

New Forms for Dominance:  
How a Corporate Lawyer Created the American Military Establishment

L. Michael Allsep, Jr.

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Approved by:

Richard H. Kohn

Dirk Bonker

Christopher R. Browning

Michael H. Hunt

Theda Perdue

### **Abstract**

L. MICHAEL ALLSEP, JR.; *New Forms for Dominance:  
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(Under the direction of Dr. Richard H. Kohn)

The world of Elihu Root threw him and his fellow elites into a vortex of global change. His life “covered a period of extraordinary development and change throughout the world,” he wrote, “a period in which consciously or unconsciously the whole world was in motion and when directing influences for good or evil were potent beyond experience.” As the first member of the establishment elite that dominated United States national security institutions and policies for much of the twentieth century, Elihu Root’s basic assumptions fundamentally shaped the modern military establishment. The decisions and choices he made at a critical time in the transformation of the American military had ramifications that still resonate today. The web of formal and informal connections that he wove between Wall Street, Washington and the military became conduits of power. The importance of the networks Root created did not dissipate with his departure, but persisted in the institutions he built and the cultural template he created for the elite policymakers who followed his lead. Through Root’s influence, that power was deployed in ways that insured the creation of a national security state. The cultural world that produced Elihu Root and sustained his bid for wealth and upper class status had a direct impact on the American military establishment and the way in which America exercised military power. Elihu Root was a bridge between the continental power the United States once was and the world power it made itself.

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## Introduction

Elihu Root claimed to have been unenthusiastic when President William McKinley asked him to join his cabinet as Secretary of War in the summer of 1899. “Thank the President for me, but it is quite absurd,” he replied, “I know nothing about war, I know nothing about the army.”<sup>1</sup> A New York corporation lawyer with no previous military experience, he was not an obvious choice to head the War Department. His appointment was especially unlikely given the multiple challenges facing the department — a war in the Philippines, the military occupation of Cuba and Puerto Rico, and public pressure for a reorganization of the department following its performance in the recently concluded war with Spain. Considering the challenges, there were reasonable doubts even among Root’s closest associates about the wisdom of the choice. When McKinley telegraphed Columbia University President Nicholas Murray Butler asking him to use his influence as a mutual friend to urge Root to accept the appointment, Murray’s first reaction was surprise: “No appointment seemed to me more ridiculous. I could not imagine Root as knowing anything about war or of military organization.”<sup>2</sup> New York governor Theodore Roosevelt gushed publicly that he was “so much pleased . . . that he did not care to talk about anything else.” He went on to tell reporters that “there was no man upon whose advice and help I have so much relied in my work as Governor.”<sup>3</sup> Privately, however, he complained to Senator

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<sup>1</sup> Elihu Root, *Addresses on Citizenship and Government*, ed. Robert Bacon and James Brown Scott (Cambridge, MA: Harvard University Press, 1916), 503-504.

<sup>2</sup> Nicholas Murray Butler, *Elihu Root, President of the Century Association, 1918-1927: Addresses Made in His Honor* (New York, Private Printing, 1937), 41.

<sup>3</sup> “Governor Praises Mr. Root,” *The New York Times*, 24 July 1899, 1.

Henry Cabot Lodge that the idea of having a lawyer run the War Department was “simply foolish — so foolish indeed that I can only regard it as an excuse,” an indication that McKinley “does not want a sweeping reform of the office.”<sup>4</sup> Even as he congratulated Root, Roosevelt could not completely hide his dismay. “Your appointment was an utter surprise to me,” he telegraphed, “because it had never entered my head to think of you in connection with the War Department.”<sup>5</sup>

Despite those initial misgivings, Root not only proved an effective administrator of America’s new colonial empire, but his reform of the army marked an important break with the country’s original military traditions and created the structures that supported the later expansion of the military establishment. The creation of a war college, a general staff and a nationalized militia were not only important steps in the development of the army, but they ultimately made possible the creation of a military-industrial complex at home and the deployment of preponderant military power abroad. By creating the war college as the pinnacle of a system of professional military education, Root completed a process of professionalization in the officer corps that had been ongoing since the antebellum period.<sup>6</sup> When he was finally able to get Congressional approval for a general staff, he not only centralized control over the nation’s military power, but he also created for the first time in the United States an institution whose primary function was to perpetually plan for war. The Dick Act, the first major overhaul of the militia system since the early national period, completed the trifecta of transformation by giving the national government greater control over the raising, training and deployment of the state

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<sup>4</sup> Theodore Roosevelt to Henry Cabot Lodge, 21 July 1899, Roosevelt-Lodge Correspondence, Vol. 1, 414-419, Henry Cabot Lodge Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>5</sup> Theodore Roosevelt to Elihu Root, telegram, 25 July 1899, Elihu Root Scrapbooks, The New York Public Library, New York, NY.

<sup>6</sup> William B. Skelton, *An American Profession of Arms: The Army Officer Corps, 1784-1861* (Lawrence, KS: University Press of Kansas, 1992).

militias than ever before, thus providing the army with the potential manpower for fighting large-scale wars. Henry Stimson, whose second term as Secretary of War encompassed America's participation in the Second World War, was better qualified than most to evaluate Root's institutional legacy. "When in 1904 he resigned," Stimson wrote, "this country for the first time had adequate machinery to prepare the military plans for its national defense and it had also the foundation of an organization for the citizen forces upon which that defense must mainly depend. In over a century of our national history no such intelligent, constructive and vital force had ever occupied the chair of the Secretary of War."<sup>7</sup>

When Stimson began the first of what would grow to be the fifty-one volumes of his diary he opened with a story about one of his early visits to Washington in January 1902, after Roosevelt had succeeded to the Presidency. In town for the annual meeting of the Boone and Crockett Club, Roosevelt's gathering of wealthy big-game hunters, Stimson was riding with a friend in Rock Creek Park when he was hailed by four men on the opposite bank of the storm-swollen creek. Not immediately recognizing the first voice as Roosevelt's, he instantly recognized the second as that of his senior law partner Elihu Root. Roosevelt's famously high-pitched voice jokingly called upon Stimson to cross the creek and join them on the other side. Then Root called out, "The President of the United States directs Sergeant Stimson of Squadron A to cross the creek and come to his assistance by order of the Secretary of War." "That's an order, sure enough," Stimson said to his companion, then calling back "Very good, sir!" he turned his horse into the fast-moving water. The horse soon lost its footing, and horse and rider were both plunged into the stream where they "began to roll and plunge downstream ... a good deal of the time both of us under water." With great effort Stimson was eventually able to

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<sup>7</sup> Henry L. Stimson, *Elihu Root, President of the Century Association, 1918-1927: Addresses Made in His Honor* (New York, Private Printing, 1937), 29.

extricate himself and his mount from the creek and ride down to where Roosevelt and Root stood looking “like two small boys who had been caught stealing apples.” When Roosevelt protested that he had not meant his request to be taken seriously given that it was clearly impossible, Stimson replied, “Mr. President, when a soldier hears an order like that, it isn’t his business to see that it is impossible.”<sup>8</sup>

What would be considered a foolhardy stunt today was just the sort of masculine bravado that impressed men like Roosevelt and Root. It was also a dramatic example of Stimson’s response to Root’s direction. Their law firm - Root, Howard, Winthrop and Stimson - occupied a suite of offices on the fourteenth floor of the Liberty Mutual building, conveniently close to Wall Street. A Republican establishment firm, its office windows commanded sweeping views of the East River and the Brooklyn Bridge, and it had “the comfortable, ordered atmosphere of eighteenth-century London chambers.”<sup>9</sup> In those days young lawyers learned their trade by attaching themselves to senior lawyers and working under their close supervision. Root took an early interest in Stimson, and the younger lawyer responded to Root’s mentoring in both his professional and public life.<sup>10</sup> Under Root’s guidance Stimson quickly became a respected corporate lawyer, and with the aid of Root’s influence they each became members of a select group by serving as both Secretary of War and Secretary of State. Throughout Stimson’s life Root was his “exemplar of what a high-minded counselor should be,” and Root’s “rectitude, wisdom and constructive sagacity” was Stimson’s ideal.<sup>11</sup> During his long career, Stimson often

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<sup>8</sup> Godfrey Hodgson, *The Colonel: The Life and Wars of Henry Stimson 1867-1950* (New York: Alfred A Knopf, 1990), 7.

<sup>9</sup> Jennet Conant, *Tuxedo Park: A Wall Street Tycoon and the Secret Palace of Science that Changed the Course of World War II* (New York: Simon & Schuster, 2002), 28.

<sup>10</sup> Elihu Root to Henry Stimson, 4 November 1899, Box 178, Part 1, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.; Henry L. Stimson and McGeorge Bundy, *On Active Service in Peace and War* (New York: Harper & Brothers, 1947,1948), xxi.

<sup>11</sup> Stimson and Bundy, *On Active Service in Peace and War*, xviii.

cited Root to drive home a point. During World War II, when Stimson served his second term as Secretary of War, he kept the volumes of Root's collected writings close at hand and hung a large portrait of Root behind his desk.<sup>12</sup> John J. McCloy, later High Commissioner for Germany, president of the World Bank and another powerful New York corporate lawyer, served under Stimson as Assistant Secretary during the war. Awarded the Distinguished Service Medal the war's end, the ceremony took place in Stimson's office. Recalling the ceremony later, McCloy remembered "the steady gaze of Elihu Root" bearing down on him from the portrait behind Stimson's desk. "I felt a direct current running from Root through Stimson to me," he wrote, "They were the giants."<sup>13</sup>

A number of books have chronicled the "small circle of men and women who ... framed American foreign policy during at least the first two decades after World War II," the people Alan Brinkley called the "icons of the American Establishment." As Brinkley observed, "it is hard to look at the workings of postwar American diplomacy and not be struck by the intimacy, at times bordering on incestuousness, that characterized its leadership for many years."<sup>14</sup> The members of this intimate circle self-consciously modeled their careers after Root and Stimson, and enshrined their values and the values of their class into the ethos of the nation's foreign and defense policies. At the height of their influence during the Cold War, men such as George Kennan, Charles Bohlen, Dean Acheson, Robert Lovett and Averell Harriman created and directed the containment strategy that ultimately prevailed over the Soviet Union. Seldom if ever holding offices that required standing for election, they largely exercised their power behind the

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<sup>12</sup> Alan Brinkley, "Icons of the American Establishment" in *Liberalism and its Discontents* (Cambridge, MA: Harvard University Press, 1998), 168; Hodgson, *The Colonel*, 15; Isaacson and Thomas, *The Wise Men*, 244.

<sup>13</sup> Isaacson and Thomas, *The Wise Men*, 28-29.

<sup>14</sup> Brinkley, *Liberalism and its Discontents*, 164 and 166; Isaacson and Thomas, *The Wise Men*; Kai Bird, *The Chairman: John J. McCloy, the Making of the American Establishment* (New York: Simon & Schuster, 1992).



scenes, leaving the stage and the spotlight to others. Like Root, they championed the interests of those who benefited most from America's expansionist policies — the country's wealthy class from whose ranks most of the establishment elites were drawn and to which the rest aspired to belong. They pursued foreign and defense policies that were based on belief in a seamless connection between the interests of their class, America's national interests and the interests of the world.<sup>15</sup> They shared “an unabashed belief in America's sacred destiny (and their own) to take the lead in protecting freedom around the globe,” and as recently as August 2008 the political columnist David Brooks referred to them as a “permanent governing class.”<sup>16</sup> They were at the center of creating what Henry Luce in a 1941 *Life* magazine article famously coined “the American Century.”<sup>17</sup>

Their influence was grounded in a time when the franchise was limited, when wealth and power was controlled by a very few, and when national power could be directed from smoke-filled rooms. The privileges of their race, class and gender were exercised without conscious acknowledgement that they represented anything other than the natural order. It was inevitable that their power would gradually wane as the country changed. What is remarkable is how long they were able to sustain their influence. Perhaps their finest hour was the calm stability they lent President John F. Kennedy during the Cuban Missile Crisis. When McGeorge Bundy, Kennedy's national security advisor, asked elder statesman Robert Lovett's advice during the height of the crisis, Lovett motioned to the picture of former Secretary of War Henry Stimson on Bundy's desk and gravely intoned that, “the best service we can perform for the President is to approach this as Colonel Stimson would.” Their least helpful contribution came shortly afterwards during

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<sup>15</sup> Brinkley, *Liberalism and its Discontents*, 166.

<sup>16</sup> David Brooks, “Missing Dean Acheson,” *The New York Times*, 1 August 2008.

<sup>17</sup> Isaacson and Thomas, *The Wise Men*, 25.

the Vietnam War. It was Bundy in his private memorandums to President Lyndon Johnson who first referred to the elder members of the establishment as “the Wise Men.”<sup>18</sup> The initial backing they gave to Johnson’s escalation of the war proved not only disastrous for the country, but was also their undoing as figures of legitimizing authority. That failure effectively ended a tradition of establishment dominance of the country’s defense and foreign policy that began with Elihu Root.<sup>19</sup>

The institutional transformation that Root initiated and the personal legacy of establishment leadership he began were only possible because of the material and cultural changes that accompanied America’s growth and expansion during an earlier age of globalization. The ideas behind the Root reforms were partly the product of a transnational military discourse that profoundly influenced the ambitions of the American officer corps. Because civilian elites like Root and Stimson shared not only their sense of professionalism, but also their membership in the transatlantic community at a time when that great ocean was a conveyor belt of ideas as well as people, Root was not only comfortable adapting European military institutions to American conditions, but also the policies that guided their use. In the determination of reformist officers to have an army comparable with the best in Europe, and in the belief of elites like Root that it was the destiny of the United States to be a leading world power, was born a new American military establishment with global ambitions. Along with the institutions and practices they imported from Europe’s militaries, Root and his allies in the officer corps also imported the seeds of potential militarism. Their claim were that by making the American military establishment more efficient, they were making war less likely; but by making military intervention more possible, they made it more likely. Newton Baker, Secretary

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<sup>18</sup> Isaacson and Thomas, *The Wise Men*, 644.

<sup>19</sup> Brinkley, *Liberalism and its Discontents*, 164.

of War during the First World War, remarked that Root's role in creating the General Staff was "not only his outstanding contribution to the national defense of the country, but the outstanding contribution made by any Secretary of War from the beginning of history. Without that contribution from him, the participation of the United States in the World War would necessarily have been a confused, ineffective and discreditable episode."<sup>20</sup> As Walter Millis later observed, "The thought lingers that without that contribution the participation might never have taken place at all."<sup>21</sup>

While Root's achievements in public service were formidable, they were not simply the product of a great man's impact on history. He was the product and beneficiary of a specific arrangement of power that made his ascent possible, shaped his actions in public life, and then ensured that the new military establishment he created would endure. His importance derived not only from the institutions he created and the personal legacy he left, but also from how he and others were able to exploit and sustain the conditions that brought them to power. How those relationships of power operated and what gave them legitimacy can only be exposed by studying the cultural forces that shaped them. Examining the cultural roots of power, and the way it was conditioned and deployed to enshrine and sustained Root and elites like him at the center of America's national security establishment exposed the continuing impact of long abandoned hierarchies. Therefore, this is less a study of Root than a study of what his career reveals about how power was created, wielded and sustained at an important point in the creation of the modern American military. By examining the role of institutions as gatekeepers and instruments of power, the role of social networks connecting elites to each other and to

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<sup>20</sup> Royal Cortissoz, *Elihu Root, President of the Century Association, 1918-1927: Addresses Made in His Honor*, (New York, Private Printing, 1937), 17.

<sup>21</sup> Walter Millis, *Arms and Men: A Study in American Military History* (New Brunswick, NJ: Rutgers University Press, 1956, 1984), 181.

those institutions, and the role of culture in creating and mediating those networks, it is a study of the creation, distribution and manipulation of power based on shared cultural attributes and values, and the role of culture in creating and maintaining legitimizing authority. More than the history of one prominent elite, this dissertation is the history of a culture of power and influence and its impact on America's military establishment, and it offers a new explanation for one of the country's most important periods of military reform.

The conditions of power that Root manipulated and reproduced were significantly shaped by the transatlantic world that brought industrial finance capitalism to the United States and replaced the old localized hierarchies with new national ones. Using Root's career as corporate lawyer, wealthy New York elite, political reformer and Secretary of War as a prism to study the world around him, this dissertation examines the culture of the American establishment and its role in creating the foundations of the military-industrial complex in the halcyon days of a major period of national and global transformation.<sup>22</sup> It draws from the methodology of Isabel V. Hull's *Absolute Destruction*, but using Root as a guide to unlock the culture of America's civilian and military elites at the formative period when the twentieth-century military establishment was created.<sup>23</sup> In a society with robust civilian control of the military, the basic assumptions shared by these elites influenced the creation of institutions and institutional norms that limned and shaped policy choices and decisions even in the absence of direct control.<sup>24</sup> As Hull observed,

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<sup>22</sup> Henry Fairley first used the term "establishment" in a 1955 essay in the London *Spectator* about Britain's ruling elite. Richard Rovere imported it to this country in a half-joking way in a 1961 *American Scholar* article. It quickly entered common usage and remains there today. See Brinkley, *Liberalism and its Discontents*, 164.

<sup>23</sup> Isabel V. Hull, *Absolute Destruction: Military Culture and the Practices of War in Imperial Germany* (Ithaca, NY: Cornell University Press, 2005).

<sup>24</sup> Hull, *Absolute Destruction*, 2; Wayne E. Lee, "Mind and Matter—Cultural Analysis in American Military History: A Look at the State of the Field," *The Journal of American History*, March 2007, Vol. 93, Issue 4, 1116-1142.

The motor of organizational behavior is its basic assumptions. Because these remain hidden from the actors and often contradict their stated beliefs, discovering the constellation of basic assumptions is not always straightforward. One must begin by examining the patterns in their practices. But basic assumptions are always revealed in the group's language (which indicates categories of perception), myths, explanations of events, standard operating procedures, and doctrines.<sup>25</sup>

Because of the power and influence they exercised over the country's defense and foreign policies at a critical time, the basic assumptions of this unique group of elites shaped the basic assumptions of the American military establishment. By examining in detail the role and influence of Elihu Root, the first of the "greats," this dissertation explores these basic assumptions at the point when their impact was first felt.

Root himself recognized the importance and lasting impact of the spirit and purposes of an institution's creators. "The original quality and standards of an old institution are transmitted through a long and continually changing series of individual members who differ widely from each other, but who, coming find, and going leave, the institution always essentially the same." That continuity resulted from "that indefinable and mysterious quality that has been transmitted from a remote past, which has persisted through many changing years and many passing lives, and which gives to the institution a personality of its own, a continuance of the life breathed into it at the moment of its birth." People who later enter the institution come "under the domination not of this man or that, but of the potent spirit that gave life to the institution and moulds its traditions, its habits of thought and feeling and action, its purposes and its aspirations." Hull could hardly have expressed more clearly the fundamental importance of institutional culture. "The true history of such an institution," Root concluded, "must be the story of the outward working of this informing spirit, and it is only in the origin that we can find

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<sup>25</sup> Hull, *Absolute Destruction*, 97.

understanding of all that follows.”<sup>26</sup> This dissertation offers a history of the origins of the modern military establishment by examining the “informing spirit” of its creation found in the basic assumptions of the elite establishment that Root represented. In this origin, as Root suggested, is found the key to understanding all that followed.

The power and authority these elites deployed supported an expansionist foreign policy at a time when America’s destiny seemed to lie in empire and set in motion a connected lineage of foreign policy elites that extended into the latter half of the twentieth century. Though the United States never fully embraced its colonial empire, the imperialistic ambitions of elites like Root led them to create imperial military institutions to replace America’s limited nineteenth-century ones. Those new military institutions and the country’s overseas ambitions, however characterized, eventually led to the creation of a large, permanent military establishment. By characterizing his army reform agenda as simply moves to modernize and make more efficient an outdated structure, Root successfully obscured the full impact of its adoption. Though admitting the European inspiration for these reforms, Root denied that they represented “Prussian militarism” and argued that European military models, even Prussian ones, could be cleansed of their militaristic purposes in the uniqueness of American democracy. Nonetheless, when Root left Washington to return to his Wall Street practice, he left behind a new military establishment that possessed the basic institutional patterns of the European imperial ones. The military’s subsequent expansions were built on that foundation.

Numerous scholars have already addressed the aggressive and expansionist nature of American foreign and defense policy since the late-nineteenth century. Much of that scholarship

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<sup>26</sup> Elihu Root, *Miscellaneous Addresses*, ed. Robert Bacon and James Brown Scott (Cambridge, MA: Harvard University Press, 1917), 24.

has been built in the shadow of the work of Charles A. Beard and William Appleman Williams.<sup>27</sup> Against the myth of the United States as a reluctant superpower, they offered the critique of an expansionist America that was largely the author of its own destiny. The economic transformation of the country in the decades following the Civil War was the true explanation for America's new involvement abroad, not the myth of a reluctant America forced by circumstances to assert its power for good. The foreign and domestic policies of the United States were two sides of the same coin, and that coin was usually in the pockets of the wealthy class. At the heart of this shift in America's relationship to the world was a group of elites, or as Beard called them, "adepts at the center of things." As he saw it, "nations are governed by their interests as their statesmen conceive these interests."<sup>28</sup> The key to understanding American statecraft then, was not how the country responded to sudden emergencies brought on by the perfidy of a hostile world, but "what really mattered were the long stretches between wars, when the attention of the press and public lay elsewhere."<sup>29</sup> That was when elites, outside the glare of public scrutiny, shaped the institutions and policies that determined America's role in the international system and defined the options available when sudden emergencies arose. While they could not control policy completely or at all times, they were successful in establishing a set of institutions and norms that influenced policy even when their direct control was weakest. In this way the interests of the wealthy class became the national interest in matters of foreign policy.

Williams embraced Beard's understanding of the fundamental relationship between America's domestic hierarchy and its foreign relations, and agreed that expansionism was the

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<sup>27</sup> Bacevich, *American Empire*, 6.

<sup>28</sup> Beard, *The Open Door at Home*, 301.

<sup>29</sup> Bacevich, *American Empire*, 17.

engine that drove American foreign policy. As Americans came to endorse a “charming but ruthless faith in infinite progress fuelled by endless growth,” expansion became the solution to all problems, foreign or domestic. Overseas expansion “provided the *sine qua non*” of domestic prosperity and social peace,” but this expansion was uniquely American.<sup>30</sup> After a brief experience with territorial expansion after the model of the British Empire, America abandoned that form of expansion and adopted instead what Williams called “Open Door imperialism.” To Williams, “the history of the Open Door Notes became the history of American foreign relations,” but it also became the cornerstone of American defense strategy.<sup>31</sup> A world open to American trade would be open to American democracy as well, thus expanding the area of political freedom. “Expanding the marketplace enlarged the area of freedom. Expanding the area of freedom expanded the marketplace.”<sup>32</sup> These inextricably linked ideas came to define America’s idea of stability and security in the world. In peacetime the expansion of the marketplace dominated American foreign policy, while American wartime aims were explained as expanding the area of freedom and democracy. What Beard and Williams each grasped was that both were actually different expressions of the same policy. That policy became the basis of a broad consensus on how the world should be organized, how American foreign policy should be conducted and how America should fight its wars. The result was a new form of empire created by adhering to a coherent strategy of economic and political expansion, and eventually supported by dominant military power.<sup>33</sup>

Michael H. Hunt argued that this strategy derived not only from the pecuniary interests

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<sup>30</sup> William Appleman Williams, “On the Restoration of Brooks Adams,” *Science and Society* 20 (Summer 1956) 248; Bacevich, *American Empire*, 25.

<sup>31</sup> William Appleman Williams, *The Tragedy of American Diplomacy* (New York: W. W. Norton & Co., 1988), 52.

<sup>32</sup> William Appleman Williams, *America Confronts a Revolutionary World, 1776-1976* (New York: William Morrow, 1976), 43; Bacevich, *American Empire*, 24.

<sup>33</sup> Bacevich, *American Empire*, 30.



of the wealthy class, but also from “three core ideas relevant to foreign affairs” that emerged from the American experience: first, “an active quest for national greatness closely coupled to the promotion of liberty;” second, a racial hierarchy that defined American attitudes towards the other peoples of the world; and third, a wariness of revolutionary movements and change. This ideology was “rooted in the process of nation building, in domestic social arrangements broadly understood, and in ethnic and class divisions.” Though arising from broad and fundamental sources over a long period of time, this ideology was finally distilled through “the foreign-policy elite, a miniscule portion (perhaps about 1 percent) of those who are intimately and actively concerned with the course of American foreign policy.” The origins of this ideology were older than the nation, but by the end of the nineteenth century this elite had moved towards a consensus consonant with their self-interests and shared cultural values. Building on changes in the country’s political economy and society, they gave this ideology “concrete expression by creating historical myths, propagating values, and constructing institutions.”<sup>34</sup> It became the default basis justifying ever-more ambitious expansionist policies to the American people. This marriage of elite power and ideology produced the fundamental basis for America’s engagement with the world.

America’s foreign policy ideology was also built on basic assumptions about gender and progress. Gender has only recently been introduced as a category of analysis in international relations, but there were few periods in American history where gender was more powerful or more transparent. Just as men like Root believed that women were unsuited by nature to participate in politics since it involved “everything that is adverse to the true character of woman,” by extension they believed that war and diplomacy were similarly unsuitable jobs for

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<sup>34</sup> Michael H. Hunt, *Ideology and U.S. Foreign Policy* (New Haven, CT: Yale University Press, 1987), 15-18.

women.<sup>35</sup> This meant not only the exclusion of women from decision making positions in foreign relations, it also meant that international politics was a masculinized sphere of activity. As Ann Tickner observed, “Characteristics associated with ‘manliness,’ such as toughness, courage, power, independence, and even physical strength, have, throughout history, been those most valued in the conduct of politics, particularly international politics.” The celebration of male power, especially the male warrior, produced a gender dichotomy sharper than the reality. This imagined hegemonic masculinity constituted a cultural ideal that sustained and legitimized a male dominated domestic political hierarchy, and shaped understanding of the international behavior of states.<sup>36</sup> Nowhere was this more true than in the prioritizing of military issues, that sphere that was not coincidentally the most closed to women and the most hostile to culturally understood feminine values.<sup>37</sup> At a time when issues as diverse as economics, race and foreign relations were explained through the international state structure, the exclusion of women from almost all levels of the state and the subordination of feminine values encouraged military officers and politicians alike to conceptualize states as actors in a masculine world. The gendered politics of the age and the gendered identities of states meant that policymakers like Root made decisions based on their assumptions about masculinity and their narratives of masculine behavior in a competitive political world. Examining the social relations in which identities and behaviors are embedded reveals how such basic assumptions are created, disseminated and sustained.<sup>38</sup>

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<sup>35</sup> Quoted in Kristin L. Hoganson, *Fighting for American Manhood: How Gender Politics Provoked the Spanish-American and Philippine-American Wars* (New Haven: Yale University Press, 1998), 23.

<sup>36</sup> J. Ann Tickner, *Gender in International Relations: Feminist Perspectives on Achieving Global Security* (New York: Columbia University Press, 1992), 6.

<sup>37</sup> Tickner, *Gender in International Relations*, 23.

<sup>38</sup> J. Ann Tickner, *Gendering World Politics: Issues and Approaches in the Post-Cold Era* (New York: Columbia University Press, 2001), 53.

This dissertation looks beyond policy and ideology to study the basic assumptions behind Root's direction of America's defense establishment at a critical time in its development, and the consequences of his institutional and personal legacy. The interpretation of the open door strategy that Beard and Williams evolved, and Hunt's study of foreign policy ideology, relied primarily on analysis of policies and pronouncements. Hunt accepted the central role of elites in determining American attitudes and actions towards the rest of the world, but limited his analysis largely to their "private musings and, more important, the public rhetoric by which they have justified their actions and communicated their opinions to one another and to the nation."<sup>39</sup> All three acknowledged the power of the wealthy class and the importance of the elites who furthered its interests, but none explored in detail the rise of these policymaking elites or the nature of the relationships between them and the institutions they influenced. Nor did they address how a wealthy minority was able to exert such inordinate influence in a democratic society. As Sven Beckert observed, "understanding the history of this economic elite in the nation's greatest metropolis is critical to understanding the history of the United States in the last half of the nineteenth century."<sup>40</sup> By focusing on Root's paths to power and prominence within that elite, and the influence of that cultural milieu on his institutional and personal legacy, this dissertation examines not only his overt beliefs and professed values, but also the learned behavior and basic assumptions that were the unseen hand guiding his actions.<sup>41</sup> In his work, Root recognized the vital role that basic and usually unspoken cultural assumptions had in determining behaviors and outcomes. "If you have a week's conference," he observed, "you can spend six days in trying to understand each other's back-of-the-head ideas. And if you can get a

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<sup>39</sup> Hunt, *Ideology and U.S. Foreign Policy*, 15.

<sup>40</sup> Sven Beckert, *The Monied Metropolis: New York City and the Consolidation of the American Bourgeoisie, 1850-1896*, (New York: Cambridge University Press, 1993), 3.

<sup>41</sup> Hull, *Absolute Destruction*, 95.

little glimmer of an idea of what the other fellow is really thinking about, then you can settle your difficulty in five minutes.”<sup>42</sup>

The work of two sociologists, E. Digby Baltzell and C. Wright Mills, examined the formation of the elite establishment that dominated the institutions of state and society beginning with Elihu Root’s generation. Baltzell defined *elites* in a value-neutral way; as a concept that “has no evaluative connotations such as the ‘best’ but refers solely to those *individuals* who have succeeded in rising to the top positions in any society.”<sup>43</sup> If those elites are born into or rise into the wealthy class, if they represent the cultural values and aspirations of their society, and if their actions continue to justify their authority they form an *establishment*. Unlike the traditional notion of a ruling class, an establishment “is essentially traditional and authoritative and not coercive or authoritarian. . . . In a free society, while an establishment will always be dominated by upper-class members, it also must be constantly rejuvenated by new members of the elite who are in the process of acquiring upper-class status.”<sup>44</sup> Elihu Root was just such a new member of the elite who spent his life acquiring wealth and upper class status. His elevation to McKinley’s cabinet confirmed to the public his place in the emerging American establishment, but his power and influence as a wealthy Wall Street lawyer had already confirmed his place there in the eyes of his fellow elite. Baltzell’s argument was fundamentally based on belief in a legitimacy derived from cultural traditions. The role of culture in legitimizing authority is one of the basic keys to understanding how elites create and maintain their power. For that reason, “one of the major functions of an upper class is creating and perpetuating a set

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<sup>42</sup> Elihu Root, “Standards of Legal Education,” *Men and Policies: Addresses by Elihu Root*, ed. Robert Bacon and James Brown Scott (Cambridge, MA: Harvard University Press, 1926), 150.

<sup>43</sup> E. Digby Baltzell, *The Protestant Establishment: Aristocracy & Caste in America* (New Haven: Yale University Press, 1964), 7.

<sup>44</sup> Baltzell, *The Protestant Establishment*, 7-8.

of traditional standards which carry authority and to which the rest of society aspires.”<sup>45</sup> As the embodiment of those standards, the history of Root’s origins, rise in society, and eventual public prominence traces the way this cultural authority was created and manipulated to maintain elite power.

The last decades of the nineteenth century, the years when Elihu Root established his place in society, were “authoritatively dominated by an old-stock upper class whose members were the business, cultural and intellectual leaders of a nation which was, at the higher levels of society at least, still overwhelmingly white, Anglo-Saxon and Protestant in origins and convictions.”<sup>46</sup> That upper class evolved because it accurately reflected the values and cultural traditions that then dominated American society. It clung on to power for as long as it continued to reflect the aspirations of American society and began to lose power when it was no longer willing to change as society changed. The relationship between culture and power was direct and expressed itself largely through the idea of legitimate authority, or that authority that is accepted by most members of society. Though the composition of the elite establishment did not accurately reflect society as a whole, it sustained its authority by reasonably reflecting the composition of the most talented and ambitious members of that portion of society that had access to power. Writing when the power of the old hierarchy was in eclipse, Baltzell neglected to consider the residual power of the institutions, policies and cultural traditions left behind by the declining WASP establishment. Their period of greatest influence coincided with the country’s most important period of state building. As Stephen Skowronek suggested, this period marked “the pivotal turn away from a state organization that presumed the absence of extensive institutional controls at the national level toward a state organized around national administrative

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<sup>45</sup> Baltzell, *The Protestant Establishment*, 381.

<sup>46</sup> Baltzell, *The Protestant Establishment*, xi.

capacities.” In other words, the thing that had once made the American political culture distinctive, the absence of a “sense of the state,” was replaced during those years with a new gathering of coercive power at the center of the national government. Primarily a response to industrialism, this new national power did not simply entail making the state more efficient, as its proponents so often claimed, but instead called for “building a qualitatively different kind of state.”<sup>47</sup> Elihu Root and his generation decisively shaped that new state. The institutions they created, the political and economic order the new state sustained, and the cultural values they enshrined in the institutions of state and society, combined to form an enduring structure on which the modern United States was built. From the 1890s through the Cold War, the related forces of war and nationalism cemented the dominance of their vision of the state as well as their strategy for defense and foreign policy.

The institutions shaped by the WASP elite constituted the basis for exercising formal power, but they were very often the basis for the exercise of informal power as well. In his study of what he termed *The Power Elite*, C. Wright Mills wrote that “the way to understand the power of the American elite lies neither solely in recognizing the historic scale of events nor in accepting the personal awareness reported by men of apparent decision. Behind such men and behind the events of history, linking the two, are the major institutions of modern society. These hierarchies of state and corporation and army constitute the means of power.”<sup>48</sup> He recognized that not all power emanated from the top, but “only within and through [institutions] can power be more or less continuous and important.”<sup>49</sup> The elites at the pinnacle of these hierarchies constituted “political, economic, and military circles which as an intricate set of overlapping

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<sup>47</sup>Stephen Skowronek, *Building a New American State: The Expansion of National Administrative Capacities, 1877-1920* (New York: Cambridge University Press, 1982), 3-5.

<sup>48</sup> C. Wright Mills, *The Power Elite* (New York: Oxford University Press, 1956, 2000), 5.

<sup>49</sup> Mills, *The Power Elite*, 9.

cliques share decisions having at least national consequences. In so far as national events are decided, the power elite are those who decide them.”<sup>50</sup> As the institutions of state and society centralized and grew, “the consequences of its activities [became] greater, and its traffic with the others [increased].” The strength of the relationships between the elites at the top centralized and grew proportionally since, “there is no longer, on the one hand, an economy, and, on the other hand, a political order containing a military establishment unimportant to politics and to moneymaking. There is a political economy linked, in a thousand ways, with military institutions and decisions.”<sup>51</sup> Through these thousands of links flowed an endless stream of formal and informal power: “As each of these domains has coincided with the others, as decisions tend to become total in their consequences, the leading men in each of the three domains of power — the warlords, the corporation chieftains, the political directorate — tend to come together, to form the power elite of America.”<sup>52</sup> The inherent power of the institutions of war, money and politics, and the power of the elites who controlled them was magnified by the power of the interconnecting relationships that linked them.

The members of the power elite formed “a top social stratum ... a set of groups whose members know one another, see one another socially and at business, and so, in making decisions, take one another into account.” In effect, they were “self-conscious members of ... the inner circle” of the upper class. “They accept one another, understand one another, marry one another, tend to work and to think if not together at least alike.” As members of “a ruling stratum ... most of its members have similar social origins, ... maintain a network of informal connections, and ... to some degree there is an interchangeability of position between the

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<sup>50</sup> Mills, *The Power Elite*, 18.

<sup>51</sup> Mills, *The Power Elite*, 7-8.

<sup>52</sup> Mills, *The Power Elite*, 9.

various hierarchies of money and power and celebrity.”<sup>53</sup> They also share similar advantages, “but are loath to believe that they just happen to be people with advantages. They come readily to define themselves as inherently worthy of what they possess; they come to believe themselves ‘naturally’ elite; and, in fact, to imagine their possessions and their privileges as natural extensions of their own elite selves.” That is not to disguise the fact that sometimes the elite are people of “superior character and energy,” that “having controlled experiences and select privileges, many individuals of the upper stratum do come in due course to approximate the types of character they claim to embody.” The elite class selected and formed certain types of personality, and rejected others. As a social class they were distinguished not by their talents and accomplishments, as they would have it, but by their privileges and exclusions.

Neither Baltzell nor Mills offered a general definition of class or attempted to describe the process of class formation. While this is not a study of the formation of the wealthy class, some context is essential for placing Root in his proper cultural milieu. Karl Marx gave the concept of class its modern shape and prominence, but post-Marxist scholars have significantly transformed the term to reflect the impact of historical developments unforeseen by Marx.<sup>54</sup> In this post-Marxist context, Jon Elster developed a definition of *class* as “a group of people who by virtue of what they possess are compelled to engage in the same activities if they want to make the best use of their endowments.”<sup>55</sup> This definition avoided the limitations of a rigid class structure and accounted for the social mobility that has characterized complex, developed societies like the United States. It relied on a concept of social endowments that moved beyond Marxist concepts of the means of production, and allowed for individual agency and historical

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<sup>53</sup> Mills, *The Power Elite*, 10-11.

<sup>54</sup> Frank Lentricchia and Thomas McLaughlin, *Critical Terms for Literary Study, Second Edition* (Chicago: University of Chicago Press, 1990, 1995), 406-407.

<sup>55</sup> Jon Elster, *Making Sense of Marx* (New York: Cambridge University Press, 1985), 330-331.



contingency. Social endowments were based on constructions of identity that were in turn based on factors as diverse as talent and character or race and gender. However a person became aware of the endowments they possessed, or if in the absence of self-awareness they simply found some actions more rewarding than others, they were compelled to act in certain ways to maximize their advantages. Since social endowments are culturally constructed, the structure of society offered a limited number of avenues to maximize their value, thereby pushing individuals into classes based on their endowments on the one hand and the structure of society on the other. Through this process individuals may move between classes, as well as into or out of elite status, but the privileges afforded elites and members of the upper class in themselves constituted social endowments of immense value in sustaining membership once it was attained.

Fundamental to any idea of *class formation* is the understanding that it was a dynamic relationship that “must always be embodied in real people and in a real context.”<sup>56</sup> As E. P. Thompson observed, “I do not see class as a “structure,” nor even as a “category,” but as something which in fact happens (and can be shown to have happened) in human relationships. ... it is a fluency which evades analysis if we attempt to stop it dead at any given moment and anatomise its structure.”<sup>57</sup> A degree of social mobility and flexibility played an important role in the formation of America’s wealthy class. Yet while class formation was subject to historical processes and continually underwent historical change, there was an underlying structure, though one which itself was subject to change. Individual endowments may change prompting individual mobility, or changes in technology or societal preference may affect the entire class by increasing or decreasing the value of their endowments.<sup>58</sup> Therefore some process of exchange

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<sup>56</sup> E. P. Thompson, *The Making of the English Working Class* (New York: Vintage Books, 1963), 9.

<sup>57</sup> Thompson, *The Making of the English Working Class*, 9.

<sup>58</sup> Elster, *Making Sense of Marx*, 343-344.

must exist to mediate class dynamics, to justify why some people advance upwards in society while others do not. That mechanism is provided in part by the creation and exchange of social capital.

Just as Thompson observed that class formation was “something which in fact happens (and can be shown to have happened) in human relationships,” examining the formation of an establishment elite exercising power over the military establishment requires development of the process in operation. There was a dynamic relationship between Root’s cultural predisposition, the reformist agenda of an activist minority of the officer corps, and the external structures affecting military and foreign affairs that can best be explained through the tools of cultural history. The methodologies of cultural history have only recently been applied to international relations. The historian Peter Jackson considered the reception of this further development of the ‘cultural turn,’ and found that two criticisms were persistently raised. The first was that cultural history was an “unsystematic approach to understanding the nature of culture as a source of policymaking.” The second was “a tendency to exaggerate the importance of the cultural predispositions of individual or collective actors at the expense of wider structures that condition policy choices.” He argued that the conceptual framework created by the French sociologist Pierre Bourdieu best answered those criticisms, offering a systematic and integrative approach to understanding the cultural roots of policymaking in foreign affairs. “The fundamental assumption at the heart of this approach,” he wrote, “is that action in the international sphere springs from culturally constructed beliefs about the world.”<sup>59</sup> Those beliefs then interact with the wider structures affecting international behavior, adapting to them and changing them at the same time.

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<sup>59</sup> Peter Jackson, “Pierre Bourdieu, the ‘cultural turn’ and the practice of international history,” *Review of International Studies* (2008), 34, 155-157.

This dissertation uses the methodology suggested by Bourdieu in order to construct an integrated cultural study of Root's world that addresses the creation and manipulation of power, while acknowledging the material possibilities and limitations he faced. Discussing the intellectual origins of his work, Bourdieu wrote, "I can say that all my thinking started from this point: how can behavior be regulated without being the product of obedience to rules?"<sup>60</sup> Or expressed another way, how does generational domination persist in differentiated, hierarchical social systems without powerful resistance and without conscious recognition?<sup>61</sup> He answered the question by constructing a theory of behavior based on the exchange of social capital: "all goods, material as symbolic, without distinction, that present themselves as rare and worthy of being sought after in a particular social formation"<sup>62</sup> Since individuals were fundamentally interested in maximizing their advantages, through strategy or through behavior constructed by cultural conditioning, they pursued their interests in a reward-oriented political economy of culture. In many respects, behavior can be analogous to financial investment practices and the search for profit, but it was equally the product of "habits, traditions, customs, beliefs — the cultural and social legacy of the past" that "filter and shape individual and collective" actions.<sup>63</sup> The most profitable strategies were those pursued under the guise of disinterestedness, especially where the social structure and cultural conditioning convinced the actor first of the authenticity and sincerity of his actions.<sup>64</sup> Acceptance by others then legitimizes the behavior to society while reinforcing its disinterested nature to the actor. The lasting importance of Root's reforms and

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<sup>60</sup> Pierre Bourdieu, *In Other Words: Essays Towards a Reflexive Sociology* (Stanford, CA: Stanford University Press, 1990), 65.

<sup>61</sup> David Swartz, *Culture & Power: The Sociology of Pierre Bourdieu* (Chicago: University of Chicago Press, 1997), 6.

<sup>62</sup> Pierre Bourdieu, *Outline of a Theory of Practice* (New York, Cambridge University Press, 1977), 178.

<sup>63</sup> Swartz, *Culture & Power*, 69.

<sup>64</sup> Bourdieu, *Outline of a Theory of Practice*, 214.

the template he created for establishment leadership of United States defense and foreign policy depended entirely on the seemingly disinterested nature of his government service and the legitimation of his accomplishments in the eyes of others. Bourdieu provided the best vehicle for understanding that alchemy in a way that is consistent with the facts of Root's life and world, but at a more fundamental level than even Root himself could have understood.

Bourdieu divided the concept of social capital into four components: economic capital such as money and property; cultural goods and services such as educational and artistic credentials; family and social networks; and symbolic capital such as legitimation.<sup>65</sup> Like hard cash in an economic system, social capital is the means of exchange in the cultural marketplace. Each component represents a form of power as capital. Individuals and groups use it to enhance and maintain their position in the social order, especially if deployed alongside acceptable credentials of race and gender. Of these four forms of social capital, the least obvious one is cultural capital. The value of money, connections and status are obvious to most, but the claims of cultural capital are subtler. The concept of *cultural capital* represents an exchange of cultural value in a relationship of power and includes such things as educational credentials, aesthetic and cultural awareness, articulateness and a wide variety of other non-monetary assets.<sup>66</sup> Expressed more simply, it is the use of culture as a resource for gaining or retaining power.

Whichever form it takes, cultural capital is a social relationship to power. It refers first to cultivated dispositions towards culture that are internalized through socialization and education, and which express themselves through appreciation and understanding. Cultural goods are unique in that one can only appropriate or invest them by apprehending their meaning. Cultural capital exists in cultural artifacts, objects such as paintings, books and scientific instruments, as

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<sup>65</sup> Swartz, *Culture & Power*, 74.

<sup>66</sup> Swartz, *Culture & Power*, 75.

well as in non-material objects such as concerts, plays and nature. In each instance, it is the specialized cultural knowledge or ability that allows the artifact to be converted to capital, and the social environment that legitimizes its exchange value. Finally, cultural capital exists in an institutionalized form, which Bourdieu discussed extensively as it pertained to the French educational system, but which can also be expressed through institutions such as private clubs and the governing bodies of institutions that have as their object the veneration or advancement of culture.<sup>67</sup> As societies became more cosmopolitan, the number and sophistication of cultural artifacts grew, and with them the institutions of culture. The result was that as societies became more highly developed, cultural capital became increasingly the new basis of social stratification.<sup>68</sup>

Bourdieu argued that social capital was exchanged within a broader system that constituted the cultural framework of power. He recognized not only that schemes of perception, thought and action were products of cultural construction, but he understood also that these existed within “objective structures, independent of the consciousness or the will of agents, which are capable of orienting or constraining practices and representations.”<sup>69</sup> Crucially, he saw that the internal and external sources and constraints on the exercise of power were constantly in creative interaction. This dynamic structure of culture and its relationship to power functioned through the exchange of social capital, governed by what Bourdieu chose to call “habitus.” Habitus was his term for the reflexive, semi-conscious orientation people have towards the world. It is not innate, but is created over time through conscious and unconscious

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<sup>67</sup> Pierre Bourdieu, *The State Nobility: Elite Schools in the Field of Power* (Stanford, CA: Stanford University Press, 1989); David Swartz, *Culture & Power*, 76.

<sup>68</sup> Pierre Bourdieu and Luc Boltanski, “Changes in Social Structure and Changes in the Demand for Education,” in *Contemporary Europe: Social Structures and Cultural Patterns* ed. S. Giner and M. Scotford-Archer (London: Routledge and Kegan, 1977), 197-227.

<sup>69</sup> Quoted in Peter Jackson, “Pierre Bourdieu, the ‘cultural turn’ and the practice of international history,” *Review of International Studies* (2008), 164.

learned experience on the one hand, and the cumulative impact of practice and accepted tradition on the other. Habitus exists within “fields,” external structures that constantly interact with habitus to dynamically change the field, and to declare winners and losers amongst the people competing within the field. Habitus alone does not determine action, but it is a “durably installed generative principle of regulated improvisation.”<sup>70</sup> To those who succeed, habitus reflects the “second nature” reactions and habitual responses that largely define the parameters for successful action. It is therefore the central mechanism for the production and reproduction of social and institutional structures in society.<sup>71</sup>

Bourdieu’s definition of field is his least satisfactory in conceptualization, but the easiest to recognize in practice. Essentially it is any social network where the participants generally accept as legitimate a common body of rules (Bourdieu often used the analogy of a game to explain it), and where the participants compete for a common set of stakes or rewards.<sup>72</sup> A field is sometimes explicit and defined in part by extensive, publicly acknowledged rules and standards, such as the field of the military establishment. Sometimes the field itself can seem hidden except as it is exposed through the common behavior of the participants, such as the field of New York elite society. More often it reflects a combination of explicit rules and standards, and hidden mores and traditions, such as the field of the New York legal community. Equally important, and crucial for the useful working of Bourdieu’s framework, fields constantly overlap, sharing not only participants, but also reinforcing similar traits and behaviors, or habitus. Just as no one becomes entirely a “company man,” and just as everyone’s identity is

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<sup>70</sup> Pierre Bourdieu, *Outline of a Theory of Practice* (New York: Cambridge University Press, 1977), 56.

<sup>71</sup> Peter Jackson (citing Terry Eagleton), “Pierre Bourdieu, the ‘cultural turn’ and the practice of international history,” *Review of International Studies* (2008), 165.

<sup>72</sup> Peter Jackson, “Pierre Bourdieu, the ‘cultural turn’ and the practice of international history,” *Review of International Studies* (2008), 167-168.

always composed of competing priorities of identity, so too Bourdieu recognizes that everyone operates in different fields simultaneously, creating conceptual confusion that accurately reflects the competing pull of different forces on behavior and identity. The very amorphousness of the field concept increases its usefulness as a tool of cultural analysis.

The most common response to these cultural structures of power was to form networks that were personal as well as professional, horizontal as well as vertical. Two of the persistent criticisms of Bourdieu's "cultural theory of action" was it was better at explaining the durability of social hierarchies than accounting for their change, and that it accounts for too narrow a range of interests in explaining behavior.<sup>73</sup> The overlap of fields and the resulting interchanges of habits and social capital from one field to another through social networks account for these concerns. As Jackson concluded, "the key to social changes is the fact that actors operate in many fields at the same time. They change the structure of each field by importing many forms of capital from one field to another."<sup>74</sup> Just as Baltzell tried to describe the workings of the WASP establishment and Mills tried to explain the impact of the power elite, Bourdieu created a much more comprehensive framework for analyzing and explaining the creation and manipulation of power across diverse fields in an ever-changing dynamic environment. His theory represents the best approach to understanding the history beyond the expressed explanations and justifications of the elites in power. It also represents the best approach to explaining continuity and change in institutions and behavior in a way that respects the diverse cultural sources of power and influence, and the structural constraints that condition their use.

Though Bourdieu's conceptual framework is most often deployed to explain basic

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<sup>73</sup> Peter Jackson, "Pierre Bourdieu, the 'cultural turn' and the practice of international history," *Review of International Studies* (2008), 169-170.

<sup>74</sup> Peter Jackson, "Pierre Bourdieu, the 'cultural turn' and the practice of international history," *Review of International Studies* (2008), 171.

assumptions and actions by groups of people without the biographical component that is at the core of this dissertation, Bourdieu near the end of his life explicitly turned his theory to the biographical by embarking on an attempt to explain his own life and times through his methodology.<sup>75</sup> “To understand,” he wrote, “is first to understand the field with which and against which one has been formed.”<sup>76</sup> In the same spirit, this dissertation explores the different fields that shaped Root and created his habits and assumptions, then examines the ways his habitus, created in those previous fields, interacted with the emerging professional officer corps to shape a new military establishment. In order to allow the story to flow more naturally and to better recreate the cultural milieu of Root and his times, I avoided use of Bourdieu’s terms in the narrative; nonetheless, Bourdieu’s framework provided the structure and methodology for this study. What emerged was the picture of a young-man-in-a-hurry in the post-Civil War New York legal community, who through a combination of skill and adroit use of his social capital was able to rise to the top of his profession, redefining it along the way, and positioning himself for national office. Once he arrived in Washington, he displayed all the skill and knowledge he had acquired to transform the military establishment, but within paradigms determined partly by his basic assumptions and habits of power, and partly in response to the structural stimuli and limitations of the country’s changing position in the world.

Root’s early years in New York City exposed the cultural origins of much of his later power, and his status as a founding member of the American establishment made him an ideal subject for a broader analysis of the cultural roots of the elite who exerted such an inordinate influence over American defense and foreign policy during the twentieth century and the lasting impact of the institutions and conceptual structures they created. This dissertation examines

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<sup>75</sup> Pierre Bourdieu, *Sketch for a Self-Analysis* (Chicago: University of Chicago Press, 2008).

<sup>76</sup> Bourdieu, *Sketch for a Self-Analysis*, 4.



some of the critical cultural endowments that made Root's road to the War Department possible and shaped his actions there. It begins with the early social relationships he formed after he arrived in New York to begin his legal career. As was always true in Root's life, those early relationships connected him to other important institutions and influential friends, eventually creating a dense web of social, business and political relationships. The cultural affinities that created and sustained those relationships were surprisingly important to his life and legacy.

The historical convergence of culture and power revealed by studying Root's career exposes a set of five basic assumptions that informed his actions, and through his influence and legacy shaped United States defense policy. The first was a belief in the importance of preserving existing domestic hierarchies. This belief implied a specific set of values and priorities regarding how society and the world should be organized and run. The second was a desire for national greatness fuelled by a belief in the innate superiority of American civilization and faith in the destiny of the United States to lead the world. The third was a belief in the value of the nation's Anglo-American heritage and traditions as a set of standards against which the conduct of peoples and nations could be measured. This belief placed the Anglo-American race firmly atop a racial hierarchy of the world's peoples. The fourth was a belief that the conduct of states was best understood through the prism of a gendered masculinity writ large. The fifth was a faith in scientific knowledge and professional expertise, usually characterized by belief in infinite progress obtained through greater efficiency. Sometimes directly exposed, sometimes spoken almost in a code of the initiated and often acted on unconsciously, these basic assumptions not only defined the avenues of power that led Root to high office, they also influenced the reforms he initiated and formed the cultural template that influenced the basic assumptions accepted and acted on by subsequent elites. They also proved broadly compatible with basic assumptions of the most dynamic of the army's leaders, and helped Root make common cause with the reform-

minded military elites who provided most of the ideas that Root turned into reality. Finally, those shared basic assumptions formed the connection between the amorphous cultural world that produced Root and the more concrete world of policymaking.<sup>77</sup>

The world of Elihu Root threw him and his fellow elites into a vortex of global change. His life “covered a period of extraordinary development and change throughout the world,” he wrote, “a period in which consciously or unconsciously the whole world was in motion and when directing influences for good or evil were potent beyond experience.”<sup>78</sup> As the first member of the establishment elite that dominated United States national security institutions and policies for much of the twentieth century, Elihu Root’s basic assumptions fundamentally shaped the modern military establishment. The decisions and choices he made at a critical time in the transformation of the American military had ramifications that still resonate today. The web of formal and informal connections that he wove between Wall Street, Washington and the military became conduits of power. The importance of the networks Root created did not dissipate with his departure, but persisted in the institutions he built and the cultural template he created for the elite policymakers who followed his lead. Through Root’s influence, that power was deployed in ways that insured the creation of a national security state. The cultural world that produced Elihu Root and sustained his bid for wealth and upper class status had a direct impact on the American military establishment and the way in which America exercised military power. Elihu Root was a bridge between the continental power the United States once was and the world power it made itself.

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<sup>77</sup> Kristin L. Hoganson, *Fighting for American Manhood: How Gender Politics Provoked the Spanish-American and Philippine-American Wars* (New Haven, CT: Yale University Press, 1998), 3.

<sup>78</sup> James Brown Scott, *Robert Bacon: Life and Letters* (New York: Doubleday, Page & Company, 1923), ix.

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Since the structure of society limns the avenues to power, it is important to sketch the changes in the country that opened opportunities for Root, while denying them to others. Speaking in 1922, Root observed that he was “living in a different world” than the “quiet and orderly world” of his birth.<sup>79</sup> The changes that transformed the United States during Root’s lifetime, the expansions of national wealth and power that marked those years, created in many ways a new country. Historians have grappled with various ways to describe those revolutionary changes. Emphasizing the economic transformation, Alan Trachtenburg noted, “economic incorporation wrenched American society from the moorings of familiar values,” making its deepest inroads “at the level of culture, difficult for contemporaries to recognize, and baffling for historians.”<sup>80</sup> Looking principally at the country’s political transformation, David Quigley thought that, “Reconstruction, more than any other event in the nation’s past, determined just what kind of politics Americans would have.” The Reconstruction era in New York City was the center of the nation’s virtual *Second Founding*.<sup>81</sup> Wherever they looked historians found not just changes, but sweeping, profound changes.

Robert Wiebe captured the comprehensive nature of the transformation best. The America of Root’s youth was a heterogeneous mix of regions and “island communities” isolated by weak communications, differing origins and dispersed power.<sup>82</sup> Local autonomy, local elites and a general “equality of conditions” dominated life in the island communities. When Alexis de

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<sup>79</sup> “Elihu Root,” *The New Yorker*, 25.

<sup>80</sup> Alan Trachtenberg, *The Incorporation of America: Culture and Society in the Gilded Age* (New York: Hill and Wang, 1982), 7.

<sup>81</sup> David Quigley, *Second Founding: New York City, Reconstruction and the making of American Democracy* (New York: Hill and Wang, 2004), ix.

<sup>82</sup> Robert H. Wiebe, *The Search for Order, 1877-1920* (New York: Hill and Wang, 1967), xiii.

Tocqueville had visited, he thought that this equality was “the creative element” influencing almost every aspect of American life and culture.<sup>83</sup> While this equality was often contradicted by limits based on prejudices of race and gender, as well as the advantages and special privileges held by men of wealth, the system of wealth and power in America was remarkably fluid within those constraints and based largely on local conditions and governed by local elites. Wiebe described the breakdown of that society:

The health of the nineteenth-century community depended on two closely related conditions: its ability to manage the lives of its members, and the belief among its members that the community had such powers. Already by the 1870s the autonomy of the community was badly eroded. The illusion of authority, however, endured. Innumerable townsmen continued to assume that they could harness the forces of the world to the destiny of their community. That confidence, the system’s final foundation, largely disappeared during the eighties and nineties in the course of a dramatic struggle to defend the independence of the community.<sup>84</sup>

As local authority lost legitimacy in the face of changes local elites could neither predict nor control, the search for a new order opened new opportunities for people in the right place, with the right credentials and endowments, and the ambition and drive to seize the main chance. By the end of the nineteenth century, the old system of island communities and local elites was gone, replaced by a national economy and a new national government directed by national elites. Born into an island community, but rising to prominence in the country’s most important and cosmopolitan city, Root rode the crest of this wave of change in the political economy. In the death of the old America was the birth of a new world of opportunities for people like Elihu Root.

Fundamental changes in the political economy of the United States during the late

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<sup>83</sup> Alexis de Tocqueville, *Democracy in America* (New York: Perennial, 1969), 9.

<sup>84</sup> Wiebe, *The Search for Order*, xiii.

nineteenth century made the emergence of a new upper class and new national elites possible by fundamentally altering the relationships of wealth, political power and status. The engine driving these changes was the capitalist transformation of the country's economy. Three development policies provided the framework for America's rapid economic expansion. First, an unregulated national market allowed unfettered incentives for technological innovations and increased productivity. Second, adherence to the gold standard restricted the availability of capital, while insuring the protection of the interests of those with access to it from the threats of inflation or exchange rate fluctuations. Finally, tariff barriers to foreign imports provided protection for domestic industry, while underpinning the Republican Party coalition that dominated economic policy in the later half of the nineteenth century.<sup>85</sup> As the party of industrial expansion, the Republican Party was able to enlist the power of government to aid the rise of big business and protect it from the eventual assault against it by the people dispossessed by its success. Each of these three policies would also work directly to Root's benefit. As a railroad lawyer, the national market took him across the country while making him rich, the tight monetary policies insured that his wealth granted him entry into a relatively small elite, and the policies that kept the Republican party in power eventually opened the doors of national office.

This economic explosion, centered in the industrial North, dramatically changed the country's business structure. Even before the corporate form of ownership assumed dominance in American business, the entrepreneurial enterprises that were the first to integrate large-scale mass production with mass distribution developed a new class of salaried employees. These employees were needed to administer the new production and distribution processes, as well as

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<sup>85</sup> Richard Franklin Bense, *The Political Economy of American Industrialization, 1877-1900* (New York: Cambridge University Press, 2000), 510-511.

to coordinate the flow of goods that had been largely controlled in the past by market forces.<sup>86</sup> As managers became more professional, the management of business became separated from ownership. A new class of technically proficient, white-collar managers was being created that valued efficiency above all else, but it would be well into the twentieth century before the management-directed corporation dominated the American economy.<sup>87</sup> Finding and promoting good managers was already becoming an owners' most important task, but the large business owners of the nineteenth century were not yet ready to devolve full control or long-term planning to corporate management.<sup>88</sup> In the meantime, the great titans of business and finance still dominated the heights of the new economy, supported by an ambitious and much larger class of rising corporate managers.<sup>89</sup> For the balance of Root's active professional life, his relationships with the old titans would mark his progress in life, but that progress would be supported by a rising managerial class with abounding faith in progress through scientific efficiency.

When Root elected to leave his familiar surroundings in upstate New York and pursue his ambitions in New York City, he placed himself in the most likely spot in the nation to make important connections. The rise of big business created unprecedented opportunities for the accumulation of great wealth in the hands of a few. Ruthless and able businessmen such as Andrew Carnegie and John D. Rockefeller took advantage of the new economic conditions and amassed wealth on a scale never before seen in America. This concentration of big money soon gave birth to a new upper class in society defined almost entirely by wealth. This class was

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<sup>86</sup> Alfred D. Chandler, Jr., *The Visible Hand: The Managerial Revolution in American Business*, (Cambridge, MA: Harvard University Press, 1977), 381.

<sup>87</sup> Chandler, *The Visible Hand*, 482.

<sup>88</sup> Chandler, *The Visible Hand*, 411-414.

<sup>89</sup> Alan Dawley, "The Abortive Rule of Big Money," 152; Chandler, *The Visible Hand*, 491.

distinctly different from the model of aristocracy that to a great extent still prevailed in Europe. This was an upper class fashioned out of a capitalist middle class whose power was derived “from the ownership of capital rather than birthright, status or kinship.”<sup>90</sup> This relatively small, homogeneous group overcame their distinct ante-bellum identities and formed a self-conscious upper class of the wealthy. Having once formed separate communities based on their different kinds of capital, these merchants, industrialists, bankers, real estate developers and professionals came together in the late nineteenth century and forged dense social networks and institutions that collectively expressed a coherent view of the world and their rightful place at its head. The powerful fulcrum of this transformation was New York City. As Sven Beckert observed, “nowhere else in the world did an economic elite emerge as powerful as that of New York City.” They “dominated the nation’s trade, production, and finance and served as the gatekeeper of America’s most important outpost in the Atlantic economy.”<sup>91</sup>

The role of finance in the consolidation of corporate capitalism was an essential element in the formation of this new wealthy class. Marrying finance capitalism to industrial capitalism united the interests of the wealthy in the furtherance of one economic system. While individual ambitions and interests might collide, there was no argument among the wealthy as to the necessity of furthering the growth of the finance economy against all competitors. As wealthy businessmen and financiers made common cause and centralized their business, political and social lives, they also contributed to the rise of Wall Street as the nation’s dominant financial capital. The centralization of finance on Wall Street had another important impact. Cities that had once been competing centers of economic power like Philadelphia and Boston were reduced

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<sup>90</sup> Sven Beckert, *The Monied Metropolis: New York City and the Consolidation of the American Bourgeoisie, 1850-1896*, (New York: Cambridge University Press, 2001), 6.

<sup>91</sup> Beckert, *The Monied Metropolis*, 2-4.

to subordinate status as they found themselves unable to compete with New York in the transatlantic financial marketplace. The result was not only a concentration of economic and social power in New York City, but also the emergence of a national upper class centered in the city's wealthy districts. The move of men like James B. Duke and Andrew Carnegie from the regions that produced their wealth to townhouses and offices in New York was visible evidence of this transformation. As the old regional elites bought and married into this New York-dominated class, they also spread their influence across the Atlantic in a series of business and marriage alliances that helped give the emerging class a European patina and cosmopolitan outlook.<sup>92</sup>

The increasing complexity of these relationships created new opportunities for lawyers, who were just emerging as a coherent, professional class in the 1880s.<sup>93</sup> The English visitor James Bryce commented on the power of lawyers in nineteenth-century American society: "not only as being the only class of educated men who are at once men of affairs and skilled speakers, but also because there has been no nobility or territorial aristocracy to over-shadow it ... politics have been largely in their hands, ... the leading statesmen were lawyers, and the lawyers as a whole moulded and led the public opinion of the country."<sup>94</sup> They were the first group to join the upper class without initially being owners of large amounts of capital themselves, but they were so important to the accumulation and maintenance of capital that they could not be excluded from wealthy class social networks and institutions. In turn, these lawyers reciprocated by moving ideologically and politically closer to the owners of capital they represented.<sup>95</sup> In

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<sup>92</sup> Dawley, "The Abortive Rule of Big Money," 150-154.

<sup>93</sup> Beckert, *The Monied Metropolis*, 253.

<sup>94</sup> James Bryce, *The American Commonwealth* (New York: The Macmillan Company, 1921), 267.

<sup>95</sup> Beckert, *The Monied Metropolis*, 254.



exchange for a share of the wealth and power, these lawyers merely needed to pledge their fealty to the interests of the wealthy class and direct their professional activities to that end. Eventually many of them, including Root, became independently wealthy, though never so wealthy as their richest clients.

One of the principal differences between the new American upper class and their older European counterparts was that European upper classes possessed political as well as economic and social power. Unsurprisingly, the American cousins soon developed ambitions to seize political power of their own. Not content with the mere possession of money and status, they also sought a measure of political power beyond the mere protection of their business interests. In the closing years of the nineteenth century it appeared at least possible that the economic changes that were responsible for creating a wealthy elite might also suffice to overcome inherent democratic limitations and permit the formation of a ruling class. As big businesses merged into bigger ones, becoming trusts and monopolies that overcame market limitations on their power, they swept into their orbit not only greater wealth and influence, but whole new segments of the economy such as banking and law. When J. Pierpont Morgan purchased Carnegie's steel interests and formed the United States Steel Corporation, he not only made Carnegie the richest man in the world, he also created the world's first billion-dollar company and demonstrated the new power of finance, particularly transatlantic finance, to control and manipulate wealth and power. If this economic and social power could be leveraged into political power, the wealthy class could in fact become a ruling class.

