency might be conducted contained forty-six articles divided into four sections. Staying loyal to his constituency, Adame ensured that enlistments in the guerrilla bodies would be "absolutely voluntary" and that those who served would be "exempt from the service in the army or national guard". Article 5 guaranteed former deserters freedom from "any or all penalties or prosecutions on behalf of the state if they enlisted in the guerrilla service for the permanent duration of the campaign." This was important because multitudes of soldiers deserted the army after returning from the northern campaign.⁶⁹⁸

Troop size of the insurgent units was also considered. The minimum size group was set at twenty-five men, with the option of enlisting with or without horses. Adame promised that the state of San Luis Potosi would supplement any missing or needed materials. Incentives were issued for unit organizers, reflecting the more merit-based system employed by the Spanish that rewarded effective guerrillas. "A guerrilla boss that organizes a group of between eighty and one hundred men will be considered a captain," fifty and seventy-man groups would be led by lieutenants, and groups less than fifty men would be led by second lieutenants. Each unit leader was required to demonstrate "political authority" and the confidence of their respective subordinates, and each unit was required to have two horsemen for dispatching communications to the central authorities. Furthermore, the bodies had "no limiting demarcation of territory" other than the state's borders – since the governor's political authority was limited to San Luis Potosi state. The regulations also allowed guerrilla leaders leeway during holidays, and the units were subject to monthly inspections.⁶⁹⁹

Moreover, Adame borrowed key aspects of the Spanish Junta's *Curso Terrestre*. For example, "intercepting correspondence" and handing it over to authorities was one the

⁶⁹⁸ Ramón Adame, "Considerando, que en consecuencia de los últimos acontecimientos de la campaña, puede ser invadido el territorio del Estado por las fuerzas de los Estados-Unidos al mando del general Taylor" (1847). *Dupee Mexican History Collection BroadSides*. Brown Digital Repository (BDR) (Providence, Road Island: Brown University Library). Articles #3, #4, #5. See also: Levinson: *Wars within War: Mexican Guerrillas, Domestic Elites, and the United States of American, 1846-1848*, 34-35. On the same day (April 28) interim (April 2-May 20) Mexican President Pedro Anaya issued a call for partisan warfare. The Anaya *reglamento* calling for the formation of Light Corps consisting of 50-soldier units is often cited as proof of the federal government's support for guerrilla warfare. The brevity of Anaya's term in office undermined the call, and little long-term federally supported guerrilla resistance took place.

⁶⁹⁹ *Ibid.* Articles #9, #10, #11, #14, #13, #17.

“objectives of the guerrillas” outlined in Article 18. Intercepted correspondence was not monetized, as the Spanish had done, but Article 33 outlined incentives for seizing the enemy’s goods, which were considered the spoils of war:

Everything a guerrilla group takes from the enemy, whether it be money, effects, food, horses, beast of burden or cargo, weapons or armaments of whatever class, or munitions, will be considered war booty and distributed among the victims, guerrilla bosses, officials and soldiers...⁷⁰⁰

The regulations also offered some practical tactical advice for guerrilla units. Some advice included “not rushing an invading army while on its main lines, never charging organized masses or columns,” and always ensuring a safe retreat. The units were encouraged to “confuse the enemy with false movements,” “sow discord,” “foment desertion,” and “strike fear with surprise attacks.” Article 23 expressly forbid the killing of prisoners, which was one of several possible offenses. American prisoners were required to be handed over to regional authorities.⁷⁰¹

One of the local bosses in San Luis Potosi who answered Adame’s call to arms was Paulo Verástegui. Verástegui was the son of Basque immigrants who settled the hacienda of San Diego outside of Rioverde shortly after war broke out with France on the peninsula. The family-owned hacienda, located on the road between the coastal city of Tampico and the capital, San Luis Potosi, became the focal point of the community. In May, Verástegui issued a public invitation to form a guerrilla *partida* at his expense:

The undersigned owner of the farm of San Diego and other farms in the district of Rioverde, is organizing a guerrilla [unit] against the invader, and invites the tenants... to join with him to form a guerrilla of volunteers that, when the situation arrives, will harass and persecute the American army, and wage tenacious and continuous war in just defense...⁷⁰²

Verástegui’s paternalistic invitation consisted of seven points made with the interests of the local community in mind. For example, the first article suspended all rents on homes and animals for the duration of the war, which was a major incentive for tenants to

⁷⁰⁰ *Ibid.* Articles #18, #33.

⁷⁰¹ *Ibid.* Articles #20, #22, #24, #23. Guerrilla leaders were tasked with “requesting from cities, towns, haciendas, and ranches with the state... the material necessary to facilitate movements, which consist of horses, arms, munitions, money, saddles, and other objects of service, and sustenance for the soldiers and forage for the horses.” (Article #27)

⁷⁰² Muro, *Historia de San Luis Potosi*, Vol. 2, 535.

enlist. Verástegui also promised to compensate those who might lose their horses or weapons during the war, and reward soldiers' families in case of death "with a pension appropriate to the circumstances" from his personal holdings. In addition, the hacienda owner noted that anyone "distinguished for their valor" during the war would be rewarded with fertile land or animals. Verástegui reiterated Article 33 from Adame's decree on goods captured from the enemy: "All the booty that the guerrilla unit makes from the enemy will be faithfully and proportionately distributed between the individuals of that group by myself, according to the state regulations..."⁷⁰³

Verástegui's call to arms exemplifies the reason why the Mexicans guerrillas were often called "rancheros." Winfield Scott used both terms. In one of his proclamations he cited the "atrocious bands called guerrillas or rancheros," and how they continued "to violate every rule of warfare observed by civilized nations" by menacing the roads between Mexico City and Veracruz.⁷⁰⁴

Haciendas were the economic backbone of small and scattered communities in northern Mexico and manned by men accustomed to weapons and horses. Like the Texans, the men who lived on the large estates spent most of their lives riding horses – sometimes long distances. During the royalist counterinsurgency, the Spanish or criollo hacienda owners generally supported European rule in New Spain, which is why they were encouraged to carry weapons and patrol roads during the royalist counterinsurgency initiative. Not so during the Mexican-American War. Like most Mexicans, Paulo Verástegui also invoked Padre Hidalgo as the "father of Mexican independence" to seek unity in the face of a foreign invasion. Verástegui was one of dozens of hacienda owners who answered the call by the governor to mount an insurgency.⁷⁰⁵

There were many Americans in favor of seizing San Luis Potosi and eventually annexing it to the United States. The Mexican state contained the richest mines in North America and were coveted by expansionists who sought the exfiltration of that wealth to enrich the United States. Fortunately for both sides, U.S. forces did not invade that state, but the U.S. Army did provide escorts for a brief period to those carrying gold north to

⁷⁰³ *Ibid.* 537.

⁷⁰⁴ Scott, *Memoirs*, 574-575.

⁷⁰⁵ Muro, *Historia de San Luis Potosí*, Vol. 2, 537.

Saltillo for market.⁷⁰⁶ The preparations for guerrilla war in San Luis Potosi made by Adame in the spring of 1847 following the Mexican army's humiliating defeat at Cerro Gordo were officially defensive in nature. However, many guerrillas who operated around Tampico and peripheral points adjacent to the state undoubtedly used it as a base of operations considering that the state's highest political officer formally sanctioned the formation of guerrilla units and the targeting of U.S. soldiers and supplies. Nevertheless, the efficacy of the public *levantamiento* was reduced because U.S. forces rarely transited San Luis Potosi or attempted to occupy it. Geographically located between Monterrey and Mexico City, the defiant state became an island unto itself during the war.

Another sharp critic of government conduct calling for guerrilla war Michoacan's governor, Melchor Ocampo. Ocampo was an orphaned mestizo who studied at the Catholic seminary in Morelia (formerly Valladolid) and later took up law. In 1840 Ocampo traveled to France, was influenced by the revolution there, and came back harboring liberal and anticlerical views. Ocampo was a staunch defender of Mexican rights and would later (among other Mexican leaders) vehemently reject the Treaty of Guadalupe Hidalgo ending the war in 1848.⁷⁰⁷

Less than two weeks after Cerro Gordo, Ocampo published two circulars outlining his view of the war and his reasons to foment an insurgency. The first essay, "The War Between Mexico and North America," was published April 29. In it, Ocampo criticized those who clamored for peace labeling them "fools" who were ignorant of the long-term consequences. Citing Cortez' imprisonment of Montezuma and the destruction of "the gods of the country," Ocampo claimed that Mexicans had a "sacred social obligation to defend" their land:

If today we have only lost some cities, some ridiculous battles; if today we have not yet tried the only system that could be profitable, that of the guerrillas,... if

⁷⁰⁶ Irving W. Levinson, *Wars within War*, 100. The U.S. Army "sought to revive the internal commerce by regularly providing escorts for merchants seeking to reestablish the two main internal trade routes. They invited persons of commerce, both Mexican and foreign-born, to join escorted convoys traveling between Veracruz and Mexico City. This offer met with an enthusiastic response from traders and customers who transacted business along this key commercial route... The U.S. Army offered escorts on another key route as well. Any Mexican reaching Mazipil, Zacatecas, or Parres, Nuevo León, with gold for sale received a military escort to Saltillo." (Ibid. 100).

⁷⁰⁷ Michoacan's citizens later renamed the state "Michoacán de Ocampo," in honor of Ocampo's service.

today the enemy does nothing but threaten the capital of the republic, we already think about losing to him an opprobrious peace...⁷⁰⁸

Ocampo was extremely critical of the way the Mexicans responded to the invasion. According to him, Mexicans were acting “like timid and stupid sheep, to the insulting rapacity of our enemies.” He blamed Mexico City and its corruption as the cause of “most of the ills that weigh on unhappy Mexico” before imploring his countrymen to “preserve a principle of much more high importance, that of nationality...” The governor also entertained a subject beginning to percolate among the Mexicans – the potential annihilation of their country. “It has been said, sir, that nations do not die, that the history of man no longer presents examples like those of Troy, Babylon and Carthage, but this is not true.” Therefore, to sue for peace was to bring Mexico to the brink of destruction. A “peace destroys what we are today and what we could be, our dignity in history.” Michoacan “will never, ever, ever, recognize any treaty of peace made with the United States” as long as U.S. soldiers remained in Mexican territory.⁷⁰⁹

Ocampo’s circular issued the following day, “The Guerrilla System as a National Defense,” was much more explicit about employing that mode of warfare. Although he continued with his general criticism of Mexicans and their fractured polity, Ocampo admitted that the Americans had a “compact” and “well-disciplined” army. He assessed Mexican capabilities by asking, “how do we make war? Have we organized masses? Can we reunite them, improvise their discipline? ...Sad as it may be, it is necessary to say: we have nothing and the enemy knows it.” Like Adame, Ocampo came to the same conclusion about guerrilla warfare:

Let us then make war, but the only way that is possible. Let's organize a guerrilla system, since popular enthusiasm is in favor of it, which in other nations has been its origin: we abandon our big cities, retaining from the mountains what can be removed from them, ...because the resistance would only irritate the enemy... the Russians burned their sacred capital,... Let us imitate at least the tactics of our fathers in their glorious struggle against the brilliant tyrant of the nineteenth century.⁷¹⁰

⁷⁰⁸ Melchor Ocampo, *Obras Completas de Melchor Ocampo*, Vol. 2 (Mexico City: F. Vazquez, 1901), 262. Circular: “La Guerra entre Mexico y Norteamérica,” April 29, 1847, 263-268.

⁷⁰⁹ *Ibid.* 267-270

⁷¹⁰ *Ibid.* 271, 274-5.

AFTER CERRO GORDO: AMERICAN RESPONSE TO THE INSURGENCY

As news of the Mexican response to Cerro Gordo trickled into the United States from New Orleans, the U.S. press sensed a pending change in the nature of the war. “With additional zeal would the triumph of Cerro Gordo be celebrated were it the general belief that it was the conclusion of the war.” Some were concerned that the victory might alter the conflict’s military landscape:

But to conquer and disperse the Mexican forces will not necessarily lead to peace. War may cease for a time, because the fuel that supplies it may be exhausted. But we shall be obliged to hold military possession of the country, with a force large enough to keep up communications, and guard against the impending danger of a perpetual guerrilla warfare.⁷¹¹

Others were somber about the potential for the war’s escalation. In an article titled “Guerrilla Warfare,” the *Buffalo Commercial*’s editors noted that war “is monstrous. It is the insanity of masses, or their masters.” The upstate New York newspaper stated that “we have before us a new mode of warfare, one that proposes not enmity against the army foe, a fair fight and full courtesy, but warfare against all, to the knife and the knife to the hilt.” In other words, the war was on the threshold of turning into a conflict similar to Spain. In their opinion it would become a “war of poisoning, assassination, measureless and merciless massacre. A guerrilla war has been commenced – a war in which every chief is a hero, and the avowed object of which is to meet the invasion by the worst desperation of animosity.” These opinions were predictably echoed by newspapers throughout the anti-war sections of the United States, many of which were read by Mexicans seeking insight into how far the Americans were willing to prosecute the war.⁷¹²

The northern theater of the war also witnessed an outbreak of insurgent activity. The *Washington Telegraph* noted that “the guerrilla mode of warfare has been adopted, clearly indicating a determination to resist to the last extremity.” The newspaper was responding to a proclamation by General Antonio Canales in early April “calling upon

⁷¹¹ *The Baltimore Sun*, Maryland, May 11, 1847. See also: *The Tennessean*, Nashville, May 21, 1847. “War without pity and death! will be the motto of the guerrilla warfare of vengeance!” Salas’ call for guerrilla warfare reached that state exactly one month from the initial April 21 proclamation.

⁷¹² *The Buffalo Commercial*, May 27, 1847.

all the inhabitants of the country bordering on the Rio Grande to arm themselves, and enter into the system of guerrilla war, which he is about to adopt.” The call by Canales, a former supporter of the failed Rio Grande Republic in 1840, was issued in response to an alleged massacre at Rancho Guadalupe by American volunteers. Canales wrote that martial law was declared, and in retaliation the Mexicans were “bound to give no quarter to any Americans whom you may meet or who may present himself to you, even though he be without arms.” According to the editors of the *Washington Telegraph*, Canales’ proclamation was a stunning escalation:

Should the Mexicans adopt this mode of savage warfare pointed out by Canales, the war will necessarily become a war of extermination. They will give no quarter, and consequently can expect none. Our brave troops will spare only the weak and defenseless, and wreak their vengeance on all armed bands of these relentless and bloodthirsty assassins. They will find it a fearful and terrible game to play.⁷¹³

The Spanish perspective on the conflict was picked up by *The Daily Delta* of New Orleans, which printed an account of an *Iris Español* article from the Mexican capital. The Spanish publication recommended that “in order to have a good result from the guerrilla system” the Mexicans “should be commanded by brave and determined soldiers, who will not fear any risk, and be well acquainted with the topographical condition of the country.” They also advised that “it is necessary that the government should not interfere in their operations, but allow them to act with perfect liberty, and not be subjected to orders of marching and countermarching.” The Spanish claimed that if the Mexicans organized an insurgency modeled after the Peninsular War, “they will give the Americans more trouble than they have any idea of; Gen. Scott is aware of it, and consequently has addressed a proclamation to the Mexicans, adopting Marshal Soult’s tactics in Spain.”⁷¹⁴

⁷¹³ *Washington Telegraph*, Washington, Arkansas, May 26, 1847. For a look at Canales’ “Proclamation of No Quarter” see: *Niles’ Register*, May 29, 1847 (via the *Picayune*) 72.199 (VTMP). “Martial law being in force, you are bound to give no quarters to any American... even though he be without arms. [...] Your unwillingness to do this will be considered a crime of the greatest magnitude... Neither the clergy, military, citizens nor other persons shall enjoy the privilege of remaining peaceably at their homes.” Canales had years of fighting experience not just against the Texans, but against the Apaches. During the war he received the nickname “*El Zorro del Chaparral*.”

⁷¹⁴ *The Daily Delta*, New Orleans, May 27, 1847. For some reason Soult’s execution of prisoners, instead of Reille’s, was the common reference of the general policy of executing guerrillas implemented by Napoleon.

The *Iris Español* was half correct. While it was true that Scott submitted another proclamation to the Mexican people, he did not adopt, as the *Iris Español* claimed, the French general's tactics to "punish with death every Mexican who should attack any American wandering out of the lines of the army." Nevertheless, the Spaniards encouraged the Mexicans to fight like they did against Napoleon's forces. "Spaniards did not lose courage, and they did not cease to attack the French until they exterminated them." They also advised the Mexicans to disregard the laws of war:

The *Iris* recommends that the Mexicans should follow the example of the Spaniards; that if General Taylor and Scott have declared all Mexican bands or guerrillas as outlaws, the Mexicans should likewise declare the Americans to be banditti, and as in Spain, decide that "for every Mexican that should be treated as a land pirate by the Americans, three Americans will be hanged out of those falling into the hands of the Americans."⁷¹⁵

As reported, Scott heard the calls for guerrilla war by Mexican leaders and was forced to reevaluate the changing situation. With the pass at Cerro Gordo cleared, Scott began making arrangements to proceed with his army to Puebla, the next major city along the route to Mexico City. The sixty-year-old general was in no hurry to rush the capital, and instead took his time to ensure a viable logistics corridor from Veracruz remained behind his line. On April 24 Scott sent Taylor a message (via Taylor's chief of staff and assistant adjutant general William Wallace Bliss) saying that "Mexico no longer has an army." The lack of a viable foe at his front, however, did not alleviate the situation. One of Scott's main concerns was that the "cavalry is already meagre, and, from escorting, daily becoming more so." Although the army was short on a list of critical supplies (including ammunition, medicine, clothing, and salt), the shortage of horsepower to cover and defend the line from attacks was the most pressing problem. He wrote Taylor that "depots, along the line of 275 miles, will be needed, and a competent fighting force at the head of operations." In other words, Scott was asking for assistance.⁷¹⁶

Scott also stated to Taylor that he was continuing to pay for items "brought in," and that, due to the fluidity of the situation, was forced to "feel [his] way according to information." Unaware that Taylor had not advanced to San Luis Potosi, as Scott and many others (including Governor Adame) believed he would, he wrote indicating that

⁷¹⁵ *Ibid.*

⁷¹⁶ HED No. 60, 1171-1172. (LOC). Scott (at Jalapa) to Taylor (near Monterrey) April 24, 1847.

Taylor's occupation of that city in conjunction with "advances on the capital might increase the chances of a peace or an armistice" while adding his opinion that occupying "fifty other important points" would make things worse because the Mexicans "would still hold out and operate against our trains, small parties and stragglers, with rancheros on the guerrilla plan."⁷¹⁷

Scott had another issue with troop numbers. Due to delays in organizing the assault on Veracruz, there were roughly four thousand soldiers whose enlistment periods were set to expire in the approaching months. "They gave me notice that they would continue with me to the last day," Scott wrote in his *Memoirs*, "but would then certainly demand discharges and the means of transportation homeward." Scott could bring the soldiers with him to Puebla, and perhaps even Mexico City, but then they would have to turn around and go back – which would further complicate military operations. In addition, Scott had to factor the approaching yellow fever season at Veracruz and the toll it might inflict on troops leaving the port city in the summer months. Rather than deal with a future, potential problem, Scott discharged the soldiers and further reduced the size of his army.⁷¹⁸ On its face the decision to voluntarily reduce his army's size seems counterproductive, but the decision helped alleviate him of mounting supply issues, and went to the heart of his statement to Taylor that occupying 'fifty other important points' in Mexico was not the military objective.

Put another way, Scott adjusted his military decisions around maintaining a compact but disciplined army not designed for the permanent occupation of Mexico. Spreading the army out over the entire country was exactly what the French did in Spain – with disastrous results. By focusing on the singularly important line of operation (an ancient military maxim) Scott denied the Mexicans the advantage of geography while maintaining a relatively small area to patrol and defend. The major problem, however, was not the lack of soldiers – particularly after Cerro Gordo – but the lack of horsepower. He needed cavalry to face the challenge of a pending guerrilla insurgency – a scenario that generally favored the defenders.

⁷¹⁷ *Ibid.*

⁷¹⁸ Scott, *Memoirs*, 452.

On May 11, before leaving Jalapa for Puebla, Scott issued a new proclamation. Again, he reiterated that the Americans were not warring with the Mexican people, but with the politicians and military leaders that had brought the country to war. Whether or not Scott was sincere in his statement did not matter, rhetorically it was designed to drive a wedge between common Mexicans and their leaders:

...the Mexican nation has seen the results lamented by all... the valor and noble decision of those unfortunate men who go to battle, ill-conducted, worse cared for, and almost always enforced by violence, deceit, or perfidy. [...] Finally, the bloody event of Cerro Gordo has plainly shown the Mexican nation what it may reasonably expect, if it longer continues blind to its real situation – a situation to which it has been brought, by some of its generals...⁷¹⁹

The proclamation at Jalapa on May 11 was similar to the one issued at Veracruz the month before. It was also different in that it addressed guerrilla war for the first time. It did not vow to arbitrarily execute guerrillas, as the *Iris Español* claimed *ala* Sault, but was written with the dual message of potential peace aside a warning of prolonging an ugly war:

The system of forming guerrilla parties to annoy us, will... produce only evil to this country, and none to our army, which knows how to protect itself, and how to proceed against such cut-throats; and if... you try to irritate... you cannot blame us for the consequences which will fall upon yourselves. I shall march with this army upon Puebla and Mexico. I do not conceal this from you... We desire peace, friendship, and union; it is for you to choose whether you prefer continued hostilities. In either case, I will keep my word.⁷²⁰

Like jettisoning his logistics line at Jalapa, Scott broke a rule of war again by informing the enemy of his future movements. On the other hand, the Mexicans could easily surmise that the goal of Scott's army was to capture the capital, as that intention had been reported by newspapers months before and after U.S. soldiers landed at Veracruz. In this case, Scott was projecting extreme confidence, which inversely was psychologically crippling for the Mexicans despite outnumbering U.S. forces. That

⁷¹⁹ HED No. 60, 972. (LOC). Scott Proclamation at Jalapa, May 11, 1847. Scott appealed to the peasant class (referencing the *alcabala*) and the church. "The possessions of the church menaced, and presented as an allurements to revolution and anarchy; the fortunes of rich proprietors pointed out for the plunder of armed ruffians; the merchant and mechanic, the husbandman and the manufacturer, burdened with contributions, excises, monopolies, duties on consumption, and surrounded by officers and collectors of these odious internal customs..." (Ibid. 973)

⁷²⁰ *Ibid.* 974.

confidence, along with the result of what occurred at Veracruz, also gave the Poblanos pause when deliberating on whether they should mount a resistance or peacefully allow the U.S. Army to enter the city. In the aftermath of the rout at Cerro Gordo, the Poblanos chose the latter option.⁷²¹

Predictably, the Mexican military leadership did not heed Scott's May 11 warning to cease the formation of guerrilla units. Following the battle of Cerro Gordo Santa Anna moved south to Orizaba near Cordoba where the Mexicans "dedicated themselves to organizing infantry and cavalry of guerrillas" to attack Scott's main line. Apart from the route to Puebla from Veracruz (via Jalapa), Cordoba was the only viable alternative over the Sierra Madre Oriental, and therefore a natural location to coordinate guerrilla attacks. On May 9, Santa Anna informed the Ministry of War that he had organized "three battalions of 1,460 men," which added to a total of approximately 4,500 soldiers meant for operations. Despite these efforts, Santa Anna was not seriously interested in fomenting guerrilla war and made no public pronouncements to do so.⁷²²

By mid-May U.S. forces had entered Puebla with almost no resistance. Indeed, the Poblanos decided not to defend the city, but rather allowed the invading army to occupy it. General William J. Worth arrived in Puebla before Scott. Worth found the commanding general's occupation policies and proclamations outlining American intentions to protect Mexican property popular among the locals, and wrote to his commander that he was having some difficulty disseminating the message further afield towards the capital due to the disruption of communications. "I have already told you that those [proclamations] you sent were intercepted, as all your communications." The Mexicans understandably did not want Scott to get his message out. Worth informed Scott that travelers on the road between Jalapa and Puebla "have been kept back by menaces and the interposition of guerrilla bands." He also estimated that between six to

⁷²¹ See: D'Aguilar, *Military Maxims of Napoleon*, 15. Maxim XII: "An army ought to have only one line of operation. This should be preserved with care, and never abandoned but in the last extremity." See also: p. 17. Maxim XVI: "it is an approved maxim in war, never to do what the enemy wishes you to do, for this reason alone, that he desires it. A field of battle, therefore, which has been previously reconnoitered, should be avoided..."

⁷²² Ramón Gamboa, *Impugnación al informe del señor General Antonio Lopez de Santa-Anna, y constancias en que se apoyan las ampliaciones de la acusación del señor diputado Don Ramon Gamboa* (Mexico City: Vicente García Torres, 1849), 33. See also: HED No. 60, 959. (LOC). Scott (Jalapa) Nicolas Trist (Veracruz) May 7, 1847.

eight hundred “beggarly cavalry” of Mexican guerrillas occupied the line between the two generals, but that lesser numbers of “men in compact order” could easily protect escort trains coming into the city from the east. Lastly, he added that his spies reported that Santa Anna had “abandoned the project of making a stand” at Rio Frio and other points along the road west of Puebla leading to the capital and that “the whole of his badly armed force” was instead heading to Mexico City. Essentially the Americans entered Puebla unopposed as the transition along towards guerrilla war was being made.⁷²³

Other Mexican states expecting a more robust invasion entered the fray. On May 26, the *Diario del Gobierno* reported that Zacatecas was making plans to follow in the footsteps of San Luis Potosi by launching an “energetic plan to successfully defend the territory using the guerrilla system, and that in combination with the one in San Luis will bother the enemy with good success.” The report noted the formation of ten to fifteen units consisting of eighty to one hundred men “who know the terrain well” and can work with the light brigades of that state. The article asserted that the initiative taken by Adame and San Luis Potosi regarding the formation of guerrilla bands informed the direction taken by Zacatecas. Located directly west of San Luis, Zacatecas was essentially making preparations to defend itself with a guerrilla insurgency in case the U.S. Army tried to occupy it.⁷²⁴

By the summer of 1847 even news outlets in England had caught on to the shift in the war strategy. *The Times* reported mid-June that the “character of the war is about the change. It is probable there will be no more field fights. The Mexicans hereafter adopt a guerrilla system of warfare.” The paper speculated on how the Americans would respond to the shift in tactics, and if violence would escalate. “Whether the Americans can be induced to retaliate, I pretend not to speak with certainty, but think they will not go further than to put to death captured Mexican officers.”⁷²⁵ Others noted that “Mexicans were resorting in good earnest to guerrilla warfare, and the aspect of the

⁷²³ HED No. 60, 968. (LOC). Worth (Puebla) to Scott (Jalapa), May 19, 1847. See also: *The Louisville Daily Courier*, June 29, 1847.

⁷²⁴ *Diario del Gobierno*, May 26, 1847 (No. 75), BNE-HD.

⁷²⁵ *The Times*, London, June 15, 1847.

country gives them great facilities for harassing detachments advancing from Vera Cruz to Puebla.”⁷²⁶

The word was out. The main theater of war lay between Veracruz and Mexico City. Taylor’s army did not invade further into Mexico, which limited the range of operations for guerrillas in the north to areas buttressing occupied cities near Monterrey, Tampico, and Matamoros. The change was abrupt. On June 16 Taylor wrote the Adjutant General in Washington that intelligence indicated an “attempt has been made, or is now making, to operate the guerrilla plan in the states of Tamaulipas and New Leon; but it will, I think, prove abortive.” His hunch was correct. After the Mexicans became aware that Taylor decided not to invade San Luis Potosi, insurgents eager to fight moved south. On June 23 he reported: “All is tranquil in this part of the country.” One week later he reported that the region was “entirely tranquil. The people who had abandoned their villages and ranchos, are fast returning to them, and seem not at all disposed to engage in any warfare, guerrilla or other.”⁷²⁷

ROYALISTS RETURN: CARLIST GUERRILLAS ENTER THE WAR

The most adversarial guerrilla chieftain during the war was not Mexican, but Spanish. On June 16, *The Louisville Daily Courier* relayed reports from Veracruz’s newspaper, *El Arco Iris*. The reports confirmed that “the party of guerrilleros which is doing the most mischief on the road from Veracruz to Jalapa, is that of Padre Jarauta, (a clergyman,) with about 50 men.” The article described how Jarauta and his men detained a group of Mexicans on May 22 heading west near the National Bridge. As “the Padre did not see any Americans among them, [he] confiscated the mules and horses because he needed them to mount about one hundred men that he had ready to join his party.” From there, Jarauta’s unit headed to Medellin de Bravo, near Veracruz, where they “were disposed to burn down all the houses, and take the curate and *alcaide* with them after reducing the town to ruins.” The report added: “If we are not mistaken, Padre Jarauta is a native of Spain, and was a partisan of Don Carlos during the last

⁷²⁶ *Manchester Times*, July 16, 1847.

⁷²⁷ HED No. 60, pp. 1178-1180. (LOC). Taylor (Monterrey) to Adjutant General (Washington D.C.), June 16, 23, 30, 1847.

peninsular war; he was sent to Cuba, and from there went to Mexico, where he formed his guerrilla corps.”⁷²⁸

The following day news spread from Jalapa that a guerrilla unit between 1,500 to 2,000 men had attacked a U.S. convoy outside of Veracruz. Fighters “were principally commanded by three priests (Spanish Carlists) who had been banished from their own country for their ferocity, their fanaticism, and bigotry.” The origins of the Carlists were vague, but reports indicated that the large insurgent group gave the Americans “a great deal of trouble, and succeeded, during the entire route, in killing or wounding between forty and fifty of our men.”⁷²⁹

What were Spanish Carlist guerrillas doing in Mexico fighting Americans and burning villages? Although it has never been confirmed, Jarauta was likely the head of a cadre of Carlist refugees the French government refused to allow back into Spain after the start of the Second Carlist War in late 1846. In other words, they were exiles. An August report from Liverpool indicated that a number of “*Cabecillas* in Catalonia have sworn to put to death every Frenchman that falls into their power, in revenge for the severity with which Louis Philippe’s government treat the Carlist refugees in France.” The following month another report noted that further actions were taken to prevent their arrival. “War steamers are ordered to the coast of Spain to intercept the Count of Montemolin [Carlos VI], or his adherents, or the Progresista refugees seeking to return to Spain. Ashore the French government is truly active in preventing the entry into Spain of Spanish refugees, Progresistas or Carlists.”⁷³⁰

⁷²⁸ *The Louisville Daily Courier*, Kentucky, June 16, 1847. *El Arco Iris* (Veracruz) articles cited May 30th and 31st, 1847. Infante Don Carlos (1788-1855) was the second surviving son of King Charles IV and claimed the throne after Ferdinand VII’s death in 1833. Another group supported the dead king’s infant daughter. The Carlist Wars (1833-1840/1846-1849), which like the War of Independence, were marked by brutality. One example was the Durango Decree (June 20, 1835) issued by Don Carlos promoting the capture of British soldiers aiding the enemy. A few dozen captured British soldiers were executed, which enraged the British. See: Philip E. Mosely, “Intervention and Nonintervention in Spain, 1838-39.” *The Journal of Modern History* 13, no. 2 (June 1941): 195-217.

⁷²⁹ *Weekly National Intelligencer*, Washington D.C., July 31, 1847. Report from Jalapa dated June 17, 1847.

⁷³⁰ *The Liverpool Mercury*, August 31, 1847; *The Leeds Mercury*, September 26, 1847. The Count of Montemolin (1818-1861), also known as the Infante Carlos, was the son of Don Carlos V. He claimed the throne after his father renounced it in 1845. For a look at Carlist motivations, see: Mario Etchechury-Barrera, “From settlers and foreign subjects to ‘armed citizens.’ Militarization and political loyalties of Spaniard residents in Montevideo, 1838-1845.” *Revista Universitaria de Historia Militar* (RUHM) 4, no. 8 (2015): 119-142.

As early as the fall of 1846, Spanish and French authorities were working to prevent the fighters from entering Catalonia, where the war began. *The Star of Freedom* of Leeds informed its readers that “All the Spanish refugees, Carlists as well as Progressists, are being locked up in gaols [jails] and fortresses in the interior of the country.” The following month the same newspaper noted that authorities were working to tighten the border:

Seventy Carlist refugees are stated to have gone through Narbonne... with the intention of entering Spain. Seventeen of them were captured by the French authorities; most of them were officers. Forty-seven more Carlist refugees have been seized at Passas, who were likewise about to cross the frontier. They were dragged back to Perpignan, which town they passed through shouting “Viva Carlos VI!”⁷³¹

It is unclear if Jarauta and his cadre received permission to sail to Mexico from French authorities. If they did, they would not have been missed. The exiled fighters were a political thorn in the side of authorities. On the other hand, 9,000 kilometers away in Mexico the Carlists would bother neither the Spanish nor French governments – apart from embroiling their shadowy sponsors in international intrigue. Although the Carlists’ origins remained unknown, a May 15, 1847, dispatch from Jacob L. Martin, the American Charge d’Affairs in Paris, to U.S. Secretary of State James Buchanan, supports the theory that they received support from one, or perhaps even two, European states. Jacob believed the sponsors made plans for the “deluded” fighters to embark from “different ports with Mexican passports” ostensibly to avoid detection. Relaying information he said he received from a Carlist officer, Jacob informed Buchanan that the soldiers were bound for Mexico and perhaps even received the means to do so from the British:

...since the failure of the contemplated expedition of the Count de Montemolin, the Mexican minister or consul in London, had engaged about a hundred Carlist officers to enter the Mexican service. The same information has also reached me through another channel. The terms on which they are engaged, are a free passage, ten pounds bounty, naturalization and certain boons upon arriving in Mexico, and a further inducement was held out that the course of events in that country might finally inure to the benefit of a prince of their party.⁷³²

⁷³¹ *The Star of Freedom*, Leeds, October 10, November 14, 1846. See also: *The Morning Post*, London, October 18, 1848. “...the Spanish Cabinet may... accuse the Progresista refugees of intriguing on the Pyrenean frontier, and demand their withdrawal into the interior” of France.

⁷³² Jacob L. Martin, American Charge d’Affairs in Paris, to U.S. Secretary of State James Buchanan, May 15, 1847. William R. Manning (ed.), *Diplomatic Correspondence of the United States: Inter-American*

Despite being a clergyman, it was not surprising that Jose Celedonio Dómeco Jarauta was violent. The Carlist Wars in Spain were marked by brutality on both sides. The clerical party in Spain (*apostolicos*) supported Don Carlos's claim to the throne, which received major support in the northern region of Spain skirting the Pyrenees, such as the Basque country, Aragon, and Catalonia.

The legacy of the Napoleonic Wars was not merely limited to Spain, as Italy suffered from a long conflagration stemming from the political upheaval of the era. In that conflict there was a perception among liberal members of the Italian diaspora that Spain was “the homeland of freedom” in “an internationalist ideology that linked the defense of the Spanish regime with the survival of freedom in Europe...” The Spanish system of guerrilla warfare was the preferred method among this internationalist clique of Italian fighters. Liberal exiles often formed secret societies aimed at undermining the collective strength of the Holy Alliance (Austria, Prussia, and Russia), which sought to restrain Western European liberal and secular tendencies after it filled the power vacuum after the Napoleonic Wars.⁷³³ Although an apolitical mode of combat, guerrilla warfare and its proponents believed it was the best method for overthrowing established orders and undermining military occupations in Mexico and other Latin American countries.

Putting politics aside, both royalist and liberal revolutionaries searched for ways to perfect and repeat elsewhere the Spanish system used against Napoleon. One of the key ingredients to the system was popular support. As military strategists later understood, many of the Italians romanticized the insurgent wars against Napoleon as an expression of the general will of the people. Maurizio Isabella recently noted this link: “The most important political legacy developed out of the Spanish experience was the notion that the brave and uncorrupted peasant could make a particular contribution to the military struggle for freedom, an idea the exiles borrowed from Spanish patriotic discourse.” Isabella uses the term “mythical invocation” of the peasantry to describe the exiles’

Affairs, 1831-1860, Vol. 6 (Dominican Republic, Ecuador, France) (Washington D.C.: Carnegie Endowment for International Peace, 1935), 580.

⁷³³ Maurizio Isabella, *Risorgimento in Exile: Italian Émigrés and the Liberal International in the Post-Napoleonic Era* (New York: Oxford University Press, 2009), 33-35. Isabella notes that many of these Italians came from the Piedmont, Naples, and Lombard regions of northern Italy.

views of the war in its aftermath. The positive attitude towards popular insurgency, especially in the aftermath of Napoleon's defeat, was the consequence of fond observation from afar: "This myth of a valorous, untainted peasantry owed much to Rousseau's belief in the natural attachment to freedom, and in the courage of peoples uncorrupted by civilization." Isabella correctly notes that – while the British undoubtedly played a role in the defeat of Napoleon in Spain – "the courage and effectiveness of the Spanish peasantry became legendary throughout Europe."⁷³⁴

The Italians may have been correct in the efficacy of the *system* militarily, but politically they misunderstood large parts of Spain. What they did not factor into their romantic view of the war against Napoleon was the constancy and power of the Catholic Church and the royalist reaction in more conservative regions of Spain such as Catalonia. "In Catalonia the Italian exiles would soon discover that the masses whom they had idealized were hostile towards the Constitutional government." Catholic priests used their influence to launch attacks against Italian exiles and stirred up opposition to liberal designs directed at conservative rule.⁷³⁵ A legacy of the war against Napoleon, this was the conservative, reactionary, and pro-Catholic Carlism that Jarauta and his fighters were trying to export to Mexico.