This bid for elite dominance was not a uniquely American initiative. Its inspiration could be found in Europe, particularly in the aristocratic democracy of Great Britain. It reflected the tendency of elites across the globe to strengthen the state and centralize power in response to the pressures and opportunities of global capitalism. A new drive to define and propagate a

sense of national identity and destiny was part of this global response to economic change and a heightened awareness of previously distant threats. While this bid for elite dominance was unexceptional in its nature, America's relative security, growing wealth and self-confidence made it exceptional in its impact.<sup>96</sup> An American ruling class would sit astride a colossus of power and potential. Even ruling class dominance of a few key institutions of government and the economy could reap untold benefits and have ripple effects into the global world. If the temptation could not have been more typical, the stakes could not have been much higher.

From the end of the nineteenth century until the Great Depression, upper class elites worked to create new institutions and dominate old ones.<sup>97</sup> Even as America's wealthy class pursued broad political power in the manner of a European aristocracy, their project was hamstrung from the start by a lack of recognized legitimacy. Unlike the European ruling classes, who could count on hundreds of years of inherited power, tradition and deference as well as wealth to sustain their claims to legitimacy, the American elites were never able to successfully convince their fellow citizens of the legitimacy of their claims. The very economic dynamism that made them wealthy proved their undoing. The competition between different sectors of business never completely disappeared, while new technologies kept creating new industries and a steady stream of eager new aspirants at the wealthy class door. An unregulated world of limited government encouraged not only creative capitalism, but also Joseph Schumpeter's "creative destruction." The unremitting cycle of booms and panics, the sometimes violent struggle between capital and labor, and the recurring efforts of political and social reformers meant that while the wealthy could seize an inordinate share of power, they could never fully consolidate

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<sup>96</sup> Michael H. Hunt, *The American Ascendancy: How the United States Gained & Wielded Global Dominance* (Chapel Hill: The University of North Carolina Press, 2007), 43.

<sup>97</sup> Dawley, "The Abortive Rule of Big Money," 156.

their position.<sup>98</sup>

Only in the government institutions that directed foreign and defense policy was the wealthy class able to sustain a stable beachhead. As Beard and Williams concluded years ago, expanding American markets and the area of political freedom were projects created by and for the wealthy class who benefited most from the resulting commerce that ultimately maintained their perch atop American society. And as Bacevich recently reminded us, it was during times of peace when the attention of most Americans was directed inward, that the consequential issues of war and peace were ultimately framed and sometimes decided. It was during those critical times when the interests of the wealthy class were converted into the national interests. The country's rapid industrialization under business-friendly conditions, the development of a powerful American nationalism in the face of large-scale immigration, and the ability of war and the threat of war to frustrate dissent were all factors that insulated policymaking from democratic checks and balances. Times of war and national emergency were less occasions for making policy as they were occasions for exposing it. The war with Spain had exposed the deficiencies of the American military establishment as compared to those of the dominant European powers and part of Root's task in creating a structure for the country's new empire was to give it an imperial military establishment. Whether they were called "wise men," "icons of the American establishment," or just the friends of Root, Stimson and McCloy — the wealthy elites who wielded an inordinate influence over the institutions, policies and ethos of the foreign and defense establishments during much of the twentieth century constituted the successful remnant of an earlier attempt to create a ruling class in the United States.

This ruling elite saw itself constituting the best people who had emerged from a social

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<sup>98</sup> Dawley, "The Abortive Rule of Big Money," 161-166.

order based primarily on merit and achievement. The social relationships, business connections and private institutions that marked waypoints in their ascendancy were each checkpoints verifying their right to belong to the elite and authorizing their ascent to the next level of power and influence. That order had defining characteristics to which virtually all of them subscribed. Among others things, it rewarded pragmatism, valued traditional institutions and conservative values, and venerated a form of democracy that respected the rights of property as paramount and the superior right of the educated and wealthy to rule. Denying the existence of class while erecting new barriers to those outside their private world, they also professed to be defenders of the social order just at the time they were also the prime movers in the most significant transformation since the nation's inception. The concept of a new tradition may seem an oxymoron, but these products and beneficiaries of a national transformation of society and political economy never saw the contradiction. Agents of change, they nonetheless understood that change to be taking place along lines established on traditional foundations. There was no better place to observe that transformation underway than New York City, and no better time to see its origins than the years immediately following the Civil War, when Root first arrived in the city to make his fortune. It was there that "the first deep impressions of the lad coming fresh from the country were made," and when he began to assemble, "the sacred associations that came to us in the flush of young manhood."<sup>99</sup>

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<sup>99</sup> Elihu Root, *Miscellaneous Addresses*, ed. Robert Bacon and James Brown Scott (Cambridge, MA: Harvard University Press, 1917), 135 and 217.

## Chapter One

### Root and New York

New York City was the economic center of the nation and a pillar of the transatlantic world when Root arrived during a warm week in September 1865.<sup>100</sup> There was no better place in America for a young man with ambition. To the English observer Anthony Trollope, the city seemed the very epitome of the United States. “In no other city that I have seen,” he recorded, “are there such strong and ever-visible characteristics of the social and political bearings of the nation to which it belongs.” The city’s inhabitants seemed fixated on money. “Every man worships the dollar, and is down before his shrine from morning to night.”<sup>101</sup> Not surprisingly in a culture so devoted to material gain, Trollope found New York a favorable environ for sharp-minded men. The New Yorker, he thought, “is quicker, more universally intelligent, more ambitious of general knowledge, less indulgent of stupidity and ignorance in others, harder, sharper, brighter with the surface brightness of steel, than is an Englishman. ... The mind of the Englishman has more imagination, but that of the American more incision.”<sup>102</sup> Trollope could not help but admire the energy and productivity that drove the city and eventually the country. “The progress of the Americans has been caused by their aptitude for money-making, and that continual kneeling at the shrine of the coined goddess has carried them across from New York to San Francisco. Men who kneel at that shrine are called on to have ready wits, and quick

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<sup>100</sup> Grace Cogswell Root, *Fathers and Sons (1924-1937)*, (unpublished Root family manuscript printed in Clinton, Oneida County, New York, 1971 and located in the Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.), 81.

<sup>101</sup> Anthony Trollope, *North America*, (New York, Alfred A. Knopf, 1951), 191.

<sup>102</sup> Trollope, *North America*, 203.

hands, and not a little aptitude for self-denial. The New Yorker has been true to his dollar, because his dollar has been true to him.”<sup>103</sup>

This was the environment whose competitive fires shaped Root’s young adulthood. From the distance of a hundred years, the novelist Louis Auchincloss called New York society in the 1860s, “a serene ordered hierarchy, as honest as it was unadventurous, as loyal as it was unambitious, living on its rent rolls with only a mild ostentation and hardly dreaming of the advent of the “lords of Pittsburg” who were to turn its brownstones into houses of mirth.”<sup>104</sup> This was not the New York that greeted the young Root. His was Trollope’s New York, the city of the coined goddess and the sharp-minded men. Root’s entry into society came later, and only after he had found the path and proved himself to society’s guardians. Trollope found it remarkable that the railways leading into New York were “continued into the center of the town through the streets, . . .not dragged through the city by locomotive engines, but by horses.”<sup>105</sup> That mode of entry into the city made an impression on Root as well. He recalled that when he first went to the city, he “ferried across the river at Albany to get on the Harlem or Manhattan Island R.R. The Harlem dropped its engines at 42<sup>nd</sup> Street but we were pulled by horses down to 26<sup>th</sup> Street and 4<sup>th</sup> Avenue,” near the old Madison Square Garden.<sup>106</sup> After leaving the station, he went to the Astor House for his first dinner in the city.<sup>107</sup> That dinner marked a watershed between the provincial world of Root’s youth and the more cosmopolitan world he was about to enter. A railroad car towed into the city by horses was an apt metaphor for the arrival of a future

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<sup>103</sup> Trollope, *North America*, 193.

<sup>104</sup> Louis Auchincloss, *The Edith Wharton Reader* (New York: Charles Scribner’s Sons, 1965), ix.

<sup>105</sup> Trollope, *North America*, 217.

<sup>106</sup> Grace Cogswell Root, *Fathers and Sons*, 16 and 81.

<sup>107</sup> Grace Cogswell Root, *Fathers and Sons*, 80 and 81.

railroad lawyer fresh from the countryside, but he already possessed many of the advantages that smoothed his path and shaped his basic assumptions.

Like his father, Root graduated valedictorian of his college class, but by his own estimation he was “a mushy, unindividual boy” while at Hamilton. A year of teaching at Utica helped him to mature and gain the confidence to venture his ambitions in New York City.<sup>108</sup> Root made the trip with his older brother Oren, Jr. Their brother Wally was just returning from two years of studying chemistry in Germany, and together the three brothers hoped to get Wally a teaching position and enroll Elihu in law school. Though the younger of the brothers, Elihu went to Columbia University and obtained a position at the Columbia School of Mines for Wally based on their father’s connections and Wally’s German education. Root was brimming with pride over his success and remembered his eagerness to share the news with Wally as soon as his ship arrived, but Root’s youthful advocacy meant much less than the strength of the privileges at his disposal.<sup>109</sup> His father’s academic connections and Wally’s years in Germany indicated something of the depth of social capital in the Root family. Once he established himself in New York, his horizons were never again confined to the small academic community surrounding Hamilton College, but that limited world was more cosmopolitan than most provincial outposts, and the advantages of his family and Hamilton College connections followed him to the city and made his initial success there possible. The son of a stern, quiet college professor who never swore, fondled mineral specimens “as if [they] were some living thing,” and entertained his friends with mathematical puzzles, Root’s childhood home was not a natural incubator for “the

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<sup>108</sup> Grace Cogswell Root, “Four Brothers,” Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C. Grace Cogswell Root, Elihu Root’s daughter-in-law, evidently made a start on a Root family history that was never published. A copy of several sections of her work is in the Philip Jessup papers, along with his notes and other Root papers.

<sup>109</sup> Grace Cogswell Root, “Four Brothers,” Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

lawyer militant,” as the *New York Times* would later describe him on his appointment to the War Department.<sup>110</sup> Yet the social and cultural legacy bequeathed to Elihu Root proved sufficient to ground a career strikingly different and more successful than would have been possible without it. Utilizing family, economic and social connections, Root invested his social capital skillfully and maximized the advantages of his birth. Those advantages were the foundations of his success, and helped shape his basic assumptions about the world.

The influences of Root’s childhood home were far more likely to produce a scholar than a lawyer. His father Oren Root, known as “Cube” to the college community, was a mathematics professor at Hamilton College in upstate New York. Root was only five years old when his family moved to the small college town of Clinton and his father began what would be a thirty-five year career at Hamilton.<sup>111</sup> A modestly brilliant man “who scorned the arts of popularity,” his father dominated the family home — “He was the stronger character” in the family, Root recalled.<sup>112</sup> To Root’s puritanical mother he was “the law and Prophets,” though he “hardly ever reprimanded — it was not necessary for you felt it without being said.”<sup>113</sup> Though he was descended from a generally undistinguished line of New England farmers, “always in contact with the Indians, with hardship and the primitive struggle against the wilderness,” his father’s stern authority was matched by a love of learning and culture. Root recalled that his father’s family had been “absorbed by the exigencies of that hard life and [lost] every tradition of culture

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<sup>110</sup> Grace Cogswell Root, *Fathers and Sons*, 3.

<sup>111</sup> Phillip Jessup, *Elihu Root* (New York: Dodd, Meade & Company, 1938), 215. In writing his biography of Elihu Root, Jessup relied in part on Grace Cogswell Root’s notes, notes of his own conversations with Root, and access to the family papers. Some of this he attributes in his book, some he does not. (See note on page 5.) After the book was published, the Root papers were donated to the Library of Congress, but without much of the material, especially from Root’s early years, that Jessup relied on for his book. Much of this material was later included in the donation of Jessup’s papers to the Library of Congress and is cataloged there. In addition to using some of the material in the Jessup papers that was not cited by him in his published work, I have tried wherever possible to verify the material he did use in that portion the Jessup papers that should properly be in the Root papers.

<sup>112</sup> Grace Cogswell Root, *Fathers and Sons*, 28-29.

<sup>113</sup> Grace Cogswell Root, *Fathers and Sons*, 2-4.



and learning ... all at once, without any obvious reason, it had flamed up in Cube, a sort of thirst for learning and love for beautiful things.”<sup>114</sup>

Oren Root entered Hamilton College as a senior after preparing at private academies and graduated as valedictorian the next year. He remained at Hamilton for the next four years as tutor, registrar and librarian.<sup>115</sup> During that time he met Asa Gray, the famous botanist who became Charles Darwin’s friend and chief American advocate, and who argued in his book *Darwiniana* for the reconcilability of Darwin’s theory of evolution with Protestant Christianity.<sup>116</sup> In addition to teaching together at Hamilton, both were students of James Hadley, another prominent scientist whose grandson became president of Yale University.<sup>117</sup> The love of science and nature that relationships such as these inspired stayed with him all his life and was later transmitted to his son Elihu. It was reflected in a lifelong fascination with the natural environment that drew on a transatlantic dialog between scientists and scholars. Inspired by his naturalist friends, Oren Root collected mineral specimens from across upstate New York and exchanged them across the United States and Europe. During the years he taught at Seneca Falls, he sent boxes of specimens down the Erie Canal to New York and on across the Atlantic, from whence boxes of European specimens were sent from Le Havre to make the return trip. Elihu Root retained vivid memories of the excitement caused in the Root household by the arrival of those boxes containing minerals from the Alps, the Pyrenees, the Urals and the Black Forest. Oren, Jr. later wrote how, “One correspondent, Mr. Letsome, then British Minister to

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<sup>114</sup> Grace Cogswell Root, *Fathers and Sons*, 14.

<sup>115</sup> Elihu Root, *Miscellaneous Addresses*, ed. Robert Bacon and James Brown Scott (Cambridge, MA: Harvard University Press, 1917), 23.

<sup>116</sup> Grace Cogswell Root, “Four Brothers,” Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>117</sup> Jessup, *Elihu Root*, 6-7.

Spain, always put in a package for Mrs. Root who vied with her husband in enthusiasm.”<sup>118</sup> “I remember how wild my mother used to get when my father wouldn’t immediately open the package containing exchanges of geologic specimens which he received from all over the world,” Root recalled, “He wouldn’t open them until he had time to take care of them.”<sup>119</sup> The collection was so valuable that when Oren Root returned permanently to Hamilton, the college paid four thousand dollars for the collection at a time when the annual salary of a professor was only one thousand dollars a year. Several hundred of his specimens were even exhibited at the Crystal Palace in London as part of the Great Exhibition of 1851.<sup>120</sup>

When the Smithsonian began to set up weather stations around the country, Root’s father was paid fifty dollars a year to operate a station at the college. When the payments stopped during the Civil War, he continued running the station anyway. Root took great pride in being asked to keep the records when his father was away.<sup>121</sup> His father also acquired a passion for transplanting and growing native and exotic plants. He created a garden around the family home, known as the Homestead, and encouraged plantings around the adjacent college grounds. Like his mineral trading, that interest was also fuelled by transatlantic ideas. Part of his garden, which included a tree named “Mother Britannia,” was grown from seeds brought back from Europe by college friends, and in 1853 he took up “the thought of the new school of landscape gardening [that] was a reaction to the French and Italian school of straight lines.”<sup>122</sup> Those early transatlantic connections came full circle with Root years later. “I went to Vienna and saw in some of the cases in the Museum there geological specimens that I had seen my father handling

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<sup>118</sup> Oren Root, Jr., *Hamilton Literary Magazine*, June 1903, 18; also quoted in Phillip Jessup, *Elibu Root*, 12.

<sup>119</sup> Grace Cogswell Root, *Fathers and Sons*, 115.

<sup>120</sup> Jessup, *Elibu Root*, 12 and 15.

<sup>121</sup> Grace Cogswell Root, *Fathers and Sons*, no page number.

<sup>122</sup> Grace Cogswell Root, *Fathers and Sons*, 10-12.

at our house in Clinton,” he recalled, “I knew he exchanged specimens but I did not know I would find any at Vienna.”<sup>123</sup> He sentimentally remembered that one strikingly marked slab of meteorite, “seemed like an old friend.”<sup>124</sup> Those mineral specimens that first fell under Root’s gaze as a small child in Clinton and then as a successful lawyer visiting Vienna were evidence that Hamilton College was a small, but not insignificant part of the Atlantic world.

Two different views of Clinton illustrated the contrasting elements in Root’s background, the clash between the provincial and the cosmopolitan that finally merged in the mature man.

“One, a boyhood memory, of the dull, sleepy village at the foot of College Hill. ‘A white wooden church stood on the treeless village green. Cows ruminated in its shade or cropped the scanty herbage around it. Pigs wandered in unrestrained freedom where their fancy called them — when it was dry rolling in the dusty road, when it was wet bathing in the grateful mud.’ The other, by the middle-aged historian of Oneida County, was an appraisal of Clinton as ‘the literary and scientific emporium of Central New York.’”<sup>125</sup>

Root’s values and beliefs were indelibly marked by both the simplicity of rural Clinton and the educational community that centered on Hamilton College. His exposure to science and art as a boy exceeded that of most of his contemporaries, but more importantly it allowed him to develop the ability to apprehend the meaning of cultural artifacts and invest that knowledge for social gain, skills he displayed after he arrived in New York to begin his legal career. As he gazed on his father’s mineral sample in a Viennese display case, he was completing a cultural circle that began in his boyhood. His early exposure to the transatlantic world widened his horizons beyond the provincial, and eventually allowed him assume a comfortable place among the transatlantic elite. Finally, the belief that his membership in the Anglo-American race placed him

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<sup>123</sup> Grace Cogswell Root, *Fathers and Sons*, 4.

<sup>124</sup> Grace Cogswell Root, *Fathers and Sons*, 115.

<sup>125</sup> Grace Cogswell Root, “Four Brothers,” Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

at the top of a hierarchy of civilized people and in privileged relationship to members of other races was formed in his family's keen awareness of their descent from the Puritan migration and under the influence of that cultural folkway. He eventually found the basis for his nationalism and his belief in America's unique destiny grounded in the Puritan mythology. That complex cultural inheritance played a critical role in creating the basic assumptions that he trusted in adulthood, formed the foundation for his eventual success as a corporate lawyer in New York City, made it possible for him to enter the New York upper class, and shaped his actions in public life. In substantial ways, it substituted for the monetary inheritance his family lacked.

Speaking at the centenary of Hamilton College in 1912, Root painted a picture of the professors among whom he spent his childhood:

“These professors were poor as the world goes, but they had a wealth that money cannot create. They loved their subjects and were happy in their work. They rejoiced in the exercise of their powers. They were content with simple pleasures. They filled the atmosphere about them with an enthusiasm for learning and literature. They sought for truth as one strives in a game. They never talked or thought about money or investments or profits. They took little heed of all those things for which men are striving and wearing out their lives in the market places of a materialistic civilization.”<sup>126</sup>

While the balance of Root's life would be spent in the nation's chief marketplace defending that materialistic civilization, his remarks should not be dismissed as merely romanticizing the days of his youth. While Root's career was marked by a determined ambition for money and influence, his reputation reflected a disinterested objectivity. His worldly success owed much to his ability and ambition, but his influence depended greatly on the reputation he shaped in the image of those simple Hamilton professors. On his appointment to the War Department, one magazine

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<sup>126</sup> Elihu Root, *Miscellaneous Addresses*, 43.

wrote, “He had the fine bringing up of a son of that noble type of American gentleman, the old fashioned college professor, and shows it in what he says and does.”<sup>127</sup>

It would be hard to overestimate the impact of Root’s family background and cultural milieu. Root himself clearly recognized their importance, in his actions as well as his words. His regard for the world of his boyhood was always more than rhetorical. After he established himself as a lawyer in New York, Root did what he could to pass on this inheritance to his children, especially his sons. Years before he became a public figure, he purchased a home in Clinton near the college. As he later recalled, “I got it because I wanted the College and Clinton to mean something in the lives of my boys. And that I knew was only possible by taking them to live there.”<sup>128</sup> Root maintained a summerhouse in more fashionable Southampton principally to be near his wife’s parents, but after their death he spent most of his summers in Clinton.<sup>129</sup> These summers became even more important to him after his wife died and his mind turned more and more back to his family and childhood.<sup>130</sup> This was the landscape Root returned to in his retirement, and in his declining years he walked the grounds of his old college and his boyhood home. On his return, he exercised his mind by recalling the botanical names of all the trees he had passed on his walk, much as his father in his last years relearned an old Indian vocabulary he had created as a child.<sup>131</sup> While Root clearly rejected that intellectual simplicity for his own life, his early cultural immersion served to emphasize the value of science and art. He

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<sup>127</sup> “The New Secretary of War,” *The American Monthly Review of Reviews*, Vol. XX, No. 3, September 1899, 289.

<sup>128</sup> Grace Cogswell Root, *Fathers and Sons*, 10.

<sup>129</sup> Jessup, *Elibu Root*, 500.

<sup>130</sup> Jessup, *Elibu Root*, 496.

<sup>131</sup> Grace Cogswell Root, “Four Brothers,” Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

deployed that cultural knowledge to advantage and returned to it as a mental and physical touchstone all his life.

When Root looked back on his career, he thought that the love of science and art his father bequeathed him had played a significant role in his success. On a brisk fall day in 1930, with his public life behind him and an open fire burning cheerfully in the study of his apartment at 998 Fifth Avenue, Root reflected on that inheritance:

“There is a strain of influence and interest in my life which has worked along rather oddly in relation to scientific matters and quite another in relation to art matters, — things quite outside my rut of law, politics and government. Of course I grew up in table talk which came naturally from the scientific department of a college. ... So I had a subconscious attitude towards science of its being the most important thing in life. That continued when I came to New York. ... When [my brother] Wally came back from his year in Heidelberg and a year in Berlin, we lived together. That threw me in with the scientific fellows at the Columbia School of Mines. Many of his friends from the German universities gathered there.

It has been a very important influence in my life — all those things. Putting together all those outside things kept pulling me out of a rut — they were fascinating things. ...

It has played a pretty large part in my life in the last forty years — in the last thirty years especially. It is rather essential to understanding what I am.”<sup>132</sup>

Root’s appreciation for art resonated throughout his life as cultural capital that he built and invested. His position among the New York elite depended in part on his ability to participate in their cultural discourse, and on his ability to fill leadership positions in the various cultural groups in the city. Equally important was his interest in science and his early-formed belief that it was “the most important thing in life.” As he grew into a powerful lawyer, a counselor to corporations and an international statesman, that fundamental belief in the importance of science informed and shaped his attitudes and actions. He eventually came to regard law as something of a science, to judge business purely by standards of scientific efficiency, and to

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<sup>132</sup> Elihu Root to Philip C. Jessup, quoted in Phillip Jessup, *Elihu Root*, 278-280.

judge human achievement through the perverted science of Social Darwinism. His appreciation of culture opened doors for him, while consciously or not, he approached each of the problems he faced in life with what he understood to be the scientific values of his father.

Root always looked at Clinton as his refuge and his inspiration. When asked by John A. Sleicher, the editor of *Leslie's Magazine*, to write an article about the recently concluded legislative session, then-Senator Root replied from Clinton, "It was tedious and disgusting enough to be kept in Washington until the 6<sup>th</sup> of August by the Tariff bill without adding the burden of writing articles about it afterwards. Wild horses and teams of oxen could not draw me into writing such an article about the Corporation tax as you propose. I am building a new barn, which is much more interesting."<sup>133</sup> As president of the New York state constitutional convention in 1915, Root was a forceful advocate for ballot reform as a means of diminishing the power of special interests. At the end of his penultimate speech against what was then called "Invisible Government," Root concluded:

"Mr. Chairman, there is a plain old house in the Oneida Hills, overlooking the valley of the Mohawk, where truth and honor dwelt in my youth. When I go back, as I am about to go, to spend my declining years, I mean to go with the feeling that I have not failed to speak and to act here in accordance with the lessons I learned there from the God of my fathers. God grant that this opportunity for service to our country and our state may not be neglected by any of the men for whom I feel so deep a friendship in this convention."<sup>134</sup>

Henry Stimson quoted these lines in his eulogy of Root and referred to them as an expression of Root's creed. At the center was always the touchstone of his family and cultural heritage. "His

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<sup>133</sup> Quoted in Phillip Jessup, *Elihu Root*, 231.

<sup>134</sup> Elihu Root, *Addresses on Citizenship and Government*, ed. Robert Bacon and James Brown Scott (Cambridge, MA: Harvard University Press, 1917), 206.

heart always remained loyal to the home and the surroundings from which he had sprung,” Stimson wrote, “and these were the influences which inspired and dominated his character.”<sup>135</sup>

Root’s family lineage was always important to him, personally and professionally, but he always thought that the Root line was generally undistinguished and uninteresting.<sup>136</sup> On the other hand, he often told the story of his mother’s family. “My maternal grandfather, with whom I passed much time as a child,” Root wrote to the historian Sir George Otto Trevelyan in 1915, “was the son of the man who commanded the Americans in the fight at Concord Bridge on the nineteenth of April, 1775.” John Buttrick fought at Bunker Hill and Saratoga as well, and was mentioned in histories as one of Washington’s officers.<sup>137</sup> “A hundred memories of the struggle,” Root recalled, “took the place of fairy tales in the dim memories of my childhood, surrounded by a multitude of opinions and feelings.”<sup>138</sup> His mother’s opinions were especially strong. As she began to tell some of the old stories of her family in the Revolution to one of her grandchildren, “she could not go on because it made her feel too sad.”<sup>139</sup> There were also tales of his ancestors who had fought in King Phillip’s War and the Great Swamp Fight. His memories of those stories linked Root in a powerful way to his New England and Revolutionary forbearers. That link still seemed very close to people of Root’s generation. He later became friends with Alexander Hamilton’s son James C. Hamilton, and recalled a story he had shared. “I remember his telling me once of going to a New Year’s Day reception with his mother at some

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<sup>135</sup> Henry L. Stimson, *Elihu Root, President of the Century Association, 1918-1927: Addresses Made in His Honor*, (New York, Private Printing, 1937), 36-37.

<sup>136</sup> Elihu Root to Carpenter, 18 April 1906, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>137</sup> Grace Cogswell Root, “Four Brothers,” Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.; Grace Cogswell Root, *Fathers and Sons*, no page number.

<sup>138</sup> Elihu Root to George Otto Trevelyan, 5 March 1915, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.; Phillip Jessup, *Elihu Root*, 3.

<sup>139</sup> Grace Cogswell Root, “Four Brothers,” Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.



Dutch dame's in New York, " Root recalled, "A man came in and went to the sideboard for a glass of sherry. Madame Hamilton was standing nearby. He saw her. He poured out a glass and offered it to her. She drew herself up and said: 'Sir, I am the widow of Alexander Hamilton.' 'Madame,' he replied, 'I retire.' And so saying, Aaron Burr left the room. That makes it all seem rather near, doesn't it?"<sup>140</sup> The nearness of the nation's founding generation and colonial past connected Root directly to the cultural milieu of the early Republic.

Though born into a family lacking wealth or power, Root possessed the essential background for a successful rise in nineteenth-century New York society. Perhaps the most important aspect of that inheritance was the family's Anglo-American cultural background. The Root family traced its origins in America to English Puritans who arrived in 1639 and eventually settled in Farmington, Connecticut. They were part of the first great wave of immigrants to British North America who arrived in Massachusetts Bay between 1630 and 1641, and substantially peopled New England. As the generations grew, they slowly moved westward with the New England frontier, "intermarrying with other solid English strains." Like an early American Goldilocks, they "found Albany too Dutch for their taste and the Mohawk Valley too German," finally settling near Clinton in central upstate New York.<sup>141</sup> The Roots were mostly farmers who "left a record of substantial but not distinguished citizenship."<sup>142</sup> However, the cultural beliefs and practices these English settlers brought with them, modified by their experiences and the environment of North America, created a lasting and powerful cultural

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<sup>140</sup> Grace Cogswell Root, *Fathers and Sons*, 102-103.

<sup>141</sup> Grace Cogswell Root, "Four Brothers," Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>142</sup> Jessup, *Elihu Root*, 3.

legacy that Root embraced. It was a legacy that he considered important not only in his own life, but in the life of the country.<sup>143</sup>

Root later recalled that the children of his father's generation were "reared in customs, prejudices and manners of thought just as if their ancestors had never left Northamptonshire." In the Root family mythology, their simple farming world seemed as much English as American: "their sheep meant their clothes and their flax meant their shirts."<sup>144</sup> A son's time belonged to his father until he was twenty-one just as it had in England, which is why Root's father had to work out his time on his father's farm before devoting himself full-time to his academic ambitions.<sup>145</sup> Even the games they played were the "rough sports such as one reads of in stories of English life in country towns."<sup>146</sup> Root and his generation were in turn given a "New England bringing-up," in the words of Root's daughter-in-law Grace Cogswell Root, a heritage blending the culture of the old English world with the environment of the new. "The houses they built, the furniture they brought on their ox carts, the place names they gave were of New England and not New York tradition. ...By unremitting labor they had everything they needed except money."<sup>147</sup> When referring to his family heritage, Root called himself "the son of a Yankee from Massachusetts."<sup>148</sup>

"The people of the town forty-five or fifty years ago were almost a pure New England community," Root wrote from his War Department office in 1902. He then went on to describe what he meant by that, "They were an honest, industrious, God-fearing people, self-respecting,

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<sup>143</sup> James Brown Scott, *Robert Bacon: Life and Letters* (New York: Doubleday, Page & Company, 1923), ix.

<sup>144</sup> Grace Cogswell Root, *Fathers and Sons*, 17.

<sup>145</sup> Grace Cogswell Root, *Fathers and Sons*, 17.

<sup>146</sup> Grace Cogswell Root, *Fathers and Sons*, 3.

<sup>147</sup> Grace Cogswell Root, "Four Brothers," Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>148</sup> Elihu Root, *Miscellaneous Addresses*, 85.

independent, eager for education, and patriotic.”<sup>149</sup> The dominance of New England culture in Clinton continued until the day he left home. “Clinton and its surroundings were pure New England when I went to New York,” Root recalled years later.<sup>150</sup> “To this day,” Grace Cogswell Root wrote in the 1930s, “it is difficult to find a family long established in the countryside who does not trace back to a Connecticut farmer or a Massachusetts sea captain.”<sup>151</sup> His mother spent every Saturday cooking the “mince and apple pies and cold baked beans” that were the central features of their Sunday dinners.<sup>152</sup> Like everything in Root’s childhood environment, those meals reflected the mix of English and American cultural roots that not only shaped his upbringing as a child, but also formed in the mature man an Anglo-American worldview. He saw himself descended from adventurous English settlers, always seeking new opportunities and infused with the same spirit as the men who created the British empire of his day.<sup>153</sup> When Root finally took over direction of the American empire in 1899, he naturally saw it as an extension and improvement of the British one.

David Hackett Fischer argued that the legacy of four British “folkways” brought to America during the long years of British colonization became “the most powerful determinant” shaping United States society.<sup>154</sup> He defined “folkway” as “the normative structure of values,

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<sup>149</sup> Elihu Root to A. G. Benedict, 10 July 1902, Box 178, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>150</sup> Interview with Phillip Jessup, 17 September 1931, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.; see Pomroy Jones, *Annals and Recollections of Oneida County* (Rome, NY: published by the author, 1851), 180.

<sup>151</sup> Grace Cogswell Root, “Four Brothers,” Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>152</sup> Grace Cogswell Root, *Fathers and Sons*, 4.

<sup>153</sup> Interview with Phillip Jessup, 17 September 1931, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>154</sup> David Hackett Fischer, *Albion’s Seed: Four British Folkways in America*, (New York: Oxford University Press, 1989), 6-7. Fischer’s book has at times attracted scathing criticism for its sweeping claims of British cultural dominance over American development. See for example Darrett B. Rutman’s review in *The American Historical Review*, Vol. 96, No. 1 (Feb., 1991), pp. 254-255. But as Jack P. Greene observes, “rather than dismissing the book as elitist, scholars

customs and meanings that exist in any culture.” This social and intellectual construct was “a cultural *artifact* — the conscious instrument of human will and purpose.” Sometimes the “deliberate contrivance of a cultural elite,” it was most often reflected in the unreflective acts and prejudices that govern the daily lives of ordinary people. From customs of dress and speech, to ways of wealth and power, Fischer maintained that the four folkways brought to America by the original British colonists created the structure, the warp and woof of America’s pluralist society.<sup>155</sup> Elihu Root’s Anglo-American cultural inheritance was a product of one of those British folkways — the first great migration that brought the Puritans from England to America.

Root lived in a age when the Anglo-American identity and the American identity were one and the same thing. As Randolph Bourne observed, all other cultural identities were expected to melt into “that Anglo-Saxon tradition which they unquestioningly label ‘America.’”<sup>156</sup> However much later scholars have disagreed about the role of the Puritan tradition in American history, Root entertained no doubts about its formative power. Speaking about his friend Robert Bacon, Root observed that, “he received from an unbroken line of Puritan ancestors, by direct succession, the essential underlying qualities of character which have made the spirit and developing force of Puritan New England such an amazing formative power in the life of this continent.” To illustrate his point, Root related a story from when Bacon was working in the State Department. He left on the train intending to attend the Harvard-Yale boat

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would do well to recognize the utility of Fischer's emphasis upon the decisive role of elites in the creation of new immigrant cultures. One does not have to accept his theory of elite influence as an iron law to appreciate that, even if they were neither independent agents of cultural transfer nor immune from forces arising out of local conditions, those who were most strategically situated among the first arrivals in every region exerted a defining influence in the "crystallization" of colonial American cultures that far exceeded that of either their less influential companions or later arrivals.” Jack P. Greene, “Transplanting Moments: Inheritance in the Formation of Early American Culture,” *The William and Mary Quarterly*, 3rd Ser., Vol. 48, No. 2. (Apr., 1991), pp. 224-230.

<sup>155</sup> Fischer, *Albion's Seed*, 7.

<sup>156</sup> Randolph Bourne, “Trans-National America,” *The Radical Will; Selected Writings, 1911-1918*, ed. Olaf Hansen (New York: Urizen Books, 1977), 248.

racers, where he had three sons rowing for Harvard, but by the time he reached Jersey City the pull of work proved stronger than the pull of the oars. He returned to Washington on the midnight train and appeared in the office the next morning. “A conscience born in Puritan England some centuries before,” Root concluded, “had made the admired and joyous sportsman incapable of neglecting a duty for a pleasure.”<sup>157</sup>

Whatever the ultimate importance of these British folkways to the overall development of American society, this “normative structure of values, customs and meanings” created by the Puritan migration was an important part of the structure of New York’s elite society and favored the success of people like Root who were raised in its traditions. The lingering effect of that tradition also went some way to maintaining the cultural legitimacy of elite leadership. Along with having the correct qualifications of race and gender, possessing adequate social capital was integral to membership in the New York upper class. Some of the most valuable social capital in that society had its origins in the cultural milieu of Puritan New England and the perception of its unique quality.<sup>158</sup> Actually, the Puritan migration was but one part of a global migration of peoples. In Britain alone, it represented only a portion of the migrants leaving the British mainland. During the same time period, three times as many people departed for other colonies and six times as many departed for Ireland. These British migrations were just the most dramatic examples of a people already made mobile, “accustomed for generations to move geographically in search of employment, opportunity and stability.” What made the Puritan migration distinct was the role religion played in its shaping and in its elite leadership.<sup>159</sup> These characteristics

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<sup>157</sup> Elihu Root, “Robert Bacon,” *Men and Policies: Addresses by Elihu Root*, ed. Robert Bacon and James Brown Scott (Cambridge, MA: Harvard University Press, 1926), 93-95.

<sup>158</sup> Sven Beckert, *The Monied Metropolis: New York City and the Consolidation of the American Bourgeoisie, 1850-1896* (New York, Cambridge University Press, 1993), 263; E. Digby Baltzell, *The Protestant Establishment: Aristocracy and Caste in America* (New Haven: Yale University Press, 1964), 10-12.

<sup>159</sup> Bernard Bailyn, *The Peopling of British North America: An Introduction* (New York: Alfred A. Knopf, 1986), 24-26.

allowed people of Root's generation to see the Puritan migration not as part of a global movement, but as a unique event full of special meaning and purpose.

The Puritan migration was a flight from England as much as it was a movement to a new world. During the eleven years of the migration, some two hundred ships made the journey between England and Massachusetts. By 1638, at the height of the migration, one colonist was able to spot no fewer than thirteen other ships on the mid-Atlantic passage. Those ships carried a small world from England to America. The migration ended as abruptly as it had begun when the English Civil War reversed the migration and drew some of the settlers back across the Atlantic to fight for Oliver Cromwell. There was no other major migration to New England until Irish Catholics began to arrive in significant numbers almost two centuries later.<sup>160</sup> The great Puritan migration provided not only the first generation of white Americans in what would become the northeast United States, but it also established the first white cultural norms in that part of the country. They became the original Yankee population.<sup>161</sup>

Political tyranny, religious persecution and economic depression in England spurred the exodus, but the Puritan elite thought they saw opportunity as well — “we shall be as a City upon a hill. The eyes of all people are upon us. . . .we shall be made a story and a byword throughout the world,” in John Winthrop's famous phrasing. As the name implied, the New England settlements were a chance to create a newer and better England. They would not only be utopian communities for their inhabitants, but an inspiration for the reform and redemption of old England.<sup>162</sup> As ideal communities they were the only colonies in North America that required

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<sup>160</sup> Grace Cogswell Root, “Four Brothers,” Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C. The occasional references the Root family made to their Irish servants is some evidence of the relationship of the later migration to the former during Root's time.

<sup>161</sup> Fischer, *Albion's Seed*, 13-17.

<sup>162</sup> Fischer, *Albion's Seed*, 16-19.

some of their prospective colonists to submit letters of recommendation. Those who arrived and did not fit in were often banished to other colonies or back to England. The initial settlers were thus, in Fischer's words, "twice-chosen people: once by God and once by the General Court of Massachusetts."<sup>163</sup>

An elite of ninety Puritan ministers led the great migration. Root later spoke of it as a popular movement as opposed to one directed by the state, but it was a popular movement led by a well-established elite with powerful cultural legitimacy.<sup>164</sup> They were a "close-knit cultural elite, strong in their spiritual purposes, and highly respected for their intellect and character."<sup>165</sup> They were successful leaders in part because the people they led fully shared in their spiritual purposes.<sup>166</sup> More than any other ethnic migration to America, they traveled in families. From the beginning, normal family life as it would have been thought of in England was transplanted in New England, creating the world still very much alive to Root's parents. The great majority of these families represented "the sturdy middle class of England," the class of yeoman farmers, craftsmen and merchants. They were the most literate group of settlers to arrive in British North America, with literacy rates twice that even of England. Very few were of the English aristocracy, and both servants and the poor were actively discouraged; consequently, they were a largely homogeneous group of middle-class English families, highly literate and urban oriented, who shared a deep spiritual piety and sense of religious mission.<sup>167</sup> The culture that developed from this migration was dominated by an educated elite, operated on the basis of established and enforced norms of behavior and belief, and was fuelled by a religious zeal to create a new Zion

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<sup>163</sup> Fischer, *Albion's Seed*, 25.

<sup>164</sup> Elihu Root, *Miscellaneous Addresses*, 11.

<sup>165</sup> Fischer, *Albion's Seed*, 19.

<sup>166</sup> Fischer, *Albion's Seed*, 22.

<sup>167</sup> Fischer, *Albion's Seed*, 25-31.

in America.<sup>168</sup> Looking back, Root recalled that even in his childhood the Deacons of the church still dominated public life — “that was the aristocracy,” he remembered.<sup>169</sup> Along with the powerful economic ties that bound the two countries together even after the American Revolution, the old Puritan progeny retained a pride in England that was only exceeded by their pride in the United States, a country they often seemed to regard as their own creation.

The influence of that initial migration has to be considered alongside competing influences. Root remembered that he “was brought up in many of the old Indian traditions,” but compared to the dominant influence of his English ancestry, Root recalled those Indian traditions as little more than the skills of woodland scavenging, of little importance in the modern world<sup>170</sup> Root’s paternal grandfather established his farm along a creek that separated it from his brother’s farm on land they had purchased bordering an Indian reservation.<sup>171</sup> Raised in such close proximity to the tribe, Root’s father had regular contact with the native Indians. The fact that he went to considerable trouble to learn their language and that he turned to his old Indian vocabulary as a mental antidote to his declining mental capacities in later life testified to their interaction.<sup>172</sup> His lifelong hatred of dogs, fuelled by fear of the semi-wild dogs that during his boyhood lived on the reservation and sometimes attacked the family’s farm animals, also indicated the influence arising from proximity.<sup>173</sup> Hamilton College, the principal institutional center of his life, was itself built partly to educate the local Indian population. Samuel Kirkland, a

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<sup>168</sup> Fischer, *Albion’s Seed*, 18-19.

<sup>169</sup> Grace Cogswell Root, *Fathers and Sons*, 6.

<sup>170</sup> Grace Cogswell Root, *Fathers and Sons*, 111.

<sup>171</sup> Grace Cogswell Root, “Four Brothers,” Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>172</sup> Grace Cogswell Root, *Fathers and Sons*, 2-3.

<sup>173</sup> Grace Cogswell Root, *Fathers and Sons*, 17.



missionary to the Oneida tribe, founded the college in 1793 as the Hamilton Oneida Academy.<sup>174</sup> The Indians donated the land for the college, and the initial charter declared that its purpose was to educate the children of both the growing white settlements recently established nearby and the confederated tribe of Indians. That initial burst of racial egalitarianism quickly faded. “The work which they sought to do for the Indian has been of little apparent effect,” Root later wrote, “The savage tribes they fondly dreamed they could civilize have passed away.”<sup>175</sup>

The Indians had of course not “passed away,” but they had passed from the consciousness of the white population to find new life in the unconscious molding of a white American nationalism.<sup>176</sup> “He was founding an institution in a wilderness, surrounded by savages,” Root wrote of Kirkland, “The nearest approach to civilization was to be found in the rude life of the frontiersman.” As Root understood Kirkland’s mission to the Oneida, “He was no longer content to convert pagan savages into Christian savages, but was bent upon establishing an agency of civilization that should do its share towards solving the race question of his time and make peace through knowledge and understanding.” While failing to solve “the race question of his time,” the institution inculcated in its white students the values of “religion in its broadest sense and the spirit of patriotism in its highest development.”<sup>177</sup> This nationalism, developed by a settler society bent on unremitting conquest, reinforced their Englishness even as it absorbed the native cultures and peoples. In this mutated form, from his father and from his father’s college, Root absorbed the influence of the Indians and the wilderness, but largely through the mythology of the Anglo-American race nobly, yet unsuccessfully struggling to bring

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<sup>174</sup> Root, *Miscellaneous Addresses*, 23.

<sup>175</sup> Root, *Miscellaneous Addresses*, 19-20.

<sup>176</sup> Jill Lepore, *The Name of War: King Philip’s War and the Origins of American Identity* (New York: Random House, 1998), xiv.

<sup>177</sup> Elihu Root, *Miscellaneous Addresses*, 34-36.

superior civilization to the savage Indians. This cultural inheritance was an important part of his nationalism and his belief in the superiority of Anglo-American civilization, and it would eventually play an important role in how he viewed the race question of his day, the administration of the colonies captured from Spain in 1898.

The one great role he recognized for the Indians was their military importance. During the years when England struggled with France for control of North America, the Iroquois nation stood between the rivals, threatening the French and befriending the English. “Before the barrier the French built forts and trained soldiers, “ Root wrote, “behind it the English cleared the forests and built homes and cultivated fields and grew to a great multitude.” A “new people” grew behind that protection, and because their Indian allies were superior in military skill and because their colonial settlements were built by a people rather than a monarchy, the English built an empire that swept the continent. In Root’s history that was, “why from Quebec to the Pacific we speak English, follow the course of the common law, and estimate and maintain our rights according to the principles of English freedom.” What the Iroquois lacked in civilization, they possessed in “effective and enduring organization,” “warlike power” and “fidelity to the ‘covenant chain’ which bound them to our fathers.”<sup>178</sup> The traits of organizational efficiency, military capacity and loyalty that Root so admired reflected more what the Puritan progeny wished to take from the Indians than a true reflection of the complexity of their cultures. Those traits were not the inheritance the Indians offered the Anglo-American settlers, they were the traits those settlers admired because of their usefulness for empire building.

Examining the role of social and cultural forces in colonial British North America, Jack P. Greene concluded that the “massive increase in colonial social and human capital” during the

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<sup>178</sup> Root, *Miscellaneous Addresses*, 14-15.

colonial period “fostered the emergence of a European-style civil society” characterized by “voluntary associations, separation of Church and State, federalist (as opposed to Statist) concepts, and protection of individual liberties.”<sup>179</sup> Perhaps the most important social and cultural capital they brought with them was “the idea of what a civil society ought to be.” This inherited standard operated as the framework for what they “conceived of ... as a massive civilizing project.”<sup>180</sup> This civilizing project “comprised the principal story that informed, connected, and gave meaning to the lives of the millions of free people who took part in it.”<sup>181</sup> In the communities thus constructed, civil society “was not ‘the scaffolding of government’ but government ‘the scaffolding of society.’”<sup>182</sup> That civil society that was a product of the British colonial past constituted an alternative, and in some ways more important route to power and influence than direct participation in government, though the two were always intertwined. It was the route Root initially followed, but he was privileged to do so because of his intimate connections to the English colonial past and the social capital it gave him. It also made him heir to a vision of the destiny of the Anglo-American race to bring civilization to the continent, and perhaps the world.

It was at Clinton that Root first became interested in being a lawyer, though not through the encouragement of his family. Root became interested in the profession of law as a boy because his father’s position at the college exposed him to several prominent upstate lawyers

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<sup>179</sup> Jack P. Greene, “Social and Cultural Capital in Colonial British America: A Case Study,” *Journal of Interdisciplinary History*, Winter 1999, Vol. XXIX:3, 491-492 and 501.

<sup>180</sup> Greene, “Social and Cultural Capital in Colonial British America: A Case Study,” 502.

<sup>181</sup> Greene, “Social and Cultural Capital in Colonial British America: A Case Study,” 505.

<sup>182</sup> Greene, “Social and Cultural Capital in Colonial British America: A Case Study,” 507.

who were associated with Hamilton. The young Root found them to be “the greatest men in all the world.”<sup>183</sup> As he recalled years later,

“I do not know what it was that made me study law. I think it’s only seldom that a boy knows what he wants to do early in the game, and usually he knows wrong if he does. There were a great many able men of the New York State Bar from Oneida County, and connected with the college. Horatio Seymour, a trustee and a lawyer, a good citizen but one who got in a little beyond his depth when he ran as Democratic nominee for President, but I am told he did not want to do it. Hiram Denio, one of the ablest judges was a trustee. Also Joshua Spencer, who was the great President of the Board of Trustees in my boyhood. I saw these men, sitting on the commencement stage or coming and going at the College, and to me they seemed the Olympian Gods. ...The impression made upon me by those men determined my course in life and obliged me to become a lawyer rather than a teacher.”<sup>184</sup>

Root had important family connections to the profession as well. “My father’s brother Sheldon was a partner of Horatio Seymour. My mother’s brother, Ned Buttrick, was a lawyer. Also a brother-in-law who was a lawyer in Wisconsin and then came on to New York to practice.”<sup>185</sup>

His great uncle William Root had been elected to the state legislature and was a man of some political importance in the state, “a considerable man ... a leader, etc.”<sup>186</sup> As was so often true of the men who succeeded in that day, family environment and connections provided Root’s initial exposure and encouragement. His lawyer uncles and the lawyer trustees of his father’s college provided Root not only powerful examples to emulate, but a reasonable expectation that he could achieve as they did.

To the cultural advantages of birth and social connection, Root added his own determined ambition. When he left for the city, his father quietly arranged a teaching job for him in western New York for when he returned, “cured of my New York venture.” Root’s parents,

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<sup>183</sup> Grace Cogswell Root, *Fathers and Sons*, 15.

<sup>184</sup> Grace Cogswell Root, “Four Brothers,” Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.; Grace Cogswell Root, *Fathers and Sons*, 18-19.

<sup>185</sup> Grace Cogswell Root, *Fathers and Sons*, 18.

<sup>186</sup> Grace Cogswell Root, *Fathers and Sons*, 4-5.

whose universe would always remain Hamilton College, “knew nothing about money and cared nothing about it; it was an unpleasant subject. They knew nothing about business. They never thought of anyone making any money.”<sup>187</sup> Not ambitious in worldly ways themselves, they seriously underestimated Root’s ambition and determination. “No, I would rather have died than gone back home,” Root recalled, “ In fact it was something I did not even place enough consideration upon to conjecture about.” He was ambitious for more than just an education and a respectable career. In Root’s mind, his father’s lack of ambition was the only thing that kept him from being a great man. “If it had been his ambition, he could have been one of the great men of his day,” Root thought, “But he scorned all the arts of popularity.”<sup>188</sup> Root wanted not only to be a great man, but also to see something of the world and to own a bit of it as well. “There were in my family ministers, doctors and teachers — in fact everything except the faculty of getting more for a thing than you had paid. My father could make no money.” He remembered his youth as “a time of hardship. There was no money. Everyone lived in sincere but in dignified and contented poverty.”<sup>189</sup> Though his family did not understand it at the time, Root was determined to pursue a course that would cure that deficit. That New York City seemed a world away from little Hamilton College only, “added spice to the adventure.”<sup>190</sup> The social conventions of the wealthy class and an unending stream of “disinterested” pronouncements masked his desire for wealth once he entered public life, but his ambition for money stayed with him all his life. When he retired from the United States Senate in 1915 he was still focused on that original goal, declaring his intention to “devote myself to amassing a fortune

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<sup>187</sup> Grace Cogswell Root, *Fathers and Sons*, no page number.

<sup>188</sup> Grace Cogswell Root, *Fathers and Sons*, 4.

<sup>189</sup> Grace Cogswell Root, *Fathers and Sons*, 132.

<sup>190</sup> Grace Cogswell Root, *Fathers and Sons*, 18.

on the farm at Clinton, with just enough incidental intellectual occupation ... to ward off softening of the brain.”<sup>191</sup> Surely Anthony Trollope would have agreed that in choosing New York City, Root chose the ideal place to pursue his ambitions.

The industrial expansion that followed the Civil War slowly sapped the power and importance of the provincial elites in the areas surrounding New York City, attracting many of the most ambitious and gifted young men into the city. The largest city near Clinton was Utica, then a small city of 28,000 people. New York City, with a population exceeding 750,000, was many times larger and growing fast.<sup>192</sup> Most of the men who inspired Root to pursue a legal career lived in Utica, but as Root observed, “all the topmost men now come to New York from the small cities.”<sup>193</sup> Root’s explanation for this echoed Trollope’s observations, “Life in the city tends to alertness, to activity of mind, to the sharpening of the faculties,” as well as to economic opportunity.<sup>194</sup> While he recognized the baleful effects this had on once proud and important communities that got “the small end of the stick,” he thought it “no use lamenting a fact that is in its way responsible for progress.” Though he professed to appreciate the rustic values of the countryside, and would wonder during his years at the War Department if the triumph of city over country might eventually weaken the national character, Root generally saw this movement to the city as a sign of progress. This was not least because he was one of those able and talented young men who moved to the city, but it also betrayed his belief in economic expansion and the concentration of power as progress.<sup>195</sup> He also saw this migration of talent as a sign of the country’s robust strength, similar to the process he credited with sustaining England’s growth —

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<sup>191</sup> Richard W. Leopold, *Elihu Root and the Conservative Tradition* (Boston: Little, Brown and Company, 1954), 94.

<sup>192</sup> Jessup, *Elihu Root*, 53.

<sup>193</sup> Grace Cogswell Root, *Fathers and Sons*, 22-23; Elihu Root, *Miscellaneous Addresses*, 41.

<sup>194</sup> Elihu Root, *Miscellaneous Addresses*, 63.

<sup>195</sup> Grace Cogswell Root, *Fathers and Sons*, 22-23; Elihu Root, *Miscellaneous Addresses*, 63.

“the law of primogeniture, where the younger sons had to go out and make good.”<sup>196</sup> Like those younger sons of his English cultural imagination, Root saw his journey from Clinton to New York as his first step to making good in the world and a step consistent with progress.

The first thing Root did after arriving in the city was to “scratch around for a teaching job.”<sup>197</sup> There were only two law schools in New York then, and both of them had a Hamilton College connection. Theodore W. Dwight, a former Hamilton colleague of Root’s father, led the law school at Columbia University; while John Norton Pomeroy, a member of the Hamilton class of 1847, headed the New York University law school on Washington Square. Root’s family was familiar enough with both men that they referred to the two law schools as “Dwight’s or Pomeroy’s School.”<sup>198</sup> There were also additional links to Pomeroy, with whom Root shared membership in the same college fraternity and kinship through his paternal grandmother, Achsa Pomeroy. “I talked with both of them,” Root recalled. “I had no money and I had to support myself and needed someone to certify to me in order to help me get a teaching job — the only thing I knew how to do. Dwight talked very nicely; Pomeroy put on his hat and took me around and introduced me to Miss Green.”<sup>199</sup> With that simple act, Root decided on New York University.

Miss Green had come from Massachusetts with her sister to teach at a girl’s school located at No. 1 Fifth Avenue, soon known colloquially as Miss Green’s and later as the Graham School. It was “for a long period, before and after the Civil War ... one of the most distinguished institutions of its kind in the city. ... There were educated the daughters of the

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<sup>196</sup> Grace Cogswell Root, *Fathers and Sons*, 30.

<sup>197</sup> Grace Cogswell Root, *Fathers and Sons*, 16-17.

<sup>198</sup> Oren Root, Jr. to Elihu Root, 1 October 1865, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>199</sup> Jessup, *Elihu Root*, 54-55.

commercial and social leaders of New York.” Among its illustrious students were Fanny and Jenny Jerome, the later destined to become Lady Randolph Churchill and mother of Winston Churchill.<sup>200</sup> As Phillip Jessup observed, “Pomeroy could not have introduced him to any position which would have carried greater endorsement of respectability.”<sup>201</sup> His position at Miss Green’s made it easy for Root to secure additional teaching work and he soon found lodgings in the hall bedroom of a small red brick row house on Seventh Avenue between Forty-first and Forty-second Streets “in return for teaching a boy Latin.”<sup>202</sup> His teaching income, with small supplements from home, supported him during his two years at law school.<sup>203</sup> Though the son of an upstate provincial family, his social status and connections proved sufficient for him to attend law school and support himself until he could enter the bar and begin to build his practice.

A story from his years at Miss Green’s illustrates something of his youthful, unsophisticated nature. “The room in which the lectures were given had two doors, side by side, and exactly alike, one leading into the hall and the other into a closet.” A ready-made trap for the unwary, the nervous and shy young teacher finished one of his early classes, bowed to the young girls, turned to leave and walked into the closet. Some moments passed before the red-faced, mortified Root emerged from the closet to the merriment of the students and departed through the other door.<sup>204</sup> The embarrassment was acute enough to create a memory that stayed with him all his life. At a dinner years later, Root was approached by one of his former pupils who inquired if he remembered her? “Do I remember you?” Root replied, “You are one of the girls

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<sup>200</sup> Arthur Batlett Maurice, *Fifth Avenue* (New York: Dodd, Meade and Company, 1918), 34-35.

<sup>201</sup> Jessup, *Elihu Root*, 55.

<sup>202</sup> Grace Cogswell Root, *Fathers and Sons*, 20.

<sup>203</sup> Oren Root, Jr. to Elihu Root, 3 October 1865, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>204</sup> Maurice, *Fifth Avenue*, 35.



who used to laugh at me when I had to walk into the closet.”<sup>205</sup> During his early years in New York, Root was still closer to the “mushy, un-individual boy” of his youth than to the powerful lawyer and statesman he eventually became. One of his young students, who later married a close friend, described the young teacher, “He was very tall, very shy, and blushed very easily. Some of the girls got on to these characteristics and were bent on teasing him.”<sup>206</sup> When Root applied to teach at another school, he was turned down because he seemed too provincial and callow to control the city-bred young ladies.<sup>207</sup> As Root described himself, “I was a green country boy not yet of age, but I did not know it.”<sup>208</sup> His transition from provincial, but ambitious young schoolteacher and law student, to cosmopolitan lawyer and powerbroker was made possible primarily by a web of social connections and professional relationships, and the institutions that sustained their authority and power. The most important of the institutions that featured in Root’s career was the legal profession.

Though lawyers were never able to command wealth to compare to the great industrialists and financiers, their profession was equally affected by the new economic conditions. Before the mid-nineteenth century, the legal profession conferred little status on its members due to its unstructured nature and the absence of enforceable standards of education or competence. While the profession was more openly egalitarian than it would be in the later decades of the century, membership was correspondingly less respected and lawyers possessed less power and affluence. As George Templeton Strong observed of his colleagues, they mostly

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<sup>205</sup> Maurice, *Fifth Avenue*, 35.

<sup>206</sup> Mrs. Robert W. de Forest to Phillip Jessup, 6 February 1930, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>207</sup> “Profiles: De Senectute-1,” *The New Yorker*, 1 February 1936, 23.

<sup>208</sup> Grace Cogswell Root, *Fathers and Sons*, 122.

seemed “by appearance, diction, or manner as belonging to a low social station.”<sup>209</sup> It was in fact social station that made a prominent lawyer, not the other way around. Most of the wealthy, respectable lawyers were the sons of prominent merchants and businessmen, and they derived their status from their lineage rather than their education or skill as an advocate. Their wealth was also determined more by family capital than professional accomplishment.<sup>210</sup> Two factors combined to change the status of lawyers, the growing need for their expertise and their professionalization. The emergence of Bar associations and their success in imposing standards of education and proficiency, as well as their organized efforts to raise the status and visibility of the profession, were critical to advancing the interests of lawyers, but the growing ties between lawyers and businessmen was even more important.

The demand for lawyers, or at least the supply of them, nearly doubled in the two decades between 1880 and 1900. More significantly, the nature of legal practice fundamentally changed as more lawyers moved out of the courtroom and into the boardroom. The most important shift in the practice of law in the second half of the nineteenth century was this movement away from litigation and towards business practice. While most lawyers’ work was still dominated by litigation, even the best courtroom advocate could command only a portion of the wealth and prestige of Wall Street lawyers whose contact with judges was more often social than professional. This gradually pulled the most ambitious and very often the best lawyers into the growing number of big-city law firms whose clients were large businesses and their wealthy owners. The birth and rise of the Wall Street lawyer was the single most important

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<sup>209</sup> Allan Nevins and Milton H. Thomas, eds., *Diary of George Templeton Strong* (New York: Octagon Books, 1952), Vol. 2, 478.

<sup>210</sup> Beckert, *The Monied Metropolis*, 37.

event in the legal profession during this period, and it also exemplified the extent to which the profession became largely a handmaiden of business.<sup>211</sup>

This change was not inevitable. Lawyers could have chosen to retrench and the profession could have become more narrow and specialized, as happened in other countries. Instead, as competition and challenges to the profession's historic functions arose from competing occupations, lawyers responded by expanding the lawyer's role. At the same time, membership in the bar expanded to include not only men of privilege, but also men of middle-class backgrounds. A Philadelphia lawyer in 1800 likely came from a family of wealth, power and influence, but by 1860 he was just as likely to be the son of a shopkeeper, clerk or small businessman. This was no doubt due in part to the, "open-ended, unrestricted, uninhibited," character of the American bar that made it "attractive to sharp, ambitious men."<sup>212</sup> This ambitious, aggressive profession was well suited to adapt to the demands of unrestrained corporate capitalism. It was also well suited as a vehicle for a successful career in New York's cutthroat business environment.

In an age when few lawyers attended law school and even fewer finished a full two-year program, Root completed his degree before starting his practice. He apparently did so against the pull of his ambition. "Kept too long in academic halls," Root reflected, "youth begins to strain and long for the active service of life."<sup>213</sup> Whatever the strain, his patience and discipline benefited him in two important ways. First, it enabled him to build an intellectual foundation of combative rigor in the law that marked his practice and his public service. He first learned those

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<sup>211</sup> Lawrence M. Friedman, *A History of American Law*, Third Edition, (New York: Simon & Schuster, 1973, 1985 and 2005), 483.

<sup>212</sup> Friedman, *A History of American Law*, 484.

<sup>213</sup> Elihu Root, *Miscellaneous Addresses*, 79.

traits from his close legal study with Pomeroy — “the best teacher I ever had.”<sup>214</sup> “He experienced and exhibited the joy of conflict in this academic work to a degree I have never seen surpassed in the real battles of the Bar. Into the fields of conflicting decisions, which so confuse the younger student and the older practitioner, he would lead us with amazing vigor and enthusiasm, and presently order would appear,” Root recalled, “His method of working was an especially valuable example of thoroughness in the collection and testing of all necessary data before beginning to reason towards conclusions.”<sup>215</sup> That description later echoed in many descriptions of Root as a lawyer and as Secretary of War. In addition to gaining a valuable education in the rigor and combativeness necessary for success as a lawyer, Root also began during his law school years to create the network of friendships and associations that sustained his rise in wealth and power.

Dr. Thomas Hastings — a cousin, a fellow Hamilton College and fraternity alum, and eventually president of Union Theological Seminary — arrived in New York shortly before Root, having been called to the pulpit of the West Presbyterian Church. Root had been a member of the First Presbyterian Church in Rome before coming to the city and his minister there had encouraged their friendship. “A lawyer needs twice as much religion as a minister,” he wrote, “and if you are not going to be very pious, better come into the ministry.” Root took his advice and spent much of his free time at Hastings’ church, teaching in the Sunday School and serving as superintendent of it until 1872. He was a very enthusiastic churchgoer and quickly formed a friendship with Hastings. “I wish that you could hear Dr. Hastings preach, “ he wrote his mother, “he would warm and light you up & dispel all the mental & spiritual fogs for each week to come.” “I was talking with him a week or two ago & told him that I wished he would

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<sup>214</sup> Grace Cogswell Root, *Fathers and Sons*, 20.

<sup>215</sup> Jessup, *Elihu Root*, 62.

preach on the 7<sup>th</sup> chapter of Revelations,” he related, “This morning sure enough that was his text.”<sup>216</sup> He also became a very active member of the nearby Young Men’s Christian Association (YMCA) and was elected second vice-president in 1866.<sup>217</sup> Root’s involvement in the Presbyterian Church and the YMCA reflected partly his attunement to the important role the Protestant church played in social life. As Baltzell observed, “Between the close of the Civil War and the onset of the Great Depression, business gentlemen of Anglo-Saxon descent and Protestant affiliations became the most powerful members of the American community.”<sup>218</sup> Yet his religious involvement also reflected the fundamental cultural influences of his upbringing. “My father always went to Chapel,” Root wrote, “For me there were restrictions on certain books for Sunday reading but I think merely because my mother thought it should be that way.”<sup>219</sup> In the small Clinton community, regular church attendance was mandatory for the students and something of a duty for the faculty, and his older brother Oren, Jr. often preached at chapel and in surrounding communities for extra money.<sup>220</sup> Root’s early religiosity, reflected in his church activities and his involvement with the YMCA, advanced his career without evident cynical ambition on his part. His church attendance was an important part of his early success precisely because it was not calculated, but arose unconsciously from his upbringing and environment.

While the lasting visible impact of his early piety was the societal value attached to a Protestant profession of faith and the important contacts he made through his church

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<sup>216</sup> Elihu Root to Nancy Buttrick Root, 1 December 1867, quoted in Phillip Jessup, *Elihu Root*, 64.

<sup>217</sup> Jessup, *Elihu Root*, 57-59.

<sup>218</sup> E. Digby Baltzell, *The Protestant Establishment Revisited* (New Brunswick, NJ: Transaction Publishers, 1991), 47.

<sup>219</sup> Grace Cogswell Root, *Fathers and Sons*, 156.

<sup>220</sup> Oren Root, Jr. to Elihu Root, 5 December 1881, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.; Oren Root, Jr. to Elihu Root, 9 April 1882, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

involvement, the church also seemed to provide Root a real spiritual home during his early years in New York. As a struggling young lawyer, church attendance also constituted a touchstone into the comforting world of his youth and Root seemed to cling to it during his first years away from home. Yet his religiosity was more utilitarian than profound. Hastings and Pomeroy were both important to Root because they could vouch for his reputation and standing in the city. “I used them for references,” Root recalled, “when anyone thought I was a crook.”<sup>221</sup> Though he always professed Christianity and regularly attended services, his faith seems to have declined in direct proportion to his worldly wealth and achievements. In some ways his religious journey mirrored that of his mother, who was reared in a Puritan household and attended a Quaker school, but married a man of scientific outlook and temperament, and eventually discarded the strictures of her early faith for the more broadly humanistic approach of her spouse.<sup>222</sup> Her mother was described as, “of Puritan descent, her life illustrates some of the best elements of New England character,” yet under the dominant influence of Root’s father, the religious piety that marked Root’s childhood home eventually softened.<sup>223</sup> As Root later recalled, “My mother was of Puritanical nature and my father had great tolerance. It must have had an effect upon her for once late in her life she said to me: ‘I think to love everything that is beautiful and to make everybody happy is after all the truest religion.’ Which is a long ways from the Puritanism of Concord, Massachusetts.”<sup>224</sup>

While wealthy elites such as Andrew Carnegie, J. Pierpont Morgan and James Buchanan Duke publicly proclaimed their piety as the foundation and purpose for their success, Root was

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<sup>221</sup> Grace Cogswell Root, *Fathers and Sons*, 143.