Another theory of the emergence of the Carlists in Mexico was that they were working *with* France and Bourbon King Louis Philippe under the direction of Francois Guizot. This possibility was posited in the U.S. Senate by Senator John Dix of New York. Dix noted in a January 27, 1848, speech critical of Guizot's interventionist policies that he received "a translation from a speech delivered in the Cortes of Spain on the 1st of December, 1847, by Señor [Salustino de] Olozoga" – a former Spanish Prime Minister and three-time ambassador to France. Dix asserted the existence of a "close connection of the governments of France and Spain by the marriage of the Duke of Montpensier, the son of Louis Philippe, to the sister of Queen Isabella," which was the side fighting the Carlists. Part of the translation of Olozoga's speech in the Cortes read: "No one... can deny that the project has been entertained of establishing a monarchy in Mexico,

⁷³⁴ *Ibid.* 37-38

⁷³⁵ *Ibid.* 39. Italian use of guerrilla warfare was not successful. "In Italy the clergy was hostile to the revolution, and the terrain did not provide such good cover for guerrilla groups. This was why a regular army would have to be deployed first, and guerrilla warfare according to the Spanish model could play only a subsidiary role. Nonetheless, ... guerrilla warfare remained one of the cornerstones of Risorgimento military theory, even if many observers agreed on the need to complement it with the action of a regular army." (*Ibid.* 40).

and to place a Spanish prince on the throne. This project, conceived in the time of Conde Aranda, would have saved our colonies from the sad fate they have suffered...”⁷³⁶

In any event, there was a concerted effort to allow the Carlists to emigrate to Mexico. If the Spanish were clandestinely working with French authorities, then the reports of Jarauta being a Carlist was a cover for combined Spanish and French efforts to intrigue in Mexican affairs, which the Americans opposed. Jarauta was probably a Carlist but could also have been persuaded to change sides or royalist affiliations if he agreed to not re-enter Spain in exchange for his freedom. The subject remains a curious mystery. Although disinformation has always been an aspect of warfare, it is hard to argue that Jarauta was not a monarchist, and like fellow Spanish fighters, favored the reintroduction of a European crown in Mexico. Nevertheless, Senator Dix was one of many U.S. officials concerned about European intrigue in the war:

...any attempt by a European power to interpose in the affairs of Mexico, either to establish a monarchy, or to maintain, in the language of M. Guizot, “the equilibrium of the great political forces in America,” would be the signal for a war far more important in its consequences... We could not submit to such interposition if we would. The public opinion of the country would compel us to resist it. We are committed by the most formal declarations of President Monroe in 1823...⁷³⁷

Regardless of the guerrillas’ nebulous European or Mexican sponsors, the introduction of Spanish fighters in the Mexican War added an extra level of intrigue. *The Louisville Daily Courier* reported that Padre Jarauta was from Aragon, and that he, along with a Veracruz guerrilla leader, Juan Clímaco Rebolledo, introduced partisans into the city of Veracruz to undermine the U.S. occupation. There was undoubtedly subversive activity in the port city. “The city has several emissaries within its walls from Jarauta and Rebolledo,” some of whom were “in the employ” of U.S. authorities. The report stated that the “Spanish paper here daily teems with covert appeals to the sympathies of the foreigners, and the patriotism of the Mexicans.” Jarauta’s ulterior agenda in Mexico related to reinstating a Spanish monarchy at that point remained unclear, but the Mexicans initially seemed to appreciate the fact that he and his imported Iberian

⁷³⁶ *Congressional Globe*, 30th Congress, p. 252. (LOC) Senator John Dix (NY), Jan. 26, 1848.

⁷³⁷ *Ibid.* (LOC)

partisans were adept at disrupting the invaders by utilizing the method of war they promoted after Cerro Gordo. The article ended by indicating that all “the leading men amongst the guerrillas now are Spaniards, and also many of the rank and file.”⁷³⁸

Efforts were made to garner popular support for the leading guerillas. San Luis Potosi historian Manuel Muro cited a poem written by a Veracruzano about Jarauta and circulated among the people living in the vicinity of the U.S. supply line in and around the city. Circulated poems were one method utilized by the Mexicans to build support for the insurgency:

O yo un mentecato soy,
O será una demonio,
Celedonio,

Que nos pase ese convoy.
Destruye, incendia, destroza...
Corre, vuela, que ya están
Deteniéndolo en San Juan
Aburto y Chico Mendoza.

No te pares en pelillos:
Corre, vuela, dale un seco,
Fray Domeco;
Enseñale los colmillos.
Que haya una de chamusquina;
Al fin es gente non santa
Si ve Santa Catarina. [...]

Quédate con el convoy.
Acométele valiente:
Dale, por Dios, un buen seco,
Y yo de gusto, cluenco,
Con todo vicho viviente.
Diré: !Viva el insurgente
Fray Celedonio Domeco!⁷³⁹

⁷³⁸ *The Louisville Daily Courier*, Kentucky, June 29, 1847. (Report relayed from the *New Orleans Commercial Times*). For more on Mexican monarchy see: Nancy N. Barker, “Monarchy in Mexico: Hairbrained Scheme or Well-considered Prospect?” *The Journal of Modern History* 48, no. 1 (March 1976): 51-68. “Not surprisingly, the representatives from Spain regarded the separation of Mexico from the mother country as a mere aberration of temporary nature.” In 1843 the Spanish minister, Pedro Pascual Oliver advised Madrid: “Constitutional monarchy with a European prince would certainly be the form of government that could raise this country from its present degradation and prostration and restrain its pride and hatred of foreigners.” (Barker, 54)

⁷³⁹ Muro, *Historia de San Luis Potosí*, Vol. 2, 540-541.

American authorities attempted to track the movement of the Carlists from Europe. When Mariano Paredes was ousted from power in the summer of 1846, the former president fled to France to solicit aid in a scheme to introduce into Mexico a claimant to the Spanish throne. As facts would later bear out, that many of the Spanish guerrillas came from that country soon after Paredes' arrival was no coincidence. In other words, the Spanish guerrillas and Paredes were working together. On June 26, Secretary of War Marcy, thinking that the Spaniards were heading towards the Rio Grande, relayed information to General Taylor of "seventy or eighty of them" along with their names provided to Buchanan by the U.S. Minister in Paris:

...a number of Carlist officers have left, or may soon leave France, with a view to join the Mexican army. Steps have been taken to prevent their entrance into Mexico. While on their way to that country we should not have a right to detain them as prisoners of war, but it is very clear that we may prevent them, if able to do so, from joining the enemy. ...Should you have occasion to act in this matter, you will do what you can to intercept their passage into Mexico.⁷⁴⁰

The American Star – No. 2 in Puebla gathered more information on Jarauta's entry into the war, including his mysterious background. Apparently, the padre "was a guerrilla chief in Spain, but repenting of his cruelties and barbarities went to the Havana, where he took holy orders." According to the article an ecclesiastical life in Cuba was not suited for him, and that the "church, however, was not his place, and he left for Mexico." Whether or not Jarauta used church orders as an excuse to get to Mexico is unknown, but he wasted no time inserting himself in the war after he arrived. "Upon his arrival at Vera Cruz he immediately took up arms against the Americans." *The Star* reported that Jarauta's base of operations was a town called Paso de Ovejas, 45 kilometers north of Veracruz, while issuing their own prediction about what he could

⁷⁴⁰ HED No. 60, p. 1192. (LOC). Sec. of War Marcy (Washington D.C.) to Gen. Taylor (Monterrey), June 26, 1847. The likely candidate for Mexican king was the Infante Enrique (1st Duke of Seville). He was the grandson of Charles IV of Spain and member of the House of Bourbon. The Paredes-Jarauta alliance was revealed after Paredes returned to Mexico and seized control of Guanajuato mid-June. On June 1, 1848, in Lagos, Jarauta proclaimed a plan to overthrow the government for "betraying" the people with a treaty to end the war. See: *New York Daily Herald*, July 12, 1848 (excerpt from *New Orleans Picayune* July 2, citing *El Monitor*). "The designs of Paredes are believed to be shadowed forth in the following plan... Jarauta promulgated it upon entering Lagos, and he is considered the 'right hand man' of the ex-president." The same article was posted in *The Washington Union*, July 12, 1848. It is unclear what steps the Americans took to prevent more Spanish guerrillas from going to Mexico.

expect from the Americans. “He may have been successful in Spain, but he is at war with the wrong sort of people to flourish long.”⁷⁴¹

History was repeating itself. Winfield Scott helped introduce Javier Mina into Mexico during the revolution some thirty years prior and faced a seasoned group of imported guerrillas from Spain thirty years later. In 1847, however, Scott did not call them *patriots*, but like Napoleon, *banditti* and *outlaws*. There is no indication Scott indulged in that kind of retrospection, but it must have been obvious to him given his role in facilitating Mina’s entry into the U.S. before departing for New Spain, and the ire it caused Spanish authorities at the time.

“AS THE SPANIARDS TRIUMPHED”: DESPERATE FOR HEROES AND UNITY

In the summer of 1847 Americans back home reading about Scott’s movement towards Mexico City began making tangible connections between the unfolding guerrilla war and previous conflicts. One anti-war newspaper noted that “guerrilla warfare has already commenced, and it is a means for the preservation of national independence, and of the confusion of the invading power” not dissimilar to previous wars of independence:

It was in truth, a kind of prodigious power and energy of the British in America in our revolution; it was by means of the guerrilla, a little war of detachments under popular chieftains, that for centuries baffled all the efforts of the English kings to suppress the nationality of Scotland, and which in latter times resisted Napoleon in Spain, and finally rid the peninsula of the French.⁷⁴²

While many Americans acknowledged the use of guerrilla warfare to achieve independence, the most common reoccurring comparison was the Peninsular War. This was especially true for the Mexicans. In a long July 10 *Times-Picayune* article written by “A Mexican Citizen” the author noted that the Mexicans “were unanimous for war,” and warned the Americans not to implement “a system of cruelty and war to the death.” In that event, the author asserted the Mexicans would “rise *en masse*.” The anonymous author noted that Puebla was “pacific towards Americans” but that the situation could quickly change if U.S. authorities adopted a harsher policy. Again, comparisons

⁷⁴¹ *The American Star* – No. 2, Puebla, July 1, 1847. (BLAC).

⁷⁴² *St. Johnsbury Caledonian*, Vermont, June 12, 1847.

between the Mexican War and previous wars were made, but with a contrast highlighting Mexico's international isolation. "Mexico in this contest stands absolutely alone. Spain was supported by England, and the Duke of Wellington with a powerful army drove out the hosts of Napoleon. The United States were sustained by Lafayette and... France." Despite fighting the Americans alone, the citizen asserted that Mexico would employ guerrilla warfare regardless of its notoriety. "It is true that the system is cruel, because every guerrilla chief, acting on his own account, will commit acts of inhumanity; but these are inevitable in all wars." Guerrilla warfare was "by no means new to Mexico, and it is essentially adapted to people dwelling among mountains, or who are generally devoted to occupations in the field. ...Spain also adopted the system, and the war of the Spanish Americas was a war of guerrillas."⁷⁴³

Near verbatim echoes supporting guerrilla warfare came from conservative statesman and historian Carlos Maria Bustamante. Bustamante published a mid-war book with a title comparing the Americans to one of Cortez' soldiers and chroniclers, Bernal Diaz del Castillo. While acknowledging that "the guerrilla system, adopted by us... is a cruel system, because each guerrilla leader, acting on his own, often commits acts against humanity; but this is inevitable." Bustamante wrote that the Americans used the same mode of warfare during the American Revolution, and that guerrilla warfare was "not new in Mexico and is especially typical of villages located in the mountains, or usually given to the occupants of the countryside." Using the precedent established by both Spaniards and Mexican insurgents, Bustamante came out in favor of the Spanish system. "Spain also adopted that system, and the war of the Spanish Americas was almost all guerrillas."⁷⁴⁴ Indeed, it appears the *Times-Picayune* article "A Mexican View of the War" was copied from Bustamante's mid-war chronicle.

There were corollary motives for Bustamante's promotion of a protracted guerrilla war. It was his belief that politically the Americans did not have the stomach for it. Guerrilla warfare "can have so much influence on the destiny of this country, that preparation under the tenacity of guerrillas... [to] destroy their trade can even produce a revolution in this country and force Polk to resign" his office. Bustamante cited anti-war sentiment

⁷⁴³ *The Times-Picayune*, New Orleans, July 10, 1847.

⁷⁴⁴ Carlos Maria Bustamante, *El Nuevo Bernal Diaz del Castillo, ó sea, Historia de la invasión de los Anglo-Americanos en México* (Mexico City: Vicente García Torres, 1847), (UMWL), 16.

in the United States as a reason to maintain the fight and sap the political will of the war party. “At least if the war continues, it is positive that in the next elections... the new president will enter on the condition of making peace at all costs. Constancy, and nothing else is what is necessary.”⁷⁴⁵ Constancy and attrition being two words with similar meanings; Bustamante’s book in that sense advocated wearing down the Americans politically and militarily.

Not all Mexicans were confident that a guerrilla war could be waged and pro-war advocates tried to assuage the fears of fellow Mexicans who harbored doubts. On July 7, *El Diario* posted an article from Queretaro titled, “Can We make War Against the United States?” The authors lamented negative views among Mexicans indicating they were not up to the challenge, and asked: “Is there any doubt now that Mexico could make war on an unjust, perfidious and evil invader in the full extent of the word?” Like many rallying support the article invoked the original martyr of Mexican independence. “Does the nation have fewer resources today than the immortal Hidalgo had in 1810?” Mexicans were asking themselves, if they could oust a centuries-old entrenched Spanish ruling class using insurgent warfare, why would the American invaders be any more difficult? Even among Mexicans the historic parallels between the Peninsular War, the Mexican revolution, and the Mexican War were apparent:

It is said that there is no army, ...that there is no public spirit for lack of a center of union that would make the Mexicans triumph over their invaders, as the Spaniards triumphed over Napoleon... This was the way in 1810, when the caudillos of Dolores, with a handful of rancheros, attacked a large army, disciplined and led by good leaders, and independence was considered impossible ... The Spanish government, absolute owner of New Spain, occupied all the towns, and was the owner of all...⁷⁴⁶

The answers to the rhetorical questions posed in the article were adamant. The writers believed that using guerrilla warfare would make the Washington war cabinet “touch the terms of its ruin, if it does not retrace its steps.” The Queretaran claimed ongoing guerrilla activities were disrupting the U.S. occupation, such as “Rebolledo in the east,” and others in the north who “have demonstrated with their guerrillas what the Anglo-Saxons can expect from worthy Mexicans. We at least are persuaded that this way we

⁷⁴⁵ *Ibid.* 138.

⁷⁴⁶ *Diario del Gobierno*, July 7, 1847 (No. 116), BNE-HD. The Queretaro article is dated June 27, 1847.

can make war on the enemy, and have the constancy to annihilate them.”⁷⁴⁷ While many states remained quiet, others sent out pronouncements informing the public of their intention to remain in the fight.

Michoacan agreed that the war would end in “a disastrous way for the enemy.” True, the U.S . Army entered Puebla unopposed, and it was no secret that the Scott’s ultimate destination was the capital. However, even the occupation of Mexico City would not amount to anything. When the “capital [is] lost, only another population has been lost, which is certainly not the Republic.” Despite lacking weapons and money, the authors believed as long as Mexicans had the spirit to fight, they could not lose:

A priest and a few children of the country launched the cry of freedom in Dolores, without other weapons, nor other resources, but only a firm will to save the country; thousands of warriors followed them, and without possessing the strategic knowledge of war, they defeated a powerful enemy... To the Hidalgos and Allendes... these hard-working men, without arms, without money, and with the anathema of the Church above, triumphed over their enemies in a multitude of bloody encounters.⁷⁴⁸

Ocampo matched Adame’s revolutionary rhetoric with concrete steps to foment guerrilla war. On July 5 he issued a decree in Morelia. Based on its contents, General Scott was not the only one having a difficult time getting horses. Ocampo’s eight-point decree was expressly designed to supply the Mexican insurgency with badly needed mounted soldiers. Even though Ocampo sent out reinforcements, there had been “great difficulty” in “acquiring our own horses for the war...” He informed the public that he was sending Michoacan government agents “to look for them with enough money for immediate payment” – despite lacking the public funds to do so.⁷⁴⁹

Ocampo’s July decree was a basic plan. The first point was that farms would contribute one man for each 20,000 pesos of their worth. Therefore, farms and haciendas, where horses were essential to livelihoods, were the targets of the decree. For example, if a farm was worth 60,000 pesos, that farm would be required to contribute three mounted men. Ocampo also created a formula for smaller farms. “The farms whose value does

⁷⁴⁷ *Ibid.* BNE-HD.

⁷⁴⁸ *Ibid.* July 23, 1847 (No. 132), BNE-HD. Michoacán article dated July 15.

⁷⁴⁹ *Ibid.* July 21, 1847. (No. 130), BNE-HD.

not reach ten thousand pesos will be united among themselves in the number that prudentially... will be assigned by the prefects, and they will also contribute with a mounted man” to the conflict. Like any type of transportation, horses had distinctive values based on their size, age, make, and agility. Therefore, considerations of prorating horses were put into the decree (Article Four), along with desired specifications for size:

The horses will be of sixty Mexican inches of height, from five to eight years old, healthy, meek, and if it is possible, dark colors, their price will be agreed upon with the authority, and the rent manager of the most immediate place, who in agreement, will certify the agreed price in a document that will serve as protection for the interested party.⁷⁵⁰

Ocampo’s decree stated that certificates (or vouchers) given to the owner by the registered agent would “be received as cash, in payment of the direct contributions that must be paid” by the owner of the farms. Ocampo implemented a fifteen-day time limit between the point where the government agents assessed the required contribution and the arrival for enlistment of the mounted soldiers in Morelia, the capital. Although the governor did not outline penalties for non-compliance, the nature of the order required an obligatory contribution to the war effort backed with a financial guarantee from the state government of Michoacan.⁷⁵¹ In other words, it did not provide incentives for the individual guerrilla-entrepreneur to capture military communications or enemy supplies (like Adame’s decree calling for a *levantamiento*) but was rather a war tax on farmers and ranch owners requiring compliance by administrative authorities. Nevertheless, the decree shows the pains Mexican leaders acted following Cerro Gordo to foster an insurgency.

By the summer of 1847 war proponents in Mexico believed the insurgency was not picking up enough speed. “Mexicans! What are you waiting for?” an article from *El Federalista* in Queretaro proclaimed. “Let’s rise en masse and annihilate these infamous adventurers, like the Israelites under the authority of God” did to their enemies.⁷⁵² *El Diario* lamented the situation the country found itself. “Fortune has turned its back on us in our meetings with the American troops,” the article read. The editors printed a Spanish poem relating to the Spanish war of independence that “seems written for us.”

⁷⁵⁰ *Ibid.* BNE-HD.

⁷⁵¹ *Ibid.* BNE-HD.

⁷⁵² *Ibid.* July 23, 1847 (No. 132), BNE-HD.

The poem cited the “immortal Zaragoza” and Joseph’s “flight from our Spain,” among other themes, and was designed to provoke a sense of patriotism: “Let us take the advice given to an ardent and inspired Spanish bard to a desecrated and vilified people like ours. This is how the invaluable benefits of independence and freedom are won and recovered...”⁷⁵³

A few days later *El Diario* reported on a large U.S. convoy launched from Veracruz to help relieve Scott’s numerically inferior army in Puebla. “The government of the nation must not forget the need to seize this convoy... and that a force should wait for it on the road from Perote to Puebla.” They believed this could be best accomplished by “the national guards of the various populations of their jurisdiction” along the route, and pleaded that Mexicans should “ignore particular quarrels, which must be left for later.” The editors suggested that General Juan Alvarez, a popular military leader from southern Mexico who later defended the capital, be the one to confront the Americans. “Mr. General Alvarez has a duty to proceed, and proceed as a guerrilla on your own, and tie or shoot whoever you consider to be an obstacle to the success of this important coup.”⁷⁵⁴

Scott, however, was not content to wait for reinforcements before setting off towards Mexico City, and Mexican spies within and without the city could easily assess the status of the U.S. Army. If there was any movement indicating that the army was readying to launch, the Mexicans were immediately aware of it. It was no secret that Scott’s destination was Mexico City (as he indicated himself publicly), the only question was when he would be leaving Puebla. Since his army had already been there roughly five months, the conventional wisdom was that he was waiting for reinforcements. However, the catch was that Scott himself had broken a few conventional rules of war while commanding U.S. forces in Mexico – which made him less predictable. Again, despite the smaller army, “divided” Mexico, a “victim of machinations,” as the editors of the *Diario* claimed, felt themselves to be under siege in a situation akin to Napoleonic Spain:

⁷⁵³ *Ibid.* July 25, 1847 (No. 134), BNE-HD.

⁷⁵⁴ *Ibid.* July 29, 1847 (No. 138), BNE-HD. Alvarez was named the first governor of the state of Guerrero when it was created in 1849.

The peoples invaded by another more powerful nation, such as ours now, have suffered strong disasters at first, and without going any further, there we have Spain, in the early days of the French invasion, almost reduced to Cadiz and the Island of Leon; and Spain later rose up angry and powerful, and the laurels of Bailen and others and another thousand acquired in an unequal and glorious struggle, have come to illustrate the pages of their history.⁷⁵⁵

Mexico was divided. Throughout the war they argued with each other about the responsibilities and roles of the state and national governments in defending the country. These schisms existed for generations and were in many ways the consequence of a long period of colonial administrative rule from afar. With independence achieved in 1821, the twenty-five years before the advent of the war was not enough time for the ethnically, socially, and geographically diverse country to develop the appropriate long-term political foundations and mechanisms needed to effectively respond to a national crisis. In this context, it is no surprise that the editors of *El Diario* lauded the efforts made by Adame and Ocampo, while at the same time disparaged the inaction of other states. “There are states that have exhausted their resources and have made heroic efforts, ...the generous efforts made by that of San Luis Potosi, Querétaro, Veracruz, Jalisco, and others...” The states opposing the Americans “will occupy a very distinguished place in the history” they noted, while pointing out that “there have been states, that if they have done something, they have not done it with the enthusiasm the terrible situation in which the Republic is in demands.”⁷⁵⁶

San Luis Potosi was one of the most vocal states opposing the Americans. Wedged between both the northern and central war theaters, and containing valuable mineral wealth, it is understandable why that state anticipated a U.S. invasion by readying itself for guerrilla war. “Descendants of the heroes Hidalgo, Morelos, and Iturbide, memorable for their courage, sagacity and patriotism call you to the battlefield to protect our valuable interests!”⁷⁵⁷ The state of Michoacan, led by Melchor Ocampo, also pushed for continued war although it remained outside the war’s main theaters. Adding to the complexity of Mexican difficulties, Ocampo was totally opposed to the machinations of Paredes and Jarauta to reinstitute monarchy. “Some people believe that... the nation must be handed over to Europe through the establishment of a monarchy, others judge

⁷⁵⁵ *Ibid.* July 31, 1847 (No. 140), BNE-HD.

⁷⁵⁶ *Ibid.* August 7, 1847 (No. 147), BNE-HD.

⁷⁵⁷ *Ibid.* August 8, 1847 (No. 148), BNE-HD. San Luis Potosi, July 31, 1847.

that under the same circumstances we must add ourselves to the northern states.”

According to Michoacan’s authorities, such a move meant trading one corrupt system for another. Like *El Diario*’s editors, the press release from that state advised leaving the internal quarralling for a later time to focus on the pressing crisis caused by the invader:

If we were handed over to a monarchy, a few of the clergy and those who enjoy some comforts would be elevated to a bright position; But would this same fate do most for the nation? Surely not: perhaps those same privileged people would be the ones who will oppress and tyrannize the people! ...Let us leave the monarchs for now, because the danger that most threatens us is the domination of the United States of the north.⁷⁵⁸

Republican suspicions of Paredes’ royalist motives were slowly being confirmed inside and outside of Mexico. Although reporting on the monarchist movement was limited compared to reporting on the military situation, some U.S. newspapers connected the links between the former Mexican president’s trip to Europe and the arrival of the Carlist fighters. In late August, a report from the *Picayune*’s correspondent based in Veracruz spread the word that Paredes had arrived clandestinely from the port city from Havana. “It is with mortification and regret... that Gen. Paredes passed through our city this morning, about 7 o’clock, in disguise, and before it was ascertained that such was the fact, he was far out of reach on his way to the city of Mexico.” The correspondent reported that Paredes had taken a British “royal mail steamer *Teviot*, under an assumed name, and [was] entirely unknown to the captain of the vessel.” When the Americans learned of Paredes’ arrival, they offered a hundred-dollar reward for his capture, “but the ‘bird had flown’ and given us a specimen of assurance and cunning that would do credit to the father of Yankee tricks.” The U.S. Consul in Cuba apparently tried to inform U.S. military authorities in Veracruz of the exile’s departure from Havana, “but it came to hand too late to do any good.” The New Orleans correspondent concluded that Paredes “will no doubt make every effort to reach Mexico [City] before Gen. Scott does.” It appeared to the correspondent that the former president believed he could take advantage of the situation, and perhaps even turn the tide of the war. “At all events, he is just the man the Mexicans have been wanting ever since the battle of Cerro Gordo, and now, that he is with them once more, there is no telling what mighty events may be the

⁷⁵⁸ *Ibid.* August 9, 1847 (No. 149), BNE-HD. Morelia, State of Michoacan, July 29, 1847.

result of his return from exile.”⁷⁵⁹ Indeed, both belligerents in the war were assessing the strength of royalist revanchism emanating from European actors.

The *Public Ledger*'s Washington correspondent was skeptical of the possibility that Paredes was aided by the British, noted that there were a few “Carlist conspiracies fomenting in Spain,” and reiterated that Paredes and Santa Anna were enemies. That the former Mexican president was a monarchist on a mission was apparent to everyone, but who exactly his European sponsors were (if they existed at all) remained a matter of speculation:

That Paredes has been applying to the different Courts of Europe for assistance, I do not doubt. That he was handsomely received by the Court of Tuileries [in Paris] demented on the subject of perpetuating dynasties, it is but reasonable to presume... Still, if any power in Europe meditate such a foolish design, it is much more likely to be France than England... Agents of Paredes, previous and after he became President of the mis-called Republic of Mexico were known to be busy in Madrid, but that power has spent its last pistareens...⁷⁶⁰

Nevertheless, as Ocampo and others believed, the monarchist movement was not the immediate problem. The immediate problem was the foreign army in Mexican territory. As U.S. forces marched into the central valley, time to prepare for the advance on the Mexican capital was slipping away. On August 9, Santa Anna made an appeal for unity to the Mexican people from the capital city. The *caudillo*-president cited American aggression in the Seminole Wars, slavery, and invoked familiar themes of resistance in a last-ditch effort to bolster a depressed war spirit. “Mexicans! ...you belong to a noble and generous race which honors the memory of Numantia and Saguntum,” Santa Anna’s plea appealed to Mexicans “imitate... the defenses of Zaragoza and Gerona.” It was a last effort for unity. “The time has come for you to declare that the descendants of those heroes are also heroes under the beautiful sky of the New World.”⁷⁶¹

In addition to the histrionics, Santa Anna proffered a last minute “Plan de Hacienda” designed to unite Mexico’s disparate social groups by implementing “beneficial laws” based on equality. The plan outlined reforms in fourteen points to “free the taxpayer

⁷⁵⁹ *Public Ledger*, Philadelphia, August 30, 1847. Report from New Orleans *Picayune* (Veracruz) dated August 14.

⁷⁶⁰ *Ibid.*

⁷⁶¹ *Diario del Gobierno*, August 10, 1847 (No. 150), BNE-HD.

from the cruel and unfair exactions that are generally victims of distant capitals, in which their late complaints rarely arrive.” The thirteenth point – the point that Anna elaborated on the most – was directed at the *alcabala*. “Experience has proven how hateful the system of *alcabalas* is to the people, both for the severity with which they are charged by the exactors and for the delays, obstacles, and damages suffered.”⁷⁶²

Santa Anna’s last-minute proposal to abolish the *alcabala* is proof of the effectiveness of the U.S. initiative rescinding it. The Mexicans noticed the success of the policy, the indifference of the poor and indigenous to the U.S. invasion, and the ways Scott exploited class differences to divide and conquer. Mexican leaders understood there was a lack of support for a *levantamiento* among the lower classes – especially among victims of the tax system. The propertied classes and the Church were sufficiently placated by Scott’s directives respecting property, but it was the lower classes who supplied the army with soldiers who would have been the backbone of any insurgency. Anna wrote that “the system of *alcabalas* gravitates on a half of the society” and that “people see with disgust, that at the same time that the exactors handle with more hardness and excess in the collection of the rights, the income to the treasury is less, and they are not enough to cover the expenses of the nation...” Santa Anna called the persistent colonial tax the “hacienda system,” and advocated “ceasing all the *alcabalas* and contributions” connected to it. He addressed some of the particulars of the system that the Americans had scrupulously upended:

For the freedom that every inhabitant of the nation acquires to freely transport, from one end of the Republic to the other, their interests without having to ask permission from anyone, nor be subject to inspection or appraisal, both on the roads and in their houses and inns; acquiring by this means a new property right over their fortune, because they will no longer be deprived of it by the interpretation of this or that subtlety of the law, when should they not have this?⁷⁶³

⁷⁶² *Ibid.* See: Ocampo, *Obras Completas de Melchor Ocampo*, Vol. 2., 161. “The *alcabala* tax on the transfer of goods, is one of the Spanish mistakes in which it is more clearly seen that the imposition is made on capital.” ‘Exposición’ from Ocampo to President Benito Juárez, 1861.

⁷⁶³ *Ibid.* “Because so many laws, regulations and guidelines of confiscation are abolished, that they only put obstacles to the prosperity of commerce and agriculture...” See: Tantoyuca Plan, January 7, 1848. (USAPP) In early January authorities of Tamaulipas (Tampico) believed the U.S. was attempting “to conquer our territory,” and issued a pronunciamiento. Article 6 of the Tantoyuca Plan rescinded the *alcabala*. “During the war of independence, which begins today, the direct contributions and calls of *alcabala* cease...”

Although *El Diario*'s editors believed Santa Anna's plan was a "historical document, written with the eloquence of the heart," it was too little too late.⁷⁶⁴ After basing U.S. forces at Puebla for much of the spring and summer, Scott left the city with most of the army early August. It was the final leg of the march to the capital. Even as the U.S. Army came within striking distance of the capital, calls for peace by dovish Mexicans were shouted down and even looked upon with suspicion. The Americans were the ones who provoked the war, they argued, and thus to sue for peace was an injustice upon the Mexican people worse than being conquered. Mexico "will not degrade its noble cause," San Luis Potosi proclaimed in *El Diario*. A Michoacan circular appearing the same day believed the Mexican nation "was under attack by a grave and violent sickness, whose symptoms could get worse" as long as the U.S. Army continued unobstructed on its path to Mexico City.⁷⁶⁵

Roughly three weeks before U.S. forces set foot in Mexico City *El Diario* printed a long poem titled "Zaragoza." The poem, written by Spanish statesman Francisco Martinez de la Rosa, heralded that city's resistance to the French. Spattered with footnotes added by *El Diario*'s editors explaining the historical events of the siege of Aragon's largest city, Mexican authorities tried to muster a spirit of defiance:

...Ruge con mas furor el león hispano,
 La sangrienta guedeja sacudiendo;
 Y al agresor se arroja, y se complace
 La presa entre sus garras dividiendo
 Seguid, seguid: la heroica Zaragoza
 Al combate se apresta, al a venganza;
 La espada vibran sus valientes hijos,
 Y blanden fieros la terrible lanza...⁷⁶⁶

Invoking the spirit of Zaragoza proved futile. Mexican supporters of the national army watched as the Americans defeated the Mexicans at each decisive engagement before the gates of Mexico City. "We are in a bad way." – one distraught brother wrote to his brothers from Mexico City. "We lost the battle on the hills of Contreras, and that of

⁷⁶⁴ *Ibid.* August 12, (No. 152), BNE-HD. See also: *El Diario*, August 11, 1847 (No. 151) Minister of Foreign Relations: "The esteemed President orders me to pre-express, in an explicit and positive way, the reforms that he proposes to do in the political state of the country, while he will be in power..."

⁷⁶⁵ *Ibid.* August 15, 1847 (No. 155), BNE-HD.

⁷⁶⁶ *Ibid.* August 20, 1847 (No. 160), BNE-HD. The second half of the poem was published in *El Diario* August 22, 1847.

Churubusco, and tomorrow or the next day the Yankees will be in the capital.” What was equally frustrating was that – even though Scott had a smaller force due to the discharges at Jalapa – the numerically superior Mexicans appeared helpless. “The Yankees have lost 4,000 men out of the ten thousand they had, and with 6,000 men they undertake to occupy the capital, which is almost incredible.” Another Mexican writing to his friend the same day noted that “the bridge of Churubusco was lost almost without resistance, and at great sacrifice.” Superior American skirmishing played no small roll in those successes. The result of the final rout outside the capital was massive disorder. There were “soldiers running into the city, dispersing in all directions, filled with terror, and crying that the enemy was coming in immediately after them.”⁷⁶⁷

Other Mexicans directed their anger at their leaders. One young lawyer asked his father, “Who is to be punished for these disasters? The public accuses Santa Anna...” He also added that the “end has proved in the most equivocal manner, the correctness of our prophecies.” Another wrote: “Fear and consternation pervade the whole city... I have no confidence in our dispersed soldiers, who are all of them robbers, most of them drunk.” Still others viewed the military disaster as divine retribution, and asked for holy intervention. “Pray to God to deliver us” wrote one man to his mother. “His Divine Majesty has sent these devils to punish us for our sins. These are the fruits of our domestic quarrels, for only by this could these devils so scorned a nation...” What was also apparent was the demoralization of the Mexican military and people. Another man wrote to his family:

My blood boils at witnessing so much cowardice, so much inaptitude and infamy, and one must either die, or fly from this country, which is stamped with the seal of Divine reprobation, and God seems to have written against us the words of the feast of Belshazzar. Tears spring from my eyes, and despair seizes the soul, when it is seen that there is only among us the capacity for vice, and that everything is desecrated by a demoralized people.⁷⁶⁸

As Scott’s conventional campaign ended with the seizure of the capital the guerrilla war behind him intensified. Reports emanating from Jalapa’s *El Boletín* noted that on August 19 about three hundred and fifty guerrillas attacked an American train heading towards the city “and all the evening the road for near a mile was covered with men,

⁷⁶⁷ *Daily American Star*, Mexico City, October 14, 1847. (BLAC). “Intercepted Letters”

⁷⁶⁸ *Ibid.* October 14, 15, 1847.

women, and children, whom curiosity had attracted there.” The reports noted that U.S. soldiers tried to disperse the crowd with “cannon and musketry” and that “the citizens succeeded in reaching their homes without receiving any injury.” After the convoy entered Jalapa, it was again attacked a few days later by Jarauta on “the other side of Jalapa, but that he had been driven back by our troops, with loss on both sides.” The Americans wondered if they had to consider Jalapa’s city leaders “friends or foes,” which would dramatically alter the tenuous relationship considering the city was a vital stop on the road between Veracruz and Mexico City.⁷⁶⁹ The guerrilla war in central Mexico was well underway and the Americans needed to reduce the attacks. The summer of 1847 thus marked the transition from conventional to unconventional warfare.

Calls by Mexicans to turn to guerrilla warfare arose prior to the outbreak of a conflict that was both predictable and seemingly impossible to avoid. Irregular warfare was not new to the country, as the Mexicans, informed by both the Spanish and revolutionaries a generation earlier, understood the tactical precepts in mounting an insurgency. However, due to the volatile nature of Mexican politics and disunity among disparate parties, regions, and classes, Mexico could not mount an organized or timely response to the American landing at Veracruz.

The Plan of the Citadel, implemented after Salas and Farias seized power in August of 1846, expressly supported the existing Mexican military and the inherent political power that it had always held. When Santa Anna reentered Mexico, the new regime made an uneasy alliance with a politically nebulous general viewed by many Mexicans as a last hope for unity and resistance. Calls for guerrilla warfare were therefore put aside so that a tenuous alliance between the new regime, the military, and Santa Anna, could be consummated to oust the Americans. In other words, guerrilla warfare was not a viable option because – while it may have made sense militarily – it did not offer any political benefits to an oscillating and tenuous power structure. Counterintuitively, Scott’s slow five-month march to Mexico City gave Mexican supporters of the military continued hope that they could organize a resistance similar to that of Zaragoza. For a few holdouts, that hope held out even after the Americans took Mexico City.

⁷⁶⁹ *The Fayetteville Weekly Observer*, North Carolina, September 14, 1847.

The invasion of Veracruz and subsequent routing of the Mexican Army at Cerro Gordo in April of 1847 changed the dynamic of the war. Once Santa Anna and the military were proven ineffective, overt calls for guerrilla warfare by Adame, Ocampo, and others, took on more prominence. Although these calls were somewhat stymied because the Americans had not yet taken Mexico City, the governors of those states implemented concrete steps to foment guerrilla war. These steps were neutralized, however, due to the U.S. strategy to keep the army compact and within a limited region in central Mexico. Essentially the Americans denied the Mexicans the advantage of their own vast geography. Had they decided to invade San Luis Potosi or other populated states located between Mexico City and Monterrey, the war would have been more similar to that of Spain. U.S. forces would have required hundreds of thousands of soldiers to hold a region twice the size of Iberia. It is not conjecture to claim that the U.S. Army would have had a difficult time holding San Luis Potosi if it had invaded that state.

Since the Mexicans who seized power in August of 1846 were adamantly anti-monarchist, the arrival of seasoned guerrilla veterans of the Spanish Carlist Wars in the late spring of 1847 complicated the conflict. The most effective guerrilla leader to appear was the Spanish priest Celedonio Jarauta. Although Scott's policy of paying for Mexican goods, rescinding the *alcabala*, and disciplining soldiers in violation of rules of conduct reduced general antipathy towards U.S. soldiers in occupied areas, there were still guerrillas to pursue who could expect tacit support from the villages and towns adjacent to the main logistics line. The outbreak of guerrilla warfare in central Mexico during Scott's march inland forced him to call for reinforcements of mounted soldiers to keep the vital corridor between the coast and the capital viable. Questions remained: What would be the American response to guerrilla warfare? Would Scott's counterinsurgency policies resemble that of the Viceroyalty during the Mexican revolution, or the French during the Spanish War of Independence? Would captured guerrillas be summarily executed as bandits or outlaws? The war appeared far from over with many predicting it would spiral out of control.

On July 8, 1847, while American forces strolled the relatively quiet streets of Puebla, *The American Star - No. 2* printed a response to Mexican calls for guerrilla war:

That system of guerrilla warfare is likely to produce some bitter fruits to the Mexicans themselves... We of the U.S may be slow in learning how to apply the system, but the Mexicans may teach us something on the subject, and possibly in due time, the scholars (students) may have something to teach the teacher. Those who live in glass houses, 'tis said, should not throw stones. There is something in Shakespeare on the subject of teaching bloody instruction, which being taught, returns to plague the inventor, and the government of Mexico would do well to ponder on the consequences of carrying on war against the laws of war, and in contempt of the civilized world.⁷⁷⁰

As the guerrilla war intensified in the summer of 1847, the Americans were confronted with a dilemma. The response necessitated a balance of effective benign policies in conjunction with a robust (but not oppressive) counterinsurgency. The trick was not alienating the population – as Halleck warned had occurred in Spain. For Scott, staying within the rule of law was an objective unto itself, and he would maintain discipline and control over his soldiers at all cost.

By all appearances, after taking the capital the Americans seemed successful. But as military strategists agree, looks can be deceiving. Under the surface existed nascent animosities that could have easily surfaced as they did in Spain following the *dos de mayo* uprising. Scott managed to neutralize that potentiality with the appropriate combination of lenient and strict policies, deference to the Church, rescinding unfair taxes, and periodic propaganda designed to divide the people from their leaders. However, the possibility for escalation was real. The war could easily have changed after a revolt or massacre, which would result in inflaming the people. This was what the Mexican guerrillas and pro-war advocates wanted because it would confirm their belief in the worst intentions of the Americans. In other words, an escalation would result in losing the compliance of indifferent Mexicans. Indeed, peace seemed far off in the fall of 1847 and the entire conflict remained on the precipice of unravelling into a detestable and lawless war.

⁷⁷⁰ *American Star – No. 2*, Puebla, July 8, 1847. (BLAC).

2.4 MILITIA “BEYOND” THE LAW: *LOS DIABLOS TEJANOS*

It is reported that Captain Walker frequently told his men that he wished them to bring in no prisoners; the inference which his men were certain to draw from this hint may be easily conceived. But one of the great evils of guerilla warfare is, that it necessarily, by the process of retaliation which it induces, ends in a dishonorable and savage system of inhuman butchery and fiendish assassination.⁷⁷¹

----- George Ballentine, *The Mexican War, By an English Soldier*, 1860

When General Winfield Scott asked General Zachary Taylor for mounted soldiers in late April of 1847 he did not specifically ask for Texans. He simply wrote that his cavalry was “meagre” and that he needed “a competent fighting force” of mounted units to fight guerrillas to keep the logistics line between Mexico City and Veracruz viable.⁷⁷² Nevertheless, Texans are what he got. The Texas Rangers were formidable counterinsurgency soldiers but their disregard for the laws of war and the benign pacification doctrine Scott was attempting to institutionalize within U.S. forces in Mexico marked a dichotomy between the West Point warriors and the frontier fighters. Furthermore, these frontier fighters were authorized by federal officials to enter the war as militia operating under a semi-separate set of laws governing military conduct – which legally complicated the efforts of the West Pointers. Ranger participation in the war was later criticized by those who believed President Polk did not have the legal authority to send militia bent on revenge into the heart of Mexico. Thus, the Texans involvement in the Mexican War is best described by historian Major Ian B. Lyles as a “mixed blessing.” They helped keep the logistics corridor between Veracruz and Mexico open but they also undermined the new law and order military doctrine implemented in occupied Mexico.⁷⁷³

⁷⁷¹ Ballentine, *The Mexican War, By an English Soldier*, 222.

⁷⁷² HED No. 60, pp. 1171-1172. (LOC). Scott (at Jalapa) to Taylor (near Monterrey) April 24, 1847.

⁷⁷³ William Jay, *A Review of the Consequences of the Mexican War* (Boston: Benjamin B. Mussey & Co., 1849), 131, 24-27. Jay wrote on the use of the militia in the years of Texas independence. Major Ian B

Traditional histories of the war minimize (or ignore) the guerrilla action that erupted along Scott's logistics line after the Mexican Army's defeat at Cerro Gordo, and instead mark the arrival of the U.S. Army in Mexico City as the endpoint in a campaign that persisted months after the peace treaty was signed in 1848. The month-long siege of Puebla, a vital point between Veracruz and Mexico City is a case in point. Almost immediately after the Americans seized Mexico City the Mexicans attempted to cut off the U.S. Army from the sea by laying siege to that city. Had the Mexicans managed to take Puebla, the American occupation of the capital would have been jeopardized. A retaken city of Puebla have become a symbol of Mexican resistance, which in turn would have bolstered the cause of the guerrillas and encouraged those on both sides who sought to perpetuate, or even escalate the war. The Texans' contribution toward eliminating the threat of the guerrillas in this regard was a positive development for the U.S. military.⁷⁷⁴

During the antebellum period West Point taught aspects of warfare considered "counterinsurgency" but most of that instruction came after the Civil War. According to Andrew Birtle, the military "had never developed a formal doctrine for Indian warfare, it gradually evolved a theory that blended conventional and unconventional techniques to attack the social and economic resources upon which the Indian power rested." When Andrew Jackson advised Scott to burn Seminole villages in Florida, he was acting along the same strategy. As a doctrine however, there was no articulated (published) approach other than "principles inherited from the antebellum campaigns and passed down by word, deed, and memory." An influential scholar in this field was Dennis Hart Mahan, professor of military science at West Point. It was Mahan who coalesced frontier fighting tactics into a more coherent set of military principles. "While Mahan's lectures on Indian warfare represented the most direct way in which the academy prepared its charges for frontier duty, it was not the only way." Birtle notes that "Mahan stressed the value of reconnaissance, security, skirmishing, and aspects of *petite guerre* that coincidentally, were also valuable in Indian warfare." This was the American way of

Lyles, *Mixed Blessing: The Role of The Texas Rangers in The Mexican War, 1846-1848*, (Normanby Press, 2015).

⁷⁷⁴ See: Nathan A. Jennings, *Riding for the Lone Star: Frontier Cavalry and the Texas Way of War* (Denton: University of North Texas Press, 2016). Jennings uses the term "calvary-centric" warfare.

war that the Texans naturally excelled, but in the Mexican War their approach to warfare was in stark contrast with Scott's benign counterinsurgency initiatives.⁷⁷⁵

The Mexicans called them “*los diablos Tejanos*,” or “the Texas devils.” Coming from the east, white settlers were originally invited to the Texan borderlands region by the Mexican government after achieving independence from Spain in the early 1820s. Ultimately this vast area became a confluence of three cultures: Native American, Mexican, and Anglo-Saxon. The offspring of the first generation of settlers learned to fight a style of warfare that had no name other than “Indian warfare.” It was the way of war for a native and frontier culture that later became known as “guerrilla” warfare.⁷⁷⁶ Moving and shooting – the two essentials of warfare – were critical to learn, and frontier fighting included young and old. There were very few women in the Texas borderlands who did not know how to ride a horse or shoot a gun, and clashes within the region were marked by brutality on all sides.⁷⁷⁷

According to Lyles, the Texas frontier fighting style embodied by the Rangers was systematic and “evolved over time into a highly effective doctrine of mounted combat.” Texans were often outnumbered and needed to compensate their lower numbers with tactical discipline. “The Rangers initiated battle with well-aimed rifle fire usually against the enemy leadership or the most effective fighters, delivered from outside arrow or *escopeta* range.” Targeting enemy leadership was an effective form of demoralizing enemy soldiers and causing confusion. “After attempting to kill or disable the enemy’s leaders, the Rangers followed up with a charge to disperse the enemy formation; each man using his pistol or pistols at close range.”⁷⁷⁸ Depictions of chaotic skirmishing in

⁷⁷⁵ Birtle, *U.S. Army Counterinsurgency and Contingency Operations*, 60-61. For the work cited by Birtle, see: Dennis Mahan, *An Elemental Treatise on Advanced Guard, Out-Post, and Detachment Service of Troops with the Essential Principles of Strategy and Grand Tactics* (New York: Wiley and Putnam, 1847). (Revised 1862).

⁷⁷⁶ See: Brian DeLay, *The War of a Thousand Deserts* (New Haven: Yale University Press, 2008). See: Walter Prescott Webb, *The Great Plains* (New York: Ginn and Company, 1931).

⁷⁷⁷ For borderlands history see: Walter Prescott Webb, *The Texas Rangers: A Century of Frontier Defense* (Boston: Houghton Mifflin, 1935); Herbert E. Bolton, *The Spanish Borderlands: A Chronical of Old Florida and the Southwest* (New Haven: Yale University Press, 1921); John Francis Bannon, *The Spanish Borderlands Frontier* (New York: Holt, Rinehart and Winston, 1970); David J Weber, *The Mexican Frontier, 1821-1846: The American Southwest Under Mexico* (Albuquerque: University of New Mexico Press, 1982); Albert L. Hurtado, “Bolton and Turner: The Borderlands and American Exceptionalism.” *The Western Historical Quarterly*, 44, no. 1 (2013): 4-20.

⁷⁷⁸ Lyles, *Mixed Blessing*, 15.

movies between cowboys and Indians do not properly demonstrate the clashes the Texans underwent to settle and expand the North American frontier.

The Colt pistol was another asset giving the Rangers an edge in the Mexican War. Also known as the Walker Colt, the revolving six-shooting cylinder pistol was the product of a collaborative effort between Ranger Captain Samuel H. Walker (1817-1847) and gunmaker Samuel Colt of Hartford, Connecticut. It was designed at the start of the war in 1846 and saw action among the Texans in 1847. At the time the Colt was the most powerful repeating handgun ever, and the 1,100 built were manufactured expressly under military contract for use in Mexico. Heavy, sturdy, and accurate; Colt's without bullets were viable weapons. "If unable to break contact after expending their ammunition, the men used their bowie knives or swung the heavy Colt pistols by the barrels using them as clubs." These assets added up to a formidable and motivated fighter, and in Lyles' words, the "combination of audacity, fire discipline, target selection, firepower and shock effect proved a winning tactic on the frontier and served the Rangers well in combat in Mexico."⁷⁷⁹

HORSE WARFARE

Next to the gun, the most important weapon in nineteenth-century warfare was the horse. During the conflict in Spain, the Junta structured the *partidas* based on horses through the *Reglamentos* and *Curso Terrestre*. Both Mexican governors Adame and Campo factored horses into their proclamations pushing guerrilla war, and like the Spanish conflict, both American and Mexican armies were in short supply of them. U.S. cavalry soldiers and mounted rifleman generally did not bring their farm horses with them to war. Where did the U.S. Army get theirs? Many of the horses the Americans used in the war came from Mexicans.

If the U.S. wanted to win the war it needed to supply their cavalry with fresh horses. The journey from the North was long, and needed material such as cannon, grain, forage, garrison equipage, and other essentials required horses allotted to the U.S. Army's undermanned logistics division. Draft horses were generally older animals assigned to transport goods as teamsters – not for sprinting into battle. A large

⁷⁷⁹ *Ibid.*

percentage of horses therefore needed to be obtained in theater. According to Ulysses S. Grant, the U.S. Army was supplied with horses by opportunistic smugglers who lived in the Rio Grande region. “Wagons and harnesses could easily be supplied from the North; but mules and horses could not so readily be bought. The American traders and Mexican smugglers came to the relief.” The preferred method was buying and trading in bulk. Contractors sold mules under contract from between “eight to ten dollars” and received payment “in hard cash...” The animals came from Mexican and American smugglers, and Grant believed the U.S. Army got the better of the deal. “I doubt whether the Mexicans received in value from the traders five dollars per head for the animals they furnished... whether they paid anything but their own time in procuring them. Such is trade; such is war...”⁷⁸⁰

The future Civil War hero and U.S. President wrote that wild horses sold to the U.S. Army were rounded up in the vast plains between the Nueces and Rio Grande rivers. During the war, this region was almost entirely under U.S. military control, and opportunistic Mexicans would have had a difficult time marketing them further south in a cash-strapped Mexico. The grasslands of that region, wetter than the southern watershed of the Rio Grande, were well suited for wild horses. Near Corpus Christi, towards the mouth of the river, Grant was equally impressed that horses were “as numerous, probably, as the band of buffalo roaming further north before its rapid extermination commenced.” For the U.S. Army it was the perfect solution to a difficult supply problem. “A picked animal could be purchased at from eight to twelve dollars, but taken wholesale, they could be bought for thirty-six dollars a dozen.” Although the horses needed to be broken before a soldier could mount it, their quality was appreciated. “The horses were generally strong,” Grant recalled, “like the Norman horse, ...officers supplied themselves with these, and they generally rendered as useful service as the northern animal; in fact they were much better when grazing was their only means of supplying forage.”⁷⁸¹

Nor did Grant underestimate the importance of obtaining a large supply in the borderlands. Northern horses went through generational domestication, and their

⁷⁸⁰ Grant, *Personal Memoirs of U.S. Grant*, Vol. 1, 69-70.

⁷⁸¹ *Ibid.* 70.

“descendants are easily, as a rule, subdued to the same uses.” Not so wild horses. To meet the need, a system was quickly developed to break in thousands of animals. “The process was slow but amusing. The animals sold to the government were all young and unbroken, even to the saddle, and were quite as wild as the wild horses of the prairie.” Mexicans partnering with U.S. agents first corralled the animals into a stockade. This was Grant’s first experience with Mexican *vaqueros* (cowboys) “who were all experienced in throwing the lasso...” After the animal was brought to the ground the teamsters would seize it “while the blacksmith put upon him, with hot irons, the initials “U.S.” According to Grant this long “process was gone through with every mule and wild horse with the army of occupation.”⁷⁸²

As Grant recounted, the wild horses roaming the prairielands between the Nueces and Rio Grande resembled in many ways the common Anglo-Norman horse in the United States. The Colonial Spanish Horse, which was a mix between a North African Barb and an Andalusian, were first brought to North America by Spanish conquistadors. Those horses, known for their stamina and hardiness, eventually spread throughout the American Southwest and were adopted by tribal nations living in the region – most formidably the Comanches. In the nineteenth century, Thoroughbreds (a mix of English native mare, Arabian, and Barb) were crossbred with western Mustangs and Colonial Spanish Horses to create the American Quarter Horse – which was known for its excellent sprinting and often used on ranches pushing cattle in the borderlands. John Borneman notes that “the Quarter Horse embodies more than any other breed the American West, and its origin is often expressed in a folksy Western manner.”⁷⁸³

Although Grant recalled that many officers liked the wild horses, there is plenty of anecdotal evidence suggesting Americans considered them better than the “Mexican horses” found in the interior. Albert M. Gilliam, an Englishman writing of travels to Mexico immediately before the war, objectively commented that a fellow English traveler referred to his rented horse as “his ‘cattle,’ the gay, fiery, low-quartered, middling size Mexican horse, for they are all such in contrast with the American

⁷⁸² *Ibid.* 79-80.

⁷⁸³ John Borneman, “Race, Ethnicity, Species, and Breed: Totemism and Horse-Breed Classification in America.” *Comparative Studies and History* 30, no. 1 (Jan. 1988): 33. Cold-blooded horses are “draft breeds used for pulling heavy loads but generally not ridden” while “*hot-blooded*... [are] horses of the Thoroughbred and Arabian breeds.”

animal.” Gilliam wrote that the Mexican horse, “a descendant of the barbed animals” from Spain, was generally smaller due to its natural diet. Its advantage, however, was that it was well-adapted to the difficult terrain. “He is more hardy than any other horse... and he never knows what it is to be fed on the luxury of grain, until his master has thrown the lasso over his neck,... [he] never fail[s] to raise his feet above all impediment... for he never stumbles.”⁷⁸⁴

Other descriptions of Mexican horses were less diplomatic. Captain William Seaton Henry, author of a popular history of the war during his time serving under Taylor, gave an account of his first ride on a Mustang. “The animal was lively and frisky enough, but a mere rat compared to our northern horses.” Henry, like Grant, was stationed in the Corpus Christi area. He recounted that a “very capital mustang can be purchased for fifteen dollars, or from that to twenty-five, depending on the manner in which he is broken.” The price difference between accounts demonstrates the amount of money the U.S. Army saved by buying unbroken horses in bulk, as well as the price increase for a broken animal in good condition – regardless of its inferiority. However, it is unclear if Henry made a distinction between the wild horses on the plains of Texas referred to by Grant, or Mustangs, which he considered Mexican. “The mustang cannot compare, in either fleetness or endurance, with ours.” Nevertheless, if Henry was purposely disparaging Mexican horses it is difficult to explain his motive, since he was equally capable of giving praise. After the battle at Monterrey he observed that the Mexican Lancers “were as fine looking men as I ever saw. Their horses were inferior animals; *one* of ours could ride over *three* of them.”⁷⁸⁵

Captain Robert Anderson, an officer who took part in the siege at Veracruz, recounted riding a “Mexican pony,” along with an unflattering description of its gait. If the horse “had pleased me, the Quarter Master’s Dept. would have paid... being entitled to a horse, as Acting Major. I did not like him, – indeed, I do not fancy the gait of any of these horses.” Anderson concluded that the horse’s uneasy gait was due to a couple of factors which included “very severe bits, which, by little more than the pressure of the

⁷⁸⁴ Albert M. Gilliam, *Travels over the table lands and cordilleras of Mexico. During the years 1843 and 44* (Philadelphia: John W. Moore, 1846), 226-227.

⁷⁸⁵ Capt. William Seaton Henry, *Campaign Sketches of the War with Mexico* (New York: Harper and Brothers, 1847), 24-25, 54, 218. Seaton graduated from USMA in 1835.

little finger on the rein, will bring the horse upon its haunches from a gallop.” Even the Mexican equipage was different. “As the Mexicans use enormous spurs, between them and the bit, the horse moves as if ready at any moment to come to a dead halt, producing a kind of gait perfectly enchanting to a Mexican dandy.”⁷⁸⁶

As Grant stated in his *Memoirs*, one advantage Mexican horses had was their natural ability to subsist on the vegetation of the dry environment. The arid Mexican environment was also a concern among U.S. officials and war planners. These concerns were raised prior to the outbreak of hostilities when Acting Secretary of War and historian George Bancroft wrote Taylor prior to his departure to the Texas borderlands. “It is understood that suitable forage for cavalry cannot be obtained in the region which the troops are to occupy,” he informed Taylor in June of 1845, ““But it is possible that horses of the country, accustomed to subsist on meagre forage, may be procured, if it be found necessary.””⁷⁸⁷

John Salmon “Rip” Ford (1815-1897), the adjutant who accompanied the Texas Mounted Rifles (Rangers) under John Coffee Hays (1817-1883) when they were sent to Mexico, agreed that northern horses were better. To lose one’s horse meant having to saddle a Mexican one for the remainder of the campaign. “No one fancied losing his American horse,” Ford recalled, “and then being mounted on a Mexican *caballo*. He was an animal of great endurance, but not as fleet as his American brother.” Speed was prized more than forage, and the solution to the problem of limited forage lay in the procurement of barley cultivated in the coastal region between Veracruz and Jalapa. According to Ford, barley was “one of the best articles for horse feed ever” used, and he could not recall any horses foundering “during our operations on General Scott’s line in which the founder could be fairly attributed to barley.” Horses were essential to warfare and survival, and Ford and his fellow Texans devoted as much time to attending to their

⁷⁸⁶ Robert Anderson, *An Artillery Officer in The Mexican War, 1846-7* (New York: G.P. Putnam’s Sons, 1911), 218. As an officer Henry was entitled to a horse. Volunteers could bring their own horse but were not resupplied if it was killed or wounded. If soldiers entered service as cavalry officers they were usually provided one. See: U.S. Declaration of War, May 13, 1846. Sections 3 and 9.

⁷⁸⁷ Quoted in: Nathan C. Brooks, *A Complete History of the Mexican War: Its Causes, Conduct, and Consequences*, 57. Bancroft (Washington D.C.) to Taylor (Fort Jesup, LA) June 15, 1846.

welfare as they did their own. “Our men were generally careful with their horses. They were well groomed and well fed.”⁷⁸⁸

“THEY HAVE COME OUT AS MILITIA”

After Veracruz and Cerro Gordo Scott needed cavalry. Following his initial request to Taylor in April, on May 6, Scott informed Secretary Marcy that he was busy “sending off detachments of horse and foot, to meet and escort” convoys coming into Jalapa from Veracruz. Future supply trains would have to be large because smaller ones were being ambushed by guerrillas. Scott wrote that he could not “foresee that more than one other train, from want of escorts, may be expected up in many months.” In other words, Scott was denying the guerrillas easy targets by limiting the supply trains and increasing their escort size.⁷⁸⁹

The following day Scott was surprised to learn that Nicholas Trist – Polk’s envoy sent to negotiate a peace treaty – had arrived at Veracruz and was inquiring about making his way to headquarters. Scott told him that it would be difficult to provide a personal escort due to the “rancheros and banditti who now infest the national road, all the way up to the capital.” Trist was asked to wait until a larger, heavily escorted convoy could be organized, or until the road was cleared by reinforcements. Scott noted that Santa Anna, “the nominal president,” was operating in the Orizaba area “organizing bands of rancheros, banditti, and guerrillas, to cut off stragglers of this army...”⁷⁹⁰

While Scott was fortifying his logistics line Taylor was organizing mounted units. Taylor notified the Adjutant General in Washington that “he had five companies of horse from Texas” ready for duty, which was more than enough: “I beg that no more mounted troops may be sent me from Texas. With the regular dragoons and volunteer horse designed for this line, ...a cavalry force abundantly large for our purposes, and indeed, too large to be conveniently foraged.” The request went unheeded and scores of mounted Texans kept arriving for duty. The following week Taylor informed the

⁷⁸⁸ Stephen B. Oates (ed.), John S. Ford, *Rip Ford’s Texas (Personal Narratives of the West)*, 89. See: Anderson, *An Artillery Officer in The Mexican War, 1846-7*, 157. “Barley is cultivated here in greater abundance than any of the small grains; the grain and straw is the principal food for horses.”

⁷⁸⁹ HED No. 60, p. 955. (LOC). Scott (at Jalapa) to Marcy (Washington D.C.) May 6, 1847.

⁷⁹⁰ *Ibid.* 959. (LOC). Scott (Jalapa) Nicolas Trist (Veracruz) May 7, 1847.

Adjutant General that he was not planning on invading San Luis Potosi, and that he would assume a defensive position. This was the week before the entire northern theater went quiet and the guerrilla war moved to central Mexico. However, there was another reason the future U.S. President did not want the Texans. In the second letter Taylor reiterated not to send them because he was having difficulty controlling them during operations in northern Mexico. "I deeply regret to report," Taylor wrote, of "extensive depredation and outrages upon the peaceful inhabitants." In other words, the Texans were not abiding by the laws of war:

There is scarcely a form of crime that has not been reported to me as committed by them; but they have passed beyond my reach... Were it possible to rouse the Mexican people to resistance, no more effectual plan could be devised than the one pursued by some of our volunteer regiments now about to be discharged. ...the mounted men from Texas have scarcely made one expedition without unwarrantedly killing a Mexican... The constant recurrence of such atrocities, which I have been reluctant to report to the department, is my motive for requesting that no more troops may be sent to this column from the State of Texas.⁷⁹¹

What had occurred was that numerous companies of Texans showed up in the northern theater in anticipation of an invasion of San Luis Potosi and points further south from where U.S. forces were stationed. "Old Rough and Ready" (Taylor), not known for his discipline, was overwhelmed. The unruly nature of the mounted units beyond Taylor's reach played a role in his decision not to advance further into Mexico, as did the task of supplying the army through an expansive region difficult even for the Mexicans. When Taylor decided to commit to a defensive line in northern Mexico, the guerrilla war in the northern theater slowed to a standstill. It was Scott who needed mounted units to keep his line viable, but the dilemma was that Scott was running a judicial war enforced by strict military discipline. Scott had not asked for the Texans, but that is exactly what Washington sent him. Put another way, Scott was sent what he needed to fight the guerrillas but not what he wanted, because he believed that not alienating the population was more important as a benign counterinsurgency tool than the military efficacy of dragoons with years of experience skirmishing in Indian warfare. Scott was not out for revenge for wrongdoings committed on him by the Mexicans in years past – the Texans

⁷⁹¹ *Ibid.* 1175-1178. (LOC). Taylor (Monterrey) to Adjutant General (Washington D.C.) June 8, 16, 1847. See: HED No. 60, 1178-1180. (LOC). Taylor (Monterrey) to Adjutant General (Washington D.C.), June 23, 30, 1847."

were, which is why they rode wholeheartedly into Mexico and into battle – and the laws of war be damned.

Washington reported back late June. In the same letter where Marcy commented on the Carlists, the Secretary of War informed Taylor that the Texans showing up for duty were responding to calls by Colonel Samuel R. Curtis, the former military governor of Camargo who fought off attacks by General Urrea's cavalry and rancho units during the Buena Vista campaign. During that engagement, Curtis reported that Taylor's army was surrounded and needed thousands of additional troops. Marcy told Taylor that he was "at a loss to determine what ought to be done" with the extra mounted units, but that he was authorized by President Polk "to retain them," if necessary. The catch was, the regiment reporting for duty under the command of Colonel John Coffee "Jack" Hays, was neither enlisted nor volunteer, but Texas militia. Marcy wrote Taylor:

That call was made under the apprehension that the Rio Grande frontier was exposed to invasion, and that the act of the 13th of May, 1846, section second, declares "that the militia, when called into service of the United States by virtue of this act, or any other act, may, if in the opinion of the President of the United States the public interest requires it,"... They have come out as militia, as distinguished from volunteers...⁷⁹²

So how did Hays receive authority to enter the war as an official counterinsurgency officer while classified as militia? Mysteriously, it was Polk who made the decision. Polk wrote in his diary, "I sent for the Secretary of War this morning and conferred with him upon the necessity of speedily reinforcing Gen'l Scott's column, and especially of opening his communication with Vera Cruz." There is no indication how Polk became informed of Hays and his regiment of mounted Texans, but Polk wrote that Hays enjoyed "a high character as an officer" and may have learned about him from reports before and during the war. "I suggested that the mounted Regiment from Texas under the command of Col. John C. Hays... be ordered to proceed without delay to Vera Cruz

⁷⁹² HED No. 60, 1191-1192. (LOC). Marcy (Washington D.C.) to Taylor (Monterrey), June 26, 1847. Curtis graduated (USMA) 1831. See: Leticia Martínez Cadenas, et al, *La Guerra México-Estados Unidos su impacto en Nuevo León, 1835-1848* (Mexico [City]: Senado de la República, 2003), 120-125. "In this period the only effective mechanism for organized resistance deployed against the North Americans in Nuevo Leonese territory was called the *Mexican system of guerrillas*."

to co-operate with other troops in dispersing the bands of guerrillas who infest the road from Vera Cruz in Gen'l Scott's rear."⁷⁹³

The early twentieth-century Mexican War historian Justin Smith stated that "Polk himself selected Hays's" unit. The unit was well known, but one of the differences between him and Samuel H. Walker, another famous Texas Ranger in the Veracruz-Mexico City counterinsurgency campaign, was that "Walker, though stern with the guerrillas, would not permit his men to pillage." Smith described the Texans' eclectic appearance: "Hays' Rangers seemed to aim to dress as outlandishly as possible, and with their huge beards looked almost like savages."⁷⁹⁴

Indeed, there was nothing conventional looking about the frontier fighting unit. According to Colonel Ethan A. Hitchcock, none of them wore "any sort of uniform," but were "well mounted and doubly armed: each man has one or two Colt's revolvers besides ordinary pistols, a sword, and every man his rifle." The irregular appearance of the Rangers to the New England West Point graduate was more mercenary than soldier. "All sorts of coats, blankets, and head-gear, but they are strong athletic fellows. The Mexicans are terribly afraid of them."⁷⁹⁵ Indeed, they were the embodiment of the frontier fighter and the opposite of West Point graduates.

By using the militia clause Polk discovered a way to usurp Scott's authority in Mexico by invoking the expressed powers of the Commander-in-chief outlined in the Articles of War. Article 62 specifically addressed presidential powers:

If upon marches, guards, or in quarters, different corps of the army shall happen to join, or do duty together, the officer of the highest in rank of the line of the

⁷⁹³ Polk, *Memoirs*, Vol. 3, 89. July 16, 1847. Polk was careful about discussing his presidential powers in his *Diary*. See: Ibid. 173-174 (Sept 15, 1847). "Judge Mason and Mr. Walker... renewed their recommendation that I should give the D.C. & Maryland Battalion a Regimental organization [...] I should think that I could do so legally and properly. [...] both expressed the opinion that I had clear legal authority to do so."

⁷⁹⁴ Smith, *The War with Mexico*, Vol. 2, 423.

⁷⁹⁵ Ethan Allen Hitchcock, *Fifty Years in Camp and Field* (New York: Ed. W.A. Croffut. G.P. Putnam's Sons, 1909), 310. For a description of Hays, see: Stephen B. Oates (ed.), John S. Ford, *Rip Ford's Texas*, 68-69 (footnote 2) "John C Hays was a deceptive man. He was small... [and] looked 'more like a boy than a man.' ...How could this boyish soldier control an outfit of hardened frontiersmen, killers by necessity... why did they worship him, idolize him? ...because Jack Hays, quick and well-coordinated, could use his Bowie knife, his Colts, and his fists better than any man in his command..."

army, marine corps, or militia, by commission there, on duty, or in quarters, shall command the whole, and give orders for what is needed to the service, unless otherwise specially directed by the President of the United States, according to the nature of the case.⁷⁹⁶

Although the U.S. Constitution also addressed presidential war powers as they related to the militia, what Marcy referred to directly in his letter to Taylor was the declaration of war against Mexico made by Congress May 13, 1846. The authority expressly given to the president in that declaration was predicated upon the original Articles of War but differed in that the enlistment period for the militia during the Mexican conflict was specifically set at six months. What was not clear was how the Texans could be employed as militia in the heart of Mexico. According to the U.S. Constitution, militia only had the legal authority to repel invasion (as Marcy noted), and in the north the rationale was that they were defending Texas. Central Mexico was quite far from the Rio Grande. Where exactly the borders of Texas ended was key, and the legal slight-of-hand was that if Texas territory included all of northern Mexico, then any part of that country could theoretically be defended by Texas militia operating under presidential authority. Their enlistment in central Mexico appeared to be stretching war powers.⁷⁹⁷

Even though the Texans believed they were operating under the explicit authority of presidential powers in the Articles of War, Marcy's language in his instructions to Taylor muddied the issue. Marcy informed Taylor that he was authorized by the president to retain the companies "raised under" Colonel Curtis "as militia, for six months." However, in the following paragraph the Secretary of War put the onus on Taylor to determine the status of the Texan cavalry volunteers. "Should they, or a considerable portion of them, be willing to become volunteers, if it is only for twelve months, it is decidedly preferable that they should be engaged as such, instead as militia. This matter, under the foregoing views, is left to your discretion."⁷⁹⁸ Marcy dropped the

⁷⁹⁶ U.S. Articles of War (Art. 62), *Annals of Congress*, 9th Congress, 1st Session, March 29, 1806.

Appendix: "Public Acts of Congress", Washington D.C., Library of Congress (LOC), 1246.

⁷⁹⁷ For presidential powers concerning militia in the U.S. Constitution, see: Article I Section 3 and Article II Section 2, Clause 3. See also: Smith, Paul Tinchler: "Militia of the United States from 1846 to 1860." *Indiana Magazine of History*, Vol. 15, No. 1 (March 1919), 21: "The basic law for all military organization was passed by congress May 2, 1792, and was entitled, 'An Act to provide for the Militia to execute the laws of the Union, suppress insurrections and repel invasions.' Although probably suited to the time when it was made, it left many loopholes which had to be filled in later... in 1808 the President was given authority to require executives of the States to organize effectually and equip their portion of the militia..."

⁷⁹⁸ HED No. 60, 1191-1192. (LOC). Marcy (Washington D.C.) to Taylor (Monterrey), June 26, 1847.

decision in Taylor's lap, and not surprisingly it was Taylor who left it to the Texans to decide for themselves their official status.

The unit that went to Mexico under the command of Colonel Hays was designated the 1st Regiment of Texas Volunteers, which, if truly volunteers, would have obligated them for service for twelve months. However, the last counterinsurgency engagement of the war for the Rangers under Hays' command occurred on February 25, 1848 – a date just under the six-month period of enlistment as militia. The guerrilla war in central Mexico, which began after the Mexican defeat at Cerro Gordo in April, did not end late February, nor after a general armistice between U.S. and Mexico was signed almost a year later on March 5. The Texans – who were aware of their status as militia – were obligated to either quit or reenlist. If they had been volunteers, their valuable services might have been retained longer than six months because at that point the Americans still had not rid central Mexico of Padre Jarauta and his guerrillas were still operating in the area. The Texans may have called themselves volunteers, but in Marcy's words they were “militia, as distinguished from volunteers...”

In his *Memoirs*, Winfield Scott commented on the legal grey area concerning the militia and cited Section Eight of the U.S. Constitution to argue that militia were expressly organized for the purpose of national defense. “The militia, by the previous article 1, section 8, can only be called out ‘to execute the laws of the Union, suppress insurrections, and repel invasions.’”⁷⁹⁹ In other words, the militia did not have the authority to invade other countries, much less operate on foreign soil. The case in point with the Texas regiment was singularly unprecedented. In effect, they were beyond the law, and seemingly beyond Scott's authority.

Although the public was not aware of Polk's request for the Texans, the general issue of utilizing militia in foreign wars prompted deliberations on the American laws of war under a broad array of topics. *The Washington Union* ran an extensive article that included references to Emer de Vattel, James Madison, and Alexander Hamilton: “Well, what are these laws of war?” the article rhetorically asked. Because it was the first foreign war, it appeared the Americans were learning along the way. The issue raised

⁷⁹⁹ Scott, *Memoirs*, 291.

questions: Did the President have the express authority to escalate a war by sending untold numbers of militia into a foreign theater to *defend* the United States? Did he have the power to circumvent congressional authority if that authority was given to him by Congress in 1806? What did the Constitution say on the matter? The article cited Hamilton's *Federalist* Number 74 in one example. "The President of the United States is to be commander-in-chief of the army and navy of the United States, and of the militia of the several States, when called into actual service of the United States." The Washington newspaper cited former Chief Justice Joseph Story's opinion in the third volume of his *Commentaries*:

"The command and application of the public force, to execute the laws, to maintain peace, and to resist foreign invasion, are powers so obviously of an executive nature, and require the exercise of qualities so peculiarly adapted to this department, that a well-organized government can scarcely exist where they are taken away from it."⁸⁰⁰

The D.C. newspaper weighed both ends of a passionate argument involving both pro- and anti-war positions. "The propriety of admitting the President to be commander-in-chief so far as to give orders and have general superintendency, was admitted. But it was urged that it would be dangerous to let him command in person without any restraints, as he might make bad use of it." *The Union's* writers ultimately believed that "consent of both houses of Congress ought, therefore, to be required before he should take actual command." They added that the executive had certain powers enumerated by the Constitution but that they were limited by the system of checks and balances. "The power of the President, too, might well be deemed safe; since he could not of himself declare war, raise armies, or call forth the militia, or appropriate money for the purpose; for these powers belong to Congress."⁸⁰¹ The debate remained, but it was clear that a large segment of the anti-war population favored limiting Polk's direct involvement in the war.

⁸⁰⁰ *The Washington Union*, August 21, 1847. See: Joseph Story: *Commentaries on the Constitution of the United States*, Vol. 3 (Cambridge: Hilliard, Gray and Company, 1833), 82. "In times of insurrection or invasion it would be natural and proper, that the militia of a neighboring state be marched into another to resist a common enemy... But it is scarcely possible that in the exercise of the power the militia shall ever be called to march great distances..." See also: *Federalist Papers* (1787) No. 29 "Concerning the Militia" (Alexander Hamilton), No. 46 (James Madison).