<sup>222</sup> Grace Cogswell Root, *Fathers and Sons*, 87.

<sup>223</sup> Grace Cogswell Root, “Four Brothers,” Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>224</sup> Grace Cogswell Root, *Fathers and Sons*, 3.

one of the many who did not. By the time he reached mature prominence, the outer trappings of religious practice remained, but his private and professional life reflected a lessened interest in Christianity. Root still read his Bible in retirement, but commented less on its religious content than its cultural value. “There is nothing better to read for the cultivation of a good English style,” he thought.<sup>225</sup> “Why you believe in Santa Claus don’t you, Grace?” he once said to his daughter-in-law, “How can anyone believe in God without believing in Santa Claus? It’s the same thing and we have as much foundation for one belief as the other in a kindly Benefactor.”<sup>226</sup> “Since the latest scientific researches have shown us that there is no place to locate a Hell,” Root said on another occasion, “we come back to Cicero’s view that Death is nothing, or better.”<sup>227</sup> During a debate by the Hamilton College trustees over the continuation of mandatory chapel attendance, one of Root’s fellow trustees turned to him expecting support for keeping attendance mandatory and whispered, “How do you feel about this?” and E.R. replied in a whisper that reached the furthest corners of the room, “I think compulsory chapel has become a farce.” Root explained that when compulsory morning chapel was established, “all the boys came from homes where morning prayers were said. It is different now.”<sup>228</sup> For Root, religion had to give way in public life to the force of cultural change, just as it gave way in his private life to the force of personal ambition.

At no time did his interest in religion serve to blunt his ambition for worldly success. “It is right that we should be ambitious,” he wrote in an 1867 article entitled *Christianized Ambition*, “God means us to be ambitious.” Root also balanced his religious activities with evenings spent

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<sup>225</sup> Grace Cogswell Root, *Fathers and Sons*, 45.

<sup>226</sup> Grace Cogswell Root, *Fathers and Sons*, 114.

<sup>227</sup> Grace Cogswell Root, *Fathers and Sons*, 157.

<sup>228</sup> Grace Cogswell Root, *Fathers and Sons*, no page number.

among Wally's scholarly circle at Columbia, eventually becoming familiar with "every place in New York where really good beer could be obtained."<sup>229</sup> Despite the rising fortunes of the legal profession, Root's early years in the bar were lean ones. Even after hanging his shingle, he earned much of his income from charging small notary fees. He sometimes had to rely on his brother's connections in Missouri to get commissions from Western states in order to expand his meager earnings in the city.<sup>230</sup> He also still depended on regular supplements from his parents' modest income. Recalling those lean times years later, he remembered, "the time I used to spend over choosing an overcoat. If the overcoat was new and the suit was not, I wore the overcoat. If the overcoat was old and my suit was new, I did not wear the overcoat."<sup>231</sup> This was not vanity on Root's part, but realization of the importance of dress. "I always loved the story about the office boy," Root later recalled, "He showed someone into the office of his boss and later was called down for it. Boss: 'Didn't I tell you I was to be excused this morning?' Office boy: 'Yes, I know, sir, but the gentleman had on spats.'"<sup>232</sup> It was in those early years that Root was able to draw on his well of social capital to open the doors that eventually led to his success.

The great engine of Root's success was his ability to forge important friendships. Through his association with the New York University Law School, Root befriended Willard Bartlett, a law student one or two years behind Root. It was a lifelong friendship of genuine affection as well as mutual benefit. In their lifelong correspondence, Bartlett uniquely referred to Root as "Felix." In later years, after Root had made his fortune, he generously provided funds to the less prosperous Bartlett, and as he gained power and influence he also did what he could to

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<sup>229</sup> Jessup, *Elihu Root*, 57-60.

<sup>230</sup> Oren Root, Jr. to Elihu Root, 13 October 1867, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>231</sup> Grace Cogswell Root, *Fathers and Sons*, no page number.

<sup>232</sup> Grace Cogswell Root, *Fathers and Sons*, 50.



advance his friend's career, eventually helping him obtain a judgeship on the New York Court of Appeals.<sup>233</sup> From Root's perspective, the advantages of the relationship came in the first years of their friendship. As the son of a successful lawyer in the city, Bartlett had been exposed to New York's cultural life from an early age. He was particularly knowledgeable about the theater scene, often writing play reviews for the *New York Sun*, a paper with which his father was closely associated. As Bartlett was generally given two tickets for the opening night of each new play, he often took his friend Root with him. They would attend the play and then afterwards repair to the bar and discuss its merits over a beer before Bartlett left to write his review, sometimes incorporating Root's opinions.<sup>234</sup> As Root recalled years later, "I was a furious playgoer sixty years ago and the base marks from which I am conscious of having measured include Edwin Forest as Lear, and Charlotte Cushman as Lady Macbeth, and John Gilbert as Sir Anthony, and Booth as a newcomer, and Henry Irving and Mansfield, etc. as promising infants."<sup>235</sup>

His theater outings as a young man clearly had an impact on Root, adding to his store of social capital while allowing him the opportunity to display his appreciation of it. His artistic experiences had been necessarily limited due to the relative physical isolation of his boyhood home. He was about ten years old before he saw anything of the world beyond Clinton, and even then it was only a trip to the nearby town of Vernon to see Barnum's Circus.<sup>236</sup> The fact that his universe was constrained almost entirely to "the little educational circle at Hamilton College" partly accounted for his decision to pursue a legal career, so impressed was he as a

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<sup>233</sup> Elihu Root to Willard Bartlett, 3 November 1899, Box 178, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.; Elihu Root to Willard Bartlett, 4 November 1899, Box 178, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>234</sup> Jessup, *Elihu Root*, 73-74.

<sup>235</sup> Notes on correspondence, Box 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.; Jessup, *Elihu Root*, 73-74.

<sup>236</sup> Grace Cogswell Root, *Fathers and Sons*, 16.

youth with the worldly air of the lawyers on the college's board of trustees.<sup>237</sup> They seemed to represent "what there was worth while in the world" to a boy who had seen so little of it. Throughout his life, Root sought to balance a life grounded in the small college town values of Clinton with the seductive pull of the big city. "It takes a dull mind to live contentedly in the country the year around," Root thought, "characteristic of peasantry of all nations, also of the squirearchy of England. A strong, dull mind. Deterioration is bound to set in if no stimulation comes to them."<sup>238</sup> It was his early advantage that he was equipped to appreciate art and science, but it was only through early friendships with people such as young Bartlett and his brother Wally's colleagues at Columbia that Root was able to invest and increase that capital to full potential. Those play-going nights with Bartlett were a siren-call to Root, but only because he had the necessary cultural background to apprehend and appropriate their value.

The kind of cultural attainment that Root's nights out with Bartlett offered became an important part of Root's identity and was an important element in his transition to maturity. They also provided him with necessary credentials for admittance to elite society. Root's skill as a lawyer would have always been useful to men of wealth, but without adequate social capital he would never have been so useful as to gain admittance to their clubs or their drawing rooms. That social acceptance was not only a prerequisite to membership in New York's upper class, but it also opened doors to economic and political opportunities denied to others. Root's dual identity as an elite professional and a member of the wealthy upper class was indispensable for his eventual achievements in public office, as well as a partial explanation for his failures and limitations.

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<sup>237</sup> Grace Cogswell Root, *Fathers and Sons*, 16.

<sup>238</sup> Grace Cogswell Root, *Fathers and Sons*, 39.

Root's nights at the theater were indirectly made possible by Bartlett's father, William Bartlett, who in addition to practicing law, occasionally wrote articles for the *Sun*, a prominent newspaper edited by Charles A. Dana.<sup>239</sup> Dana was one of those people whose associations with remarkable people and events reminds us that the nineteenth-century United States was truly a small world for the elite. It was Dana who published the "man bites dog" definition of news and Frank P. Church's famous assurance to one of the *Sun*'s young readers that "Yes Virginia, there is a Santa Clause," but Dana's impact on history exceeded his contributions to popular culture.<sup>240</sup> Dana began his newspaper career in 1846 writing for Horace Greeley's *New York Tribune*. At the time, the *Tribune* was the most influential newspaper in the United States and Horace Greeley the country's most important editor.<sup>241</sup> While Greeley was the *Tribune*'s ideological and editorial voice, Dana actually ran the paper.<sup>242</sup> As one of the *Tribune* writers recalled, "It is no secret to those familiar with the inner history of that journal that the extraordinary circulation and influence attained by it during the decade preceding the Civil War was largely, if not mainly, due to the development of Mr. Dana's aptitude for his vocation."<sup>243</sup> When South Carolinians fired on Fort Sumter and civil war broke out in the country, it was at Dana's urging that the *Tribune* published the famous "Forward to Richmond!" headlines. Yet a partnership between two such passionate and idiosyncratic people as Greeley and Dana was unlikely to long endure, and Dana

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<sup>239</sup> Janet E. Steele, *The Sun Shines For All: Journalism and Ideology in the Life of Charles A. Dana* (Syracuse, NY: Syracuse University Press, 1993) xi.

<sup>240</sup> Alfred H. Fenton, *Dana of the Sun* (New York: Farrar & Rinehart, Inc., 1941), 270; Janet E. Steele, *The Sun Shines For All*, xii.

<sup>241</sup> Steele, *The Sun Shines For All*, 29.

<sup>242</sup> Harry J. Maihafer, *The General and the Journalists: Ulysses S. Grant, Horace Greeley, and Charles Dana* (Washington, DC: Brassey's, 1998), 68.

<sup>243</sup> Steele, *The Sun Shines For All*, 33.

was ousted from the paper at Greeley's insistence in March 1862.<sup>244</sup> It was at this point that Dana's career took an unexpected detour that would later be reflected in Root's career.

Dana ingratiated himself to the members of Lincoln's cabinet, and shortly after his rupture with Greeley, Secretary of War Edwin Stanton made Dana a special commissioner and sent him to Cairo, Illinois to investigate rumors that army contractors were cheating the government.<sup>245</sup> His report found little evidence of corruption, but his investigation put him in contact with all of the major Union commanders in the Mississippi River department, including a relatively unknown Union general named Ulysses S. Grant.<sup>246</sup> "I remember distinctly the pleasant impression Grant made," Dana later wrote, "that of a man of simple manners, straightforward, cordial, and unpretending."<sup>247</sup> Soon after Dana submitted his report Stanton gave him another special commission, but this time it was only a mask for his real assignment of reporting back to Stanton on Grant's fitness for command.<sup>248</sup> The ruse fooled no one, but Dana liked Grant personally, respected his ability as a general and supported him in his cables to the War Department. Grant was undoubtedly an alcoholic by modern standards, but Dana was willing to overlook Grant's occasional lapses and deflected some of the more pointed questions about Grant's drinking. "Whenever he commits the folly of tasting liquor, Rawlins can be counted on to stop him," Dana reassured Stanton, referring to one of Grant's close aides.<sup>249</sup> During the long and difficult siege of Vicksburg, Grant faced criticism from Washington but found Dana a crucial ally in dealing with that criticism. When the siege finally ended in Union

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<sup>244</sup> Steele, *The Sun Shines For All*, 44-45.

<sup>245</sup> Steele, *The Sun Shines For All*, 44.

<sup>246</sup> Steele, *The Sun Shines For All*, 49-50.

<sup>247</sup> Maihafer, *The General and the Journalists*, 85.

<sup>248</sup> Steele, *The Sun Shines For All*, 52.

<sup>249</sup> Steele, *The Sun Shines For All*, 56.

victory, Stanton brought Dana back to Washington and made him an Assistant Secretary of War.<sup>250</sup> The adrenaline of war, the rough masculinity of the field and shared commitment to a common cause forged a close link between Dana and Grant. While they never developed a close friendship, their mutually beneficial working relationship put Dana in a unique position to influence and observe the Union war effort at the highest level.<sup>251</sup>

When he was ordered to Chattanooga in the fall of 1863 to investigate General William S. Rosecrans, whose Army of the Tennessee was under siege by Confederate armies surrounding the city, Dana recommended Rosecrans replacement and suggested Grant as one of the generals who could be placed in overall command of the Union armies in the West. Lincoln and Stanton acted on Dana's recommendations, and one month later Grant's army routed the outnumbered Confederates and forced them to retreat into Georgia. Grant was rewarded with a promotion and called to Washington to take overall command of all Union armies in the field. When Grant's first battle in the East resulted in a bloody tactical draw, Dana was again sent to report on Grant's generalship. Again Dana supported Grant. He spent the last year of the war traveling back and forth between Washington and the front reporting on the slow but steady success of the Union war effort. Horace Porter of Grant's staff thought, "His daily, and sometimes hourly, despatches to the War Department, giving the events occurring in the field constituted a correspondence which is a rare example of perspicuity, accuracy, and vividness of description."<sup>252</sup> When Richmond finally fell to Grant's armies on 3 April 1865, Dana traveled to

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<sup>250</sup> Steele, *The Sun Shines For All*, 54.

<sup>251</sup> Eliot A. Cohen, *Supreme Command: Soldiers, Statesmen, and Leadership in Wartime* (New York: The Free Press, 2002), 42-45; Steele, *The Sun Shines For All*, 54-55.

<sup>252</sup> Maihafer, *The General and the Journalists*, 194.

the conquered city to meet Grant and then went back with him to Washington after the Confederate surrender at Appomattox Courthouse.<sup>253</sup>

While his relationships with Stanton and Grant were central to his role in the war, Dana forged important relationships with other major Union leaders, notably President Abraham Lincoln. It was Lincoln who personally asked Dana to go to Grant's headquarters in Virginia and report on his progress after the Wilderness battle. Just as Dana was about to board the train and cross the Potomac, a special messenger brought him word that the President wished to see him immediately. When Dana arrived back at the War Department, it seemed that Lincoln was having second thoughts about sending his friend back to the front.

“You can't tell,” continued the President, “just where Lee is or what he is doing, and Jeb Stuart is rampaging around pretty lively in between the Rappahannock and the Rapidan. It's a considerable risk, and I don't like to expose you to it.”

“Mr. President, I said, “I have a cavalry guard ready and a good horse myself. If we are attacked, we probably will be strong enough to fight. If we are not strong enough to fight, and it comes to the worst, we are equipped to run. It's getting late, and I want to get down to the Rappahannock by daylight. I think I'll start.”

“Well, now, Dana,” said the President, with a little twinkle in his eyes, “if you feel that way, I rather wish you would. Good night, and God bless you.”<sup>254</sup>

Dana repeated this story often as a way of signaling the personal nature of his friendship with Lincoln and as a way of claiming a part of his legacy.

Lincoln loomed large in post-Civil War New York, especially among the elite. In his study of the elite establishment, Baltzell used the Lincoln family to explain how American aristocrats were made. For all that most Americans think they know of the “humble” Lincoln, few know that he sent his son to Phillips Academy in Exeter, New Hampshire to “be educated in the style of the Eastern Seaboard upper class,” or that his son “went on to be one of the

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<sup>253</sup> Steele, *The Sun Shines For All*, 56-59.

<sup>254</sup> Charles A. Dana, *Recollections of the Civil War* (New York: D. Appleton and Company, 1898), 188-189.

nation's leading corporation lawyers, a multi-millionaire, and a typical Victorian aristocrat." As one of the first members of the new national elite, Robert Todd Lincoln not only lived among the Chicago elite, but the elite of New York and Washington as well. As Baltzell pointed out, his elite status was confirmed by his membership in such clubs as the Union League, the Century Association and the Chevy Chase Club — all club memberships he shared with Root. One corner of the Metropolitan Club was dubbed the "Bob Lincoln Corner" and was known as "a famous gathering place for good conversation and humor."<sup>255</sup> Dana's well-known friendship with President Lincoln constituted social capital of the rarest kind, and it exemplified just one of the many ways his friendship with the young and impressionable Root served as an apprenticeship to the national elite.

Dana emerged from the war an important national figure in his own right, no longer beholden to the sponsorship of Horace Greeley. After he returned to New York, he bought the *New York Sun* newspaper, but not before consulting with his lawyer and friend William Bartlett.<sup>256</sup> Dana quickly tripled its circulation and turned it into what Joseph Pulitzer called "the most piquant, entertaining, and without exception, the best newspaper in the world."<sup>257</sup> The *Washington Post* agreed, editorializing that "The *Sun* is the best edited and most thoroughly interesting paper in the United States."<sup>258</sup> He used the paper unapologetically as his own megaphone. "A veritable bull in a china shop," Dana attacked big advertisers and popular heroes alike.<sup>259</sup> Politicians

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<sup>255</sup> Baltzell, *The Protestant Establishment*, 1-11.

<sup>256</sup> Steele, *The Sun Shines For All*, 76.

<sup>257</sup> *New York Sun*, August 25, 1871, page 2.

<sup>258</sup> Maihafer, *The General and the Journalists*, 253.

<sup>259</sup> Charles J. Rosebault, *When Dana Was the Sun: A Story of Personal Journalism* (New York, Robert M McBride & Company, 1931), 6.

“found him simply cantankerous, unreliable, almost certain to upset the apple-cart.”<sup>260</sup> He prospered nonetheless because of his skill as a writer and editor, because of his keen instincts for politics and the public, and because journalism was not yet corporate. In the words of one of his former editors, “journalism was not then a business. Neither was it a profession. It was high adventure ...It was the high day of personal journalism. The pretentious folderol of later days, that the editor was inspired only by a yearning for the public weal and orthodox righteousness, would have brought only a smile of derision to the man whose very soul revolted at the sight of hypocrisy, ...he had a high old time all along and never once lowered his banner.”<sup>261</sup>

Dana was also alive to the political and cultural currents of the Atlantic world. As a young man, Dana’s life had been marked by high idealism. Greeley had first met and been impressed by Dana at Brook Farm in the Massachusetts countryside. A social community of radicals and intellectuals, most of the residents were followers of Fourierism, the social reform program that originated with Charles Fourier in France.<sup>262</sup> The Farm had something of a literary atmosphere, and in addition to Greeley such luminaries as Ralph Waldo Emerson and Nathaniel Hawthorne were frequent guests.<sup>263</sup> Dana’s nickname at Brook Farm was “the Professor” and he soon began writing for the community’s newspaper.<sup>264</sup> Even after the collapse of the experiment sent Dana to full-time journalism and Greeley’s *Tribune*, he was still idealistic enough to journey to Europe in June of 1848 in time for the violent “June Days” revolt in Paris. Dana’s dispatches embraced the side of the rebellious workers, against the tide of their almost universal condemnation in the United States. Though his sympathy was with the workers, the contrast

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<sup>260</sup> Rosebault, *When Dana Was the Sun*, 154.

<sup>261</sup> Rosebault, *When Dana Was the Sun*, 5-6.

<sup>262</sup> Steele, *The Sun Shines For All*, 12-15.

<sup>263</sup> Maihafer, *The General and the Journalists*, 26.

<sup>264</sup> Steele, *The Sun Shines For All*, 14.



between the Fourierist notions of harmonious class cooperation and the violent class conflict playing out before his eyes deeply conflicted Dana's belief in socialism.<sup>265</sup> When he returned to New York, he abandoned his radical politics and embraced America's democratic institutions and the possibilities of more gradual reform within its constraints.<sup>266</sup> That did not mean that Dana was not still alive to the socialist reform ideas still roiling Europe. Karl Marx's *Communist Manifesto* impressed him, and three years after his return from Europe he asked Marx to write for the *Tribune*.<sup>267</sup> Marx submitted correspondence from London on politics, economics and war. Frequently the ten dollars a week he received in return was his only income. Sometimes he added material from his friend Friedrich Engels, who once charged Dana with appropriating their work without credit. One more example, Engels thought, of "lousy, petty-bourgeois cheating!"<sup>268</sup>

Now that he had a paper of his own, Dana seemed determined to follow no ideology but his own. To some, that made him a confirmed cynic.<sup>269</sup> He certainly took a harsh view of the group of mostly patrician reformers, many of them members of the Century Association, who advocated for civil service reform and good government in the 1880s. Theirs was a reform movement "tempered by good manners," as the historian Henry Steele Commager observed.<sup>270</sup> It was in the pages of the *Sun* that the term "Mugwumps" was popularized as their epithet and it has stuck to them to this day. Though Dana was personally acquainted with many of them, he had no sympathy for their cause and they reciprocated by banning the *Sun* from the Century,

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<sup>265</sup> Steele, *The Sun Shines For All*, 22-25.

<sup>266</sup> Maihafer, *The General and the Journalists*, 46-47.

<sup>267</sup> Steele, *The Sun Shines For All*, 25-26.

<sup>268</sup> Maihafer, *The General and the Journalists*, 56.

<sup>269</sup> Maihafer, *The General and the Journalists*, 145.

<sup>270</sup> Henry Steele Commager and Rodman Gilder, *The Century, 1847-1946* (New York: The Century Association, 1947), 62.

though many doubtless read their copy at home.<sup>271</sup> Despite being nominal Republicans, many of them bolted the party to support Democratic candidate Grover Cleveland in 1884, which only earned them more scorn from the erstwhile Republican Dana.<sup>272</sup> In response, Dana tried to rally support around his friend Samuel J. Tilden, the former Democratic presidential candidate whose election had been taken from him in 1876. The *Sun* repeatedly ran articles and editorials extolling Tilden as the rightful inheritor of Jacksonian Democracy, but to no avail. In the end, Dana supported Benjamin Butler, the candidate of the Greenback-Labor party, a candidate of “doubtful repute standing on a platform of Greenback-Labor declarations which Dana would scarcely touch with tongs.”<sup>273</sup> If there was any logic in Dana’s position (and there just may not have been), it would have to be a stance against privilege and elitism.<sup>274</sup>

All of which made him an unusual mentor for Elihu Root, who eventually came to represent the most conservative aspects of New York’s elite society. Root once mused that “The Adamses, Washington, Hamilton, Monroe, Jefferson, the Rutledges, the Pickerings all were aristocrats. They lived a simple life, but they were lovers of beauty. And also were they closer to European models of architecture, landscape, art, writing, etc. Jacksonian revolution brought in what was bad and degenerate.”<sup>275</sup> Introduced by Dana’s close friend and lawyer William Bartlett, Dana was impressed with Root and soon admitted him to the intimacy of the family circle. By the fall of 1870, Root was meeting regularly at Dana’s home to read literature, specifically

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<sup>271</sup> Candace Stone, *Dana and the Sun* (New York: Dodd, Mead & Company, 1938), 392.

<sup>272</sup> Maihafer, *The General and the Journalists*, 122.

<sup>273</sup> Maihafer, *The General and the Journalists*, 130-131.

<sup>274</sup> Maihafer, *The General and the Journalists*, xiii.

<sup>275</sup> Grace Cogswell Root, *Fathers and Sons*, 67.

Dante's *Inferno* in the original Italian.<sup>276</sup> The relationship was one of affection as well as respect. It was also a relationship grounded almost entirely in both men's cultural attainments and tastes. As Root remembered to one of Dana's biographers, "It was an impression of extraordinary catholicity of interests, a wide range of positive and highly developed tastes, definite and certain knowledge upon many subjects, warm friendships and uncompromising enmities, the *gaudio certaminis* in the newspaper office, and a most delightful geniality and affection in the family circle."<sup>277</sup> Dana took an active interest in promoting Root's career, personally and eventually through the pages of the *Sun*.<sup>278</sup> Along with the Bartletts, Root soon became one of Dana and the *Sun*'s lawyers, and Root certainly kept Dana out of jail on at least one occasion.<sup>279</sup> The bond only grew stronger over time and Root remained close to the family even after Dana's death. In return, he could always count on the *Sun* to rally to his support even after editorship of the paper passed to Dana's son Paul.<sup>280</sup>

Dana's relationships with other strong-minded men were often stormy. His relationship with Greeley began favorably, strengthened, ruptured, and then eventually warmed again, though it's worth noting that even during the depths of their rupture Dana kept a portrait of Greeley behind his desk.<sup>281</sup> Dana's relationship with Grant followed a similar trajectory, but his

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<sup>276</sup> Charles A. Dana to Elihu Root, 19 November 1870, Box 1, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>277</sup> Elihu Root to James H. Wilson, 21 November 1905, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>278</sup> Charles A. Dana to Elihu Root, 23 June 1885, Box 1, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>279</sup> Stone, *Dana and the Sun*, 105; Rosebault, *When Dana Was the Sun*, 194; Maihafer, *The General and the Journalists*, 251.

<sup>280</sup> Paul Dana to Elihu Root, 21 November 1899, Box 3, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>281</sup> Maihafer, *The General and the Journalists*, xiv.

friendship with Root flourished uninterrupted despite often opposing political views.<sup>282</sup> As Root remembered the early years of their friendship:

“For several years I dined at the Dana’s regularly once a week, and in the evening we read something, Mr. Dana, and Ruth, and Willard Bartlett, and I, and sometimes, Eunice. One year it was Italian — the Divine Comedy. For several years it was Icelandic, Mr. Dana, of course, had extraordinary facility in languages, but the most striking features of those delightful evenings were the literary appreciation that gave life to our reading, and the pleasure that he took having young people about him.”<sup>283</sup>

The bond between Dana and Root was as mentor to pupil, and though Root went on to join the privileged, elite strata that Dana so often railed against, their relationship remained unaffected.

The irony was that the investment of cultural capital Dana made in Root was essential to Root’s admittance to the same upper class Dana professed to detest.

The foundation of their relationship was a shared interest in cultural values, rather than political or ideological ones. Though Dana often lampooned the upper class, he was described by those who knew him as “a born aristocrat.”<sup>284</sup> He always showed “fastidious taste in dress and habits.”<sup>285</sup> Walt Whitman, who saw him often walking to his office at Greeley’s *Tribune*, described him as “A straight, trim built, vigorous man, well-dressed with strong brown hair, beard and mustache, and a quick, watchful eye. He steps alertly by, watching everybody ... a man of rough, strong intellect, tremendous prejudices strongly relied on, and excellent intentions.”<sup>286</sup> Even after the trim figure receded into memory, and the hair turned grey and grew into a full beard, Dana still would have been recognizable in Whitman’s description. His newspaper made him rich as

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<sup>282</sup> Paul Dana to Elihu Root, 26 September 1897, Box 1, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>283</sup> Elihu Root to James H. Wilson, 21 November 1905, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>284</sup> Rosebault, *When Dana Was the Sun*, 7.

<sup>285</sup> Rosebault, *When Dana Was the Sun*, 10.

<sup>286</sup> Maihafer, *The General and the Journalists*, 60.

well as famous and he lived in magnificent homes in the city and on Long Island that were partially of his own design. He was a connoisseur of wine and fine food, owned a valuable collection of rare Chinese porcelains and was the friend of the nation's most famous writers, musicians and artists.<sup>287</sup> His readers knew of his literary interests through the literary department he created at the *Sun*, which published the best book reviews of the time.<sup>288</sup> His travels to Europe and the world stoked Root's own desire to travel.<sup>289</sup> If the lawyers Root met as a boy at Clinton had "seemed the Olympian Gods," Dana filled the role for the freshly-minted young lawyer as he began his career in New York. There was a relationship between Root's veneration of culture and his understanding of politics and society. As Root acknowledged, that relationship "is rather essential to understanding what I am." As he struggled to build a law practice in the city, Root's network of connections with influential institutions and people expanded, but Dana provided him the first vivid example of what a life that mixed culture, wealth and politics might look like.

Social connections and social capital not only opened doors to further advancement, but they also helped to shape the shy young schoolteacher from Miss Green's School into a confident young attorney. The example Dana provided of a life lived to the full, and the ability to move in society that he learned through his quick acceptance into each circle his ambition took him, were vital elements in fashioning the mature man. Those early years formed the pattern his life would follow. Each connection made opened new opportunities, while enriching his social capital even further in preparation for the next connection and the next opportunity. As the next chapter will show, as his legal career advanced most of his success resulted from his

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<sup>287</sup> Rosebault, *When Dana Was the Sun*, 232; Maihafer, *The General and the Journalists*, 252 and 265.

<sup>288</sup> Rosebault, *When Dana Was the Sun*, 173.

<sup>289</sup> Jessup, *Elihu Root*, 75.

professional skills; but as his relationship with Dana exemplified, many of his opportunities continued to come to him because of his constantly developing social skills. His success eventually wove a seamless web of power and influence, such that it was impossible to tell where the professional left off and the social began. That framework constituted his ladder of success, but it was composed of more than personal and professional connections. It was also anchored by institutions that propagated and sustained his professional and social achievements. One of the most important of those was the Century Association, that same den of Mugwumps that so inspired Dana's invective fury. Yet there was a clear path leading Root from those literary evenings by the Dana fireside to the Century's clubroom, and a path from there to Washington. Together, Dana and the Century helped advance the cultural connections that constituted an essential part of Root's influence and power.

One of his father's last expressed wishes was for his wife to read to him from William Cullen Bryant's "Water Fowl."<sup>290</sup> It was fitting then that one of the most important associations of Root's life was his membership in and long presidency of the club most closely associated with Bryant. He and other important American artists and writers founded the Century Association as a social club of artists and friends of art in 1847. It played an important role in establishing Root's reputation as something more than a corporate lawyer and became a venue where Root formed and cultivated life-long relationships with many of the most powerful and influential people in the country. The Century was not only an important institution in New York and the country, but in the Atlantic community as well. It counted among its members the British writer Rudyard Kipling, the statesman Winston Churchill and the Canadian scholar Sir Robert Falconer. Among the many English visitors to the club, the writer Cecil Roberts left the

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<sup>290</sup> Grace Cogswell Root, *Fathers and Sons*, 5-6.

following impression: “I was thrilled by the black faces and crimson waistcoats of the stewards of the Century Club, where elderly gentlemen of standing go to dine, doze and die. The Century Club might have been located in Pall Mall instead of in Forty-third Street. It had the same dusty old masters holding charters in their hands, with shining bald heads between purple curtains and marble pillars, the same felted staircase and mute servants, the same Oldest Member.”<sup>291</sup>

Membership in the Century was realization and reinforcement of Root’s Anglo-American cultural heritage, but more importantly, it gave him status and connections among the elite.

According to the constitution of the Century Association, its members were to be of “breadth of interest and qualities of mind and imagination which make them sympathetic, stimulating, and congenial companions, in a society of authors and artists.” Root was no artist and was admitted to The Century in 1886 when his only writings consisted of legal briefs.<sup>292</sup> When his absence from New York for the Washington Naval Conference in 1921 compelled him to temporarily turn over the presidency, he wrote that the members would “greatly enjoy being under the presidency of an artist instead of a common or garden amateur.”<sup>293</sup> But Root understood that the Century was more than an artists’ guild. In his speech on the seventy-fifth anniversary of the club, he described it as “an association to learn rather than to teach, to help each other in acquiring knowledge, appreciation, discriminating judgment, and true feeling in art and literature through the inter-action of one upon the other of sympathetic and friendly natures.” He thought that the club’s congenial, artistic atmosphere had allowed it to escape the “rude alarms and excursions of a turbulent world” and had enabled the members “to live

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<sup>291</sup> Gilder and Commager, *The Century*, 84.

<sup>292</sup> Gilder and Commager, *The Century*, 53.

<sup>293</sup> Jessup, *Elihu Root*, 448.

together in the unruffled harmony of modest friendship.”<sup>294</sup> Yet that felicitous picture ignores the other major function of the club — to serve as a meeting point for the powerful as well as the good. As the Commager wrote on the club’s one-hundredth anniversary, “The State was here in full panoply, with diplomacy, law, and the armed services, and sometimes there was a temptation to suspect that taxpayers might be saved a good deal of inconvenience if the government were transferred to the Smoking Room of the Century.”<sup>295</sup>

Root’s values, achievements and legacy were almost always associated with institutions. As his association with the Century showed, these institutions played an important role in his private as well as his public life. This was true partly because he lived in a time of great institutional development and change, but it also reflected the conservative nature of the man. As Richard W. Leopold concluded, “His outstanding successes were scored as an administrator, as a conciliator, as a deviser of workable solutions to concrete problems.”<sup>296</sup> Such a practical mind needed the legitimizing power of institutions to flourish. But many of these institutions, such as the Century, were mostly important to Root for the connections they offered to people of wealth, influence and power. The people and institutions important in Root’s life would always constitute an interwoven and sometimes confusing tapestry. Through the early relationships he formed in New York he gained admittance to important clubs that furthered his career. That success opened the door not only to ever-more exclusive clubs, but also to new opportunities in business and politics. His ability to capitalize on those opportunities took him to the head of some of the country’s most important public institutions, and eventually to leadership in international institutions as well. At every stage, Root’s cultural capital was as

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<sup>294</sup> Gilder and Commager, *The Century*, 80-81.

<sup>295</sup> Gilder and Commager, *The Century*, 57.

<sup>296</sup> Leopold, *Elihu Root and the Conservative Tradition*, 195.



important as his professional and political acumen. Each institution constituted a mechanism whereby the various aspects of social capital were acknowledged, increased and exchanged. The Stock Exchange on Wall Street, for all its importance, was sometimes New York's least important investment venue. If Root's path to the War Department was unlikely from the home of "Cube" Root, from the fireside of Charles Dana or the Smoking Room of the Century it was less surprising.

## Chapter Two

### Root the Lawyer

Among the congratulatory letters Root received after his arrival at the War Department was one from William Allen Butler, who delayed his congratulations “not from any lack of great interest in the event but rather in order to make them less conventional and more emphatic.”<sup>297</sup> The two men first became acquainted at New York University Law School, where Butler was one of the three members of the school’s advisory Law Committee and Root one of the young law students.<sup>298</sup> One of a family of lawyers and a lineal descendant of Oliver Cromwell, Butler’s father had been a prominent lawyer, Attorney General and Secretary of War in the administrations of Presidents Andrew Jackson and Martin Van Buren, and had practiced in partnership with Abraham Lincoln’s close friend Hiram Barney. The son was also a respected attorney, an expert on admiralty law, had successfully argued before the United States Supreme Court, and had served as president of the New York City and American Bar Associations. In a cultural milieu where wealth, business and culture were closely related, Butler was also a writer and poet. His writing had begun during a two-year European tour before he entered legal practice. His most famous work was a long poem titled “Nothing to Wear” that was first published in *Harper’s Weekly*. An example of a genre then called “poetical satire,” it was the story of Miss Flora McFlimsey of Madison Square, who despite shopping trips to Paris and overflowing closets, “was in utter despair because she had nothing whatever to wear!” It became

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<sup>297</sup> William Allen Butler to Elihu Root, 25 August 1899, Box 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>298</sup> Jessup, *Elihu Root*, 54.

‘the talk of two continents’ and was later published in Britain, France and Germany. A member of the First Presbyterian Church, the Century Association and the Union League Club, Butler was also active in Republican politics from the early years of the party.<sup>299</sup> Their common professional, social and political associations marked some of the important intersections and boundaries of Root’s world.

Butler’s letter exposed some of the important characteristics of the elite group of lawyers among whom Root built his professional and political career. Fellow members of many of the same clubs, their social circles overlapped as much as their professional ones. A longtime friend of Root’s father-in-law, Butler had sometime before expressed to him the hope that politics would not overshadow Root’s legal career. Though a noted author and politically active, Butler had avoided public office himself and “always thought a purely professional career the most satisfactory one for a lawyer.” He naturally assumed that Root left his lucrative practice and went to Washington only out of a “sense of duty and honorable incentives,” and at some personal and financial sacrifice. A citizen of the Atlantic world, he was in Europe during the war with Spain and witnessed what he called “the wonderful growth on the Continent of American prestige” resulting from the successful prosecution of the war. He said so in a letter to their mutual friend and Root’s fellow cabinet member Cornelius Bliss, and passed on by Bliss, Butler’s letter had proved “very pleasing to the President” as well. Yet Butler was no sycophant to power. Though McKinley had earned deserved praise among the European elite for his handling of the war, “it was, perhaps,” he wrote, “too much to ask or expect equal wisdom in dealing with the Philippine question.” Though expressing confidence in Root’s “circumspection and foresight,” Butler had no hesitation about expressing his strong opinions about the proper course the government

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<sup>299</sup> “William Allen Butler Dies Suddenly,” *The New York Times*, 10 September 1902.

should follow in the Philippines. “Would it not be the part of wisdom, “ he suggested, “to offer Aquinaldo and his followers terms so magnanimous and just as to compel their acceptance?” “If we are dealing with savages they would be no acquisition when subjugated,” he wrote, but “If we are not dealing with savages but with a people capable, by our aid, of self government they should be dealt with on the basis of their consent to the government under which they are to live.”<sup>300</sup>

That was not exactly the policy of the government, and at the time Root was busily organizing an army to do the very work of subjugation that Butler so deplored. Nonetheless, Root indicated no discomfort in absorbing both the congratulations and the criticisms in Butler’s letter.<sup>301</sup> What bound them together was much stronger than what separated them. Their common cultural heritage, their ties to a common profession, their shared social circles, their interlocking friendships and family ties, their citizenship in a privileged transatlantic world, and their mutual pride in America’s destiny and their right to direct it, were links forged of material far stronger than the base metal of policy or ideology. Reconstructing Root’s progress through that elite not only serves to expose the sources of his influence and basic assumptions, but it also helps to explain the many contradictions that marked his political life. It is also important to emphasize that though Root’s fame came from his work as cabinet secretary, senator and statesman, he considered himself “a lawyer first and all the time.” “I do not feel I have ever left the profession,” Root said in 1915, “I have never felt for a moment that I have stepped outside

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<sup>300</sup> William Allen Butler to Elihu Root, 25 August 1899, Box 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>301</sup> Elihu Root to William Allen Butler, 16 September 1899, Box 178, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

that noble profession to which I had intended to devote my life.”<sup>302</sup> Understanding the main aspects of his legal career, and especially those aspects that reflected his access to power and his basic assumptions, is important to understanding what he achieved in the War Department and the legacy he left.

Root was enthusiastic and happy in his work even during the early, lean years of his practice. “I am perfectly satisfied with my choice of profession,” he wrote to his mother in 1867, “I enjoy myself thoroughly all the time while at work. ...I go down to the office as I would to a turkey supper when in college & regret the shortness of the time. ...When I write that I have not much of any business except that which I get no pay for & have very little money you mustn’t think that I am blue about it.” “I expect success as a certainty,” he concluded, “I feel like a well mounted firmly seated rider; independent & confident and happy.”<sup>303</sup> Among the coterie of lawyers in his circle of family friends was W. A. Sackett. His advice to the younger lawyer was “to push hard among your friends & acquaintances for business.” “Let them know that you are anxious to get along,” he wrote, “& want their business.”<sup>304</sup> Through his membership in the First Presbyterian Church, Root befriended John J. Donaldson, who directed the mission school where Root taught on Sunday evenings. Here Root’s family connections, his youthful Christian enthusiasm, and his evident passion for his profession combined to bring him some of his most important early business.

Donaldson was the ambitious son of a church sexton, who had worked his way up to the position of credit officer for the great dry goods company of H. B. Claflin and Company, and

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<sup>302</sup> Elihu Root, *Addresses on Government and Citizenship*, ed. Robert Bacon and James Brown Scott (Cambridge, MA: Harvard University Press, 1916), 503-504.

<sup>303</sup> Elihu Root to Nancy Buttrick Root, 1 December 1867, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.; quoted in Jessup, *Elihu Root*, 64.

<sup>304</sup> W. A. Sackett to Elihu Root, 4 November 1867, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.; quoted in Jessup, *Elihu Root*, 63.

soon thereafter became president of the Bank of North America. Sensible of his lack a college education, Donaldson asked Dr. Hastings to recommend someone who could teach him Latin. Hastings recommended Root, and soon the much younger Root was leading Donaldson through *Caesar's Commentaries* one or two evenings a week. Root also took an interest in the Donaldson's two young children, writing Santa letters for them and sharing extras from his father's famous mineral cabinet. As a consequence, he formed an intimate friendship with the family and became for a time a regular member of the household. Many years later, after Donaldson's death, Mrs. Donaldson wrote Root, "I have sometimes thought he loved you even better than his own sons."<sup>305</sup> Unsurprisingly, Donaldson soon began to send Root some personal business and small collection cases for the bank. Those first cases paid little and Root still depended on supplements from home to round out his income during his first two years in practice, but the cultural capital he invested tutoring Donaldson eventually paid great dividends. It was largely on the basis of the relationships he was forming in the city that Root could express optimism and satisfaction with his progress in his letters home, and none of his early relationships was more important to building his legal practice than his relationship with Donaldson.

The first case that Donaldson sent him was a collection action on a delinquent note to the Bank of North America for \$1500. Root contacted the debtor, granted him a few days to pay, filed suit when payment was not forthcoming, and withdrew the suit when the payment was finally made. Within ten days of the referral, the case was resolved.<sup>306</sup> The next month,

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<sup>305</sup> Mrs. John J. Donaldson to Elihu Root, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.; Jessup, *Elihu Root*, 68-69.

<sup>306</sup> Register of Cases, 1867-1871, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY, 61. This is the direct successor firm of the law practice begun by Elihu Root as Strahn and Root in 1867. Root remained the principal attorney in the firm until he left for the War Department in 1899, when the firm was called Root, Howard, Winthrop and Stimson. The firm still keeps in its records vault the firms original Register of Cases as maintained by the firm's clerks. These registers record the names of the firm's cases and each action taken on the case —essentially the firm's timesheets for each case.

Donaldson asked him to handle a personal real estate transaction for the purchase of several adjoining city lots off Eighth Avenue. Root promptly began the appropriate title search, prepared the deed, received and distributed the monies, and filed the new deed and mortgage with the Clerk's office. In return for handling a \$24,000 real estate transaction, Root was paid a fee of \$150, plus expenses.<sup>307</sup> While neither case was complicated or contested, or provided a substantial fee, Root's proficiency apparently impressed Donaldson. In both cases, Root demonstrated the qualities that always distinguished his practice —promptness, thoroughness, trustworthiness and a facility for working well with businessmen and other lawyers. "They were small cases," Root later remarked, "but then I was a small lawyer so everything was drawn to scale."<sup>308</sup>

In January 1869, Donaldson sent Root into Federal court to represent him in a bankruptcy proceeding against "The Soldiers Business Messenger & Dispatch Company." Beginning 16 January and continuing once or twice a week for the next three months, Root attended meetings with the Bankruptcy Referee that lasted from one to four hours each. By the end of February he had been hired by Frederick de Peyster as well, and by 13 March he represented all of the mortgage creditors. Unlike the previous cases Donaldson had sent, this one involved a fight and Root was soon immersed in arguments over evidence and legal motions. This case occupied much of Root's time through the winter and spring, and was not finally resolved in Donaldson's favor until the summer.<sup>309</sup> Some of his time that February was occupied on another Donaldson case, defending a suit brought against Donaldson by Duncan C. Pell. Though Root quickly filed an answer to the complaint, the case was not heard until the

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<sup>307</sup> Register of Cases, 1867-1871, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY, 70-71.

<sup>308</sup> Quoted in Jessup, *Elihu Root*, 69.

<sup>309</sup> Register of Cases, 1867-1871, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY, 102 and 105.

following June and testimony was not finally finished, including a lengthy recess for the summer break, until 5 November 1869. A dispute over the validity of a debt Pell claimed Donaldson owed him, Root prevailed in this case as well, not only defeating the claim but also winning a counterclaim judgment against Pell that he was finally forced to pay on 1 April 1871.<sup>310</sup> Both of these cases required considerable legal work and proved Root's aptitude as an advocate as well as a debt collector and real estate attorney. For the remainder of his long years in practice, Root continued to do debt collection and bankruptcy work, as well as occasional real estate transfers. Though it was his ability to win arguments and prevail in contested court cases that established his public reputation, his thoroughness and doggedness in handling routine business matters was the cornerstone of his business practice. Then as now, successfully handling the dull cases that kept money flowing into business accounts was the way to establish a reputation among the city's business elite.

When the Bank of North America decided to give up its federal charter and reorganize as a state bank in 1869, Donaldson entrusted Root with the work. On 19 March Donaldson retained Root, and gave him correspondence and forms used by the National Mechanics and Farmers Bank of Albany to make the same conversion for Root to use as a guide. The next day Root prepared and submitted a resolution for the board of directors to adopt, along with a description of the necessary legal steps to convert to a state chartered bank. With unanimous support from the board, Root prepared the circular and power of attorney for over four hundred shareholders and sent them out the same week. On 31 March, Root convened the first shareholders' meeting and directed its actions and various adjournments until all the necessary legal requirements had been met and all two thousand bank depositors had been properly

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<sup>310</sup> Register of Cases, 1867-1871, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY, 106, 203, 218 and 263.



notified. By 15 April, the national bank was no more and the state bank was open for business. That night Root departed for Albany to file the new papers with the state Superintendent of Banking, and on the following day he left for Washington and a meeting with the Comptroller of the Currency.<sup>311</sup> His success and promptness in engineering the complex transaction led to his being hired to perform the same work for the Pacific National Bank on 28 April at an agreed fee of \$1000.<sup>312</sup> In August, he was hired to represent the Second National Bank of Chicago in a contested case.<sup>313</sup> From then on he was the regular attorney for the Bank of North America, and he continued building a reputation and practice among the city's other leading businessmen with each successive case. His early work for Donaldson was the cornerstone on which all of his future corporate business was built. By the spring of 1869, Root was apparently confident enough to purchase a new wardrobe and send his old clothes back home for distribution to less fortunate family friends.<sup>314</sup> Thanks in large measure to his connection with Donaldson, the shy young teacher who once walked into the closet at Miss Green's School had in only a few years become a confident and capable attorney, and had already made his first official appearance in Washington.

On 1 October 1869, Root was retained by John Jay Pardee and Alexander T. Compton to initiate suit against Randal H. Foote, the presidents of the New York Stock Exchange and the New York Gold Exchange, and various other people. Compton and Foote had entered into a stock contract, backed by gold, that had gone sour. The Stock Exchange's arbitration panel initially ruled in favor of Foote, but Compton and his partner Pardee took exception and

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<sup>311</sup> Register of Cases, 1867-1871, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY, 118 and 121.

<sup>312</sup> Register of Cases, 1867-1871, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY, 130-131.

<sup>313</sup> Register of Cases, 1867-1871, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY, 164.

<sup>314</sup> Oren Root to Elihu Root, 20 May 1869, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

brought the issue to the courts. Root quickly sought an injunction against the defendants that was partly underwritten by James H. Ingersoll. What followed was a series of claims, counterclaims, motions and orders that dragged the conflict well into 1871. The defendants at times tried to take advantage of Root's youth and inexperience, but at every turn Root was prepared and effectively struck back. Though the court ultimately ruled in favor of Foote, there really could have been no winner among the parties, given the time and money expended on the various cases.<sup>315</sup> Nonetheless, Root had successfully challenged the power and prerogative of the New York Stock Exchange, establishing that it did not exist outside the state's legal authority. "Of course there can exist no doubt of the justice of this verdict from the stand-point of ordinary jurisprudence," wrote a contemporary observer, "but the members of the Board are unanimous in their disapprobation of the rebellion against the committee. ...As a consequence, the by-laws have since been amended so a member appealing from the decision of the committee to the courts forfeits membership by the act."<sup>316</sup> Perhaps the biggest winner was Root himself, because the Stock Exchange cases put him at the very center of the city's financial life, and introduced him to some of its practices and personalities. It also gave him a new law partner. Root had begun practice in the leading firm of Mann and Parsons as an associate, an opportunity that came to him because John E. Parsons was a fraternity brother and a member of the Law Committee at New York University. After a year as an unpaid apprentice, he began his own practice in partnership with John H. Strahan, but during the course of the Stock Exchange cases he dissolved that partnership and began one with Alexander Compton.<sup>317</sup> In his first

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<sup>315</sup> Register of Cases, 1867-1871, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY, 172-173, 176, 179-180, 215-216 and 245.

<sup>316</sup> James B. Medbery, *Men and Mysteries of Wall Street* (Boston: Fields, Osgood, & Co., 1870), 148-149.

<sup>317</sup> Jessup, *Elihu Root*, 63.

professional association he had been content to be a partner in Strahan and Root, but the name of this new firm, as would all others with which he would be associated, began with Root.

At the same time, Root was busy building a trial practice. He would eventually be famous for his glittering list of corporate clients, but Root always considered himself more a trial lawyer than a corporate counselor, by temperament and by choice. As Root himself observed many years later, he was “a partisan by nature and by practice in my profession.”<sup>318</sup> In nineteenth-century New York, being both a corporation lawyer and a trial lawyer was not the contradiction it would become in later years. There really were no corporate lawyers in New York until men like Joseph Choate and Elihu Root invented the practice. Even when representing a bank or a business, Root was still mainly representing the people who owned or directed them, and the relationship was as much personal as professional. By the same token, his work on their behalf often involved personal interaction with the small number of judges and prominent lawyers in the city, most of whom shared social and business connections that would violate multiple canons of modern professional ethics governing conflicts of interest. In Root’s New York, the absence of such a conflict was sufficient grounds to hire a better connected attorney. As Root’s billing records indicated, he spent much of his time preparing detailed documents and pleadings, but unlike the practice of the corporate lawyers to follow, he generally expected to argue each motion as well as eventually try the underlying case before a judge and jury. Consequently, his trial work was an essential part of his corporate practice as well as his overall practice. Only when he contemplated his return to work after leaving Washington did he consider a practice shorn of litigation, a purely corporate practice “of counsel” to corporations and the wealthy elite.

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<sup>318</sup> “Profiles: De Senectute-1,” *The New Yorker*, 1 February 1936, 21.

As was common (and often still is) for trial lawyers, his first jury trials were criminal cases. Sackett had also advised him, “Try & get into court, & to help try causes, even if you get little or nothing for it. All such things help, & especially in a city. One good hit may be worth everything.”<sup>319</sup> His first trial came haphazard, but indicated that he was following Sackett’s advice. “I was assigned by the Court to defend a man who had been paid ten dollars for making a false affidavit. There was a young fellow named Owen, of Owen, Nash and Gray, a respected firm whose office was chock-a-block Pomeroy’s office. I happened into the United States Circuit Court and found Owen there. He was much excited because he had been assigned as counsel. He was timid and didn’t know how to try a case. He spied me and asked the Court to assign me to assist him. The Court didn’t know me but they did what Owen asked. The man was convicted and I helped to get him pardoned afterward.”<sup>320</sup> This was far from the “one big hit” Sackett had referred to, but small trials like that equipped him to deal with his first big trial when it came — the trial of William M. (Boss) Tweed.

This was the period in Root’s life when he was particularly close to Willard Bartlett, with whom he spent many evenings visiting the theater or the Dana household. The two often worked together in court as well. In September 1869 Root took on a divorce case for Mary F. Archer, and the next month Bartlett was appointed the Referee.<sup>321</sup> The following April, acting as the Receiver for the McKinley Oil Creek Petroleum Company, Bartlett hired Root to prosecute the bankrupt company’s claims against its previous owner, Charles McKinley.<sup>322</sup> Bartlett also

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<sup>319</sup> W. A. Sackett to Elihu Root, 4 November 1867, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>320</sup> Interview with Phillip Jessup, quoted in Jessup, *Elihu Root*, 67.

<sup>321</sup> Register of Cases, 1867-1871, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY, 165.

<sup>322</sup> Register of Cases, 1867-1871, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY, 239.

appeared in a minor role in the Stock Exchange cases.<sup>323</sup> Root's involvement in those cases not only brought him his new law partner, but it gave him his first introduction to James H. Ingersoll. Compton's wife was a cousin of Ingersoll, and as Ingersoll's role as surety in the Stock Exchange cases indicated, Compton handled his legal affairs. Unfortunately for Ingersoll, some of his affairs appeared to be anything but legal. Ingersoll and "Boss" Tweed's father had been chairmakers together before the war. When Tweed came to control Tammany Hall, he pushed some of the graft towards his father's old friend. As a member of the Board of Supervisors, Tweed purchased some old benches at auction for \$5 each. He turned most of them over to Ingersoll and then arranged to have the county purchase them for \$600 each. Through deals like this, Ingersoll was able to supply furniture for Tweed's new courthouse and bill city authorities almost \$5.7 million.<sup>324</sup> In the construction of Tweed's courthouse, Ingersoll acted as the middleman, his company a hollow shell for most of the graft to pass through.<sup>325</sup> When Tweed's corruption finally exceeded even New York's generous tolerances and a special counsel was appointed to prosecute Tweed, Ingersoll was swept into the net alongside him. Compton was his usual attorney, but Compton had no trial experience, so they approached Root who agreed to represent Ingersoll's interests.<sup>326</sup> At the same time, William Bartlett was one of Tweed's lawyers and his son Willard was assisting him. Eventually the defendants pooled their resources against the gathering array of city and state prosecutors, forming a joint defense team led by such notable lawyers as David Dudley Field, John Graham, E. W. Stoughton, Judge William

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<sup>323</sup> Register of Cases, 1867-1871, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY, 172-173, 176, 179-180, 215-216 and 245.

<sup>324</sup> Jessup, *Elibu Root*, 68.

<sup>325</sup> Kenneth D. Ackerman, *Boss Tweed: The Rise and Fall of the Corrupt Pol Who Conceived the Soul of Modern New York* (New York: Carroll & Graf Publishers, 2005), 169-171.

<sup>326</sup> Jessup, *Elibu Root*, 81-82.

Fullerton, and John E. Burrill, who had opposed Root in the Stock Exchange cases.<sup>327</sup> Together they faced “the force of a hurricane [that] promised to leave nothing standing of the evils it assailed.”<sup>328</sup> Though Root was only a minor player, he was counsel of record in one of the greatest criminal trials in the city’s history.

The Tweed trial exposed much about the complex relationships of power in New York, as well as about the forces of change affecting the transatlantic world. While New York’s elite professed to despise Tammany and its corruption, many had tacitly if not overtly reconciled themselves to it. While by no means the ideal of urban governance, Tammany offered two significant benefits to the City’s economic elite, especially to bankers and real estate developers. Tammany rule meant expansion and growth, which brought money into the accounts of local businessmen as well as graft into the pockets of the machine’s politicians, and Tammany rule mollified the demands of the largely immigrant working class at a more affordable rate than violent class conflict. When times were prosperous, Tammany seemed a reasonable way to avoid civil unrest while cementing the loyalty of new immigrants to the American state and nationalism.<sup>329</sup> Tammany was in many ways considered to be the price of prosperity, but because it involved such basic issues as race and control over political power, it was always an uneasy compromise for the city’s elite.

The immigrants pouring into the port of New York made industrial and westward expansion possible, but as E. L. Godkin observed, “nobody can deny that they have greatly

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<sup>327</sup> Matthew P. Breen, *Thirty Years of New York Politics: Up-to-Date* (New York: Privately Published, 1899), 423. Breen provided Root with a courtesy copy when it was published and Root expressed his intention to read it.

<sup>328</sup> Henry W. Bellows, *Historical Sketch of the Union League Club of New York: Its Origin, Organization, and Work, 1863-1879* (New York: Privately Published, 1879), 126.

<sup>329</sup> Sven Beckert, *The Monied Metropolis: New York City and the Consolidation of the American Bourgeoisie, 1850-1896*,” (New York: Cambridge University Press, 1993), 174-175.

increased the difficulty of the problem of city government under universal suffrage.”<sup>330</sup> “It was unfortunate that the change in the constitution of this State in 1846, establishing universal suffrage, occurred simultaneously with the beginning of the great tide of emigration which followed the Irish famine,” he continued, “Its result was that the city was soon flooded with a large body of ignorant voters, who at once furnished political speculators with a new field for their peculiar talents.”<sup>331</sup> By manipulating this pool of “ignorant voters,” political operators were able to dominate the city’s ballot boxes, and thus dominate city government. This was the basis for the reign of Tammany Hall. When *The New York Times* exposed the extent of Tweed’s corruption in a series of newspaper articles in 1870, the person to whom Godkin and the other reformers looked as their leader was Samuel J. Tilden. Like Godkin, Tilden saw the new immigrants as the source if not the cause of political corruption. Their solution was not only to attack corrupt officials like Tweed, but also to attack the political power of the urban working class by limiting representative government. Bringing down the “Tweed Ring” would not destroy Tammany Hall, as in fact it didn’t, but his prosecution was only part of a larger effort at municipal reform that was motivated as much by a desire to return power to the old elite as by a yearning for good government. For groups like the Committee of Seventy, the group of lawyers and businessmen who supported Tilden’s crusade, redeeming city government was a class struggle.<sup>332</sup> After he became involved in politics Root always associated himself with government reform and opposed direct democracy, but in this fight he was aligned against the reformers. That Root found himself temporarily on the wrong side of the class struggle says something

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<sup>330</sup> E. L. Godkin, “Criminal Politics,” *The North American Review*, June 1890, Vol. 150, No. CCCCIII, 708.

<sup>331</sup> E. L. Godkin, “Criminal Politics,” *The North American Review*, June 1890, Vol. 150, No. CCCCIII, 712-713.

<sup>332</sup> David Quigley, *Second Founding: New York City, Reconstruction, and the Making of American Democracy* (New York: Hill and Wang, 2004), 112-113.

about his still precarious place in New York society, his still largely unformed political views, as well as something about his loyalty to his friends and his profession.

The prosecution of Tweed did not result simply from the exposure of massive political corruption, or even the desire of the old elite to regain their lost political privileges, but it also took place in the shadow of transatlantic events that cast a new and to some a sinister light on the perils of immigration. The Paris Commune that swept Paris in the spring of 1871 captured the attention of all New Yorkers, but for the elite it seemed an especially potent portent of the class violence that could be unleashed in their city. The pages of illustrated journals like *Harper's Weekly* and *Leslie's Illustrated* carried the graphic images of urban revolution across the Atlantic, evoking memories of New York's own draft riots and hovering like a specter over city politics for years afterward.<sup>333</sup> The fact that many of the exiled leaders of the Commune found their way to New York did nothing to allay those fears. For years, an annual dinner held in the city commemorating the events of the Commune attracted hundreds of European militants. At the same time and much closer to home, the Orange Day riots pitting Irish Protestants against Irish Catholics exploded in the city. On 12 July, a Protestant parade marched down a Catholic section of Eighth Avenue, sparking a riot in which sixty-two people were killed, mostly Irish Catholics killed by gunfire when the New York State Militia shot into the crowd of rioters.<sup>334</sup> Here was proof, if any were needed, that the tumult and bloodshed of Paris were a threat to New York as well.

Of even more direct concern was the impact of the disclosures about the suspect state of the city's finances. During the Tweed years, the city and county had issued a swelling river of bonds. Between January 1869 and the summer of 1871 alone, city and country indebtedness had

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<sup>333</sup> Ackerman, *Boss Tweed*, 154.

<sup>334</sup> Quigley, *Second Founding*, 95-97.



risen from \$36.3 million to over \$97 million. Much of this debt was held by the city's wealthy elite, and most of the rest was held across the Atlantic. If the city's finances were not quickly put in order, the Wall Street elite stood not only to lose their own investments, but even more disastrously, access to the credit houses of Europe. On the basis of newspaper reports alone, the Berlin Stock Exchange had delisted all New York city and county bonds.<sup>335</sup> Coming on the heels of the Erie Railroad debacle, New York's elite could not continue to ignore Tweed's corruption; the price had become too high. "If our local government cannot be reformed," warned Stock Exchange president Henry Clews, "the credit of the metropolis will be gone and . . .the standing of every large [financial] house will be more or less affected."<sup>336</sup> The municipal reform impulse of which Tweed's trial was but a part was not just influenced by local events and personalities, it was directly linked to the dramatic changes in the global economy and the forces challenging the old order in urban centers on both sides of the Atlantic.

Back home in upstate Clinton, Root's mother was fully aware of the Tweed trial and its implications, but her concerns were more personal than political. She was especially concerned that her son was on the wrong side of virtue, and for a mother raised in a Puritan household, that threatened the soul as well as the reputation. That fall she wrote to him, "We have watched the papers very anxiously since you were here. We have not learned that your friend of the Ring has yet needed an advocate. You know, my dear, that I have confidence in your integrity. Do you remember that you once said to me that 'every man had his price'? I only hope and pray that your price may be so high that even the Arch fiend himself cannot reach it."<sup>337</sup> Root's father,

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<sup>335</sup> Ackerman, *Boss Tweed*, 175-176.

<sup>336</sup> "Interview with Henry Clews," *The New York Herald*, 19 September 1871.

<sup>337</sup> Nancy Buttrick Root to Elihu Root, May 1871, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

never as emotive as his mother, nonetheless shared similar fears. In a letter a few weeks later, Root's mother conveyed the depth of his concern.

He said the other day that he thought that you were on more dangerous ground as a test of your moral power than ever before. He hoped you were living wisely for the future. . . . You will my dear be ever true to your higher nature. You will not let your ambition make you forget what life is in its noblest most important aspect. Do not neglect that Book which is the only safe light to your feet and lamp to your path. We cannot keep our hold on heaven without it —that lost — all is lost.<sup>338</sup>

In the intimate voice parents reserve for expressing concern for a child's welfare, Root's parents gave voice to their fears of the great metropolis' corrupting influence. Despite Root's regular protestations to the contrary, their fears were not groundless.

Henry Adams and his lawyer brother Charles Francis Adams, Jr. thought that no event more clearly typified the corruption of New York's business, financial and legal community than the fight that erupted over control of the Erie Railroad in 1868. "This strange conflict convulsed the money market, occupied the courts, agitated legislatures, and perplexed the country," they wrote, and it afforded "a curious illustration of the close intertwining of interests which now extends throughout the civilized world." The pirates of the Barbary coast and the Spanish Main may have seen their day, but "freebooters are not extinct; they have only transferred their operations to the land, and conducted them in more or less accordance with the forms of the law," to vastly more success and profit than when, "outside the law, they simply made all comers stand and deliver."<sup>339</sup> The main figures in this drama were Cornelius "Commodore" Vanderbilt, Jay Gould and Daniel Drew. In order to secure a monopoly of the carrying trade west from New York for his New York Central Railroad, Vanderbilt began quietly purchasing the shares of the

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<sup>338</sup> Nancy Buttrick Root to Elihu Root, 1 December 1867, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.; quoted in Phillip Jessup, *Elihu Root*, 84.

<sup>339</sup> Charles Francis Adams, Jr. and Henry Adams, *Chapters of Erie* (Prospect Heights, IL: Waveland Press, Inc., 1869, 1870 and 1871; reprinted 2002, 1-2.

competing Erie Railroad. Drew, who was a director of the Erie and dominated Wall Street in his day, caught wind of the scheme. With the connivance of his fellow director Gould and his partner James Fisk, Jr., they began equally quietly to print additional shares of Erie stock, so that after expending large sums to purchase Erie shares, the Commodore found he was no closer to owning a controlling interest than when he began.

Understandably furious at being swindled out of his attempted “corner” of the Erie stock, Vanderbilt moved the fight to the courts, where both sides deployed their respective corrupt judges like pawns on a chessboard.<sup>340</sup> The result was a legal tangle. At one point the Erie board was enjoined from holding any meetings by one judge, while being ordered to immediately do so by another.<sup>341</sup> It quickly escalated into crossing criminal charges, with Vanderbilt using Tweed-owned judges such as Judge George G. Barnard to arrest the Erie board members, who then fled across a fog shrouded Hudson to the safety of New Jersey, where they quickly purchased sufficient political protection in that state to continue the fight from Jersey City. The matter being incapable of resolution in the courts, both parties turned to the New York state legislature, where the lobbyists took over for lawyers and legislators played the role of corrupt pawns.<sup>342</sup> It hardly mattered that Vanderbilt lost in the end; the Erie fight became a *cause celebre* that exposed across the transatlantic world the buccaneering spirit of Wall Street finance and the profound corruption of the New York legal system.

Just as Wall Street was only loosely organized and almost totally unregulated, so too was the judicial system, which lacked the structures and standards that later defined it. By finishing both years of law school, Root had distinguished himself from many of his classmates; but by

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<sup>340</sup> Breen, *Thirty Years of New York Politics*, 132-134.

<sup>341</sup> Charles Francis Adams, Jr. and Henry Adams, *Chapters of Erie*, 28-29.

<sup>342</sup> Breen, *Thirty Years of New York Politics*, 134-145.

even attending law school, he had distinguished himself from most New York lawyers. A member of that breed, Matthew Breen, left a vivid picture of bar admission as it was more often practiced. One day Judge Barnard, with mock solemnity, put a group of applicants through an examination that included the following exchange:

Q. 'Senator,' (addressing one of them) 'do you know there is such a thing as the State Constitution?'

A. 'Yes, sir.'

Q. 'If a proposed bill came up for consideration, which you knew was in violation of the Constitution, what would you do?'

A. 'I would move to suspend the Constitution; same as we sometimes suspend the Rules of the Senate to pass a bill.'

'Stand aside,' said the Judge with a smile, 'you will make a profound lawyer.'

'Now sir,' said the Judge, addressing Mr. Daniel Breezy, 'if you had a claim for a client of \$50,000 against the City, what would be the first step you would take to recover it?'

'I would go and see Bill Tweed,' was the sagacious answer.

'You will make your mark as a Corporation lawyer,' said the Judge, amidst great merriment.<sup>343</sup>

Given such a gateway to the law, it was unsurprisingly easy for Tweed and his associates to bring much of the city's legal system under their sway. Breen described in detail the comprehensive dominance of Tammany Hall, conveying a sense of the world beyond the control of the old elite:

Tweed and his coadjutors had nestled themselves in the very vitals of the municipal government. They controlled (as it is termed here, 'owned') the Judges on the Bench, or at all events a working majority of them; they owned the District Attorney of the County; they owned the Grand Jury, which body was selected by their creatures; they owned the Counsel to the Corporation; they owned the members of the Common Council; they owned the financial officer of the City; they owned not all the heads of the various Departments, but the Police Commissioners, who had charge of the ballots cast at elections and who permitted the returns to be manipulated as suited their purpose; they owned the Board of Supervisors, who finally counted the returns; they owned even the Mayor; they owned everything, in sight and out of sight, in the way of public functions and public functionaries; they held a citadel copper-bound and copper-

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<sup>343</sup> Breen, *Thirty Years of New York Politics*, 158-159.

fastened, all welded together by the ‘cohesive power of public plunder,’ which made them and their retainers co-partners in the crimes committed and to be committed.<sup>344</sup>

Though Root’s family and Hamilton College connections had relieved him from the necessity of pursuing his fortune in such a rough-and-tumble way, his ambition had placed him in corruption’s path, as his parents clearly understood. Root played no role in those early battles over the Erie Railroad, but in June 1869 he drew a summons and complaint against the railroad on behalf of Joseph C. Johnson, but without comment simply let the matter drop.<sup>345</sup> The Stock Exchange cases brought him directly before Judge Barnard and Judge Albert Cardozo, two of the most notorious of Tweed’s judges, but rather than succumb to backroom maneuverings, Root relied on his knowledge of the law, the thoroughness of his preparation, and his dogged persistence.<sup>346</sup> His choice of professions had nonetheless brought him in contact with the city’s corruption, and now that he was cast in the role of Tweed’s defender, even if only in a junior capacity, he was no longer on the periphery of the city’s corruption, but at its very vortex.

To assault the ramparts of Tweed’s empire required more than an aroused elite; it required an agitated public, an avalanche of evidence supplied by a vengeful insider, and an election victory that installed anti-Tweed men in key judicial offices. Even after all these requirements were met in January 1873, Tweed’s defenders won a mistrial when the first jury was unable to come to a verdict.<sup>347</sup> Many New Yorkers, including Tweed himself, began to believe him impregnable. When a second trial was ordered for November of that year, Tweed’s attorneys’ greatest fear was that the case would again be given to Judge Noah Davis, who had

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<sup>344</sup> Breen, *Thirty Years of New York Politics*, 26.

<sup>345</sup> Register of Cases, 1867-1871; Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY; 161.

<sup>346</sup> Register of Cases, 1867-1871; Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY; 172-173, 176, 179-180, 215-216 and 245; Medbery, *Men and Mysteries of Wall Street*, 148-149; Breen, *Thirty Years of New York Politics*, 144.

<sup>347</sup> Ackerman, *Boss Tweed*, 265.

shown himself to be a partisan for Tweed's conviction in the first trial. When Judge Davis was again assigned and called the case, Fullerton approached the Bench and silently handed the Judge a motion for his recusal signed by the entire defense team. After showing visible anger, Davis retired for a short recess, then returned and without explanation ordered the trial to begin, but with the warning that, "I shall reserve, for a future occasion, such proceedings as, in my judgment, are required to vindicate the dignity of the Court, and of the profession itself, from what I deem a most unjustifiable proceeding."<sup>348</sup> During the course of the trial, Root examined several prospective jurors, a few minor witnesses, and argued several motions, but took no leading role. When the trial was concluded, this time with Tweed's conviction, Judge Davis stunned the courtroom by returning to his earlier by-then forgotten threat. He directed the defense attorneys to attend court the following Monday morning, "at which time I shall proceed to do what I deem proper in the matter."<sup>349</sup> The following day, Root's mother wrote to him from Clinton, "It was stated in this morning's *Herald* that Tweed's council were in danger of commitment, by Judge Davis for contempt of court. Are you in danger? We are, of course, anxious. I do not know what to think ... I don't know but you too are in prison. ... I cannot believe, that you, who are always so cool, so self possessed, have been betrayed into doing anything that will subject you to the punishment of the court."<sup>350</sup>

Field expressed his disdain for Judge Davis' order by departing for Europe and challenging the Judge to renew the contest when he returned, which invitation Davis wisely declined. Graham, the most experienced criminal lawyer on the team, was also for fighting, but he had no support from his associates. When Root's friend Willard Bartlett complained that

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<sup>348</sup> Breen, *Thirty Years of New York Politics*, 444-447.

<sup>349</sup> Breen, *Thirty Years of New York Politics*, 471.

<sup>350</sup> Nancy Buttrick Root to Elihu Root, 24 November 1873, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

having both himself and his father in jail at the same time was “altogether too much martyrdom for one family,” Graham tried to encourage him. “Well, young man,” he said, “bigger men than we have consented to go to jail to maintain independence, and for great causes, who were forever after honored for their courage.” His appeal fell on deaf ears. “I don’t like jails; I would rather sleep home,” Bartlett is said to have responded, “It may be all right to suffer for a great cause, but I would rather suffer for it outside of jail.”<sup>351</sup> In the end, Graham reluctantly consented to join in a fulsome apology that they delivered to the Judge on Monday morning. Only barely mollified, Davis let loose with a long and tendentious diatribe against them, which nonetheless was well received by the reform forces and their press. In the end, he fined the older attorneys present, Graham, Bartlett and Eggleston, \$250 each, then addressed the younger attorneys:

In Respect to the younger members of the Bar, who have signed the paper — Elihu Root, Willard Bartlett, and William Eggleston — I have this to say: I know how young lawyers are apt to follow their seniors. Mr. Eggleston did not take active part in the trial, and I do not speak of him. The other two younger lawyers displayed great ability during the trial. I shall impose no penalty, except what they may find in these few words of advice; I ask you, young gentlemen, to remember that good faith to a client never can justify or require bad faith to your consciences, and that however good a thing may be, to be known as successful and great lawyers, it is even a better thing, to be known as honest men.<sup>352</sup>

Godkin’s magazine *The Nation* considered it “a mild, but perhaps adequate punishment,” singling out Graham as the real culprit. He “...was an old offender,” said *The Nation*, “who has long figured in criminal trials as an uproarious and weeping bully, and has apparently relied largely on his turbulence and disorder to divert the attention of juries from the real matter at hand.”<sup>353</sup>

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<sup>351</sup> Breen, *Thirty Years of New York Politics*, 474-475.

<sup>352</sup> Breen, *Thirty Years of New York Politics*, 484.

<sup>353</sup> “The Week,” *The Nation*, No. 440, 4 December 1873, 362.

The joke among members of the Bar was that Judge Davis had punished the wrong offenders, that Root and Bartlett had in fact initiated and drawn the motion that had caused him such distress. Given the usual role of junior counsel in an important case, it was likely true.<sup>354</sup> At the time Root was clearly angry with Judge Davis for creating such a public spectacle by attacking Tweed's lawyers, who were doing no more than zealously representing their client against a biased judge. In later years Root still felt they had been right to make the motion, but he also thought that Judge Davis had been within his rights to deny it.<sup>355</sup> Root certainly never regretted his participation on the losing side of a notorious case in defense of a client for whom he had no love. Speaking to the graduating class of the Columbia University Law School in 1888, Root told the soon-to-be lawyers:

One obligation I want to impress upon you. You must support the law even when in particular cases its justice seems doubtful. The inviolability of constitutional and statutory rights are more valuable than the punishment of any one criminal. Fifteen years ago the Court of Appeals freed Tweed, in the face of public opinion, on constitutional grounds. The press and the public were against them, but time has served to show the wisdom of those eminent jurists. ...No matter how vile the criminal, if he represents a constitutional right, you will do your country a service by defending him.<sup>356</sup>

His mother took an altogether different attitude. "If I could only be certain that you would never knock Judge Davis down," she wrote, after he finally made time to visit Clinton. She then went on to remind him of the obligations of his cultural inheritance. "Do you not know that we are approaching a point in civilization and refinement when we shall neither weep nor laugh nor express anger, though we may be boiling to death inside?" she continued, "Well-

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<sup>354</sup> Breen, *Thirty Years of New York Politics*, 33; Jessup stated that "no substantiation of the legend has been found," which begs the question as to why he didn't simply ask Root, with whom he discussed the case at some length. One suspects he didn't really want the answer. Jessup, *Elihu Root*, 89.

<sup>355</sup> Interview with Elihu Root, 26 July 1934, quoted in Jessup, *Elihu Root*, 85.

<sup>356</sup> *The New York Times*, 14 June 1888.



bred persons will present the same calm exterior, under all circumstances.”<sup>357</sup> This reminder reflected more than a mother’s admonishment. His brother Oren struggled with the same cultural imperative while trying to convey his pride and love to Root on his birthday shortly after he left the War Department, “But the reticence of soul which is in & of the race from which we come, is with me as it is with you and I cannot write it.”<sup>358</sup> Whatever passions Tweed’s trial may have aroused in the young litigator, he quickly pushed them aside and returned to building his practice. The pull of his cultural inheritance was an anchor that not only shaped his personality, but it held Root apart from the temptations of immigrant dominated Tammany. His family knew better than anyone its power to conform Root’s behavior to its standards.

Ingersoll’s trial followed Tweed’s, but in this case Root played a more important role and adopted a technical defense challenging the State’s jurisdiction. The case was taken before the Court of Appeals, where Root argued against most of the same titans who felled Tweed. He prevailed in the appeal, but Ingersoll, against a tide of incriminating documents, was still convicted in the ensuing trial.<sup>359</sup> He was ultimately freed by newly elected Governor Tilden in return for agreeing to testify against Tweed.<sup>360</sup> Root also worked on some of the numerous civil cases that arose from the Tweed Ring’s frauds, but after the initial rush of excitement, activity and notoriety, he settled back into routine.<sup>361</sup> More importantly for Root’s practice, his brush with Tammany Hall did not cause him to lose Donaldson’s backing. Root justified his involvement with Tweed to Donaldson in much the same way that he explained it later to the

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<sup>357</sup> Nancy Buttrick Root to Elihu Root, 5 January 1874, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>358</sup> Oren Root, Jr. to Elihu Root, 15 February 1905, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>359</sup> Jessup, *Elihu Root*,

<sup>360</sup> Ackerman, *Boss Tweed*,

<sup>361</sup> Register of Cases, 1874-1880; Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY., 116.

Columbia Law School graduates, and Donaldson evidently accepted his explanation.<sup>362</sup> Root's Register of Cases in the years immediately following the trials overflowed with cases on behalf of the Bank of North America, H. B. Claflin & Co. and Donaldson personally.<sup>363</sup>

If the Tweed cases brought no apparent diminution in his growing business practice, they did bring some positive benefits. One impact of the Tweed cases was that they gave Root confidence that he could handle prominent, even notorious cases. They put him in court with some of the most notable members of the Bar, where he acquitted himself well. Even his family recognized the value of making those connections, though they clearly had not enjoyed the notoriety.<sup>364</sup> Most importantly, by testing what his father had called his "moral power," Root's representation of Tweed and Ingersoll had solidified forever Root's sense of order and propriety. Seeing the corruption of Tammany Hall from the perspective of an insider had determined Root on an opposite course. Never again was he caught on the wrong side of a class dispute. From then on he was always to be counted among the reforming elite, opposing not only Tammany Hall, but also the political bosses inside his own Republican party. The sort of crude corruption that pervaded Tammany Hall, and by implication the working class and immigrant constituencies that sustained it, became Root's template for political corruption; while the subtle corruption of privilege, influence and connection by which he was quickly making his way into New York's wealthy elite, represented his sense of merit, order and propriety. This basic assumption about the legitimacy of power was reinforced by his engagement with New York political life.

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<sup>362</sup> Hal Donaldson to Phillip Jessup, 29 November 1930, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>363</sup> Register of Cases, 1874-1880; Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY.

<sup>364</sup> Jessup, *Elihu Root*, 86.

Even before he took on the cause of Boss Tweed, Root determined “that there was a great field of life in New York of which I was ignorant and to which I was unknown.” While he was busy building his practice, his wealth and his connections in the business world, he had neglected the world of politics. Even more critically, he had yet to enter into the world of New York’s important men’s clubs, where the worlds of business, politics and society came together. To fill that gap in his world, Root determined that “the best step to take in view of my own feelings, ideas, and conceptions of life was to join the Union League Club.”<sup>365</sup> “I looked about and asked Charles P. Kirkland to put me up for membership in the Union League Club,” Root recalled, “...he had graduated from Hamilton in 1816. You see I was linked up with a pretty old bunch.”<sup>366</sup> Root’s family connections, the loyalty of other Hamilton College alumni, his law school friendships, and the relationships he built through his church, opened the doors to his early successes in New York. Yet Root understood that unless he took a part in the public life of the city, which for an aspiring elite could only be through club memberships, his continuing ability to build connections and find a place among the elite was limited. “You have to speak the language of the politicians,” Root believed, “you have to understand their thoughts, you have to understand what they want to get on with them.”<sup>367</sup> Root eventually became a member of almost every prominent club in the city, but he first learned to speak the language of the politicians in the wood-paneled clubrooms of the Union League Club.

Created during the Civil War by New York members of the United States Sanitary Commission, whose purpose was “a humane ministry to the wants and sufferings of our armies,” the Union League Club’s principal object was the promotion of “a very much higher

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<sup>365</sup> Quoted in Jessup, *Elihu Root*, 70.

<sup>366</sup> Grace Cogswell Root, *Fathers and Sons*, 143.

<sup>367</sup> Grace Cogswell Root, *Fathers and Sons*, no page number (after 167).

sense of the value of the Union, and, above all, of the value of a great common national life.”<sup>368</sup>

One of the initial founders of the club was Frederick Law Olmstead, the first Secretary of the Sanitary Commission and the great landscape architect of Central Park. In a letter to Wolcott Gibbs, who first expressed the idea for the club, he expounded some of the core values that governed the club’s early decades. Referring to the ongoing rebellion, he asked, “To what are we loyal and they not?” He found the main difference was the South’s desire for a “legally privileged class,” similar to the European aristocracies. Against that, he proposed the Union League Club as a champion for “a true American aristocracy.” “We wish also to establish the fact that there is an ‘aristocratic class’ in New York,” he added, “which in this respect is not European; which shall not be felt by an English gentleman to be the mere ape and parrot of a European gentry.” He saw three groups composing this New York aristocracy. First, “men of substance and established high position socially, ...[m]en of good stock, or of notably high character, ...[a]nd especially those of old colonial names well brought down. A large proportion of this sort I should consider absolutely essential ...They must be in the centre.” Second, “clever men, especially of letters, wits and artists who have made their mark.” Finally, “promising young men—quite young men, who should be sought for and drawn in and nursed and nourished with care, but especially of those rich young men. ...who don’t understand what their place can be in American society.”<sup>369</sup> What Olmstead described was an aristocracy of birth and merit, where birth would bring special privileges but would not alone be sufficient, and where merit could be recognized and promoted more generally, but still strictly within the constraints of Anglo-American culture. While these ideals were never set down in by-laws nor strictly enforced, his idea of an American aristocracy centered in New York “always had its influence, if not its direct

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<sup>368</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 5-6.

<sup>369</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 12-14.

acknowledgment, and is none the less important for being only vaguely discerned.”<sup>370</sup> It was largely within the confines of this world that Root’s political assumptions were created and reinforced, and where his political ideas began to roughly take shape.

The most prominent wartime work of the club was the recruitment and funding of three regiments of Black soldiers. The 20<sup>th</sup>, 26<sup>th</sup>, and 31<sup>st</sup> Regiments of U.S. Colored Troops were raised and funded by the club, to much fanfare and with the support of the most prominent people in the city. Most notable of the regiments was the 31<sup>st</sup> Regiment, which was hastily ordered to join the Army of the Potomac in time to fight bravely and in the face of horrendous casualties, including the deliberate murder of helpless wounded and prisoners, at the Battle of the Crater. The club helped reconstitute and refurbish the regiment, which continued to serve into Reconstruction. The club members were motivated not only by a desire to support the Union cause, but by a desire to counter the “hatred and contempt of the colored man, felt by the lower class of our white emigrants” that had been exposed during the Draft Riots, and to encourage support for emancipation.<sup>371</sup> By January 1865, the club membership had swelled to upwards of eight hundred.<sup>372</sup> The fundamental ideology of the club was always a strong nationalism, but with the successful conclusion of the war the specific focus of the club changed from preservation of the Union, to a broader promotion of the United States on the world stage and a tireless advocacy of municipal reform at home.

During the course of the war the nationalism of the Union League Club, which began as a relatively unsophisticated desire to preserve the Union, grew into a more focused ambition to

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<sup>370</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 16.

<sup>371</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 54-57.

<sup>372</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 66.

establish America's place in the community of nations. The club's annual report for 1865 described this development.

The disclosure, since the rebellion commenced, of a more deeply-seated unfriendliness than we were prepared to find, on the part of the governments and ruling classes of Europe towards the American republic, ...has been attended by the disclosure, still more startling, of an influential faction in our midst, so wanting in the sentiment of American nationality, as to have invited ...foreign intervention; and it may be that these facts, combined with the establishment, by a French army, of an empire on the soil of Mexico, will originate new suggestions in regard to the tone and character of our foreign policy.<sup>373</sup>

At the same time as it perceived enemies foreign and domestic, the club began to draw connections between the country's domestic prosperity and its foreign policy. Not only was the health of the country's finances "a question of instant and profound importance," but it "concerns the interest of every class, and the comfort and welfare of the whole people."<sup>374</sup> The executive committee report for 1868 was even more explicit, applauding President-elect Grant's promise to restrain domestic spending until the nation's debt was reduced and its credit elevated, "to a point commensurate with its acknowledged position as a first-class power."<sup>375</sup>

Even the club's interest in municipal reform had a national linkage, since "[t]hey all feel their pride of country would be greater, if to the military and naval power ...was added a moral power, which should protect us from being fleeced, under the forms of law, by political factions that combine for the purposes of plunder, destroying the purity of the franchise and the morality of legislation, and replacing, in the Legislature and in municipal councils, our ancestral ideas of public honesty and public honor by the immoral practices of 'the lobby' and 'the ring.'"<sup>376</sup> As the

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<sup>373</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 76-77.

<sup>374</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 77.

<sup>375</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 113.

<sup>376</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 77.

club history observed, “Despite the respect which our growing wealth and power have extorted from other nations, there can be no doubt that our comparative impotency in the presence of our municipal evils has weakened our political prestige abroad.”<sup>377</sup> Nor was the military and naval power to be neglected, lest the same “inadequate sense of danger to our national life” which at the beginning of the war “gave our Government an appearance of irresolution in its military preparation, and of indeterminateness in its principles of action,” should again imperil the country.<sup>378</sup> These nationalist passions were aligned with a broadly Christian sentiment, but one that erased most sectarian differences while enlisting faith as an agent of nation, such that the members could speak almost indistinguishably about a “patriotic and Christian purpose.”<sup>379</sup> The club’s opposition in 1868 to an act appropriating public money to religious-based charitable institutions on the grounds that it introduced “the religious question into our schools and politics,” illustrated the way they saw Christianity as a handmaid of nationalism and opposed “theological discriminations” that might dilute national unity.<sup>380</sup> The English writer Anthony Trollope had observed on his visit that “the nation is religious in its tendencies, and prone to acknowledge the goodness of God in all things,” and the attitude of the Union League Club reflected that.<sup>381</sup> By the time Root joined in 1869, “The Club had become a power behind the State and was commonly recognized as containing citizens who held their private interests, their time, their ease, their party ties, their lives, second to their love of country and their devotion to good government.”<sup>382</sup>

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<sup>377</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 160.

<sup>378</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 33.

<sup>379</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 14.

<sup>380</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 106.

<sup>381</sup> Anthony Trollope, *North America* (New York: Alfred A. Knopf, 1867), 281.

<sup>382</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 98.

Politics had a very specific and usually limited place in the lives of New York's wealthy elite. When Theodore Roosevelt first broached the idea of a political career to his family and friends, he was discouraged from engaging in such a "low" profession. Gentlemen voted and contributed to party funds of course, but they did not stoop to the rough-and-tumble of political life. As Roosevelt recalled: "I answered that if this were so it merely meant that the people I knew did not belong to the governing class, and that the other people did — and that I intended to be one of the governing class."<sup>383</sup> Though not members of the wealthy elite, Root's family and friends also had misgivings about politicians. Root recalled that his father "always voted but took no interest in politics."<sup>384</sup> When Root's name eventually began to appear regularly in the newspapers connected to political issues, his older brother wrote him from Clinton: "Mother says she wishes 'folks wouldn't call you a politician,' she 'hates politicians.' Ergo my boy she hates you —but don't go and bet on it now —you might lose your money."<sup>385</sup> Unlike Roosevelt, Root had no calculated ambition to join the "governing class." His entrance into politics was more an outgrowth of his professional and social life than a matter of personal political ambition. While Roosevelt reveled in political combat, Root ran for public office only once, lost, and never ran again. His political engagement was based instead on private, subtler approaches to power. It depended first on social and business networks, and then on club and political party associations. Together these connections to power took Root to the heights of unelected office, but proved insufficient (as he always thought they would) to sustain an open political run at the

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<sup>383</sup> Theodore Roosevelt, *Autobiography of Theodore Roosevelt* (New York: Doubleday and Co., 1917), 57.

<sup>384</sup> Grace Cogswell Root, *Fathers and Sons*, no page number.

<sup>385</sup> Oren Root, Jr. to Elihu Root, 29 April 1881, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.



highest elected office.<sup>386</sup> Much more than Roosevelt, Root's political ambitions closely reflected the elite ideal.

The politics of electioneering was almost as distasteful to Root as it was to his mother. He was not a naturally gifted speaker, so he avoided public appearances wherever he could. To the extent his speeches were effective, it was due to their rigorous logic and the meticulous way he constructed them. As with all aspects of his life, he labored mightily over them. Even his impromptu speeches bear the mark of preparation. His preferred speaking venues were private institutions such as the Union League Club or Republican Party events where he was only one speaker among several on the platform. He never saw himself as a true politician, nor ever expressed any desire to be one. Being a politician meant doing and saying only what would win elections; it meant having "the inhibitions of a man who wants office" and losing the freedom of speaking one's mind. "I was never that sort," Root insisted, "...that sort of freedom I would barter for nothing."<sup>387</sup>

His strength in public office was his administrative ability, not his ability to inspire or lead the masses. By the same token, his strength as a lawyer was his ability to convince men of similar mind of the correctness of his position. If politics on the hustings was anathema to Root, insider politics was his natural forte. To a great extent, this arose naturally from his legal practice. As his practice grew evermore devoted to serving corporations and the wealthy elite, this characteristic became even more ingrained. Root knew his own strengths, and preferred exercising executive authority in appointed office to legislative deliberation, or the distasteful

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<sup>386</sup> Historians generally agree that Root was unelectable to the White House. As Richard W. Leopold concluded: "Root could never have been a successful popular leader. He was handicapped by his temperament and disqualified by his earlier legal activity." Richard W. Leopold, *Elihu Root and the Conservative Tradition* (Boston: Little, Brown and Company, 1954), 7.

<sup>387</sup> Grace Cogswell Root, *Fathers and Sons*, 91.

requirements of running for elected office. When Roosevelt asked him to return to the cabinet as Secretary of State in 1905, a friend urged him to hold out for the presidential contest just a few years away; “Why not wait three years and get the substance instead of taking the shadow now?” Root replied, “I have always thought the opportunity of doing something worth doing was the substance and the trying to get something was the shadow.”<sup>388</sup> In Root’s experience, doing something in politics had only a passing relationship to politics as the public perceived it. In Root’s view, political campaigns and the requirement of pleasing an electorate often diverted politicians from important work into pursuing popular measures of often dubious value.<sup>389</sup> Real decisions were made outside the public gaze. “Political speeches are after all nothing but a table of contents,” he thought, “The real work is accomplished when two or three men talk quietly and naturally together.” It was in “the quiet, small sessions when work is achieved and an understanding reached.”<sup>390</sup> This was the politics that he learned in the clubrooms of the Union League Club and among his fellow New York elite.

Root was a political reformer remembered mostly for his creative, reforming accomplishments in public life; but his reforming impulse came from a conservative Republican tradition. Though he believed in the inevitability of change and had the optimism about it of one who believed in positive scientific progress, he was always comfortable under the conservative banner. Though he spent his political career fighting for what he thought was good, efficient government, he fit comfortably neither as a Mugwump nor a Progressive. His political ideology was difficult to categorize accurately. By placing him in the conservative tradition, Richard W. Leopold certainly did the best job of analyzing Root’s place in American political ideology. His

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<sup>388</sup> Grace Cogswell Root, *Fathers and Sons*, 36.

<sup>389</sup> Grace Cogswell Root, *Fathers and Sons*, 78.

<sup>390</sup> Grace Cogswell Root, *Fathers and Sons*, 43.

definition of conservatism, constructed with Root in mind and during a period of liberal dominance, provided an especially useful standard against which to understand Root's conservatism as compared to the recently proliferating versions:

A conservative is one who keeps or guards. In contrast to a liberal, who seeks to expand freedom, he is disposed to maintain, preserve, uphold, and defend the established order. It does not follow, of course, that a conservative is opposed to all change; but he is cautious about innovation and the abandonment of the tested and tried. ... He reveres the past and tries to carry on its proved principles. ... the conservative usually distrusts man in the mass and prefers to be ruled by the educated and propertied groups.<sup>391</sup>

Everything in Root's upbringing and experience taught him to venerate the past and defer to the elite. And as the Republican Party most closely represented the interests of "the educated and propertied groups," it naturally became his political home. His politics were a direct outgrowth of his family heritage, cultural milieu and life experiences.

His Republican roots began with his family. Both of his parents were early supporters of the Republican Party, and his brother Oren, Jr. kept the party faith when he moved to Missouri for a short time. "I am a stronger Republican today than I ever was before," he wrote to his younger brother in 1868.<sup>392</sup> Root's earliest exposure to politics predisposed him to join the Republicans. "My earliest remembrance of political events being talked about was hearing my Grandmother Buttrick pray aloud in her bedroom over the Kansas-Nebraska fight." he later recalled, "She lived with us then. ... She prayed aloud all day long, wrestling with the Lord. It was the only time I remember when she wasn't placid."<sup>393</sup> During the 1856 presidential campaign, with John C. Fremont running on the ticket of the new party, one of the speakers at Hamilton's commencement gave a rousing oration on the topic, "Free Speech, Free Men and Fre-mont."

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<sup>391</sup> Leopold, *Elihu Root and the Conservative Tradition*, 8.

<sup>392</sup> Oren Root, Jr. to Elihu Root, 18 October 1868, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>393</sup> Jessup, *Elihu Root*, 29.

Root recalled that the speech “took the roof off the old Church and drove the old Democrats present nearly crazy.” It made his uncle Judge Root “so mad that he never attended another commencement.” Root’s reaction was just the opposite, “I have never lost the impress of deep convictions and earnest purpose of the then infant party.”<sup>394</sup> Root never considered the party of abolition to ever be a party of stasis, but he did consider it a party of conservative principles.

Root was neither original nor systematic in his political beliefs. Root’s strengths were those of the natural executive who focused on creating workable solutions to concrete problems and whose work was always deeply rooted in the contemporary.<sup>395</sup> This was a product of his training and experience in the law, where finding workable solutions dominated his daily routine, sometimes to the exclusion of considering consequences. This is not to imply that he had no political beliefs, but that they were deeply rooted in his cultural milieu. He venerated history and tradition, as he understood them through the lens of his experiences, and found them a useful guide in political life. “All that is being done or can be done grows out of the past,” he thought, “... All that you can ever do in the world will be a growth from the past of the world.”<sup>396</sup> He believed in reform, but orderly reform that respected existing institutions and interests. He “emphasized efficient administration, balanced power with responsibility, venerated the judicial process, and sought stability in all aspects of human relations. Order was his passion.” Leopold concluded that in these beliefs, “Root stands out as the ablest, most constructive conservative in American public life” in the first half of the twentieth century.<sup>397</sup>

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<sup>394</sup> Grace Cogswell Root, *Fathers and Sons*, no page number.

<sup>395</sup> Leopold, *Elihu Root and the Conservative Tradition*, 195.

<sup>396</sup> Grace Cogswell Root, *Fathers and Sons*, 137.

<sup>397</sup> Leopold, *Elihu Root and the Conservative Tradition*, 9.

The most challenging aspect of Root's political life was the contrast between his passion for reform and his life-long devotion to order. As Root put it: "Growth is the law of life and the perennial problem is how to hold fast to what is good and essential and at the same time substitute new growth for dead matter."<sup>398</sup> The key to understanding how he resolved that paradox lies in understanding his concept of order. Unlike other reformers of the period, Root was not simply attempting to ameliorate the adverse impacts of unrestrained capitalism or advocating limited reforms in a bid to forestall more comprehensive ones. He took up the cause of reform almost from the start of his political life and pursued it as a positive program, not as a grim rear-guard action against the onslaught of progress. In other words, his conservatism was meant not only to "maintain, preserve, uphold, and defend the established order," but to advance the creation of a new establishment built on what he believed to be traditional, conservative principles, arising from the country's Anglo-American history and culture.

How Root understood those principles can only be seen through the prism of New York politics in the latter half of the nineteenth century. As the country's most important metropolis, New York played a significant role in national politics. It was the center of communication, trade and finance not only within the United States, but also between the United States and Europe.<sup>399</sup> The country's center of wealth, commerce and society, it brought together in one place the largest group of national elites from every aspect of society save politics, while at the same time being a vital battleground for political control of Washington. More importantly, New York represented the fulcrum of the nation's struggles over industrialization, urbanization and a newly

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<sup>398</sup> Elihu Root to J. R. Sheffield, 10 January 1916, quoted in Grace Cogswell Root, *Fathers and Sons*, 142.

<sup>399</sup> David C. Hammack, *Power and Society: Greater New York at the Turn of the Century* (New York: The Russell Sage Foundation, 1982), 33.

multiracial electorate.<sup>400</sup> “[N]owhere else in the world did an economic elite emerge as powerful as that of New York City,” concluded Sven Beckert, “Upper-class power was such that more than a hundred years later, it is not presidents but prominent bourgeois New Yorkers, such as John D. Rockefeller and J. P. Morgan, who still symbolize the age to most Americans.”<sup>401</sup> As the United States’ first truly modern city, New York represented in microcosm the changes in America that transformed the nation’s politics in the decades following the Civil War. After he joined the Union League Club, Root increasingly took a partisan role in those conflicts, always on the side of the wealthy elite.

Under pressure from a growing and increasingly assertive working class, New York’s economic elites moved past internal divisions and towards a class awareness in the years following the Civil War. That movement was intensified by the serious economic depression that began in 1873. As Beckert observed, it was then “that upper-class New Yorkers began to consolidate their class institutions and to see themselves and at times act as a class. In the next half decade, the city’s economic elite formulated a collective identity whose main elements were a theory of racial hierarchy, a recast relationship between state and economy, and ambivalence about democracy”<sup>402</sup> This collective identity influenced their political behavior, whilst sometimes eclipsing it. Nowhere was this relationship between class and political identity played out more powerfully than within the membership of the Union League Club. “During the 1870s, the 1,317 member-strong Union League Club ‘showed a disposition to fortify itself in the aesthetic direction against any losses it might be called to bear from the decline in political zeal,’” Beckert wrote, “...Bourgeois New Yorkers self-consciously advanced their solidarity, with their

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<sup>400</sup> Quigley, *Second Founding*, x-xiii.

<sup>401</sup> Sven Beckert, *The Monied Metropolis: New York City and the Consolidation of the American Bourgeoisie, 1850-1896* (New York: Cambridge University Press, 1993), 3.

<sup>402</sup> Beckert, *The Monied Metropolis*, 207.

numerous organizational efforts transcending ever more the particularist identities of different segments of the city's economic elite. The depression, in effect, separated 'classes more than ever.'<sup>403</sup> The growing self-awareness of the wealthy class served not only to separate it culturally from the rest of society, but it also served to create an increasingly elitist view of politics.

The Union League Club was far from the only political club in New York, or even the only Republican club. Political clubs organized around geography, ethnicity, class and party affiliation dominated New York politics in those years. Tammany Hall was itself a political club, and in many respects the Union League Club's doppelgänger. All of these clubs were held together by strong bonds of association that made them more important in the lives of their members than is implied by mere party affiliation. They were important in creating group and individual identity within the city and its boroughs, something of great significance as the city grew ever larger and more diverse. For recent immigrants they were especially critical in establishing a foothold on a foreign shore, but for men of all classes and ethnic groups they were a central feature of public life. They were also a central feature of private life, for these clubs were entirely male environments that demarcated an important divide between public and private spheres. "The nature of the association, its internal structure, functions and vitality," a contemporary scholar concluded, "are further conditioned by the complex of forces which make up the community pattern."<sup>404</sup> In other words, the clubs reflected the complex culture that produced them even as they acted to affect the politics of that culture. Above them all, "[o]n a higher level moved the gentlemen of the Union League Club, the 'national' Democrats, and the

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<sup>403</sup> Beckert, *The Monied Metropolis*, 211.

<sup>404</sup> Roy V. Peel, *The Political Clubs of New York* (New York: G. P. Putnam's Sons, 1935), 13-17.

overlords of Big Business and High Finance. In these circles ...real questions of public policy were determined.”<sup>405</sup>

Along with his new friends in the Union League Club, Root was part of a group of political activists who occupied the middle ground between the machine-dominated wing of the Republican Party and the Tammany Hall-dominated wing of the Democratic Party. Though by 1890 he would be described as a “rockribbed and ancient Republican,” Root’s party loyalties were occasionally flexible enough to allow him to ally with like-minded Democrats and support what were known as Swallowtail Democrats. So called because of their propensity for wearing the traditional tailed frock coat, Swallowtails were Democrats who had gained their wealth in business and were therefore motivated principally by economic concerns and largely independent of traditional party discipline. Between 1872 and 1886, every New York City mayor owed his election to the support of this group.<sup>406</sup> Root always looked to a Republican reformer first, as when he supported Theodore Roosevelt in his first campaign for the state assembly as ‘the one man whom the citizens could look to for reform,” but he often found common ground with the Swallowtail Democrats.<sup>407</sup> Several years later Abram S. Hewitt, who had been the Swallowtail candidate Roosevelt defeated, was one of a select group of reform-minded politicians from both parties who met in Root’s law office in 1896 to form the Citizens Union, a permanent, independent city reform organization.<sup>408</sup> Party loyalty eventually became one of Root’s defining political characteristics, particularly to his enemies, but the real foundation for his politics was an elitist reform impulse that grew out of the newly formed class awareness of

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<sup>405</sup> Peel, *The Political Clubs of New York*, 38.

<sup>406</sup> Hammack, *Power and Society*, 110-111.

<sup>407</sup> New York *Sun*, 22 February 1883, 1.

<sup>408</sup> Jessup, *Elihu Root*, 192.



the wealthy elite. Political loyalty and class loyalty were inseparable in Root's mind; they were both products of a common set of cultural beliefs that grew from a specific tradition and history.

Founded in the passions of the country's great Civil War, the members of the Union League Club saw the war not as a national calamity, but as a noble struggle out of which had emerged a new nation and a new patriotism. Yet as they looked around, they saw political corruption in government and national division in the proliferation of a multiracial society. To confront those challenges, a return to "a natural balance in society" through "moderate, well-considered reforms" became a focus of elite politics. With little sympathy for the plight of farmers or labor, and an abiding conviction in the power of the free market to eventually right all economic wrongs, they believed that only if political power was in the hands of the "best men" could politics and government be redeemed from the evident excesses of unrestrained democracy. Their fears were excessive taxation, waste and corruption in government, and an erosion of nationalism—all of which threatened not only the national interests, but the interests of the wealthy as well.<sup>409</sup> Root eventually came to believe that participation by the best men in politics was an obligation, and ultimately inseparable from business and social success. "A large part of mankind still regard government as something quite apart from the main business of life—something which is undoubtedly necessary to enable them to attend to their business, but only incidental or accessory to it," he wrote, "...In reality, government is an essential part in every act of all this wide range of human activity."<sup>410</sup>

In the same way, the Union League Club became not only the principal context for his political life, but it was the vital center of his business and social life as well. During the war the club, "filled amicably, and with not a little *éclat*, the position that would ordinarily have been

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<sup>409</sup> John G. Sproat, *The Best Men: Liberal Reformers in the Gilded Age* (New York: Oxford University Press, 1968), 4-7.

<sup>410</sup> Elihu Root, *The Citizen's Part in Government* (New York: Charles Scribner's Sons, 1907), 5.

occupied by a United Service Club,” but after the war it “receded into a purely civilian club, with a semi-political purpose.”<sup>411</sup> A description of the clubhouse that was built after the war conveyed a sense of the club’s post-war atmosphere and social sensibilities. According to a contemporary observer, it was “probably, internally and externally, the most elegant club-house in the city.”

The restaurant, in point of variety and elegant Epicureanism, is not exceeded by that of any first-class hotel. . . . The general framework of the furnishing is of black walnut, though the larger mirror frames are of rosewood. The reading-room, first story, fronts on Madison Square. Its walls are decorated with photographs and portraits of members mostly. The reception-parlor fronts on Twenty-sixth street, and is a *bijou* in its way. . . . The art gallery fronts on Twenty-sixth street: adjoining it is the billiard room, having four fine tables; near by, opened into by grand doors, is the ten-pin alley. On the second floor, is fitted up an elegant *bijou* of a theater, intended not only for the use of the club as a meeting-room, but to be let for lectures and dramatic readings. The carpeting throughout is of Wilton, Axminster, or Brussels; and, in connection with the rosewood and walnut of sofas and mirrors, a great deal of gilding has been employed. In fact, of the two, monograms and gilding are rather superabundant.<sup>412</sup>

When he joined the club, Root was still a bachelor (and would remain so for several more years) living in modest accommodations with his brother Wally. The club became an elegant third place, between work and home, where he could spend his time. It also became the central arena where he pursued his professional and political ambitions among the wealthy elite.

It was here that he befriended Joseph Choate, with whom he would be closely associated politically and within the Bar for most of his legal career. If Root was the leading member of the New York Bar when he left for the War Department, it was Joseph Choate he succeeded in the honor.<sup>413</sup> When the cartoonist for the New York *World* wanted to describe the Bar Association in

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<sup>411</sup> Francis Gerry Fairfield, *The Clubs of New York* (New York, Henry L. Hinton, 1873), 22.

<sup>412</sup> Fairfield, *The Clubs of New York*, 13-14 and 111-112.

<sup>413</sup> John Proctor Clarke, “Book Reviews: *Arguments and Addresses of Joseph Hodges Choate*. Collected and Edited by Frederick C. Hicks. With a Memorial by Elihu Root. (St. Paul, West Publishing Co., 1926), *The Yale Law Journal*, Vol. 36, No. 7, May 1927, 1032-1033.

1898, he did so as “Root, Choate & Co.”<sup>414</sup> His first legal case involving Choate was at the end of 1869, when they took opposite sides of a civil case.<sup>415</sup> Shortly thereafter, they found themselves on opposite sides of the Tweed cases. While Choate took no active part in the actual trial of the criminal cases, he was already a prominent figure in the New York Bar who worked behind the scenes to support the criminal prosecution, and was a leader of the Committee of Seventy that led the political attack on Tweed. At the public meeting held at Cooper Union on 4 September 1871, Choate chaired the committee on resolutions. Following declarations by other speakers that “the manhood of New York should assert itself and drive the marauders from the positions they have dishonored,” and “that the world—the world is waiting to see if the men of New York believe in honesty or worship fraud,” Choate took center stage, and amid cries of “Choate, Choate!” he answered Tweed’s apocryphal challenge, “What are you going to do about it?” by dramatically unfurling the resolutions and saying “This is what *we* are going to do about it!” On the cold printed page it lacks the passion of the moment, but at the time it electrified the crowd. “Seldom has there been seen on a platform such a combination of physical comeliness, mental excellence, and moral stamina, as he presented that evening when he hurled a ‘javelin of justice’ at the gorgeous and powerful banditti who held possession of the City Treasury,” observed Breen.<sup>416</sup> The powerful alliance that grew between Root and Choate was therefore the fullest confirmation possible of Root’s rejection of Tweed’s politics and person, and confirmed his early embrace of elite politics and society. It also became his most important professional friendship.

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<sup>414</sup> Cartoon reprinted in Jessup, *Elihu Root*, 201.

<sup>415</sup> Register of Cases, 1867-1871; Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY; 193.

<sup>416</sup> Breen, *Thirty Years of New York Politics*, 336-337.

Much like Root, Choate “had long been fascinated with the idea of life in New York, and was convinced the biggest place offered the best possible chance for a new lawyer.” Also like Root, he came from an old New England family. But here the similarities end, for Choate was from a distinguished line of Boston Brahmins, a Harvard Law School graduate, and when he arrived in 1855 he brought in his pocket a letter of recommendation from a cousin, Rufus Choate, a former United States Senator and one of the most prominent lawyers in America. Moreover, the letter was addressed to William M. Evarts, the most powerful lawyer in New York City. “My Dear Mr. Evarts,” it read, “I beg to incur one other obligation to you by introducing the bearer my friend and kinsman to your kindness. He is just admitted to our bar, was graduated at Cambridge with a very high reputation for scholarship and all worth, and comes to the practice of law, I think, with extraordinary promise.” “There is no young man whom I love better,” he concluded, “and if you can do anything to smooth the way to his first steps the kindness will be most seasonable and will yield all sorts of good fruits.” The first good fruit it landed was a position in the firm of Butler, Evarts and Southmayd, not only one of the city’s foremost firms, but likely its busiest. With a generous monthly stipend from his father, and Evarts friendship and support, Choate quickly moved to the top rank of the profession.<sup>417</sup> He even had the good grace to concede, “that from the outset I enjoyed very choice and unique social privileges.”<sup>418</sup> Though only a dozen years older, his reputation in the city was already well established when Root first began to make his mark.

In some respects, Choate’s path to success was different than Root’s. While Root had to build his legal practice essentially on his own, milking every connection for business and taking

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<sup>417</sup> Edward Sanford Martin, *The Life of Joseph Hodges Choate: As Gathered Chiefly from his Letters* (New York: Charles Scribner’s Sons, 1921), 93-95.

<sup>418</sup> Martin, *The Life of Joseph Hodges Choate*, 111.

whatever work came his way, Evarts moved Choate into his personal office and mentored the young lawyer as his protégé. Evarts “made a seat for me in his own room,” Choate later wrote, “...and I had the singular good luck, quite unprecedented, I think, then and now, to serve for some ten years as junior to Mr. Evarts in the conduct of the litigation which then constituted a very considerable portion of the business of the office.”<sup>419</sup> This apprenticeship as second chair to an experienced litigator eventually became the standard for young attorneys in corporate practice, but it was very uncommon in Choate’s day. Evarts’ cases were uncommon as well. When not burdened with the offices of Secretary of State, Attorney General, or United States Senator, Evarts took time to act as chief counsel for President Andrew Johnson at his impeachment, represented the United States in the celebrated *CSS Alabama* cases against Great Britain, and represented President Rutherford B. Hays before the Electoral Commission during the 1876 election controversy. Evarts also provided Choate with an early and advantageous entry into New York City club life. “A very early admission to The Century Club in 1858,” Choate recalled, “brought me into relations with the most charming circle of men.”<sup>420</sup> Here his abundant social capital reaped him dividends and recognition among the wealthy elite. It also proved him as very “clubbable,” and he was soon brought in as one of the early members of the Union League Club. He quickly rose to prominence within this closed and privileged world, being made a member of the Provisional Committee of 1869 that was appointed to establish the Metropolitan Museum of Art, and thereby becoming one of its founders. “‘To him, in large degree,’ wrote his fellow trustees in 1917, ‘the Museum owes the breadth of its original scope.’”<sup>421</sup> By 1873 he had succeeded to the presidency of the Union League Club, a position he

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<sup>419</sup> Martin, *The Life of Joseph Hodges Choate*, 103 and 112.

<sup>420</sup> Martin, *The Life of Joseph Hodges Choate*, 109.

<sup>421</sup> Martin, *The Life of Joseph Hodges Choate*, 293.

held until 1876.<sup>422</sup> Root would not be elected to that honor until 1898, shortly before he left for Washington.<sup>423</sup> Yet if Choate's progress was more rapid and graceful, he and Root were still progressing within the same paradigm of privilege and in the same cultural milieu. Moreover, by linking himself to Choate, Root was able to profit from his friend's success, so that in time they seemed to have made a mutual ascent.

Though they were adversaries in their first courtroom meetings, the Union League Club was a common ground where they could discover their shared interests, values and temperaments. Root quickly found much to admire in his older friend, and Choate evidently reciprocated. "When we were in the beginnings of a friendship which has been for me one of the chief satisfactions and joys of life," Root recalled years later, "I used to think that he was the most beautiful and splendid specimen of manhood I had ever seen."<sup>424</sup> Grace Cogswell Root, his daughter-in-law, once relayed to him a comment a friend had made that, "she wished everyone could know how lovely he was because so many were scared of him." Root replied, "...that he could not have let that be because in order to accomplish the things he wanted he could not have had too large a circle of intimates."<sup>425</sup> Root clearly understood the difference between real friendships and the various forms of public ones. "It is one of the most valuable lessons you can learn to realize that every one you meet has ambitions, sympathies and interests of their own." he said, "You can have very few more friends in New York than you can in the Village of

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<sup>422</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 174.

<sup>423</sup> "The New Secretary of War," *The American Monthly Review of Reviews*, Vol. XX, No. 3, September 1899, 289.

<sup>424</sup> Elihu Root, *Men and Policies: Addresses by Elihu Root*, ed. Robert Bacon and James Brown Scott (Cambridge, MA: Harvard University Press, 1926), 27-28.

<sup>425</sup> Grace Cogswell Root, *Fathers and Sons*, no page number.

Clinton – there is a limit to one’s capacity for friendship.”<sup>426</sup> Till the end of Choate’s life, Root was a member of that intimate circle.

A strong element of their friendship was their shared humor. “He was clever and stimulating, Root thought, “and enveloped his serious thought . . . with a mantle of humor and fun.”<sup>427</sup> “He was never uninteresting,” he thought, “His wit and humor never obscured or belittled his serious thought, and his serious thoughts were never dull.”<sup>428</sup> In his descriptions of Choate, Root could easily have been speaking about himself. And just as his mother spoke of Root as “always so cool, so self possessed,” so Root spoke of Choate as “never [losing] his self-possession or entire control of his powers. Safe upon this ground of vantage, he took special delight in making his adversary angry, and in reaping the benefits.”<sup>429</sup> This combination of humor and self-control could mask a good deal of cruelty, and when the mask slipped it occasionally exposed the meanness lurking beneath. Invited to speak at the annual dinner of the “Friendly Sons of St. Patrick” during a time when the debate over Home Rule for Ireland was prominent on both sides of the Atlantic, Choate offered the following:

We Yankees used to be able to govern ourselves, but you Irish have come here and taken the government away from us. You have our entire city administration in your hands, and you do with us as you like. We are deprived of Home Rule. Now what you are clamoring for both at home and abroad is Home Rule for Ireland. With such demonstrated ability in capturing the greatest city on the western continent, and one of the greatest in the world, why don’t you go back to Ireland and make, as you would, Home Rule there a success?<sup>430</sup>

The joke that Choate evidently intended fell flat on more than a few Irish-American ears.

Choate’s friends averted any immediate confrontation, but Choate was never welcomed back.

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<sup>426</sup> Grace Cogswell Root, *Fathers and Sons*, 160.

<sup>427</sup> Elihu Root, *Men and Policies*, 39.

<sup>428</sup> Elihu Root, *Men and Policies*, 26.

<sup>429</sup> Elihu Root, *Men and Policies*, 31.

<sup>430</sup> Chauncey M. Depew, *My Memoirs of Eighty Years* (New York: Charles Scribner’s Sons, 1924), 382.

Too many in the audience took the not unreasonable view that the joke was not only in poor taste, but betrayed an underlying racial resentment. When McKinley nominated Choate as Ambassador to the Court of St. James's, *The Irish World* objected to the appointment of "a New England Englishman who hates Irishmen, their country and their faith."<sup>431</sup> For his part, Root remembered that Choate had stopped at his chair before the speech "and made a remark which indicated that he was having huge enjoyment with himself over something he was going to say." Sharing the sentiments and sensibilities of his friend, Root concluded that Choate was simply "following the same kind of boyish impulse for mischief which leads schoolboys to carry their disconcerting pranks to the limit of audacity."<sup>432</sup>

This blindness to Irish ethnic affront sprang from a deep sense of Anglo-American superiority that was shared by both men. Both saw an unbroken line between the great heritage of England and the greatness of the United States, a view reinforced by a legal education and experience that emphasized the direct connection between American law and the British common law, and between Magna Charta and American liberty. The country's "fundamental conceptions of justice and honor and good faith, out of which our American institutions grew," Root wrote, "...were wrought out by struggle and sacrifice during the long centuries of the Anglo-Saxon fight for freedom."<sup>433</sup> In summarizing Choate's life, Root returned to those same Anglo-American roots and found the same alchemy at work. "He received from his Massachusetts ancestry and brought with him from his old Salem home a large measure of that amazing formative power, which," Root believed, "proceeding from the few scanty settlements on the Atlantic shore, has moulded this vast Continent with its hundred millions of people

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<sup>431</sup> Quoted in Martin, *The Life of Joseph Hodges Choate*, 78.

<sup>432</sup> Elihu Root, *Men and Policies*, 32.

<sup>433</sup> Elihu Root, "Standard of Legal Education," *Men and Policies*, 151.



according to the course of the common law, and to conceptions of right inspired by the spirit of Magna Charta, and of the immortal Declaration of rights unalienable, to secure which governments are instituted.”<sup>434</sup> Such institutions as the New England Society, of which Choate was president at age thirty-five, and the Harvard Club, which he also served as president, were direct transmitters of this connection, but no connection was more influential than the legal profession itself.<sup>435</sup> It can hardly be emphasized enough that the centrality of the common law to American law, which was even more pronounced before the proliferation of statutory law and the promulgation of myriad administrative laws that accompanied the growth in the size and power of the American state, meant that every lawyer was taught English law as the background to American law, and occasionally cited British law as authority even for current cases.<sup>436</sup> Nowhere was the connection between the United States and Britain stronger than in the legal community. Writers, painters and journalists might look to Britain for inspiration, businessmen for customers, and financiers for clients, but the relationship between American law and the English common law permeated every courtroom in every courthouse from New York City to Dodge City.

Root and Choate were not only products of this incestuous transatlantic relationship; they were also its promoters. When he was first citizen of the foreign policy establishment, Root was asked to speak on behalf of the American donors at the unveiling of Augustus Saint Gaudens’s statue of Abraham Lincoln in London. Noting that Lincoln “never set foot on British soil” and that “his life was lived and his work was wholly done” in the United States, Root admitted that in some respects “it would be difficult to conceive of a sharper contrast” between

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<sup>434</sup> Elihu Root, *Men and Policies*, 23.

<sup>435</sup> Elihu Root, *Men and Policies*, 24.

<sup>436</sup> Elihu Root, “Restatement of Substantive Law,” *Men and Policies*, 159.

Lincoln and the great British statesmen whose company he was about to join in the outdoor pantheon of Parliament Square. Yet Root declared that these distinctions were mere “superficial differences.” Lincoln, “in the simple greatness of his life, his character and his service to mankind,” was “a representative of the deep and underlying qualities of his race . . . the qualities that have made both Britain and America great. He was of English blood; and he has brought enduring honor to the name. . . . He was of English speech. The English Bible and English Shakespeare, studied in the intervals of toil and by the flare of the log fire in the frontier cabin, were the basis of his education.” Trained in the law, his conceptions of justice and liberty were those “that the people of Britain have been working out in struggle and sacrifice since before Magna Charta.” Lincoln’s life was lasting testimony to the “formative power” of the Anglo-American bond, and Root urged that “every child of English sires should learn the story and think with pride, ‘Of such stuff as this are we English made.’”<sup>437</sup> Choate also believed in this fundamental Anglo-American connection. “The relations between the Bench and the Bar of England and those of the United States are far more intimate and enduring than I think even you can suppose,” Choate said to an English gathering, “I wish you could enter any of our Courts in America anywhere between Boston and San Francisco. You would find yourself on familiar ground and perfectly at home —the same law, the same questions, the same mode of dealing with them.”<sup>438</sup>

Throughout his life when Root spoke of America’s political traditions, he linked them directly with British antecedents and traditions.<sup>439</sup> This intense identification with the cultural and political linkages between Britain and the United States was an important aspect of Root’s self-

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<sup>437</sup> Elihu Root, “Address at Parliament Square, London, Presenting Saint Gaudens’s Statue of Lincoln to the British People, July 28, 1920,” *Men and Policies*, 65-66.

<sup>438</sup> Quoted in Martin, *The Life of Joseph Hodges Choate*, 283-284.

<sup>439</sup> Grace Cogswell Root, *Fathers and Sons*, 44.

identity and constituted cultural capital that was key to his personal success. It was also a strong bond uniting Root and Choate. Together, they helped to organize the legal profession with the basic assumption of the centrality of the country's Anglo-American cultural inheritance in mind. Choate and Root were both founders of the New York City Bar Association, Choate a signer of the preliminary articles by which the association was first created in 1869, and Root a signer of the original charter in 1870.<sup>440</sup> Both served as president of that organization, as well as of the Bar Association of the State of New York and the American Bar Association. In each of these positions, Root followed Choate to the highest office.

When Root turned his attention to reorganizing the system of legal education late in his career, his concern for preserving the Anglo-American character of the legal profession still dominated his reforms. "The old practice in Lincoln's time, under which a young man studied in a law office, got a little coaching, a little steering from the members of the firm, read a few fundamental books and became educated as a lawyer in that way, has passed," Root observed in 1922. "New conditions of life surround us, ...a vast array of difficult and complicated questions that somebody has got to solve. ...I am sure we all hope they will be solved by the application to the new conditions of the old principles of justice out of which grew our institutions. But to do that you must have somebody who understands those principles, their history, their reason, their spirit, their capacity for extension, and their right application." Root believed that only lawyers could be trusted to possess that ability, but as the old system passed away, the "moral qualities" that a young lawyer "took in, through the pores of his skin, the way of thinking and of feeling, the standards of morality, of honor, of equity, of justice," were largely lost as well. "Lincoln inherited and breathed in and grew into the moral quality that makes a lawyer useful, that makes

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<sup>440</sup> Elihu Root, "Joseph H. Choate," *Men and Policies*, 18.

a judge great,” but with the passing of the old system, this simple method of transmitting cultural values no longer functioned. Worse yet, an increasing number of new lawyers were coming from the “Continent of Europe.” They were inheritors of a different tradition. “Do not underestimate the importance of that,” Root urged, “We want *our* view in this country to continue.” “I do not want anybody to come to the Bar,” he continued, “...who has not any conception of the moral qualities that underlie our free American institutions —and they are coming, to-day, by the hundreds.”<sup>441</sup>

An open floodgate of immigrants lacking in the cultural inheritance that was the essential grounding for America’s institutions was Root’s consistent fear. It was the same fear that motivated the reform instincts of the Union League Club, and that impelled stronger class awareness among New York’s wealthy class. When Choate was elected president of the 1894 New York State Constitutional Convention, he made Root chairman of the judiciary committee and floor leader of the Republican majority. They also roomed together in Albany, turning their rooms into a social center and an informal headquarters for the Republican members. During the weeks of the convention, they were inseparable.<sup>442</sup> The reorganization of the state’s judicial system that they orchestrated together stood largely unchanged for many years. Speaking to the convention on the fundamental issue of trial by jury, Root had this to say,

I apprehend that it is not the function of this convention to evolve a constitution out of theory or from first principles, irrespective of the existing condition of things. That is not the American or the Anglo-Saxon method of legislation. It is the French method, which has given to them within the last century many constitutions, none of which has been permanent. Our method is to proceed

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<sup>441</sup> Elihu Root, “Restatement of Substantive Law,” *Men and Policies*, 147-151.

<sup>442</sup> Elihu Root, “The Convention of 1894,” *Addresses on Government and Citizenship*, ed. Robert Bacon and James Brown Scott (Cambridge, MA: Harvard University Press, 1916), 120; Elihu Root, “Joseph H. Choate,” *Men and Policies*, 34-35.

cautiously, slowly, holding on to that which is good, and changing only when we are certain that a change will be an improvement.<sup>443</sup>

With that general principle of Anglo-American jurisprudence in mind, Root defended the jury system against suggested changes. “Theory is against it,” Root admitted, “but the plain practical common sense of the Anglo-Saxon race has wrought out and holds to, and I believe means to hold to this their peculiar method of conciliating disputes and ending litigation.”<sup>444</sup> But the “greatest question and most important principle” that Root debated was the unlikely issue of state aid to sectarian institutions. Opposition to it was “the greatest principle which this convention has opportunity to declare,” Root argued. The real issue, of course, was the provision of state funds to support the Jewish and Catholic schools attended by so many of the immigrant children in New York. Coming from the English Puritan tradition, Root used his most passionate rhetoric to sustain it against what he perceived as an immigrant onslaught against “American” principles. Recalling that his ancestors “left their English homes in the reign of Charles the First, to escape that controlling force of Church and State united, ...[and] came to a barbarous and inhospitable shore, ...[where] they fought and conquered the savage; they felled the forests; they cleared the land; they established a state; they secured their independence of foreign control,” they then magnanimously “opened their hands of welcome to the fathers of the gentlemen who propose this amendment, ...and they welcomed them, not to savage and inhospitable shores, ...but to a peaceful and happy land, where home and comfort met them at the threshold.” Having welcomed “Hebrew and Catholic alike,” without discrimination, Root insisted that surely “every true American” would wish to maintain the “eternal separation

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<sup>443</sup> Elihu Root, “Trial by Jury,” *Addresses on Government and Citizenship*, 121.

<sup>444</sup> Elihu Root, “Trial by Jury,” *Addresses on Government and Citizenship*, 123.

between Church and State.”<sup>445</sup> In both instances, the important issue was not whether trial by jury was an effective means of resolving litigation, nor whether the separation of church and state was a wise policy grounded in the nation’s constitution, it was that the threat to these principles came from a foreign culture. The grounds on which Root chose to defend these principles, and the extent to which he relied upon a view of American history distorted by ethnic myth and nationalism, betrayed an underlying belief system that shaped his attitude and approach even when better arguments were available.

To be fair, there was no hint of cynicism in his invocations of Anglo-American superiority and the centrality of that heritage to American institutions, and his actions were never entirely governed by the underlying pull of this cultural heritage. The fact that these basic assumptions were unreflective and often unconscious is what gave them such great power, but Root was fully capable of acting in ways more predictable by the interests of the moneyed class he represented than by any specific concern for protecting the Anglo-American character of the country. For example, he also argued at the convention for legislative limits on contributions by corporations to political parties. “Great moneyed interests are becoming more and more necessary to the support of political parties, and political parties are every year contracting greater debts to the men who can furnish the money to perform the necessary functions of party warfare,” Root observed. He advocated an amendment “to put an end, if possible, to that great crying evil of American politics; ...it will be a protection to corporations and to candidates against demands upon them.” By prohibiting political contributions by corporations but not by individuals, Root’s amendment would have retained the power of the wealthy elite to influence elections, while limiting the ability of outside corporations to do so, and protecting corporations

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<sup>445</sup> Elihu Root, “Sectarian Education,” *Addresses on Government and Citizenship*, 139-140.

from political pressure to contribute or face a hostile legislature. It was exactly the kind of elite reform long championed by the Union League Club and opposed by the party organizations of both parties. It was a testament to the power of Root and Choate at the convention that the amendment was adopted by the Committee of the Whole, but testament to the power of the parties that it did not become part of the final version that was approved by the voters.<sup>446</sup>

The constitutional and professional reforms Root championed were never ends in and of themselves. Just as with the municipal reform movement that had ousted Tweed and then largely retreated to the clubhouse, they were attempts to solve problems that were perceived as a threat to established privilege, and the solutions were always sought within the framework of a shared cultural and business context. As Root acknowledged, the most powerful influence wielded by men such as Root and Choate was accumulated and exercised in “the quiet, small sessions when work is achieved and an understanding reached.”<sup>447</sup> Just as gravity is the weakest force in the universe and yet the most powerful, so too was backroom influence often more powerful than the public maneuverings of elected politicians. After Choate’s death, Root described how this influence was gained and assumed over time, until it became almost ubiquitous in the legal community. In describing Choate’s influence on the legal profession and the way he acquired it, Root was also describing the template of his own success:

The forty-three years which elapsed between admission to the Bar in 1856 and the Embassy to Great Britain in 1899 were filled by the work of the pure lawyer. Neither business nor recreation nor politics nor any other interest diverted him from a continual and amazing activity in the trial and argument of causes. ...He was wise and resourceful in counsel, continually called into conference for opinion and advice for the direction of conduct and avoidance of litigation. ...The law reports presented continually accumulating evidence of the most substantial basis of a lawyer’s reputation ...The reports gave evidence also of an extraordinarily high proportion of success in the causes tried and argued ...As

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<sup>446</sup> Elihu Root, “The Political Uses of Money,” *Addresses on Government and Citizenship*, 141-144.

<sup>447</sup> Grace Cogswell Root, *Fathers and Sons*, 43.

the generation of the profession passed, traditions gathered about the path he had traversed. Stories of his great achievements, of brilliant attack and desperate defense, of wonderful cross-examination and masterful argument, of wise and witty sayings, of humor and satire, of imperturbable self-possession and poise, of swift insight, of courage and audacity, told by judges and lawyers and jurors and court officers, were repeated wherever lawyers gathered, and became a part of the common professional knowledge of the history of the Bar. ... Thus, the recognition of power and promise which he commanded from his seniors in the eighteen-sixties was gradually succeeded by universal admiration, deference, and pride in his leadership among the juniors in his later years.”<sup>448</sup>

When Root finally passed and it came time to sum up his life, there were very few left of the lawyers among whom he had first learned to ply his trade and who first recognized his ability. Yet what survived was the same sort of cultural impact and influence that Root had so closely observed in Choate. “I knew him always as a kind of legend,” the president of the Century said when that day came, “You know, there is a legend of Elihu Root. He lived to such a great age, he was with us for so many years, that there came to be about him a kind of atmosphere, the atmosphere of the first citizen of the United States.”<sup>449</sup> Root would for a time hold offices and public prominence that gave him immense public power, but the key to his political accomplishments was always to be found in this immense well of private influence. This slow accumulation of cultural power and legitimacy yielded tremendous influence when wielded in the same cultural milieu that produced it. Outside of that milieu, however, it could quickly wither and shrink to insignificance. Hence, the constant attention to maintaining the conditions that created that influence in the first place.

Another limitation on that kind of power and influence was that it did not always respond to those who aggressively sought it. As Root suggested, the influence he and Choate eventually wielded came not because they sought it directly, but as a byproduct of their success

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<sup>448</sup> Elihu Root, “Joseph H. Choate,” *Men and Policies*, 18-21.

<sup>449</sup> Royal Cortissoz, *Elihu Root, President of the Century Association, 1918-1927: Addresses Made in his Honor* (New York: The Century Association, 1937), 11.



as lawyers serving the interests of the wealthy elite. As Root said of himself that he was “a lawyer first and all the time,” so he described Choate. “He was never an attorney,” Root insisted, “Circumstances and natural adaptation placed him from the beginning altogether upon the court rather than the office side of that line which exists in the nature of things between the duties of the barrister and the duties of the solicitor, and made him an advocate.”<sup>450</sup> He spoke of both their youths when he said, “He fought as those gay and debonair youths of Dumas, who drew their swords with alacrity, and, rejoicing in their skill, fought joyously upon all suitable occasions without anger or malice, to death or victory or eternal brotherhood.”<sup>451</sup> When he argued that Choate, “deserved and received great praise and admiration for his achievements,” but that “it was the delightful ‘boy’ in him that made us love him,” he was not only describing a charming and witty personality, he was also describing the importance of charm and wit as it was appreciated in elite company.<sup>452</sup> Achievements were certainly important, but the opportunity to achieve was hard to come by for those whose social capital was insufficiently appreciated by those with wealth and power. Root and Choate became legends precisely because they possessed the right combination of skill and social capital, and because they deployed it not as calculating strivers, but “as those gay and debonair youths of Dumas.”

There were marked differences in their legal styles. Whereas Choate was a flowing and moving orator in the traditional style, Root was a more methodical and modern advocate. Choate relied more on charm and wit, Root more on precision and intellect. Possessed of a voice that was “high pitched and rather thin,” Root relied for success on the content rather than

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<sup>450</sup> Elihu Root, “Joseph H. Choate,” *Men and Policies*, 19.

<sup>451</sup> Elihu Root, “Joseph H. Choate,” *Men and Policies*, 31.