⁸⁰¹ *Ibid.*

The American laws of war complicated the war further. What the *Washington Union* missed but what Scott was keenly aware of was another important aspect of the Articles of War that became applicable in the convoluted case of the Texas mounted militia. Scott did have, and exercised, disciplinary authority over U.S. soldiers in Mexico, but Article of War No. 97 was specific about how militia members were held accountable in the event of crimes committed in theater (*italics added*):

The officers and soldiers of any troops, whether militia or others, being mustered and in pay of the United States, shall, at all times and in all places, when joined, or acting in conjunction with the regular forces of the United States, be governed by these rules and articles of war, and shall be subject to be tried by courts martial, in like manner with the officers and soldiers of the regular forces, *save only that such courts martial shall be composed entirely of militia officers.*⁸⁰²

Because the Texas militia were operating under the authority of President Polk, outrages committed by them were unlikely to be properly addressed. If court martialed, a jury would consist of fellow militia officers (and fellow Texans) unlikely to condemn an accused Ranger of war crimes. This was one of the concerns Taylor had in the north. A correspondent for *The Baltimore Patriot* had his own take on the pending action. According to him the Texans had “a *carte blanche* to operate between Vera Cruz and Puebla,” and could “serve the guerrillas... without fear of being called into account by a superior officer, save the Commander-in-Chief!”⁸⁰³ It was a stunning confession portending a potential escalation of violence in central Mexico.

Others reported that Polk was “adopting the construction of the act of Congress authorizing him to employ 50,000 volunteers... has a right to call out, [and] are to be called out...” The report was inaccurate, but it illuminates some of the war-time opinions floated by executive authorities concerning the powers of the Commander-in-chief. “The war now to be carried on against Mexico will be similar to that waged by Napoleon against Austria and Italy, by Sir Henry Pottinger against China, and by Sir Harry Smith against the Sikhs, i.e., it will support its own expenses and acquire territory

⁸⁰² U.S. Articles of War (Art. 97), *Annals of Congress*, 9th Congress, 1st Session, Appendix: “Public Acts of Congress”, Washington D.C., (LOC), 1251-1252.

⁸⁰³ *The Alton Telegraph*, Illinois, October 22, 1847. Report from the *Baltimore Patriot*, October 11, 1847. The same article noted that the Polk Administration would be “prosecuting the war more vigorously than heretofore!” There were inquiries reportedly being made “as to whether the Executive can rightly call out any more than fifty thousand” soldiers as expressed in the declaration of war.

besides – the right and lawful issue of all wars.”⁸⁰⁴ The issue of utilizing Napoleonic methods in Mexico was fiercely debated.

Others were more nonchalant about reinforcements sent to combat guerrillas. “Gen. Scott will find himself at ease in the Halls of the Montezumas.” In the meantime, there even might be a “virtual cessation of hostilities” potted with “irregular throat-cutting here and there.” Once the Texans arrived, the guerrillas would be on the run:

The communications of Gen. Scott will be opened and kept open, whenever the promise so long ago made to Gen. Scott to protect his “rear,” shall be redeemed. It will be redeemed when Col. Jack Hays’ battalion of Texan Rangers, now raised, shall take their destined position on the line between Vera Cruz and the city of Mexico. Colonel [George W.] Hughes regiment will also be employed in the same service. They will be an overmatch for the guerrillas.⁸⁰⁵

The American Star No. 2, the newspaper of U.S. forces in Puebla, got word of the pending deployment in July from a Washington correspondent. In an article titled, “An Opposition Force to the Guerrillas,” the *Star* believed that the Americans would fight fire with fire. “It has been determined, it is said, by the government, to meet the Mexicans at their new game of guerrilla warfare.” The article claimed that “advance” initiatives were underway to counter the forces harassing the Veracruz-Puebla line. “Major Hays’ new battalion of rangers will be sent to Mexico on the guerrilla service.” The *Star* asserted that another unit being organized “for the same purpose” was commanded by “partisan officers, whose very name is a terror to the Mexican guerrillas...” The article added more bluster:

The Mexican guerrilla bands, after the Texans take the field, will be shy of showing themselves within striking distance of any road where Americans may travel. A party of ten Texans will be equal to the task of catching and destroying any party of fifty Mexicans guerrillas, whom they may find in their road. The Texans made the Mexicans sick of the guerrilla warfare in the years preceding 1844.⁸⁰⁶

The Rangers’ reputation was warranted. They had existed since 1823 but were officially organized in 1835. Early on they were known throughout the region as effective

⁸⁰⁴ *The Times-Picayune*, New Orleans, October 14, 1847. Article title: “Eight More Regiments to be Called.”

⁸⁰⁵ *Hartford Courant*, Connecticut, August 14, 1847.

⁸⁰⁶ *The American Star No. 2*, Puebla, July 8, 1847. (BLAC).

fighters. When the *Daily American Star* in Mexico City became informed of their deployment, they told their readers that “the practice of taking prisoners appears to be entirely unknown to them.”⁸⁰⁷ As *The American Star No. 2* referenced, the Texas Rangers played an important role in achieving and maintaining independence from Mexico in 1836, and the region was plagued with violence prior to formal U.S. annexation in 1845. That violence not only emanated from forays of Mexican forces sent in to reconquer Texas, but from native tribes such as the Comanches whose territory extended throughout the northern and western borders of the entire country. In those years surprise attacks, raids, and counterraid were commonplace. Taking prisoners was cumbersome to mounted units that needed to travel long distances and maintain speed and agility. Lyles notes that in frontier warfare “neither of the Comanches nor Mexicans took prisoners (except for torture, slavery, mutilation, and death) so the Rangers learned to shun taking prisoners in battle.”⁸⁰⁸

The problem for Scott was that killing prisoners was antithetical to the new kind of judicial war he was prosecuting. Therefore, it was his hope that – once he found out Washington was sending him Rangers – their propensity towards violence could be mitigated by coordinating with regular army units more conscientious of his goals and attune to the laws of war. The last thing Scott wanted was to enact Napoleon’s policy of executing captured Spanish guerrillas because the Mexicans were ready to begin doing the same to U.S. soldiers. Nor did Scott support the random killing of civilians caught up in heated melees between Mexicans and Rangers. The fearsome frontier unit had done its duty for the Republic of Texas, but in central Mexico they were representing U.S. forces and needed to restrain themselves – or be restrained. The reality was their excellent counterinsurgency skills were unmatched and sorely needed. In other words, their involvement in the war posed a difficult balancing act for Scott.

“CLEAR THE ROUTE”: LANE’S BRIGADE, SIEGE OF PUEBLA, AND REVENGE

In mid-August Taylor received instructions sent by Marcy requiring Hays “to proceed to Vera Cruz... for the purpose of dispersing the guerrillas which infest the line between

⁸⁰⁷ *Daily American Star*, Mexico City, November 3, 1847 (BLAC).

⁸⁰⁸ Lyles, *Mixed Blessing*, 5.

that place and the interior” of the country. Marcy reported that it had been a month since he had heard from Scott, and that Washington was “without intelligence” concerning operations in central Mexico.⁸⁰⁹ For a few months Washington officials were blind as to what was occurring beyond the Sierra Madre Occidental.

Two days later Marcy sent notice to Scott informing him that he was sending more soldiers to the port city, adding that “difficulties to be encountered on the route into the interior have rendered it necessary to detain the successive detachments at Vera Cruz,” which is where they were held up. “I need not, I am sure,” Marcy wrote, “urge the advantages of having the line, from the coast to your column, kept open, and as free as possible” from guerrilla attacks. The urging was not needed but the information was undoubtedly highly regarded by the commanding general in Puebla. “Efforts are in the making to raise several mounted companies of acclimated men, at New Orleans and in the region, principally for the purpose... to clear the route into the interior of the guerrillas who infest it and obstruct it.”⁸¹⁰

It appeared that officials attempted to mollify the potential for unwarranted deaths by placing the Texas units under the command of Brigadier General Joseph Lane (1801-1881) – a politician and commander of volunteer forces from Indiana who fought with the Texans at Buena Vista. The reality is that both groups rubbed off on each other, and the Texans and Hoosiers became a cohesive unit. One report noted that on August 22 the group was ordered to “proceed at once by sea to Vera Cruz to swell the ranks of General Scott.” Acting in concert with Lane was another division led by Brigadier General Caleb Cushing of Massachusetts. Lane’s group was a veritable mixed bag: “The Brigade of General Lane will consist of the Fourth Indiana, Colonel W.A. Corwin; one Ohio regiment, Colonel Brough; [and] one regiment [of] Illinois volunteers en route now to Vera Cruz with the Texas Rangers, under the celebrated Jack Hays.” The counterinsurgency team and reinforcements were on their way.⁸¹¹

⁸⁰⁹ HED No. 60, p. 1194. (LOC). Marcy (Washington D.C.) to Taylor (Monterrey), July 17, 1847. Taylor acknowledged receipt of the instructions Aug. 16.

⁸¹⁰ *Ibid.* 1003-1004. (LOC). Marcy (Washington D.C.) to Scott July 19, 1847.

⁸¹¹ *New Albany Democrat*, September 23, 1847. “A Letter from the Army.” Quoted from: Oran Perry (ed.), *Indiana in the Mexican War* (Indianapolis: WM. B. Burford, 1908), 226.

The Texans arrived as the guerrillas ramped up attacks. While Taylor and Marcy were communicating back and forth trying to drum up mounted units for Scott, Padre Jarauta was causing havoc between Veracruz and Jalapa. One dispatch indicated that the “American army, after much suffering on the road, has been attacked at Dos Rios by 700 guerrillas, and badly treated.” The dispatch also indicated that “Father Jarauta will attack them tonight,” but could not confirm.⁸¹² If rumors were to be believed, the size of Jarauta’s forces had grown significantly.

A month later the *New Orleans Delta* reported that Padre Jarauta “had an encounter” with U.S. soldiers at the San Juan pass mid-September, and that “a new guerrillero, Father Martin, attacked” with a unit “composed of 500 infantry, with two pieces of artillery, and sixty cavalry.” Apparently, the Spanish priest led an ambush in conjunction with a Mexican colonel named Mariano Cenobio – another guerrilla chieftain operating in the vicinity of Veracruz. According to the report, the new Spanish warrior-priest shared a similar past as Jarauta, which further cemented suspicions concerning the Spaniards’ nebulous motivations for fomenting guerrilla war in Mexico. “Father Juan Antonio Martin, formerly at Medellin, and more lately Tesechoacan [near Veracruz], is a native of Alcaniz, in the kingdom of Aragon, in Spain. As a Carlist, and commander of the battalion of ‘Guias de Aragon,’ he was decorated with various crosses for his warlike feats.” The *Delta* confirmed that the Spaniards were not afraid to attack U.S. convoys:

A faithful imitator of Father Jarauta in valor and intrepidity, he has deserved to be appointed by him, commander of his infantry; and he is the same person who on the 7th, 8th, and 9th of Sept., with only forty men, disputed the ground hand to hand, with a division of Americans from Paso Lagarta, to the National Bridge, causing them much loss...⁸¹³

To observers the introduction of foreign fighters complicated the potential outcomes of the conflict. *The Buffalo Commercial*, like other northern newspapers skeptical of the war, compared Mexico to the conflict in Spain. Spain had “seemed subdued,” they

⁸¹² *The Washington Union*, September 10, 1847.

⁸¹³ *The Louisville Daily Courier*, October 28, 1847. See: F. Cabello, et al, *Historia de la guerra últimas en Aragón y Valencia* (Zaragoza: IFC, 2006), 211. The Guides of Aragon were based in Morella (northern Valencia) during the First Carlist War (1833-1839) under Catalan guerrilla General Ramón Cabrera. The work by Cabello was designed “to denounce the hurricane of unjustified violence unleashed by the Carlists.” (Intro. 79)

argued, but it was only then that Napoleon's unstoppable army "was reduced more by the guerrillas than all else, to a flying, starving remnant of a refugee force." They strategically compared the wars by indicating that Scott's victories were illusionary. As the U.S. Army penetrated deeper into Mexico, the "guerrillas are falling perpendicularly upon every line of communication, and cutting off supplies, and harassing expresses and trains." The emergence of insurgents indicated "most clearly that the durable characteristics of the Spanish nation have not changed in the Mexicans," and that the U.S. Army was on the brink of disaster.⁸¹⁴

General Lane did not wait for Hays' regiment to arrive before attempting to punch through to Scott's new headquarters in Mexico City. The situation along the line demanded decisive action, and reinforcements were needed to open the vital corridor. "There has been no communication between Vera Cruz and the City of Mexico," reported the *Richmond Enquirer*, and not a single courier out of four sent from Puebla arrived in the coastal city. Nevertheless, rumors of the capture of Mexico's main city accompanied few reports that the U.S. Army was cut off. Lane's reinforcements left Veracruz September 20. Once again, the bottleneck occurred at the predictable point along the national road. "The large train, which recently left Vera Cruz under Gen. Lane, has taken up position at the National Bridge, and was there awaiting the return of supplies from Vera Cruz."⁸¹⁵

Previously called the King's Bridge (*Puente del Rey*) during the era of Spanish rule, the National Bridge was built in the early 1800s over the Antigua River and spanned more than three hundred meters. It was the largest bridge in New Spain. Nearly two hundred meters of its immense span crossed the turbulent river. George Ballentine marched over the bridge with Scott's army unopposed and was left with a romantic impression. "This was the first scene since we had entered Mexico, that by its picturesque beauty called forth a spontaneous burst of admiration. 'Scotland or damn me,'" he wrote. "The bridge is a very substantial and magnificent-looking structure, built of stone arches through which rushes the clear and rapid stream..."⁸¹⁶

⁸¹⁴ *The Buffalo Commercial*, October 9, 1847.

⁸¹⁵ *Richmond Enquirer*, Virginia, October 12, 1847. Source from *New Orleans Delta*, October 4, 1847.

⁸¹⁶ Ballentine, *The Mexican War, By an English Soldier*, 171-172.

The National Bridge was the principal outlet between Mexico City and the Spanish Empire during the revolution and a contested strategic point between royalists and insurgents. Immediately to one side of it, where the Antigua curved, was a bluff overlooking the bridge commanding a superior tactical position eyeing traffic on the road before and after the span – making it an ideal spot for ambushes. A well timed attack would either force a group to turn around and withdraw (an extremely difficult maneuver for a large convoy on a bridge 10 meters wide) or proceed where it could be met with fire. Newspapers reported that the “guerrillas [were] mustered in large numbers in the vicinity of the bridge, and were constantly harassing General Lane’s command.” Adding to difficulties entering the interior were rumors that guerrillas “fortified the heights of Cerro Gordo” and were “posted there in large numbers, with several pieces of artillery” under the command of General Paredes.⁸¹⁷ It would have been foolhardy for the Americans not to expect the guerrillas to defend the bridge’s approach.

Albert G. Brackett (1829-1896), an officer in the 4th Indiana Volunteers under Lane, had a less romantic encounter at the National Bridge. As reported on the evening of September 22, the mile-long convoy was attacked approaching the bridge. On arrival at the east end of it they discovered the withered bodies of two U.S. soldiers. “As we wound our way down the road we came upon the dried up bodies of two dead men... too decayed to handle with our hands.” Brackett recalled the strategic importance of the bridge during the last war. “In the time of revolution in Mexico, the generals lay concealed in the mountain fastnesses and defiles near the bridge, and ...swept down like an avalanche from the mountains and decided the contest in favor of independence.” History appeared to be repeating itself. The Indiana officer recounted the recent clashes with Mexican guerrillas resulting in more than a hundred casualties:

The first skirmish occurred on the 10th day of June, 1847, while Gen. [George] Cadwalader was on his march up from Vera Cruz to join General Scott, then at Puebla. ...16th of July, when Brigadier-General Franklin Pierce routed the enemy with great loss. Major Lally next attacked the Mexicans here on the 12th of August, and put them to flight... Colonel Hughes also had a fight... at the point

⁸¹⁷ *Richmond Enquirer*, Virginia, October 12, 1847. See also: *The American Star*, September 25, 1847 (BLAC).

of the bayonet. This occurred on the 9th of September, about two weeks before our arrival.⁸¹⁸

The Americans had another problem in Puebla. Just as Scott's army was entering Mexico City, Santa Anna, in concert with General Joaquín Rea's guerrilla forces, laid siege to the small garrison left behind in Puebla on the night of September 13. The Mexicans forced Colonel Thomas Childs and five hundred soldiers stationed there to take up defensive positions inside the citadel of Fort Loreto and the San José barracks located atop a hill in the center of the city. Communications between the beleaguered garrison and Scott's new command were so strained that it was not until September 23 that *The American Star* reported "through one of Madame Rumor's numerous channels" of the occupation of the city by guerrillas. Despite the troubling news, the *Star's* editors were confident that Childs' garrison would be able to hold out until reinforcements arrived. "He can maintain himself against any force sent to oppose him, and he has four or five months supplies with him." Regardless, the temporary recapture of Puebla essentially confirmed that the U.S. logistics line to the capital was severed.⁸¹⁹

Almost no news of the siege of Puebla was printed in U.S. newspapers until after the outcome. Whether or not this was intentional is speculative. Printed news of the war on the American side was generally delayed one month. This meant that information was relayed through the coastal city of Veracruz to New Orleans, and from there sent eastwards. That being the case, there were virtually no reports of the one-month long siege while it was ongoing. This means that either the Mexico City-Veracruz corridor was totally controlled by guerrillas for the September to October period, or that U.S. military officials made pains to ensure that news of the siege was not printed. The most likely scenario, given that Scott was not keen on censoring news, was that the guerrillas controlled most of the landscape between Mexico City and Veracruz during that period, and thus the U.S. campaign was in a more precarious position than historians have previously recognized. Without a line open to Veracruz, the U.S. Army in Mexico City was alone on an island in a sea of hostility.

⁸¹⁸ Albert G. Brackett, *General Lane's Brigade in Central Mexico* (Cincinnati: H.W. Derby & Company, 1854), 59-60.

⁸¹⁹ *The American Star*, Mexico City, September 23, 1847. (BLAC).

On October 22, the *New York Daily Herald* ran a short report of the siege by Santa Anna's forces based on an article printed in the *American Star*. The numbers attributed to Santa Anna's forces were surprisingly small, considering his forces numbered around 3,000 men:

Rumors were rife in Vera Cruz of Santa Anna being in Puebla at the head of some three hundred men. Speaking on the subject, the *American Star* of Sept. 23d, published in the City of Mexico says that Gen. Rea, with a guerrilla force, had entered Puebla a few days previous, and the force under Col. Childs being so small, he withdrew them to the heights commanding the place, where he was quite secure, and from whence he could bombard the city at will.⁸²⁰

Reports from Veracruz's *El Arco Iris* days later confirmed that Santa Anna had asked Colonel Childs to surrender and that the U.S. commander "had been honored with the duty of defending it, and that he should do so to the last." The standoff resulted in a series of back-and-forth cannonades between Santa Anna's and Childs' forces, with cessations in the evenings followed by resumptions of fire in the mornings.⁸²¹ The action lasted for much of September. "The enemy, with their numerous cavalry, succeeded in cutting off, at once, every kind of supply," Childs reported after the siege, and a "shower of bullets was constantly poured from the streets, the balconies, the house-tops and churches" upon the beleaguered U.S. soldiers. Another article noted that the "garrison at Puebla had skirmishes day after day with guerrillas, and others."⁸²²

The *Iris* account of events in Puebla reached a wide audience back east. For the most part, however, U.S. newspaper editors (like Washington officials) were in the dark concerning the month-long siege of the crucial outpost between Mexico City and Veracruz. The most common report on events in Mexico in September concerned the successful taking of the capital – with only secondary questions surrounding the whereabouts of Santa Anna. The *Vicksburg Daily Whig* speculated that "Rumor placed him in the vicinity of Puebla." *The Washington Union* believed the "whereabouts of Santa Anna was not known at the capital on the 28th September – rumor placed him in

⁸²⁰ *New York Daily Herald*, October 22, 1847.

⁸²¹ *The Brooklyn Daily Eagle*, (NYC) November 1, 1847.

⁸²² *The Baltimore Sun*, November 22, 1847. Dispatch from Childs October 13; *The Wilkes-Barre Advocate*, Pennsylvania, November 24, 1847.

the vicinity of Puebla.” Aside from vague reports, the precarious siege of Puebla only became known to the outside world until *after* it was liberated by reinforcements.⁸²³

Lane’s brigade relieved the garrison at Puebla. After punching past the National Bridge and ascending the Sierra Madre Occidental, Lane’s anticipated approach was apparently enough to fatally demoralize a withered national army. In the press, the lifting of the siege by Lane was linked directly with the guerrilla attacks. It was indeed positive news accompanying a situation few people outside Mexico knew little about until after the fact. Albert Brackett, who was part of the brigade working to open the route, wrote that the “honor of our country was to a certain extent in our hands, and we all determined to open the road to Gen. Scott’s army – or die.”⁸²⁴ Brackett’s sentiment demonstrates the seriousness that U.S. forces took the operation.

Next to the guerrillas the other enemy of Lane’s brigade was starvation. The march from Veracruz to Puebla was difficult, and delays caused by intermittent guerrilla attacks and sniping led to shortages. Shortly after the force left Jalapa October 2, they were battered by a torrential system that hit the Sierra during their ascent. The entire force was drenched and cold. Brackett recounted a story of how the soldiers began foraging for food from locals and resorted to stealing corn from a farmer. “The corn was immediately seized by our half-famished soldiers, and in spite of the pitiful appeals of the old Mexican, and the tears of the *niños* [children], carried off down the road and speedily devoured.” General Lane understood the actions of his soldiers were antithetical to the type of war being waged to win over the Mexicans. Brackett recalled:

In the morning the Mexican came down and laid his grievances before General Lane, who ordered the quartermaster to pay him. This was done, and Lane inquired how much he had to pay the poor Mexicans. “I have paid him,” said the quartermaster, “the highest market price for corn, which amounted to fifty dollars.” “That is not enough,” said the general; and turning to his aid-de-camp, he ordered him to go to his trunk and get fifty dollars of his own private money, which he paid over to the poor old Mexican...⁸²⁵

⁸²³ *The Natchez Daily Courier*, October 26, 1847; *Vicksburg Daily Whig*, Mississippi, October 19, 1847; *The Washington Union*, October 20, 1847. Childs’ report of the siege was widely distributed. See: *New York Daily Herald*, November 20, 1847.

⁸²⁴ Brackett, *General Lane’s Brigade in Central Mexico*, 72

⁸²⁵ *Ibid.* 72-75.

By early October the 3,000-man force reached Perote. It was there that Brackett learned from Captain Samuel H. Walker – a regiment commander of mounted rifles – of Walker’s history of being imprisoned there after the failed Mier Expedition near the Rio Grande in 1842.⁸²⁶ The eighteenth-century prison, formerly known as the Castle of San Carlos, had an older history under the Viceroy as a “second-line of defense, if needed, for the port of Vera Cruz.” The fortress was completed after several years of construction beginning in 1770 and was later used to house prisoners during the revolution. A mid-twentieth-century summary of the notorious “hellhole” describes the windy, high-altitude prison built atop an extinct volcano. “Every force, either of nature’s or man’s making, combines to make Perote Prison one of the worst spots imaginable. Even the Aztecs called the place ‘pinahuizapan,’ or ‘something-to-be-buried-in.’”⁸²⁷

The imprisonment and executions of the Texans in the 1840s was the cause of considerable anger among those who returned to Mexico during the war. George Wilkens Kendall (1809-1867), a *Times-Picayune* correspondence whose dispatches became some of the most re-reported material during the conflict, addressed these motivations in his 1844 *Narrative of the Texan Santa Fé Expedition*. Like the Mier Expedition, the failed 1841 Santa Fé Expedition ended in disaster and its members (which included Kendall) were taken prisoner and marched two thousand miles to Mexico City. Many of the prisoners who survived the death march were held in Perote. According to Kendall, the “butchery” of the prisoners at the hands of the Mexicans made the entire group “callous” and eager for retribution: “Inly we prayed that a time might come when their death could be avenged – that the damnable crimes hourly enacted around us might be atoned for. There was the breast of many a hero in that sorry band; and in its pent-up chamber were recorded deep vows of vengeance yet to be executed...”⁸²⁸

⁸²⁶ *Ibid.* 76-77. The Mier Expedition ended in the capture of 243 Texans who were marched 1,000 miles into Mexico during a three-month period. In early 1843, more than 180 escaped, but most were recaptured in Tamaulipas. Santa Anna ordered one in ten prisoners executed as punishment. 17 of 159 were chosen by drawing painted black beans from a pot of white beans and shot March 25, 1843. See: Ralph A. Wooster, “Texas Military Operations against Mexico, 1842-1843.” *The Southwestern Historical Quarterly* 67, no. 4 (April 1964): 465-484.

⁸²⁷ J.J. McGrath and Wallace Hawkins, “Perote Fort: Where Texans Were Imprisoned.” *The Southwestern Historical Quarterly* 48, no. 3 (Jan. 1945): 344-345. See: *Daily American Star*, Mexico City, December 10, 1848. (BLAC). “Captain Walker it will be remembered, made a vow when prisoner in Perote, that he would one day return to redeem the deposit he had made. He has fulfilled his pledge.”

⁸²⁸ George Wilkins Kendall, *Narrative of the Texan Santa Fé Expedition*, Vol. 2 (New York: Harper and Brothers, 1844), 17. The 1841 Texan Santa Fé Expedition of 300 soldiers and 20-plus merchants was sent

A couple days after arriving in Perote, General Lane inquired as to Santa Anna's whereabouts by sending out "Mexican spies," and offering them "large sums of money" if they could determine if he was in the vicinity.⁸²⁹ By all accounts Lane a gracious commander, but the desire among the brigade to hunt Santa Anna was apparent. Once it was learned that the Mexican general had left Puebla to pursue a position behind the convoy, Lane decided to confront him. As the sun rose on October 9, the force quickly bivouacked due to "a rumor spread through the division" and around noon came upon the small city of Huamantla, surprising Santa Anna's forces. Walker and eighty Texas riflemen charged a large group of Mexican lancers posted on the city's outskirts. The lancers turned their horses and fled back to Huamantla. "The Mexicans lashed their steeds with perfect fury, and the poor horses were completely covered with foam and perspiration." The Mexicans had been surprised.⁸³⁰

By the time the American infantry arrived in the city it was learned that Captain Walker had been killed in a clash in the main plaza. Santa Anna also escaped – never to be seen in the war again. Many of the lancers and their horses lay strewn throughout the city. Other Mexican soldiers, caught off guard by the attack, sought shelter in the homes of Huamantla's citizens. The combination of fatigue, Walker's death, and desire for revenge, resulted in an ordeal unseen thereto by U.S. soldiers in central Mexico. Some violations obviously included rape. Lieutenant William D. Wilkins of the 15th Infantry provided an account to his parent:

Grog shops were broken open first, and then maddened with liquor every species of outrage was committed. Old women and girls were stripped of their clothing – and many suffered still greater outrages. Men were shot by dozens while concealing their property, churches, stores, and dwelling houses were ransacked... The plaza presented a singular scene. It had been beautiful... But now "Grim visage War" had taken possession of it... Dead horses and men lay about pretty thick, while drunken soldiers, yelling and screeching, were breaking

to New Mexico to trade with the Republic of Texas and seize the Santa Fe Trail. The U.S. State Dept. worked to get Kendall and other prisoners released. Kendall and Francis Lumsden established *The New Orleans Picayune* in 1837, supported Texas independence, and served with Captain Ben McCulloch's Rangers in the north before heading to central Mexico.

⁸²⁹ Brackett, *General Lane's Brigade in Central Mexico*, 87.

⁸³⁰ *Ibid.* 88-89. See: Gen. Cadmus M. Wilcox, *History of the Mexican War* (Washington DC: The Church News Publishing Co., 1892), 498. Wilcox cites 150 deaths on the American side based on Lane's report to Congress. Mexican casualty figures vary considerably but extend upwards to 1000.

open houses or chasing some poor Mexicans who had abandoned their houses and fled for their life. Such a scene I never hope to see again.⁸³¹

There was almost no reporting on the sacking of Huamantla in U.S. newspapers. “Many of the houses of the villages were sacked and destroyed, and it is much to be regretted that after Gen. Lane passed on, a number of stragglers, who had been intoxicated, were put to death by the Mexicans.”⁸³² For the most part, what occurred at Huamantla was linked with the lifting of the siege at Puebla, and subsequent reports were relayed through two accounts printed by the newly opened and U.S.-operated *Flag of Freedom* in Puebla on October 23 and 25. The death of Captain Walker took up considerable space in most accounts, as did the names of the fallen soldiers who died during the siege. Lane, in an account from Puebla, wrote that at Huamantla “every officer and soldier behaved with the utmost coolness, and my warmest thanks are due them.”⁸³³ All U.S. publications were in sync with reports on the event by the end of the week – with a notable change in tone led by a *Flag of Freedom* dispatch blaming the Mexicans for violating the laws of war. “Mexican cavalry pride themselves in the title Lancers of Poison, or Rancheros of the Poison Lance.” The claim was never confirmed, but the editors insisted that the “use of such weapons... is forbidden by the rules of civilized warfare, and places those who wear them beyond all claim to respect or quarter. They must be careful never to be taken prisoner.”⁸³⁴

In contrast, the Mexican capital was calm. *The American Star*'s writers reported the day after Huamantla a lack of “positive information of the whereabouts of our reinforcements on the road...” Reinforcements and Santa Anna's abandonment of the siege sapped the Mexican Army's morale. “By another person arrived yesterday from Puebla we are informed that the Mexican army was almost entirely dispersed.” Two days later, on October 12, Lane's brigade entered Puebla without opposition and officially ended the siege. The same day the *Daily American Star* (which changed its

⁸³¹ Smith and Judah (ed.): *Chronicles of the Gringos*, 270-271. See: Wilcox, *History of the Mexican War*, 498-499.

⁸³² *New York Daily Herald*, November 15, 1847.

⁸³³ *Weekly National Intelligencer*, Washington D.C., November 27, 1847. Report from Puebla October 18, 1847. Some papers that included either the October 23rd or 25th account from the *Flag of Freedom* are: *Vicksburg Weekly Sentinel*, Mississippi, November 17; *Tri-Weekly Journal*, Evansville (Indiana), November 20; *New York Daily Herald*, November 20; *State Indiana Sentinel*, Indianapolis, December 2 (1847).

⁸³⁴ *New York Daily Herald*, November 20, 1847. Santa Anna fled “on board an English vessel at Old Tampico.”

name October 12) reported that “Col. Childs had quiet possession of the city of Puebla,” and that the Mexican troops had scattered towards the surrounding region. The crisis on the American logistics lifeline was over.⁸³⁵

“THEY MUST BE MADE TO FEEL THEIR EVILS”: ESCALATION AND INFIGHTING

The line between Puebla and Veracruz was another matter, as the insurgents still operated freely in the coastal region. “The guerrillas have full sway at Jalapa, making war upon their defenseless countrymen...” The Americans controlled Veracruz, but its environs were owned by guerrillas trying to restrict goods coming into the city. “Padre Jarauta threatened to shoot all whom he found carrying provisions to Vera Cruz.” This tactic, reminiscent of Espoz y Mina’s economic blockade of Pamplona, was undermined by ocean-going traffic reaching the city. In addition, Mexicans throughout the country needed the port for imports and exports of essential goods. That Jarauta was a foreigner likely caused resentment among state administrators accountable to wealthy merchants and business leaders depending on a steady flow of commerce – despite the imposition of temporary duties on imports by the Americans. The report added that “the Mexican government of the state of Vera Cruz, talk of adopting measures to put them down.” In other words, the foreign guerrillas were wearing out their welcome.⁸³⁶

A correspondent for the New Orleans *Times-Picayune* in Veracruz had an interesting perspective on Jarauta’s attempt to control the flow of goods in and out of Veracruz. “It is stated positively that the goods which are daily forwarded to the interior via Orizaba are no longer taxed by Mexican authorities...” This meant that Mexican authorities rerouted goods coming into the country via Orizaba (instead of Jalapa) due to guerrilla activity, and the interests of the Mexican government and guerrillas were at odds with each other. The suspension of taxes was not only implemented to offset the temporary U.S. duty on incoming goods, but also to redirect the flow of goods away from the guerrillas. That development, according to the correspondent, was because “the guerrilla force is getting weaker, and hostile forces against the guerrilla tariff, composed entirely

⁸³⁵ *The American Star/Daily American Star*, Mexico City, October 10 and 12, 1847. (BLAC). See: Johnson: *A Gallant Little Army*, 250. Johnson notes that upon Lane’s arrival in Puebla U.S. forces received some opposition and “Lane’s men repeated their shameful pillaging...” Not surprisingly, there are no news reports confirming this.

⁸³⁶ *The Brooklyn Daily Eagle*, New York City, November 1, 1847.

of those who are interested, is getting too strong for the guerrillas, who, if they persist in their old course, are in danger of being massacred by their own countrymen.”⁸³⁷

Secretary of War Marcy was also eager to rid Mexico of guerrillas. Reflecting a changing tone and war strategy by President Polk in late 1847, Marcy wrote to Scott October 6 (whom he had not heard from since June 4) about a new occupation policy. Marcy claimed that “our leniency has not been reciprocated, but ...repaid with bad faith and barbarity; and is only met by a blind obstinacy and a reckless determination to prolong the conflict.” The administration was clearly upset with the emergence of insurgent forces. “The guerrilla system which has been resorted to is hardly recognized as a legitimate mode of warfare, and should be met with the utmost severity.” In essence, Marcy blamed the Mexican people for the guerrilla action and pushed for a policy of retribution designed to punish the people. “Not only those embodied for the purpose of carrying out that system, but those who at any time have been engaged in it, or who have sustained, sheltered, and protected them,” he wrote Scott. In sum, the general population considered more responsible “than the soldiers in the ranks of the Mexican army.” The new position among U.S. leaders was reminiscent of Napoleon’s failed occupation in Spain:

However unwilling we may be to modify our humane policy, a change now seems to be required even by considerations of humanity. We must take the best measures within the clearly admitted course of civilized warfare, to beget a disposition in the people of Mexico to come to an adjustment upon fair and honorable terms. It should be borne in mind that the people of Mexico, indulging... the most hostile feelings, are not less parties to the war than the Mexican army; and as a means of peace, they must be made to feel their evils.⁸³⁸

Administration officials were not the only ones who wanted to escalate the war. The *Puros*, the second political faction in Mexico opposed to any treaty of peace with the United States, advocated a popular war. Nicolas Trist informed U.S. Secretary of State Buchanan of their position from the *Monitor Republicano*. “We solemnly proclaim the continuance of the war, because it is the only mode left to us for upholding a just cause and maintaining the incontestable rights of our country.” Like other Mexicans frustrated

⁸³⁷ *The Times-Picayune*, New Orleans, November 22, 1847. See also: *The Evening Post*, New York, Nov. 29, 1847.

⁸³⁸ HED No. 60, p. 1007. (LOC). Marcy (Washington D.C.) to Scott, October 6, 1847.

with the general lack of support for the war, the *Puros* looked at the continuation of the conflict from a racial and existential perspective:

...our labors have been to no purpose; and now, we find ourselves borne down under the sad consequences of the wretched politics of those who have chosen to force us to live in the sixteenth century, whilst surrounded by peoples who live in the nineteenth...we cannot consent to the endeavor to humble our country, to dismember her territory, in order that she may be blotted out of the catalogue of nations. Still less can we consent to the extermination of our race...⁸³⁹

In a history of the war published in 1851, U.S. educator Nathan Covington Brooks believed that “the reinforcements gradually drawing towards the capital, and the activity of General Lane in routing the guerrilla bands from their fastnesses” was essential to “proving even that system of warfare of little avail...” However, those victories came with a caveat. While U.S. military superiority “predisposed many influential Mexicans to a favorable termination of hostilities,” those same Mexicans “were fearful of giving voice to their desire while the possibility remained of the war party regaining their former ascendancy.”⁸⁴⁰ In other words, many Mexicans were afraid to make peace because they feared the *Puros* return to power. Would they be called traitors or considered collaborators? For many Mexicans, the only viable middle ground lay in the unfortunate perpetuation of the conflict and U.S. military occupation. The danger of that proposition, however, was that time was not on the invader’s side. The longer the conflict dragged on the more likely it would unravel. The change in policy reflected those frustrations, and the arrival of more Texans who in Ford’s words “were not going to be bothered by rules and regulations” was going to make it more difficult to end to hostilities.⁸⁴¹

⁸³⁹ Manning, *Diplomatic Correspondence of the United States: Inter-American Affairs, 1831-1860, Vol. 8 (Mexico)*, 1027. Nicolas Trist to James Buchanan, Mexico City, Dec. 26, 1847. Trist is quoting a November 8th and 9th *Puro* publication, *Monitor Republicano*, which was taken from a publication in Guadalajara dated October 15, 1847. See: Ibid. 1026. Trist to Buchanan. Mexico City, December 26, 1847: The *Puros* “will not consent to the dismemberment of their country nor to its conquest – they do not say, to its amalgamation. They will not consent to either, because, it either involves the subjugation of their race... & inevitably to its extinction.”

⁸⁴⁰ Brooks, *A Complete History of the Mexican War: Its Causes, Conduct, and Consequences*, 460.

⁸⁴¹ Ford, *Rip Ford’s Texas*, 69 (footnote 2). See: Santoni, *Mexicans at Arms: Puro Federalists and the Politics of War, 1845-1848*, 202. On April 20, two days after Cerro Gordo, the Mexican Congress passed a law signed by President Anaya prohibiting the signing of a peace treaty, disposing of Mexican territory (seized by U.S. forces), and “branded as a traitor any individual who entered into treaties with the United States government.”