<sup>452</sup> Elihu Root, “Joseph H. Choate,” *Men and Policies*, 32-33.

the presentation of his argument. A noted trial lawyer who observed both as a young lawyer compared the two,

When Choate spoke, the jurymen sank back in their seats and enjoyed his sallies of wit and humor which were designed for their benefit. When Root spoke, addressing himself to the bench, they sat forward on the edge of their seats, intent upon his argument. Choate was a very able lawyer but Root was the more formidable opponent.<sup>453</sup>

Root possessed the most important skill of an advocate, the ability to understand the other lawyer's case as well as his own. He had a retentive memory for facts, little use for flowery rhetoric, and a creative ability to find solutions where others saw only disputes. He was not without fault, and on more than one occasion he neglected a client's interests and was forced to scramble to repair the damage, but even this trait was a byproduct of his growing business.<sup>454</sup> In all of these traits, Root was as a thoroughly modern lawyer. They were traits honed working on an impressive array of cases, and as his practice grew, so did his opportunity to expand his skills.

The principal venues for his exercise of these skills were the courtroom and the law office. As a result of his success representing Donaldson's interests, Root also became the attorney for William Dowd, a vice president of the Bank of North America and a prominent merchant. In 1874, when Donaldson retired from the presidency of the bank and was succeeded by Dowd, Root was retained as the bank's counsel. In a connection that would not fully vest for several years, Louise Whitfield, the daughter of Dowd's partner and friend John Whitfield, eventually married another of Root's clients, Andrew Carnegie.<sup>455</sup> In the meantime, Dowd was also president of the Hannibal and St. Joseph Railroad Company, which ran rail lines mostly between the Mississippi and Missouri Rivers. As was typical of the Western roads, it was begun

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<sup>453</sup> Max Steiner to Phillip Jessup, 22 April 1938, cited in Jessup, *Elihu Root*, 97.

<sup>454</sup> Register of Cases, 1867-1870; Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY; Jessup, *Elihu Root*, 102.

<sup>455</sup> David Nasaw, *Andrew Carnegie* (New York: The Penguin Press, 2006), 196-197.

in the 1850s with extravagant land grants from the federal government and subsidies from the state of Missouri. It became insolvent as a result of the panic of 1873, and was purchased by Jay Gould as part of a scheme to corner the Western railroad networks. His ploy was ultimately foiled and he was forced to sell the road in 1883, but in October 1877 the company directors hired Root to represent the company in obtaining an injunction against Gould. Instead, Root settled the matter by compromise. Root remained the road's attorney until he left for the War Department in 1899.<sup>456</sup>

Three things were important about his representation of the Hannibal and St. Jo. The first was that it made him familiar with the internecine warfare that was endemic to railroad ownership in the nineteenth century. At the heart of this practical education were his fights with Gould. Though he was able to settle his first dispute with Gould quickly, he soon got pulled into the continuing wars over the Erie Railroad. As early as 1878, he was writing to his new wife, "The Erie war goes bravely on."<sup>457</sup> In 1879 he brought suit against Gould again, this time for a defaulted \$25,000 note. It took two years of legal work before Gould finally resolved the matter by a transfer of real estate.<sup>458</sup> The railroad cases sometimes absorbed enormous amounts of his time. He wrote to a friend in September 1881,

I received your cry from Macedonia by wire today. I am sorry to be obliged to telegraph you it is impossible for me to go to Colorado to help try the John Bull case. ...I am in the midst of a fight over the Hannibal & St. Jo corner in which Gould and [Russell] Sage are on the other side with a small battalion of lawyers

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<sup>456</sup> Register of Cases, 1876-1880; Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY; Jessup, *Elihu Root*, 100.

<sup>457</sup> Elihu Root to Clara Root, 26 March 1878, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>458</sup> Register of Cases, 1876-1880; Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY; and Register of Cases, 1881-1883; Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY.

including Judge [John F.] Dillon and George Bliss, and we are having a very lively time. I can hardly go to dinner, let alone to Colorado.<sup>459</sup>

By then, Root was a director of the road as well as general counsel. With the complete confidence of the management, the friendship of opposing counsel like his close friend George Bliss, and the grudging respect of Gould, Root was finally able to resolve the fight for control with a compromise resolution that was accepted by everyone, likely with some relief.<sup>460</sup> Through his relationship with Dowd and the Hannibal and St. Jo, Root learned the railroad business and Wall Street, just as his relationship with Donaldson and the Bank of North America had taught him the basics of banking.

The second thing he learned was how to resolve the most difficult and heated of controversies by compromise. His personality and his ever-growing confidence were important factors in his success as a mediator. Some of his confidence came through in his bantering correspondence with Dowd. In a letter to another board member, Root referred to, “that obstinate sleeper, energetic pumper and profuse water thrower, but not drinker, Mr. William Dowd.”<sup>461</sup> Occasionally his confidence could overflow into arrogance, as when he engaged in a public quarrel with General Francis Barlow. In one of his letters to Barlow, Root complained that, “My unassisted intellect has not yet fully appreciated exactly what you are driving at.”<sup>462</sup> When Root neglected to return a legal brief that Barlow loaned him to review and Barlow threatened to sue for its return, Root replied with a short note: “Dear Sir, Don’t be a damned fool.” Barlow had been one of the most aggressive generals in the Union army, and age had not

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<sup>459</sup> Elihu Root to Joel Erhardt, 15 September 1881, Box 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>460</sup> *The New York Times*, 14 September 1881, 1.

<sup>461</sup> Elihu Root to M. P. Bush, 24 April 1878, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>462</sup> Quoted in Jessup, *Elihu Root*, 98.

diminished his fire. The newspapers reported that Barlow forthwith responded with a challenge to a duel.<sup>463</sup> Fortunately for everyone concerned, Choate was a mutual friend and quickly cooled tempers. Root learned from such experiences to keep his humor and his arrogance in check. He was so successful in this that despite their numerous legal disputes, he eventually became friendly enough with Gould that when a woman appeared claiming that Gould had married her as a young man and never divorced, Helen Gould, faced with disinheritance, retained Root to contest the claim. This ability to make friends on both sides of a case became an important and marketable skill. It did not indicate the Root was lacking in the ability to discern accurately the character of those among whom he worked. Root may have been able to get along amicably with Gould, but he was never blind to the manner of Gould's business conduct, as his daughter Helen apparently was. Root recalled that when his friend James Carter was retained to advise her on what to do with some railroad stock her father had left her, she said, "I don't only want to do what is right, but I want to do the generous, honorable thing too which my father would have done." Carter later told Root that what followed was "one of the most difficult minutes I ever had."<sup>464</sup>

Finally, the Hannibal and St. Jo was one of his first great triumphs before an appellate court. As early as 1879 he was arguing for the road before the federal court in St. Louis, and by 1882 he was arguing on the winning side of an appeal to the New York appellate court.<sup>465</sup> In 1886, he appeared in front of the U. S. Supreme Court and argued a complex case brought by the road against the State of Missouri. The construction of the railroad had been partly funded through the sale of state bonds, and when the state found itself largely insolvent because of the

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<sup>463</sup> *The New York Times*, 4 January 1877, 3.

<sup>464</sup> Grace Cogswell Root, *Fathers and Sons*, 21-22.

<sup>465</sup> Register of Cases, 1881-1883, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY; *Miller v. Hannibal & St. Jo. R. R. Co.*, 90 N.Y. 430.

Civil War, it offered the company a way to buy back the bond debt early by retiring other state debts. The company did not try to take advantage of that opportunity until sixteen years later, when the state was on sound financial footing. Dowd and Root proposed to pay back the principal and interest owing through 1881, leaving the state of Missouri to continue to pay interest to the original bondholders through the maturity date some years later. When the state would not agree, they paid that amount and attempted to enforce their construction of the relevant legislation through the courts. Ruling against Root's main argument, the court concluded that, "The company could no more require the state to take the principal before it became due, and stop interest thereafter, than the state could require the bondholders to do the same thing." But the court agreed with Root that the state had an obligation to properly invest the money paid and apply that revenue to the bond debt. Consequently, the court reduced the debt claimed owing to the state by over \$325,000.<sup>466</sup> In the end, the company was still saved a large sum of money and Dowd was evidently happy with the result. More importantly from Root's perspective, he obtained not only a hefty fee, but invaluable experience arguing successfully before the highest courts in the country and the reputation of someone who could be trusted with the most substantial of cases.

Root's success in law always ran parallel with his success in politics and society. His social success is for another chapter, but his Union League friendships and his success as a lawyer led directly to his first direct involvement in politics. In 1879, Root took his first leadership position within the Union League Club as a member of the executive committee.<sup>467</sup> Root had from the start been associated with the club's most prominent members. Kirkland, who proposed him for membership, was one of the original members, while his close friendship

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<sup>466</sup> *Rolston, et. al. v. Crittendon, et. al.*, 120 U.S. 390, 7 S.Ct. 599, 30 L.Ed. 721.

<sup>467</sup> Jessup, *Elihu Root*, 116-17.

with Choate, who presided over the club from 1873-1876, brought him often into the clubhouse for dinner.<sup>468</sup> During those years Choate often took his evening meal in the club's dining room, partly to enjoy the "great consideration" his position brought him from the other members.<sup>469</sup> It was here that he also became close friends with Chester A. Arthur.<sup>470</sup> It was Arthur who convinced Root to make his one and only run for public office, and in 1878 he campaigned as the Republican candidate for election to a judgeship on the Court of Common Pleas. His reluctance was indicated by the two conditions he set on agreeing to run, that he would only serve three years and that he would not actively campaign.<sup>471</sup> In fact, his work for the Hannibal & St. Jo took him out West for most of the campaign, and he was unwilling to abandon either the work or the fees.<sup>472</sup> He received substantial support from the party and much of the press, with his minor role in the Tweed case seemingly forgotten. His friend Dana at the *Sun* strongly supported him as, "a capable, straight, and honest Judge. No more fit man can be brought into the field. It matters not what his politics may be; he will not carry his political or personal preferences on to the Bench."<sup>473</sup> Though he ran ahead of the Republican ticket, he was defeated in a year when Democrats took most of the city seats.

The significance of the campaign was that it established Root as an important voice in Republican circles, cemented his friendship with Arthur, and confirmed Root in his distaste for political campaigning. He never ran for office again, but when his friend Arthur was nominated as the Vice Presidential candidate on the Republican ticket with James A. Garfield, he vigorously

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<sup>468</sup> Bellows, *Historical Sketch of the Union League Club of New York*, 47 and 174.

<sup>469</sup> Martin, *The Life of Joseph Hodges Choate*, 117.

<sup>470</sup> "The New Secretary of War," *The American Monthly Review of Reviews*, Vol. XX, No. 3, September 1899, 289.

<sup>471</sup> Jessup, *Elihu Root*, 117.

<sup>472</sup> Register of Cases, 1876-1880, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY.

<sup>473</sup> The New York *Sun*, 22 October 1878, 3.

campaigned on his behalf.<sup>474</sup> Root also actively campaigned for Dowd when he stood for mayor in the same election. Root would henceforth be a loyal lieutenant in the campaigns of his friends, but always with some reluctance and never again for himself. Dowd was defeated, but Root was party of the happy circle of New York intimates who traveled in a special palace car down to Washington for Garfield's inauguration. When an assassin mortally wounded Garfield only seven months into his term, Root was among the small group of friends gathered at Arthur's house in New York at one o'clock in the morning when the telegram announcing Garfield's death arrived. Root quickly went in search of a judge who could administer the oath of office, and remained afterwards for a brief while to talk with the new president.<sup>475</sup> Because of his close friendship with Arthur, it was assumed by some that Root would take some high position in the administration. His brother Oren Jr. thought Root had enough influence to perhaps get him a post on the Board of Visitors to West Point or Annapolis.<sup>476</sup> Yet Root seems to have been uninterested in a job in Washington, and it's easy to guess why.<sup>477</sup> Root had only recently married and begun a family, and his legal practice and resultant income was rapidly increasing. For Root to leave New York at that time would have meant a substantial sacrifice of his practice and wealth. That he seems never to have pushed for a Washington position is evidence of his priorities. His ambitions were still entirely centered on New York's elite world, and he could best conquer that world by remaining in the city and continuing to pursue his legal practice and his social rise, while lending what aid he could consonant with those priorities to the political

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<sup>474</sup> Elihu Root to Clara Root, 9 June 1880, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>475</sup> *The New York Times*, 14 November 1881; *The New York Sun*, 13 and 16 November 1881; Jessup, *Elihu Root*, 119.

<sup>476</sup> Oren Root, Jr. to Elihu Root, 8 March 1881, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.; Copy of letter from Oren Root, Jr. to Elihu Root, 5 December 1881, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>477</sup> Jessup, *Elihu Root*, 119.



fortunes of his friends.

Arthur did have one job that it was his power to offer that did not conflict with Root's ambition, and in 1883 he appointed Root United States Attorney for the Southern District of New York. Along with such mutual friends as George Bliss, Root was on intimate terms with Arthur, but apparently only heard about the possibility from the newspapers. He quickly took the train to Washington, met with Arthur, and asked him what it was he wanted him to do. Arthur replied that he wanted him to improve the office and make it a success.<sup>478</sup> On that basis, Root accepted and served until the end of Arthur's term. He was elected as a delegate to the Republican National Convention in 1884, and along with Cornelius N. Bliss he was a leader among the Arthur supporters, but Arthur failed in his bid for nomination to a full term. His successful passage of civil service reform legislation doomed his chances among the machine Republicans who had previously supported him, but Arthur remained a revered figure among the New York elite whose political values he had embodied. Root thought that Arthur took his defeat well. "I saw the President last night," he wrote to his wife, "He seems cheerful and contented and takes his defeat without sourness or bitterness."<sup>479</sup> Root was anxious to return full-time to his lucrative law practice, and went to see newly elected President Grover Cleveland at the White House soon after his inauguration. Root had only met Cleveland a few times and was unsure how he would be received. He was somewhat surprised therefore when Cleveland met him with a hearty, "Hullo, how is Oren?" Root had forgotten that Cleveland and his brother had been classmates at the academy in Clinton where both had prepared for college.<sup>480</sup> The

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<sup>478</sup> Comment by Root as related by George F. Howe, 26 July 1927, quoted in Jessup, *Elihu Root*, 136.

<sup>479</sup> Elihu Root to Clara Root, 17 June 1884, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>480</sup> Elihu Root to Robert McElroy, 12 November 1919, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

circles of Root's connections were finally becoming so dense that even he could no longer keep track of them.

His work as United States Attorney was only part-time, though he did manage a full-time office of attorneys and staff. He was thus able to continue to build his own practice. As early as 1877 Root was involved in municipal disputes, in that instance defending his friend Joel Erhardt from removal as police commissioner. The next year he defended the Board of Health, headed by his brother Wally's former Columbia School of Mines colleague Professor Charles F. Chandler, in a minor criminal complaint he successfully had quashed.<sup>481</sup> In 1894, he was hired by the City of New York to clear up a large number of cases known as the Aqueduct Cases.<sup>482</sup> Along with his work as US Attorney, these cases and his political involvement gave him an intimate familiarity with New York politics and government. By the last decade of the nineteenth century, Root had assembled a roster of clients that included banks, railroads, governments and public officials, wealthy individuals such as August Belmont and William C. Whitney, and businesses of every stripe. Among his business clients were the National Cash Register Company, the Standard Oil Company, the Western Union Telegraph Company, the Havemeyer Sugar Trust, the Lead Trust, and to wash it all down, the Whiskey Trust.<sup>483</sup> Most of his important legal work took place outside the public gaze and consisted of good advice rendered that kept his clients out of court and off the pages of the newspapers. "Of course a lawyer's chief business is to keep his clients out of litigation," Root knew.<sup>484</sup> In 1897, he formed his last partnership — Root, Howard, Winthrop and Stimson, located at 32 Liberty Street on the fourteenth floor of

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<sup>481</sup> Register of Cases, 1876-1880, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY.

<sup>482</sup> Register of Cases, 1894-96, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY, 78.

<sup>483</sup> Register of Cases, 1894-96, Pillsbury, Winthrop, Shaw, Pittman, 1540 Broadway, New York, NY; Jessup, *Elihu Root*, 183-184.

<sup>484</sup> Grace Cogswell Root, *Fathers and Sons*, 114.

the Liberty Mutual Building.<sup>485</sup> Through a combination of connections, cultural privilege, ability and ambition, Root had risen through his profession to assume a place among the top rank of attorneys. Along the way, he had amassed a wealth of experience and associations with some of the most important people in the country, and he had absorbed an elite politics conducive to continuing their hold on the reins of power and privilege. Perhaps most important of all, he had divined and traversed the Byzantine avenues of formal and informal power through which influence flowed. He had become expert in the cultural transmission of power, and was well able to both recognize it and wield it to his benefit and that of his many clients. By his own admission, he was settled in his values and his basic assumptions. A man “doesn’t change after forty in such fundamental ways,” he recalled, looking back on his life.<sup>486</sup>

Root’s experience in the courtrooms, clubrooms and drawing rooms of elite New York made him one of the most famous, respected and modern lawyers of his day. It also helped paved the way to his later career as statesman, but it left him in some ways ill-prepared for that task. Always analytical and more self-aware than most, Root eventually realized the deficiencies in his preparation for executive administration. After he became Secretary of State, he described the problem in a letter to General John C. Black that demonstrated remarkable self-analysis,

The trouble is that lawyers necessarily acquire the habit of assuming the law to be right. It is their business to advise people what the law is and endeavor to defend people in the exercise of their legal rights. As a rule, the pure lawyer seldom concerns himself about the broad aspects of public policy which may show a law to be all wrong, and such a lawyer may be oblivious to the fact that in helping to enforce the law he is helping to injure the public. Then, too, lawyers are almost always conservative. Though insisting upon the maintenance of legal rules, they become instinctively opposed to change, and thus are frequently found aiding in the assertion of legal rights under laws which have once been reasonable and fair,

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<sup>485</sup> Jennet Conant, *Tuxedo Park: A Wall Street Tycoon and the Secret Palace of Science that Changed the Course of World War II* (New York: Simon & Schuster, 2002), 29.

<sup>486</sup> Interview with Phillip Jessup, Christmas 1928, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

but which, through the process of social and business development, have become unjust and unfair without the lawyers seeing it. I am conscious that I myself have argued cases and drawn papers and given advice in strict accordance with laws whose wisdom it has never occurred to me to question, but which I should now, after many years of thinking what the law ought to be, condemn.<sup>487</sup>

As the quintessential “pure lawyer,” Root had no experience when he began his career in public service considering the fundamental causes of the problems he addressed, or the ultimate consequences of his policy choices. As Root understood better than anyone, he was a product of all he had done and all those with whom he had surrounded himself. He had profited mightily from the cultural milieu that had produced his success, but he bore the limitations as well as the strengths of coming to power in that way. He knew none of this at the time; instead, he possessed the supreme confidence of a powerful and prominent lawyer, secure in his influence and his reputation, and comfortable in his ability to meet and solve any difficulty, no matter how divisive or hotly contested. A late example of Root at work illustrated both the weakness of his moral insight, and the strength of his ability to resolve problems wisely.

In the course of creating a State Racing Commission, the New York legislature created a two-tiered system of punishment for racetrack betting. Offenses occurring at the track, where wealthy New Yorkers often sought entertainment, were punished with nothing more than a return of the winnings to the loser, while off-track betting, the usual method of betting by workers who lacked the leisure or the money to attend the races in person, was punished as a criminal felony. The wealthy banker August Belmont was worried that such a clear discrimination might be declared unconstitutional and retained several prominent attorneys to test the law, among them Elihu Root. At one point in the protracted litigation, a collusive action

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<sup>487</sup> Elihu Root to John C. Black, 16 November 1906, Box 199, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

(a case where there is only one true party and no actual controversy, brought only for the purpose of staging a case in order to obtain a specific, desired outcome) was brought by a poolroom owner, exposed, and then dismissed. Several of Belmont's attorneys wanted the lawyer who brought the fraudulent case disbarred, but an equal number wanted to show mercy to an old sick lawyer fallen on hard times. It was agreed that William C. Whitney, the financier and former Navy Secretary, who had recently become seriously interested in racing, should decide the matter. One day they all assembled at Whitney's mansion. The other attorneys put forward their arguments for and against proceeding, and then Whitney turned to Root, who responded that he would express no opinion on the matter, but would instead relate a story that might have relevance.

He recalled that one day when he was a young lawyer, he was leaving the Union League Club with his old friend William Orton. Up the steps of the club trudged Jackson S. Schultz, a mutual friend, a fellow club member and a well-known municipal reformer, giving all the appearance of a man walking to his hanging. When queried as to the cause of his evident despondency, Schultz allowed that he was to be named as a defendant in one of the Tweed civil suits because he had once done a client a favor by allowing the client to temporarily transfer some property into his name, thus avoiding its seizure by the government. Orton didn't respond directly, but commented by remembering the story of an upstate farmer he had known as a young man. The farmer discovered his chicken roost being robbed one night, whereupon the farmer had apprehended the thief, and after administering "a thorough overhauling," had booted him off the premises. When his neighbors heard the story the next day, they insisted that it was his duty to prosecute the scoundrel. The wise farmer replied:

Well, I am a man of pretty fair reputation; and a year or two from now, if I continue to live as I have heretofore lived, I shall still enjoy the regard in which I am now held. If, however, I prosecute the thief, this is likely to happen. When anyone thereafter asks about my reputation, the reply —after some hemming and

hawing —may be, well, he is a decent sort of fellow, but at one time or other, though we don't exactly recall the circumstances, he was in some way mixed up in a chicken roost robbery.

Amid the resulting laughter, Whitney announced his decision to let the matter drop.<sup>488</sup>

With the telling of that simple rustic story, Root communicated in a compelling way to some of the most powerful men of the age by using the currency of their shared culture. When McKinley decided he needed a lawyer to direct the War Department, he knew instinctively that he needed a lawyer with a strong grasp of the nuances of politics and culture, as well as a reputation for legal acumen and administrative efficiency. He needed Elihu Root.

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<sup>488</sup> Joseph S. Auerbach, *De Lancey Nicoll: An Appreciation* (New York: Harper & Brothers Publishing, 1931), 20-23, Special Collections, Duke University Library, Duke University, Durham, NC.

### **Chapter Three**

#### Root Goes to Washington

On 21 July 1899, the telephone call that summoned Root to the War Department found him in the privileged summer colony of Southampton on the Long Island shore. Only two short train journeys were required to take him to Washington, the Long Island Express into the city and the Congressional Limited on to the capital, but to link the world of the New York elite to the world of the frontier army took more than iron and steam. Root had spent a lifetime creating connections to important people and institutions, advancing in wealth, power and status with each new relationship. Those connections, his skill as a lawyer and counselor, and his conservative political beliefs put him in line for a cabinet post, but his success or failure in that post depended on his ability to make new connections from his office in the War Department. More than that, the success or failure of army reform depended on Root's ability to unite the interests of Wall Street with the interests of the reformist members of the officer corps. Military reform seen only through the prism of military history obscures the importance of factors beyond its bounds, but the stark contrast between the cultural milieux of the New York elite and the regular army, embodied by the contrast between Root and the officers he worked with most closely, highlights the extent to which cultural assumptions played an important role in making changes possible, as well as defining the nature of those changes.

Root's father-in-law was an early member of the summer colony at Southampton, and Root spent a portion of every summer there after his marriage.<sup>489</sup> In the last decade of the century, life there began to revolve around the new Shinnecock Hills Golf Club. Begun when two of Southampton's summer residents became interested in building a golf club while vacationing in Biarritz, the club they and their friends created was not just an exclusive preserve for the leisure of the wealthy, but was also a prominent example of a new taste among the upper class for exhibiting wealth and status on a national stage.<sup>490</sup> It was one of the five clubs to found the U.S. Golf Association in 1894, and hosted the second U.S. Open Championship two years later.<sup>491</sup> Part of the same universe of influence that made New York City's private clubs so powerful, Shinnecock Hills was also part of a national movement to save traditional values while building healthy and redemptive leisure sports. The elites who created Shinnecock Hills were not only escaping the heat and disorder of the city, including the immigrant masses that seemed to grow daily, but they were also "clearly in the business of inventing tradition," in the words of historian Richard J. Moss.<sup>492</sup> Part of building that tradition was conforming members of the elite to "approved models for behavior."<sup>493</sup> In an age where all classes attempted "to master an impersonal world through the customs of a personal society," the wealthy class came the closest to establishing a form of traditional order in the midst of sweeping change.<sup>494</sup>

The country club movement was a way of establishing and preserving social status, and part of the movement to form a more cohesive wealthy class. By creating institutions that

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<sup>489</sup> "Death of Salem H. Wales," *The New York Times*, 3 December 1902.

<sup>490</sup> Richard J. Moss, *Golf and the American Country Club* (Urbana, IL: University of Illinois Press, 2001), 24.

<sup>491</sup> Moss, *Golf and the American Country Club*, 39 and 52.

<sup>492</sup> Moss, *Golf and the American Country Club*, 41.

<sup>493</sup> Moss, *Golf and the American Country Club*, 18.

<sup>494</sup> Wiebe, *The Search for Order*, 12.



blended the advantages of the corporation with the perceived virtues of the well-ordered village, the wealthy elite attempted to maintain some authority over their private society even as they found the public sphere increasingly spinning beyond their control. In an era of rapid social change and economic dislocation, country clubs were one expression of the wealthy class desire to establish new traditions as landmarks of cultural authority and social order. Those new traditions were consciously rooted in the Anglo-American past. Like the city clubs that spawned them, they were modeled after the British club system.<sup>495</sup> As Moss observed, “we can detect a certain degree of Anglomania, after 1882 a number of clubs took pride in initiating what they saw as English (and Scottish) upper-class habits and culture.”<sup>496</sup> A number of contemporary writers even connected the sport of golf to “the mental peculiarities of the Anglo-Saxon race.”<sup>497</sup> Unsurprisingly, it was also the only sport that Root enjoyed, though he admitted a lack of skill.<sup>498</sup>

Root later claimed to have been unenthusiastic when McKinley asked him to replace Russell A. Alger as Secretary of War. “Thank the President for me, but it is quite absurd,” he replied, “I know nothing about war, I know nothing about the army.”<sup>499</sup> A New York corporation lawyer with no previous military experience was not the obvious choice to head the War Department. In the aftermath of the war with Spain, there was widespread criticism of how the department had managed the war, or mismanaged it as most thought. Popular support for the war was widespread, but as the new troops were quickly assembled into hastily improvised camps, the combination of inexperienced soldiers and an army ill-prepared for the kind of war it

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<sup>495</sup> James M. Mayo, *The American Country Club: Its Origins and Development* (New Brunswick, NJ: Rutgers University Press, 1998), 11.

<sup>496</sup> Moss, *Golf and the American Country Club*, 19.

<sup>497</sup> Moss, *Golf and the American Country Club*, 48; quoting Gustav Kobbe, “The Country Club and its influence upon American Social Life,” *The Outlook*, June 1, 1901, No. 68, 253-66.

<sup>498</sup> “Golf,” *Outing, An Illustrated Monthly Magazine of Recreation*, March 1895, No. 25:6, 123.

<sup>499</sup> Elihu Root, *Addresses on Citizenship and Government*, ed. Robert Bacon and James Brown Scott (Cambridge, MA: Harvard University Press, 1916), 503-504.

was now required to wage generated problems and complaints of every sort. Even the swift and successful conclusion of the war did not completely stifle the criticisms, especially of Secretary Alger. In response, McKinley appointed a commission headed by Civil War general, businessman and railroad executive Grenville M. Dodge to investigate the myriad complaints and inquire into the army's overall management of the war. Though Dodge was sympathetic to Alger, and to the unusual and unexpected demands placed on the department, his report was nonetheless critical and proposed a fundamental reform of the military establishment.<sup>500</sup> As a result, when Alger resigned under pressure on 19 July, it was expected by most that his successor would need to make fundamental changes in the department, as well as direct the management of the new empire.

Given these challenges, there were reasonable doubts in some quarters about Root's appointment. When McKinley telegraphed Columbia University President Nicholas Murray Butler asking him to use his influence as a mutual friend to urge Root to accept the appointment, Murray's first reaction was surprise: "No appointment seemed to me more ridiculous. I could not imagine Root as knowing anything about war or of military organization."<sup>501</sup> Roosevelt gushed publicly that he was "so much pleased ... that he did not care to talk about anything else." He went on to say that "there was no man upon whose advice and help I have so much relied in my work as Governor."<sup>502</sup> Privately, however, he complained to Henry Cabot Lodge that the idea of having a lawyer run the War Department was "simply foolish — so foolish indeed that I can only regard it as an excuse," an indication that McKinley

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<sup>500</sup> Graham A. Cosmos, *An Army for Empire: The United States Army in the Spanish-American War* (College Station, TX: Texas A&M University Press, 1994), 278-297.

<sup>501</sup> Nicholas Murray Butler, *Elihu Root, President of the Century Association, 1918-1927: Addresses Made in His Honor* (New York, Private Printing, 1937), 41.

<sup>502</sup> "Governor Praises Mr. Root," *The New York Times*, 24 July 1899, 1.

“does not want a sweeping reform of the office.”<sup>503</sup> Even as he congratulated Root, Roosevelt could not completely hide his dismay. “Your appointment was an utter surprise to me,” he telegraphed, “because it had never entered my head to think of you in connection with the War Department.”<sup>504</sup>

McKinley had no such doubts and was undeterred by Root’s initial demurer. “I don’t need anyone who knows anything about war or the army,” he relayed to Root, “I need a lawyer to administer these Spanish islands we’ve captured and you are the lawyer I want.”<sup>505</sup> McKinley’s most pressing need was someone who could construct and oversee governments for the country’s new overseas empire. As the popular *Review of Reviews* observed, “...At the present moment [Root] occupies the position of a colonial secretary charged with the oversight of affairs in Porto Rico, Cuba, and the Philippines. All sorts of novel and difficult questions have to be dealt with, and these require a great variety of talents. Mr. Root is one of the ablest lawyers not only in New York, but in the United States; and he has a decided talent for constructive governmental problems.<sup>506</sup> Most of the press and official Washington agreed that Root was a good choice for the job.<sup>507</sup> “Mr. Root’s choice, so far as we have noticed, has not yet elicited a single word of disapproval in any serious quarter,” the *Review of Reviews* continued. “It is understood that the President desired a lawyer and administrator rather than a man of military qualifications. ...There was a general agreement the country over that Mr. Root was just the man for the occasion,” even among many of his Democratic opponents and predecessors in the

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<sup>503</sup> Theodore Roosevelt to Henry Cabot Lodge, 21 July 1899, Roosevelt-Lodge Correspondence, Vol. 1, 414-419, Henry Cabot Lodge Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>504</sup> Theodore Roosevelt to Elihu Root, telegram, 25 July 1899, Elihu Root Scrapbooks, The New York Public Library, New York, NY.

<sup>505</sup> Root, *Addresses on Citizenship and Government*, 503-504.

<sup>506</sup> Henry MacFarland, “The New Secretary of War,” *The American Monthly Review of Reviews*, Vol. XX, No. 3, September 1899, 260-261.

<sup>507</sup> Jessup, *Elihu Root*,

job.<sup>508</sup> A greater concern among those who knew him was whether Root would accept the post. “I did not believe you would do it, but as you have done it, good luck to you,” his friend and client Charles H. C. Collis wrote; “We know each other so well that there can be no conventional humbug about my congratulations. ...You don’t need to follow any old rut, nor yet to plow any new furrow. Serve the State as your conscious serves you. Do as Stanton did – i.e. do right.”<sup>509</sup> Cornelius Bliss had no doubt as to what Root’s course should be. “It’s your duty,” was his terse message.<sup>510</sup> And whatever his private doubts, Nicholas Murray Butler called it “one of the greatest opportunities of our generation.”<sup>511</sup>

Root saw opportunity in the new position as well, but it would not come without financial cost. “It is easier to understand the President’s offer of the vacant Cabinet place to Mr. Elihu Root than it is to understand Mr. Root’s acceptance,” declared *The New York Times*, “The sacrifice in his case is, of course, a heavy one, for the compensation which this generous Republic bestows upon its Secretary of War might be deducted entire from the annual earnings of a New York lawyer at or near the head of the bar without causing a serious diminishment, but when offered as a substitute seems, even with the honor added, far from tempting.”<sup>512</sup> Root understood the sacrifice, but found the new opportunities reasonable compensation. Had he declined the offer, “I should have stayed in N.Y. in law practice and made a great deal of money which I should not have known what to do with and which might have been of very doubtful benefit to the children,” he said looking back. “What did happen was that I went to Washington

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<sup>508</sup> Henry MacFarland, “The New Secretary of War,” *The American Monthly Review of Reviews*, Vol. XX, No. 3, September 1899, 286-287.

<sup>509</sup> Charles H. C. Collis to Elihu Root, Elihu Root Scrapbooks, The New York Public Library, New York, NY.

<sup>510</sup> Cornelius Bliss to Elihu Root, telegram, 24 July 1899, Elihu Root Scrapbooks, The New York Public Library, New York, NY.

<sup>511</sup> Nicholas Murray Butler to Elihu Root, telegram, 24 July 1899, Elihu Root Scrapbooks, The New York Public Library, New York, NY.

<sup>512</sup> “Mr. Root as Secretary of War,” *The New York Times*, 23 July 1899, 14.

and a thousand new interests came into my life.”<sup>513</sup> The first thing he did after agreeing to accept the post was to take his teenaged boys out on their small boat, where he told them that he had made enough money to provide for the family and was now going to work for the country.<sup>514</sup> His clients and friends were supportive as well. Certainly his old patron Donaldson, now in retirement, was proud of the young man who had done so much with the opportunities he first opened to him. “Heartiest congratulations with best wishes,” was his simple telegram.<sup>515</sup> Another client, Thomas Fortune Ryan, smoothed the way by convincing the Republican political boss of New York, Senator Thomas C. Platt, to acquiesce in the appointment.<sup>516</sup>

Root’s appointment and the general approval with which it was received were easiest to understand in the context of the Union League Club. “One by one the prominent Republicans of the Union League Club ...have been accorded high office. Mr. Bliss went into the Cabinet; Gen. Horace Porter was made minister to France; Hon. Andrew D. White was sent as ambassador to Berlin; Mr. Choate was made ambassador to England; Mr. Depew was sent to the United States Senate; Mr. Whitelaw Reid was made special ambassador to England at the time of the Queen’s jubilee, and afterward a member of the Paris peace commission; Colonel Roosevelt was made governor of New York; President Seth Low, who might have had various foreign posts, was sent to the Czar’s conference at The Hague; and now Mr. Elihu Root, who might have had earlier appointments at Mr. McKinley’s hands, has taken the Secretaryship of War. The country has been a distinct gainer by obtaining the services of these notable and talented

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<sup>513</sup> Grace Cogswell Root, *Fathers and Sons*, 22.

<sup>514</sup> Edward W. Root to Philip Jessup, undated, Box 222, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>515</sup> John J. Donaldson to Elihu Root, telegram, 24 July 1899, Elihu Root Scrapbooks, The New York Public Library, New York, NY.

<sup>516</sup> Jessup, *Elihu Root*, 216.

men.”<sup>517</sup> The McKinley administration was the high water mark of this elite group’s prominence in national office. Perhaps no one had a better grasp of the meaning of his appointment than his friend Augustus Johnson. “As a member of the Union League and of the City Club I am naturally pleased,” he wrote, “as a member of the [New England] Society and the Lawyers Club I am much gratified; but I am most jubilant as a Republican and a citizen of New York, lawyer and a worker for good government.”<sup>518</sup> In listing their many mutual associations, Johnson was not only tracing Root’s path to Washington, but in his evident pride he was also expressing his confidence that Root would take with him their shared values and interests. Root was not simply performing, “a lawyer’s duty upon the call of the greatest of all our clients, the Government of our country,” as he later explained it; he was also a prominent member of a wealthy elite who could be expected to act in accordance with the basic assumptions and privileges of the world that underwrote his success.<sup>519</sup>

Part of that world gathered at the Shinnecock Hills clubhouse on the night of 22 July for the club’s annual Trustees Ball. A storm from the Atlantic forced the members off the expansive and festively decorated piazza and into the more confining parlor for the celebration, but despite this unfortunate intrusion of the elements the evening was festive. News that Root was to be the new Secretary of War had quickly traveled the close-knit community. With the arrival of Root and his family, a night that was to have been given over entirely to the summer splendor of Southampton society was made instead the occasion for an ovation to Root, with the eleven

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<sup>517</sup> “Harmony Among New York Republicans,” *The American Monthly Review of Reviews*, Vol. XX, No. 3, September 1899, 261.

<sup>518</sup> Augustus Johnson to Elihu Root, telegram, 24 July 1899, Elihu Root Scrapbooks, The New York Public Library, New York, NY.

<sup>519</sup> Elihu Root, *Addresses on Citizenship and Government*, ed. Robert Bacon and James Brown Scott (Cambridge, MA: Harvard University Press, 1916), 503-504.

o'clock supper turned into a celebration of his appointment.<sup>520</sup> Already at home in the parlors of the wealthy elite, in the conference rooms of Wall Street, and in the corridors of New York political power, Root's move to Washington confirmed his place in the national elite. Among "representatives of the newer elements of Southampton society" and "quite a few of the more conservative set," Root toasted his success surrounded by the wealthy elite who had made his ascent possible.<sup>521</sup> While a romantic evening with a full moon shining down on a piazza profusely decorated with multicolored lights and filled with swirling dancers was lost to the storm, it was replaced by the equally heady tonic of a celebration of national political influence. As was fitting for their station in society, the club's members found it within their power to provide for themselves the special evening that Mother Nature had refused to grant. If they were denied the full enjoyment of their social supremacy, they were not to be denied the celebration of their political power.

Root's place in that celebration was also testimony to his success in scaling the heights of New York society. That Sunday's *New York Times* magazine described him as "exceedingly amiable and sociable ... brilliant and entertaining in conversation. ... In the club or in the dining room he is a delightful companion ... very popular with those who know him."<sup>522</sup> Root's path to power ran principally through a web of connections, public and private, often running through exclusive private institutions. Many of those institutions, such as the Shinnecock Hills Golf Club, were institutions of society rather than of business or politics. His amiability and popularity among the elite was therefore less an effect of personality than a necessary element of his success. As Root built his law practice and established a place for himself in public life, he

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<sup>520</sup> "Ball at Southampton," *The New York Times*, 24 July 1899, p. 7; "Mr. Root as Secretary of War," *The New York Times*, 23 July 1899, p. 14.

<sup>521</sup> "Ball at Southampton," *The New York Times*, 24 July 1899, p. 7.

<sup>522</sup> "Mr. Root as Secretary of War," *The New York Times*, 23 July 1899, p. 14.

also worked at building a place for himself in society. Since the worlds of elite business, politics and society were closely intermingled, his success in society depended heavily on his success in business and politics, but there was a social ladder that had its own unique features. That social world was uniquely the province of elite women. “Women brought Society across the Atlantic,” declared the great chronicler of New York society, Mrs. Van Rensselaer, “It was nurtured here by them and has always been particularly their sphere.”<sup>523</sup> While success in business and politics was vital to Root’s rise in society, it was not sufficient. The most important element he added was a successful society marriage.

Root’s first act as Secretary of War was to write a letter home to his wife Clara.<sup>524</sup> They had first become acquainted through his friendship with her father, Salem H. Wales. A director of the Bank of North America and a charter member of the Union League Club, those two early connections soon merged into a social friendship and eventually a dating alliance with Clara Frances Wales. The path was not smooth. Wales had retired at age fifty-two, after twenty-four years as the managing editor of *Scientific American*, as a wealthy man. A native of Massachusetts whose lineal descendents crossed the Atlantic with the Puritan leader Richard Mather in 1635, he was still actively involved in numerous business ventures and was prominent in Republican Party politics.<sup>525</sup> In addition to his many business affairs and his support for elite political initiatives, he was also prominent in New York society, lived in a fine Fifth Avenue home, and was one of the first members of New York society to build a summerhouse at Southampton.<sup>526</sup> He doted on his daughter and was initially unimpressed with Root’s prospects as a son-in-law. By 1877 Root had

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<sup>523</sup> Mrs. John King Van Rensselaer, *The Social Ladder* (New York: Henry Holt and Company, 1924), 16.

<sup>524</sup> Elihu Root to Clara Root, 1 August 1899, Box 222, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>525</sup> “Death of Salem H. Wales,” *The New York Times*, 3 December 1902.

<sup>526</sup> Jessup, *Elihu Root*, 104.



established his reputation as an impressive young attorney, but he still lacked either social standing or serious wealth. A story from their courtship that Root later told indicates some of the distance between him and the Wales family. Invited to dinner at their Fifth Avenue home one evening, Root failed to appear and the family and other guests began dinner without him. Midway through the meal, a profusely apologetic Root finally arrived and took his place at the table. It seems that within half a block of his destination, he had fallen in the slush of a wintry New York street and soaked his clothes. He had promptly returned to his rented rooms, but lacking any extra trousers for his only dress suit, he had to wait until he could dry them before setting out again for the dinner.<sup>527</sup> However firm his hold on his professional and public life at that point, his place in society was still as precarious as his footing on a frozen winter sidewalk.

Root's efforts finally won out, largely through Clara's success at circumventing the obstacles thrown in the couple's path by her protective father. She wrote Root secretly and conspired to have him arrive early when he was invited to tea or dinner so that they could steal some time alone. Her letters reveal her a devoted and somewhat humble sweetheart.<sup>528</sup> On August 7, after receiving a \$500 cash fee, Root left to spend several weeks at the Wales' Adirondack lake house. Sometime during his stay, he and Clara secretly agreed to marry. After returning to New York, Root formally approached Wales to ask permission to marry Clara. The visit was not unexpected and Wales' early doubts were apparently gone. He smiled and told Root that as long as Clara was satisfied, he saw no reason to withhold his consent. After departing,

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<sup>527</sup> Interview with James A. O'Gorman, quoted in Jessup, *Elihu Root*, 104-105.

<sup>528</sup> Notes from Elihu Root-Clara Wales correspondence, Box 222, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

Root retired to the Union League Club to write his new fiancé with the good news and evident relief.<sup>529</sup> On 8 January 1878, the couple was married in the Wales' Fifth Avenue home.

The marriage proved successful by every outward standard. Both were publicly devoted to the other, the union produced several children who went on to successful lives and careers, and there was no evidence of infidelity. Wales became very dependent on his son-in-law's advice and assistance, and Root seems to have been genuinely fond of him. Yet the impression persists that Root's marriage was at least as attractive to him because of the Wales' wealth and social station as his attraction to Clara. An intimate of the family recalled years later an incident when a visitor to the Root home who was engaged in a political dispute with Root attacked him as cold blooded, reminding him that he "had jilted a girl to whom he had been devoted in order to marry an heiress."<sup>530</sup> Certainly his description of Clara to his parents on announcing his engagement was less than fulsome with praise. "I shall have you see for yourself," he wrote, "only warning you that she is not a genius & she is not a beauty." He went on to confess that he had, "lived much in the past during the lonely years since Wallie died," referring to his brother's tragic death in 1870, and assured his mother that nothing in his future alliance threatened his association of home with "the little group that once gathered in my father's study." He implied that Clara would at least assuage his loneliness. His most positive assertion about his coming

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<sup>529</sup> Elihu Root to Clara Root, 8 October 1877, Box 222, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>530</sup> Interview with Colonel and Mrs. Henry Breckenridge at Ambassador Guggenheims' home, Pt. Washington, Long Island, 12 November 1933, Box 222, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C. (Notes are headed "CONFIDENTIAL – NOT TO BE INCLUDED IN ANY DEPOSIT OF ROOT PAPERS. Mrs. Breckenridge was married to Root's nephew Oren Root III during his years at the War Department, but they later divorced and she married the son of General Breckenridge, who was Inspector General of the Army under Root. There were evident bad feelings between them and the Root family.)

marriage was that it was socially popular, remarking that, “[m]y friends here seem to be much pleased by my step.”<sup>531</sup>

Root’s mother was not initially sanguine about Clara’s prospects as a daughter-in-law. “How fit she is to be his wife I know not,” she wrote to her husband upon first meeting Clara in New York, “She does not know herself —Her character is not developed —How can it be with her sunny life of constant indulgence.” Nonetheless, she also noted the widespread social approval of the marriage, “His engagement has produced a good deal of excitement among his friends and acquaintances, and his circle is large.”<sup>532</sup> Whatever doubts she may have entertained about Clara’s qualities as a prospective wife, she could not help but notice her family’s wealth. “They live in a palace,” she wrote after her first visit to the Wales home, “one of the finest houses in the City.” At thirty-two Root was already well past the usual age for marriage, so a wife was important to normalizing his household arrangements, but the wealth and social prominence of the Wales family could not have failed to be a consideration. As his biographer observed, “his marriage into the Wales family definitely removed any financial anxiety.”<sup>533</sup>

The couple’s first marital home was with the Wales, but Clara’s father soon purchased them a fine home on East 55<sup>th</sup> Street and her mother furnished it. “Mama is giving me all my table silver, china, glass & linen, & is to furnish our house besides,” Clara wrote to Root’s mother, noting that “It would do your heart good to see the pleasure Elihu takes measuring the floors, looking at carpets & in all the little details of house furnishing.”<sup>534</sup> His new home was a

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<sup>531</sup> Elihu Root to Nancy Root, 13 October 1877, Box 222, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>532</sup> Nancy Root to Oren Root, 21 October 1877, Box 222, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>533</sup> Jessup, *Elihu Root*, 108.

<sup>534</sup> Notes from Elihu Root-Clara Wales correspondence, Box 222, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

marked contrast to his rented rooms, so if his enthusiastic embrace of his plush new surroundings seemed somewhat akin to a conqueror checking out the metes and bounds of his new domain, it was certainly understandable. At the same time, Root seemed happy to turn over domestic control to his wife. As was typical of an upper class Victorian household, Mrs. Root dominated the domestic sphere. A family member remarked on, “Mrs. Root’s tyranny as a housekeeper and the extent to which she made Mr. Root accommodate himself to the orderly running of the household.” She asserted herself early. “Elihu is looking very much better than when you came down on the 5<sup>th</sup>,” she wrote her mother-in-law not long after the wedding. “I have succeeded in getting him into the habit of taking a short nap after dinner & of retiring about eleven, & he begins to think himself that he has not heretofore had rest enough.”<sup>535</sup>

This began a pattern seldom broken of her taking the lead in domestic affairs. When anyone inquired about domestic decisions, Root generally referred them to “Mrs. Root, who takes all the trouble about houses.”<sup>536</sup> This attitude was consistent with his overall detachment from domestic concerns. Even as Root submitted to his wife’s domination of household affairs, he warned her that he would occasionally be so absorbed in his cases that “he might not even speak to her.” While he abided by her bedtime schedules, he often arose shortly after they retired to spend hours alone working deep into the night. “At times for days on end Mrs. Root would see him only at breakfast and dinner,” wrote his biographer and friend Philip Jessup, “and Mr. Root would utter scarcely a word, his mind wrapped in legal details, thinking, planning, leaving the dinner table to work in his study far into the night. At times he hardly seemed conscious his

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<sup>535</sup> Notes from Elihu Root-Clara Wales correspondence, Box 222, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>536</sup> Elihu Root to Chauncey S. Truax, 29 May 1901, Box 179, Part 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

wife was present.”<sup>537</sup> As their union began to produce a family, she became even more absorbed in domestic life, which included not only the usual demands of child rearing, but the regular demands of transplanting the family home from the city to various destinations as close as Southampton and Clinton, and as distant as Paris and London. Even with the regular assistance of servants, the combined pressures of motherhood and the demands of upper class society in a transatlantic world took their toll and she gradually withdrew from frivolous social engagements and was only truly comfortable in her own cocooned world of wealth and familiar society.

The change in Root’s social status was as dramatic as the change in his domestic arrangements. Clara not only took control of his domestic life, she also dominated his social life. The Wales social circle now became his. Even his social relationship with Donaldson, his first important business patron, began to attenuate. Donaldson once observed to his son that Root possessed everything but money, but now his marriage to Clara Wales provided him with both wealth and social status.<sup>538</sup> Part of the price of that new social standing was a lessening of the old bonds of friendship that sustained him during his early lean years, but it was a necessary step for anyone ambitious to rise in social standing. It also opened up a venue where Root could exploit his social capital to best advantage, supported by the opulent trappings the Wales wealth made possible. Meals once taken in inexpensive dining rooms frequented by the working class, then in the surroundings of the Union League Club or in the homes of friends such as Donaldson or Charles H. Dana, could now be taken in his own plush dining room on his own china and silver, courtesy of the Wales. As Van Rensselaer noted, there was also a division in club life between the clubs of birth and the clubs of brains. Root was an important member of the Union League Club and The Century Association because of his accomplishments and his business

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<sup>537</sup> Jessup, *Elihu Root*, 109.

<sup>538</sup> Jessup, *Elihu Root*, 108.

connections. He was also a founder of The Players, a club centered on the theater that was a cooperative effort of prominent elites and theater professionals, of business and artistic talent.<sup>539</sup> However the clubs of society such as the Union and the Metropolitan Clubs, to “which a man must belong if he expects to sit among the socially exalted,” were seldom entered but through birth or marriage.<sup>540</sup> By marrying Clara Wales, Root gained society acceptance and the club memberships that were its outward manifestation through the only avenue available to him.

Whatever Mrs. Root’s reluctance to engage in society functions solely for the purpose of being out in society, she was generally a dependable partner in the social functions required for her husband’s professional and social advancement. “Secretary Root has taken a fine house for entertaining in Washington,” the press noted after his appointment, “and there, after November 1, Mrs. Root and he will make their home and exercise the same gracious hospitality which they have shown in New York City.”<sup>541</sup> In fact, this was one of the few times that Root took the lead in relocating the family, partly because his wife was reluctant to spend any more time in Washington than was absolutely necessary, and partly because he knew that this house would fulfill principally a political function. Like business, politics was governed by masculine norms that were hostile to women. “Politics is modified war,” Root insisted, “In politics there is struggle, strife, contention, bitterness, heart-burning, excitement, agitation, everything which is adverse to the true character of woman.”<sup>542</sup> Root’s understanding of politics, and by extension of military and international affairs, was largely dictated by this basic assumption about the

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<sup>539</sup> “The Players,” *The Critic: A Weekly Review of Theater and the Arts*, 5 January 1889, 9.

<sup>540</sup> Rensselaer, *The Social Ladder*, 129.

<sup>541</sup> “The New Secretary of War,” *The American Monthly Review of Reviews*, Vol. XX, No. 3, September 1899, 289.

<sup>542</sup> “Address Delivered Before the New York State Constitutional Convention on August 15, 1894,” quoted in Kristin L. Hoganson, *Fighting for American Manhood: How Gender Politics Provoked the Spanish-American and Philippine-American Wars* (New Haven, CN: Yale University Press, 1998), 217. See also Morton Keller, *Affairs of State: Public Life in Late Nineteenth-Century America* (Cambridge, MA: Belknap Press, 1979), 539.

masculine nature of politics. His wife had an important role to play, but one circumscribed by limits defined mostly by men. Those limitations were produced by a political environment that not only restricted women to the domestic sphere, but by including almost every male group, defined political rights almost entirely by gender.<sup>543</sup> That contributed in turn to an increasingly masculine political discourse, driven by an increasing emphasis on brotherhood evidenced in part by the importance of exclusively male political clubs such as the Union League.<sup>544</sup> One reason for Root's regular absence from domestic life, even when he was physically present, was his absorption in the masculine world of business and politics that excluded her from direct involvement. The division in the Root household mirrored the division in the culture. Clara Root was an important social asset for her husband as host and accompaniment for the many social dinners that were an important part of business in New York and politics in Washington, but her most important role was complete when she accepted Root at the altar and gave him entry into New York society.

Just as Root entered the corporate world with Donaldson's backing, climbed atop the legal world alongside Choate, and entered the social world through marriage into the Wales family, Root's move into Washington's power elite brought with it another important relationship —this time with the President of the United States. During the crucial months when Root first grappled with the antiquated system in the War Department and confronted the demands of building a new empire, his relationship with McKinley was Root's most important and in some ways his closest. Their shared assumptions about the issues of war, international relations and domestic politics helped them to forge a powerful working relationship. Both had

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<sup>543</sup> Hoganson, *Fighting for American Manhood*, 21-23.

<sup>544</sup> See Paula Baker, *The Moral Frameworks of Public Life: Gender, Politics and the State in Rural New York, 1870-1930* (New York: Oxford University Press, 1991).

resisted fighting a war with Spain over Cuba, and both were reluctant imperialists, but when the rush of events confronted them with the choice of war and empire, or peace and loss of domestic political power, their shared assumptions and common interests compelled them into an embrace of what both had once publicly opposed. More importantly, these assumptions proved so congenial to war and empire that both became committed imperialists with almost unseemly ease and enthusiasm. War and empire not only linked Root and McKinley, but they became important elements in the creation of a new military establishment. The story of how Root became an advocate of empire revealed the extent to which the basic assumptions of the New York elite were compatible with a more aggressive American foreign policy.

McKinley was a man of peace who at the end of the nineteenth century led his nation into the first of its twentieth-century wars. The war began and ended in 1898, but it more closely resembled the wars that followed than the ones that came before, principally because for the first time the United States fought a war waged almost entirely away from North America. A Civil War veteran who preferred the title “Major” McKinley even after he was elected to the presidency, McKinley practiced as a lawyer and politician in his home state of Ohio after the war, was elected to the state house and to Congress, and was best known for his conservative Republican views and protectionist McKinley Tariff. Reserved and somewhat embarrassed by his height (five feet six), he was an effective orator who understood politics and mastered the Ohio Republican Party at a time when it dominated the presidency.<sup>545</sup> He had a common touch with voters, displayed sympathy for workers, and in the context of his time practiced the politics of tolerance and inclusion. Even a personal bankruptcy in the Depression of 1893 did little to

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<sup>545</sup> Between 1868 and 1920, seven men born in Ohio were elected to the White House. Among Republican presidents the trend was even more startling, as during that span no Republican who originally came to the office through election was not from Ohio. (Chester Arthur and Theodore Roosevelt, both New Yorkers, became president as a result of the assassination of an elected president from Ohio.)



damage his popularity, only adding to his appeal among working people who also struggled through those turbulent economic times. He lacked charisma and his leadership lacked drama, but he possessed a sense of where the country was headed, and by conservative but consistent steps he helped build the institutions that took it there.<sup>546</sup>

None of this mattered to his political enemies, who forged a caricature of him as the puppet of Cleveland businessman and political operator Marcus A. Hanna. The enduring popular appeal of L. Frank Baum's allegorical *The Wonderful Wizard of Oz*, which loosely portrayed McKinley as the great wizard Oz manipulated from behind the curtain by Hanna, created a durable popular image of a weak president. Revisionist historians of the New Deal era such as Matthew Josephson, whose books *The Robber Barons* and *The Politicos* proclaimed their conclusions in their titles and still resonate in politics today, further cemented McKinley's reputation as a mere handmaiden of big business.<sup>547</sup> Against such durable myths, and in the shadow of the ebullient, effervescent Theodore Roosevelt, the flesh-and-blood McKinley stood little chance in popular history. McKinley's aversion to letter writing during his presidency, his "front porch" campaign in 1896 when he stayed home and on message while the peripatetic William Jennings Bryan barnstormed the country in a futile effort to win the presidency as a Populist Democrat, and a reticent personality that bordered on mysterious to some, all conspired to create a complex front for a much simpler man. In his time he was the most popular, powerful politician in America, but even one of his best biographers had to confess that

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<sup>546</sup> Lewis L. Gould, *The Spanish-American War and President McKinley* (Lawrence, KS: University Press of Kansas, 1980, 1982), 1-5.

<sup>547</sup> Ranjit S. Dighe, *The Historian's Wizard of Oz: Reading L. Frank Baum's Classic as a Political and Monetary Allegory* (Westport, CN: Praeger, 2002); Matthew Josephson, *The Robber Barons* (New York: Harcourt, Brace and Company, 1934); Matthew Josephson, *The Politicos: 1865-1896* (New York: Harcourt, Brace and Company, 1938); Thomas Frank, "A Distant Mirror," *The New York Times*, 15 August 2006, Opinion Section; Frank wrote, "I nominate Matthew Josephson's 1938 masterpiece, "The Politicos: 1865-1896," as the volume of history with the most to teach us about the present."

McKinley, “has never come into clear historical focus.”<sup>548</sup> Yet just as this strong president became for many the very archetype of a weak president, and just as this would-be peacemaker became the creator of an overseas empire, so too did the reshaping of America’s military establishment owe far more to McKinley than to the often dilettantish efforts of the war loving Roosevelt.

Root was not personally close to McKinley before he took over the War Department. In many ways he was McKinley’s opposite. One can easily contrast the cosmopolitan corporation lawyer with the Midwestern politico. Whatever the superficial differences between the two men, Root came to love and admire McKinley. “He was more thoughtful of others than any other man I ever knew,” Root remembered.<sup>549</sup> That affection was largely inspired by McKinley’s generous and effective style of personal leadership. “He had vast influence with Congress,” Root recalled, “He led them by the power of affectionate esteem, not by fear. He never bullied Congress. He never threatened compulsion”<sup>550</sup> He had strong feelings about the charge that McKinley was anyone’s puppet. “That was a *great* mistake,” he said with emphasis, “Hanna was a strong and vigorous man, but McKinley was the controlling spirit of the two.” “He had a way of handling men so that they thought his ideas were their own,” Root continued, “He was a man of great power because he was absolutely indifferent to credit. His great desire was ‘to get it done.’ He cared nothing about the credit, but McKinley *always had his way*.”<sup>551</sup> Root and McKinley’s shared cultural assumptions and political values, combined with their mutual admiration, forged a strong working partnership after Root took over the War Department. As Charles S. Olcott

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<sup>548</sup> Gould, *Spanish-American War and President McKinley*, 2.

<sup>549</sup> Interview with Elihu Root, quoted in Charles S. Olcott, *The Life of William McKinley* (New York: Houghton Mifflin Company, 1916), 2:361.

<sup>550</sup> Interview with Elihu Root, quoted in Olcott, *William McKinley*, 2:346.

<sup>551</sup> Interview with Elihu Root, quoted in Olcott, *William McKinley*, 2:346, italics in the original.

observed, their relationship was “peculiarly intimate,” and Root performed his “duties in close daily conference with the President.”<sup>552</sup>

That partnership almost began three years earlier. When McKinley was elected in 1896, war with Spain over Cuba was already a distinct possibility. Loosely connected through mutual friends and party affiliation, McKinley respected Root enough to ask him to accept the embassy to Spain with the specific mission of avoiding a war with that country. Root seriously considered the offer and McKinley was willing to raise the status of the office to entice him, but Root finally declined. He did not want to leave his lucrative New York practice for Madrid, nor was it likely that his wife was in favor, but he declined mainly because he decided that he would be ineffective in the job. Root was self-aware enough to realize his unsuitability for the job. One of the principal stumbling blocks was Root’s lack of cultural affinity for Spain and the Spanish world. He considered the Spanish an inferior race and easily spoke with contempt for the “dagos.” A veneer of respectability and reserve usually masked Root’s racial prejudices, but occasionally they crept out. Asked why he thought Blacks were such good runners in the 1936 Berlin Olympics, he replied, “Chasin’ hogs.”<sup>553</sup> Root also knew that talents honed in the courtrooms, boardrooms and clubrooms of New York were not the best preparation for such a difficult endeavor. Root lacked a close working relationship with McKinley or any understanding of the Spanish language. To be effective in the sort of politics at which Root excelled, he thought he needed both. Without the ability to build the intimate and friendly relationships that he believed necessary for brokering deals, he foresaw little chance for success. Root later proved to be a skillful diplomat, but partly because he was aware of his limitations and largely stayed within them. Only his ill-fated mission to Russia in the midst of the Russian Revolution took

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<sup>552</sup> Olcott, *Life of William McKinley*, 2:347.

<sup>553</sup> Grace Cogswell Root, *Fathers and Sons*, no page number.

him away from his cultural milieu, and the results were predictably a shambles. “Root in revolutionary Russia was as welcome as the smallpox,” the head of the American Red Cross group later wrote to Roosevelt, “and occasioned as much enthusiasm as would be aroused by an Orangeman leading a popular parade in Dublin.”<sup>554</sup> Root’s connections to the power of the New York elite gave him an inside track on national power, so Root wisely awaited an opportunity more suited to his skills.<sup>555</sup> In any event, it is unlikely that even the most gifted of diplomats could have kept the United States and Spain from war, and some sense of the futility of the mission was likely a factor as well.

Ironically, Root’s cabinet appointment resulted from the consequences of the very war both he and McKinley had wanted to avoid. The night before his inauguration, McKinley had the traditional meeting with his predecessor, President Grover Cleveland. A possible war with Spain dominated McKinley’s concerns, and he privately expressed his firm intention to avoid it. “He adverted to the horrors of war,” Cleveland recalled, “and was intensely saddened by the prospect incident to the loss of life, the destruction of property, the blows dealt at the higher morality, and the terrible responsibility thrust upon him.” As he rose to leave he extended his hand to Cleveland and said, “Mr. President, if I can go out of office at the end of my term, with the knowledge that I have done what lay in my power to avert this terrible calamity, ...I shall be the happiest man in the world.”<sup>556</sup> “We want no wars of conquest,” he affirmed in his inauguration address the next day, “We must avoid the temptation of territorial aggression.”<sup>557</sup> McKinley’s political experience before his election was primarily limited to domestic issues, but

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<sup>554</sup> Quoted in Richard W. Leopold, *Elihu Root and the Conservative Tradition* (Boston: Little, Brown and Company, 1954), 119.

<sup>555</sup> Jessup, *Elihu Root*, 195-196; Offner, *Unwanted War*, 54-55.

<sup>556</sup> George F. Parker, *Recollections of Grover Cleveland* (New York: The Century Company, 1909), 248-250; quoted in H. Wayne Morgan, *William McKinley and His America* (Kent, OH: The Kent State University Press, 2003), 205.

<sup>557</sup> Quoted in Morgan, *William McKinley and His America*, 208.

the Republican platform he ran on and that broadly represented his views called for a canal across Nicaragua, annexation of Hawai'i, purchase of the Danish West Indies, and expansion of foreign trade. Once in office, he moved forward on each of those fronts. He assured Carl Schurz, "Ah, you may be sure there will be no jingo nonsense under my administration;" but he also told his secretary George B. Courtelyou, "We need Hawaii just as much and a good deal more than we needed California. It is manifest destiny."<sup>558</sup> While on their face contradictory statements, in McKinley's mind they were not. In the words of the historian Lewis L Gould, "his foreign policy evolved from the premise that greater power and influence for his nation would also promote the betterment of mankind."<sup>559</sup> American influence in the world was a positive good, so while reckless imperialism was to be avoided, wherever American interests were involved expansion fulfilled America's destiny to be a great nation in the advance of civilization. McKinley's opposition to military intervention in Cuba was based not on opposition to expansion, but on opposition to war. During the Civil War, McKinley had fought at Antietam during the bloodiest single day in American military history and the experience had left its mark. "War should never be entered upon until every agency of peace has failed," McKinley declared, "peace is preferable to war in almost every contingency."<sup>560</sup>

Such statements are easier to make than to honor, and in the end McKinley not only waged aggressive war, but he seized and kept an empire as well. In the wake of that war Root also became an imperialist, so it is worth considering how two such strong-minded leaders turned so quickly from their opposition to war with Spain to become chief architects of a new American empire. Though McKinley opposed military intervention, he sided with the Cuban

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<sup>558</sup> Carl Schurz, *Speeches, Correspondence and Political Papers of Carl Schurz*, ed. Frederic Bancroft (New York: G. P. Putnam's Sons, 1913), 6: 270-271; quoted in Gould, *Spanish-American War and President McKinley*, 14.

<sup>559</sup> Gould, *Spanish-American War and President McKinley*, 11.

<sup>560</sup> William McKinley, *Speeches and Addresses of William McKinley from May 1, 1897*, 12.

rebels and insisted that the United States had a right to monitor Spanish behavior on the island. If Spanish measures to suppress the rebellion seemed too harsh, or if they took too long to pacify the rebels, McKinley insisted that the United States might have no choice but to intervene. If McKinley was rhetorically opposed to intervention, his policies were conditionally in favor. When a confidential personal letter from the Spanish minister to a friend characterizing the American president as weak and venal fell into the hands of the Cuban rebels and was published in the New York newspapers, the negotiations between the two countries was poisoned and the indignation of the American public aroused. When the battleship *USS Maine* mysteriously exploded in Havana harbor, taking with it most of its crew, that indignation rose to a fury.<sup>561</sup> As the French ambassador reported, “a sort of bellicose fury has seized the American nation.”<sup>562</sup> The finding of the naval board of inquiry that the *Maine* had been sunk by an underwater mine or some other explosion originating outside its hull, and not by an internal explosion as would be expected in an accident, meant that there were almost no options left for averting war short of Spanish abandonment or sale of the island, which the Spanish government would not do.<sup>563</sup> McKinley continued to look for alternatives to war, but all of them contemplated that Spain would eventually relinquish control of Cuba to the rebels or to the United States. McKinley’s main hope of peace was that the Spanish would come to see the wisdom and inevitability of that outcome. When Spain predictably rejected McKinley’s proposals to that end on 31 March, he took the first steps towards putting the country on a war footing.<sup>564</sup> The public clamor for war and his own interventionist policies had combined to make the war

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<sup>561</sup> Gould, *Spanish-American War and President McKinley*, 19-36.