Samuel Walker was merely one Texan among many holding a grudge against Mexicans. In Rip Ford's account of Hays' expedition in central Mexico, Ford wrote that the "command had men in it who had suffered loss of relatives by the Mexicans massacring prisoners of war. There were men who had been Santa Fé prisoners, Mier prisoners, and prisoners made at San Antonio..." One soldier, Lewin Rogers, "was in Mexico on a mission of revenge. Mexicans had cut the throats of his family: Mr. and Mrs. Rogers, their daughter, and their son William, who lived as if by miracle." Atrocities committed by Mexicans against Texans before statehood were commonplace, and because of these Ford understood why many Rangers "were not going to be bothered by rules and regulations" once they hit Mexican soil. Indeed, many Texans believed their actions justified, and that the latest conflict was merely a continuation of a longer struggle:

Was it a wonder that it was sometimes difficult to restrain these men, whose feelings had been lacerated by domestic bereavements and who were standing face to face with the people whose troops had committed these bloody deeds? They never made war upon any but armed men... They scorned the role of assassin... [and] waged hostilities upon a scale they deemed legitimate, and calculated not to wound the honor and injure the reputation of Texas soldiers.⁸⁴²

On October 17, after a lengthy boat ride, Hays and his 580 "cooped up" Rangers landed at Veracruz with "rejoicing when our feet touched the land."⁸⁴³ A correspondent with *The Washington* eagerly announced, "The so-anxiously-looked-for Col. Jack Hays, the celebrated Texas ranger, has at last arrived... He will start up with Gen. Patterson's train in a few days." The dispatch noted that since landing the Texans had already "killed a guerrilla, dressed in a Mexican's colonel's uniform, epaulets, cocked hat – and all." *The Union's* correspondent exuded confidence in Hays and his unit:

I do venture to say that the guerrillas will be rather scarce in a few days. The colonel's name is already sufficient to have a salutary effect upon them. He is well-known to them by reputation; and I venture to say, that if he had his whole regiment with him, the road from here to the city of Mexico would be as safe as the road from New Orleans to Carrollton [Texas].⁸⁴⁴

Lane managed to open much of the road between Veracruz and Mexico City, but between the two points guerrillas were still attacking U.S. forces and small convoys.

⁸⁴² *Ibid.* 72

⁸⁴³ Ford, *Rip Ford's Texas*, 66.

⁸⁴⁴ *The Washington Union*, November 5, 1847.

The Rangers were ready for a fight. General Robert Patterson immediately informed them that Colonel Mariono Cenobio was launching raids from a nearby hacienda called San Juan, located about 50 kilometers from Veracruz. Rip Ford surmised from the conversation with Patterson that Cenobio and his group “were fighting more for plunder than for their government.” Patterson inquired if the Rangers were up to the task. “We assured him that we would willing make the effort, but suggested the propriety of having a guide.”⁸⁴⁵

The following morning they located the hacienda and killed a few guards – finding no trace of Cenobio himself and a few U.S. supplies. The group burned the compound to the ground. Ford wrote that they “had a minute or two to pick up valuables. The torch was applied and the splendid edifice was consumed. It was an unpleasant scene...”⁸⁴⁶ In an after-action report of the assault submitted by Captain Truit, it was noted that the discovery of U.S. goods was evidence that the hacienda was a guerrilla base. Items included “two U.S. muskets, and one U.S. yager [rifle], powder, lead, and cartridges were found on the premises. A fine shirt, evidently American made, with a ball-hole in the bosom and quite bloody...” The force also found “500 or 600 bushels of Indian corn shelled, some of which were in American sacks...” After interrogating two prisoners, the Texans burned everything “except the church” and returned to Veracruz.⁸⁴⁷ When they informed General Patterson the general mentioned that the Rangers “might have trouble over the house burning, but promised to stand by us.” Ford, in his account, indicated that they believed they were acting under Polk’s authority. “The [hacienda] owner had a safe conduct from General Scott. Nothing was ever done in the matter. It was presumed that the commander-in-chief recognized the act as legitimate under the circumstances.”⁸⁴⁸

Losing his base for launching attacks was not Colonel Cenobio’s singular woe. Around the same time Mexican and Spanish guerrilla factions began “quarrelling among themselves.” This resulted in Cenobio and Jarauta having a violent falling-out that was publicized in numerous U.S. newspapers based on reporting in the *El Arco Iris* in

⁸⁴⁵ Ford, *Rip Ford’s Texas*, 66-67.

⁸⁴⁶ *Ibid.* 68.

⁸⁴⁷ *The Washington Union*, November 5, 1847.

⁸⁴⁸ Ford, *Rip Ford’s Texas*, 69.

Veracruz. “Jarauta’s band have declared Colonel Cenobio to be a traitor to them and to his country; that he is leagued with the Americans, and even supplied by them with arms and ammunition for the purpose of destroying his brother bandits.” There is no evidence supporting the claim that Cenobio was working with the U.S. Army but *El Arco Iris* noted that the confrontation following “much hard talking” resulted in thirty deaths on Cenobio’s side and a “victorious” Jarauta shot in the leg.⁸⁴⁹

The Times-Picayune correspondent in the port city weighed in on the effect of the occupation vis-à-vis the guerrillas. “In truth, this city and the country around is getting wonderfully Americanized, as long as money is spent as freely here as it is now, it must remain so.” In essence, the policy of paying for goods was alienating the guerrillas from the population and business class – a different scenario than Spain despite Jarauta’s efforts to implement an economic embargo of Veracruz. “We pay for everything, as we ought, while the guerrillas help themselves to what they want out of every poultry yard and garden that they come across.” According to the correspondent, the outcome was predictably bad for the guerrillas. “Any small guerrilla force from hereafter will... have a hard roe to hoe, and the large ones cannot remain friends long, and in the end will, like Cenobio and Jarauta, cut one another’s throats.”⁸⁵⁰

MEXICAN OUTLAWS: DOMINGUEZ & THE *CONTRA-GUERRILLAS*

Infighting among the Mexicans was obviously useful to the U.S. cause, and Scott widened those divisions when he arrived in Puebla and enlisted the services of Mexican *contra-guerrillas*. One article described them “as a rough looking set of men.” Their leader’s name was Manuel Dominguez. Like the Spanish who fought for the French in the Peninsular War, the Mexicans who worked for the U.S. Army understood they would be branded traitors by their countrymen and executed if captured. “They fight with ropes around their necks, as the saying is, and therefore fight gallantly.”⁸⁵¹

⁸⁴⁹ *The Washington Union*, Washington D.C., November 18, 1847; *Louisville Daily Courier*, November 20; *The American Citizen*, Canton, Mississippi, November 20, 1847.

⁸⁵⁰ *The Times-Picayune*, New Orleans, November 22, 1847. See also: *Niles’ Register*, May 22, 1847. 72.185 (VTMP). “In Vera Cruz everything is going smoothly. The business of the city is increasing in a wonderful degree. The waters are covered with merchant vessels. Yankee hotels, Yankee auction houses, Yankee circus companies, and Yankee ice houses, are starting up at every corner.”

⁸⁵¹ *The Times-Picayune*, New Orleans, November 11, 1847; *The Independent Monitor*, Tuscaloosa, Alabama, November 23, 1847. The original *Picayune* article reprinted in: *The Tri-Weekly Commercial*, Wilmington, NC, November 18, 1847; *The American Citizen*, Canton, Mississippi, November 20, 1847;

The Mexican contra-guerrillas were an asset to U.S. forces, provided useful intelligence on routes, enemy positions, and were familiar with the country. In this way, their main purpose was not used to hunt guerrillas (although they did) but to aid U.S. forces in maintaining communications and gather information normally hindered by guerrilla activity. In other words, they countered and mitigated guerrilla activity. “Col. Dominguez is thought to know the road intimately from long experience upon the line in a different capacity. We understand that we have altogether about 450 of their description of force in our pay.” One Alabama newspaper praised Scott’s initiative “to subsidize” the small force of Mexican outlaws. “They are a match for four times their number of ordinary guerrillas, they have no attachments to their country... and they know every nook and cranny and private pass between Vera Cruz and the capital.”⁸⁵²

Colonel Ethan A. Hitchcock (1798-1870) originally enlisted Dominguez and gave a sympathetic account of the recruitment of the man he later brought to New Orleans after the war. According to the future Civil War general, Dominguez’ career changes – from merchant, to thief and smuggler, to U.S. spy, to exile – were prompted by a Mexican soldier who “waylaid and robbed” him of his goods somewhere between Mexico City and Veracruz. “That like Lambo he has been ‘stung from a slave to an enslaver’ is almost true.”⁸⁵³

Dominguez may have had personal reasons for fighting the Mexican military but his services to the U.S. Army were not free. In essence, the Americans paid Dominguez for passes to transit the road between Veracruz and Mexico City and allied with an established network of black marketeers and smugglers. Hitchcock wrote in his diary that “the robbers shall let our people pass without molestation and that they shall, for extra compensation, furnish us with guides, couriers, and spies.” The cost-effectiveness of the agreement cannot be underestimated. When Hitchcock met Dominguez for the first time, both agreed that each spy under Dominguez would receive \$2 a day and

The Louisville Daily Courier, November 20, 1847; *Edgefield Advertiser*, South Carolina, November 24, 1847.

⁸⁵² *The Times-Picayune*, New Orleans, November 11, 1847; *The Independent Monitor*, Tuscaloosa, Alabama, November 23, 1847.

⁸⁵³ Hitchcock, *Fifty Years in Camp and Field*, 335. Lambo was a merchant turned pirate in Byron’s satiric poem *Don Juan* (1819). See: Ford, *Rip Ford’s Texas*, 195. Ford gives an account of how another spy under Dominguez named Vicente Olmos came into the employment of the U.S. Army.

Dominguez \$3 a day. “I told Dominguez to find out how many men he can control on the road. He thinks 300.” Eventually they settled on a monthly pay of \$20 per man – a good deal. In Hitchcock’s estimation, employing the contra-guerrillas was worth the cost. “Each man counts, in fact, two for us, for if we did not employ them the enemy would; so that one detached from the enemy and transferred to us makes a difference of two in our favor.” There were other benefits. “Dominguez says he will bring over the guerrillas to our side or seize their chiefs and bring them prisoners to our general, etc., etc.” It is unclear how many prisoners the Mexican contra-guerrillas brought to U.S. authorities, but the relationship between Dominguez and Hitchcock was so fruitful that in 1848 he brought the Poblano and nine of his family members to New Orleans and made unsuccessful appeals to have his services recognized by the U.S. government.⁸⁵⁴

Another important aspect of the Mexican spy company bears repeating. The most critical phase of the conflict occurred when Scott broke a sacred rule of war, jettisoned the logistics line from Veracruz to Jalapa, and marched to Puebla. It was a major gamble based on his confidence in U.S. Army capabilities. Even Wellington commented on the audacity of the move. “‘Scott is lost,’ exclaimed the Duke of Wellington after the Americans crossed the rim; ‘He cannot capture the city and he cannot fall back upon his base.’”⁸⁵⁵ Indeed, abandoning a logistics line and venturing into the unknown with no means of escape was not taught at West Point, nor any other military academy.

Hitchcock wrote that during this period Dominguez and his spies provided a critical communications network. “To understand them one must imagine the American army entirely isolated within the enemy’s country at Puebla when it was impossible for any of our men, except in large parties, to go safely beyond the limits of the city.” The inability to send out reliable couriers to provide (or receive) essential military information would have hamstrung the U.S. Army. The Spy Company thus provided vital information and intel. “It was in this way that the General [Scott] communicated with his reinforcements while coming up from Vera Cruz. As these services were secret... they have never been properly appreciated except by a very few persons.” Dominguez’ network extended

⁸⁵⁴ *Ibid.* 263-265. Dairy entry June 20, 1847. New Orleans, January 6, 1849. Santa Anna, also became informed of the Spy Company, and thus offered to pardon Dominguez, which he turned down. (*Ibid.* 340, 344).

⁸⁵⁵ Smith, *The War with Mexico*, Vol. 2, 89.

throughout the entire line and was useful even after the capital was seized. “After the City of Mexico was occupied by the American army and the road had become tolerably quiet, the Spy Company made several expeditions to Vera Cruz and back again to Mexico without ever losing one single dispatch committed to them.”⁸⁵⁶ The alliance neutralized the effectiveness of the guerrilla action at a critical juncture in the war.

Dominguez, later identified as a colonel by Rip Ford, helped the Texans find their way around Mexico by assigning guides and scouts to the unit. Because they knew the country, it was Dominguez’ guides that showed the Texans the location of Cenobio’s headquarters at the San Juan hacienda and informed Lane of Santa Anna’s location at Huamantla. The Texans were exceptional fighters fused with a frontier tenacity, but without critical information on the whereabouts of insurgents, they would have been left wandering through a thousand Mexican villages while getting half answers or lies.

“NEITHER REGULARS NOR VOLUNTEERS”: RAG-TAG, BOBTAIL, & PELL-MELL

After burning the San Juan hacienda the Texas regiment headed into the interior. The group encountered some sporadic opposition but were relieved to learn that Lane’s recent presence made the road easier. Ford wrote that the “guerrilla bands annoyed the troops less than previous to our arrival. Their operation had caused many of them to come to grief...”⁸⁵⁷ Nevertheless, there were rumors of incidents. One report surfaced from Veracruz that General Patterson ordered the execution of “two Mexican officers, Garcia and Alcalde... who were taken prisoners commanding guerrillas, without having been exchanged.” The same report indicated that the Aragonese guerrilla-priest Juan Antonio Martin had been captured. “We have been informed that Padre Martin (the

⁸⁵⁶ Hitchcock: *Fifty Years in Camp and Field*, p. 343-344. “After the number of spies was increased and the Mexicans suspected we had such persons in our employment some of them were detected... Dominguez found others and continued to obtain information which could be had in no other way.” (Ibid. 342-343) Towards late 1847 the group began operating as an official adjunct of the U.S. Army. See: *The American Citizen*, Canton, Mississippi, November 20, 1847. “Gen. Scott’s dispatches left Mexico between the 12th and 15th of October, escorted by a spy company of Mexican lancers 100 strong, under the command of Col. Dominguez.” See also: *The Times-Picayune*, New Orleans, November 22, 1847. “Col. Dominguez’ spy company left [Veracruz] yesterday evening with dispatches for Gen Scott and a small mail. If unmolested, he thinks he will reach Mexico in eight days.”

⁸⁵⁷ Ford, John S: *Rip Ford’s Texas*, p. 76.

second Jarauta,) has been made prisoner while sleeping in one of the garitas of the city of Mexico.”⁸⁵⁸

Although Santa Anna’s role in the war was over, General Joaquín Rea, who played a large part in the siege of Puebla, was still in the nearby town of Atlixco. Rea, a Spaniard who fought on the side of the insurgents during the Mexican revolution, was well respected and commanded “well drilled, well equipped and paid, . . . valiant guerrilleros.”⁸⁵⁹ Rea’s force of around four hundred soldiers caused the Americans concern – particularly in the aftermath of the month-long siege. On October 19 Lane approached Atlixco with a “considerable detachment” of soldiers and bombarded it. “It was thought necessary to strike these people with terror . . . because their city had been the refuge and headquarters of guerrillas, whence many an expedition had issued against our troops.”⁸⁶⁰ Cadmus M. Wilcox later cited the number of dead at 219 based on Mexican reports, and ascribed more significance to the city by calling it “the headquarters and temporary capital of the guerrillas, who had fitted out there many expeditions to attack American trains.”⁸⁶¹ The bombardment of Atlixco, which received criticism after the war, was not enough to dissuade Rea from ceasing operations. It took another month before most of the major guerrilla activity against U.S. forces in the region was stamped out.⁸⁶²

On December 6, the first arrivals of the brigade of 3,500 soldiers began to reach Mexico City. Ford was among them. The arrival “produced a sensation among the inhabitants. They thronged the streets along which we passed. The greatest curiosity prevailed to get a sight at *Los Diablos Tejanos* – ‘the Texas Devils.’” Upon entering the ancient Zocalo where the Metropolitan Cathedral and National Palace (Scott’s headquarters) stood, an ominous event occurred. A Mexican with a basket on his head full of candy for sale was “beckoned” by a Ranger who proceeded to devour handfuls seemingly without paying for it. The Mexican, who thought “he was being robbed, stooped down, got hold of a pebble, and threw it at the ranger with great force.” In return the Ranger shot him dead.

⁸⁵⁸ *The Louisville Daily Courier*, Kentucky, December 23, 1847. (via the *El Arco Iris*)

⁸⁵⁹ *The Abbeville Press and Banner*, South Carolina, November 24, 1847. Quoting a letter from a father to son.

⁸⁶⁰ *The Vermont Journal*, Windsor, December 3, 1847.

⁸⁶¹ Wilcox, *History of the Mexican War*, 515. Wilcox graduated USMA in 1846.

⁸⁶² See: *The Brooklyn Daily Eagle*, New York, January 17, 1848. Lane’s account. See also: *The Times-Picayune*, New Orleans, January 25, 1848.

“There must have been ten thousand people on the Grand Plaza. They were desperately frightened; a stampede occurred.⁸⁶³”

The *Baltimore Sun* reported the arrival scene: “As the gallant Rangers filed through the streets, covered with mud and dust, accumulated on their long journey, it would have done you good to see the Mexicans stare, particularly when they were informed that these were the much dreaded Texans, of Tejanos.” To mesmerized onlookers, Hays and his men appeared to be something entirely different than U.S. soldiers:

Dressed as Rangers always are, ...some with blankets wrapped around them, and some in their shirt sleeves – but all well mounted and armed, they presented a sight never seen before in the streets of Mexico... *leperos* were still as death while they were passing. The gallant Col. Jack Hays appeared to be an object of peculiar interest to all, and the better informed class of the Mexicans were particularly anxious to have pointed out to them the man whose name had been the terror of their nation for the last twelve years.⁸⁶⁴

A widely reprinted *Indiana Register* dispatch stated that the Rangers rode “sideways, some standing upright, some by the reverse flank, some faced to the rear, some on horses, some on asses, some on mustangs, and some on mules.” In that account it was reported that two people were shot as the Rangers entered the city. What was generally consistent among all the reports was the eclectic spectacle made by the soldiers who were anything but regular:

Here they came, rag-tag and bobtail, pell-mell, helter-skelter. The head of one covered with a slouched hat, that of another covered with a towering cocked hat, and a third bare-headed, whilst twenty others had caps made of the skins of every variety of wild and tame beasts. [...] Young and vigorous, kind, generous, and brave, they have purposely dressed themselves in such garb, as to prove to the world at a glance that they are neither regulars nor volunteers, but Texas Rangers...⁸⁶⁵

⁸⁶³ *Ibid.* 81-82. Account given by witness Captain Parry W. Humphreys.

⁸⁶⁴ *The Baltimore Sun*, January 6, 1848. (via *The Picayune*) See Santoni, *Mexicans at Arms*, 3. “*Moderados* feared the lower classes and referred to the urban poor with denigrating terms such as *léperos*, *leperada*, *populado*, *sancullettes*, *canalla*, and *chusma*. The apprehension towards the *leperada* is illustrated most vividly by their belief that enrollment in civic militias should be limited to property-owning citizens.”

⁸⁶⁵ *The Natchez Weekly Courier*, Mississippi, February 23, 1848; *Buffalo Courier*, New York, March 1, 1848; *The Washington Union*, Washington D.C., March 6, 1848.

The following day the *Daily American Star* made no mention of the plaza shooting but only stated that the “Americans in this city were taken somewhat by surprise yesterday morning by the arrival of Gen. Patterson’s advance guard, consisting of Col. Hays’ regiment of Texas Rangers...” However, the *Star* alluded to the Texans’ tendency to shoot at will. “The troops who accompanied him are a hardy set of men, and will prove, as they always have done, rather severe customers to *leperos* and all others with whom they may come into conflict.”⁸⁶⁶

MIDDLE GROUND AND MIXED BLESSING: GENERAL ORDERS NO. 372

A swift reaction from Scott unmistakably directed at the Rangers came in the form of General Order No. 367 – written due to “considerable departures from the *Uniform and Dress of the Army*, as prescribed in Art. 57 of the general regulations...” The regulations applied to regular army and volunteers, and soldiers were “prohibited from wearing badges either in stripes upon trousers, or embroidery for coats or caps, not prescribed by the regulations for the army.” Since Scott ostensibly recognized the legal distinction that Hays and his men were operating as militia under President Polk, those codes did not apply to the Texans. Because of this he singled them out. “Followers of the army, for whom no particular dress has been prescribed, will not appear in any dress indictive of rank in the army, and are expressly forbid wearing badges of rank, either such as prescribed by the army regulations or adopted by volunteer regiments.”⁸⁶⁷

By the time the Texans arrived in Mexico City the general population was already accustomed to the equitable judicial regime established by Scott a few months prior. Mexicans were also aware of the differences between regular soldiers, volunteer units, and the Texans. The dress factor was the most visible manifestation of that difference, and Spanish-language newspapers informed the Mexicans of the distinction made between Scott’s soldiers and the irregular Texas militia. Regular army and volunteer soldiers out alone after dark (and often drunk) were already targets of violence by nefarious elements operating in the city. The arrival of the Texans, who the Mexicans

⁸⁶⁶ *Daily American Star*, Mexico City, December 7, 1848. (BLAC).

⁸⁶⁷ *Ibid.* December 9, 1848. (BLAC). General Order No. 367 issued December 7. A curious item from the same issue noted that Nicholas Trist left Mexico City “with a strong and efficient” train headed to Veracruz – having failed to secure a treaty. In fact, Trist stayed in the vicinity to negotiate the same time the Texans arrived. This author believes the disinformation was intended for the Texans.

witnessed were killing in public seemingly without legal consequences, made them especially hated and therefore targets of reprisal attacks. The historian Darren Ivey documents “Rangers Who Died in the Line of Duty” in Mexico City during the occupation. Ivey’s rolls of the deceased demonstrates the existence of a higher level of unaccounted violence directed at the Texas Rangers going on in the Mexican capital.⁸⁶⁸

Nor was it a coincidence that a few days after the Texans arrived in Mexico City, Scott issued General Orders No. 372. The Order, containing eight points outlining policies to further confront the guerrillas along the road between Mexico City and Veracruz appeared in the *Daily American Star* December 15 and in Puebla’s *Flag of Freedom* December 16. “The highways used [are]... still infested in many parts by these atrocious bands called guerrillas or rancheros, who... continue to violate every rule of warfare observed by civilized nations...” Escalating the fight with the guerrillas, posts along the line were ordered to “daily push detachments, or patrols as far as practicable, to disinfect the neighborhood – its roads and places of concealment.”⁸⁶⁹

The language Scott used in the order was deliberate and represented a compromise between his position and the Texans to take the fight to the guerrillas. “No quarters will be given to known murderers and robbers, whether called guerrillas or rancheros, and whether serving under Mexican commissions or not.” By adding the word *known* to the language, Scott was ensuring that unknown guerrillas, if captured, would not be summarily executed. In addition, since the U.S. Army was not in the state of San Luis Potosi, any captured guerrillas claiming to be operating under a commission given by Governor Adame were unlikely to receive special consideration. The fourth article of the order was especially important:

Offenders of the above character, accidentally falling into the hands of American troops, will be momentarily held as prisoners – that is, not put to death without due solemnity. Accordingly, they will be promptly reported to commanding

⁸⁶⁸ Darren L. Ivey, *The Texas Rangers: A Registry and History* (Jefferson, NC: McFarland & Company, 2010), 226. See: Edward S. Wallace, “The United States Army in Mexico City.” *Military Affairs* 13, no. 3 (Autumn, 1949): 161. “...a constant source of trouble throughout the occupation, was the *leperos*, as the swarm of semi-criminal, professional beggars were called, and it was never safe for a soldier to go out at night alone or for even small groups to go unarmed, and assassinations of drunken soldier at night were frequent.”

⁸⁶⁹ *Daily American Star*, Mexico City, December 15, 1848. (BLAC). See also: *Flag of Freedom*, Puebla, December 16, 1847. (BLAC)

officers, who will, without delay, order a Consul of War for the summary trial of the offenders under the known laws of war applicable to such cases.⁸⁷⁰

The key word in the fourth provision of the Order was *accidentally*, which implied that U.S. soldiers (including Texans) were encouraged to kill insurgents in battle rather than take them prisoner. The explicit language would have conformed with the Rangers' preference to mete out frontier justice in battle rather than capture the enemy. Although harsh, the language in Order No. 372 was an important compromise made by Scott to keep the war on a legalistic footing while at the same prosecuting the war without hamstringing benign counterinsurgency efforts. Scott had time to prepare for Hays' arrival, and not knowing exactly when the occupation would end (although Scott encouraged Trist to effect a treaty) the order was designed to placate elements in the military bent on revenge – regardless of the laws of war. In other words, General Order No. 372 was designed to be both legal and acceptable to the Texans.

The hunt for Jarauta began shortly thereafter. George Wilkens Kendall reported on the arrival of General Patterson and the Texans in the capital and informed his readers that *El Monitor* had recently disclosed a meeting between General Paredes and Jarauta in Tulancingo. Apparently the two were “resolved upon calling in the aid and intervention of European powers in the affairs of Mexico.” Indeed, the arrival of Jarauta and the Spanish Carlist guerrillas after Paredes' short exile in France was no coincidence as it became clearer that monarchists were hoping to take advantage of the chaos. The article further stated: “From this it will appear that Paredes has not abandoned his favorite project of placing a foreign prince on the throne of Mexico; in fact, it is the prevailing opinion here that it was for this purpose he returned” from France. Kendall reported that Paredes was “viewed with distrust by all parties... [but] is backed, however, by many foreigners, among whom is Juan de La Granja, formerly Spanish Consul at New York.”⁸⁷¹

⁸⁷⁰ *Ibid.* Article 5 stated: “...any flagrant violation of the laws of war, condemn to death, or to lashes – not exceeding fifty – on satisfactory proof that such prisoner, at the time of capture, actually belonged to any party or gang of known robbers and murderers, or had actually committed murder or robbery upon any American officer or soldier or follower of the American army.”

⁸⁷¹ *Fayetteville Weekly Observer*, North Carolina, January 4, 1848. News from *Times-Picayune*, December 22, 1847.

Due in part to apprehensions created by the monarchist faction, it was around this time that the *Puro* party – the party calling for protracted war – split along lines indicating some of its members were in favor of the United States incorporating Mexico into a larger North American union. Writing with this political faction in mind, Pedro Santoni notes that the historian José Fuentes Mares “casts doubts on the *Puros*’ motives” by arguing the faction “presented themselves ‘as champions of an armed struggle against the invaders, but only to obtain Mexico’s final annexation to the United States.’” This claim is followed by Santoni’s assertion that there “is no doubt that several *puro* politicians advocated establishment of a United States protectorate,” which Colonel Hitchcock discussed with *Puro* elements in the fall of 1847.⁸⁷²

Entrusted with securing Dominguez’ support and fielding the spy network, Hitchcock was an important confidant of Scott. Because of this he was tasked with receiving overtures from *Puro* defectors – despite having been sick in bed for five weeks. On November 14 he wrote in his diary: “They are all of one party – the *Puros*, so-called – and do not hesitate to express a wish that the troops of the U.S. may hold this country till the Mexican army is annihilated, in order that a proper civil government may be securely established.” Towards the end of November the colonel again received a call from a doctor on his way to the ad hoc Mexican capital in Querétaro. Due to the matter’s sensitivity Hitchcock was careful not to use the man’s name:

Another proposition was discussed at great length this morning. Dr. ----- came to see me, saying he was going to Querétaro, and wished to ask the Mexican government to apply for admission into the United States. Before doing so, he would like to know what answer the American officers thought would make to such an application.⁸⁷³

Scott believed that overtures by Mexicans to make him a dictator ruling with a political class of discharged U.S. military officers stationed in Mexico was proof of the equity in which the military occupation was conducted. The occupation resulted in a rule of law welcomed by many influential Mexicans – elites who would have furthered prospered in a political union with the United States. Scott wrote: “Good order, or the protection of religion, persons, property, and industry were coexistent with the American rule.” In

⁸⁷² Santoni, *Mexicans at Arms*, 215-216.

⁸⁷³ Hitchcock, *Fifty Years in Camp and Field*, 309. November 26, 1847. See also: Manning, *Diplomatic Correspondence, Vol. 8 (Mexico)*, 962. Nicholas Trist to James Buchanan, Mexico City, Oct. 25, 1847.

other words, the pacification policy won over a critical percentage of Mexicans. It was an unprecedented method of waging war:

Everything consumed or used by our troops was as regularly paid for as if they had been at home. Hence Mexicans had never before known equal prosperity; [...] The plan contemplated a *pronunciamento*, in which Scott should declare himself dictator of the Republic for a term of six or four years, – to give time to politicians and agitators to recover pacific habits, and learn to govern themselves.⁸⁷⁴

Scott turned down the offer to become a Yankee *caudillo*, but the fact that the offer was made demonstrates that Mexicans were fearful of the type of perpetual civil war that consumed Spain after Napoleon’s soldiers left that country. Others addressed those same concerns:

Another dread that exists in Mexico is that this guerrilla system will result in a permanent and general organization of regular banditti throughout the country, which will be kept up long after the difficulties with the United States may be settled, and which it will be impossible to eradicate. It was the same in Spain, where the guerrilla bands were not put down for years after the French were expelled, and only by the most vigorous and energetic measures, such as no government in Mexico will have in their power to employ.⁸⁷⁵

Meanwhile, U.S. forces made efforts through the spy network to locate Jarauta. One report indicated that a group led by him “and Gen. Rea were at Tlalnepantla [de Baz], about five leagues from the city of Mexico...” As a result, Scott granted permission to Pennsylvanian colonel Henry Wynkoop and thirty-three Rangers to capture the guerrillas. The group set off northwest of the capital January 1. After arriving the group “learned that Rea and Jarauta had left for Toluca a few hours previous their arrival.” The effort was not a total failure, however, as the group captured General Gabriel Valencia the following day after being informed that he was residing at a hacienda a few kilometers from Tlalnepantla.⁸⁷⁶ Although Jarauta had reportedly fled the scene before the Americans arrived, it was believed he was still in the vicinity of the capital. Soon after, another report noted that “Hays and some of his men had a brush with Padre Jarauta, at a place called San Juan,” near Mexico City. Accounts of the event stated that

⁸⁷⁴ Scott, *Memoirs*, 580-582. Scott declined the “highly seductive” offer of dictatorship.

⁸⁷⁵ *Weekly National Intelligencer*, Washington D.C., December 11, 1847,

⁸⁷⁶ *New Orleans Weekly Delta*, January 31, 1848.

“Jarauta was seen to fall from his horse,” and that his “saddle was bloody; from which it is inferred that the reverend scoundrel was killed.”⁸⁷⁷

According to Rip Ford, the Rangers were exhausted from the previous two-day ride northeast of the capital and overnighed in the town of San Juan Teotihuacán in the largest building on the main plaza. In the morning, the guerrilla chieftain attacked the group with a combination of cavalry and infantry posted atop a few buildings. The Americans managed to repel the initial attack. Ford wrote that “saddles were emptied, and the *guerrilleros* began to evince respect for the six-shooters.” Jarauta then rallied his soldiers for a second attack. “We saw the priest-general marshal his mounted men, and come at us again.” It was then that the Texans opened up on the attackers. “Our fire was heavier than previously. Several of the enemy fell. The Padre had passed our position about a hundred yards, was struck by a ball, and tumbled to the ground. Some of his men endeavored to carry him into a house. He was placed under cover. This ended the fight.”⁸⁷⁸

Reports of Jarauta’s death were false and the chieftain wanted the world to know it. By early 1848 the priest had achieved international notoriety based on a litany of articles from Mexican and U.S. newspapers. A week after the skirmish with Hays, Jarauta issued a circular titled, “Viva la republica Mexicana” from the city of Tula (in the state of Mexico), where he was convalescing. The guerrilla reaffirmed his commitment to defending the Mexican “cause...regardless of the comforts provided by private life...” In other words, Jarauta was intent on continuing:

I launched myself into war from the first days when the invader's filthy plant poked the ground of the heroic Veracruz town. With some of its sons who joined me, I had the glory of exhausting the enemy in various encounters inflicting damages, and constantly harassing them to the point of having attacked the same convoy seven times.⁸⁷⁹

⁸⁷⁷ *The Washington Union*, February 7, 1848. Report from *New Orleans Delta*, January 29. Original report from Mexico City dated January 13. Hays “routed Padre Jarauta from one of his dens... One of the men shot at the Padre – whether they killed him I am not informed; they brought in his horse, saddle, and bridle, and cloak, and other trinkets belonging to the Rev. Father.” See also: *New York Daily Herald*, February 8, 1848.

⁸⁷⁸ Ford, *Rip Ford's Texas*, 87-88.

⁸⁷⁹ Celedonio Domeco Jarauta, “Viva la republica Mexicana,” January 19, 1848. Mexican Pamphlet Collection (MPC) (San Francisco: Sutro Library: CSU). Tula is in the state of Hidalgo created in 1869.

Jarauta proclaimed that the wounds forcing him to temporarily “abandon” the war were “restored” and that the governor of the state of Mexico “has provided me with all the necessary resources to sustain the strength that I can gather” to carry on. Jarauta was trying to rally commoners to the guerrilla war. “I am pleased to return to the campaign. I return, then, to fight for your just rights. Mexicans, won’t you accompany me in such a glorious struggle?” However, the dilemma for the foreign fighter was convincing (and recruiting) non-Spanish Mexicans to fight for a Spanish priest with an agenda. “Will you remain cold bystanders in view of the offenses on your religion, which has scourged your fellow citizens? Do you expect the same affront in your own people, or perhaps even worse for those of your families?”⁸⁸⁰

Padre Jarauta’s defiant circular invoked “the god of armies to manifest his power” to rid Mexico of its invaders. It was a disconnected call to war towards a plebiscite skeptical of the ulterior motives of Jarauta, Paredes, and others conspiring to reintroduce monarchy into a dysfunctional republic. “To arms, brave Mexicans, and without more party or currency, to war against the Yankees, do it until you repel them further than the Sabina [River]. These are the votes of your sincere friend who counts on your cooperation.”⁸⁸¹

Kendall reported on the effort by Jarauta to mount a national uprising. On January 15, he wrote that while in Jalapa, a merchant informed him that “an attempt would be made to raise a national insurrection, but... the conspirators had not sufficient courage or energy to attempt the execution of their plans.” The plan consisted of coordinated attacks on garrisons in both Puebla and Jalapa, but the lack of support from the local citizenry scuttled the effort. “Circumstances have come to light which serve to convince,” Kendall wrote, “that no portion of the respectable inhabitants here were implicated in the affair; on the contrary, they were desirous of the plot being discovered, and it was from them information of the design was obtained.” Kendall laid the blame squarely on the Spanish priest. “The Padre Jarauta, it is confidently said, was in the city a day or two before the attack was to have been made, and was active in his efforts to

⁸⁸⁰ *Ibid.* (MPC)

⁸⁸¹ *Ibid.* (MPC) The Sabina River composes the border between Texas and Louisiana.

excite the people and to perfect the plan.”⁸⁸² The *New Orleans Delta* added to reports of the alleged January plot to incite an insurrection in Puebla, where General Rea was known to operate:

A conspiracy has been set on foot, in Puebla, to assassinate the Mexican Governor of the State of Puebla, Don Raphael Izunsa, by Gen. Rea and some of his worthy associates. Their letters were intercepted by Col. Childs, from which it appears that their first object was to get Gov. Izunsa out of the way, by assassination, and then murder some of the peaceably disposed inhabitants of Puebla, seize the reins of government, and proclaim Rea Dictator. Gov. Izunsa is known to be a strong advocate of peace.⁸⁸³

Peace seemed far off, however. Most people were led to believe that Nicholas Trist, Polk’s peace commissioner officially recalled to Washington mid-November, had left the city “with a strong and efficient” escort on or about December 9, as it was reported in the *American Star*.⁸⁸⁴ The reason for the disinformation has never been resolved, but it was assumed by almost everyone that he had failed his mission and therefore the U.S. Army (by all appearances) was expected to stay for the foreseeable future. The perception of a prolonged occupation did not bode well when compared with Scott’s previous proclamations outlining his desire for a short conflict.

Those perceptions took another hit in February, when Adam Allsens, a Texas Ranger who had been alone in the notorious Mexico City neighborhood known at “Cutthroat” was “assailed by a murderous crowd and almost literally cut to pieces.” Several hours after miraculously making it to safety, Allsens died of his ghastly wounds. Rip Ford wrote that Hays and the Rangers deliberated on how to prevent reprisals. “Who could [Hays] employ to nip in the bud any scheme to wreak bloody vengeance on the assassins? The sequel will show he was powerless to checkmate what he could not foresee.” In fact, Hays could foresee it, but stayed in his quarters the following night to avoid being held responsible for what happened. While Ford and Hays sat together, the

⁸⁸² *Wilmington Journal*, North Carolina, February 25, 1848. Reported from *The Times-Picayune* January 15, 1848. Around this time rumors of the treaty signed at Villa de Guadalupe Hidalgo February 2 made their way into the Eastern newspapers. See: *The Baltimore Sun*, February 21; *Richmond Enquirer*, February 22; *Public Ledger*, Philadelphia, February 22, 1848; *Buffalo Commercial*, February 24, 1848.