<sup>562</sup> Quoted in Offner, *Unwanted War*, 228.

<sup>563</sup> Gould, *Spanish-American War and President McKinley*, 41-42.

<sup>564</sup> Gould, *Spanish-American War and President McKinley*, 27-44.

he claimed to dread nearly unavoidable.

Though McKinley and Root were equally opposed to the war, Root came earlier to believe in its inevitability. Like the majority of Wall Street bankers and investors who were his clients and friends, Root was concerned about the effects a war with Spain would have on the security of American financial arrangements abroad.<sup>565</sup> Of the European states, only Great Britain seemed amenable to the American position. At the end of March, however, when the Spanish rejection of McKinley's most recent peace initiatives had been received and a substantial group of Republican congressmen revolted against McKinley's faltering diplomacy, Root reluctantly concluded that war with Spain was unavoidable.<sup>566</sup> On 2 April 1898, in a lengthy letter to his close friend and fellow New York elite Interior Secretary Cornelius N. Bliss, Root outlined what he thought should be the President's position. "If we are to have war with Spain, and I assume that we are," Root wrote, "the President should lead and not be pushed." McKinley had won great benefit for the country in the eyes "of the Civilized World" by his "exhibition of calm and deliberate judgment and sincere desire for peace," he continued, "But when it is once certain that diplomacy has failed ... the duty of restraint is ended and the duty of leadership begins." Root also had practical political advice to offer: "No arguments against the inevitable should be exhibited to the public and not a single word of the President should give ground for suspicion on the part of the people that he is not in full and hearty sympathy with what Congress is about to do." He cautioned that McKinley's previous statements had painted him into a corner. Having demanded that Spain abandon Cuba, the President could not now decline to intervene without implicit admission that Spain was right in claiming that the United States was meddling where it did not belong. The international prestige of the United States was now at issue, and

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<sup>565</sup> Offner, *Unwanted War*, 229.

<sup>566</sup> Offner, *Unwanted War*, 150-151.

Root reminded McKinley that his comments and actions had contributed to putting it there.<sup>567</sup>

Even more important than any potential damage to the country's international prestige was the near certain destruction of McKinley's political power at home if he allowed Congress to seize the initiative. Root warned ominously that, "[f]ruitless attempts to hold back or retard the enormous momentum of the people" towards war "would result in the destruction of the President's power and influence, ... in the destruction of the President's party, in the elevation of the Silver Democracy to power."<sup>568</sup> In other words, a popular war initiated by Democrats in Congress over the opposition of a Republican president would not just render McKinley ineffective for the remainder of his presidency, but it would also pave the way for a Democratic victory in 1900 that would undo all the hard-won achievements of 1896. It is commonplace now to see McKinley's first victory over Bryan as a watershed in political history, but at the time there was genuine concern that the victory of business interests, as represented by the Republican Party, could still be overturned. Thus Root's fear that McKinley's handling of the Cuban issue could reverse the domestic political fortunes of the Republican party and imperil the financial interests of the wealthy class. Whatever the true merits of the war, as long as a legal rationale for war existed and popular pressure persisted, neither moral nor political principle should be allowed to endanger the Republican hold on domestic political power. If war with Spain was the price for maintaining conservative Republican control over the government, Root argued, then it was a price worth paying.

In the most vital of national questions, the question of war or peace, Root was prepared to sacrifice his own judgment and principles in favor of maintaining the legitimacy of the

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<sup>567</sup> Elihu Root to Cornelius N. Bliss, 2 April 1898, Box 1, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>568</sup> Elihu Root to Cornelius N. Bliss, 2 April 1898, Box 1, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.



Republican Party's power and authority. In Root's opinion, the maintenance of domestic political and economic arrangements, and the status of the nation in the eyes of other powerful nations, was sufficient to justify the war. Having determined that efforts at peace were useless and that domestic political considerations required that the President enthusiastically lead the nation to war, Root constructed a legal rationale for it. Though personally opposed to the war, he set out a lawyerly case. His words conveyed both the depth of his opposition to the war, and the ease with which he put that opposition aside in order to preserve the existing domestic hierarchy.

I deplore war. I have earnestly hoped that it might not come. I deny the obligation of the American people to make the tremendous sacrifices which it must entail, not only of treasure but of life, for the purpose of aiding the Cubans or any other people. I agree with the President that it is not his duty to sacrifice his own people for the benefit of others, but I cannot doubt that if the American people wish to make war upon Spain for her acts in Cuba, if they are willing to make the sacrifices required, they have a moral right to do so. The Cuban cause is just. The Cubans are exercising their inalienable rights in their rebellion. They have a hundred times the cause we had in 1776 or that the English had in 1668. When we take up their just quarrel we are doing no wrong to Spain and violating no law divine or international. I prefer that we should not do it; I don't think we are bound to do it; I would prevent it if I could; I think the President has been right in trying to prevent it, but if it is to be done, then every American ought to be for the war heart and soul, and first and foremost and without the slightest uncertainty or question should be the President of the United States.<sup>569</sup>

There was little difference between the arguments Root made for Cuba's rebellion, and the arguments Emilio Aguinaldo would soon make to justify the Philippine rebellion. The only significant difference, other than Root's contradictory positions, was the self-interest of the United States, and specifically the self-interest of the wealthy elite in maintaining domestic hierarchies favorable to them.

In sending such a letter Root was presuming on his long friendship with Bliss, but he did

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<sup>569</sup> Elihu Root to Cornelius N. Bliss, 2 April 1898, Box 1, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

so with confidence that their many close associations would smooth the way. As Root put it, “Forgive this long letter, my friend, I know that you would endure all this and much more even, from me.”<sup>570</sup> More importantly, he expected that Bliss would serve as a conduit for putting his thoughts before the President. Root’s expectations were justified by the web of connections that linked them to each other and to political power, and Bliss did not disappoint. He found the letter a convincing argument and not only discussed it with McKinley, but with apparently everyone else he came in contact with as well. “I read the letter to the President on Sunday,” Bliss replied. “Later I read it to Vice-President Hobart and several Senators, all of whom approved its sentiments. The letter expresses my own views and those on which I have acted so far as I have had occasion to express my personal sentiments during the past two weeks active discussion of the difficult situation.” But though he expressed complete agreement with Root’s arguments, he seems to have missed their vital precondition – the inevitability of the war. “I think it is fair to believe that there is still a chance of peace being preserved,” Bliss wrote.<sup>571</sup> Bliss read the letter to Roosevelt as well, but he was more affected by Root’s new-found enthusiasm for the war than by his apparently sincere belief in its folly. “[I]t had a profound effect in heartening the healthy-minded Americans here,” he wrote, “Personally I have all along thought that we ought to intervene for the Cubans. ...The honor of this country demands war, unless the Spaniards at once surrender on the question of the independence of Cuba.”<sup>572</sup> Despite their diverse opinions on the wisdom or necessity of the war, what united all three was a common determination to sustain their party’s hold on power. Maintaining the political power of the

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<sup>570</sup> Elihu Root to Cornelius N. Bliss, 2 April 1898, Box 1, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>571</sup> Cornelius N. Bliss to Elihu Root, 6 April 1898, Box 1, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>572</sup> Theodore Roosevelt to Elihu Root, 5 April 1898, Box 162, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

wealthy class was a powerful uniting imperative.

Whatever McKinley privately thought of Root's letter, his actions indicated that he still labored under the fading hope that war could somehow be averted without destroying his presidency. Root's connections gave him privileged access to offer his judgment and advice to the President, but he still lacked the power that only high political office could provide. On the other hand, Root not only exercised his elite prerogative in putting his recommendations before the President, he knowingly or not was advancing his own name against the day when McKinley decided he needed a lawyer to take over the War Department. When that day came, McKinley no doubt recalled Root's cool analysis and lawyerly counsel. Perhaps unintentionally, Root's letter also confirmed their common beliefs. Whether that was calculated, or simply an unconscious reflection of their shared basic assumptions, the values they shared proved sufficient to ground a close political alliance once Root accepted a place in McKinley's cabinet. Their common journey from opposing war to embracing empire exposed the extent to which Root and McKinley's worldviews were compatible.

For three more weeks McKinley fruitlessly tried to avoid the war his own policies had helped to bring about. In the end, he succeeded only in maintaining his party's political power, and the primacy of the president in foreign affairs, by asserting a slim control over the Congress while slowly acceding to the inevitability of the war. On 25 April, after Spain answered his intervention resolution and blockade with a declaration of war, McKinley became the war president he said he never wanted to be. In fairness to McKinley, avoiding war would not only have required him to pursue policies against the prevailing will of his party and an aroused populace, but would also have required different responses from the Spanish government.<sup>573</sup>

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<sup>573</sup> Gould, *Spanish-American War and President McKinley*, 47 and 53.

Threats to the maintenance of domestic hierarchies and to the maintenance of national pride in a masculine gendered international environment were not concerns limited to Washington alone. Nonetheless, the fact remains that despite their professions of peaceful purpose, both Root and McKinley came reluctantly or not to endorse war as a necessary policy.

McKinley had only two more years to live at war's end, so it is hard to say what lessons he may have learned from his failed peacemaking, but Root lived his public life in the aftermath of the war with Spain and absorbed what he thought were the main lessons. The principal culprit in Root's mind was the unreasoning popular pressure for war. "The political development of our time," Root concluded, was "[t]he increase of popular control over national conduct." With the Spanish-American War doubtless in mind, he continued, "Governments do not make war nowadays unless assured of general and hearty support among their people; and it sometimes happens that governments are driven into war against their will by the pressure of strong popular feeling."<sup>574</sup> Root distrusted the wisdom and the intelligence of these "new popular masters of diplomacy," and argued that elite "leadership of opinion" was necessary to preserve "the rules and customs which the experience of centuries [has] shown to be essential to the maintenance of peace and good understanding between nations."<sup>575</sup> Policymaking had to be elite-directed because diplomacy was conducted in a competitive, high-stakes international environment. For years Root carried in his pocket a snippet of *The Decline and Fall of the Roman Empire* where Gibbon wrote, "Alone in the universe, the self-satisfied pride of the Greeks was not disturbed by the comparison of foreign merit; and it is no wonder if they fainted in the race, since they had neither competitors to urge their speed nor judges to crown their victory." "It is

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<sup>574</sup> Elihu Root, "The Need of Popular Understanding of International Law," *Addresses on International Subjects*, ed. Robert Bacon and James Brown Scott (Cambridge, MA: Harvard University Press, 1916), 3.

<sup>575</sup> Elihu Root, "The Japanese Treaty," *Addresses on International Subjects*, 8.

Gibbon's climax." Root observed, "And it is just what every nation does."<sup>576</sup> In such an environment, the misdirected passions of an uneducated populace could prove ruinous. Just as New York City politics convinced Root of the trouble that ensued when political power was not directed by the "best men," so the war with Spain convinced him that foreign and defense policy was too important to be left to the masses and should be directed as much as possible by the wealthy elite. More important than what he said was what he did. Beginning with his military reforms and continuing into his career as an international statesman, Root supported every measure that would concentrate power at the top and keep it out of the hands of the uninformed, unreliable masses.

Root took no part in the direction or conduct of the war, remaining instead immersed in his New York law practice. Along with his friends Choate and Evarts, Root was one of the busiest and highest paid attorneys in the country.<sup>577</sup> His friend Choate wrote from Claridges Hotel in London, where he and his family were staying until he could be installed as McKinley's ambassador to the Court of St. James: "Don't let them kill you with work now that Carter and I are out," he warned, "When the Gauls promised Garcia all the gold they had in their arms, they buried and smothered her under the gifts they showered upon her. I've often thought we are in similar danger from our own clients."<sup>578</sup> Root continued his very active public life as well. He was "universally recognized as one of the leaders of the New York bar."<sup>579</sup> As chairman of the Character Committee of the Bar Association of New York, he played an important role in determining the fate of aspirants to the profession. As chairman of the Committee on Judicial

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<sup>576</sup> Grace Cogswell Root, *Fathers and Sons*, 161.

<sup>577</sup> "Robert G. Ingersoll," *The Albany Law Journal*, 24 April 1897, No. 55, 269.

<sup>578</sup> Joseph H. Choate to Elihu Root, 4 April 1899, Box 3, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>579</sup> "The New Secretary of War," *The Outlook*, 29 July 1899, No. 62, 13.

Nominations, he was an equally influential voice in the selection of the state's judges.<sup>580</sup> Active in the American Bar Association as well, he was already well on his way to recognition as, "by common consent, the leader of the American bar."<sup>581</sup> As a founder of the Citizen's Union he remained active in municipal reform, alongside such diverse personalities as J. Pierpont Morgan, Carl Schurz, Nicholas Murray Butler and E. G. Janeway.<sup>582</sup> He was finally elected president of the Union League Club in 1898, succeeding his friend General Horace Porter, and was easily re-elected in 1899.<sup>583</sup> He was also an active member of the Hamilton College Board of Trustees, a position he assumed some years previously when his wealth and influence made him one of the college's most prominent alumni.<sup>584</sup> His life was full in every way, and it was undoubtedly with some relief from the stress of his crowded work life that he finally quit the city and decamped with his family for Southampton to begin his summer holidays. He did so with no inkling that when he left Southampton, it would be to assume civilian leadership over the country's army.

On the surface, almost every aspect of Root's life seemed to contrast with the life and routine of the officers and men he would direct from the War Department. Yet for Root to be successful, he needed to be able to work with the men under him, as well as with the President he served. Even before he arrived in Washington, Root recognized that he needed to create a good working relationship with the army's leadership in order to make the substantial changes McKinley wanted. He needed "to show the officers in the War Department that I was really interested in the army," he later recalled, "I wanted the officers' co-operation in what I was

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<sup>580</sup> Robert W. De Forest to Elihu Root, 19 September 1899, Box 3, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>581</sup> "Elihu Root," *The New York Times*, 8 February 1937, Elihu Root Scrapbooks, The New York Public Library, New York, NY.

<sup>582</sup> "Front Page" *The Outlook*, 6 March 1897, No. 55:10, 627.

<sup>583</sup> "The New Secretary of War," *The American Monthly Review of Reviews*, Vol. XX, No. 3, September 1899, 289.

<sup>584</sup> Hamilton College Standing Committees for 1899-1900, Box 3, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

undertaking to do, to make changes in such fundamental things as the General Staff, the Militia, etc.”<sup>585</sup> His ultimate accomplishments and the esteem in which the army came to hold him are testament to his success in establishing that relationship. Even today, a visitor to the National War College is immediately confronted with a massive marble plaque that dominates the large entry hall and is inscribed:

Because of the Special  
Interest and Effort of  
**Elihu Root**  
Secretary of War  
Creator of the General  
Staff of the Army  
This Building for the Army War College was Authorized<sup>586</sup>

No more solid evidence could testify that Root and the officer corps were able to work together building the foundation for a new military establishment. Yet it is not immediately apparent how Root came to forge such a bond when on the surface it appeared to be such an unlikely alliance. It was his conscious deployment of the skills he developed as a corporate attorney, combined with the unconscious advantages of shared basic assumptions, that enabled him to create such an effective alliance with the army’s reformist officers. Together, they solved the immediate challenges of war and empire, as well as the fundamental problems of military transformation.

The War Department was located in a gargantuan pile of Victorian excess located just beside the comparably modest Executive Mansion. Sheathed in granite and festooned with rows of columns at every level, only a pair of obsolete brass cannons at the War Department entrance betrayed its location in the building it shared with the State and Navy Departments. “One looks in vain for the aiguilleted staff-officers, the pacing sentinels, the groups of mounted orderlies, so

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<sup>585</sup> Grace Cogswell Root, *Fathers and Sons*, 88.

<sup>586</sup> From an original photograph in the author’s possession. The Army War College was relocated to Carlisle, PA after the Second World War, and the newly created National War College occupied the original Root-era building.

familiar to everyone who has visited any of the great European capitals,” one observer commented. “The same simplicity, the same absence of military display, is evident within-doors,” he continued, “and but for the occasional groups of standards and trophies, a few glass cases of models of firearms near the offices of the Chief of Ordinance, other cases near the Quartermaster-General’s office containing lay figures in the various uniforms of the army, ...there would seem to be but little difference in the general appearance of the long corridors, with the swinging doors of their offices, from that of any other building used for purposes of a wholly civil character.” In times of peace, he concluded, “the army and navy do their work so quietly and unobtrusively as to be almost unobserved in the rush of political life in Washington.”<sup>587</sup> Though the recent war with Spain had demonstrated the nation’s militant nature, when Root arrived in 1899, it was to direct a modest military establishment in what was still a very unmilitary country.

Root “had never been in the War Department, but he had followed in the newspapers and periodicals and in conversation with public men, notably his close friend, Governor Roosevelt the recent course of events in the Department over which he was called to preside,” reported Henry MacFarland in a magazine profile of Root. “Without previous personal knowledge of Washington official life and its peculiar ways, without personal acquaintance with more than two or three of the army officers and civilians whom he must take as assistants, without skill, experience, or learning in military affairs, or even a close and accurate familiarity with the current military work of the Department, or with the functions of the twelve bureaus of the Department, he found that he must acquire an enormous number of facts, great and small,

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<sup>587</sup> Rufus Fairchild Zogbaum, “Official and Social Life of the Army and Navy in Washington,” *Harper’s Weekly*, 767-769.



which, as he said, threatened him with intellectual indigestion.”<sup>588</sup> The infighting within the department, and the sometimes suspicious and intemperate atmosphere it produced, was hardly best calculated to ease Root’s indigestion. “Secretary Root found anything but harmony prevailing in the War Department,” MacFarland wrote, “The Secretary of War [Alger] had for a year, and during time of war, practically ignored the major-general commanding the army [Nelson A. Miles], who had been left for months in comparative idleness at army headquarters on the floor below the office of the Secretary of War, while the adjutant-general of the army [Henry A. Corbin], the official subordinate of the major-general commanding the army, had been issuing orders to the army ‘by command of Major-General Miles,’ which, including many of great importance, Major-General Miles had never seen until he received the printed copies published to the rest of the army and to the world by the adjutant-general under the direction of the Secretary of War.” This was in addition to “the envying and wranglings between some of the important bureaus of the War Department.” “One half of it is capable of anything,” one insider concluded, “and the other half is capable of nothing.”<sup>589</sup>

Root’s first step to address the situation, “was so original and yet so simple as to be dramatic.” As protocol required, shortly after Root took the oath of office the commanding general, General Nelson A. Miles, and all the other leading officers in the department called in full uniform and offered their formal greetings. They also tried to take the measure of the new Secretary, whom most had never seen before. Miles was almost the only one who had any acquaintance with Root. In addition to several informal meetings in New York, Root as president of the Union League Club had presided at a dinner given in honor of General Miles

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<sup>588</sup> Henry MacFarland, “The New Secretary of War,” *The American Monthly Review of Reviews*, Vol. XX, No. 3, September 1899, 286.

<sup>589</sup> MacFarland, “The New Secretary of War,” *The American Monthly Review of Reviews*, 286-287.

only a few weeks before. The next morning, on his first full day as Secretary, “After he had looked over the morning mail on his desk he summoned Adjutant-General Corbin from his office, in the adjoining room, and with him as guide went downstairs to army headquarters and called on General Miles, with whom he and General Corbin talked for nearly a half hour behind the door of the commanding general’s private office,” MacFarland reported, “The significance of this unprecedented official visit was instantly appreciated as the news of it spread through the War Department. The new Secretary had immediately restored the best relations that ever existed between the War Department proper and army headquarters, and without any formal announcement had restored General Miles to the full exercise of whatever functions could justly be claimed as belonging to the rather anomalous office of commanding general.” “It was a master stroke of diplomacy,” MacFarland concluded, “and at once it was accepted as demonstrating that the new Secretary was strong enough to run the War Department himself, taking the advice and utilizing the energies of everybody who could help him.” He and Corbin also visited the different bureau chiefs in turn, learning something of each man and his job, while conveying the message that they were now “under the direction of a vigorous, shrewd, resourceful man who would listen more than he would talk, would act quickly and forcefully, who could not be deceived easily, and who could not be cajoled or coerced. He was very pleasant in his manner, smiling, and even laughing, with humor and the sense of it, but evidently strong as steel underneath. ...[h]e got the machinery in good working order again, he lubricated it, and he made himself known as master of it.”<sup>590</sup>

MacFarland exaggerated the effect of Root’s gesture, but not its importance. In addition to ameliorating some of the still-smoldering hostility in the building resulting from the public

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<sup>590</sup> MacFarland, “The New Secretary of War,” *The American Monthly Review of Reviews*, 287.

criticism of its wartime performance, Root was making a conscious effort to win the support of the officers in the War Department for the substantial reforms he intended to undertake.<sup>591</sup> Exactly what those reforms would be was still to be decided, but through his conversations with McKinley, Roosevelt and Dodge, Root already understood the need to reform an apparently dysfunctional system while creating the framework for governing the country's new possessions. He knew he needed to lobby to get new legislation passed, but as he lobbied Congress and the public, he also lobbied for the army's support, including the officer corps serving outside Washington. "Your knowledge of men and large experience in dealing with them will save you from the mistake other Secretaries have made," William Conant Church, the influential editor of the *Army and Navy Journal*, reminded him, "in forgetting that the officers a Secretary meets in Washington are not the Army."<sup>592</sup> On 7 October 1899, during a campaign tour by McKinley and the cabinet, Root gave a speech at the Marquette Club in Chicago. Not a naturally gifted orator, Root generally avoided public speeches unless they were a clear duty. "Political speeches are after all nothing but a table of contents," Root thought, "The real work is accomplished when two or three men talk quietly and naturally together. You cannot be natural when you are addressing a crowd of 2000 people."<sup>593</sup> After initially declining the invitation to speak, Root later accepted because he saw an opportunity to rally support for the President's war policies in advance of the upcoming November elections, and because he was assured that a short extemporaneous speech would be sufficient. More important for Root's agenda in the War Department, he saw an opportunity to defend the army against criticisms of its conduct in the Philippines. The pressures of fighting an insurgency war, combined with racial conflicts between

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<sup>591</sup> Grace Cogswell Root, *Fathers and Sons*, 88.

<sup>592</sup> William Conant Church to Elihu Root, 26 July 1899, Elihu Root Scrapbooks, The New York Public Library, New York, NY.

<sup>593</sup> Grace Cogswell Root, *Fathers and Sons*, 43.

the American and Philippine troops, created ugly scenes of brutality by both sides. Even before there was an active rebellion against American authority in the Philippines, racially motivated conflict was apparent between the two sides. As one correspondent observed, “race differences have made themselves felt, which antagonize the native and exasperate our men.”<sup>594</sup> When they finally engaged in battle, “clear evidence of troop misconduct, brutality, criminal activity, and atrocities” emerged among the United States troops, as historian Brian Linn noted.<sup>595</sup> By the time of the 1899 election, alleged American brutality was being widely discussed in the media and was a volatile campaign issue.

Responding to the toast “The American Soldier,” Root observed, “no eloquence is needed to strike the chords of sympathy or of sentiment in loyal souls when the American soldier is the theme.” Though the American military machine might be defective in organization and in need of reform, the army was filled with “scores, hundreds of men...of whom any people upon the face of this earth might well be proud.” Root praised the soldiers then fighting in the Philippines as “the best youth of America ...different from all other soldiers of all other countries,” because they carried with them “the traditions of a self-governing people.” To the critics who protested the justice of the war and the conduct of the troops, Root called on all true Americans to “stand behind the American soldier and he will maintain the honor of the flag and the integrity of the [country].” Recalling that less than a month before he had stood on the field of Gettysburg with “two gray-haired veterans of the Civil War,” Root appealed to Northerners and Southerners alike by invoking the memory of Union General John Reynolds’ death “and the field across which Pettigrew swept with his North Carolinians.” “The day will come,” he said,

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<sup>594</sup> Quoted in Brian McAllister Linn, *The Philippine War, 1899-1902* (Lawrence, KS: University Press of Kansas, 2000), 36.

<sup>595</sup> Linn, *The Philippine War*, 64.

“when the fair fame of these, our brothers of today, is as dear to the American people as that of the heroes of Gettysburg.” Not forgetting the importance of the bureau chiefs, he gave special praise to the “many men whose hair has been streaked with gray through the strenuous labors of these days in the staff of the army,” whose names one day “will be written high in the list of those entitled to their country’s gratitude.”<sup>596</sup> What he said that evening was reported across the country and there was such demand for it that Root wrote a more polished version that was published in pamphlet form and distributed by the War Department and the Republican Party. Root’s friend General L. P. di Cesnola, the director of the Metropolitan Museum of Art and a Civil War veteran, read a printed copy of the speech given to him by Root’s father-in-law, then passed it along to “two or more scores of old veterans” who “without a single exception ...expressed in superlative terms, their delight and gratification.”<sup>597</sup> In this way Root showed both the active army and army veterans that he was prepared to champion their cause; he doubtless hoped that they would reciprocate and support him.

The battlefield death of General Henry W. Lawton during the fight for San Mateo in the Philippines provided another opportunity for Root to show that he understood and honored military traditions of service and sacrifice. One of the best tactical commanders in the army, and a leader of generous character and reckless bravery, Lawton was the first general officer killed in battle since the Civil War.<sup>598</sup> His death was an important public event and Root insured that the funeral procession of his casket across the country and the burial service at Arlington were equal to the occasion, including arranging for his friend Professor M. Woolsey Stryker to come down

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<sup>596</sup> Elihu Root, *The Military and Colonial Policy of the United States: Addresses and Reports*, ed. Robert Bacon and James Brown Scott (Cambridge, MA: Harvard University Press, 1916), 3-13.

<sup>597</sup> L. P. Di Cesnola to Elihu Root, 26 December 1899, Box 3, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>598</sup> Linn, *The Philippine War*, 160-161.

from Hamilton College and give an oration. Root also tapped his extensive network of contacts to raise a substantial fund to support Lawton's widow and provide for their children's college education. This gesture was entirely his personal initiative. In a letter to John D. Rockefeller, he explained that he had "not tried to make direct appeals generally, but rather to send telegrams to start the subject among different groups of gentlemen whom I know would feel just as I do about it."<sup>599</sup> In addition to the Rockefellers, that group of friends included George Westinghouse, Collis Huntington, M. C. D. Borden, Frank Vanderbilt, August Belmont, J. Pierpont Morgan and Charles Lewis Tiffany.<sup>600</sup> As Root wrote in one letter, "While we have been seeking our own fortunes, and building up our own prosperity, he has been serving the country upon the scanty pay which is barely sufficient for support, and now leaves his wife and four young children practically penniless, with nothing but our sense of obligation between them and want."<sup>601</sup> Thanks to Root's private lobbying, a comfortable sum was soon settled on the family. He thus visibly demonstrated that the sentiments and interests of the wealthy elite and the officer corps could be brought together.

By these means and others, Root actively sought the army's support, but there was already evidence that Root had a receptive audience among the officer corps and its supporters. Root always believed that his friendship with Interior Secretary Cornelius Bliss had been instrumental in getting him into the Cabinet. "I never knew how McKinley came to offer me the War Department," Root wrote. "I have always supposed it could be traced back to the advice of

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<sup>599</sup> Elihu Root to John D. Rockefeller, 26 December 1899, Box 178, Part 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>600</sup> Elihu Root to Sheldon, 6 January 1900, Box 178, Part 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>601</sup> Elihu Root to Terry, 26 December 1899, Box 178, Part 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

Cornelius Bliss.”<sup>602</sup> They were close friends dating to Root’s early years in New York when Cornelius’ father George had been a mentor to Root.<sup>603</sup> Bliss was certainly supportive and his voice was important, but the support Root received from key voices in the army was also vital. In the *Army and Navy Journal*, Church publicly endorsed Root as a potential successor to Alger. As a fellow member of the Union League Club, he was privately even more supportive. “As I have advised that a civilian should be selected for Secretary of War, in preference to a soldier,” Church wrote in congratulations, “I am naturally glad that this course has been followed, especially as it results in a choice so satisfactory to me.”<sup>604</sup> Though out of favor with McKinley and much of the country, Alger still had considerable friends inside and outside the army. As soon as he heard Root’s name broached as a possible replacement, he telegraphed Root and encouraged him to accept. “All I know is what the newspapers say, that you are to succeed me as Secretary of War,” he wrote from the War Department. “Should it come to you I most earnestly urge you to make the sacrifice and accept the position. With your great knowledge of law and your excellent health you can serve the country in a way given to few men.”<sup>605</sup> Important encouragement also came from Dodge, who was more aware than anybody of the problems in the War Department. “I hope you will accept,” he wrote; “you are perfectly fitted to meet” the challenges facing the War Department.<sup>606</sup>

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<sup>602</sup> Elihu Root to Philip Jessup, 19 November 1934, Box 222, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>603</sup> Mrs. George Bliss to Elihu Root, 23 July 1899, Elihu Root Scrapbooks, The New York Public Library, New York, NY.

<sup>604</sup> William Conant Church to Elihu Root, 26 July 1899, Elihu Root Scrapbooks, The New York Public Library, New York, NY.

<sup>605</sup> Russell A. Alger to Elihu Root, 21 July 1899, Elihu Root Scrapbooks, The New York Public Library, New York, NY.

<sup>606</sup> Grenville Dodge to Elihu Root, 21 July 1899, Elihu Root Scrapbooks, The New York Public Library, New York, NY.

Key support from behind the scenes came from General Henry C. Corbin, the Adjutant General. He had been the officer closest to McKinley during the Spanish-American War, functioning as a virtual chief-of-staff to the President in place of a dysfunctional command structure.<sup>607</sup> “As Adjutant General during the war with Spain he was of the officers at the War Department the closest advisor of President McKinley,” Secretary of State John Hay testified, “and the immediate subordinate of Secretaries of War Alger and Root in the conduct of the campaigns and the reorganization of the Armies.”<sup>608</sup> Corbin accordingly made numerous enemies in the officer corps and among Washington’s political class, but he was a voice McKinley trusted and someone any new Secretary would need to rely upon. When McKinley decided to get a new head for the War Department, he and Corbin discussed the matter and “agreed that the best constitutional lawyer within reach should be selected.” Corbin later wrote that after discussing a number of candidates, he “suggested the name of Elihu Root, . . . as having along with Mr. Choate distinguished himself in the Constitutional Convention of that State, and in many ways his character and fitness were pre-eminent over those of any other names that suggested themselves.” On a Saturday afternoon drive together several weeks later, McKinley confided to Corbin that he had finally decided to replace Alger with Root. When Roosevelt arrived a few days later to lobby for the appointment of his friend General Francis Vinton Greene, McKinley told him privately that he had decided on Root. When Roosevelt protested that Root was too busy in his practice to accept the post, McKinley replied, “I have determined upon Mr. Root’s selection, and also determined that he should accept the position, and I shall offer it to him in such a way that his patriotic sense of duty will impel him to consent.” “That I

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<sup>607</sup> “Henry C. Corbin,” *Army and Navy Life and The United Service*, September 1906, Vol. IX, No. 3, 10; Box 2, Henry C. Corbin Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>608</sup> John Hay to Elihu Root, 23 June 1903, quoted in “Statement of the Military Service of Henry Clarke Corbin,” Box 2, Henry C. Corbin Papers, Manuscript Division, Library of Congress, Washington, D.C.



was in part responsible for that selection,” Corbin reflected later, “will always abide with me in profound satisfaction.”<sup>609</sup>

That Corbin never told Root the story, or tried to use it to garner favor with his new chief, was a testament to Corbin’s character. At the same time, someone, likely Roosevelt, had warned Root against Corbin, but Root kept an open mind and quickly formed a different opinion and a strong friendship with him. “You can be sure that I thought a great deal of you and of the visit to Washington just six years ago to take up the War Department,” Root wrote Corbin after taking over the State Department in 1905, “and of how kind you were and how pleasant and happy you made the days and how you lightened the work, and I did miss you very much.”<sup>610</sup> Corbin later recalled that first visit:

Mr. McKinley had not, so far as he could recall, ever met Mr. Root, and other than sitting at the foot of a table where he had been near the head, I myself had never seen him. In obedience to the summons of the President he arrived on the Congressional Limited, which on that particular occasion was late, and which brought him to the White House at about 11 o’clock at night. At the time I was engaged with the President in the Cabinet room, Mr. Courtelyou, the secretary to the President, entered with a stranger. I whispered to the President, ‘I think that is Mr. Root.’ He was clothed in a negligee suit, with a jaunty straw hat, and the President arose and greeted him as the Secretary of War, and in turn presented me, whereupon I withdrew.<sup>611</sup>

From that simple start, Root and Corbin began their work. That either of them would arrive at that meeting, or that they would form such an intimate and effective team, would have seemed highly unlikely from their disparate beginnings. Their different backgrounds were exemplified by their very different Civil War experiences.

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<sup>609</sup> Statement of Henry Clarke Corbin (undated), Box 11, Henry C. Corbin Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>610</sup> Elihu Root to Henry C. Corbin, 24 July 1905, Box 2, Henry C. Corbin Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>611</sup> Statement of Henry Clarke Corbin, Box 11, Henry C. Corbin Papers, Manuscript Division, Library of Congress, Washington, D.C.

Root was a student at Hamilton College and the proper age for military service when the Civil War began, but despite coming from a Republican family with abolitionist sympathies, Root was little affected by the war. Part of the explanation lies in the fact that Hamilton College was physically and politically removed from the war. According to the university quarterly, “our position is so secluded here; we are so much removed from marching regiments, and mass meetings and flying banners, that the war excitement has not decimated us so badly as it has some other colleges; in fact, if it were not for the daily papers, we would almost forget there was a war.”<sup>612</sup> Root apparently tried to enlist shortly after Lincoln’s first call for volunteers, but was rejected as underweight.<sup>613</sup> Root was small for his age and had been sickly as a child, but during the war years he grew to robust manhood and would likely have been accepted had he ever again tried to enlist.<sup>614</sup> His senior year he was elected president of the College Baseball Club, and appears to have participated in other sports and in college life in general. At some point he apparently belonged to an informal student military company, but their offer of wartime service was rejected by the government because of their unwillingness to disrupt their college careers by serving longer than the three summer months. After graduating in 1864, he taught for a year at Rome Academy and enlisted in a New York State Militia regiment. As these regiments were purely for home defense, Root remained distant from the great war of his youth until its end.<sup>615</sup>

His wartime experiences were in stark contrast to those of Corbin and many of the men he was now expected to direct and whose cooperation he needed. Corbin was once asked why he became a soldier. He replied, “Oh I don’t know. I always loved the gun and liked the smell of

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<sup>612</sup> Jessup, *Elihu Root*, 36; Leopold, *Elihu Root and the Conservative Tradition*, 11.

<sup>613</sup> Grace Cogswell Root, *Fathers and Sons*, 161.

<sup>614</sup> Ned Buttrick to Elizabeth B. Hastings, 15 June 1847, Box 222, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>615</sup> Jessup, *Elihu Root*, 36-49.

gunpowder, but I started out in life with full intention of becoming a lawyer. The great Civil War decided the matter for me, however, and it would have been a miracle if the spirit of my revolutionary forbears had not pushed me into the struggle. After I got into the army I found that my life work had been brought to hand.”<sup>616</sup> Entering the volunteer army as a lieutenant in 1862, he served with the Union armies in Tennessee and Georgia. He was promoted to major in 1863 and commanded a regiment of black troops. After fighting in the Battle of Franklin, Corbin ended the war as a brevet brigadier general.<sup>617</sup> General Samuel B. M. Young, whom Root selected as the first president of the War College and later as the first Army Chief of Staff, had volunteered for service as a private at the outbreak of the Civil War. After being appointed a captain in the 4<sup>th</sup> Pennsylvania Cavalry in the early fall, he fought in most of the cavalry actions involving the Army of the Potomac, was twice wounded in combat and rose through the ranks to brigadier general by war’s end. Young was unable to raise his right arm above his chin as a result of a serious wound received in battle at Sulphur Springs in 1863. He depended primarily on his left arm afterwards and made his salutes with his left hand.<sup>618</sup> Near Appomattox Court House, he commanded the cavalry force that blocked the retreat of Lee’s Army of Northern Virginia, holding the ground until the infantry caught up and finally closed the trap that forced Lee’s surrender.<sup>619</sup> The general Root later selected to lead the relief expedition during the Boxer Rebellion, General Adna R. Chaffee, also enlisted as a private at the outbreak of war and was also wounded twice. Though it took him longer to rise in rank, by war’s end he had been brevetted a captain due to bravery in combat at Dinwiddie Court House. At Root’s direction, he

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<sup>616</sup> Newspaper clippings, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>617</sup> *Army and Navy Life* magazine article, Box 2, Henry C. Corbin Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>618</sup> Newspaper clippings, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>619</sup> Letter from S. B. M. Young to P. E. Werner, 29 September 1903, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

succeeded Young as Chief of the General Staff and on his first day found on his desk a note, “Private Young, Co. K 12<sup>th</sup> Pa Vol. Infantry presents his compliments to Private Chaffee Troop K 6<sup>th</sup> US Cav. and asks him to accept this pair of Lieutenant Generals shoulder straps.”<sup>620</sup> With that note, the highest position of responsibility in the United States army passed from one former Civil War private to another. The wartime choices and experiences of Corbin, Young and Chaffee could hardly have been more different than Root’s, and that difference was only reinforced by the contrast between his life among the New York elite and their life in the frontier army. Yet, on his ability to forge a strong relationship with these men rested the prospects for creating a new military establishment.

The army in 1899 had just concluded one war with Spain and was mobilizing for another against the Philippine insurgents, but the officer corps still strongly reflected vestiges of the Old Army even as a new one was emerging. The Civil War and the vanishing frontier were the dominant influences on the military establishment during the last third of the nineteenth century. As C. Wright Mills remarked of the nineteenth-century officer corps, “there hang wisps of gun smoke from the Civil War” about them, and “the dash of the cavalry.”<sup>621</sup> At the outbreak of the war with Spain, the regular army consisted of around 2,000 officers and 25,000 enlisted men stationed at 186 army posts spread across the country. The Civil War had been the defining event in the youth of most of the army’s higher-ranking officers and there were still approximately 600 serving Civil War veterans. Most officers spent their careers in small, scattered garrisons in the West or in coastal fortifications along the Atlantic and Gulf coasts. As had been true since the army’s inception, their primary activity was the conquest of the frontier

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<sup>620</sup> Letter from S. B. M. Young to Adna R. Chaffee, 9 January 1904, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>621</sup> C. Wright Mills, *The Power Elite* (New York: Oxford University Press, 1956, 2000), 179.

and the Indian nations that lived there. Between the irregular Indian wars, the regular army provided security for white settlers as they pushed further westward, fought periodic small skirmishes against ‘hostiles,’ and generally carried out the government’s various policies aimed at controlling or eliminating the Indians while “settling” the frontier. For much of the time, this duty consisted of extended periods of relative boredom spent in primitive posts isolated from the rest of the country.<sup>622</sup> The officer corps regularly rubbed shoulders with their civilian counterparts when not on outpost duty, but they were more often observers than participants in the changes that defined the period.<sup>623</sup> They did not remain static and were able to effect some changes in matters of tactics and equipment that were under their control, but they were powerless to effect fundamental changes in the organization, size or structure of the military establishment.<sup>624</sup> Their lives were largely lived out-of-sight and out-of-mind of most of the country’s population, and were comparatively slow to change even as the country around them underwent its most rapid and fundamental changes since it’s founding. To Sir Rose Price, a British baronet with twenty years of military service, it seemed “a rattling good little army,” while to a young West Point graduate and regular army officer like Johnson Hagood, “It was a well trained fire department with no fires, and the firemen sitting out in front of the fire house playing checkers.”<sup>625</sup>

In contrast, Root had spent his career at the epicenter of the nation’s economic, political and social changes. His career as a lawyer had initiated him into the worlds of big business, high

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<sup>622</sup> Edward M. Coffman, *The Old Army: A Portrait of the American Army in Peacetime, 1784-1898* (New York: Oxford University Press, 1986), 215-218.

<sup>623</sup> John M. Gates, "The Alleged Isolation of US Army Officers in the Late 19th Century," *Parameters: Journal of the US Army War College*, September 1980, 32-45.

<sup>624</sup> Perry D. Jamieson, *Crossing the Deadly Ground: United States Army Tactics, 1865-1899* (Tuscaloosa, AL: University of Alabama Press, 1994).

<sup>625</sup> Quoted in Coffman, *The Old Army*, 215.

finance and elite politics. His clients were among the country's wealthiest and most powerful businessmen, his political allies now occupied a wide range of the most influential posts in the government, and his friends included some of the most famous and talented people in the country. He moved among the upper reaches of New York society at a time when it dominated national society, and he was a member of an elite and relatively cosmopolitan transatlantic world of great wealth and privilege. His public life had acquainted him with a large number of Civil War veterans and he had occasionally met members of the active officer corps at political and social gatherings, but his ignorance of military matters was almost complete. He did bring to the task a wealth of experience dealing with large, diverse and scattered enterprises. Many times before, he had mastered the details of a business with which he had no prior experience and addressed himself to solving its problems. His calculated effort to win the support of the officers inside and outside the War Department were evidence of his skill at handling people and manipulating large corporate bodies, but his success depended equally on a shared set of basic assumptions. His conscious efforts at winning the hearts and minds of the officer corps would have been fruitless had they not already shared a common set of gender norms, a common belief in a racial hierarchy, and a common experience of professionalization. Perhaps the most important of these was a common understanding of masculinity based on experiences and mythologies of the American West.

At any given time, roughly half the officer corps was stationed in relative isolation on the frontier.<sup>626</sup> These officers experienced the West as a rich cultural milieu with its own set of values and norms — a world at times complete unto itself. The writings of Colonel William H. Carter gave some insight into that world. Carter was the officer most responsible for devising the

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<sup>626</sup> John M. Gates, "The Alleged Isolation of US Army Officers in the Late 19th Century," *Parameters: Journal of the US Army War College*, September 1980, 34.

general staff law, and Root singled him out for special praise in his last annual report as Secretary of War. “[I]f the new system shall prove to be an improvement, “ he wrote, “the gain to the country will have largely been due to him.”<sup>627</sup> While Carter played an important role in shaping Root’s reform agenda, like most of the regulars his previous service had been largely on the frontier. Unlike Root and most of the general officers, he had been too young for Civil War service, but as the son of Tennessee Unionists the excitement of the war years inspired him to attend West Point.<sup>628</sup> A gifted writer with an eye for a good story, Carter wrote books about his army experiences along with a number of professional articles. His writing, when not focused on professional topics, painted a picture of the American West as a romantic landscape where “the frontier garrisons go unostentatiously about their work of carving the path of an empire.”<sup>629</sup>

Carter’s world was filled with romantic characters and settings that reinforced traditional gender norms, such as the night before the campaign where “refined gentlewomen have nerved themselves for the farewell reception and dance usually given in honor of gallant men departing on distant and dangerous enterprise.”<sup>630</sup> The men themselves were “a handsome, bronzed lot of soldiers” or a “lusty lot of dragoons” whose “knightly deeds” were “performed far from the haunts of civilization, unapplauded and unrecognized save by the manly men and courageous women who followed the guidons.”<sup>631</sup> Carter observed that there was “an infinite amount of hardship and drudgery connected with service in the ranks of any cavalry,” and this made the

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<sup>627</sup> Elihu Root, *Five Years of the War Department: Following the War with Spain, 1899-1903, As Shown in the Annual Reports of the Secretary of War* (Washington, DC: U.S. Government Printing Office, 1904), 333.

<sup>628</sup> Ronald O. Machoian, *William Harding Carter and the American Army* (Norman, OK: University of Oklahoma Press, 2006), 15.

<sup>629</sup> William Harding Carter, *Old Army Sketches* (Baltimore: The Lord Baltimore Press, 1906), 9.

<sup>630</sup> Carter, *Old Army Sketches*, 11.

<sup>631</sup> Carter, *Old Army Sketches*, 78, 38 and 66.

comradeship of shared drudgery and danger a key element in the frontier soldier's life.<sup>632</sup> The "reminiscent habit of army men ... who have drunk from the same canteen" helped ease the hardship and break the monotony, and it was "through constant repetition of the incidents of service ... that traditions attach to and become fixed in regiments."<sup>633</sup> Those stories more often than not reflected tales of loyalty to comrades and obedience to orders. A good comrade was easy to spot, for "he is true to the regiment, true to his friends, as square as a dollar, and regards obedience to orders as a religious duty."<sup>634</sup>

Celebrating masculine constructs of comradeship and discipline was an important way of maintaining some connection with the dominant norms of national culture while on the frontier. Regiments such as Carter's Sixth Cavalry were seldom stationed as a unit, but were deployed over large areas in small, sometimes isolated posts. Carter's regiment was stationed in Texas for several years, where the officers "were continually called upon to guard the courts of justice, assist revenue officers, aid in executing convicted criminals, supervise elections, pursue outlaws and murderers, and in general to institute lawful proceedings where anarchy reigned."<sup>635</sup> Just traveling to a new post could be an adventure, as railroads only sufficed for the first part of the journey. After reaching the end of the rail line in Colorado, one group of recent West Point graduates had to take a thirty-eight to forty hour stagecoach ride over 216 miles of rough terrain to reach Santa Fe, where an equally grueling wagon ride took the recently minted lieutenants in different directions to their respective posts. One had the indignity of being held-up along the way by a robber who took one look at his uniform and disgustedly complained, "Damn it, you

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<sup>632</sup> William Harding Carter, *Horses, Saddles and Bridles* (Baltimore: The Lord Baltimore Press, 1902, 1906), 5.

<sup>633</sup> Carter, *Old Army Sketches*, 78.

<sup>634</sup> Carter, *Old Army Sketches*, 88.

<sup>635</sup> William Harding Carter, *From Yorktown to Santiago with the Sixth U.S. Cavalry* (Baltimore: The Lord Baltimore Press, 1900), 135.



army officers never have any money.”<sup>636</sup> Once at their scattered posts, the troopers had to be constantly ready “to rescue a mail coach, to raise the siege of a ranch or to pursue renegades escaping from the Indian reservation.”<sup>637</sup> For many officers, life on the frontier was a large letdown from their heady days in command of regiments, brigades and divisions of volunteers in the Civil War. Carter went to the West straight after receiving his West Point commission, but for officers such as Corbin, Young and Chaffee, the end of the war meant accepting a precipitous drop in rank in order to remain in the army. For them, it was a significant change in situation and in status, exacerbated by the ambiguities of occupation duty in the South during Reconstruction. Small wonder that officers banished to the outposts of their country’s civilization so soon after being hailed its saviors would cling to shared masculine norms and time-honored cultural traditions, even as some of those same traditions were coming under attack back home.

One of the consolations of service on the western frontier was the beauty and abundance of the land itself. Appreciation for this beauty varied, but Carter wrote of a solitary journey along the old Santa Fe Trail that captured the essence of the relationship between the officers of the frontier army and the expansive environment that constituted their workplace and world.

The journey to my new station, during the beautiful autumn weather, seems now like a dream. Day after day, moving slowly over the rolling prairie, covered with a luxuriant growth of grass and flowers, not a house or sign of civilization as far as the eye could reach, rarely out of sight of the buffalo herds traveling slowly southward; antelope, deer, and wild turkeys springing from the cottonwood bottoms along every stream, —these were the scenes that made the dangers of frontier life fade away in the keen appreciation and enjoyment of nature. The whole country, far west into the foothills of the Rockies, was a sportsman’s paradise and, as one of the liberty-loving subalterns expressed it, the life of an

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<sup>636</sup> Coffman, *The Old Army*, 262.

<sup>637</sup> Carter, *Old Army Sketches*, 26.

officer under such conditions would have been ideal but for the existence of soldiers and Indians.<sup>638</sup>

While not all officers were such keen or romantic observers of nature, the West as a “sportsman’s paradise” was an idea endorsed by almost all of them. The combination of firearms, game and rampaging masculinity was an intoxicating, irresistible mix. Carter described it as “the halcyon days when saddles of venison, antelope steaks and buffalo tongues were more common than beef at all the frontier messes.” At times there were so many guests in for the hunting that the officers’ mess began to resemble a hunting camp rather than an army post. Eastern businessmen and European visitors alike saw the West as one vast, unregulated game preserve. In such circumstances, it was easy to sometimes confuse the officers of the regular army with hunting guides. One regiment cherished a high brass fireplace fender that had been delivered to the mess as a gift from a British army guardsman after a successful hunt in the Black Hills.<sup>639</sup>

General William T. Sherman credited the railroads as the principal engine for change on the frontier and in the life of the regular army.<sup>640</sup> They brought the final wave of settlers and immigrants to the West, and along with the burgeoning telegraph system they linked the scattered frontier posts to each other and to the East. The railroads also brought with them the businessmen, bankers and lawyers who provided the direction, money and expertise necessary for commercial development. The West became the stage for playing out in blood and steel contests for business advantage that often began in the offices and boardrooms of Wall Street. Wealthy elites like Root also used the railroads to quench their thirst for manly outdoor adventure, while still being able to catch the train back to New York in time for the fall opening

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<sup>638</sup> Carter, *Old Army Sketches*, 129-130.

<sup>639</sup> Carter, *Old Army Sketches*, 165-166.

<sup>640</sup> 1882 Annual Report of the Commanding General (Washington: U.S. Government Printing Office, 1882).

of court. Root complained to a friend shortly after accepting his new post that moving to Washington, “smashes my vacation into small pieces and breaks up the hunt I had planned in the Rockies for September.”<sup>641</sup> Once Root’s practice was established, he regularly traveled to the West either in pursuit of his clients’ interests or in search of the plentiful game and pristine trout streams. He took his first trip west in 1869, the first year his law practice produced a sufficient profit to enable such an extravagance. It proved to be important because of the way it broadened his horizons and opened his eyes to the great expanse of the country.<sup>642</sup> His brother Oren had worked in Missouri at the new state university for several years after leaving Hamilton College and had enjoyed the experience. “I am rejoiced at being able to live out here,” he wrote back to Root.<sup>643</sup> Oren sent back vivid written images in his letters to his younger brother. Describing a confrontation on the street, he wrote, “Why the other day Anderson and Russell had some words about a tax deed on some property. About 3 P.M. Mr. Anderson walked up to Russell on our main street, full of people and teams, grabbed him by the arm, flung him around, drew a revolver said ‘D--n you, stand back, draw and defend yourself.’ Russell said he was unarmed. ‘Go & get your pistol then, for I shall either flog or shoot you the next time you come up the street.’ Mr. Russell went right to the Court House, made out the deed required, yielding his tax title, sent it to Anderson & went home fearlessly. How peaceful & quiet a way of settling a legal difficulty, no law papers to bother with, no lawyer fees to pay, no delay, all done in an hour or two. ...O! This is a great country.”<sup>644</sup>

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<sup>641</sup> Elihu Root to William H. Cohen, 26 July 1899, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>642</sup> Jessup, *Elihu Root*, 71.

<sup>643</sup> Copy of letter from Oren Root, Jr. to Elihu Root, 13 October 1867, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>644</sup> Copy of letter from Oren Root, Jr. to Elihu Root, 15 November 1866, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

Those letters were the inspiration for Root's first Western trip. Among his memories from that trip, he recalled seeing a total eclipse in Des Moines, Iowa on his outbound journey, and remembered one night nosing into a levee aboard a paddlewheel steamer, where "the darkies, with their wonderful sense of rhythm, would swing the freight from hand to hand, singing chanties all the while as they unloaded by torchlight." Just as Carter had been captured by the romance and adventure of the West, Root found the West "full of picturesque scenes everywhere. ...It was a wild, mysterious scene."<sup>645</sup> Taking the railroad on his return trip, he recalled stopping and getting "off the train here and there and having antelope or venison steak to eat. ...It was always a valuable experience for me, that trip. I talked to people everywhere and I learned how they felt about Easterners and what they were interested in and what they cared about."<sup>646</sup> Putting aside his romantic and racist view of the rhythmic "darkies," his own cultural milieu indelibly influenced his relationship with the West. It was both an important arena for some of the great railroad battles of his legal career, and it was a playground for the pursuit of the masculine pastimes of the wealthy New York elite. Unknowingly and unconsciously, those trips to the West gave him a set of experiences and strengthened in him a masculine identity that was fundamentally crucial to his success in Washington. His masculine identity formed an important part of the cultural foundation on which he built his relationships as Secretary of War.

Because the fortunes of the West were often determined in New York, as legal representative of Western railroads and companies financed by Wall Street, Root sometimes needed to travel to the West for business. Friends such as Charlie Delmonico, the New York restaurateur, hired Root in 1879 to try a mining fraud case in Kansas City, and later that same

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<sup>645</sup> Grace Cogswell Root, *Fathers and Sons*, 71, 21 and 82.

<sup>646</sup> Notes on Western trip, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

year he was asked to write a legal opinion regarding a dispute over title to the hot springs in Las Vegas, New Mexico. Over the next twenty years Root represented a number of clients large and small in western litigation, including clients such as the Hannibal and St. Joe Railroad Company and the St. Jo, Kansas and Denver Railroad Company.<sup>647</sup> His accommodations during his work in the West were often primitive, but he described them in the most comical and absurd terms.<sup>648</sup> He established friendships in the West, and took regular side trips and extended vacations that allowed him to become one of those Eastern businessmen who saw the West as a great game preserve. He soon began to decorate the walls of his house with animal heads, and their hides began to appear on his floors. “I have shot a good bull elk for the College cabinet and two magnificent buck heads for our own house some where —finer than any we have,” he wrote to Clara in 1893. “If you see Eddy tell him I plunked an antelope the other day at 350 yards at fine style. My new gun works to perfection.”<sup>649</sup>

His first real experience with western hunting was during an 1880 trip to Denver on behalf of Charlie Delmonico’s case. Over the next few years he made numerous trips to the mountains of Colorado and Wyoming. His work routine in New York and his growing wealth made such trips possible. Courts in those days routinely closed for business during the summer months, making it possible for lawyers like Root to take extended vacations each year. In 1888, he took his family on the first of a series of summer vacations in the West. Loading them into a private railroad car in Jersey City, they traveled across country to Colorado Springs. Suffering the initial pain of what he supposed to be rheumatism, he initially sought relief in the hot springs at

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<sup>647</sup> Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.; also quoted in Jessup, *Elihu Root*, 114.

<sup>648</sup> Copy of letter from Elihu Root to Clara Root, 8 August 1888, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>649</sup> Copy of letter from Elihu Root to Clara Root, 24 September 1893, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

Glenwood Springs —to “boil it out.” Walter Devereux, a mining engineer Root knew through his brother Wallie’s work with the Columbia School of Mines, promised to cure Root’s affliction if he would join him in the mountains. “We got horses and mules and went up to the Flat Tops in August,” Root remembered, “I was wracked with rheumatism, rode horseback all day and slept on the ground at night. It cured my rheumatism and started me going West. I made an agreement with Mrs. Root that if she would let me hunt every other year I would take the family to Europe the alternate years.”<sup>650</sup> Root thus joined the ranks of other wealthy elites who kept one foot in cosmopolitan Europe and one in the rugged, masculine West.

Devereux was one of those people who combined a masculine appreciation for hunting and fishing, with a scientist’s appreciation for the natural environment of the West. He was also a connection between many of the New York elites who saw the West as both their back yard and a place for adventure. He worked extensively out West, lived in Colorado for a time, and was highly respected for his knowledge and experience there. When Edward H. Harriman, head of the Union Pacific Railroad, organized his summer expedition to Alaska in 1899, he included Devereux among the many noted scientists, artists, writers and conservationists who joined the trip. Harriman described the expedition “as a summer cruise for the pleasure and recreation of my family and a few friends,” but in addition to the big game hunting, the expedition created a scientific and artistic picture of much of the Alaskan wilderness.<sup>651</sup> On his return, Devereux sent a congratulatory note to Root. “I am very glad that you sacrificed your personal interests to take

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<sup>650</sup> Jessup, *Elibu Root*, 161.

<sup>651</sup> Guide to the *Souvenir of the Harriman Alaska Expedition* Photograph Album Collection, May-August 1899; Special Collections, UW Libraries; <http://www.lib.washington.edu/specialcoll/findaids/docs/photosgraphics/HarrimanAlaskaPHColl333.xml>.

the position of Sec. of War,” he wrote, “I can understand how much of a sacrifice it is.”<sup>652</sup>

Devereux was also a member of the Boone and Crocket Club, whose aims were “to promote manly sport with the rifle, to aid exploration, to work for the preservation of the game of the country, and to promote inquiry and to record observations on the habits and natural history of the various wild animals.” When the club published *American Big Game Hunting* in 1893, a volume co-edited by Theodore Roosevelt, Devereux contributed a chapter on photographing wild game.<sup>653</sup> When the club gave a formal dinner for newly elected Governor Roosevelt in January 1899, Devereux was among the company in attendance, alongside other club members such as Gifford Pinchot, Henry Stimson and Elihu Root.<sup>654</sup> Devereux was also a prominent polo player and maintained ponies at the Princeton Polo Club, where his son served as president for a time.<sup>655</sup> He was also, as was his wife, a frequent transatlantic passenger, traveling on the *Lusitania* in the fall of 1903 along with Roosevelt’s son Kermit.<sup>656</sup>

Though Root was more often associated with cosmopolitan New York or Old World Europe, he found the allure of the West irresistible. “Nothing in the east or in Europe could compare in charm with a good horse and high life in the open,” he wrote to his friend Hamlin Garland in 1925, “I always thought that it was this phase of personal experience which made it possible for Roosevelt and myself, with our very widely different temperaments to get on so well together.”<sup>657</sup> In the same way, the West created a common mental structure —with a

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<sup>652</sup> W. B. Devereux to Elihu Root, 20 August 1899, Box 3, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>653</sup> “Wild Animals of the Far West,” *The New York Times*, 17 December 1893.

<sup>654</sup> “Busy Day for Roosevelt,” *The New York Times*, 22 January 1899.

<sup>655</sup> “Games for Princeton Polo Team,” *The New York Times*, 4 April 1903.

<sup>656</sup> “Lusitania Tried for a New Record,” *The New York Times*, 23 September 1910.

<sup>657</sup> Elihu Root to Hamlin Garland, 1925, Box 162, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

corresponding set of tastes, perspectives, values and experiences, conveyed by a shared masculine language —that enabled Root to form a bond with army officers who superficially seemed very different indeed. Despite the apparent contrast of the rugged hunting camp to the sophisticated rooms of the Century Association or the Union League Club, he found it easy to make friends in the West. “You should be genuinely pleased at the way in which you are regarded by every man who has directly or indirectly been brought in contact with you in the mountains,” wrote Roosevelt after one of his Western excursions. “They have a hearty regard for you, and you have somehow made them feel instinctively that you met them on a plane of frank equality, paying to each the respect to which his special capacity of whatever kind entitled him.”<sup>658</sup> During their years together in the War Department, Root often spent his afternoons on horseback in Rock Creek Park with Carter discussing their reform plans.<sup>659</sup> Their common love of “a good horse and high life in the open” was an important part of making those rides possible and productive. In similar fashion, the common experiences and shared assumptions about the meaning of masculinity that he shared with the other officers whose support he cultivated formed a bond as strong as it was unspoken.

Root went to Washington with two purposes: reform the army and create the legal structure of an empire. While there he also directed a war against the Philippine insurgents and an intervention in China against the Boxers. To consider army reform without this imperial context is to neglect a significant part of the explanation for it. For Root, all of these tasks were part of the larger task of making the United States a world power, thereby moving the United States into a competitive international arena dominated by European empires. The structure of

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<sup>658</sup> Theodore Roosevelt to Elihu Root, 24 August 1901, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.; also quoted in Jessup, *Elihu Root*, 115.

<sup>659</sup> Interview of Grace I. Palmer by Harold Cater, 3 December 1917, OCMH Collection, Army General Staff, ID2, Cater Notes, Military History Institute, Carlisle, PA.



army reform was not simply the product of ambitious officers drawing on the discourse of a transatlantic militarism, or the product of business elites who saw a stronger army as necessary to successful competition in the global marketplace, it was these ambitions converging at the flood tide of American imperialism. To properly study the Root reforms, it is essential to consider their imperial context. It is not necessary to study the specifics of the colonial legal regimes the construction of which occupied so much of Root's time in the War Department, nor is it necessary to study the military campaigns in the Philippines or China, but it is essential to examine the basic assumptions and principles that guided Root in all these responsibilities. Accepting that army reform and empire building were different aspects of the same project, Root's pursuit of both drew on the same basic principles and purposes. That his work was accomplished in the shadow of colonial conflicts on the far side of the Pacific Ocean only gave additional urgency and meaning to the work of empire.

From the beginning of his tenure at the War Department, Root recognized that he had a major job of reorganization ahead of him. "I feel that I shall quite probably be laying the foundation for some other man to build upon, for it is quite probable that many of the difficulties which now confront the Secretary, particularly in the government of the colonial possessions, cannot be successfully solved during any one administration."<sup>60</sup> The two priorities that separately occupied the minds of McKinley and Roosevelt — creating an imperial government for the former Spanish colonies and reforming the fundamental institutions of the army, were Root's principal projects during his years at the War Department. Before he could turn his full attention to those projects, however, there was the troublesome problem of a war in the Philippines. "To wind up the insurrection in the Philippines in the shortest possible time,"

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<sup>60</sup> Elihu Root, addressee and date unreadable, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

he assured the press, “was ...the Secretary’s first duty.”<sup>661</sup> Notwithstanding his reluctance to fight a war with Spain, Root had no qualms about using all necessary force to quell the Philippine uprising. Among his first decisions was to send more troops to the Philippines to defeat the insurgency. The press and the officers in the Department found the manner of his actions as impressive as the substance. “The vigor, the wisdom, and the industry with which he planned for these additional reinforcements and at the same time dispatched quickly but carefully the ordinary business of his office under frequent interruption from callers, too prominent to be shut out always by the restrictions with which he had to guard his time, would have sufficiently impressed the War Department,” wrote one reporter, “but that he also found time to organize hurricane relief for Porto Rico and a census for Cuba seemed an impressive start indeed.”<sup>662</sup>

His friend Choate strongly supported his determination to quash the Philippine rebellion. “I have read with great interest ...that you are determined to carry out what I have always considered to be the only policy for the occasion,” he wrote from Scotland, “Sending to Manila such a force that will demonstrate to the Philippinoes that we are in earnest and will insist upon the restoration of peace and order as a necessary preliminary to any settlement of the government. ...and whether our main object is to be accomplished by force or negotiation, we must show them at whatever cost that they are no longer dealing with a power like Spain which could not subdue them, but with a power they cannot withstand.”<sup>663</sup> As avidly as most politicians, and more so than most Americans, many of the elite closely followed the progress of

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<sup>661</sup> Henry MacFarland, “The New Secretary of War,” *The American Monthly Review of Reviews*, Vol. XX, No. 3, September 1899, 289.

<sup>662</sup> Henry MacFarland, “The New Secretary of War,” *The American Monthly Review of Reviews*, Vol. XX, No. 3, September 1899, 288.

<sup>663</sup> Joseph H. Choate to Elihu Root, 13 September 1899, Box 3, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

the campaigns in the Philippines, often writing directly to the War Department for maps so that they could more easily follow developments as they were reported in the newspapers, while freely offering support and advice.<sup>664</sup> Root's success directing the war effort from Washington gave him the credibility and widespread support from the public, the wealthy elite and the officer corps that he later used as political capital when he turned to reorganizing the army.

After insuring the dispatch of an army sufficient to pacify the Philippine insurgents, his first opportunity for reform was the creation of new governments for the colonies, which was also a necessary concomitant to suppressing the revolt in the Philippines and avoiding similar rebellions in the other islands. Though Root had privately argued against the wisdom of the war, he seemed eager to begin the task of constructing colonial governments. Even before McKinley officially offered him the post, Root wrote Professor Cephias Brainerd looking for "a short list of books which would do for a beginning in the colonial business." Along with the reading list Brainerd sent his opinion, "I look upon the English system as a development under our own methods of thought and processes of government."<sup>665</sup> Root was entirely in agreement. "The English are the best colonizers in the world," he thought.<sup>666</sup> As a conservative product of the Anglo-American world, imperialism was not an odious term to Root.

His approach to the colonial problem was consistent with his basic assumptions and his experience as a lawyer. He set the problem in the context of his Anglo-American worldview, and then applied his legal acumen to its solution. In his first Annual Report, which he began

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<sup>664</sup> John T. Denny to Elihu Root, 7 October 1899, Box 3, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.; John T. Denny to Elihu Root, 11 October 1899, Box 3, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>665</sup> Letter from Cephias Brainerd to Elihu Root, 20 July 1899, Box 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.; Letter from Elihu Root to Cephias Brainerd, 3 August 1899, Box 178, Part 1, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>666</sup> Grace Cogswell Root, *Fathers and Sons*, 36.

preparing only weeks after assuming office, he set out his understanding of the relationship between the United States and its new empire, constructing what amounted to a lawyer's brief for United States sovereignty over its new imperial possessions. He dispensed quickly with claims for independence or statehood, asserting an absolute sovereignty not unlike the sovereignty Spain had claimed, the alleged abuse of which had been the justification for American intervention. The trouble had been with the Spanish administration, Root argued. It was not that Spanish "law was defective or vicious," he wrote, "but that it [had] never been fairly and honestly administered."<sup>667</sup> He tempered his absolutist view of sovereignty with a liberal interpretation of the positive obligations sovereignty imposed on the United States. "It is our unquestioned duty to make the interests of the people over whom we assert sovereignty the first and controlling consideration," he argued, "and to give them, to the greatest possible extent, individual freedom, self-government in accordance with their capacity, just and equal laws, and opportunity for education, for profitable industry, and for development in civilization." He went so far as to assert that through an "implied contract" with the people of the United States, America's new subjects "have acquired a moral right to be treated ...in accordance with the underlying principles of justice and freedom which we have declared in our Constitution."<sup>668</sup>

Although Root's reputation as an advocate for international peace owed something to the contemporary view of his colonial policies as enlightened, those policies earned him little credit after the initial enthusiasm for empire had passed.<sup>669</sup> The fact that America's colonial rule compared favorably to that of other empires did little to save his reputation in colonial administration for later generations. It has been many years since an historian could conclude, as

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<sup>667</sup> Elihu Root, *The Military and Colonial Policy of the United States*, ed. Robert Bacon and James Brown Scott (Cambridge, MA: Harvard University Press, 1916), 168.

<sup>668</sup> Root, *Military and Colonial Policy*, 161-163.

<sup>669</sup> Leopold, *Elihu Root and the Conservative Tradition*, 195-196.

Richard W. Leopold did, that “Root fashioned machinery that insured for politically backward peoples a responsible, honest, and disinterested rule.”<sup>670</sup> Nonetheless, his colonial policies opened a window onto the cultural values that conditioned Root’s policy choices and they offered insight into his lawyerly approach to policymaking. The principal task McKinley appointed him to accomplish —constructing and administering colonial governments for Cuba, Puerto Rico and the Philippines —proved to be among his most controversial and least enduring public achievements. It was not only considered of primary importance at the time, however, in many elite circles his work as a de facto colonial secretary was quite popular. After giving a speech at Yale University, Root wrote home to his wife Clara; “When the Secretary of War was called up he got a tremendous reception which indicated that among Yale men at least expansion and the War in the Philippines is not seen as criminal or disgraceful.”<sup>671</sup> Though Americans quickly lost interest in their empire and eventually found it a problematic part of their history, it is nonetheless important that in the context of the time. Because his colonial work was widely seen at the time as highly successful, it helped to establish for him a reputation for administrative skill and loyalty to the administration that was important when he turned his attention to the problems of military reform.

His colonial policies also exposed his belief in a racial hierarchy that privileged the Anglo-American culture and peoples. In the first letter Root wrote to his wife from the War Department, he referred to the burdens of his new responsibilities. “When I consider the power now placed in my hands & its tremendous effect on the lives of millions of poor creatures who are looking to this country for civilization & freedom & the blessings of law and order, ...the

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<sup>670</sup> Leopold, *Elihu Root and the Conservative Tradition*, 191.

<sup>671</sup> Copy of letter from Elihu Root to Clara Root, 2 July 1900, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

little sacrifices I am making seem very small indeed.”<sup>672</sup> The “poor creatures” in the Philippines who were in open rebellion rather than plaintive submission were simply “half-civilized opponents.” The Philippine people were not a nation, but merely a collection of tribes, incapable of self-government, incapable even of self-protection, most of whom were aware of their inferiority and were ready “to accept American sovereignty” and learn “the rudiments of government under the tuition of the American soldier.”<sup>673</sup> In a campaign speech for McKinley in Canton, Ohio, he delighted in quoting with approval the remarks some years earlier of the anti-imperialist Carl Schurz that peoples in tropical climates were unfit for self-government because, “[t]he tropical sun inflames the imagination to inordinate activity and develops the government of the passions.”<sup>674</sup> When the Cuban census was completed and revealed that thirty-four percent of the population were literate and “considerably more than half the population were” native-born whites, with “negro and mixed-race” only thirty-two percent, Root observed that “[o]n the whole this exhibits rather better material for government than had been anticipated.”<sup>675</sup> However unfitted they were because of the defects of their race or geography, Root did believe that most could be educated in the art of self-government through an enlightened colonial policy. If the English were the world’s best colonizers, certainly their Atlantic cousins could draw on the same cultural wellspring and bring civilization to these poor, dependent peoples.

These beliefs were consistent with his own experiences with New York politics and society, and they aligned him with elite politics and thought generally. In a burst of Anglo-American imperial pride, *The Outlook* seemed to endorse Root’s convictions regarding the merit

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<sup>672</sup> Elihu Root to Clara Root, 1 August 1899, Box 222, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>673</sup> Elihu Root, “The American Soldier,” *Military and Colonial Policy*, 6 and 9-10.

<sup>674</sup> Elihu Root, “The United States and the Philippines in 1900,” *Military and Colonial Policy*, 43-44.

<sup>675</sup> Elihu Root, “Annual Report of the Secretary of War for 1900,” *Military and Colonial Policy*, 193.

of the English colonial system. “The army among Anglo-Saxon peoples is no longer a mere instrument of destruction,” it declared; “It is a great reconstructive organization. It is promoting law, order, civilization, and is fighting famine and pestilence, in India. It is lightening taxes, building roads, opening markets, laying the foundations of justice and liberty, in Egypt.” Thanks to America’s new imperial energy, “It is reorganizing society, on a basis of physical health, fairly paid industry, honest administration, popular rights, and public education, in Cuba.” “This reconstructive work requires at the head of the War Department, not an expert soldier, but a man of affairs and a statesman,” it concluded, “It is such a man whom the President has appointed in Elihu Root. He has been wise to select a civilian and a lawyer.”<sup>676</sup> Enthusiasm for empire often was accompanied by similar expressions of racial pride and responsibility, always portraying America in the vanguard of civilization. By bringing together Anglo-American racial pride, and an attitude of superiority and privilege towards the less developed world, Root accurately reflected the dominant racial beliefs that motivated much of United States foreign policy.

Race was a central category of analysis through which Americans, and elites especially, viewed the world. Racial stereotypes had the benefit of being readily available for application to world problems whose details seemed inscrutable, reinforced hierarchies at home and abroad, and privileged the Anglo-American world in a way that could be used to justify expansion and domination. They were particularly powerful because they not only expressed the belief of elites, but generally reflected popular attitudes by Americans who “absorbed an awareness of race in their schooling, in their homes, and in their work place.”<sup>677</sup> This discourse was influenced by the Anglo-American experience with the Indian nations of North America, by the country’s

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<sup>676</sup> “What the Country Wants,” *The Outlook*, Vol. 62, No. 13, 29 July 1899, 699.

<sup>677</sup> Michael H. Hunt, *Ideology and U.S. Foreign Policy* (New Haven, CN: Yale University Press, 1987), 52.

experience with the peoples of Latin America and Asia, and by the general acceptance of Social Darwinism. In the same way that Root understood the story of Samuel Kirkland and the founding of Hamilton College as an instance of noble purpose run afoul of uncivilized and ungrateful Indians, so Americans generally saw Indians as possessors by fate of land to which they were entitled by merit. As the frontier slowly closed and the national conflict over slavery faded in the national consciousness in the late nineteenth century, American thought about race that had for so long been dominated by those conflicts gave way to a more variegated understanding reflecting a new engagement with the global world. At the same time as Root was organizing colonial governments for America's new overseas empire, contact with the peoples of that empire was convincing most Americans of the racial dangers of empire. "[A] great irony was that after the events of 1898, the territorial phase of American imperialism came to a startling and abrupt close," observed the historian Eric Love. "Imperialists abandoned annexation, a tradition reaching back to the first days of the nation's independence, as a viable policy option."<sup>678</sup> While hierarchies of race and racism were not the only reasons, they were part of the reason why the United States eventually abandoned traditional ideas of empire and embraced instead a version of hegemony that allowed it many of the benefits of empire without racial entanglements.

These racial attitudes were given an extra patina of respectability because of the pernicious influence of Social Darwinism. As the son of a college professor, Root was perhaps especially susceptible to an ideology that seemed to reconcile his racial prejudices with his veneration of science. Under Professor Root's influence, he "had grown up as a child in an

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<sup>678</sup> Eric T. Love, *Race Over Empire: Racism and U. S. Imperialism, 1865-1900* (Chapel Hill, NC: University of North Carolina Press, 2004), 196.



atmosphere where one came to believe that the only really important thing in life was science.”<sup>679</sup> Along with friend and colleague Asa Gray, who was Darwin’s most ardent advocate in the United States, Root’s father was an early convert to evolution.<sup>680</sup> Even more influential in America than Darwin’s theories were the writings of the English philosopher Herbert Spencer. “In the three decades after the Civil War,” wrote Richard Hofstadter, “it was impossible to be active in any field of intellectual work without mastering Spencer.”<sup>681</sup> Building on the scientific insights of Darwin, but applying them as Darwin never did to the world of the industrial revolution, Spencer conceived a philosophy ideally suited to laissez faire society. In his hands, evolution and the law of continuous motion became a synthetic philosophy that endorsed survival of the fittest as necessary for humanity’s progress towards a utopian future. The elites who profited from the economic changes of the Gilded Age found in Spencer a sympathetic explanation for their success and a moral rationale for their wealth in the midst of immense economic disparity. Similarly, while racial colonialism and empire building was well developed long before Spencer began writing, his philosophy gave justification and moral rationale to the racism inherent in American foreign policy.

The highlight of Spencer’s 1882 tour of the United States was a dinner held in his honor at Delmonico’s restaurant in New York. The event was presided over by William M. Evarts, Choate’s senior partner and mentor. Root attended with his father-in-law Salem Wales, joining not only Choate, but also his friends Charles A. Dana, Andrew Carnegie and Chauncey Depew, along with a virtual who’s who of upper class New York. That meeting marked the beginning of what biographer David Nasaw referred to as “Carnegie’s infatuation or obsession with the

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<sup>679</sup> Grace Cogswell Root, *Fathers and Sons*, no page number.

<sup>680</sup> Jessup, *Elihu Root*, 25.

<sup>681</sup> Richard Hofstadter, *Social Darwinism in American Thought* (Boston: Beacon Press, 1944, 1955, 1983), 33.

English philosopher.”<sup>682</sup> While Root was not quite so smitten, there is no doubt that Spencer’s views influenced his thinking. As late as 1915, when Spencer’s writings no longer had the power they once had, Root wrote an introduction to his essay “The New Toryism” as part of a series of Spencer essays published in the *Forum*. “The writings of Herbert Spencer were so much read and discussed by the generation which is now passing out of active life,” he wrote, “the swing of the pendulum has brought a period of comparative neglect by the new generation.” “He said many true things, however, upon subjects which are always vital,” Root argued, “...we cannot afford to forget what he said, for much of it is directly applicable to the conditions which now exist.”<sup>683</sup> Spencer’s ideas, which were so compatible with the notion of a racial hierarchy and seemed so consistent with how Americans liked to see themselves and their history, could have received no happier reception than they did that night at Delmonico’s among the wealthy elite of New York. Through Root, they also found a place in America’s military and colonial policy.

The idea of a racial hierarchy was also consistent with the dominant assumptions of the military establishment, beliefs that would soon blossom into doctrine. The officer corps at the end of the nineteenth century was predominately Anglo-American, Protestant and drawn from the country’s broad middle class. They had been born at a time where there were still people living who had known Thomas Jefferson and John Adams, where former slaves walked the same streets as former slaveholders, where a substantial portion of the country was still inhabited by Indian nations that had yet to accept United States authority. Most of the army’s officers were the products of rural and small town America, reared in homes of middle-class affluence and values. A disproportionate number of them were from families of English colonial ancestry, and

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<sup>682</sup> David Nasaw, *Andrew Carnegie* (New York: The Penguin Press, 2006), 226.

<sup>683</sup> Elihu Root, “Herbert Spencer’s ‘The New Toryism,’ with Commentary by Elihu Root,” *Forum*, September 1915, 289.

almost none of them shared the ethnic heritage of the waves of immigrants from eastern and southern Europe and from Asia. This was reflected in the fact that fewer than ten percent were members of the Catholic Church and virtually none were Jewish. They shared common social origins with most of the country's business and political leaders, but their common profession and experiences gave them a special bond and a more national outlook. As members of a profession dedicated to a life of service in defense of their country, they no doubt also felt a special calling and a sense of mission that at times transcended purely personal ambition. The higher-ranking officers that Root came in contact with, as was true of most people who found success in their chosen profession, saw themselves as a cut above the average citizen and officer. "If anything, officers regarded themselves as the guardians of true Americanism as defined by Anglo-Saxon society," concluded historian Joseph Bendersky.<sup>684</sup> The middle class virtues that Spencer preached —personal and family responsibility, loyalty, hard work, discipline, sacrifice and self-sufficiency —were those most likely to appeal to the officer corps.<sup>685</sup> They were a military elite that was emerging from a long process of professionalization and just beginning to assert a new corporate identity.

One aspect of that identity was a common belief in a racial hierarchy.<sup>686</sup> "The more we can kill this year, the less will have to be killed the next war," wrote General William T. Sherman in 1868, "for the more I see of these Indians the more convinced I am that all have to be killed or be maintained as a species of pauper. Their attempts at civilization are simply ridiculous."<sup>687</sup> It did not take Darwin or Spencer to convince most officers that a racial hierarchy existed. The

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<sup>684</sup> Joseph W. Benersky, *The Jewish Threat: Anti-Semitic Politics and the U.S. Army* (New York: Basic Books, 2000) 6.

<sup>685</sup> Hofstadter, *Social Darwinism*, 12.

<sup>686</sup> Richard C. Brown, *Social Attitudes of American Generals, 1898-1940* (New York: Arno Press, 1979), 3, 5, 13, 16 and 34; Morris Janowitz, *The Professional Soldier: A Social and Political Portrait* (New York: The Free Press, 1960), 80-90, 97, 104 and 106-116; Mills, *Power Elite*, 179-180.

<sup>687</sup> Hunt, *Ideology and U.S. Foreign Policy*, 55.

extinguishing of the Indian nations was largely accomplished by the army, and it was justified by a belief in racial superiority tied to a belief that it was essential for the advance of “civilization.” While many officers came to doubt the absolutism of Anglo-American supremacy, those who advanced in rank accommodated themselves to it, and similarly accepted the concept of a racial hierarchy. After the creation of the Army War College and the General Staff, these racial and racist beliefs were formalized in doctrine. The Military Intelligence Division devoted considerable resources to developing racial profiles for each country, ranking each race according to its warmaking capacity. Those studies were in turn made available as resources for students at the War College after 1903, who used them to build their own war plans for military exercises. In this way, the mentality of a racial hierarchy that was a product of the nineteenth century was normalized into professional training and doctrine, passing from one generation of military elites to the next.<sup>688</sup> It was not until the 1930s that this racial profiling of entire countries passed out of common usage in American military doctrine. How long it took to pass out of the mentality of American military elites is an open question. Believing in a special providence for the United States and the Anglo-American origins of American character, officers acquired most of their racial beliefs before they began their military careers. Those essential beliefs reflected the cultural milieu that produced them and were reinforced by the larger society as they progressed in their careers, but as members of a military elite, those beliefs became part of their professional worldview as well. Institutionalized at places like West Point and the Army War College, normalized by military intelligence studies and report, and integrated into national defense doctrine, the idea of a racial hierarchy had no deeper roots than in the officer corps.

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<sup>688</sup> “The General Staff College,” 2 September 1920, 98-8, p. 2; “1928-29 Outline of the Course,” p. 1, Army War College Archive, Military History Institute, Carlisle, PA.

The days of the frontier army were already drawing to a rapid close when the war with Spain intervened. As early as the 1880s, the army began to question its post-frontier future and face the question of its role in national defense after the elimination of the internal frontier. The 1882 Annual Report of the commanding general, General William T. Sherman, observed that vast regions of the West were already in “a comparative state of civilization.”<sup>689</sup> At the time, the only other real threat seemed to come from urban labor unrest. Beginning with the great railroad strike of 1877, the federal government demonstrated its consistent support for the property rights of owners versus the employment rights of workers, and repeatedly deployed troops in defense of capital against labor across the country. Some officers began to consider whether this role as an urban constabulary should become the army’s new mission, but there was little support for such a limited and politically fraught change in orientation.<sup>690</sup> Most officers agreed with an *Army and Navy Journal* editorial in 1871 that the army should remain “as far as possible from all risk of collision with civil affairs.”<sup>691</sup> Nonetheless, the army did make limited moves in that direction, constructing Fort Sheridan on the outskirts of Chicago on land donated by the city’s wealthy in order to be available on short notice to suppress unruly workers.<sup>692</sup> Other officers, notably in the artillery branch, argued for giving greater priority to modernizing the nation’s coastal defenses, historically the army’s other major defense responsibility. The report of the Endicott Board of 1886 recommended a complete overhaul of the coast defense system at a cost of more than \$126 million, but Congress showed little enthusiasm for spending the comparatively vast amount necessary to build the system envisioned by coast defense

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<sup>689</sup> Annual Report of the Commanding General, (Washington: DC, Government Printing Office, 1882) 22.

<sup>690</sup> Coffman, *The Old Army*, 216.

<sup>691</sup> Coffman, *The Old Army*, 246.

<sup>692</sup> Coffman, *The Old Army*, 252.

advocates.<sup>693</sup> Only in the days leading up to the war with Spain were substantial sums allocated for the program.<sup>694</sup> Moreover, neither of these alternatives necessitated maintaining a military comparable with the much larger and more advanced military establishments of the major European powers. The thrust of most of the army's sporadic reform movements pointed in the direction of building an army comparable in structure if not in size to the armies of Europe, with the possibility of greatly expanding on that permanent base during wartime. The best argument for maintaining a first-rate army in peacetime was the need to perpetually prepare for war, and no matter how unlikely, war against a modern European army offered the best case for building the army its reform minded officers wanted to lead.<sup>695</sup> With the frontier disappearing and little Congressional enthusiasm for coastal fortifications, those officers ambitious for a greater role for their service began for the first time to consider military threats from a global perspective.

The continuing professionalization of the officer corps was the most important force for change in the American military establishment in the later half of the nineteenth century. "There is something about their [profession] that gives them a character of their own," one observer noted, "and while mingling and associating with their civilian friends with the utmost cordiality and good fellowship, there is an unconventionality both in manner and speech, a high-bred military courtesy, that mark them as men of a class by themselves, a class of men, taken as a whole, whose lives are freer from the sordid cares and temptations that beset most of us in our fight for existence in this hard matter-of-fact modern world, whose position as officers ...of the land forces is assured for life or good behavior—a fit and just compensation for the many

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<sup>693</sup> Graham A. Cosmas, *An Army for Empire: The United States Army in the Spanish-American War* (College Station, TX: Texas A&M University Press, 1994), 3.

<sup>694</sup> Edward Ransom, "The Endicott Board of 1885-86 and the Coast Defenses," *Military Affairs*, Vol. 31, No. 2 (Summer 1967), 74-84.

<sup>695</sup> Coffman, *The Old Army*, 216.

sacrifices consequent to their professions —a class with a high sense of duty, of honor, of patriotism, handed down by tradition from one generation of brave men to another, and inculcated in their characters from the very moment of their entry into the service.”<sup>696</sup> These outward manifestations of professionalism were matched by an ever-growing internal professionalism marked by a self-conscious awareness of their special capacity and status in American society and culture.

The development of a military profession in the American army had been an ongoing project for most of the nineteenth century.<sup>697</sup> Its origins were in the military subculture that took shape in the frontier garrisons and in the small posts adjacent to the fortifications along the seacoast. Never completely isolated from the nation as a whole or from national politics, a set of common experiences, a common purpose, a shared set of skills and a continuity of membership nonetheless fostered the beginnings of a profession.<sup>698</sup> Samuel Huntington defined the three essential elements of a profession as a specialized body of knowledge, a unique responsibility to society and a sense of corporate cohesion, and measured the growth of professionalization in the military, “in terms of the evolution of five key institutions of the military vocation: (1) the requirement for entry into the officer corps; (2) the means of advancement within the officer corps; (3) the character of the military educational system; (4) the nature of the military staff system; and (5) the general *esprit* and competence of the officer corps.”<sup>699</sup> Though his analysis led Huntington to conclude that a recognizable military profession did not emerge until well after

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<sup>696</sup> Rufus Fairchild Zogbaum, “Official and Social Life of the Army and Navy in Washington,” *Harper’s Weekly*, Vol. 8, No. 12 (1893), 767 -771.

<sup>697</sup> Donald B. Connelly, *John M. Schofield and the Politics of Generalship* (Chapel Hill: The University of North Carolina Press, 2006), 2.

<sup>698</sup> William B. Skelton, *An American Profession of Arms: The Army Officer Corps, 1784-1861* (Lawrence, KS: University Press of Kansas, 1992), xiii.

<sup>699</sup> Samuel P. Huntington, *The Soldier and the States: The Theory and Politics of Civil-Military Relations* (Cambridge, MA: Harvard University Press), 20.

the Civil War, more recent work has shown the extent to which the officer corps had assumed the characteristics of a profession before the war.<sup>700</sup>

Military professionalism was a global development. The divisions of labor spurred by the creation of states, and the scientific and organizational complexities of the larger, technologically advanced armies they made possible were the main interdependent forces that required changes in the way armies were led. The Napoleonic wars were the proximate cause of sustained progress towards a professional national military. The successes of the French army motivated the Prussian army to rethink the nature of warfare, and they created a new system of officer education and a new command structure culminating in a general staff system. The Prussian model allowed the officer corps to for the first time take full advantage of innovations and incorporate them into the military establishment. It also created a clear professional class of military officers with special knowledge, unique responsibilities to society and a sense of corporate identity. The unexpected and rapid collapse of the French army in 1870 in the face of the Prussian onslaught convinced most military thinkers that the Prussian system was the model to emulate, and it remained so for several decades.<sup>701</sup> Though the Prussian system, which became the German system after 1871, was modified to meet differing national conditions, it eventually spread to all the major military powers around the globe.

By the time Root arrived in 1899 the process of professionalization in the American army was almost complete, only the final institutional elements were missing. The army lacked a thorough system of military education culminating in a war college, it lacked a general staff system to organize, train and command a modern army, and it lacked a national system for

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<sup>700</sup> Matthew Moten, *The Delafield Commission and the American Military Profession* (College Station, TX: Texas A&M University Press), 12-15; Skelton, *An American Profession of Arms*, xiii.

<sup>701</sup> Moten, *Delafield Commission*, 5-6.



organizing and training the disparate state militia and National Guard units. Because of his own training and experiences as a lawyer, Root instinctively and almost unconsciously aligned himself and his policies with the army's reform-minded officers. From his earliest days in the War Department, Root advocated institutional reforms that when finally enacted completed the decades-long process of professionalization. A shared respect for professionalism was an important element of Root's relationship with the army. As Mathew Moten noted, "In that identity lay the key to his success in leading the military profession to transform itself."<sup>702</sup> At the same time Root had been promoting the standardization and professionalization of the bench and bar, reform-minded officers had been pursuing a more professional officer corps. That common identity not only forged a natural bond between him and the reformist officers in the army, but even officers who had never been identified with army reform could identify with a fellow professional. It was a linkage of mutual respect and mutual understanding of the fundamental character of their otherwise diverse callings.

Professionalization, which at its essence was the privileging of specialized knowledge, was also an important way of advancing scientific efficiency. Because military success was increasingly dependent on harnessing technological developments, the army increasingly embraced scientific progress as it professionalized. Among the officers with whom Root worked most closely, Carter had been especially active using his pen to advance the cause of technological innovation and army professionalization, but ambitious officers such as Young, Chaffee and Corbin were either active allies or in broad sympathy with the objectives. Just as in the bar, there were those who actively resisted change or were simply agnostic about the effort. As a result, Root came to divide the officer corps into two camps, those who favored reform

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<sup>702</sup> Matthew Moten, "Root, Miles, and Carter: Political-Cultural Expertise and an Earlier Army Transformation," in *The Future of the Army Profession: Second Edition*, ed. Don M. Snider and Lloyd J. Matthews (New York: McGraw Hill, 2005), 723.

and those he described as “old line officers.” His sympathies were completely with the reform element, as is apparent in the attitude of this letter to his wife: “Carter and Tasker Bliss have been sent to the Senate for Brigadier Generals,” he wrote, “along with three old line officers.”<sup>703</sup>

Root’s masculine identity —shaped by his cultural milieu and his Western experiences — helped form not only a bond of comradeship with his closest associates in the War Department, but also formed part of a common worldview. Root’s professionalism and belief in scientific progress —shaped by his boyhood, leadership of the New York Bar, and Social Darwinism — constituted another key pillar of Root’s relationship with the officer corps. They were an unconscious set of basic assumptions, that together with his political acumen in managing the officers under him and ingratiating himself with the politicians in Washington, constituted a common cultural outlook that enabled Root to work closely with the officer corps whilst never losing contact with the values and interests of the wealthy elite. The army needed someone who could bring those two groups together if it was ever to realize the goals of its most ambitious officers. Ever since the Civil War, attempts at army reform had generally failed. Secretary Alger had attempted again in the aftermath of the war with Spain and had failed. Significant changes in the military establishment were only possible if sufficient political support for them could be mustered in Washington, and in the era of McKinley that meant making an alliance with the wealthy elite.

The army had long known what it needed to do to have an army competitive with those of Europe, and the country had long possessed the wealth and the technological capacity to make those dreams a reality. What had been missing was support from the wealthy class who would be expected to pay the additional taxes, Congress and the people. The foundation for

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<sup>703</sup> Copy of letter from Elihu Root to Clara Root, 15 June 1902, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

Root's great achievements was his ability to bridge the divide between the officer corps and Wall Street, while effectively lobbying the Congress and the public. The shared basic assumptions that initially served as the basis for that short-term political alliance could then become hard-wired into the institutions they built together and into the ethos of those who would later direct them.

## Chapter Four

### Root and Military Reform

Washington was a city easily traversed by foot or carriage when Root arrived in the summer of 1899. The nation's political leaders passed regularly through its streets, unencumbered by the baggage of celebrity and security that cocooned their descendants. "The President and his Cabinet, Judges, Senators, Congressmen, military and naval heroes, and diplomatic representatives from abroad," wrote one observer, "flash before one as if thrown by a magic-lantern upon a screen." Despite the great economic power of the cities, America was still dominated by rural and small town life, and this was reflected in the daily lives of the Washington elite. Activities regarded as leisure pursuits today, such as horseback riding or long outdoor walks, were still part of life's natural rhythms. As with all things in that ersatz city, this passing panorama was also part of the workings of Washington's political life. "Almost every pleasant day the President takes a walk ...[h]is shoulders thrown back so he can freely breathe the air, his head high and his arms swinging, ...Frequently he has his favorite saddle-horse taken out into the country, and driving out in the White House carriage with General Corbin, the two mount for a vigorous canter along the pleasant suburban roads."<sup>704</sup> Corbin was often seen out walking or riding with Root as well. "Corbin is a son of the soil by birth," wrote one reporter, "and he has never lost his taste for the rural and almost backwoods life of his youth."<sup>705</sup> Much of

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<sup>704</sup> Louis A. Coolidge, "On the Streets at the Nation's Capital," *The Cosmopolitan: A Monthly Illustrated Magazine*, February 1900, 28-4, 465.

<sup>705</sup> Newspaper clippings, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

the political work of the city was conducted on these daily outings, away from the public record, leaving little evidence of what was discussed beyond the occasional mention in personal correspondence or memoirs. While the content of those conversations was mostly lost to history, the nature of them revealed important aspects of the culture of political Washington at the turn of the twentieth century.

The routines and norms of nineteenth-century daily life constituted the context shared by Washington's elite, and it influenced not only where they conducted politics, but also the nature of their political beliefs. The culture of their world, grounded in nineteenth century values even as they struggled to master the challenges of the new twentieth century, influenced the way Root conducted politics as Secretary of War and shaped his policy choices. The way he established and pursued his political goals revealed a great deal not only about the values behind the politics of military reform, but also exposed the ways in which power was manipulated to meet new challenges while preserving existing hierarchies. On foot and on horseback, at dinner gatherings and in his office, Root learned the business of the army, determined the changes that were needed, and set the wheels of reform in motion in conversation with officers such as Corbin and Carter, and with politicians such as McKinley and Hanna, and later Roosevelt. Those interactions reflected not only rational policymaking, but also the often unconscious interaction of shared basic assumptions about the way the world worked. The changes Root initiated not only reshaped the military establishment in ways that made it more useful for projecting American power abroad, but they also preserved in institutional structures and ethos those same basic assumptions, helping to insure a continuation of the politics of nineteenth-century imperialism well after the death of the empires themselves.

On his arrival in Washington, Root was described by one reporter as “slender and active and preternaturally grave.”<sup>706</sup> “Secretary Root is tall, spare, dark, looking much younger than his fifty-four years, in spite of the gray that is creeping into his thick black hair and mustache, and the eyeglasses that cover his keen eyes when he is writing or reading,” wrote another, “He moves with the quickness of an athlete in full health, although he takes no special exercise except playing golf. He is quiet, unostentatious, avoiding rather than seeking newspaper notice. He has steadily refused to talk about his future in the Department, or indeed himself in any way that he could help. The day’s work, one day at a time, and the results to tell the story seems to be his idea.”<sup>707</sup> An elegant specimen of the privileged world that produced him, he was always noted for his reserve, his energy, and the intense way he attacked his work. An ironic and sarcastic sense of humor occasionally peeked out from behind the reserve, and beneath that lurked a certain distance and coldness. An elite member of the transatlantic world, he was comfortable in diverse settings, and carried an easy air of cosmopolitan sophistication without surrendering the masculine qualities so important in that age. He had the ability to impress others, to reduce complex problems to digestible portions, and to inspire loyalty in those with whom he worked most closely.

Among his most pronounced traits, he had “the reputation for being the best listener in official life, although he is a gifted talker when the spirit moves him or the exigencies seem to demand speech.” Being a good listener was for Root less a trait of consideration or sympathy than a weapon in his arsenal. He particularly used it to bedevil the press. “He brought with him to the capital his New York reputation for sphinxlike silence when in the hands of a

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<sup>706</sup> Louis A. Coolidge, “On the Streets at the Nation’s Capital,” *The Cosmopolitan: A Monthly Illustrated Magazine*, February 1900, 28-4, 465.

<sup>707</sup> “The New Secretary of War,” *The American Monthly Review of Reviews*, Vol. XX, No. 3, September 1899, 289.

newspaperman.” One such luckless reporter was granted a rare audience to discuss the situation in the Philippines. When he emerged some thirty minutes later, he was asked what he had got?

“Got?” repeated the New York reporter, scornfully, “Got nothing. I was shown into Mr. Root’s room and was there for fully thirty minutes. Instead of finding out from him what I wanted to know, I gave him, under his questioning, all the information I have concerning the newspaper business, how I am buying a house in one of the suburbs, and a lot of other equally valuable data. I should be there yet reciting the history of my life if an assistant hadn’t come in and asked for an audience. The Philippine question wasn’t mentioned, so far as I can remember.”<sup>708</sup>

Even as a face-to-face world was being replaced with a new corporate one, the generation that drove the transformation still operated within the context of the old world. The skill of active listening, deployed in such a tactical manner, was an important political tool. The persistence of personal relationships in an increasingly impersonal world obscured some of the mechanisms of power, but it emphasized the importance of cultural affinity in the shaping of policy. “After Root had testified in one of the several hearings he had before Congress,” one officer recalled, “he would buttonhole Congressmen and Senators in the corridors, or in the streets. He would jocularly ask if they now thought the Civil War was the only well-conducted war.”<sup>709</sup> Root’s ability to use humor, to listen as well as cajole, and to tirelessly advocate a cause, were all supplemented by the unspoken but shared assumptions of a privileged national elite.

A preference for personal over public interaction was a particularly marked trait in Root, accustomed as he was to the intimate world of the New York elite. Clara’s intense dislike of the capital and its society threw him even more than most into the company of his fellow male elites. Roosevelt once tried to convince Root to accept a lifetime appointment as Chief Justice of

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<sup>708</sup> Louis A. Coolidge, “On the Streets at the Nation’s Capital,” *The Cosmopolitan: A Monthly Illustrated Magazine*, February 1900, 28-4, 465.

<sup>709</sup> Interview of Dennis E. Nolan by Harold Cater, 19 March 1948, OCMH Collection, Army General Staff, ID2, Cater Notes, Military History Institute, Carlisle, PA.

the Supreme Court, but Root declined because, “it wasn’t fair to ask [Clara] to live for the rest of her life in a city she didn’t like.”<sup>710</sup> The longer Root remained in Washington, the less time she spent there. She arrived late in the fall of 1900 for the social season, and left in early February to return to New York.<sup>711</sup> Root dined often that summer with Corbin and a regular group of friends.<sup>712</sup> After McKinley’s assassination, Clara’s regular absences gave Root the opportunity to spend even more time in political conversation with the new president. He wrote Clara in June 1902: “I dine mostly at the White House. . . . Theodore craves company. We are riding every afternoon although it is pretty hot for the last two days.”<sup>713</sup> Roosevelt romanticized his most intimate friendships in Washington, drawing on the characters of Dumas’s *The Three Musketeers* and referring to Root as Athos, William H. Taft as Porthos, Attorney General William H. Moody as Aramis, and himself of course as D’Artagnon.<sup>714</sup> That struck the right cord to animate Roosevelt’s closest political relationships, but though Root’s political relationships were less romantically tinged, they were similarly close and always masculine. Despite the intimacy of his friendships with Roosevelt and Taft, neither of their wives was particularly fond of Root. “Mrs. Roosevelt does not like Mr. Root, so Alice tells me,” Taft wrote to his wife Nellie during a junket with Roosevelt’s precocious daughter. Nellie was unimpressed with Root as well. “Root sat on my other side at lunch,” she wrote Taft after a White House luncheon, “but as he is

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<sup>710</sup> Grace Cogswell Root, *Fathers and Sons*, no page number.

<sup>711</sup> “Society in Washington,” *The New York Times*, 7 February 1901, 7.

<sup>712</sup> Elihu Root to Clara Root, 2 July 1900, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>713</sup> Elihu Root to Clara Root, 15 June 1902, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>714</sup> Grace Cogswell Root, *Fathers and Sons*, 159.



perfectly uninterested in me, I can never talk to him.”<sup>715</sup> Though Root could be charming when it suited his purposes, he had little interest in wasting his hard-won social capital, and he seldom saw profit in investing it in women whom he perceived had little social power. The personal and masculine nature of Root’s relationships reflected his basic assumptions about politics and influenced the way he used his dense web of connections to political, economic and social sources of power to change the military establishment. Arriving in Washington after a lifetime spent among the New York elite, Root exercised the privileges of his class and the prerogatives of his office with unconscious ease and ruthless efficiency.

The way in which he handled the prerogatives of appointment that came with his position evidenced the heavily nuanced way he approached power and privilege. Despite a reputation for avoiding political favoritism, Root still gave preference to friends and fellow elites. During his first day on the job he was confronted with stacks of letters seeking appointments, commissions or promotions —tangible evidence of the influence politicians, businessmen and local elites around the country attempted to exert on the War Department. The need to raise new regiments to fight the Philippine War created openings that supplicants rushed to fill with themselves or their friends. His letterbooks for August 1899 were filled with his responses to letters of that kind. The bulk of his responses were essentially a form letter that finished with the sentence, “His name will be considered when further appointments of this kind are made.”<sup>716</sup> This was generally true irrespective of the recipient.<sup>717</sup> Even General Nelson Miles, the Commanding General of the Army, was sent such a letter when he attempted to advance the

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<sup>715</sup> Quoted in Carl Sferrazza Anthony, *Nellie Taft: The Unconventional First Lady of the Ragtime Era* (New York: William Morrow, 2005), 185 and 196.

<sup>716</sup> Elihu Root to Houser, 24 August 1899, Box 171, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>717</sup> Elihu Root to Smith, 24 August 1899, Box 171, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

cause of a fellow officer.<sup>718</sup> Neither were influential politicians exempt from this treatment, Senators often receiving the same response as local politicians.<sup>719</sup> This had a generally positive effect on Root's public reputation. A cartoon from that time reflected Root seated at his desk in the War Department, looking through prospective influence peddlers with "x-ray eyes."

But among the avalanche of standard responses, there were a few that expressed special attention and care. William Hotchkiss of Buffalo, a longtime friend and ally, wrote in aid of Lt. James B. Webb, and instead of the standard response, Root wrote that he had pulled the file and would make every effort to help if the officer met the basic qualifications.<sup>720</sup> Fellow corporate lawyer Paul Cravath received the good news that Root would be "very glad indeed" to see that his candidate's cause was given "careful consideration."<sup>721</sup> And Senator T. C. Platt, the Republican boss of New York, was simply informed that his candidate would be appointed, though at the rank of Captain instead of Major.<sup>722</sup> The most distinctive responses went to Roosevelt. These letters reflected not only their friendship, but also Root's willingness, even eagerness, to follow Roosevelt's recommendations on appointing officers from New York, or officers Roosevelt had fought alongside during the recent war with Spain. While Root may have turned "x-ray eyes" on the attempts of officers, politicians and others to influence him, to a

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<sup>718</sup> Elihu Root to Nelson Miles, 15 August 1899, Box 171, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>719</sup> Elihu Root to Pritchard, 24 August 1899, Box 171, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.; Elihu Root to Clay, 24 August 1899, Box 171, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>720</sup> Elihu Root to William Hotchkiss, 15 August 1899, Box 171, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>721</sup> Elihu Root to Paul Cravath, 15 August 1899, Box 171, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>722</sup> Elihu Root to T. C. Platt, 15 August 1899, Box 171, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

close circle of people connected by social, business or political alliance, Root had an entirely different countenance.

Among those who contacted Root, many did so for personal and pecuniary reasons. Correspondence and meetings with individual businessmen, as well as with the leaders of business and trade associations, absorbed a portion of his time and would have taken more if he had not kept most supplicants at arms length.<sup>723</sup> Often the interests of businessmen were so braided with his public responsibilities and personal connections as to be incapable of unraveling. Root didn't try. "Prof. Rising is much interested in questions relating to explosives," he wrote to the assistant Navy secretary, "and is Consulting Chemist for the Giant Powder Company of California." The company wanted to manufacture smokeless powder, and the professor wanted access to the Navy works at Indian Head to enable him to discover the proper formula. After arguing for the merits of the army having another powder merchant, Root mentioned that Rising was a Hamilton classmate and concluded, "I commend him to your personal and courteous consideration."<sup>724</sup> Root was occasionally on the receiving end of such letters as well. A letter from Assistant Attorney General James E. Boyd introducing W. R. McIntosh indicated how the system worked in reverse: "He wishes to see you on some business of importance to himself and I hope it is convenient for you to confer with him."<sup>725</sup>

Some wrote to Root not because of a direct personal connection, but because of an institutional one. Root honored those connections as well. John M. Boswell of Cincinnati wrote to ask for a letter of introduction for an upcoming trip to Havana. Letters of introduction such

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<sup>723</sup> See William R. Corwine to Elihu Root, 24 19 December 1899, Box 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>724</sup> Elihu Root to F. W. Hackett, 6 June 1901, Box 179, Part 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>725</sup> James E. Boyd to Elihu Root, 18 August 1899, Box 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

as this were signifiers of the bearers' status and political power, and they were essential for opening doors to personal and business opportunities, as well as for simply insuring a courteous and helpful reception in a distant place. The two men had never met and Root's only connection with Boswell was through their college fraternity, Sigma Phi, but Root agreed to give him a letter to use, asking only that Boswell have a mutual friend, Charles E. Fitch of Rochester, "write me telling something about you which may serve as the basis for a letter."<sup>726</sup> The strength of the institutional relationship was the key, not the personal relationship. Root's college fraternity had been an important connection and credential during his early years in New York, and furthering the interests of a fraternity brother, however unknown to him personally, was an obligation to the institution as well as a way of sustaining the privilege of membership.

He found it even more difficult to resist efforts at enlisting his support for public positions in New York, something with which he had been intimately involved since his days as United States Attorney during the Arthur administration.<sup>727</sup> Recommending friends and associates for public office was a way of both gaining and exercising power, but the pressure of office-seekers could also be a burden. In 1881, he wrote to his friend Daniel G. Rollins, then the New York District Attorney:

May I beg of you the slight favor that you will send for the most accessible reporter for some daily paper published in this city and inform him that I am your deadly enemy; that you consider me a liar and a horse thief, a scoundrel of the deepest die, and no person who calls me friend can ever receive the slightest consideration at your hand.

Thus only will you preserve the life or sanity of your ever devoted but henceforth ever concealed friend, from the assaults of candidates for the position of Assistant District Attorney.<sup>728</sup>

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<sup>726</sup> Elihu Root to John M. Boswell, 5 December 1899, Box 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>727</sup> See Asa Birn Gardiner to Elihu Root, 18 December 1899, Box 3, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>728</sup> Quoted in Jessup, *Elihu Root*, 119-120.

Such assaults did not abate when he moved to Washington, but initially expanded with the new scope of his influence. In time his distance from local politics relieved him from many of the responsibilities for personal recommendations that so consumed his time in New York, but more importantly, his absorption in his difficult new responsibilities at the War Department and his elevation to the national elite led him to distance himself from the practice as far as possible. Nonetheless, he could never completely escape the claims of those to whom he owed so much, or completely abandon a practice that had been part of the web of connections that brought him to Washington. The number of positions under his power to grant at the War Department also meant that the stream of self-serving correspondence never completely ran dry.

Senator William E. Chandler had advised Root on his appointment that, “The work will be easy to you after the first month or two. There is much to do but many to help you.”<sup>729</sup> His predecessor had apparently been given similar advice. “Mr. President, when I took this place I thought it was a sinecure,” Alger remarked with a smile to McKinley in the summer of 1898.<sup>730</sup> Through much of the nineteenth century even so elevated a post as Secretary of War often seemed a part-time job given the relatively small size and limited responsibilities of the federal government. Root arrived at the cusp of the change to a larger, more activist national government, and he initially believed that he could continue some of his legal work from Washington. It quickly became clear, however, that his Cabinet work didn’t allow sufficient time for even the few cases he had promised to finish, but he nonetheless continued to maintain his

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<sup>729</sup> William E. Chandler to Elihu Root, 24 July 1899, Elihu Root Scrapbooks, The New York Public Library, New York, NY.

<sup>730</sup> Henry MacFarland, “The New Secretary of War,” *The American Monthly Review of Reviews*, Vol. XX, No. 3, September 1899, 285.

relationships with his most important clients.<sup>731</sup> When Thomas Fortune Ryan, president of the Northern Pacific railroad, asked for his advice on a new business venture, Root replied, “What do you want to work for? What is the use of working when there are men lying around willing to pay a thousand dollars a share for Northern Pacific?”<sup>732</sup> When Ryan later suggested that he might want to invest in a bank and asked Root’s advice, he replied in a more serious vein, “If you want a bank, why don’t you buy the control of the North America?”<sup>733</sup>

Root also continued to handle most of his own investments, though his distance from Wall Street deprived him of much of the inside information that was essential for successful investing in that era.<sup>734</sup> One example was his management of the purchase of a block of stock in the Illinois Central and Hooking Valley railroad.<sup>735</sup> He also accepted free passes each year from railroad, telegraph and package delivery companies despite having argued for years against such unofficial perks, because he was assured that it was the customary practice.<sup>736</sup> Though an apparently committed good government reformer, Root served decades before the advent of conflict of interest laws, or the public disclosure requirements that made them effective. The salary he drew as Secretary of War was barely sufficient to pay the monthly upkeep of his rented

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<sup>731</sup> Nathaniel Foote to Elihu Root, 30 September 1899, Box 3, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>732</sup> Elihu Root to Thomas S. Ryan, 10 May 1901, Box 179, Part 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>733</sup> Elihu Root to Thomas S. Ryan, 1 June 1901, Box 179, Part 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>734</sup> Elihu Root to Warner Van Norden, 21 May 1901, Box 179, Part 2, Elihu Root Papers; Elihu Root to The National Bank of North America, 25 May 1901, Box 179, Part 2, Elihu Root Papers; Elihu Root to Warner Van Norden, 21 May 1901, Box 179, Part 2, Elihu Root Papers; Elihu Root to The National Bank of North America, 25 May 1901, Box 179, Part 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>735</sup> Elihu Root to The National Bank of North America, 27 May 1901, Box 179, Part 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.; Elihu Root to Thomas L. Manson & Co., 27 May 1901, Box 179, Part 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>736</sup> S. M. Williams to Elihu Root, 27 December 1899, Box 3, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

home on Massachusetts Avenue. His income from his law firm and investments paid the bulk of his expenses during his years in office. As his friend William Allen Butler had expressed it, Root's "sense of duty and the honorable incentives" of public service led him "to make the sacrifices and assume the hazards" of cabinet service. The perception among the elite was not that he sought high public office in order to open doors to lucrative seats on corporate boards or highly-paid speaking engagements (he already had the first and the second didn't exist), but that he was acting solely from a sense of public obligation. Certainly Root subscribed to this view, and it masked the extent to which he acted as an elite insider with access to public power. What was instructive about Root's behavior was the extent to which he unconsciously excluded the special privileges he granted other elite insiders from his proscription against government corruption. To Root, corruption was always associated with the machine politics of the Gilded Age, while the advantages of elite insiders had been earned through merit.

Yet, though Root gave special attention and special assistance to those most closely connected to him, he was more circumspect than most in extending his favor and there were some rules he would not break. His close friend Franklin Bartlett attempted to get a commission for his son Clifford in one of the new regiments raised for the Philippine War. "I am very sorry, I wish I could do something," Root replied, "A rule was adopted to make no appointments except from the regular army, or from men who had seen actual service in war. ...I have adhered rigidly to this rule. ...Nothing but absolute consistency makes such a course possible."<sup>737</sup> He also generally abided by his long held position on the separation of the civil service from partisan politics. "Being a real civil-service reformer," one reporter noted, Root informed his predecessor's private secretary and confidential clerk that they should continue on "indefinitely"

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<sup>737</sup> Elihu Root to Franklin Bartlett, 24 October 1899, Box 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

and that other positions would only be changed for “real cause.”<sup>738</sup> Root was the product of a profession that prized access and influence more than most, and through diligent effort he reached a position of power among the country’s elite largely through his ability to make an important place for himself in an elite network of powerful people centered on the professional, social and business communities of New York City. His fealty to that network once in office, while revealing, was unsurprising and unremarkable. What made Root’s tenure remarkable was that he most often used this network of friends and allies not to advance his personal interests, but used it instead in service of the government, albeit in a manner consistent with his assumptions and beliefs. Root recognized privilege in a way consistent with his status and self-interest, but within the bounds of elite notions of good government. While remaining enmeshed in the elite power structure that brought him to the War Department, he consciously used it to effect the changes he thought were necessary to transform the army.

While the bulk of Root’s ideas about military reform came from studying the literature and discussing ideas with reform minded officers he trusted, he also listened to ideas from other civilian elites. One of the first letters Root received at his new office in the War Department was from fellow New York lawyer Alexander Bacon. Bacon was a West Point graduate who resigned his regular commission after two years, but continued to serve in the New York militia, and maintained an active interest in military affairs and an active circle of friends among his classmates in the officer corps. He forwarded Root a copy of an article he had recently published in *Forum* magazine. In the article and in his letter, he argued that if the army was to be led in “a scientific way,” younger officers must be advanced in place of the “old men who have been left over from the Civil War, and have been rusting out for thirty-four years, [and] are wholly

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<sup>738</sup> Henry MacFarland, “The New Secretary of War,” *The American Monthly Review of Reviews*, Vol. XX, No. 3, September 1899, 287.



unfitted for the labors now before them.” His argument was based on his reading of army literature and his continuing connections with regular army officers.<sup>739</sup> Root replied that he had read the article “with great interest and, I believe, profit.”<sup>740</sup> Their later correspondence was sporadic, but some of the criticisms and ideas Bacon expressed in his article and letters later found expression in Root’s early recommendations for reform, and his prejudice against older, more conservative officers certainly paralleled Root’s own. More importantly, Bacon and Root shared a belief that applied science offered the answers to the problems confronting the military establishment.

Root sent a copy of his first Annual Report to his friend W. B. Devereux. “It is needless to say that I think it most admirable,” he wrote, “and I hope Congress will carry out your recommendations.” He went on to say, “It seems to me that the South African war furnishes lessons to emphasize every one of your recommendations.” Like many correspondents to Root’s office, he conveyed his thoughts on the lessons the army should learn. “A year and a half ago I was very interested in hearing a prominent foreign military officer discuss the English army,” he wrote, “Among other things he said that the British kept the same tactics,” and “that the old tactics were all very well in fighting negroes and men without modern arms, but that if England ever had to fight white men armed with modern rifles their present tactics would result most disastrously. . . .The accounts from South Africa have constantly recalled to me the statements made by this officer.”<sup>741</sup> “I can see no other explanation of the British defeats in South Africa than the ones you suggest,” Root responded; “I hope our people will profit by this illustration of

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<sup>739</sup> Bacon to Root, 26 July 1899, Box 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>740</sup> Root to Bacon, 15 August 1899, Box 178, Part 1, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>741</sup> W. B. Devereux to Elihu Root, 16 December 1899, Box 3, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

the importance of having a body of officers whose body it is to keep abreast of the times and who will be selected with reference to their ability to do this.”<sup>742</sup> As not only a friend, but as someone with whom Root shared basic assumptions about scientific expertise and a wealth of days spent together engaged in “manly sport” in the West, Devereux’s opinions were accorded particular respect, despite his lack of any actual military training or experience. Devereux’s place among the elite also put him in the path of the transatlantic military community, whose most prominent members were often associated with the civilian elite and the institutions they shared. Through common associations, experiences and values, Devereux and Root were able to share their opinions in a privileged discourse that affected public policy formation while subtly excluding the uninitiated.

General Dan Butterfield was not only a friend and a fellow Union League Club member, but he could also speak to Root as a Civil War veteran and a leader of the National Guard Association. The regular correspondence between them during Root’s first weeks in Washington evidenced Butterfield’s influence on Root’s early thinking about army reform, as well as his awareness that he needed the help of the National Guard organizations to effectively reform the militia system. Butterfield’s first lengthy letter was answered with an invitation to visit Washington for more thorough discussions.<sup>743</sup> Subsequent letters spelled out some of the ideas that became part of Root’s first Annual Report, and Butterfield directed a National Guard committee that prepared draft legislation to make “the militia part of the Army as a Reserve and immediately under the control of the War Department.” That draft became the basis for the

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<sup>742</sup> Elihu Root to W. B. Devereux, 18 December 1899, Box 3, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>743</sup> Dan Butterfield to Elihu Root, 3 October 1899, Box 2, Elihu Root Papers; Dan Butterfield to Elihu Root, 27 October 1899, Box 2, Elihu Root Papers; Elihu Root to Dan Butterfield, 30 October 1899, Box 178, Part 1, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

subsequent army reorganization bill first submitted to Congress in February of 1900. “I know that we can bring forward a strong force to work on Congress from the different states to urge its passage,” Butterfield promised.<sup>744</sup> His optimism proved ill founded, but his influence on Root was not. He represented the most powerful organized lobbying group on military affairs, but the multiple connections he shared with Root effectively multiplied his access and influence. The web of personal connections between them was an indispensable adjunct to Butterfield’s public position, and like Bacon and Devereux, his elite status assured him a sympathetic audience.

As a master of the political style of the elite, Root’s success in moving forward a reform agenda for the army depended on his ability to make his kind of politics work in Washington. Consequently, he relied heavily on advice and support from others who shared his basic assumptions. The success of industrial and finance capitalism in seizing the commanding heights of the country’s economy had brought not only a movement towards a corporate world, but also a new reverence for experts and the scientific knowledge they wielded. One of the important assumptions he shared with the army’s would-be modernizers was that belief in scientific progress. The central role of experts advancing scientific theories of progress and advancement, and the regime of knowledge-based power they supported, were common assumptions that cut through both the officer corps and the establishment elite. Even as Root relied on the professional literature and the recommendations of officers like Corbin and Carter to form his reform agenda, he also listened to other elites outside the army. While these voices were ultimately less influential in forming his specific proposals, they nonetheless were important for the reinforcement they offered for a scientific approach to army reform, and they were

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<sup>744</sup> Dan Butterfield to Elihu Root, 5 December 1899, Box 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

important voices to include in the discussion so as to garner their support for the eventual changes he did advocate.

The historian Thomas P. Hughes described the last three decades of the nineteenth century as the beginning of an era of unparalleled technological enthusiasm in the United States. “By 1900 [Americans] had reached the promised land of the technological world,” he wrote. “A nation of machine makers and systems builders, they became imbued with a drive for order, system and control.”<sup>745</sup> Nothing better expressed or embodied that drive than the railroads. They married technology, business, finance and government together unlike any other previous human endeavor. They also expressed in concrete terms American’s desire and ability to design and order the environment to their liking, even conforming time itself to their new requirements.<sup>746</sup> The “long chain stretching from metropolis to hinterland and finally to nature itself” that William Cronon described in his history of the creation of Chicago was connected physically by the railroads, but on a more fundamental level, it was connected by an obscured set of cultural connections that reflected the ability of systems organizers to structure mental landscapes as well as physical ones.<sup>747</sup> The mentality of system builders never held greater sway over the country’s elite than in the decades surrounding 1900. None better exemplified the embrace of science, system and progress better than Wall Street financier Alfred Lee Loomis, who for a time turned the upper class colony of Tuxedo Park into one of the country’s premier scientific institutes, though one still infused with upper class white Protestant Anglo-American

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<sup>745</sup> Thomas P. Hughes, *American Genesis: A Century of Invention and Technological Enthusiasm, 1870-1970* (New York, Viking Press, 1989), 1.

<sup>746</sup> Thomas P. Hughes, *Rescuing Prometheus: Four Monumental Projects that Shaped the Modern World* (New York: Vintage Books, 1998), 6.

<sup>747</sup> William Cronon, *Nature’s Metropolis: Chicago and the Great West* (New York: W. W. Norton & Company, 1991), 340.

sensibilities and prejudices.<sup>748</sup> It was no coincidence that Loomis's mentor was his cousin, and Root's former junior partner, Henry Stimson. The law firm that Root built and that Stimson joined after law school had been built largely on serving clients, especially railroad clients, who were using technology, finance and politics to build massive continent-spanning systems that in their eyes defined progress. Root expressed the spirit of system building in a speech he gave to the first Army General Staff at a dinner he gave in their honor at the Chevy Chase Club.

This is a time of organization. Great results are produced only by that. Individual effort, individual brilliance, individual heroism accomplishes but little, except as it has an effect upon masses of men. Effective and harmonious organization is the moving power in the world today. We have lagged behind in the army until now; and now, I believe and trust, we take our place in the front rank of the organizations which are to control the effective action of the future.<sup>749</sup>

More important than Upton's writings, the advocacy of reformist officers, or the influence of a transatlantic militarism, Root's adoption of a reformist agenda was best understood as a reflection of that basic assumption about progress. Influenced since childhood by a veneration of science, rising to wealth and prominence advising and defending the country's greatest system builders, dubious of unrestrained democracy and politically active in the concentration of power in the hands of the wealthy elite, Root imbibed the elixir of scientific progress and arrived in Washington predisposed to adopt any scheme predicated on the efficient ordering of the military system so long as control remained with the civilian elite.

This mentality was reflected not only in Root's cultural milieu and work, but also in his daily work habits. In addition to his wealth of insider experience and his belief in societal advancement through scientific progress, Root brought to the task personal qualities that also

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<sup>748</sup> Jennet Conant, *Tuxedo Park: A Wall Street Tycoon and the Secret Palace of Science that Changed the Course of World War II* (New York: Simon & Schuster, 2002), 58.

<sup>749</sup> Elihu Root, First Annual General Staff Dinner, 1904, quoted in Stephen Skowronek, *Building a New American State: The Expansion of National Administrative Capacities, 1877-1920* (New York: Cambridge University Press, 1982), 212.

impacted his ability to effect changes in the military establishment. His reputation among the officer corps was dominated by three characteristics: a tireless work ethic, a “towering intellect” and great knowledge of law, business and politics.<sup>750</sup> Root’s work habits were legendary. Root regularly worked long hours and long weeks during the working months of the year, while taking full advantage of his summers away from work. Few people who remarked on his qualities failed to marvel at his powers of concentration and his rigorous, indefatigable approach to work. A fellow delegate to the 1915 New York state constitutional convention gave a vivid picture of Root’s work habits.

“Mr. Root worked slowly, but absolutely accurately so that he never had to go back to correct a mistake. He was an accumulative worker. First, he took a long time to collect all possible data that might be necessary. He was just getting under way when the other members of the committee thought to themselves that it was time to adjourn for a game of tennis. But on and on Mr. Root worked, acquiring a kind of fierce intensity that was focused absolutely to the point in question. When dinner time came he would send out for sandwiches for everybody. He never considered stopping until the work was entirely finished. So, far into the night, he would be working at his very best while all the rest of us, years younger, would be completely ‘fagged.’”<sup>751</sup>

From his earliest days in New York, his family back home in Clinton had noticed his absorption with his work. As his older brother once wrote, “There is not much comfort in firing letters into the Niagara whirlpool of your N.Y. life whence comes no answer.”<sup>752</sup> His work habits in New York often meant lengthy separation from his wife and children. As he wrote Clara during one such separation in 1878, “I am used to be alone and to be separated from all whom I love and it does not fret me or make me unhappy so long as I have no reason to suppose that they need

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<sup>750</sup> Interview of Dennis E. Nolan by Harold Cater, 19 March 1948, OCMH Collection, Army General Staff, ID2, Cater Notes, Military History Institute, Carlisle, PA.

<sup>751</sup> Grace Cogswell Root, *Fathers and Sons*, 23-24.

<sup>752</sup> Copy of letter from Oren Root, Jr. to Elihu Root, 17 September 1883, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

me, as I suppose it does those who are always accustomed to be with their friends.”<sup>753</sup> His time without her in Washington was not that much different from the time he spent away from her in New York.

Arriving in Washington after a career spent in a law office, Root was at a distinct advantage compared to the officers arriving from service in the field when it came to the responsibilities of work in the War Department. “The work in my office is very heavy,” Young complained, “and although I have lost flesh from the confinement necessary to office and desk, I still manage to take a gallop of two to two and a half hours every evening which keeps my digestive organs in very good shape. The dinner campaign is on again, which is much harder than the Philippine campaign.”<sup>754</sup> “I am confined in the office from nine o’clock until four every day,” he wrote to the same friend on another occasion, “Business is very brisk. The President returned to Washington yesterday, and I have no time at all for play.”<sup>755</sup> During the battles over the general staff and militia bills, he wrote to Corbin of his extended work hours, “The office hours lately have been from 9 a.m. to 6 p.m.” Under the great stress of such lengthy confinement, he had “stretched a point” to do a personal favor for a fellow general he would not have done for a Senator.<sup>756</sup> “I would rather be out riding a horse eight or ten hours a day than to do the work that falls to my lot now at the desk,” he wrote to another friend, “However, it is

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<sup>753</sup> Copy of letter from Elihu Root to Clara Root, 26 March 1878, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>754</sup> Letter from S. B. M. Young to J. G. Ballance, 13 November 1903, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>755</sup> Letter from S. B. M. Young to John G. Ballance, 30 September 1903, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>756</sup> Letter from S. B. M. Young to Henry C. Corbin, 16 December 1903, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

necessary that each must do his lot for the common good.”<sup>757</sup> On the eve of his retirement he summed up his feelings, “The office work here has been brain fagging and wearisome to me, and not at all to my liking.”<sup>758</sup> To men whose conception of work had been formed in a very different environment, Root’s discipline in the office was impressive. They could find common ground in their shared love of the West, but when it came to office work, Root brought to the task skills most officers lacked and they admired him all the more for it.

Root’s reputation as a “towering intellect” was derived in part from the thorough research and focused intensity he gave to each problem the office presented. As was true with his legal and political career, Root was not an original thinker. That he has been associated in military history with innovation owes less to his intellectual gifts than his administrative skill in solving problems and his political skill in lobbying for legislation. Root undoubtedly possessed a strong mind, and his reputation for mental clarity, sound judgment and persuasive argument was well established over many years. The best lawyers, judges and businessmen of his day regularly attested to his skills as an advocate and counselor, not least by hiring him as their lawyer. Yet Root’s intellect was of a very specific kind. He had a lawyer’s mind, honed to a sharp edge through countless bouts of argument and litigation. The fact that Root was admired for his intellect also reflects the abundance of cultural capital he had amassed before 1899. From his childhood in a scholar’s home to his position among New York’s wealthy elite, culture played a role in giving an intellectual ease and cosmopolitan polish to the incisive mind of a trial lawyer.

Before any of Root’s political skills could be of use to the army, he needed to understand the army’s problems and their possible solutions. Root was never simply a willing mouthpiece

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<sup>757</sup> Letter from S. B. M. Young to A. L. Mills, 27 April 1903, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>758</sup> Letter from S. B. M. Young to George M. Randall, 31 December 1903, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.



for ambitious officers looking to increase the power or prestige of their profession, nor was he an expert on military affairs.<sup>759</sup> He was a lawyer who believed that, “about half the practice of a decent lawyer consists in telling would-be clients that they are damned fools and should stop.”<sup>760</sup> He didn’t prize any judgment as greater than his own, but he listened to voices he respected, stood firm against those who opposed what he thought best, and was generous with awarding credit to those who he thought merited it. Using skills honed during his many years as a lawyer, Root studied the army and its problems, discovered who in the army could help him, and then tried to make those changes he judged best in a systematic way within the prevailing legal and political constraints. The first person he looked to for help was Corbin. Corbin was the army’s Adjutant General and best politician. Root could not have succeeded without his help. Secretary of State John Hay considered him, “the most tactful of high army officers this generation has known.”<sup>761</sup> He combined that tact with a somewhat ruthless efficiency. “Corbin had no chairs in his office,” one officer remembered, “He made everybody stand, even Congressmen. That dismissed the business promptly. He had to do this in order to cover the vast amount of business left for him to do.”<sup>762</sup> During the war he acted as McKinley’s unofficial chief of staff, often issuing orders directly to commanders in the field using the authority of the President, and this put Corbin in a uniquely powerful position as long as McKinley remained in office. His political skill and efficiency were particularly handy assets under Root’s guidance, but his political

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<sup>759</sup> For a contrary argument that interprets army reform as resulting largely from the ambition of the officer corps, see Peter Karsten, “Armed Progressives: The Military Reorganizes for the American Century,” *Building the Organizational Society: Essays on Associational Activities in Modern America*, ed. Jerry Israel (New York: The Free Press, 1972), 197-232.

<sup>760</sup> Grace Cogswell Root, *Fathers and Sons*, 47.

<sup>761</sup> John Hay to Elihu Root, 23 June 1903, quoted in “Statement of the Military Service of Henry Clarke Corbin,” Box 2, Henry C. Corbin Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>762</sup> Interview of Dennis E. Nolan by Harold Cater, 14 November 1947, OCMH Collection, Army General Staff, ID2, Cater Notes, Military History Institute, Carlisle, PA.

acumen also earned Corbin a great deal of enmity within the service. At the same time, Corbin absorbed an affinity for Root's elite world that was not always returned by Roosevelt and others. Root used Corbin's strengths to full effect, but Corbin was not known as a committed reformer. In order to understand the defects in the military establishment and the ways it might be changed, Root needed to look beyond the assistance his able Adjutant General could give.

Approaching the problems of army reform in the same way he had always approached a new client and a new case, Root first tried to master his client's business. To that end, he devoted much of his first months in office to an exhaustive study of American and European military and colonial policies. He first sought advice on where to begin from his friend at the *Army and Navy Journal*. Church referred him to the Burnside Report of 1878. "Nowhere in equal compass, so far as I am aware, can you find so much useful information concerning the Army, from the days of the Revolution until 1878," Church wrote; "It is a report accompanying the most complete and thorough bill for reorganizing the Army ever prepared. ...In this report are gathered the opinions on Army reorganization by your predecessors." In addition, he recommended, "The last chapters of General Sherman's 'Memoirs', the last chapters of General Schofield's 'Forty-six Years in the Army', the introduction to 'Cullums Register', and James B. Fry's 'Military Miscellanies.' All contain much historical and other information which may be of service to you in considering the subject of Army reorganization which will come up before the next Congress."<sup>763</sup> In addition to this background reading, Root needed an officer inside the War Department who could continue his military education, as well as act as sounding board and ally.