⁸⁸³ *New Orleans Weekly Delta*, January 31, 1848

⁸⁸⁴ *Daily American Star*, Mexico City, December 9, 1848. (BLAC). See: Robert M. Ketchum, *The Thankless Task of Nicholas Trist* (New York: American Heritage Publishing, 1970); Wallace L. Ohrt, *Defiant Peacemaker: Nicholas Trist and the Mexican War* (College Station: Texas A&M University Press, 1997).

sound of Colt six-shooters rang out in Cutthroat followed by regular issue firing. The noise continued for about two hours. In the morning it was learned a dozen or so Texans went into Cutthroat and began shooting any man they could find. When a U.S. patrol alarmed by the noise arrived at the scene, they joined the Texans. The following day Ford noted that there were “more than eighty bodies lying in the morgue. These were parties who had no relatives or friends to care for them. It was a fearful outburst of revenge.”⁸⁸⁵

It was reported that Scott had words with Hays about the massacre and that Hays insisted it was the result of provocations, and therefore done in self-defense.⁸⁸⁶ However, most of those accounts (stemming from one article in the *Indiana Register*) related to the incidents occurring when the Texans initially arrived in the capital in December and were dated in February and early March. The incident in Cutthroat occurred mid-February, a few days before Scott left Mexico City. Ford cited the *Register* article in relation to the incident, but there is no record of any action Scott took concerning the massacre in Cutthroat – nor mention of it in the press. The incident was further complicated by the regular army patrol’s participation. Since Mexican outrage over the killings was minimal (considering the murdered men were apparently not pillars of the community) the entire episode – like the sacking of Huamantla – was dismissed as an aberration. Ford asserted that the killings deterred future attacks. “The affair in revenge for Allsens... broke up the murder of Americans almost entirely.”⁸⁸⁷

The Rangers were ordered to leave Mexico City soon after to hunt the guerrilla-priest who had eluded them. Major Ian Lyles asserts in his recent work that “Scott, apparently discerning Zachary Taylor’s most successful technique for dealing with the unruly Rangers, soon realized that busy Rangers employed outside the city caused fewer problems.”⁸⁸⁸ Lyle is correct, but moreover, their six-month period for duty as militia was set to expire and the Rangers were running out of time to hunt the most well-known insurgent of the war. In mid-February, a group consisting of Hays and 250 Rangers, 130

⁸⁸⁵ Ford, *Rip Ford’s Texas*, 83-84

⁸⁸⁶ *The Natchez Weekly Courier*, Mississippi, February 23, 1848; *Buffalo Courier*, New York, March 1, 1848; *The Washington Union*, Washington D.C., March 6, 1848.

⁸⁸⁷ Ford, *Rip Ford’s Texas*, 85. See also: Brackett: *General Lane’s Brigade in Central Mexico*, 262. William O. Butler took charge of U.S. forces February 19, 1848, two days later the Texans left Mexico City.

⁸⁸⁸ Lyles, *Mixed Blessing*, 87.

dragoons and rifles, (not coincidentally) the president's younger brother Major William H. Polk, General Lane, and the "contraguerrillos" under Colonel Domínguez, set off northeast in the direction of the Sierra Madre towards Tulancingo – where it was believed the insurgent was operating aside General Paredes. On February 25 Lane's group arrived at dawn in the mountain town of Sequalteplan (Zacualtipán) – surprising the guerrillas. According to Lane's report, more than four hundred guerrillas and only one American were killed. Hays, whose target was Jarauta, tried to locate the priest in a church off the main plaza but he "effected his precipitate escape; thereby, for the present, saving his person from the treatment he so wisely dreaded."⁸⁸⁹

It was the last battle of the war for the Texans. Although they did not kill or capture Jarauta, the Action of Sequalteplan (as it was later called) did much to neutralize guerrilla attacks along the logistics corridor between Mexico City and Veracruz. Soon after, Scott returned to Washington on the orders of the Polk Administration. General Butler, who replaced Winfield Scott after he was summoned back to Washington by Polk, noted that the "severe lesson taught the guerrillas on this occasion will go far to prevent the future assemblages of these lawless robbers for the purpose of attacking our trains."⁸⁹⁰ For the most part, Butler was correct, although Jarauta continued to cause problems for the war-weary Mexicans until he was captured by Mexican soldiers and shot for revolutionary activity in the summer of 1848. It was the same fate Javier Mina received in 1817.

As the occupation was winding down a few months after the battle of Sequalteplan, General Butler wrote to Jose Urbano Fonseca, president of the Philanthropic Society of Mexico and "extended a free and full pardon to all Mexican prisoners, including those of the company of San Patricio..." It was a benevolent gesture at the U.S. Army was readying to leave Mexico, and Butler indicated that Fonseca's appeals to Butler played a role in that decision. Mexican prisoners sentenced for "murder and robbery" would be freed once U.S. soldiers "have evacuated the country." Butler noted that their crimes

⁸⁸⁹ *The Washington Union*, April 7, 1848. Report from General Joseph Lane dated March 2, 1848. See: Ford, p. 94. "We had great faith in Miguel and Vicente, our spies and guides." Report from Colonel Hays dated March 1, 1848.

⁸⁹⁰ *Ibid.* Report from General William Butler dated March 3, 1848. Jarauta opposed the treaty and was later captured by Mexican authorities and shot for revolutionary activity July 19, 1848.

were “of the blackest character; but even in so grave a case, I have been unwilling to desecrate the joyful moment of peace by the shedding of blood.”⁸⁹¹

The equitable manner Scott directed the occupation was important not only for his legacy but that of the U.S. Army's. Butler had a similar background as Scott and was in tune with his goals of ending the war on the best foot possible. Butler had also interrupted his nascent career as a lawyer to join the army during the War of 1812, and became a prisoner of war who was later paroled by the British after being captured by Indians. He served as a lawyer for much of the period between the wars, and later became the Democrat vice-presidential nominee in 1848.

Despite their fighting prowess, the arrival of the Texans complicated Scott's law and order occupation. Scott did not request them specifically and most likely would not have given their controversial record of executing captured enemy soldiers after action. That Taylor specifically asked Washington not to send him soldiers bent on revenge may have played a role in his decision to cease operations in the north. Taylor, although not a disciplinarian like Scott, paid for supplies and understood the importance of the conciliatory side of the occupation. For Scott, the arrival of the Texas mounted riflemen among the reinforcements was reluctantly welcomed. This is because – although the frontier fighters were excellent at counterinsurgency and Indian warfare – they were not keen on the type of discipline Scott enforced among his soldiers to prevent the conflict from turning into a Mesoamerican Peninsular War.

Had the Texans not arrived it is safe to assume the brigade under Lane's leadership would still have relieved the besieged U.S. garrison at Puebla. What is not clear, however, is whether U.S. forces would have been able to rid or neutralize central Mexico of formidable guerrillas like Jarauta who sought to perpetuate the war and scorned those who made peace. The Texans undoubtedly made life difficult for the insurgents, and their arrival likely acted as a strong deterrent to those who might have considered making a profit from stealing U.S. supplies or robbing fellow Mexicans along the route between Veracruz and Mexico City. Had the Texans not arrived, it is

⁸⁹¹ *The New Orleans Crescent*, June 22, 1848. General William Butler to Jose Urbano Fonseca, President of the Philanthropic Society of Mexico, June 3, 1848.

difficult to determine whether the sacking of Huamantla would have occurred given that the Americans became enraged after Samuel Walker's death and were predisposed to avenging Santa Anna's past deeds. To the benefit of the occupation army, news of the Huamantla episode was not widely disseminated.

Nor did such massacres commonly take place. The revenge killings by the Rangers in Cutthroat appeared to be tolerable to the Mexicans in the capital considering lone U.S. soldiers (and Rangers) were targets of assassination during the occupation in that large city. The issue of the Texans in the Mexican War therefore straddles an interesting dichotomy between military efficacy and the importance of law and order in an occupation. There are strong arguments to be made on both sides.⁸⁹²

Another aspect of the Texas militia in the war was the status bestowed upon them by President Polk. That Polk specifically asked for Hays' participation undermines the argument that the Commander-in-chief allowed his generals to manage the war on the ground. The opposite appears to be the case, and the fact that the Texans under Hays' command believed they were operating at the behest of Polk in a legal grey zone demonstrates a level of micromanagement by the executive to control events. In order to mitigate the potential for an escalation of violence during the occupation, Scott was forced to find middle ground satisfactory to both himself and the Texans – without unnecessarily undermining the conciliatory counterinsurgency initiatives designed to prevent an uprising his small force could not suppress. This was done by allowing the Texans to enter Mexico City in early December and issuing General Order No. 372 promptly thereafter.

Most histories of the conflict do not factor in the machinations of President Polk. Because Polk did not specifically write in his journal that he was attempting to undermine Scott and alter the course of the war does not mean this is not what he was doing. Actions speak louder than words and the omission of this information in a diary meant to perpetuate his legacy should not come as a surprise. The introduction of the Texans is one example, just as the attempt to undermine the most beneficial conciliatory

⁸⁹² See: Eric Patterson, *Just American Wars: Ethical Dilemmas in U.S. Military History* (London: Routledge, 2018).

policy employed by U.S. forces – to escalate the war and seize all of Mexico – is another. That is the subject of the final chapter.

Time is the enemy of all occupation armies. The longer an army stays in an occupied country the more the population begins to suspect that that army has no intention of leaving. Although there were undoubtedly many Mexicans who enjoyed the benefits of American largesse during the conflict, the American military presence was limited to a few northern, coastal, and central Mexican cities. The Americans had not yet scattered themselves over the entire country, as the French had done in Spain. The relatively small military footprint had three benefits: it helped offset general animosities that the Mexicans harbored towards the Americans, it made them believe they were not intent on seizing the entire country, and it eliminated the insurgent advantage of geography. Had the U.S. Army attempted to occupy all of Mexico, the potential for a national insurrection would have been very real. As the reader will see, this is exactly what the U.S. Commander-in-chief and his allies in Congress attempted to do. Had Polk had the powers of Napoleon, it is quite possible that Mexico would not have existed after 1848.

2.5 THE ALLURE OF EMPIRE, THE THREAT OF GUERRILLA WAR, AND THE NEW CODE

*Mr. President, let us take care that the disgraceful warfare of Spain be not renewed upon this continent! Is there to be no end to this state of things? I do not believe that the violated honor of the country requires such vindication. That honor is in much greater danger of being tarnished by our own conduct in the further prosecution of this war.*⁸⁹³

----- James A. Pearce, U.S. Senator from Maryland, January 13, 1848

In late 1847, with the U.S. Army occupying the Mexican capital, and the counterinsurgency ongoing between Veracruz and Mexico City, a major shift appeared in President James K. Polk's stance on the war. The conflict had become unpopular with half the country. The anti-war Whig party won the recent midterm elections and with it control of the House of Representatives. The occupation was costing more than anticipated, and funding for the war would be more difficult to obtain. Polk notified Congress that he had recalled his peace envoy Nicholas Trist, and that treaty negotiations were suspended. With these developments in mind, an effort was made to adopt a Napoleonic-era policy that the occupation army should supply itself off the revenues and resources of Mexico. In other words, Polk and his supporters pushed to end Halleck and Scott's counterinsurgency policy of paying for goods, and simultaneously acted to expand the war by introducing more troops. The choice between forceful or benign occupation was stark, with the implication being that U.S. soldiers would stay in Mexico indefinitely as an army of conquest.

To many observers, the looming debate in the U.S. capital over the future of Mexico marked a crossroads in a potential transition from American republic to military empire. The principal advocate for empire was the 1848 Democrat candidate for president

⁸⁹³ *Congressional Globe*, 30th Congress, Library of Congress (LOC), Washington D.C., 176. James A. Pearce, January 13, 1848.

Senator Lewis Cass. The main opponent to this inertia was the powerful senator from South Carolina John C. Calhoun. In tandem with General Scott's ongoing support for treaty negotiations in Mexico, Calhoun played a critical role in preventing more troops from being sent to Mexico and delayed bills supporting the occupation of that country. Calhoun's efforts against expanding the war were not motivated explicitly in defense of Scott's benign counterinsurgency doctrine, but rather in preventing the federal government from turning into a military despotism like Napoleonic France.

Many historians have overlooked the principal reasons surrounding bi-partisan (i.e. Whig and Democrat) efforts to prevent the war from escalating. Informing the U.S. congressional debate over the future of Mexico was the ever-present historical experience of the French in Spain, the guerrilla insurgency that erupted there, and the endless attrition that undermined an overstretched army of occupation. Concerned political leaders from both the South and North believed such an outcome was possible. In the end, opposition to escalation won. The new code of war, which proved successful in winning the compliance of the Mexican people, had supplanted Napoleon's military maxim that *war must support war*. Ultimately the new code, developed as a response to the advent of guerrilla warfare, became the formative doctrine for the U.S. Army.

The shift in war policy was announced in the long-anticipated annual address to Congress December 7. Polk stated that "negotiations for peace have failed" and that a "vanquished" Mexico was acting as if it had won the war. Polk castigated Mexican intransigence claiming they "must have known that their ultimatum could never be accepted." Furthermore, he concluded that he did "not deem it proper to make any further overtures of peace," but rather wait for the Mexicans to reach out. Most alarmingly, Polk hinted that without a reliable partner to negotiate with, the occupation would be extended indefinitely. U.S. military forces at land and sea were being sent order to "hold and occupy... all the ports, towns, cities, and provinces now in our possession; that we should press forward our military operations, and levy such military contributions on the enemy as may, as far as practicable, defray the future expenses of the war."⁸⁹⁴

⁸⁹⁴ President Polk's 3rd Annual Message to Congress, December 7, 1847. *Congressional Globe*, 30th Congress, Library of Congress (LOC), Washington D.C., 6. Polk's message was received by the U.S. Army in Mexico City late December. See: *Daily American Star*, Mexico City, December 26, 1847.

Polk called for an additional 50,000 troops and proclaimed that “the Mexican people will be made to feel the burdens of the war.” The president stated that the pacification policies of paying for goods “at fair and liberal prices” had failed, blamed the Mexicans, and told Congress that the army needed to implement a more vigorous prosecution of the war. What was stunning was that the president described the limited guerrilla war in terms and language inferring that the war had escalated beyond repair. Despite a “spirit of liberality and conciliation,” he stated, “and with a view to prevent the body of the Mexican population from taking up arms against us...” Essentially Polk claimed the population had turned against the Americans:

Not appreciating our forbearance, the Mexican people generally became hostile... and availed themselves at every opportunity to commit the most savage excesses upon our troops. Large numbers of the population took up arms, and, engaging in guerrilla warfare, robbed and murdered in the most cruel manner individual soldiers, or small parties, whom accident or other causes had separated from the main body of our army; bands of guerrilleros and robbers infested the roads, harassed our trains, and, whenever it was in their power, cut off our supplies. The Mexicans having thus shown themselves to be wholly incapable of appreciating our forbearance and liberality, it was deemed proper to change the manner in conducting the war, by making them feel its pressure according to the usages observed under similar circumstances by all other civilized nations.⁸⁹⁵

Aspects of the statement were accurate but Polk used the portrait of chaos to outline a nebulous strategy for more troops to subdue all of Mexico in much same way Napoleon had attempted to do in Spain. Without exactly knowing Polk’s intentions, critics of the war were alarmed by his determination to “prosecute it with increased energy and power in the vital parts of the country.” While denying he advocated the annihilation of Mexico and “her separate existence as an independent nation,” Polk claimed that if “we shall ultimately fail, then we shall have exhausted all honorable means in pursuit of peace, and must continue to occupy her country with our troops, taking the full measure of indemnity into our own hands.”⁸⁹⁶

(BLAC). For Polk See: Walter R. Borneman, *Polk: The Man Who Transformed the Presidency and America* (New York: Random House, 2008).

⁸⁹⁵ *Ibid.* 7-8.

⁸⁹⁶ *Ibid.* 7.

Adding to the confusion, Polk stated that the army needed to remain in a divided Mexico “ruled by military usurpers” to ensure the U.S. “leave her with a republican government.” Although the United States had experience creating governments in sparsely populated native-American lands in western territories, as a policy the U.S. Army had no prior experience establishing, protecting, and preserving governments in occupied countries. Imposing governments on conquered states represented a theretofore uncrossed Rubicon in U.S. history. Polk stated that nation-building might indeed become the goal due to the interest in Mexico from other European powers, and that it would be folly to leave before peace was achieved. In short, if the United States did not stay, Mexico might be “inclined to yield to foreign influences, and to cast themselves into the arms of some European monarch for protection from the anarchy and suffering which would ensue.” The argument that European states like Great Britain were ready to enter and sweep up Mexico was reason enough for expansionists.⁸⁹⁷

The most troubling aspect of the address was Polk’s insistence to shift the burden of the war on the Mexican people. Polk informed the legislative branch that through the Secretary of War he had ordered his generals to rescind the policy of paying for material – effectively ordering them to take “forced contributions” without paying. Polk claimed that burdening the Mexican people would induce “their rulers to accede to a just peace.” The Commander-in-chief stated he sent instructions to General Taylor September 22 to do so, and that Taylor responded October 26 that “he did not adopt the policy” but instead “continued to pay for the articles of supply” – which had been effective at reducing suspicions among the Mexicans of U.S. intentions. The same orders were issued to Scott April 3 following his landing at Veracruz.⁸⁹⁸ Secretary of War Marcy wrote to Scott:

[T]he President directs me again to call your attention to the dispatch to this department of the 3rd of April last... the property holders of Mexico have no claim to find in the market afforded by sales to our army, and actual pecuniary benefit resulting from the war. They must be made to feel its evils, and it is earnestly hoped and expected that you will not... adhere to your opinion... that a

⁸⁹⁷ *Ibid.* See: David M. Pletcher, *The Diplomacy of Annexation: Texas, Oregon, and the Mexican War* (Columbia: University of Missouri Press, 1973).

⁸⁹⁸ *Ibid.* 8. See: Birtle: *U.S. Army Counterinsurgency and Contingency Operations, 1860-1941*, 16.

resort to forced contributions will exasperate and ruin the inhabitants, and starve the army.⁸⁹⁹

Forty-seven days later Polk received a similar rejection from Scott. Scott wrote to Marcy that any “attempt to subsist it by living at free quarters, or on forced contributions, would be the end of military operations.”⁹⁰⁰ Scott believed that treating the Mexican people poorly would result in mass revolt and fuel a military insurgency. Scott noted the episode in his *Memoirs* many years later. “Early in the campaign I began to receive letters from Washington, urging me to support the army by forced contributions. Under the circumstances, this was an impossibility.” According to Scott there were a few principal reasons for not doing so. Among them was the “sparse” population, the lack of political allies within the country, and the issue of overcoming religious and racial differences. In addition, the practical need to win the compliance of the people was paramount. During Scott’s occupation, any Mexican could assist the U.S. Army and make money by selling supplies. Conversely, any Mexican could easily be turned into an enemy. This was the crux of the conciliatory counterinsurgency effort. Scott later wrote:

Hence there was not among them a farmer, a miller, or dealer in subsistence, who would not have destroyed whatever property he could not remove beyond our reach sooner than allow it to be seized without compensation. For the first day or two we might, perhaps, have seized current subsistence within five miles of our route; but by the end of the week the whole army must have been broken up into detachments and scattered far and wide over the country, skirmishing with rancheros and regular troops, for the means of satisfying the hunger of the day. Could invaders, so occupied, have conquered Mexico? ⁹⁰¹

President Polk publicly acknowledged Scott’s defiance in his December 7 address. “General Scott, for reasons assigned to him, also continued to pay for the articles of supply which were drawn from the enemy.” In other words, both Scott and Taylor disobeyed orders and the military chain of command. Polk iterated that the orders were repeated.⁹⁰² To war opponents it appeared as if Polk was deliberately attempting to undermine the occupation.

⁸⁹⁹ HED No. 60. (LOC), p. 1005. Marcy to Scott, September 1, 1847.

⁹⁰⁰ *Ibid.* 994. Scott to Marcy, June 4, 1847, Puebla. “We are still much embarrassed by the want of money. But little can be obtained by drafts this side of the capital...”

⁹⁰¹ Scott, *Memoirs*, 552-553.

⁹⁰² President Polk’s 3rd Annual Message to Congress, Dec. 7, 1847. *Congressional Globe*, (LOC), 8.

Lastly, Polk castigated those who questioned the new policy by stating that the Mexicans were following the U.S. debate over the war. The president claimed that opposition had the effect of prolonging the struggle by giving the Mexicans hope. Polk claimed that by failing to provide more troops, political opponents (namely northern Whigs) were helping the enemy by giving them “false impressions” that the war might end on terms favorable to Mexico. The statement by the president that opponents of the war were prolonging it incensed veteran legislators, mostly Whig to be sure, but also a few key Democrats. To many, the address proved that the United States was moving dangerously close to Napoleonic-style military imperialism.⁹⁰³

“WAR MUST SUPPORT WAR”

Designs to shift the burden of the war on the Mexicans were being planned long before the landing at Veracruz. The reasoning for this change was a maxim from the former French emperor. One South Carolinian newspaper noted in October of 1846 that “a very important change in the mode of conducting the Mexican war, which will likely soon give its decisive result, Napoleon’s maxim was, that a war of conquest should support itself.” The historical context of the military truism was further explained:

Accordingly when he had overrun a district, his first care was to establish a government especially adapted to draw out its resources for the support of the army. We have been on very different maxims in the Mexican war... The consequences have been that the Mexicans have made a great bargain of our invasion. Losing nothing, they have gained the privilege of supplying our armies at enormous prices. This is to be amended hereafter.⁹⁰⁴

The historical context of the maxim as outlined was true to a certain extent, but the situation where Napoleon made it a policy for his generals in the summer 1810 resulted from the lack of funds available in Paris to carry on the war in Spain. The French government had run out of money. In the case of Spain, it was not a maxim resulting from careful and considerate planning, but rather a policy initiated in haste after all other

⁹⁰³ *Ibid.* 7. Polk also stated that “Should the war with Mexico be continued until the thirtieth of June, 1849,” a coffee and tea duty would be imposed to offset the costs. (*Ibid.* 9) See also: Sen. William Allen (Ohio), Dec. 30, 1847. “If this Senate wavers...what, I ask, will be the effect of such a course upon the mind of the Mexican people? Will it not encourage them to further resistance?” (*Ibid.* 80. Dec. 30, 1847).

⁹⁰⁴ *Edgefield Advertiser*, South Carolina, October 14, 1846.

avenues of amassing revenue had been exhausted. In other words, when the war became prolonged due to the insurgency, the French had no other alternative than to live off the people or end the occupation.

Writing in the early twentieth-century, Mexican War historian Justin H. Smith asserted that Polk “felt disposed to bring the stern realities home to the Mexicans,” and that his change in policy was in reaction to Mexican unwillingness to conciliate. According to this perspective, then, the policy was not an extension of Scott’s sound counterinsurgency strategies borne from careful consideration and historical-military analysis, but a reflection of Polk’s initial good will. “It is no part of an invader’s army to scatter gold over conquered territory, and our government did not propose to go a step beyond the acknowledged rights of belligerency.” Smith quoted Vattel as “the standard authority on international law,” and claimed that a nation at war is legally justified if it “lays its hands on the enemy’s goods, appropriates them to himself, and, at least procures an indemnification, an equivalent, either for the very cause of the war, or for the expense and losses resulting from it.”⁹⁰⁵

One of Clausewitz’s American translators, A.M.E. Maguire, noted that during “the early days of Clausewitz’s career an advancing army, as he says, paid no regard to any rights of property on the part of the invaded natives,” and that a general rule was that “even the most densely populated places can furnish food for one day for as many troops as there are inhabitants.” He referred to the Prussian’s praise for “several of the French generals in Spain” such as Suchet and Soult, who had “managed to live off the inhabitants in a very regular fashion, and to be equal to all emergencies.” For Scott’s relatively small army, maintaining a healthy supply of foodstuffs from a rather larger local population was within the realm of realistic planning. However, to increase the occupation army’s size and duration also meant to increase its wants, which could lead to problems:

Clausewitz prefers to say, “It is a well-proved principle that want and lack of regular food... must be considered as at best temporary expedients, which should be followed as soon as possible by plenty or even superabundance.” The march of badly clad and half-starved thousands or myriads of men over every kind of road in every kind of alternative weather, houseless for weeks... is one of the

⁹⁰⁵ Justin H. Smith, “American Rule in Mexico” in *The American Historical Review* 23, no. 2 (Jan. 1918): 288.

saddest spectacles known to humanity. No wonder Wellington pointed out to the Portuguese government, when it neglected to feed its troops, that “A starved army is worse than no army;” and that Napoleon said the art of war is the art of subsisting.⁹⁰⁶

Jomini also commented on starving armies. When Halleck translated Jomini’s biography of Napoleon in 1846 on his seven-month voyage to California, he was aware of the desperation that befell Marshal Andre Massena’s army in Portugal after Wellington denied it provisions by scorching the surrounding countryside. Ultimately Massena’s destitute army was “forced to retreat due to lack of supplies.” This was exactly the situation Scott was attempting to avoid. Jomini’s account of Massena’s situation confirmed what Clausewitz wrote about Wellington:

Placed two hundred leagues from its own frontiers, in the midst of two warlike and insurgent nations, deprived of all maritime means of subsistence in a country deserted by its inhabitants, it could subsist only like a nomadic horde, devouring everything within the reach of its camp, and then moving to some other place.⁹⁰⁷

On the other hand, since the military maxim came from Napoleon pro-war advocates believed its credence. *The Flag of Freedom* in Puebla caught wind of the proposal in July of 1847, which had passed through military channels back east. “The first and most important item, if it be true, as that after a long cabinet council it was decided to change completely our system of warfare, if a treaty of peace is not immediately made.” The U.S.-operated newspaper informed its readers, most of whom were soldiers, of the particulars of the maxim-inspired policy. The language was surprising neutral given the consequences involved:

The property of the church is to be taken and used for the expenses of the war, and also ‘particular property,’ so that the effects of the war shall be felt by all, and its original object be changed to that of conquest. Orders to this effect have been sent to Gen. Scott... the soothing system might be advantageously changed, and that the world was preparing to acknowledge our right to pursue a more vigorous course.⁹⁰⁸

In the fall of 1847 and into early 1848, war planners under the direction of the Polk Administration were pushing the military maxim into the open. Three days before the

⁹⁰⁶ Maguire, *General Carl von Clausewitz On War*, 145-146.

⁹⁰⁷ Jomini, *Life of Napoleon, with Notes by H.W. Halleck*, Vol. 3, 234.

⁹⁰⁸ *Flag of Freedom*, Puebla, July 1, 1847. (BLAC)

presidential address to Congress, an article title “On the Administration ‘Feelers’” was published in Washington’s *Weekly National Intelligencer* claiming the pro-war party in the capital was canvassing the Napoleonic idea and its reception among the U.S. public. “‘War must support itself’ – It was a maxim of Napoleon that a ‘war ought always to support itself.’ In reducing this principle to practice, his troops, whenever they made an inroad into a foreign country, began to levy contributions in money, provisions, and forage.”⁹⁰⁹ *The Buffalo Courier*’s editors claimed in an article, “The Regiment Bill”, that Americans were “[t]ired of making war upon that excessively philanthropic plan, which treats the invaded nation with the scrupulous exactness observed in marching through a friendly state, [and] is about to apply to Mexico, practically, the maxim of Napoleon that ‘war must support war.’” The newspaper further explained the application of the maxim in theater:

The taxes, imposts and levies of all descriptions, by which the Mexican government has heretofore been supported, are to constitute a fund for the maintenance of our troops. To collect them; to enforce order; to keep open communications, and to extirpate the robber bands which infest the roads – the principle and salient places of Mexico should be occupied, and moveable columns kept in motion between them. The capital, made the center of operations, should send out troops in all directions, to harass the enemy, and give him a realizing sense of the burdens of war...⁹¹⁰

Despite Scott’s refusal to force contributions, Calhoun believed administration officials were “resolved to go thoughtlessly forward, when it is clear, whether defeated or successful, the result will be unfortunate to the country.” Calhoun was skeptical of the war from the beginning, so much so he was one of the few who abstained from voting for the declaration of war because of the controversial way it had started. To him the presidential address was a moment where Napoleon and his famous military maxim had been resurrected and given a second life in a new emerging era of military empire.⁹¹¹

The anti-war *Intelligencer* portrayed the policy from a grim Napoleonic perspective. The French army’s “marches were accompanied by a host of commissaries, provided

⁹⁰⁹ *Weekly National Intelligencer*, Washington DC, December 4, 1847. The article was quoting the *Williamsburg Gazette*.

⁹¹⁰ *The Buffalo Courier*, New York, January 28, 1848.

⁹¹¹ Jameson Franklin (ed.), *Correspondence of John C. Calhoun*, Vol. 2 (Washington DC: American Historical Society, 1900), 737. John C. Calhoun to Thomas G. Clemson, October 24, 1847.

with wagon trains and horses. These locusts, attended by a proper escort, would diverge from the line of march to the right or left, or to any point where the spoils could be found.” This was what the administration was asking Scott to do in April of 1847.

Essentially Polk was calling for the plundering of Mexico by the U.S. Army:

Grain was cut in the field; if green, it would answer for horses; if ripe, it was transported to a depot, and speedily ground in handmills to make bread for the soldiery. As the war went on supporting itself, the miserable were stripped of every article of food. Horses were seized to replace those of the cavalry which were swept off by the casualties of battle or fatigue... By this system of organized marauding the countries through which the French armies marched were completely ruined.⁹¹²

The editors claimed that “the acts of oppression... were the principal causes of the general uprising against Napoleon,” especially among the “middling and lower classes in Europe,” and that to enact the maxim as policy would be disastrous for the occupation army. “To meet the exigency, feelers are put forth in [pro-war] newspaper organs, advocating the adoption of the Napoleonic maxim, ‘The war must support itself.’” Lastly, the editors of the D.C. newspaper claimed that “the scheme has proved a failure.”⁹¹³

THE INERTIA OF EMPIRE: CALHOUN, CASS, AND THE *ALL-MEXICO* MOVEMENT

By mid-December Polk’s allies in Congress were pushing for more troops while detractors questioned the wisdom of the inertia in seizing Mexico. The drama over the debate as to whether the United States should absorb the entirety of Mexico unfolded in the U.S. Congress over a brief three-month period from mid-December to late February. The first moves in the *All-Mexico* movement, as it would later be called, came from Polk’s Democrat proxies in the Senate. These proxies included senators Lewis Cass, Daniel Dickinson, Edward Hannegan, Jefferson Davis, and Henry Foote. What they were not counting on, however, was opposition from John C. Calhoun, one of the staunchest advocates of states’ rights and slavery.⁹¹⁴

⁹¹² *Weekly National Intelligencer*, Washington DC, December 4, 1847.

⁹¹³ *Ibid.*

⁹¹⁴ *Congressional Globe* (LOC), 80. Calhoun, December 30, 1847.

Calhoun recognized what was at stake with the coming debate on the war, and believed Polk's presidential address was "undignified and full of false assumptions." The *cast-iron man*, as he was nicknamed for his defense of slavery, had serious misgivings of the Polk's intentions regarding Mexico and moves to either reduce that country to a U.S. province or annex it as an occupied state in a newly reconfigured empire. Writing to his son before the session began, he wrote "Either [outcome] will overthrow our system of government... The country is in the most critical condition. It will be hard to save it."⁹¹⁵ A week after Polk's address Calhoun cut off a move by Senator Daniel Dickinson of New York to "strengthen the political and commercial relations on this continent by the annexation of contiguous territory as may conduce to that end." On the same day that the Senate deliberated the opening of a new route to California, Calhoun warned against annexing Mexico, and stated that "you can hardly read a newspaper without finding it filled with speculation upon this subject."⁹¹⁶

Calhoun's assertion was correct. Some newspapers alluded to annexation from the beginning of the war, but more obvious chatter began in November of 1847. Unlike the pro-war and anti-war factions of the debate, the annexation issue upended conventional thinking in every region of the United States and ripped apart traditional political alliances in existence for decades. One New York paper wrote that "unnecessarily excited" anti-annexation opponents had "as much reason as Don Quixote had to get excited against the windmill." A more centrist North Carolinian paper took a more "dollars and cents" approach to what it called the "huckstering" notion of annexation "The guerrillas are stigmatized as robbers for plundering our trains [convoys], and yet we would seize upon their whole country, and dignify the act by calling it an act of indemnity." An editorial in the *New York Daily Herald* next to an article titled "The True Designs of the Administration with regard to Mexico," pleaded, "Let Mr. Calhoun's policy be adopted, and the war is rendered interminable." Calhoun's efforts were considered the last chance at preventing a military republic. The editorial, however, noted that "it is the opinion of some of the most far-seeing and prudent statemen, that no efforts can now arrest the destiny of Mexico to be annexed to the

⁹¹⁵ Franklin, *Correspondence of Calhoun*, Vol. 2, 740-741. Calhoun to Thomas Clemson, December 10, 1847; Calhoun to Andrew Pickens Calhoun, December 4, 1847. To his son: The war "may, indeed, have a different termination... that is, to be held by the Army and Volunteers as an independent country. Keep this to yourself..."

⁹¹⁶ *Congressional Globe* (LOC), 339, 26, 53-56. Calhoun, December 20, 1847.

United States.” Eventually the *Daily Herald* argued that there was money to be made in Mexican commerce and mines, and the paper came out in favor “holding on to Mexico, precisely as we have her at this moment.”⁹¹⁷

Calhoun considered his resolutions to stop the war “the most important” in his long senatorial career. He wrote a friend that the total annexation of Mexico was a “fearful result... for our country and institutions!” Calhoun believed that momentum towards Mexico’s “entire conquest and subjugation is exceedingly strong, and will, if not arrested by the Senate, become overwhelmingly so.” He also believed the American people had “undergone a great change” due to the influence of the press, and that “Their inclination is for conquest and empire, regardless of their institutions and liberty... I shall be able to arrest the present headlong enthusiasm for war, which is rapidly impelling the country to its destruction.”⁹¹⁸

In late December Senator Lewis Cass, Chairman of the Committee of Military Affairs, introduced a bill requesting an additional ten regiments – or between 10,000 to 20,000 soldiers. A couple days later, on New Year’s Eve, 1847, Polk met privately with Cass and Jefferson Davis and decided to oust Scott. The pretext for this decision was that certain political conflicts with other high-ranking officers had arisen within the army of occupation. Polk, who disliked Scott, listened on as both senators condemned the veteran general while “recommending his recall as general-in-chief in Mexico.”⁹¹⁹ The following morning Secretary of War Marcy advocated that General William Butler replace Scott, and Polk’s cabinet conferred. Polk believed that “Gen’l Scott’s bad

⁹¹⁷ *The Brooklyn Daily Eagle*, New York, November 22; *Wilmington Chronicle*, North Carolina, November 24 (1847); *New York Daily Herald*, January 3, 22 (1848); For other articles on the annexation of Mexico see: *The Somerset Herald*, Pennsylvania, Nov. 2; *The Buffalo Commercial*, Nov. 17; *The Daily National Whig* (Washington D.C.), Nov. 17; *Richmond Enquirer*, Virginia, Nov. 26; *Washington Union* (DC), Nov. 30; *Weekly National Intelligencer* (DC), Dec. 4 (1847); *The Tennessean*, Nashville, Jan. 3, (1848); *New York Daily Herald*, Jan. 26, *The Liberator*, Boston, Jan. 28; *Public Ledger*, Philadelphia, Jan. 29; *Springville Express*, New York, Jan. 29, 1848.

⁹¹⁸ Franklin, *Correspondence of Calhoun*, Vol. 2, 741-742. Calhoun to Mrs. T.G. Clemson, December 26, 1847.

⁹¹⁹ Eisenhower, *Agent of Destiny: The Life and Times of General Winfield Scott*, 313. The controversy arose after a series of negative reports about Scott’s conduct were leaked to the press. Scott blamed Duncan, Pillow, and Worth of undermining him, and had them arrested. Polk, with his orders recalling Scott, ordered the democrat commanders released from detention. The recall letter was sent Jan. 13. Similar to the Trist recall, Congress learned about it at a later date on Jan. 25. See: *Congressional Globe* (LOC) (Tuesday Jan. 25, 1848), 242.

temper, dictatorial spirit, & extreme jealousy” had led to the decision.⁹²⁰ News of Scott’s ouster was kept secret from the Senate and press.

The following Monday Cass returned to the Senate to reargue for an increase in troops citing patriotism, republicanism, glory, and history itself. Beginning by comparing the U.S. soldiers to the “first [Spanish] conquerors of Mexico,” Cass proclaimed that American successes were the envy of the “anti-republican croakers” and “politicians of the Old World” who had “denied our power to carry on a war” outside of the United States. The army had made him proud, he repeated, and prouder yet knowing that the “war was the event of the day, and many a steadfast gaze was cast across the Atlantic to watch the prospects and progress of the pattern Republic...” Cass outlined the administration’s new policies and sounded like he was taking advice from French counterinsurgency veterans of the war in Spain. More troops were needed...

...to strike an effective blow with concentrated forces at our detached posts. To hold these posts safely... and to prevent incursions into the territories which we might choose to appropriate to ourselves... and require the temporary establishment of civil government. In carrying this plan into effect...some assurance of the stability of our power [would be needed]. Our posts must therefore be strong, and our forces numerous, in order to secure the many and long lines of communication, to disperse and chastise the guerrilla bands which would obstruct them, and to suppress the more powerful aspirings of the people...⁹²¹

Only by sending more troops to Mexico, Cass reasoned, could peace be secured. “By making them suffer the usual calamities of war, they must be made to desire peace.” Deviating from the logic (whether intentionally or not), Cass described what had happened in Spain a generation before. “All experience shows, that in this condition an invaded people will suddenly break out into insurrections, and sometimes display an energy and courage, which they failed to exhibit upon the battlefield.” A Spanish-style insurgency, however, could be prevented with the proper application of force in Mexico large enough to deter the enemy. Political division, according to Polk and his allies, should not be allowed since it only emboldened the opposition. “[N]othing would conduce more to impress upon the people of that country the necessity of a peace than a

⁹²⁰ Quaiife, *The Diary of James J. Polk During his Presidency, 1845-1849, Vol. 3*, 271. December 31, 1847.

⁹²¹ *Congressional Globe* (LOC), 87-8. Lewis Cass, January 3, 1848.

unanimous determination in Congress to put forth all the strength of the nation till it is obtained.” Cass and others called for a quick vote, but it was rejected.⁹²²

The following day Calhoun took to his podium in a much-anticipated speech. The senator criticized both Polk and his allies and noted that the bills under consideration would raise the troop level to about seventy thousand soldiers. Calhoun asked, “where will be the nationality of Mexico? Where her separate existence? ...Gone!” Calhoun explained that escalation meant much more than soldiers, it meant an entire ancillary logistics network of armed immigrants paid by the U.S. government accommodating “those who live by the war – a large and powerful body...” Calhoun asserted that this body would naturally include the “numerous contractors, the sutlers, the merchants, the speculators in the lands and mines of Mexico, and all engaged every way, directly or indirectly, in the progress of the war... in favor of continuing and extending conquest.” In such a system overwhelmed with military concerns, the legislature would become a tool of executive power:

The conquest of Mexico would add so vast an amount of patronage of this government, that it would absorb the whole power of the States in the Union. This Union would become imperial, and the States mere subordinate corporations. But the evil will not end there. The process will go on... All the added power and added patronage which conquest will create, will pass to the Executive.⁹²³

According to Calhoun one simply needed to look at Great Britain or Rome as examples of imperial overreach. Calhoun claimed that “powerful armies” would be permanently required to occupy Mexico because Mexicans were formidable and still had “Castilian blood in their veins – the old Gothic, quite equal to the Anglo-Saxon in many respects – in some respects superior.” To avoid the fate of overextended empires, the U.S. needed

⁹²² *Ibid.* 88-90. Cass and other All-Mexico proponents created incentives for taking Mexico: “...there are a number of positions, which, from their importance, military or political, we must seize and hold... And the mining countries would claim their share of attention, in efforts we may be called on to make. The rich districts of Zacatecas and San Louis yet contribute their supplies...should be diverted from the Mexican treasury to ours.” (*Ibid.* 89). See also: Senator James D. Wescott Jr. (Florida), January 3, 1848, 89-90.

⁹²³ *Congressional Globe* (LOC), 96-98. John C. Calhoun, January 4, 1848. See also: Senator John Clayton, Delaware Whig. Jan. 12, *Ibid.* 161-2: “Our schoolmasters, our tin peddlers, our country lawyers, our missionaries, our printers, our mechanics, are already there... an armed emigration to take possession and colonize the country...”

to abandon the war. “You are tied at present, as it were, to a corpse. My object is to get rid of it as soon as possible.”⁹²⁴

Calhoun’s pleas failed to deter the opposition. The following day Cass returned to the Senate and introduced another force bill asking for an additional twenty thousand volunteers. Senator John Crittenden responded that if Mexico was “without any army or government; with here and there only a body of guerrillas, instead of an army to oppose you; what, in the name of Heaven... do you want with ten thousand more troops?” This, according to the Kentucky senator, would increase troop levels to one hundred thousand soldiers. Opponents of the force bills suspected the war hawks were anticipating a protracted guerrilla war and making moves to ensure enough soldiers were on the ground to blanket the entire country. Crittenden saw this saying there “may be a few skirmishes here and there with parties of guerrillas” but there was no large army to contest U.S. forces. Cass noted that “Portugal and Spain were full of lessons upon this subject.” It was the Peninsular War that “showed they might gain a battle and get possession of a country without being able to retain it.” Cass argued that taking the capital “was one thing, and then to diffuse the forces over it, in various positions, in order to hold the people in subjugation, was another and quite different thing.” The bitter reality to observers of Cass’s argument was that he was advocating the same failed strategy the French implemented in Spain:

Our armies in Mexico... were now to break up as a mass, to spread themselves into various detachments, else it would be impossible to hold the Mexican people in obedience. They would be now exposed to popular tumults, and liable to be cut down by detachments, and still the more, further they would be compelled to march. Besides, it was important that the Mexican people convinced, by the exhibition of our overwhelming force, that resistance was out of the question. What we wanted was, to produce a moral effect upon the people of Mexico...⁹²⁵

Jefferson Davis concurred with Cass. The requirements included holding “towns and posts in Mexico” in order “to convince the Mexicans that resistance is idle... [and] afford protection to all the citizens of Mexico who are ready to recognize our authority and give us supplies.” In addition to confiscating supplies, Davis noted that “large bodies of men” were needed to “garrison our posts with forces adequate to make a

⁹²⁴ *Ibid.* 98-100.

⁹²⁵ *Ibid.* 111-113. Cass, Crittenden, January 5, 1848.

sortie, if necessary, and not be shut up when any partisan chief chooses to come and sit down before their gates.” The future President of the Confederate States of America outlined plans for seizing lucrative Mexican mines – to abide the maxim that war support war. “Then again, the resources of Mexico, must contribute to the support of that army. We cannot afford to keep down anarchy in Mexico at the expense of our treasury.” Davis argued that the “petty amount of property” held by the ranchers would not cover the expenses, but that the “richest mines” in Potosi would “furnish a new source of revenue... without touching private property, and the expenses of the war are borne by Mexico herself.”⁹²⁶

Press reports on reinforcements entering the Mexican capital also appeared to be in sync with the administration’s new priorities. To readers it seemed as though the U.S. Army was on the verge of being enlarged to occupy all of Mexico:

Gen. Patterson arrived here the day before yesterday, and the last of his command reached here today. ...As soon as Gen. Butler arrives, he or Gen. Patterson will be sent to San Luis Potosi, to open communication between there and Tampico, and the other of the above named generals will be sent to Zacatecas, to take possession of the country around. Queretaro will not be disturbed just now. [...] The Mexicans here will soon begin to believe that we are about to occupy the country in real earnest.⁹²⁷

“SCOTT’S EVIL PURPOSES”: NAPOLEONIC SCHEMES AND INSUBORDINATION

Such were the affairs in Washington D.C. in late 1847 and early 1848. The annual presidential address to Congress upended the entire political spectrum and widened the fracture within the Democrat Party. War skeptics, who until then had reluctantly passed multiple bills to supply the country’s first foreign war with troops and treasure, had been led to believe that peace negotiations were ongoing. After December 6 they were informed that not only were there no negotiations, the administration and its allies in Congress were contemplating the absorption of Mexico under the auspices of a Napoleonic military maxim. Soon after General Scott was fired. The fact that anti-

⁹²⁶ *Ibid.* 114-115. Jefferson Davis, January 5, 1848.

⁹²⁷ *The Baltimore Sun*, January 6, 1848. (via *Times-Picayune*) Report from Mexico City dated December 8, 1847. See also: *The Washington Union*, January 6, 1848.

slavery Whigs and staunch states' rights pro-slavery Democrats were teeming up to deny Polk a military empire (and the possibility of a protracted guerrilla war in Mexico) demonstrates the situations' precariousness. Opponents of the war were constantly reacting to the inertia of events. However, the dynamic quickly changed, as it was President Polk's turn to receive a shock. That shock came in the form of a long report from Nicholas Trist that arrived January 15. In it, Trist explained his decision to disobey orders and continue his efforts at Scott's behest to effect a treaty.⁹²⁸

Polk was livid. Even prior to receiving the letter Polk had misgivings that his peace negotiator had "become the perfect tool of Scott." The president believed that Trist had been manipulated, and "entered into all Scott's hatred of the administration, and to be lending himself to Scott's evil purposes."⁹²⁹ The official report from Trist (dated December 6) confirmed those suspicions. Polk wrote that it was "the most extraordinary document I have ever heard from a diplomatic representative." A normally cautious and circumspect president wrote in his diary that Trist "admits he is acting without authority and in violation of the positive order recalling him. It is manifest to me that he has become the tool of Gen'l Scott and his menial instrument, and that the paper was written at Scott's insistence and dictation." The normally stoic president used other terms such as "indignant" and "insulting" to describe how he felt.⁹³⁰

News of Trist's insubordination was a blow to annexationists. By mid-January, comity between factions was wearing thin. At the same time the House of Representatives was contemplating the establishment of military posts to Oregon, war opponents put forth two resolutions inquiring "Whether or not it is the object and design to subjugate the whole of the Mexican people, and to conquer and hold the whole of the Mexican territory?" On the other side of the capitol building, the Senate was deliberating Polk's nebulous intentions. North Carolina Whig William P. Mangum, an All-Mexico

⁹²⁸ Trist believed Polk's "deception" was to induce annexation and disobeyed orders to prevent it. See: *Congressional Globe*, 30th Congress, 1st session, (LOC), 1057. In a letter from Trist to Congress (dated August 7) delivered August 10, 1848: "Congress and the country had been deceived by... the 'President of the United States,' and that the object... was the indefinite protraction of the war having for its end the conquest of Mexico and her absorption into the Union. This was my belief then; it is my belief now."

⁹²⁹ Quaipe, *The Diary of James J. Polk*, Vol. 3, 283. January 4, 1848. Scott pushed for Trist to finish the treaty. See: Scott: *Memoirs*, 576. Despite being recalled, "I encouraged him, nevertheless, the finish the good work he had begun. The Mexican commissioners, knowing of the recall, hesitated. On application, I encouraged them also..."

⁹³⁰ *Ibid.* 300-301. January 15, 1848.

opponent, asked whether Polk had consulted Scott in his plan to raise more troops. Mangum then read part of an order (No. 376) from Scott: ““This army is about to spread itself over, and occupy the Republic of Mexico, until the latter shall sue for peace in terms acceptable to the government of the United States.”” Mangum called out Polk’s disavowals of conquest and added that the “American people, who, I trust, are not yet ripe for this scheme of wholesale rape and rapine...” Cass responded by saying that the “specific plan of the campaign should not be made public.” He elaborated on the impracticality of informing the enemy of the army’s movements, and confessed that if the United States “should swallow Mexico tomorrow, I do not believe it would kill us.” Cass believed that incorporating Mexico would result “one of the most magnificent empires that the world has yet seen – glorious in its prosperity, and still more glorious in the establishment and perpetuation of the principles of free government...”⁹³¹

South Carolina Democrat Andrew P. Butler called the bills introduced by Polk’s allies and the forced contributions policy as “schemes” four separate times – arguing that holding Mexico and annexing it would require at least “two hundred thousand men.” That size of an occupation army, Butler added, would not be organized for the business of soldiering, but rather to become “tax-gathers and jailers” for a new reconfigured empire:

Bonaparte had not more, when he made his first campaign in Italy, than thirty-five or forty thousand men. And what is it that these troops are to be required to do? Not to fight battles. We are told they are not to fight battles. What are they to do? They are to overrun the Mexican states, to disarm the population...⁹³²

On the other side of the Capitol the same debate raged. Although the expansion of slavery into newly acquired territories was an issue with many anti-slavery northerners, the more immediate concern was the push towards military empire. Patrick W. Tompkins, a Mississippi Whig who moved to California the following year seeking gold, invoked unseen dangers entailed in Mexico’s many connections with Spain. Tompkins was not talking about Napoleon, but about what Napoleon failed to understand himself. If the United States did not heed history’s warnings, it could end up embroiling in a perpetual occupation and guerrilla war:

⁹³¹ *Congressional Globe* (LOC), 181-184. William P. Mangum, January 17, 1848. See also: *Daily American Star*, Mexico City, December 17, 1847. (BLAC). *Ibid.* 183-4.

⁹³² *Ibid.* 184-5. Andrew P. Butler, January 17, 1848.

How long was a portion of Spain occupied by the Moorish invader? Pent up in fortified positions for eight hundred years, without conciliating or subduing the neighboring Spaniard, in one prolonged unceasing struggle, unending war, he was at last expelled... When we look again to their struggle with Spain for political independence, we saw the same implacable spirit displayed... When every fortified position and stronghold throughout their land was in the occupancy of the royal forces of Spain, still the Mexicans, struggling for national independence, were unsubdued... Judging from these facts, were we not led to believe, that to maintain our occupation of Mexico in the event of conquest, would require an armed force to be always kept there...⁹³³

A few days later the Senate was officially informed of General Scott's dismissal, which led to inquiries demanding details surrounding the decision. The administration stonewalled, and Cass lied by claiming he knew "nothing upon this subject" before requesting a vote for more troops.⁹³⁴ The All-Mexico scheme was in the open. Senator John H. Clarke said that the "veil has been partially lifted" and was "unmistakably to view." He pointed out the resolutions submitted by Polk's proxies: first Dickinson's bill to form territorial governments from Mexican territories, then Hannegan's resolutions "declaring constitutionality of territorial acquisitions," after that came a mid-September report from Scott to Secretary of War William L. Marcy requesting 50,000 more troops in order to execute Order No. 376, as outlined in the mid-December statement that "the army is about to spread itself over and occupy the Republic of Mexico." In addition, there was the Cass avowal to seize Mexico before changing his statement. The historical similarities to the Napoleonic Wars were apparent, with the dire result portending imperial overstretch:

When emperor Napoleon, in pride and plenitude of his power, impelled by his lust for conquest and glory, had trodden down with his iron heel the ancient dynasties of Europe – Holland was subjugated; and in his memorable decree of annexation, remarkable for its brevity, he says 'Holland is annexed to France.' One step more, and we shall have annexation. In a few brief years, where was this mighty conqueror? Stripped of his power – a prisoner in the hands of his oldest and strongest foe – doomed to an exile for life upon a rock in the sea... Sir, I trust that such may not be the fate that is reserved for us.⁹³⁵

⁹³³ *Ibid.* 204. Patrick W. Tompkins, January 19, 1848.

⁹³⁴ *Ibid.* 241-2. January 25, 1848.

⁹³⁵ *Ibid.* 242. John C. Clarke (Rhode Island), January 25, 1848.

By early February war hawks were still requesting more troops. War opponent Senator John Bell believed it was the “design” of Polk “not to accept a treaty, but to retain military occupation of the territory, until a government could be built...” Maintaining soldiers in Mexico to provide protection to a new government, in Bell’s opinion, would result in a “permanent occupation” of Mexico. “[W]e shall gradually build up a more potent power in the numbers of our own people, which will soon become settlers, and will demand protection. So that our army will never be withdrawn.” Bell believed annexation entailed a complete political reorganization with “twenty-six territories to create, twenty-six governors, as many secretaries, judges, district attorneys, directors of mints.” Bell agreed with Calhoun that the patronage system would overwhelm the republic – turning it into an empire more akin to Great Britain. “John Bull need no longer swell out... we shall have our six-and-twenty governors; and although our India will not extend as far as the sun rises and sets, we may stretch it to the Frozen Ocean.”⁹³⁶

Over in the House of Representatives Caleb B. Smith pondered Polk’s “concealed design” and “wild schemes of conquest and annexation.” He provided his own historical perspective on the parallels between the Mexican and European wars, which senators began comparing. “Did the history of Europe furnish no precedents to deter us from this course?” he asked his colleagues. The question was rhetorical because Smith knew exactly which war – besides the one in Mexico – was on the minds of Americans:

When Napoleon Bonaparte overran Spain to place his brother on the throne of that country, he placed armies there to retain the power he obtained; and while we imitated his conduct, we should profit by his example, and take warning from his fate. If we shall build up governments in Mexico, and attempt to keep them in power, we should require an army there of fifty thousand men for the next twenty years.⁹³⁷

Accompanying the rumors of a treaty was unexpected support for Calhoun from influential anti-war newspapers.⁹³⁸ Denying the war more soldiers had been the original intention of the South Carolina senator. The result of Calhoun’s resistance to the

⁹³⁶ *Ibid.* 299-300. John Bell, February 3, 1848.

⁹³⁷ *Ibid.* 296. Caleb B. Smith, February 3, 1848.

⁹³⁸ *Middlebury Register*, Vermont, January 18, 1848; *The Washington Union*, Washington DC, January 22, 1848; *New York Daily Herald*, New York City, January 6, 1848.

creation of a nascent imperial-military state resulted in unusual north-south partnerships altering the political landscape of the country.⁹³⁹ The threat of a protracted military occupation and guerrilla war superseded concerns by a few anti-slavery northerners over the expansion of slavery in the congressional debates in early 1848. The real potential of that outcome resulted in unlikely alliances between pro-slavery Democrats like Calhoun and northern abolitionists like New Hampshire Senator John P. Hale. Centrist Whigs such as Senator Jacob Miller of New Jersey also voiced concerns of a “blind destiny” portending the potential annexation “of all Mexico.” In his opinion, which was in accord with Calhoun’s, such an outcome would have turned “generals and colonels... into tax collectors.”⁹⁴⁰ Senator John Milton Niles, who later left the Democrat Party in 1848 and was famous for casting the deciding vote for admitting Texas into the Union, warned of the “fatal step taken by Napoleon in making war with Spain.” That war, like the war they were considering expanding in Mexico “would be a war on the people.” The decision to occupy Spain, according to Niles, was Napoleon’s “first step in his fall.”⁹⁴¹ Again and again, the concern was in avoiding the fate of Napoleon’s army.⁹⁴²

Those concerns were relieved on February 19 when the rumored treaty from Mexico arrived on Polk’s desk. After the treaty was sent to the Senate, talk of annexing Mexico ceased.⁹⁴³ As if being relieved of duty by a higher power, on February 21 John Quincy Adams died after collapsing in his seat in the House chambers.⁹⁴⁴ His life as a statesman literally bookmarked the Napoleonic Wars and Mexican-American War. Normal legislative business halted for two days to honor the former president whose first impression of the moves to annex Texas in 1844 had appeared ominous even and viewed it as “a conspiracy comparable to that of Lucius Sergius Catilina. ...like that, only preliminary to the fatally successful conspiracy of Julius Caesar. The annexation of Texas to this Union is the first step to the conquest of all Mexico...”⁹⁴⁵

⁹³⁹ See: John Caldwell Calhoun, *A Disquisition on Government* (Columbia, SC: A.S. Johnston, 1851).

⁹⁴⁰ *Ibid.* 320-2. Jacob Miller, February 8, 1848

⁹⁴¹ *Ibid.* 328-9. John Milton Niles, February 9, 1848.

⁹⁴² Napoleon’s misadventure in Spain was cited most often within the debates. There is little mention of Napoleon’s campaign to seize Moscow.

⁹⁴³ *Ibid.* 361-379. February 15-18, 1848. Prior to Feb. 19 Polk aided a last-ditch effort to seize Mexico by denying any knowledge of a treaty. On February 16, after a testy exchange with Whig senators, Senator Foote made one last attempt to pass the 10 Regiment bill. The bill was brought up again on the 17th and 18th, but went nowhere.

⁹⁴⁴ *Ibid.* 381.

⁹⁴⁵ Charles Francis Adams (ed.), *Memoirs of John Quincy Adams, Comprising Portions of His Diary from 1795 to 1848*, Vol. 12. (Philadelphia: J.B. Lippincott & Co., 1874), 49. June 10, 1844. Catiline was

While the Senate deliberated the treaty, others wondered whether if it was Polk's original intention to annex Mexico. Indiana congressman Richard Thompson asked if General Taylor had been part of the plot to seize Mexico and knew of "the secret designs of Mr. Polk and his Cabinet?"⁹⁴⁶ Florida's first congressman Edward Cabell accused Polk of attempting to turn the United States into a military empire. "We ask by what authority did the President, after overrunning Santa Fe, New Mexico, and California, send his satraps to establish civil governments in foreign territories..." Cabell concluded that the actions of Polk, Cass, "and designs of the party now in power" amounted to that outcome. "We are left to *infer* their designs *from their acts; and every act* is cumulative of the evidence that the acquisition or absorption of Mexico is their real object..." Cabell also believed that the treaty was "but a link in the chain of evidence. Should it be ratified, we acquire nearly one-half of Mexico."⁹⁴⁷

The Senate did just that. On March 10 that body agreed to incorporate one-half of Mexico with a two-thirds required vote (38 to 14) for ratification. The treaty effected at Scott's urging mimicked the wartime policy of respecting Mexican property. Article 8 allowed Mexicans living in the United States the option of "retaining the property which they possess in the said territories, or disposing thereof, and removing the proceeds wherever they please" – without tax or charge. Furthermore, the treaty protected the rights of wealthy absentee landlords, many of whom were living in Mexico City. In lands that included the future states of Nevada, California, Utah, Arizona, and New Mexico, "property of every kind, now belonging to Mexicans not established there, shall be inviolably respected." This wise and sweeping clause in the Treaty of Guadalupe Hidalgo was essentially a reflection of the successful counterinsurgency policy implemented in Mexico, as it helped reduce problems between Mexican-Americans long-established in those territories and soon-to-be-arriving newcomers. "The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract, shall enjoy with respect to it guarantees equally ample as if the same belonged

architect of the (Second) Catilinarian conspiracy to overthrow the Roman Republic and power of the Senate.

⁹⁴⁶ *Congressional Globe* (LOC), 413. Richard Thompson, March 2, 1848.

⁹⁴⁷ *Ibid.* 426-8. Edward Cabell, March 4, 1848

to citizens of the United States.”⁹⁴⁸ The treaty was sent back to Mexico and ratified May 30. On July 4, 1848, the treaty was proclaimed. On the morning of August 1 – almost a year after Scott’s army seized the Mexican capital – a quiet flag-raising ceremony was conducted in the large plaza fronting the National Palace where the occupation army formally gave up its authority. “The ceremony was void of interest on all sides,” noted a reporter.⁹⁴⁹ A similar ceremony took place in Veracruz that same morning.⁹⁵⁰ On August 21, *The New Orleans Crescent* reported that all was “quiet” in the coastal city, and “not a single soldier” from the U.S. remained.⁹⁵¹

By the time U.S. soldiers returned home there was no longer romantic talk of Spanish conquistadors or the Halls of Montezuma. The American public was worn of such notions. The war had achieved its expansive purpose and was over without having turned into an ugly conflict akin to Napoleon’s war in Spain. There were no Zaragozas in Mexico – for they only existed in the minds of newspaper editors and columnists eager to sell the conflict. In 1848, republican revolution in Europe quickly became the frontpage story in the eastern press, and monarchies were out of fashion for the time being. In the American West, the war with Mexico was eclipsed by more pressing endeavors. Mexico remained divided, and American guns and equipment left behind were used by the new government to suppress new insurrections.⁹⁵² It would be some time before stability in Mexico was achieved, but for U.S. opponents of the war it was a relief knowing that it would not be American soldiers fighting guerrillas and rancheros on far-flung and isolated roads in Mexico.

⁹⁴⁸ *Public Acts of the Thirtieth Congress of the United States, The Treaties of the United States* (Washington DC: U.S. Congressional Documents, LOC), “Treaty of Peace, Friendship, Limits, and Settlement with the Republic of Mexico,” 929.

⁹⁴⁹ *The New Orleans Crescent*, August 7, 1848.

⁹⁵⁰ *The Charleston Courier*, August 12, 1848.

⁹⁵¹ *The New Orleans Crescent*, August 21, 1848.

⁹⁵² See: Levinson, *Wars within War*, 85-89. Levinson notes that guerrilla attacks virtually ceased after an armistice was agreed upon March 6, 1848, but that others who denounced the treaty (and by extension the Mexican government) continued to fight. Much of the subsequent disorder arose from long-existing tensions between the white ruling class and indigenous communities throughout Mexico. “As early as February of that year, many of the poor people of color who constituted the great mass of the nation had moved past sentiments of alienation into outright rebellion. These rebels stood apart from the commanders of the formidable partisan units who once threatened the U.S. Army supply line running from the gulf to the capital.” (p. 88)

Polk's constitutional limitations as commander-in-chief were successfully asserted by the most ardent states' rights firebrand and defender of slavery – John C. Calhoun. Calhoun's main concern was not the expansion of slavery, nor the efficacy of Scott's successful counterinsurgency program, but rather the federal government turning into a military state like Napoleonic France. In his posthumously published *A Disquisition on Government*, Calhoun wrote that one of the tendencies of “constitutional governments which have... become so disorganized as to require force to support them, – [is] to pass into military despotism, – that is, into monarchy in its most absolute and simple form.” In this regard Calhoun's last work was a warning of this tendency, because “even the mighty Roman Republic, which, after attaining the highest point of power, passed, seemingly under the operation of irresistible causes, into a military despotism.”⁹⁵³ Ironically, the same conciliatory counterinsurgency doctrine that kept the war from escalating in Mexico was later honed in the very section of the United States Calhoun spent his entire career protecting.

Powers invested in the U.S. Senate to approve treaties also restricted Polk's political options once the parchment reached Washington. After many months in a climate where opposition to the war reached a feverpitch, Polk could not deny war opponents the chance to approve a treaty after it landed on his desk. In the end, Napoleon's military maxim was ignored by astute (and insubordinate) students of the changing rules of war. Neither Scott nor Taylor acquiesced to the administration's orders to make the Mexicans supply the U.S. Army as a right of conquest – even though that ancient right existed. In that regard, it was the study of Napoleon's failed Spanish policy that limited the conflict, and it was the Senate that stopped it from escalating.

CRITICISM OF THE WAR

One of the harshest critics of the war was jurist William Jay (1789-1858). Jay was the son of the Founding Father, *Federalist Papers* co-author, and first Chief Justice of the United States John Jay. The elder was an American judicial monolith and icon. The son had his own record as a philanthropist, founder of the American Bible Society, and promoted anti-war theories notably found in his 1842 publication *War and Peace: The Evils of the First and a Plan for the Last*. The work exuded righteous indignation. Jay

⁹⁵³ Calhoun, *A Disquisition on Government*, 83-85.

believed the “whole course of history” proved that wars were waged “for the same lust of plunder that actuates the highwayman... that very many wars have been obviously unjust, and therefore highly criminal.” Jay, ensconced in theories of world peace epitomizing much of the anti-war sentiment among Northeasterners, rarely had a kind word to say about soldiers, generals, or wars.⁹⁵⁴

In 1849, Jay published *A Review of the Consequences of the Mexican War*. In it, he was critical of Lane’s assault on Atlixco and called it a “moonlight massacre.” He believed that a number of orders during the war “issued by American officers” were “palpably unjust, and exhibit a painful disregard for human life.” Notably, Jay drew attention to operations around the coastal city of Tampico near San Luis Potosi during the insurgency in the fall of 1847:

Of this nature is the following given by Colonel [William] Gates at Tampico, Nov. 29, 1847: “As the guerrilleros or armed enemies are employed by orders to rob all persons who may be engaged in the lawful purpose trading with the inhabitants of this town, instructions have been given to all officers... to take or kill every person of that character found so employed against the peace of the community.”⁹⁵⁵

Jay argued that Mexicans engaged in commercial activities with the U.S. Army were aiding the enemy and therefore fair targets for Mexican reprisals. “The guerrillas, or armed militia, had therefore a perfect right by the laws of war to seize and confiscate all supplies on their way to the enemy.” He also argued that the same “was constantly done by the Americans in the Revolution, when their cities were occupied by the invader.”⁹⁵⁶

The Peace Society officer saved most of his wrath for Winfield Scott and specifically criticized him for his General Order No. 372 issued December 12, 1847, which he believed sanctioned the “slaying [of] any armed Mexican who may be found attempting to intercept” U.S. supplies. That order, in Jay’s words, “adds no honor to his character as a man or a soldier.” Jay attacked both Scott and the order in a summary sympathetic to the guerrillas:

⁹⁵⁴ William Jay, *War and Peace: The Evils of the First and a Plan for the Last* (Reprinted from the original edition, 1842) (New York: Oxford University Press, 1919), 13.

⁹⁵⁵ William Jay, *A Review of the Consequences of the Mexican War* (Boston: Benjamin B. Mussey & Co., 1849), 205-206.

⁹⁵⁶ *Ibid.* 206.

The baggage trains of the army had often been attacked by guerrillas... and the General now attempted to keep open his communication with Vera Cruz, from which alone he could receive ammunition, &c., by a system of severity towards those who had scarcely any other method left of annoying the invaders. [...] Any Mexican, priest or layman, who... attempts to prevent his countrymen from committing the crime of furnishing supplies to the enemy, is to be shot – to be put to death in cold blood by American soldiers, at the command of an American officer! We greatly doubt whether the history of modern warfare records an order so utterly at variance with the plainest diction of patriotism, justice, and humanity.⁹⁵⁷

Jay excoriated Scott for ordering the executions of dozens of San Patricios who betrayed their country to fight for Mexico. “They had unquestionably committed a crime in violating their pledged faith, and by the ordinary rules of war, were justly liable to punishment.” He did not mention that the Irish deserters had specifically targeted American officers at the Battle of Chapultepec, but argued that Scott could have done more to reduce the number of executions and still maintained a deterrent. “The death of five or ten of these men, and the corporal punishment of the rest, would have answered the sternest demands of military policy.” The treatment of the Irish was contrasted with the public praise given to the Mexican spy company in Scott’s employment. “Thus it appears, we had in our army a corps of Mexican scoundrels – and, as the newspapers state, organized and taken into pay by order of General Scott himself.” With the two examples in mind, Jay pointed out what he believed was a double standard:

These men joined the invaders of their native land – betrayed their fellow-citizens into the hands of a foreign enemy – went with the enemy into the battle, and gallantly aided them in slaughtering their neighbors and countrymen, and all for this pay! [...] Fifty Irish deserters are hanged as miserable convicts; but a gang of 450 Mexican spies, traitors, and murderers, are recommended by an American Colonel [Hitchcock] to the attention of the Commander-in-Chief for their ‘invaluable services.’ Such are the honor and morality of war.⁹⁵⁸

Scott was not the only one in Jay’s righteous crosshairs. The peace advocate also took issue with the way Polk conducted the war using the militia, which was normally reserved for defending territory. In Jay’s opinion, the administration’s plans for the war, which entailed invading Mexico, were kept hidden from a Congress authorizing the

⁹⁵⁷ *Ibid.* 206-208.

⁹⁵⁸ *Ibid.* 208-211.

declaration of war in order to mount a defense of Texas (i.e. American) territory. “Truly indeed Congress had not foreseen that Mr. Polk meant to invade Mexico, and had made no provision for the intended war.” It was from that understanding that the militia of several states (including Texas) became embroiled in a war that was not merely defensive, but entirely offensive.⁹⁵⁹

Scott did not respond to Jay’s criticism of the use of the militia or the executions of the San Patricios. (In fact, he may have agreed with Jay on the militia.) He did, however, have a few words concerning the guerrillas and Order No. 372:

This order Mr. Jay denounces as harsh or cruel. Now in charity, Mr. Jay must have supposed to have been ignorant of what was universally known in Mexico, that the outlaws, denounced in the order, never made a prisoner, but invariably put to death every accidental American straggler, wounded or sick man, that fell into their hands – whether he was left by accident, in hospital or in charge of a Mexican family. And Mr. Jay, no doubt, must have known that it is a universal right of war, not to give quarter to an enemy that puts to death all that fall into his hands.⁹⁶⁰

That was the way Scott left it. While he likely understood what the jurist was trying to argue, it would have been pointless to bring up the precarious situation was facing that led him to abandon his logistics line in the spring of 1847. Nor would it have helped if the veteran of 1812 reminded Jay that there was a contingent of soldiers ordered to Mexico by the president who were looking to avenge past wrongs – despite the laws of war. Scott was a professional soldier who looked for the most efficient means to win wars. In the end, it may have amused the general to ponder that he himself did more to bring about peace in Mexico with the least amount of death than a theorist with a penchant for penning criticism after the soldiers made it home. As the Mexican War closed the sectional struggle over slavery in the United States began in earnest. The violence started in Kansas in 1854 and escalated after the election of Abraham Lincoln in 1860. When hostilities broke out, Scott was forced to retire. Scott’s choice for his replacement was Henry Halleck, but Lincoln chose another West Point graduate and Mexican War veteran, George B. McClellan. The Civil War, the bloodiest war in U.S.

⁹⁵⁹ *Ibid.* 131.

⁹⁶⁰ Scott, *Memoirs*, 575.

history, involved soldiers and generals who fought together on the battlefields of Mexico.

THE LIEBER CODE

In 1861 Henry Halleck published *International Law; or, Rules Regulating the Intercourse of States in Peace and War*. For the U.S. Army it was the most comprehensive tome on the laws of war since Emer de Vattel's 1758 work *The Laws of Nations*. Halleck frequently cited Vattel and his predecessor Grotius. More importantly however, "Old Brains," the intellectual architect of the Mexican War pacification program implemented after studying the Peninsular War, canonized Scott among the pantheon of civilized warriors credited with evolving the laws of war. Prior to the bloodshed that marked U.S. Civil War, the legacy of Napoleonic warfare was still prominent. Halleck and the civilized world still had not recognized the guerrilla system as a legitimate form of warfare undertaken by insurgents to contest more powerful armies:

Hence in modern warfare, partisans and guerrilla bands... are regarded as outlaws, and when captured, may be punished the same as freebooters and banditti. As examples, we refer to the conduct and punishment of the guerrilla bands, in Spain, during the Peninsular war, and by Gen. Scott, in Mexico, during the war between that republic and the United States.⁹⁶¹

According to Halleck there was a distinction between a group of partisan fighters acting under the auspices of a government or political organization and those operating free of political attachment. "Partisan and guerrilla troops, are bands of men self-organized and self-controlled, who carry on war against the public enemy, without being under the direct authority of the state." Because of the statelessness, most guerrilla fighters "have no commission or enlistments, nor are they enrolled as any part of the military force of the state; and the state is, therefore, only indirectly responsible for their acts." For this reason, Halleck argued, "governments will neither recognize their acts nor attempt to save them from the punishment due for their violations of the laws of war." In Halleck's

⁹⁶¹ Henry W. Halleck, *International Law; or, Rules Regulating the Intercourse of States in Peace and War* (San Francisco: H.H. Bancroft & Company, 1861), 387. See: John F. Marszalek, *Commander of All Lincoln's Armies: A Life of General Henry Halleck* (Cambridge: Belknap Press of Harvard University Press, 2004), 243. "The abridged book was published in 1866 and long remained a standard text on international law." See also: Halleck, *Elements of International Law, and Laws of War, Prepared for the Use of Colleges and Private Students* (Philadelphia: J.B. Lippincott, 1866).

opinion, a guerrilla fighter only became an official soldier with consideration of legal protection if he was operating at the behest of a political entity:

If authorized and employed by the state, they become a portion of its troops, and the state is as much responsible for their acts, as for the acts of any other part of its army. They are no longer partisans and guerrilleros, in the proper sense of those terms, for they are no longer self-controlled, but carry on hostilities under the direction and authority of the state.⁹⁶²

Without the proper backing of a political entity the seizing of enemy goods was nothing other than “robbery.” Likewise, the killing of an enemy soldier fell into this category, and unless done so in self-defense, constituted “murder.”⁹⁶³ The implied difference between the conflicts then was that the Spanish guerrillas were acting under the auspices of the Cadiz Cortes, and more officially after 1810, when the most effective chieftains were formally brought into the Spanish military. In contrast, the Mexican government never formally enacted codes or regulations for the organization of guerrilla bands – apart from San Luis Potosi and other outlying states where U.S. forces never set foot. Since the U.S. Army won the war, it was easier for Halleck to make the case that guerrillas should be considered outlaws. Had the Mexicans mounted a formidable Spanish-style resistance, it would have been much more difficult to justify the charges that the guerrillas were simply banditti – as Napoleon and Scott referred to them.

On the other hand, Halleck was adamant about the rights and roles of invading armies regarding pillaging. “The evils resulting from irregular requisition and foraging for the ordinary supplies of an army... has become a recognized maxim of war,” he noted, and “that a commander who permits indiscriminate pillage, and allows the taking of private property without a strict accountability... fails in his duty to his own government, and violates the usages of modern warfare.” So, while Halleck found no legal room for politically unattached bodies of *land privateers* in modern warfare, neither did he sanction the old Napoleonic maxim that war should support war. “In case any corps should engage in unauthorized pillage, due restitution should be made to the inhabitants of the country or territory so occupied.” As Halleck asserted in *Military Art and Science*

⁹⁶² *Ibid.* 386.

⁹⁶³ *Ibid.*

in 1846, not doing so “is very objectionable, and almost inevitably leads to cruel and disastrous results.”⁹⁶⁴ The new doctrine was codified.

In making the case for an army abstaining from foraging off an enemy population’s resources Halleck cited Scott and the U.S. Army in Mexico. Halleck noted the attempted change in policy by President Polk after the landing at Veracruz. While he acknowledged the right to force the Mexicans to contribute to U.S. forces, he argued that the policy itself would have been improper, and therefore sided with Scott when he refused to utilize the ancient law and Napoleonic-inspired maxim. In other words, it was legal but strategically flawed:

There can be no doubt the correctness of the rules of war, as here announced by the American secretary [Marcy], but to resort to forced contributions for the support of our armies in a country like Mexico, under the particular circumstances of the war, would have been, at least, impolite if not unjust, and the American generals very properly declined to adopt, except to a very limited extent, the mode indicated. It would have led to innumerable insurrections and massacres, without any corresponding advantages in obtaining supplies for the American forces.⁹⁶⁵

Another precedent from the Mexican War cited by Halleck was the implementation of extra-territorial codes of conduct on the soldiers of the occupation. He referred to the opinions of Eugene Ortolan, a French diplomat and jurist. “‘Military occupation and military government,’ wrote Ortolan, ‘is not sufficient to change national jurisdiction, and to substitute the jurisdiction of the occupying state for that of the territory temporarily occupied.’” One precedent was a case in Catalonia in the summer of 1811, where a Frenchman was accused of murder. “It was contended by the prosecution that, inasmuch as Catalonia was occupied by French troops, and the government administered by French authorities, it must be considered as French territory.” However, since “‘an act of union emanating from the public authority’” of Catalonia did not exist, the French laws did not have jurisdiction. Halleck equated the Mexican War with the situation in Catalonia. “The same view has been taken by the Attorney General of the

⁹⁶⁴ *Ibid.* 461.

⁹⁶⁵ *Ibid.* 460.

United States, with respect to crimes committed in Mexico during the military occupation of that country by the United States.”⁹⁶⁶

Halleck asked, “How then are crimes to be punished which are committed in territory occupied by force of arms, but which are not of military character nor provided for in the military code of the conquering state?” The answer was in the enactment of Scott’s tribunal system and martial law codes epitomized in General Order No. 20. “This was in conformity with principle, – martial law of the conqueror, or, as it has been called, ‘extra-territorial martial law,’ was the governing rule while the civil, or special tribunal was the instrument of, or acted in subordination to, the military power, and the limitations to this power were the laws of war.” In essence, Halleck believed Scott’s rule in Mexico set the precedent for future wars.⁹⁶⁷

It did. Those prescriptions appeared to be the proper course of action at the advent of the U.S. Civil War, but Halleck understood that many Confederates fighting for independence were veterans of the Mexican War, and recognized the efficacy of guerrilla warfare when outmatched and outgunned. On August 1, 1862, more than a year into the Civil War, Major-General Halleck sat down at his desk at the Headquarters of the U.S. Army in Washington D.C. and penned the following letter to Dr. Francis Lieber of New York:

My dear Doctor: – Having heard that you have given much attention to the usage and customs of war practiced in the present age, and especially to the matter of guerrilla war, I hope you may find it convenient to give to the public your views on the subject. The rebel authorities claim the right to send men, in the garb of peaceful citizens, to waylay and attack our troops, to burn bridges and houses, and to destroy property and persons within our lines. They demand that such persons be treated as ordinary belligerents, and that when captured they have extended to them the same rights as other prisoners of war; they also threaten that if such persons be punished as marauders and spies, they will retaliate by executing our prisoners of war in their possession. I particularly request your views on these questions.⁹⁶⁸

⁹⁶⁶ *Ibid.* 782. “Neither the civil nor the criminal jurisdiction of the conquering state is considered, in international law, as extending over the conquered territory during military occupation. Although the national jurisdiction of the conquered power is replaced by that of military occupation, it by no means follows that this new jurisdiction is the same as that of the conquering state.” (*Ibid.* 781)

⁹⁶⁷ *Ibid.* 781-782.

⁹⁶⁸ Francis Lieber, *Guerrilla Parties Considered with Reference to the Laws and Usages of War: Written at the Request of Major-General Henry W. Halleck* (New York: D. Van Nostrand, 1862), intro.

The result of Halleck's inquiry was a short essay by Lieber, *Guerrilla Parties Considered with Reference to the Laws and Usages of War*. As a judicial scholar and former Prussian army veteran wounded at the Battle of Waterloo, Lieber understood how guerrilla warfare was upsetting the legal and tactical military paradigm. In Lieber's short work the Spanish guerrilla system was still the topic of conversation. "The subject is substantially a new topic in the law of war," he wrote, while noting that people were "throwing the mantle of a novel term around... in the expectation that a legalized effect will result from the adoption of a new word having a technical sound..." Indeed, Lieber was not a proponent of the Spanish system because he believed it was rife with abuse and irregularities.⁹⁶⁹

Lieber noted that the term *guerrilla* had evolved and changed connotations, from "'light troops'" and soldiers opening the "'first skirmishes'" in battle, to the implication that there existed "a certain degree of discipline" exemplified by the "*partidas* of Mina and El Empecinado" in the war against Napoleon:

What then, do we in the present time understand by the word Guerrilla?... it is universally understood in this country at the present time that a guerrilla party means an irregular band of armed men, carrying on an irregular war, not being able, according to their character as a guerrilla party, to carry on what the law terms a *regular* war.⁹⁷⁰

From that point on Lieber actively assisted the Union Army. The result of the collaboration was the "Lieber Code" (General Order No. 100), a body of legal guidelines adopted by President Lincoln in the spring of 1863. Lieber's codes were a modern version of the original 1806 laws of war promulgated by Scott in Mexico in 1847. The codes were later accepted by other national militaries facing comparative dilemmas, and later informed international laws of war culminating in the Geneva Conventions. According to historian Richard Shelby Hartigan, the efficacy of the Lieber Code during wartime proved so useful that it essentially "remains a benchmark for the conduct of an army toward an enemy army and population."⁹⁷¹

⁹⁶⁹ *Ibid.* 5.

⁹⁷⁰ *Ibid.* 7.

⁹⁷¹ Richard Shelby Hartigan, *Lieber's Code and the Laws of War* (South Holland, Ill: Precedent Publishing, 1983), 1. See: John Fabian Witt, *Lincoln's Code: The Laws of War in American History* (New York: Simon and Shuster, 2012).

A few years before the U.S. occupation of the Philippines, William Birkhimer noted in his work, *Military Government and Martial Law*, that it was the policy of the U.S Army to “endeavor through conciliatory measures” to achieve a certain level of compliance from an occupied population. Birkhimer noted that one aspect of those measures entailed the gradual restoration “of civil and religious liberty in so far as this is compatible with the paramount objective of conquering a peace.” The immediate precedent informing this doctrine came from the Civil War:

The experience of the Civil War of 1861-‘65 frequently, indeed constantly, furnished illustrations of this branch of military. The object of the national government in that contest was neither conquest nor subjugation, but the overthrow of the insurgent organization, the suppression of insurrection, and the reestablishment of political authority. ...[and] to provide as far as possible, so long as the war continued, for the security of persons and property and for the administration of justice.⁹⁷²

Another important aspect in the evolution of the doctrine outlined by Birkhimer in 1892 was in allowing a conquered country to maintain its legal and civic institutions so long as those institutions did not interfere with the military objectives of the conqueror. Birkhimer explained when enemy “territory is held by force alone, whatever is done must be done under the protection of the military. Without this no civil government set up by the dominant state would stand its ground an hour.” The efficacy of that policy had its limits because benign counterinsurgency efforts always played a secondary role to the immediacy of security and military considerations. Birkhimer wrote, “the throne preferably is filled by another milder personage than the military conqueror – one whose mission is to hold out the olive branch while the sword appears in the background...”⁹⁷³ Like the French experience in Spain vis-à-vis their experience suppressing insurrection in the Vendée, not all military lessons are remembered or repeated. On the other hand, Birkhimer did not forget the doctrine established in Mexico because his formulations were predicated on Henry Halleck’s work in collaboration with Lieber:

⁹⁷² William E. Birkhimer, *Military Government and Martial Law* (Washington DC: James J. Chapman, 1892), 241, 32. For a look at the Philippine War (1899-1902) see: Brian McAllister Linn, *The Philippine War, 1899-1902* (Lawrence: University Press of Kansas, 2000); Stanley Karnow, *In Our Image: America’s Empire in the Philippines* (New York: Penguin Random House, 1989); David J. Silbey, *A War of Frontier and Empire: The Philippine-American War, 1899-1902* (New York: Hill and Wang, 2008).

⁹⁷³ *Ibid.* 241.

Halleck says: “There can be no doubt that when war ceases the inhabitants of the ceded conquered territory cease to be governed by the code of war... any laws, rules, and regulations introduced by the government of military occupation during the war which infringe upon the rights of the inhabitants, necessarily cease with the war...”⁹⁷⁴

Andrew Birtle writes that the prescriptions originating from the Mexican War “were based on a combination of ethics and enlightened self-interest, as it was generally recognized that a contented population was easier to control than a hostile one, and that civil upheaval merely hindered the successful prosecution of military operations.” Part of that formula included maintaining the existing legal and judicial system in an occupied country, which was the precedent established by the U.S. military in Mexico. “In pursuit of these goals the laws of war discouraged commanders from radically altering the laws and customs of an occupied territory unless military necessity mandated such changes.” It was Winfield Scott’s military legacy, along with Halleck’s recommendations before and after the war, which set the stage for U.S. counterinsurgency doctrine during military occupation. Birtle discusses that precedent with the 1898 Spanish-American War in mind:

The Army based its occupation policies upon the principles of international law and General Orders 100 of 1863. Fundamental to these legal doctrines was the notion that an occupier had the moral obligation to protect the people under its control from undue hardship and to provide them with basic government services. [...] Most regular officers were well acquainted with these concepts, as both the laws of war and Lieber’s code were an integral part of the Army’s educational curriculum during the later half of the nineteenth century. Standard textbooks such as Henry Halleck’s *International Law* (1861), ...and William E. Birkhimer’s *Military Government and Martial Law* (1892) all relayed the same basic principles... Consequently, it was no accident that when the time came to formulate occupation policy in 1898 the Army republished General Orders 100 and adopted procedures patterned upon those first employed by the Army in Mexico during the 1840s.⁹⁷⁵

Lieber and Halleck, informed by Scott’s unprecedented law and order regime in Mexico designed to mitigate an environment conducive to popular insurrection, changed the

⁹⁷⁴ *Ibid.* 287.

⁹⁷⁵ Andrew J. Birtle, *U.S. Army Counterinsurgency and Contingency Operations, 1860-1941*, 101. Birtle cites Theodore Woolsey’s *Introduction to the Study of International Law* (1864), and George B. Davis’ *Outlines of International Law* (1888), as being influential works during the late 19th century. Both Davis and Birkhimer cite Halleck extensively.

laws and rules of war in the modern era. This is the legacy of Winfield Scott, the Peninsular War, and the guerrilla system that destroyed Napoleon's army.

CONCLUSION

This thesis has examined the rise of guerrilla warfare in Napoleonic Spain, how that novel system of warfare undermined the French Army on the ground, and its subsequent influence on military studies during the antebellum period leading to the Mexican War. The coercive and nonproductive counterinsurgency methods implemented during the Peninsular War informed U.S. strategic and doctrinal decisions prior to the invasion of central Mexico – and continued developing after the war as a result of American successes. The U.S. military learned from the mistakes made by the French in Spain, did not annex Mexico, and further developed Scott's *measures of conciliation* as a new national (and later international) approach to military occupation. In essence, by not seizing the entire country or subjecting the Mexican people to severe restrictions, the war was limited in both duration and casualties.

Although the laws of war predicated on international norms established by Grotius and Vattel legally sanctioned the use of violent measures by occupation armies to suppress irregular warfare and noncombatant support of it, this course of action was deemed ill advised by Winfield Scott and Henry Halleck on the eve of the U.S. invasion of Mexico. The right of occupying armies to subsist on provisions and material within the theater of war was a long-established right of conquerors, but that right was not invoked because both officers believed it would not contribute to victory. The Mexican-American War therefore marks a transition in the way armies approached military occupation. The threat and potential of guerrilla warfare forced invading armies to change their methods, rules, and laws.

The word *counterinsurgency* is a twentieth-century term, but *contra-guerrilla* first appeared in English during Mexican-American War. *Contra-guerrilla* most often referred to the band of Mexican collaborators aiding the U.S. Army between Mexico City and Veracruz. More importantly, however, the new nomenclature meant that guerrilla warfare and formal efforts to confront it were fast becoming an important facet in a new military paradigm prompted by Napoleon's defeat in Spain. By the time the Texas Rangers appeared in the heart of Mexico, American newspapers were using the

translated prefix to create the term “counter-guerrilla” – which was one more step closer to its twentieth-century vernacular cousin.⁹⁷⁶

Counterinsurgency did not originate in the Peninsular War. Since ancient times militaries have attempted to mitigate asymmetrical warfare by insurgent forces during occupation. Some of the precepts of those strategies, such as maintaining posts along strategic corridors, remain proven and viable methods used by armies today. Despite the conflicts prior to the Peninsular War; the French and Indian Wars, the American Revolution, the Vendée, and the invasion of Egypt, French officials did not develop a systematized counterinsurgency program to accompany their invasion and occupation of Spain. Although General Hoche’s counterinsurgency rules were developed in response to insurgent warfare used in western France, those prescriptions did not become official French military doctrine as evidenced by the widespread use of brutality against Spanish noncombatants. Regarding the importance of winning compliance in an occupation, General Suchet’s coercive rules and regulations targeting civilians and local political leaders in Aragon did not result in a reduction of guerrilla activity in northeastern Spain – as that region became one of the most contested theaters of insurgent activity. The same can be said of Navarre, which witnessed some of the most galling savagery of the war. Despite many French military victories, the unproductive policy of violence and coercion directed at the Spanish people through pillaging, arrests, imprisonment, exile, executions, and sieges, did little to benefit the occupier in the long term. Although those methods may have been legally justified given that the Spanish were engaging in irregular warfare, they did not help win the compliance needed for victory.

The same conclusion can be drawn from Mexico during its independence movement. Due to the strategic similarities between that conflict and the Mexican-American War, the Mexican War of Independence acted as a comparative barometer for potential violence facing the U.S. Army during its invasion. The Spanish royalists – informed by French counterinsurgency methods targeting civilians in the Peninsular War – enacted

⁹⁷⁶ For *contra-guerrilla* see: *The Times-Picayune*, New Orleans, November 11, 1847; *The Independent Monitor*, Tuscaloosa, Alabama, November 23, 1847; *The Tri-Weekly Commercial*, Wilmington, NC, November 18, 1847; *The American Citizen*, Canton, Mississippi, November 20, 1847; *The Louisville Daily Courier*, November 20, 1847; *Edgefield Advertiser*, South Carolina, November 24, 1847. For *counter-guerrilla* see: *Natchez Daily Courier*, October 26, 1847; *The Weekly Mississippian* (Jackson), October 29, 1847; (‘counter-guerrilla’): *The Baltimore Sun*, November 20, 1847; *The Washington Union*, November 18, 1847.

similar suppressive methods against Mexicans. Royalists attempted to control the population with targeted policing, restrictions on travel, passport requirements, patrols, and limits on gatherings. The martial law provisions also required people to inform authorities of the activities of fellow citizens, and like Suchet's codes, pitted neighbor against neighbor. At first the methods proved successful, but despite controlling the landscape, the political apparatus, and the upper echelons of the church hierarchy, attrition eventually forced the Spanish to cede control. In the end, the same measures the French used against the Spanish people – reimplemented under royalist leadership in Mexico – did nothing to improve the long-term military situation.

Since the Napoleonic War in Spain was the most apropos comparison in the mid-nineteenth century, Americans took note of what occurred there before invading central Mexico. The result of that study, which included the interwar years of scholarship under Jomini, Clausewitz, and other military historians, was the implementation of a policy advocated by Henry Halleck to equitably pay for goods in occupied areas and respect the right of private property. This unprecedented strategy, directly opposed to the Napoleonic military maxim that *war must support war*, was essential to winning the compliance of the Mexicans. Furthermore, the enactment of martial law and codes of conduct aimed *at the soldiers* – itself a novel aspect of Scott's command in Mexico – led to a perception of equal treatment under the law. By allowing the Mexicans to maintain separate police and legal systems during the occupation, and by punishing U.S. soldiers deviating from the military legal regime, the perception took hold that the U.S. Army was only at war with Mexico's political and military leadership. The Mexicans did not rebel like the Spanish against Napoleon, or as they themselves did against Royalist rule.

An important way that the Americans deviated from the French was in their relationship with the Catholic Church. At the beginning of the war, President Polk made assurances to church officials that U.S. forces would do their utmost to protect the rights of the Church in Mexico. This was welcomed news to a powerful institution at odds with Mexico's vacillating political leadership. Once on the ground, Scott backed up this policy through rhetoric and action designed to challenge assertions made by Mexicans that the Americans were launching a war of permanent conquest. Fostering relationships

between the U.S. military and religious authorities was essential to maintaining moral leverage during the occupation – especially in the large capital city. The U.S. Army rarely housed soldiers in convents or monasteries, as the French did in Spain. Since there was only one major siege by U.S. forces during the war, there was little destruction of church property, and almost no pillaging. This was another major contrast to the French policy of targeting religious buildings where citizens often took refuge during attacks.

Another equitable way Scott conducted the occupation was in allowing the Mexicans to continue to publish newspapers in occupied cities. By ensuring freedom of the press, the Americans appeared less oppressive. Many of these benign counterinsurgency initiatives were easily contrasted with the leadership styles of Mexican *caudillos* in the turbulent years preceding the war – so much so that Scott himself was offered the choice of becoming dictator by a political clique of Mexicans. The press undoubtedly played a role in both conflicts at home and in theater, but the fact that the Americans did not prohibit Mexican newspapers from publishing during the occupation is notable, and in fact may have helped since the Mexican polity was engaged in nonproductive and demoralizing infighting.

Coupled with novel pacification initiatives was the evolving art of war. Over the interwar period, a professionalizing U.S. Army, epitomized by West Point Military Academy and later Virginia Military Institute, stressed discipline and order along the Napoleonic model with evolved tactical training – particularly skirmishing – which reduced the efficacy of both guerrilla fighters and conventional Mexican forces. The introduction of tactical skirmishing training, advocated by Scott during the interwar period, aided U.S. forces in both large and small engagements in Mexico. Other accrued advantages included the superiority of American firepower, and the evidence that (northern) American horses were more effective in military operations.

The role that horsepower played in both wars should not be underestimated. Horse culture and horse warfare informed the Spanish insurgency. That conflict's defining document, the *Corso errestre*, is proof of the successful approach of the Spanish at an early point in the war. While it is true that the *Corso* allowed for the seizing of French

material, the real significance of the document is that it was a blueprint for – to borrow the term used by Ranger historian Nathan Jennings – a *calvary-centric* approach to asymmetrical warfare. The success of the Spanish method was so well known that the Mexicans tried to mimic it but failed because of a lack of both equipment and horses. There is less indication the French were suffering from the same shortage as the Mexicans, but the dozens of major sieges their army conducted deep within Spanish territory – along with the requirement to provide heavy escorts to mounted couriers relaying vital communications, meant that counterinsurgency efforts matching the Spanish were hamstrung. Despite upgraded weapons between the end of the Peninsular War and the beginning of the Mexican War, horses remained an important variable in warfare and the abundant auxiliary supply of fresh horses in the Texan borderlands was a major advantage to the U.S. Army and its calvary operations.

Compounding assets such as skirmishing and horsepower was the employment of an important network of Mexican spies bringing in and relaying operational intelligence during a critical juncture of the campaign. This was another initiative utilized by Scott to divide and conquer. Disaffected Mexican collaborators thus played an essential role in the intelligence sharing and counterinsurgency that developed in central Mexico after the U.S. Army seized Puebla.

Being the largest city between Veracruz and Mexico City, Puebla was vital to the overall success of the U.S. Army and the outcome of the entire war. The role that that city played is generally underestimated and transitory, but the fact that the Poblanos did not resist the invading army, and instead allowed it to enter and occupy, speaks volumes about the Mexican perception of the invaders and their pacification program. In other words, the equitable reputation of Scott and U.S. forces preceded their arrival. Had the Americans launched a violent war of conquest with forced requisitions the Poblanos might have decided to oppose occupation. Instead, the city opened itself up and the U.S. Army headquartered there for more than three months before moving on to Mexico City. This amount of time – a lifetime in some wars – essentially showcased the city under benign occupation. The hospitable and equitable way Scott controlled his soldiers in Puebla was therefore projected to the main audience in the capital, with the result being that most citizens did not see a need to revolt.

When the Americans seized the capital the Mexicans attempted to retake Puebla and cut off the logistics route of the U.S. Army. That the small U.S. garrison held on to its position within the city after it was sieged further demonstrates that the effort to oust them did not receive the whole-hearted support of the Poblanos. Those citizens received critical invective from all corners of Mexico for their role in the success of the U.S. Army during and after the war. That invective was misdirected, however, because it was the conciliatory counterinsurgency campaign that essentially led to the hospitable urban environment within Mexico for the stationing of U.S. soldiers. It is no coincidence that the Mexican contra-guerrillas came from Puebla.

Another way the Americans learned from the Peninsular War was to keep a relatively small but compact and disciplined force. By doing so, the Americans only needed to secure one logistics line between the capital and the sea, thus reducing the insurgent advantage of geography. Aiding the commercial endeavors of Mexicans along the Veracruz-Mexico City line ensured that business leaders relied on U.S. support for their success. By limiting the garrisons to points between Mexico City and Veracruz, the U.S. Army concentrated the warzone and reduced its need for supplies. To reduce the effectiveness of guerrilla attacks along this corridor, large, heavily escorted trains were used rather than small detachments. In the Peninsular War, small detachments and convoys were more easily ambushed by guerrillas – to stunning effectiveness. By limiting convoys, the Americans reduced potential targets for guerrillas. Although Scott's army purchased material from Mexicans in theater, the Mexican War was also the starting point for an increasing trend in warfare to create a logistics corps more accountable to the army.

Discipline both on and off the battlefield, an important facet of the counterinsurgency doctrine established in Mexico, was a major factor contributing to U.S. victory. Although there were issues with the discipline of the volunteer forces – particularly in the northern theater – Scott managed to avoid numerous outrages in central Mexico by enforcing stern measures that acted as a deterrent to potential violators. This deterrence was further disseminated by publishing court martial proceedings and verdicts of harsh punishments in American-run newspapers in occupied Mexico – itself a novel approach

to maintaining social order among soldiers during wartime. These newspapers were also published in Spanish so that Mexican citizens became keenly aware of the martial laws and could easily see that the conciliatory rhetoric directed at them by Scott was backed up by stern enforcement. Although the capital city was a dangerous place for U.S. soldiers at night, there are hundreds of accounts of how the occupation of the large city transitioned to a state of relative normalcy in a matter of weeks following the defeat of Santa Anna. There is no need to elaborate on the accounts of U.S. servicemen who enjoyed themselves in Mexico City during their free time. Many of those soldiers freely engaged the local population – and wrote fondly of their encounters. So long as the soldiers adhered to Scott’s orders, they generally enjoyed themselves.

The arrival of the Texas Rangers in the fall of 1847 – albeit welcomed because of their fighting skills – posed a dilemma for Scott because they were less controllable and acting under presidential authority as militia. Unlike their peers from other parts of the United States, many of them went to Mexico harboring grievances stemming from previous history and were looking for retribution. Rather than attempt to impose his will on them, Scott compromised by issuing a directive warning insurgents that counter-guerrilla forces were not being encouraged to capture enemy fighters engaged in guerrilla activity. Scott, like Napoleon, believed that guerrillas were operating against the laws of war, but a major difference between the two in this regard was that Scott attempted to create a theoretical judicial construct for captured guerrillas – *if* they were captured.

West Point and frontier ways of war represented a dichotomy during the conflict. General Taylor’s decision not to invade further into northern Mexico was influenced by the outrages committed by Texans in that theater, as he requested fighters bent on revenge for past wrongs – who were more apt to kill civilians – not be sent to him. Although the governor of San Luis Potosi implemented a proclamation legalizing guerrilla warfare with regulations emulating the Spanish, the insurgency in that region was mitigated by Taylor’s decision to hold firm and not invade that state. Most of the Texan frontier fighters were therefore held back to the line of invasion drawn by Taylor, while the war in central Mexico was mainly conducted under the heavy hand of Scott and West Pointers more in tune with the professionalization embodied by the U.S.

military-educational institutions. Scott himself credited the campaign's success to their discipline.

Although the issue of the legal status of guerrillas continued to pose difficulties for authorities in future conflicts, the war in Mexico was a precedent in a trajectory that first manifested itself in Spain. The novelty of guerrilla warfare was a shock to conventional warfare, and the French reacted to its implementation with stark and oppressive measures designed to terrorize a population supporting the insurgents. Executions of guerrilla soldiers violating the rules and laws of war resulted in reprisal executions of French soldiers. Although execution was the cited prescription passed down by respected legal jurists Hugo Grotius and Emer de Vattel, the consequence of that policy was bloodshed throughout Spain. The widespread violence that resulted was studied in the post-war period by military scholars who examined the social side of warfare waged in an occupied country. The lessons were learned, and a new approach was initiated. That approach, which included leaving the domestic judicial system intact, equitably paying for goods, and prosecuting violators of the martial law in the invading army, represented a turning point in the history of American warfare. Those lessons were carried into the Civil War by Halleck and other veterans. Some lessons were remembered, some forgotten, but the legacy and gradual systematization of a new military doctrine stemmed from the Mexican conflict and was a product of the revolutionary changes occurring in nineteenth-century warfare.

Despite attempts by the press to compare the Mexicans to the Spanish by invoking Zaragoza, the *Reconquista*, Hernan Cortez, or any number of histrionic Iberian scenarios, the Mexicans themselves were severely divided at the beginning of the war. Obvious divisions were the political-provincial ones exemplified by breakaway republics like the Yucatan and the Rio Grande Republic. Other internal divisions, such as the political struggle between factions grated on the Mexican polity for years prior to the American landing at Veracruz. *Moderados*, *Puros*, and monarchists were still at each other's throats when Mexico City fell. These divisions are often overlooked in histories lauding the successes of the U.S. military, and their existence does not take away from the success of the small U.S. Army, but merely supports the outcome while providing a reason as to why the war was not as violent as it could have been. Had the Mexicans

mounted a united resistance, more U.S. soldiers would have died from Mexican bullets than disease.

The Plan of the Citadel, issued by a new *Puro* government in the summer of 1846, explicitly supported the regular army and Santa Anna. Although there were cries for the implementation of organized guerrilla warfare prior to the beginning of the conflict, the insistence on conventional forces stymied attempts by others to redirect the war strategy in its early phases. Politically it was impossible for Mexicans to dismiss the army in 1846, and thus the conventional war played out. After the Mexican defeat at Cerro Gordo in the spring of 1847, calls for guerrilla action became more prominent, but by that time demoralization of the army had set in. Governors Melchor Ocampo and Ramón Adame, two of the leading advocates for guerrilla war, made only regional efforts to mount resistance in states the U.S. Army wisely avoided. Once the U.S. Army was ensconced in Mexico City, much of the will to fight among the soldiers of the Mexican Army was sapped. The claim is not that the Americans won the hearts and minds of *all* the Mexicans, but only that the will to fight was reduced among an indifferent population by the conventional victories and the equitable policies of the occupation army. The fact that Santa Anna cited the *alcabala* in his Plan of Hacienda as the source of social disunity in Mexico before the U.S. Army seized the capital is evidence of the effectiveness of the decision to rescind it.

The emergence of experienced Carlist insurgents from Spain led by Padre Jarauta added to the complicated nature of the war. His appearance in 1847 more than likely contributed to the impression that the guerrilla war was not being conducted for the benefit of common Mexicans, but for the purpose of reinstating a foreign ruler. That the Europeans managed to do as much in 1864 is evidence enough that the monarchists were indeed a powerful force within Mexico in the 1840s, and the arrival of the Carlists concerned both the Americans and republican Mexicans. Having undergone a long and bloody civil war to oust dynastic families from New Spain, Mexicans of various stripes were skeptical of the motives of a cadre of foreign-born Spanish fighters. In that regard, it is important to remember that nineteenth-century Mexico was not a homogenous society but a large country with political-provincial tendencies stemming from its colonial history compounded with a multitude of indigenous societies with separate

histories and languages. Although Padre Jarauta was the most adversarial guerrilla of the war, his status as a foreigner in Mexico made it difficult for him to garner the critical support he needed from various provincial populations. In the end, Jarauta was executed by Mexicans just like Javier Mina a generation before – for interfering in the affairs of a country wary of European influence.

Had the U.S. Army stayed in central Mexico it is likely that continued disparities and social unrest within Mexico's diverse population would have been attributed to the conquerors, just as the Spanish were blamed in their administration of New Spain. The potential result of an American annexation of Mexico, however, is merely academic speculation given those machinations were stymied by opponents of military empire such as John C. Calhoun. Ultimately, the fact that the Mexicans did not revolt against the U.S. Army in the manner they did against the Spanish royalists demonstrates a high level of political division among the Mexicans during the war. The efforts of the Carlists and former president Mariano Paredes to exploit those divisions and reintroduce European monarchy may have ultimately contributed to a lack of support for the insurgency among more nationalist-minded Mexicans.

The emergence of the guerrilla *system* as a viable but illegal mode of warfare was a result of the war in Spain. The Americans, going back hundreds of years in North America, had their own experience fighting Native Americans operating tactically similar to the Spanish. To a certain extent the Americans even recognized their own use of guerrilla tactics during the American Revolutionary War. Much of that historical retrospection took place during the Mexican War. Indian wars, then, changed the way Americans viewed warfare – but within a racial and ideological construct that manifested most intensely upon the frontiers. The advent of *Spanish*-guerrilla warfare (i.e. European guerrilla warfare) in that regard, legitimized it as a *system* because only a system could have been responsible for crippling Napoleon's powerful army. In other words, *Indian* warfare became *guerrilla* warfare after its efficacy was proven in Spain. The method of war was denigrated, but military planners understood its potential and were forced to factor it into future war plans requiring military occupation, such as in the American South and the Philippines. The war in Mexico, which set the precedent for the U.S. military's counterinsurgency doctrine focused in part on winning the

compliance of an occupied population, simultaneously ushered in an era of cavalry-oriented combat focused on fighting tribes waging guerilla war in the newly acquired western territories. The Texans were the veterans of this style of warfare in the antebellum period, and their experience and fighting style was systematized into the developing military architecture of a modernizing U.S. Army.

As much as any other nineteenth-century general, Winfield Scott was well studied in military history and Napoleon's military maxims. Both Napoleon and Scott believed that guerrillas were violating the laws of war by using – in the words of Vattel – *irregular* warfare. However, an important divergence between the two is that Scott understood that guerrilla warfare in the era following the Peninsular War was a military reality and made efforts to mitigate its effectiveness in Mexico by implementing measures applicable to his soldiers both on and off the battlefield. Perhaps the more important deviation from Napoleon was Scott's encouragement of negotiations for a treaty of peace, and he more than likely ignored (or pretended not to receive) orders to the contrary. Because Scott disobeyed orders to stop paying for goods, the conclusion is that the general felt that Polk and his political allies were undermining the war on a number of levels – particularly as it related to annexationists' attempt to invoke the same military maxim and policy that brought ruin to Napoleon's army in Spain. In the end, Scott believed that the only way to win a Mesoamerican Peninsular War was to ensure that it never started – just as Sun Tzu once wrote, “The supreme art of war is to subdue the enemy without fighting.” Scott never articulated such a strategy, but the absence of a major guerrilla war in Mexico in the late 1840s is proof that Scott successfully managed to evolve the American way of war by deviating from the master.

After the advent and proliferation of guerrilla warfare tactics began to change as well. The Civil War witnessed both Napoleonic-style battles and guerrilla operations. Improving technology in conjunction with traditional troop formations made that war particularly bloody. Military analysts prior to the Mexican War predicted the future trajectory of modern warfare. Experts like Jomini and Clausewitz asked the pertinent questions. Warfare was becoming more systematized, technical, and national. Rules of war, once the exclusive tenets of *civilized* European states, needed to be uniform to deal with the ancient aberration of guerrilla warfare. Scott, bogged down in the swamps of

Florida against an enemy he could neither see nor fight, did not heed the advice of Jackson to burn the villages to flush out the fighters. Scott had one foot intellectually and legally in Europe. Jackson, on the other hand, was quintessentially frontier-American. The dichotomy personified. One general was obsessed with the legal ramifications of his actions and those of his soldiers; the other, who often acted on his own authority, was an American hero and president.

The contrast between frontier guerrilla warfare and scientific systematized warfare manifested itself most starkly in the Americas – although Napoleon was privy to the alien fighting style of both Cossack and Egyptian on the periphery of European civilization; just as the boundaries of the old Roman Empire stopped short where Parthian horses trod on Eurasian steppes. Guerrilla warfare had always been around – even before El Cid surprised his enemies in small contests far removed from the sanguinary pitched battles of a later, more civilized era. Educated nineteenth-century warriors such as Scott understood as much, and they read the classics of earlier epochs that informed both past and present. Indeed, guerrilla warfare had and has been around a long time.

However, that form of warfare violated an inviolable law. It forced the civilized to engage in a legal form of *detestable* warfare most detrimental to those who did not carry the sword, but simply supported the *just* cause by whatever means they could as noncombatants opposed to foreign occupation. Napoleon was later admired by Scott, Halleck, and other prominent West Pointers, not because he was brutal, power hungry, or maniacal, but because he was invincible for a time, and laid to waste old kingdoms in a struggle bringing most of Europe into conflict with itself. It was only after Napoleon left the old borders of Charlemagne's Frankish empire that he discovered Vattel's accepted rules and laws of war no longer applied, leaving behind a legacy informing the way of war today and the timeless warning that when empires stretch too far they succumb to the inertia of centripetal forces acting on the periphery. The legacy prompted by Napoleon's unbridled and fatale ambition was the development of formal counterinsurgency – the doctrine created to win the quiet and essential compliance of invaded peoples through asymmetrical principles and policies. Scott's *measures of conciliation* – the olive branch accompanying the sword, was the first formal counterinsurgency doctrine. It was implemented not only because it was just and

civilized, but because it was effective. Just as Jomini and Clausewitz believed, and as the war in Spain and Mexico proved – the people had become an important variable in the modern military equation. The advent of, or better yet, the *reemergence* of guerrilla warfare in Spain torpedoed the old imperial paradigm that demanded *war support war*. It was full circle from Suchet’s invocation of ancient Roman wars in Spain. The efficacy of the novel and irregular system of war undermined all the conventional military maxims in two hemispheres, destroyed two empires, and despite evolving technologies, returned us to an age where we are now – fighting the phantoms of Sertorius.

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ABBREVIATIONS

AHN: Archivo Histórico Nacional (Madrid)
BDR: Brown University Digital Repository, Providence, RI
BLAC: Nettie Lee Benson Latin American Collection, UTA, Austin
BNE: Biblioteca Nacional de España (Madrid)
BVMC: Biblioteca Virtual Miguel de Cervantes
IFC: Institución Fernando el Católico (Zaragoza)
LOC: Library of Congress, Washington D.C.
MPC: Mexican Pamphlet Collection: Sutro Library: CSU, San Francisco
UMWL: University of Minnesota Wilson Library
USAPP: University of St. Andrews Pronunciamento Project
VTMP: Virginia Tech Mexican-American War & Media Project

NEWSPAPERS

American (in Mexico):

American Star – No. 2 (Puebla)
Flag of Freedom (Puebla)
The (Daily) American Star (Mexico City)
The Watch Tower (Jalapa)

American:

Alton Telegraph (Illinois)
Baltimore Commercial
Detroit Free Press
Green Mountain Freeman (Montpelier, Vermont)
Fayetteville Weekly Observer (North Carolina)
Hartford Courant (Connecticut)
Huron Reflector, Norwalk, OH
Lancaster Intelligencer (Pennsylvania)
Middlebury Register (Vermont)
New Orleans Weekly Delta
New York Daily Herald
New York Evening Post
New York Tribune
Niles' National Register (Baltimore)
Pittsburg Weekly Gazette
Poughkeepsie Journal (New York)

Richmond Enquirer (Virginia)
State Indiana Sentinel (Indianapolis)
The Abbeville Press and Banner (South Carolina)
The Adams Sentinel (Gettysburg)
The American Citizen (Canton, Mississippi)
The Brooklyn Daily Eagle (New York)
The Buffalo Commercial
The Buffalo Courier
The Buffalo Gazette
The Charleston Courier (South Carolina)
The Circleville Herald (Ohio)
The Daily National Whig (DC)
The Daily Picayune (New Orleans)
The Democrat (Huntsville, Alabama)
The Fayetteville Weekly Observer (North Carolina)
The Free Soil Courier and Liberty Gazette (Burlington, Vermont)
The Gettysburg Compiler
The Liberator (Boston)
The Louisville Daily Courier (Kentucky)
The Mississippi Free Trader (Natchez)
The Natchez Weekly Courier (Mississippi)
The National Gazette (Philadelphia)
The New Orleans Crescent
The Pennsylvania Gazette (Philadelphia)
The Post-Crescent, Appleton (Wisconsin)
The St. Johnsbury Caledonian (Vermont)
The Sunbury Gazette (Pennsylvania)
The Tennessean (Nashville)
The Tri-Weekly Commercial (Wilmington, NC)
The Van Nuys News (California)
The Vermont Journal (Windsor)
The Virginia Gazette, Williamsburg
The Washington Union (DC)
The Wilkes-Barre Advocate (Pennsylvania)
Vermont Aurora (Vergennes)
Vicksburg (Daily) Whig (Mississippi)
Washington Telegraph (Washington, Arkansas)
Weekly National Intelligencer (DC)
Wilmington Chronicle (North Carolina)
Wilmington Journal (North Carolina)
Wisconsin Argus (Madison)

British:

Aberdeen Journal
Cobbett's Weekly Political Register (London)

Jackson's Oxford Journal
The Bath Chronicle
The Caledonian Mercury (Edinburgh)
The Derby Mercury
The Exeter Flying Post
The Hull Packet
The Liverpool Mercury
The Manchester Times
The Morning Chronicle (London)
The Morning Post (London)
The Observer (London)
The Somerset Herald
The Times (London)
The Star of Freedom (Leeds)

French (in Spain):

Diario de Madrid
Gazeta de Madrid

Irish:

The Freeman's Journal (Dublin)

Mexican:

Diario del Gobierno (Mexico City)
El Arco Iris (Veracruz)
El Boletín (Jalapa)
El Monitor Republicano (Mexico City)
Regenerador Republicano (Puebla)

Spanish:

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El Conciso, Cádiz
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