Shortly after he arrived in the War Department, Root walked down the hall from his office to visit Carter in the Adjutant General's office. "The Secretary asked me one day what the

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<sup>763</sup> William Conant Church to Elihu Root, 14 August 1899, Box 3, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

trouble was in the Army,” Carter later recalled, “and I began to unfold the ideas which had been in the minds of many officers.”<sup>764</sup> Carter was as a reform-minded officer, a critic of the army’s bureau system and the old guard in general, and had written several professional articles arguing for changes. Likely his reputation as a progressive officer was the reason he was assigned to Washington. The two men quickly became professional friends, each recognizing in the other a necessary and useful ally in the struggle to reshape the army. They spent a great deal of time together, in the office and on afternoon horseback rides in Rock Creek Park, discussing the possible reorganization of the army. Through Carter, Root learned a great deal about the army and the transnational military reform discourse. A junior officer at the time who later became a general staff officer recalled that, “Root could understand William H. Carter better than any other Army officer because Carter was most articulate, a thinker, and a writer of ability.”<sup>765</sup> Together, they became the brain trust behind army reform. Other officers contributed, but no other officer could provide Root the raw material that his legal and political skills could shape into new institutions and policies.

Root needed someone like Carter to provide him with the military information and ideas that supplemented his research into the needs of the army, but his knowledge of law, business and politics was unmatched by anyone in uniform. Frank R. McCoy, an officer who had been wounded in the Santiago campaign and was recuperating in Washington, was invited by Grenville Dodge to a dinner party one evening to give an eyewitness account of the campaign. Corbin and some other officers were there. “Root dropped in later,” McCoy recalled, “After Root arrived Dodge got on the subject of the waste and confusion in the War. Root listened to

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<sup>764</sup> William Harding Carter, *Creation of the Army General Staff: Personal Narrative of the General Staff System of the United States Army* (Washington, DC: Government Printing Office, 1924), 2.

<sup>765</sup> Interview of Dennis E. Nolan by Harold Cater, 14 November 1947, OCMH Collection, Army General Staff, ID2, Cater Notes, Military History Institute, Carlisle, PA.

his convictions on this. ...Root wanted the War Department coordinated to bring system out of chaos. ...Elihu Root was a great corporation lawyer and little known outside of New York City, but was one of the great men of his day.” Because of “his knowledge of law and business principles,” he was expected to find out and solve what had gone wrong at the War Department during the war. With his business background, Root looked at the army as a giant business concern and went about providing it with the kind of central direction and control that was customary in well-run corporations.<sup>766</sup> While stationed in Washington, McCoy dated Root’s daughter Edith for a time and so was able to observe Root closely while he ran the War Department. He also came to know Root very well in later years. As McCoy understood it, the combination of a broad desire for an orderly system, extensive business experience, and the ideas and help of the officers he brought into his confidence determined the substance of the reform agenda Root advocated.

McCoy was certainly right about the principal sources of Root’s ideas, and the general outline of his reforms. Root had four broad objectives in changing the military establishment. He first wanted to clarify the chain of command and concentrate power at the top, ultimately in the hands of the President as commander-in-chief acting through a civilian Secretary of War, rather than the old system of a Commanding General without clear command authority and ten almost autonomous bureaus headed by staff officers in seemingly constant conflict with the line officers. Root intended that the President command a peacetime military establishment that would perpetually plan and prepare for war, with other large military powers as the likely adversaries. In wartime, that establishment would be supplemented by a voluntary reserve that would have at least a minimum of equipment and training during peacetime. Finally, the army

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<sup>766</sup> Interview of Frank R. McCoy by Harold Cater, 15 October 1947, OCMH Collection, Army General Staff, ID2, Cater Notes, Military History Institute, Carlisle, PA.

would have a corporate structure and be led in peace and war by professionally educated and trained officers. That such a military establishment would be well suited to serve the interests of the wealthy class by supporting an expansionist foreign policy was a consideration never mentioned directly, but always implied. By recognizing the importance of Root's desire for a more orderly hierarchical system and the utility of his corporate knowledge, McCoy saw in outline that what Root created was a military system complimentary to the country's newly emerging corporate system. Seeing these reforms solely through the lens of a military discourse obscures the extent to which they also reflected the domestic reordering of American society.

Even in the midst of the ongoing war in the Philippines and the continuing effort to create new colonial governments, Root used his first Annual Report as a vehicle to push his reform agenda to the government and the public just months after assuming office. The long hours of concentrated work that went into producing it may not have been obvious to everyone who read it, but those who knew Root, and now the officers who worked with him, recognized the combination of intense concentration and incisive analysis that always defined Root's work. As one of his friends congratulated Root after its publication, "you get right at the bottom of the matter, and have mastered it just as you would, and do, a complicated set of mercantile books."<sup>767</sup> "The method of proposing and considering, one by one, specific remedies for specific defects does not seem to be an adequate treatment of the subject," Root wrote; "It seems to me that the best course would be to settle upon the true principle which should govern the use to be made of the Army and then inquire in what respect our present arrangement fails to conform to that principle, and make it conform." Root suggested that two propositions were "fundamental in the consideration of the subject."

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<sup>767</sup> Austin to Elihu Root, 7 December 1899, Box 2, Elihu Root Papers, Library of Congress.

First. That the real object of having an Army is to provide for war.  
Second. That the regular establishment in the United States will probably never be by itself the whole machine with which any war will be fought.<sup>768</sup>

By declaring that making war was the paramount and only “real object of having an Army,” Root readily dismissed constabulary or peacekeeping duties that had occupied the army for most of the nineteenth century. Moreover, by suggesting that the regular peacetime army would never be “the whole machine” for fighting war, he was also implicitly arguing that the country needed to be prepared to fight other major military powers, since only those adversaries would require a substantial mobilization. After all, the problem in the war with Spain had not been the inability to attract a suitable number of soldiers, but the inability to adequately provide logistical support for them. A military establishment perpetually preparing for war and a national reserve of trained soldiers presupposed a substantial reorientation of political as well as military power.

To accomplish this, “while the lessons drawn from the experience of recent war are fresh in our minds,” required a departure from the policy of “present utility” that had governed the organization and use of the army between the War of 1812 and the war with Spain. The army was well adapted to “economy of expenditure, ...very efficient for police duty against Indians,” and led by “a class of officers most of whom were of a high order of individual excellence.” Unfortunately, “The result did not include the effective organization and training of the Army as a whole for the purposes of war.” This condition had been allowed to continue, despite the efforts of some officers and previous administrations, because “there has not been a sufficient public interest in the subject or a sufficiently strong conviction of the importance of good organization to overcome the diversity of opinions and personal interests desirous of being

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<sup>768</sup> Root, *Five Years*, 222.

left undisturbed.”<sup>769</sup> Overcoming public apathy, building a political consensus for change and blunting the opposition of those opposed to military reform, were Root’s specifically political objectives. All of his efforts to win support from within the army, to influence public opinion about the army, and to curry favor with politicians and the wealthy elite were bent towards achieving those objectives. His success meant not only a new army, but an entirely new military establishment.

After the clarity of his initial propositions, Root’s analysis faltered. He listed four things an army needed in order to be prepared for war —adequate planning, modern equipment, highly skilled officers, and training in the movement of large bodies of troops —but he was much less clear on what specific steps would put the American army in that position. He suggested more movement between line and staff positions, modification of seniority promotion, and merit boards for promotion, but the only institutional change he recommended was the establishment of a war college. Root hoped that in addition to fulfilling its educational role, a war college could also fulfill the planning responsibilities of a general staff. He admitted as much in his 1901 Annual Report. “The creation of the War College Board,” he wrote, “is probably as near an approach to the establishment of a general staff as is practicable under current law.” Recognizing the inadequacy of that solution, he finally proposed the creation of a general staff, “of which the War College Board shall form a part,” in 1901 and submitted legislation for that purpose the next year. As for the provision of a trained national reserve force in place of the current state militias, Root only was able to suggest that it “should be a special subject of consideration by the War College,” and that “a permanent plan ought to be wrought out with the concurrence of the military authorities of the several States, and enacted by Congress, for the creation of a war army

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<sup>769</sup> Root, *Five Years*, 220-225.

composed of both regulars and volunteers whenever such an army is required.” Exactly what that plan should be Root did not say, beyond urging that “the best military thought of the country” should address the issue, and that the resulting combined force should “constitute a homogenous body.” The tentative and incomplete reforms Root suggested reflected not only his recent arrival in the office, but also a lack of agreement within the army on what changes might be appropriate, and a recognition of the many obstacles any attempts at change would face.

Root mentioned many of those obstacles in his report. The inevitable increase in the expense of maintaining an army always prepared for war was one such obstacle, but an even more fundamental one was the longstanding concern that a large standing army threatened democracy. Root directly addressed that fear, arguing that the “manifold services” the army had provided in civil affairs and emergency relief work was a reminder that “American soldiers do not cease to be American citizens.” This exceptionalism in the “character and spirit” of the American army rendered any fears of latent militarism quaint. As early as 1870, Church argued from the pages of the *Army and Navy Journal* that far from “trampling out the sparks of popular liberty,” the army had been the savior of the nation in 1865 and that as a result a “new harmony” existed between the army and the people.<sup>770</sup> Root also acknowledged that any changes in the army were likely to be opposed by those who benefited under the current scheme and were than desirous of changes that undermined their position. This was certainly true of the staff officers happily situated atop the bureau system that directed army administration, whose leaders had successfully blocked all previous attempts to dilute their power. In order to overcome those obstacles, any transformation of the military establishment required building a consensus of

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<sup>770</sup> William Conant Church, “Army and People,” *Army and Navy Journal*, 26 February 1870, Vol. VII, No. 28, 429.



opinion within the army supporting specific changes, and sufficient public and political support to enact the necessary legislation.

While there was no consensus in the army favoring a specific reform agenda, there had been an ongoing debate in the army regarding reform, and that discussion was derived from a larger transatlantic military discourse. The American army in actuality had little need to compare itself to the massive European military establishments, but its strategic thinking was always Eurocentric. As Russell Weigley pointed out, despite the powerful influence of an approach to waging war that drew heavily from its own military past, in strategic thinking the United States was “still a colony of Europe in matters of war” long after the country’s successful war for independence.<sup>771</sup> What made the army reform movement in the United States different from similar reform movements in Europe was the almost complete absence of any compelling strategic imperative for the United States to adopt the military institutions or policies of a European state. The United States still had few reasons for conflict with any of the European military powers, and no reason to fear them as a genuine security threat. C. Vann Woodward has famously called the years from the Treaty of Ghent to the Cold War a period of free security. Two vast oceans, patrolled by a mostly friendly British navy, gave the United States “physical security from hostile attack and invasion.”<sup>772</sup> Even if he overstated the case, it was certainly true that when the nineteenth century ended there were far fewer threats to America’s security than there had been when it began. After the domestic questions of secession and slavery were settled on the battlefields of the Civil War, there were few military obstacles to the country’s continued

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<sup>771</sup> Russell Weigley, *The American Way of War: A History of United States Military Strategy and Policy* (Bloomington, IN: Indiana University Press, 1973), 80-81.

<sup>772</sup> C. Vann Woodward, “The Age of Reinterpretation,” *The American Historical Review*, Vol. 66, No.1 (Oct. 1960), 1-19; 2.

domestic growth and expansion, yet reform-minded officers continued to press for the adoption of a military establishment more closely modeled on those of imperial Europe.

The appearance in post-Napoleonic Europe of a theoretical literature of war was an important element in the creation of the modern professional military, and officers in the small American army closely followed its development. When the Civil War began, Napoleonic tactics and strategy dominated military thinking in the United States. The two cornerstones of Napoleonic warfare were the destruction of the enemy's military forces, and the climatic battle that was expected to accomplish that end.<sup>773</sup> The victories achieved by Napoleon's armies seemingly marked the end of the limited style of warfare waged by princes and monarchs for possession of territory. Mass armies would wage future wars, fueled by nationalistic fervor and equipped with ever more deadly weapons.<sup>774</sup> This idea of the 'nation in arms' began with the French Revolution.<sup>775</sup> At the heart of this idea was the *levee en mass*, universal and compulsory military service as an obligation of national citizenship.<sup>776</sup> The direct result of combining this political development with scientific advances in weaponry, communications and transportation was the possibility of waging total war on a scale previously impossible. The French revolutionary National Assembly had the concept about right when it decreed that young men should march to war, married men should forge weapons, women should weave tents and uniforms, and the aged were "to preach hatred of kings and the unity of the Republic."<sup>777</sup> In time, the concept would come to imply the absolute priority of the military over the civilian in

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<sup>773</sup> Weigley, *The American Way of War*, 80-81.

<sup>774</sup> Weigley, *The American Way of War*, 79-80.

<sup>775</sup> Richard D. Challener, *The French Theory of the Nation in Arms, 1866-1939* (New York: Columbia University Press, 1955), 4.

<sup>776</sup> Challener, *The French Theory of the Nation in Arms*, 6; Weigley, *The American Way of War*, 80.

<sup>777</sup> Quoted in Challener, *The French Theory of the Nation in Arms*, 3.

societies at war, or even in societies under perceived threat. In the United States, the implied threat of the “nation in arms” to a democratic society meant that the debates over American military policy in the later half of the nineteenth century were dominated by consideration of the proper balance between military power and civilian control, and most often between the professional soldier and the citizen soldier.<sup>778</sup> This was the divide Root attempted to bridge in his Marquette speech by emphasizing that the professional soldier was a citizen too.

Ulysses S. Grant thought there was a significant difference between the armies of Europe and America, and that the difference lay in the different soldiers those societies produced. He thought that the armies of Europe were “machines: the men are brave and the officers capable; but the majority of the soldiers in most of the nations of Europe are taken from a class of people who are not very intelligent and who have very little interest in the contest in which they are called upon to take part.” These European armies were inherently inferior to American armies, “composed of men who were able to read, men who knew what they were fighting for, and who could not be induced to serve as soldiers, except in an emergency when the safety of the nation was involved.”<sup>779</sup> It is a rare general who attributes victory to reluctant soldiers, but American officers serving as military observers in Europe were also comfortable that in a comparison of the fighting qualities of American and European troops, “we suffer nothing by the comparison.”<sup>780</sup> As the first Chief of Staff, Young would echo those sentiments: “No patriotic citizen can withhold his tribute to the national capacity for making war which distinguishes the soldiers of our Army from those of other Armies.”<sup>781</sup> This confidence was

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<sup>778</sup> Weigley, *The American Way of War*, xx.

<sup>779</sup> U. S. Grant, *Personal Memoirs of U. S. Grant* (New York: Da Capo Press, 1952, 1982), 577.

<sup>780</sup> “Foreign Armies and Ours,” *Army and Navy Journal*, Vol. VIII, No. 17 (10 December 1870), 261.

<sup>781</sup> Copy of speech to the Middlesex Club of Boston, Box 6, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

important in a country whose military system was so dependent on large numbers of wartime volunteers to fight its major wars, and especially appealing in a nation already convinced of its exceptional nature. The army's leaders were confident in the innate fighting qualities of the American soldier, and they had the experience of the Civil War to justify their confidence, but as the war receded in the past they had to reconsider whether changes in technology and strategy required reforms in how those fighting men were to be marshaled, trained and led in future wars.

The Civil War came closer to being a total war than any of the conflicts between Waterloo and the First World War, but the implications of that war were not fully understood at the time even by many of the officers of the victorious Union armies. European military thinkers generally saw the Civil War as an aberration from the norm rather than a harbinger of the future. To most European officers, the Civil War armies seemed unsophisticated and amateurish compared to the professional armies of Europe.<sup>782</sup> While European military observers and newspaper reporters had closely followed the war, few grasped the nature of the military machine that the Union had fashioned by 1864, or the implications of the victory it had achieved. One foreign observer watching the Grand Review in Washington at the conclusion of the war remarked with awe that the armies that marched past the reviewing stands those two days could have beaten all the armies of Europe combined, but that opinion faded as fast as those soldiers in their thousands faded back into civilian life. It was as if the victories of those armies were nothing compared to the fact that volunteers and draftees accomplished them, led mostly by officers untutored in the art of war. When European military thinkers thought of the

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<sup>782</sup> Weigley, *The American Way of War*, 195.

United States, they did not see the massive Union armies that won the war, but the small frontier army with which the Union began the war and to which it returned at the war's conclusion.<sup>783</sup>

The Civil War was just one among a series of conflicts, mostly European, that marked the progressive impact of industrialization and technological development on the conduct of war. In weaponry, communications, transportation and organization, the century between 1814 and 1914 saw a significant transformation in military affairs. The most obvious evidence of this was a quantum increase in the deadliness of wars, the result of the application of science to the question of mass killing. The American Revolution lasted eight years and cost 20,000 lives on both sides, while the Civil War that began little more than seventy-five years later and lasted only four years killed some 600,000 people. Less obvious but equally important was the managerial revolution in warfare that came to dominate military thinking in the aftermath of the Franco-Prussian War.<sup>784</sup> The surprising and dramatic Prussian victory and the lessons drawn from it seemed to require a reappraisal of military organization and planning. This kind of managerial reform dominated the thinking of reform-minded officers on both sides of the Atlantic in the last decades of the nineteenth century.

The Civil War also called into question the importance of the climatic battle that was so much a part of Napoleonic war. The strategy that won the war, a strategy associated with Grant and his key subordinates, General William T. Sherman and General Phillip H. Sheridan, was a strategy that destroyed the enemies military capacity not in one great battle but in a series of battles, each of which weakened the ability of the enemy to make war, and in campaigns that destroyed the enemy's capacity for raising and supporting armies in the field. The Civil War was

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<sup>783</sup> Jay Luvaas, *The Military Legacy of the Civil War: The European Inheritance* (Lawrence, KS: University Press of Kansas, 1959, 1988), 226.

<sup>784</sup> Walter Millis, *Arms and Men: A Study in American Military History* (New Brunswick, NJ: Rutgers University Press, 1956), 176.

won by waging a war of campaigns, rather than a war of battles. Where possible Grant preferred to win through a campaign of maneuver, such as the one he waged before the siege of Vicksburg, but where his enemy would not cooperate, as against Confederate General R. E. Lee before Richmond, he would pursue a remorseless campaign of attrition. Even more effective was the type of war he ordered Sherman to wage in Georgia and the Carolinas. In addition to pursuing the enemy's armies, Grant directed Sherman "to get into the interior of the enemy's country as far as you can, inflicting all the damage you can upon their war resources."<sup>785</sup> This "hard war" strategy offered an indirect means of attacking not only the enemy's military capacity, but also its will to fight.<sup>786</sup> Of all the lessons of that war, perhaps this was the most important. As technology and industrialization made armies more sophisticated, it made them more vulnerable to indirect attack; and as the idea of the nation in arms remade the politics of war and made every citizen a participant, it became not only more tempting but also more necessary to wage total war. Even in the absence of a clear and present danger to the nation's security, reform minded officers saw the existential danger of total war and warned that the United States needed at least the organizational capability to wage such a war, or run the risk of falling victim to a foe that could.

The transatlantic nature of strategic planning and thought, technological changes in weaponry and logistics, and the managerial revolution in the organization and direction of armies, all combined to make many officers restless for change in the years between 1870 and 1898. The three most important voices in that movement were Sherman, Colonel Emory Upton and General John M. Schofield. Famous primarily for his Civil War campaigns, Sherman tried while head of the army to encourage innovation and improvement in the army's organization

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<sup>785</sup> Quoted in Millis, *Arms and Men*, 145.

<sup>786</sup> Millis, *Arms and Men*, 140-152.

and tactics. He particularly criticized the bureau system, under which ten different bureaus, each headed by a staff officer serving in Washington and well removed from line service, were responsible for all issues of personnel, equipment and supply. In his memoirs, which Church recommended to Root, Sherman recalled the extent to which that system hamstrung the army in the early days of the Civil War. “Every officer of the old army remembers how, in 1861, we were hampered with the old blue army-regulations, which tied our hands, and that to do any thing positive and necessary we had to tear it all to pieces —cut the red tape, as it was called —a dangerous thing for an army to do, for it was calculated to bring the law and authority into contempt; but war was upon us, and overwhelming necessity overrides all law.” In the American system, Congress provided the armies that the President directed through the Secretary of War, who in turn acted through the bureau chiefs. “The chiefs of these bureaus are under the immediate orders of the Secretary of War, who, through them, in fact commands the army from ‘his office,’ but cannot do so ‘in the field’ —an absurdity in military if not civil law.” His solution was that local commanders should be given greater powers, “not only to command their troops, but all the stores designed for their use, and the officers of the staff necessary to use them.”<sup>787</sup>

After Sherman’s retirement, “still full of intense vitality, [he] sought and found in New York City a home more stirring and more congenial than his beloved St. Louis could give him.” During those years he “frequented the Union League Club,” where he was honored with a spectacular reception in 1890 to celebrate his seventieth birthday. When his funeral arrangements were made the next year, Root’s friend Choate was prominent in the public procession.<sup>788</sup> During the years when he was writing his memoirs, Sherman and Root were

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<sup>787</sup> William T. Sherman, *Memoirs of W. T. Sherman, Written by Himself* (New York: Charles L. Webster & Co., 1892), Vol. 2, 404-406.

<sup>788</sup> Sherman, *Memoirs of W. T. Sherman*, 469-478.

certainly acquainted, but there would have been no reason for them to discuss army reform. On the other hand, Root had every reason to respect the thoughts of someone he knew and admired who, like Grant, had been a living hero among the New York elite. The difficulty is that most of the recommendations Sherman included in his memoirs, and that Root certainly read, were insufficient to respond to the advances in modern warfare. Empowering commanders in the field was a perennial favorite among army officers, but it did nothing to organize, equip and prepare an army for total war. Moreover, Sherman never really resolved the conflict in civil and military authority in Washington that he found such “an absurdity.” Sherman’s most important contribution to organizational reform was to encourage and support an underling, Colonel Emory Upton, who more than any other officer in the postwar army attempted to resolve the central problems of organizing a modern army in a democracy. An innovative tactician as a young officer in the Yankee army, between the end of the war and his tragic suicide in 1881, Upton researched and wrote extensively about army organization and tactics. The capstone of his work was *The Military Policy of the United States*, which still lay unfinished in manuscript form on his desk when he shot himself.<sup>789</sup> Despite great interest in the work within the army, and the direct intervention of Sherman, the manuscript was not widely available until Root ordered it published in 1904.<sup>790</sup>

While his tactical innovations were principally a product of his own extensive combat experience, his ideas on military organization were a product of transatlantic militarism. Sherman treated Upton as protégé and supported his efforts to improve the army. As a result, Upton became the army’s chief theoretician and its main spokesman for military reform.<sup>791</sup> In 1875,

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<sup>789</sup> Emory Upton, *The Military Policy of the United States* (New York: Greenwood Press, 1904, 1968).

<sup>790</sup> Stephen E. Ambrose, *Upton and the Army* (Baton Rouge, LA: Louisiana University Press, 1964, 1992), 152-159.

<sup>791</sup> Ambrose, *Upton and the Army*, 76.



Sherman sent Upton abroad to study the armies of Europe and Asia. Sherman's covering letter suggested that the army already knew enough about the European military establishments and suggested that he concentrate on the European penetration into Asia. "You cannot devote too much time and study to the systems of military government," he wrote, "by which these nations utilize the people and resources of interior Asia." Sherman was particularly interested that Upton "ascertain how a small force of British troops, aided by the native troops, govern 200,000,000 people."<sup>792</sup> Despite Sherman's focus on Europe's imperial armies in Asia, Upton concentrated instead on Germany, recently united by a Prussian military that was then the envy of the military world.<sup>793</sup> Secretary of War William W. Belknap had especially encouraged him to focus on German's "schools for the instruction of officers in strategy, grand tactics, applied tactics, and the higher duties in the art of war," but apparently little encouragement was needed to direct his attention in that direction.<sup>794</sup> On his return, Sherman saw to it that Upton was granted ample time to document his findings and the result was *The Armies of Asia and Europe*, published in 1878. Though his posthumously published book is the better known of the two, there is nothing substantially different in their observations and arguments, except that the latter is more polemical.<sup>795</sup> Upton argued his basic case in an article published in *The Army and Navy Journal* in 1877, which received much more widespread notice among his fellow officers. The article advocated an expansible regular army, supplemented during wartime by a trained national reserve, reform of the officer corps to provide for interchangeable service between line and staff,

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<sup>792</sup> Emory Upton, *The Armies of Asia and Europe: Embracing the Official Reports on the Armies of Japan, China, India, Persia, Italy, Russia, Austria, Germany, France, and England* (New York: D. Appleton and Company, 1878), v.

<sup>793</sup> Ambrose, *Upton and the Army*, 87.

<sup>794</sup> Upton, *The Armies of Asia and Europe*, iv.

<sup>795</sup> Stephen E. Ambrose, "Emory Upton and the Armies of Europe and Asia," *Military Affairs*, (Spring 1964) Vol. 28, No. 1, 27.

and creation of a war college modeled on the German *Kriegsakademie*.<sup>796</sup> Church supported his ideas in an editorial, and Upton and Church followed this with subsequent articles and editorials arguing for essentially the same reforms.

Upton's influence on the army was limited and few of his organizational reforms were enacted in his lifetime, but his ideas formed a basis for Root to begin considering changes in the organization of the military establishment. The central purpose of Uptonian reforms was to create a highly skilled professional officer corps, and place the full military power of the United States completely under its direction. While a war college was the key feature of his professional reforms, it was only part of a comprehensive program of professional military education. Military education was not ancillary to active service, but enmeshed together and complimentary. It was partly for this reason that he advocated abolishing the separation between service in the line and staff, allowing officers to learn from assignments in both. He also saw it as a way to break down the power of the bureau chiefs. Upton's concept of professionalization led him to conclude that the American military command structure was fundamentally defective, that by giving too much power to civilians, it was putting too much control over military affairs in the hands of non-professionals. Impressed with what he saw in Germany and caught up in the transatlantic admiration for Prussian military efficiency, Upton wanted as much as possible to build its mirror image in the United States. That meant not only an educated officer elite, but also a national reserve army directed by a permanent military establishment that would have complete autonomy in directing military affairs. Imagining a bright line between political and purely military matters, Upton envisioned an officer corps removed from politics but freed from

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<sup>796</sup> Emory Upton, *The Army and Navy Journal*, 23 February 1877.

civilian control.<sup>797</sup> The Secretary of War should certainly direct the administration of the army, but should have no power to direct commanders in the field.<sup>798</sup>

Upton went so far as to suggest that the commander-in-chief clause of the constitution was a “defect” because it “tempted” the president to “assume the character ...of a military commander.”<sup>799</sup> Taking civilian elected officials out of the military chain of command, to say nothing of overturning the constitution, was never something Root could seriously consider. It did, however, nicely highlight the fundamental issue facing military reformers. The command of the army was nominally in the hands of the army’s commanding general, the highest ranking officer in the service. In actuality, he had virtually no power to command. The Secretary of War exercised the presidential power of commander-in-chief on a routine basis, and he generally exercised it by directing the bureau chiefs, each of whom directed a specific department necessary for army administration. They in turn exercised their power over the separate commands of the widely dispersed army, each of whom depended completely on the bureau chiefs for everything from troops to blankets. This left the commanding general largely a figurehead, a commanding general with no army to command. During the postwar years, different commanding generals had faced the problem differently. Sherman had resolved his frustration by leaving the War Department completely and removing his office to St. Louis. The best solution had been provided by Schofield, who managed to make an unworkable system almost seem functional.

Schofield’s career exemplified the impossibility of separating politics from the military. His responsibilities during the early days of the Civil War and during Reconstruction required

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<sup>797</sup> This is broadly the model of civil-military relations that Huntington called objective control.

<sup>798</sup> Ambrose, *Upton and the Army*, 128-132.

<sup>799</sup> Upton, *The Military Policy of the United States*, 305 and 318.

him to not only make decisions of a mixed political and military nature, but to occasionally act purely on political questions. The penultimate moment of his political involvement came during the impeachment of President Andrew Johnson. Seeking to curry support from several key Republican senators, Johnson's attorney and Choate's senior partner William Evarts asked Schofield to accept appointment as Secretary of War in order to signal that Johnson would no longer oppose the Republican Reconstruction program. After conferring with Grant, Schofield accepted the position and became Secretary of War on the failure of Johnson's impeachment. Caught between a powerless, embittered president and a commanding general who was both friend and future president, Schofield largely filled the role of a soothing balm on an open wound. His only real accomplishment in the office was to issue at Grant's direction an order giving the commanding general, in this case Grant's successor Sherman, direct command over staff and line, including the bureau heads. Unfortunately for Schofield and Sherman, Grant was forced to rescind the order almost as soon as Schofield vacated the post. The political firestorm not only upended that attempt to resolve the dispute over the power of the commanding general, it also doomed any serious organizational reform for the remainder of Grant's presidency. Whatever postwar momentum there had been for reform was devoured in the maelstrom of Reconstruction politics.

While Schofield's experience was unique, the involvement of army officers in politics, and vice versa, was a deeply ingrained habit. In the Republican tradition, politicians were the military's gatekeepers. Due in part to the selection process for West Point, the process for selection of volunteer and militia officers, and the process for appointment and promotion, politicians at state and national levels exerted a great deal of influence over army officers at the

corporate and individual level.<sup>800</sup> The pervasive use of political pull to obtain higher rank or choice assignments also indicated the intimate connection some officers maintained with their civilian counterparts.<sup>801</sup> One officer, T. Bentley Mott, noted that while he was aide-de-camp to General Wesley Merritt, “when the General was in Chicago they took their meals at ‘the famous Round Table’ with ‘Marshall Field, George Pullman, Potter Palmer, John Clark, Robert Lincoln, and all the rest.’” When in New York, “Mott renewed his acquaintance with ‘the Sloanes, the J. P. Morgans, the Hamilton Fishes, and other New York people’ whom he had met during his time as an instructor at West Point.”<sup>802</sup> This identification with the civilian elite began early for West Pointers. In an era when only two percent of the population held a baccalaureate, “cadets became ‘part of a new, national, college-educated elite based on academic merit.’”<sup>803</sup> The often politicized nature of military advancement meant that this early tendency was only encouraged as officers moved up the ranks. As the historian John M. Gates observed, “...officers actually had more in common with the ruling elite than with any other societal group in the nation.”<sup>804</sup>

Among the army’s higher officers, Schofield succeeded best at walking the murky line between being a general who astutely understood the political nature of officership and being merely a political general. Frustrated in his attempt to solve the conflict between the commanding general and the bureau chiefs directly, Schofield found an indirect solution. By acting as the chief of staff to the Secretary of War, Schofield was able to build effective political

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<sup>800</sup> Connelly, *John M. Schofield*, 5-6.

<sup>801</sup> John M. Gates, "The Alleged Isolation of US Army Officers in the Late 19th Century," *Parameters: Journal of the US Army War College*, September 1980, 36.

<sup>802</sup> Quoted in John M. Gates, "The Alleged Isolation of US Army Officers in the Late 19th Century," *Parameters: Journal of the US Army War College*, September 1980, 35.

<sup>803</sup> John M. Gates, "The Alleged Isolation of US Army Officers in the Late 19th Century," *Parameters: Journal of the US Army War College*, September 1980, 36-37.

<sup>804</sup> John M. Gates, "The Alleged Isolation of US Army Officers in the Late 19th Century," *Parameters: Journal of the US Army War College*, September 1980, 36.

relationships that allowed the army to achieve an internal consensus on such issues as revitalizing coast defenses, restructuring the artillery, and forming three-battalion regiments.”<sup>805</sup> Schofield showed how an effective military establishment might function within constitutional limits, but without the necessary political support the army could make little progress in solving the fundamental issues of command and control. This was particularly frustrating for Schofield, who understood better than most that technological advances made preparation for war at least as important as its conduct. “It is of vital importance,” he wrote, “that the necessity of providing for calling into active service a very large army in the shortest possible time be understood.” The key to making that possible, in addition to an improved standard of military education and an integrated and trained reserve, was resolving the structural conflict over control of the army. “The most important military reform now required in this country is a law authorizing the President, ‘by and with the advice and consent of the Senate,’ to appoint, not a commander of the army, but a ‘general-in-chief,’ or ‘chief-of-staff,’ to aid him (the commander-in-chief) in the discharge of his military duties.”<sup>806</sup>

Shortly after his retirement, Schofield left Washington to live the life of the leisure elite. He spent his summers in Bar Harbor, Maine and wintered in St. Augustine, Florida. Both were well-established resorts for the elite that he had begun to frequent during his years as Commanding General. While in St. Augustine he frequently dined with wealthy tycoons such as the railroad car icon George Pullman, and in Bar Harbor he spent time with Grenville Dodge. He flirted with political office, but the rise of the Populist movement made those years difficult ones for conservative Democrats in the Grover Cleveland tradition. He was more successful

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<sup>805</sup> Donald B. Connelly, *John M. Schofield & the Politics of Generalship* (Chapel Hill, NC: University of North Carolina Press, 2006), 323.

<sup>806</sup> John M. Schofield, *Forty-six Years in the Army* (New York: The Century Co., 1897), 513 and 526.

promoting military reform, and when war with Spain appeared likely, he headed a group organized in New York called the National Military Reserve that called for raising national versus state volunteer units. He also took advantage of the attention to again promote his “general-in-chief” concept. Failing to achieve either of these objectives and denied any active role in the war, Schofield declined McKinley’s offer to head the commission that studied the conduct of the war and that was eventually headed by his friend Dodge, but kept himself available as a reform advocate.<sup>807</sup> Root used Schofield as a sounding board as early as the summer of 1901, when they exchanged correspondence on West Point, and used him to great effect countering the adverse testimony of General Nelson A. Miles, the army’s obstinate and politically ambitious Commanding General, when Root made his final push for legislation approving the creation of a general staff in 1902.<sup>808</sup>

The impetus for change in the American military establishment was not limited to reform-minded army officers and their allies. Military reform required that the country have both the capacity to build a modern army and the willpower to do so. As the nation demonstrated in the 1860s, it had the capacity to build powerful armies, but not the public will to maintain one in peacetime. As reform advocates watched with growing alarm at the technological and managerial advances of the European armies, the nation as a whole was relatively unmoved in its attitude towards the army. Thanks in part to the favorable reception of Alfred Thayer Mahan’s sea power theories, the navy seized the initiative and became the favored service and the country’s first line of defense. The response to the war with Spain created the first real opportunity to gather public support for army reform. The popular enthusiasm for raising an army and invading Cuba

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<sup>807</sup> Connelly, *John M. Schofield*, 327-331.

<sup>808</sup> Elihu Root to J. M. Schofield, 17 June 1901, Box 179, Part 2, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C.

surprised even Schofield, and the public uproar that resulted in the Dodge Commission carried some promise of needed changes, but Alger lacked the political legitimacy to turn that limited public support into legislation. The creation of an overseas empire, however controversial and unpopular even among some army officers, finally gave the army a mission that required the capacity to maintain a modern army with an expeditionary capacity. America's commitment to a territorial overseas empire was limited and short-lived, but it was an important factor justifying substantial changes in the military establishment.

These domestic factors were crucial, but military transformation in the United States was only part of a larger transatlantic movement towards greater militarization. Public perception often saw America as an island in the world, but as the historian Brian Holden Reid pointed out, American isolationism "was really an attitude of mind towards Europe."<sup>809</sup> In fact, driven by economic and demographic changes, and the approaching end of the generations long struggle against the continent's native peoples, the United States at the end of the nineteenth century was more closely tied to Europe than at any time since its colonial past. Created as a settler nation and an imperial outpost of Europe, the history and fate of the United States and Europe have always been intertwined. While many colonists came to America to escape Europe, many more came for economic advantage.<sup>810</sup> For whatever reasons they came, they brought their history and traditions with them, influencing each other as well as the Native Americans they displaced and the African Americans who came to the continent in slavery.<sup>811</sup> Even the American Revolution was not simply a rejection of Europe, but also the product of European ideas and sentiments.<sup>812</sup>

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<sup>809</sup> Reid, 17.

<sup>810</sup> Jon Butler, *Becoming American*, (Cambridge, MA: Harvard University Press, 2000), 8-49.

<sup>811</sup> See David Hackett Fischer, *Albion's Seed: Four British Folkways in America*, (New York: Oxford University Press, 1989).

<sup>812</sup> See R.R. Palmer, *The Age of the Democratic Revolution*, (Princeton, NJ: Princeton University Press, 1959).



From the beginning, the United States has always had conflicting notions about its relationship with Europe. Europe represented at the same time the rejected and inherited past.

The forces of change unleashed by the success of the Revolution began a period that represented perhaps the flood tide of American exceptionalism. The revolutionary generation thought they had not simply rejected a monarchy and installed a republic, but “had created a new world.” The unique circumstances of the new country and its revolution had “added a moral dimension, a utopian depth, to the political separation from England.”<sup>813</sup> Yet even then movements and events in Europe fundamentally affected attitudes and events in the United States. The abolitionist movement that helped to bring about the violent cataclysm that almost destroyed the young country was itself part of a transatlantic antislavery movement.<sup>814</sup> In the years immediately following the Civil War, the first stirrings of a revolution in industrial and finance capitalism swept ashore from Britain. In its wake came a new period in transatlantic relations that went far beyond a change in economic relations and impacted every facet of American life. Daniel T. Rodgers identified the years from the 1870s to the Second World War as a period when “the democratic confidence of the early nineteenth century and the hubris of the late twentieth century” were separated by “a moment when American politics was peculiarly open to foreign models and imported ideas – when the North Atlantic economy formed, for many strategically placed Americans, a world mart of useful and intensely interesting experiments.”<sup>815</sup> This new transatlantic world depended on acceptance in the United States, at least among elites, of a shift in America’s supposed isolation from world affairs, the rise of a new

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<sup>813</sup> Gordon S. Wood, *The Creation of the American Republic, 1776-1787*, (Chapel Hill, NC: University of North Carolina Press, 1969, 1998), 47.

<sup>814</sup> Henry Mayer, *All on Fire: William Lloyd Garrison and the Abolition of Slavery*, (New York: St. Martin’s Press, 1998), 68, 150-152 and 279.

<sup>815</sup> Daniel T. Rodgers, *Atlantic Crossings: Social Politics in a Progressive Age*, (Cambridge, MA: Belknap Press of Harvard University Press, 1998), 3-4.

leadership capable of embracing that shift, and the creation of new institutional connections to enable those new ideas to take root.<sup>816</sup> Isolation from Europe was always a hollow concept, honored more in rhetoric than reality, but for a few decades surrounding the turn of the twentieth century the reality of the transatlantic world had a unique strength and relevance. Sherman had famously called war “all hell,” but as memories of war faded and transatlantic ties grew stronger, the nation’s elite slowly forgot this truth and succumbed to the allure of empire.<sup>817</sup>

Consistent with the transatlantic nature of the military reform movement, after Root created a War College Board in February 1900, the members at their first meeting determined that they needed to study the military education systems in operation there.<sup>818</sup> Soon thereafter, General William Ludlow left for Germany and on his return wrote a lengthy report extolling the virtues of the German system of officer education and command. Though the impact of the resulting report is disputed, the initial urge to visit Europe, and to pay special attention to the Prussian system, was evidence of the influence of the transatlantic military discourse and Root’s easy acceptance of it.<sup>819</sup> While the Ludlow trip generally maintained a low profile, another delegation of officers Root dispatched in 1902 attracted substantial media attention. Led by Corbin and Young, a small group of officers left for Germany 16 August and returned at the end of October. Young and Corbin were both publicly rumored to be future commanding generals, with Young slated to replace Miles on his retirement. They divided the work between them, with Young paying particular attention to “the maneuvers in the field, the discipline of the soldiers,

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<sup>816</sup> Rodgers, *Atlantic Crossings*, 4.

<sup>817</sup> Walter Millis, *Arms and Men: A Study in American Military History* (New Brunswick, NJ: Rutgers University Press, 1956, 1984), 142.

<sup>818</sup> Henry Corbin to William Ludlow, 20 February 1900, Document File 3111224, Record Group 94, National Archives and Records Administration (NARA), Washington, DC.; William Harding Carter, “Creation of the American General Staff; Personal Narrative of the General Staff System of the American Army,” Senate Document No. 119, 68<sup>th</sup> Congress, First Session (Washington, DC: Government Printing Office, 1924).

<sup>819</sup> Machoian, *William Harding Carter*, 122-124.

their subsistence and methods of caring for themselves.” Wood would “examine closely into the German methods of camp sanitation, the equipment of hospital corps and those things that have to do with the health and morale of the soldiery.” Corbin himself would focus on “the question of transportation, horses, equipment and of military institutions.”<sup>820</sup>

While there, they were received at the highest levels of government. Young, plugging for the upcoming Saint Louis Exposition, said that both the German emperor and the British king had promised to send “fine delegates.” Young also noted the improved health of the King, noting that Corbin and he had met the King in Cincinnati in 1859 before he ascended the throne. Impressed by the trappings of monarchy, they found the British king “delightfully affable,” and found as well that “Emperor William (of Germany) is wonderfully well poised, gracious and tactful and yet very forceful.” A story was reported in the papers that when Young was first presented to the Emperor, Wilhelm asked him what he thought of Frankfurt. Young replied, “Well, I have visited some German towns and I think this is the best of them.” When the Emperor queried him as to which German towns he had visited, Young replied “I have seen Cincinnati, Milwaukee and St. Louis.” The Emperor was apparently so much “amused at this characteristic Yankee witticism” that he repeated it to his wife and their other guests.<sup>821</sup> Newspaper reports described in detail their meetings with emperors, kings and the military commanders of empires, but asserted with more wish than truth that, “Chumming with emperors and kings does not affect the democracy of the average American army officer.”<sup>822</sup> Corbin’s statements were soon to call that optimistic conclusion into serious doubt.

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<sup>820</sup> Newspaper clippings, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>821</sup> Newspaper clippings, Box 6, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>822</sup> Newspaper clipping (undated), Box 6, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

The American officers noted how little the leaders of Europe knew about the United States and how few of them had ever been there. “It is simply amazing the number of public men in England who know little of this country,” said Corbin, noting that only two British cabinet officers had been to the United States and none of the five general officers of the British army – Lords Roberts and Kitchener, Sir John French, Generals Kelly-Kenny and Ian Hamilton. Corbin felt their visit had stirred new interest, partly due to their enthusiastic reports on the changes afoot in the American army. Lord Roberts was already planning on a visit the following fall, and Corbin thought Kelly-Kenny, French and Hamilton would not be far behind. He found much the same lack of knowledge to be true in Germany, but again noted that from the German Army, “Field Marshall Count von Waldersee, who had charge of the allied forces in China, has been selected ...to look us all over, ...He will tour from Maine to California.”<sup>823</sup> The transatlantic discourse had generally flowed ideas from east to west across the Atlantic, but the new energy in the army stirred by its recent imperial adventures, not only against Spain and the Philippine insurgents, but also against the rebellious Chinese Boxers, and the changes Root was making in the military establishment, sparked new interest and encouraged the European militaries to take a fresh look at the American army. It would be the Second World War before the tide turned completely, but this was the first stirring of real interest on the part of European officers in the United States army.

In the meantime, Corbin and Young were completely captured by what they saw of the European military establishments. Corbin made the mistake of letting his enthusiasm get the better of his tact, proclaiming publicly that the “German Army is the best in the world.” He did try to caveat his opinion with the familiar observation that “there is a difference between the

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<sup>823</sup> Newspaper clipping (undated), Box 6, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

best army and the best soldier. It goes without saying that the American soldier is the best,” but he had opened the door and the reporter walked in. Asked if Congress was the roadblock to an army worthy of the American soldier, Corbin replied, “Congress is very kindly disposed, but there are so many persons, both in and out of it, that have views that we never seem to agree on a plan for reorganization. The plan is always a minority report. In Germany there is no interference with the army.”<sup>824</sup> Needless to say, after his comments were published Corbin made speedy attempts to repair the damage, but there was little doubt that they reflected his real thinking. Given the rich trappings of empire and the military spectacles to which he was treated, it is little wonder that his professional enthusiasm overrode his democratic values.

On a beautiful August day in Berlin, they were honored guests as the Imperial Guard corps paraded before an assemblage that included the Kaiser and his wife, King Victor Emanuel of Italy, a host of other “important personages,” and huge crowds of enthusiastic onlookers. “The whole scene was impressive,” the papers reported, “Emperor William was mounted on an iron grey horse, which many Americans who have visited the parades on the Tempelhof field here have admired for its statuesque poses as the troops filed past his Majesty, and the American Generals were mounted on fine bays from the Emperor’s stable. . . . Additional splendor was added to the scene by the presence of Lord Roberts, Mr. Broderick, the British Secretary of State for War, and a party in brilliant British uniforms, who had been presented before the American Generals.” After the parade, the Americans were invited to dine with the Emperor William at the New Palace, Potsdam the following Monday evening. A few days after the Tempelhof parade, at Frankfort-on-the-Oder, the American generals were the Emperor’s special guests for the German maneuvers. While there, the officers were given apartments in the hotel in Posen

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<sup>824</sup> Newspaper clipping (undated), Box 6, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

reserved for the German General Staff, and along with the other invited dignitaries from across Europe, everyone dined together each evening except when specifically summoned to the Emperor's table. Each officer and dignitary was assigned an official escort and interpreter for the duration to facilitate communication among the various guests. With the notable exception of significant representation from France or Russia, it was an impressive gathering of European military leaders. The highlight of the maneuvers was a cavalry charge by sixteen massed regiments of "lancers, cuirassiers and dragoons" – some 9000 men in all in a front a mile and a half wide, personally led by the Emperor with drawn sword, and with Generals Young and Wood riding at his side. The "charge" broke the ranks of the defending infantry and was scored the climax and great victory of the maneuvers. The only casualties were several horses that dropped dead under the strain. "The Kaiser was so pleased with his victory and with the congratulations that he announced that he would take command again to-morrow." "Watching from a hill in the center of the field, General Corbin declared it "the finest military spectacle he ever saw." The Emperor, never more than a pantomime soldier, often chided the Americans for their simple khaki uniforms, greeting them each morning with "Well, how's the khaki brigade?" He noted favorably their blue uniforms worn for the charge, but the German *Zeitung* newspaper noted with approval, "The American visitors have no need of uniforms to make them look like soldiers."<sup>825</sup>

On leaving Germany, the delegation visited Paris, where one observer noted, "I have seldom seen such a picturesque contrast of the old world and the new as when the Empress Eugenie, leaning on the arm of General Young, who towered above her as she conducted the Americans over her residence, pointed out the priceless mementoes of the imperialistic days of

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<sup>825</sup> Newspaper clipping (undated), Box 6, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

France.” From Paris, they left again for England before taking ship for home. In London, they were entertained at lunch by the King shortly after their arrival on 13 October 1902.<sup>826</sup> They dined next day at the invitation of Mr. Brodrick, 34 Portland Place, with Lord Kitchener.<sup>827</sup> They were entertained as well by the Worshipful Company of Fishmongers at Fishmongers Hall in the City.<sup>828</sup> The night before their departure, they were guests at an elaborate dinner at the Carlton Hotel given by Ambassador Choate that was well attended by the British establishment. The wealthy businessman and politician Sir Thomas Lipton accompanied Corbin and Young to the train station in London the next day for the start of their return voyage home, the first leg of which was in a special saloon car provided by him for the purpose. “The trouble with English hospitality,” said Young just before leaving, “is that the English make you feel you are doing them a favor in accepting it. It was all and a little more than we could do to take advantage of all the kindnesses proffered here. Our stay was a little longer than we expected and now I am looking forward to getting back to work at the War College.”<sup>829</sup>

Whether made by Upton, Ludlow, Corbin or Young, such trips always excited the envy of American officers for what they saw as the greater respect with which their European counterparts were treated by their governments, and inspired them to bouts of emulation. In this case, the Europeans reciprocated by visiting the United States and studying aspects of the American army. The Cavalry School at Fort Riley was of special interest due to the army’s success against the Indian nations, and during his visit to the United States in 1903, the British General Baden-Powell visited there along with a trip to West Point. Young went to West Point

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<sup>826</sup> Letter from Lord Farquhar to Samuel B. M. Young, 7 October 1902, Box 6, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>827</sup> Letter from Mr. Brodrick to Samuel B. M. Young, 7 October 1902, Box 6, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>828</sup> Box 6, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>829</sup> Newspaper clipping (undated), Box 6, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

to review the cadets with Powell, “who comes to me with letters from Lord Roberts and Lieutenant General Sir John French of the English Army.” Powell had just been appointed head of British cavalry and had been sent “to get some pointers” from the American army.<sup>830</sup> After his visit, Young forwarded several orders and a description of the work done at Fort Riley by letter to the War Office on 3 July 1903.<sup>831</sup> Though admiring the German system, Young became especially friendly with the officers of the British army. He described British Forces Adjutant General Sir Kelly-Kenny as a friend whose “intimacy ... was a source of great pleasure to me,” in a letter sent on dispatch of a new military attaché to London. He “goes to London a stranger, and any little thing you can do to make him feel at home will be much appreciated,” Young wrote. He also anticipated the arrival of British General Hamilton to New York in a few weeks, where General Chaffee will “render him such courtesies as his own arrangements will permit.”<sup>832</sup> Such affinity for the British army was consistent with his feelings about the Anglo-American relationship. “Blood is thicker than water, but blood heats sooner and when heated flows quickly. As a nation we are of the Anglo-Saxon race, yet we have had two wars with that nation with which we are most closely related by ties of blood.”<sup>833</sup>

Such expressions of the closeness of the Anglo-American relationship were not uncommon, and were not limited to historic, traditional or cultural roots. The relationship was renewed and extended around the turn of the century as a result of the new financial and social bonds between the two nations, and reflected current realities far more than nostalgic longings.

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<sup>830</sup> Letter from S. B. M. Young to J. G. Ballance, 22 April 1903, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>831</sup> Letter from S. B. M. Young to Baden-Powell, 3 July 1903, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>832</sup> Letter from S. B. M. Young to Lieutenant General Sir T. Kelly-Kenny, 16 September 1903, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>833</sup> Copy of speech to the Union League Club of Philadelphia, 28 November 1903, Box 6, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.



One institutional expression of that new relationship was the formation of The Pilgrim's Society. An aristocratic Anglo-American dining club that met a few times each year, its membership principally consisted of influential members of the business and financial establishments in London and New York. The London chapter of the Pilgrims Society was established in 1902, followed by a New York chapter in January 1903. Its patron was the British monarch, who had plenty of representatives attending the early meetings. At least one member of the Royal family usually attended the London dinners. Young was a charter member of the New York branch, though he was unable to attend the first meeting held at the Waldorf-Astoria due to his army obligations. He was present shortly afterwards at the dinner given in honor of the British general Lord Roberts, "for whom I have a very high regard, personally and officially." They met when Young had been a guest of the Pilgrim's Society of London at a dinner given in honor of the visiting American military delegation during their whirlwind visit to London.<sup>834</sup> Among the other illustrious members were Elihu Root, William Gary Sanger, George F. Baker, August Belmont, the Astors, James Brice, Nicholas Murray Butler, Andrew Carnegie, Adna Chaffee, Joseph H. Choate, Chauncey Depew, Henry C. Corbin, the Coudert brothers, Lord Curzon, John W. Davis, James B. Duke, Edwin Gould (Jay's son), Sir Edward Grey, Lord Kitchener, Andrew Mellon, J. Pierpont Morgan, Cecil Rhodes, the Rockefellers, Charles M. Schwab, Henry Stimson, William H. Taft, General Joseph Wheeler, and Leonard Wood. Just as Germany captured the military imagination of these officers, England dominated their cultural worldview. Reports focused on their admiration for German military models often obscured the extent to which the Anglo-American ties bound them to Britain.

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<sup>834</sup> Letter from S. B. M. Young to Lindsay Russell, 9 January 1903, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

The professional fascination of army reformers with Germany proved to be one of the principle obstacles to creating a General Staff. It was easy for opponents to raise the specter of Prussian militarism and equate it with General Staff reform. While elites, civilian and military, may have been more influenced by Europe during this period than at almost any other time, this was not necessarily true for the average American, who was likely to see the United States as distant from Europe as before. To them, and to their political representatives in Congress, a European-style army implied the likelihood of European-style war and the possibility of European-style government. The larger obstacle, however, was the absence of any compelling justification for changing a military establishment that had proven satisfactory in the past. Civil War veterans especially, “who had been through what they considered to be the ultimate in war experience,” saw little need to change the structure of an army that to them did not seem broken.<sup>835</sup> They had resisted the efforts of Union army heroes such as General Sherman, General John M. Schofield and Colonel Emory Upton, and they “had little more than contempt for officers such as William H. Carter ... however able they were, because they wrote books about it. ... He was a mere student (or worse still a scholar),” and therefore “mistrusted by all the vets.” Many of these Civil War soldiers became Congressmen and Senators, and many of them remained unconvinced even after the Spanish-American War that the basic military establishment needed serious reform. Most of the bureau chiefs were veterans as well, and it was this fact, as well as their natural inclination to protect their own power, that explained much of their opposition to Root’s reforms.<sup>836</sup>

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<sup>835</sup> Interview of Dennis E. Nolan by Harold Cater, 19 March 1948, OCMH Collection, Army General Staff, ID2, Cater Notes, Military History Institute, Carlisle, PA.

<sup>836</sup> Interview of Dennis E. Nolan by Harold Cater, 19 March 1948, OCMH Collection, Army General Staff, ID2, Cater Notes, Military History Institute, Carlisle, PA.

The army's generals had for the most part "been field commanders and Indian fighters 'who had never been to Washington before,' as the saying went," and they did not know the best way to deal with Congress. They were unschooled in the art of lobbying and did not know how to make common cause with the wealthy elites who wielded so much power behind the scenes, but Root gave them excellent tutoring and "they learned fast." "They were all smart and shrewd men."<sup>837</sup> Eventually the army's general officers would be more than capable of doing their own lobbying, but at the turn of the last century they needed a hand. The army had long known what it needed to do to have an army competitive with those of Europe, and the country had long possessed the wealth and the technological capacity to make those dreams a reality. What had been missing was support from the wealthy class who would be expected to pay the additional taxes, Congress and the people. The foundation for Root's great achievements was his ability to bridge the divide between the officer corps and Wall Street, while effectively lobbying the Congress and the public. The common transatlantic outlook of civilian and military elites was one of the factors that made an effective alliance possible, but it also meant that both groups had little more than disdain for the doubts raised against the import of European military systems. The shared basic assumptions that initially served as the basis for that short-term political alliance could then become hard-wired into the institutions they built together and into the ethos of those who would later direct them.

The route to army reform led through the war college. As committed believer in professionalization, Root needed little convincing of the need for a system of military education with a war college as its capstone. Creating a war college was also the easiest change to make, as it could be done by executive order, requiring from Congress only a limited appropriation for

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<sup>837</sup> Interview of Dennis E. Nolan by Harold Cater, 19 March 1948, OCMH Collection, Army General Staff, ID2, Cater Notes, Military History Institute, Carlisle, PA.

funding. Root had called for a war college in his first annual report, but the War College Board that he created in February 1900 was given a very broad remit to study not only the system of education, but also the army's command system.<sup>838</sup> Root was moving cautiously forward in both the nature of the changes he wanted to make and in gathering support for them, but it was evident that he meant for the war college to be only a first step in a more systematic overhaul of the military establishment. Along with Ludlow, Root assigned Carter, Colonel Henry C. Hasbrouck and Colonel Joseph P. Sanger to the Board. Hasbrouck was an artilleryman who had little apparent interest or influence beyond his specialty, but adding Sanger, who as a young officer had accompanied Upton on his world tour, gave the board another strong voice favoring comprehensive reform.<sup>839</sup> At the same time, Root took advantage of the presidential campaign to raise public awareness and support for what he called improving the efficiency of the army. In speeches around the country, he identified army reform with national progress and warned against failing to learn the lessons of the war with Spain. He sent material for favorable articles to the editors of the nation's leading newspapers and magazines, many of whom were friends and political allies.<sup>840</sup> In addition, he continued to build allies by his stalwart support of McKinley, and his effective management of the colonies and the war in the Philippines. The first fruits of his efforts were realized when Congress appropriated the necessary funds for the establishment of a war college in May 1900. In November of the following year the war college was formally established by General Order 115, and the next year Congress appropriated the

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<sup>838</sup> George S. Pappas, *Prudens Futuri: The US Army War College, 1901-1967* (Carlisle Barracks, PA: Alumni Association of the US Army War College, 1967), 14-16; Harry P. Ball, *Of Responsible Command: A History of the U.S. Army War College* (Carlisle Barracks, PA: Alumni Association of the US Army War College, 1983), 57-62.

<sup>839</sup> Ball, *Of Responsible Command*, 62.

<sup>840</sup> Pappas, *Prudens Futuri*, 18.

substantial funds needed to create the war college building that still stands in Washington today.<sup>841</sup>

Meanwhile, Carter continued to push the for the creation of a general staff, and the final report of the War College Board committed itself to that goal. Root was sympathetic, but with an election approaching he understood that the time was not yet ripe for any serious legislative reforms beyond reauthorizing the fighting force in the Philippines when its mandate expired in July 1901. As a result, the 1901 Army Bill provided for little more than the necessities of sustaining the army's pacification efforts, with one exception. The bill required rotation of officers between staff and line duties, and set a cap of four years for service by bureau heads after retirement of the current ones.<sup>842</sup> Little noticed outside the army, it was in fact a serious blow to the dominance of the bureau chiefs and meant the eventual dismantlement of their small empires. It clearly anticipated the eventual creation of a general staff, since in the absence of permanent bureau chiefs, it would be the only alternative to a perpetually rotating command structure. Whatever the state of Root's military knowledge when he arrived in Washington, his actions were beginning to indicate a growing clarity of purpose and method. By gradual, conservative steps, each one taken with ample political preparation and a minimum of public debate, he intended to give the army reformers all they had asked for that was consistent with elite civilian control.

When the writers of the American constitution turned their attention to war, they dispersed responsibility and power for waging it across the spectrum of government. They did so because they feared the concentration of any power, but especially military power, in too few hands. The organization of the War Department in 1900 amply reflected that dispersal of power.

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<sup>841</sup> Ira L. Reeves, *Military Education in the United States* (Burlington, VT: Free Press Printing Co., 1914), 198-199.

<sup>842</sup> Machoian, *William Harding Carter*, 120-126.

As the political scientist Stephen Skowronek observed, “The various parts of the army establishment were more closely integrated with Congress, the parties, and the state governors than they were with each other, and multifaceted political opposition stymied all reform efforts aimed at insulating and internally integrating the army hierarchy.”<sup>843</sup> By completing the process of professionalization and breaking the power of the bureaus, Root was halfway home to a reordering of the original structure of control over the country’s military power. In place of an army of dispersed power and organization, responding in different ways to virtually all levels of political power, Root intended to substitute an efficient system capable of control and direction from a few civilian and military elites at the top. With the creation of a general staff and the first real step towards nationalizing the state militias, the army would be more internally hierarchical and almost entirely divorced from all sources of political power save Congress and the President. This was possible because Root was able to unite strong political support in Washington, with powerful backing by the Wall Street elite, behind the agenda of a capable cadre of reformist officers. The new alignment of power strengthened the hands of the military professionals and the presidency, to the detriment all other sources of political power, including Congress, but by building the case for reform with arguments about efficiency and military expertise, Root effectively obscured the redistribution of power. In the debates over the most important aspect of the changes, the creation of a general staff, the opponents failed largely because they were never able to turn the narrative away from Root’s simple story of advancement and progress.

Before Root’s arrival, Alger’s attempt at limited reform foundered in Congress, and Carter and General Theodore Schwan drafted a temporary expedient that passed instead. With a presidential election in full swing, Root had decided not to pursue a general staff bill in 1900,

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<sup>843</sup> Skowronek, *Building a New American State*, 213.

and Carter had again drafted a patchwork bill, that except for the provisions authorizing rotation between staff and line, had left the issues of the general staff and militia for another year.<sup>844</sup> In his annual report for 1901, Root indicated for the first time his intention to seek legislation for a general staff. “A body of competent military experts should be charged with these matters of the highest importance, and to that end I strongly urge the establishment by law of a General Staff, of which the War College Board shall form a part.”<sup>845</sup> Carter subsequently prepared a bill under Root’s direction that provided for a General Staff, including an assortment of other reforms such as creating a single Supply Corps, and submitted it to Congress for its consideration. Root appeared before Military Committee of the Senate and spoke on behalf of the legislation on the first day of March 1902, expecting opposition, but not anticipating defeat. To his apparent surprise, the Commanding General, General Miles, appeared the next day and severely attacked the bill. With evident passion, Miles called forward the old arguments for the status quo, invoking George Washington, the founding fathers and the Civil War against the pernicious effects of a system “more adapted to the monarchies of the Old World.” At the conclusion of his testimony, the committee tabled the bill for that session. Miles had won a battle, but not the war.<sup>846</sup> His arguments had been so personal, so impassioned, and his personal interest in not having his power undermined by a general staff was so transparent, that it was little more than a Pyrrhic victory.

Root quickly regrouped and arranged for Schofield and General Wesley M. Merritt to testify on behalf of the bill the following month. Schofield was particularly effective in countering Miles efforts to derail the bill, his reasoned arguments and tactful delivery contrasting

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<sup>844</sup> Carter, “Creation of the General Staff,” 4.

<sup>845</sup> Root, *Five Years*, 165.

<sup>846</sup> Carter, “Creation of the General Staff,” 31-32.

sharply with Miles' presentation.<sup>847</sup> More importantly, Root began the final campaign of coercion and lobbying that eventually won the day. It was at this point that he called in every important Senator and addressed their concerns directly. After listening to their concerns, he made changes in the original legislation and stripped out every unnecessary provision, presenting Congress with a new bill that created a general staff, but left out every other disputed issue. He and Corbin called on their friends in the press as well, insuring that the legislation received favorable coverage in the newspapers and magazines. In his annual report for 1902, Root made a lengthy argument for the general staff and circulated drafts to friendly reporters and editors.<sup>848</sup> As for Miles, Root changed the legislation so that it would not take full effect until his retirement, essentially doing the same for him as he had done with the bureau chiefs the previous year. In December, Root testified before both houses of Congress, with Carter at his side, in support of the bill. A head count after his testimony revealed that his extensive lobbying effort had paid off. Handsome majorities stood ready to approve the legislation in both chambers. Nether Miles, nor the bureau heads would be able to derail the general staff this time.

That did not mean that opposition had disappeared. When the bill finally came up for floor debate in January 1903, opposition remained, primarily from Democrats, but Root had done his work and significant Democrats were in the fold. Prominent among them was Representative George B. McClellan, Jr., son of the famous Civil War general. Calling the bill "a step in the right direction," McClellan argued that the bill simply created a "brain for the army," and pointed out that "the only civilized armies in the world which are not provided with general staffs are those of England and the United States."<sup>849</sup> McClellan considered the bill to be most

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<sup>847</sup> Carter, "Creation of the General Staff," 35-36.

<sup>848</sup> Carter, "Creation of the General Staff," 43.

<sup>849</sup> General Staff Bill, *Congressional Record*, 6 January 1903, Vol. 36, Part 1, 533.



closely modeled on the French General Staff, while other members also cited favorably the European origins of the idea. “This bill is the outcome of close observation of the great advantages that have come by this organization in European countries.”<sup>850</sup> Echoing the arguments Root made in his annual reports, the bill’s supporters dominated the debate, yet the record indicates that most of the applause was for the bills opponents. Representative Theodore F. Kluttz of North Carolina was the most effective. Citing the army’s long record of success without such a staff, Kluttz warned that such a staff was “contrary to the genius of our land and the genius of our military service.” “It would set up what might be an oligarchy in the War Department,” he continued, “would cripple the efficiency of forces in the field, and lead to increased jealousies, bickerings, and injustice in the Army.”<sup>851</sup> The winning argument, however, seemed to be that made by Representative James L. Slayden. “It is the consensus of opinion among military experts,” that this staff would promote the efficiency of our army, so “we ought to accept their judgment in such matters.”<sup>852</sup> Almost all the debate time was taken by Democrats on both sides of the bill, but with the opposition party divided and the Republican majority united, the final vote was never in doubt. On Valentine’s Day 1903, President Theodore Roosevelt signed the bill into law, presenting the signing pen to Carter.<sup>853</sup>

The same day as the general staff legislation passed, the Congress also approved the Dick Act. Written by Root and shepherded through Congress by Representative Charles W. F. Dick, it was the most substantial overhaul of the militia system since 1792. Beginning with his discussions with Roosevelt and his first correspondence with Butterfield, Root quietly studied

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<sup>850</sup> General Staff Bill, *Congressional Record*, 6 January 1903, Vol. 36, Part 1, 534.

<sup>851</sup> General Staff Bill, *Congressional Record*, 6 January 1903, Vol. 36, Part 1, 534.

<sup>852</sup> General Staff Bill, *Congressional Record*, 6 January 1903, Vol. 36, Part 1, 534.

<sup>853</sup> Matthew Moten, “Root, Miles, and Carter: Political-Cultural Expertise and an Earlier Army Transformation,” *The Future of the Army Profession*, ed. Lloyd J. Matthews (New York: McGraw Hill Custom Publishing, 2002, 2005), 734.

the militia system. “He made a thorough study of it,” Young recalled later, “conferring freely with those qualified to judge of the conditions.”<sup>854</sup> Because Root was able to gather opinion and support from prominent National Guardsmen—including Congressmen such as Dick, influential veterans such as Butterfield, and officers such as Sanger, without evoking opposition from within the War Department, the militia bill went through Congress with little opposition. The proposed bill was not only submitted for review to the chairmen of the respective Congressional committees, but also to a national convention of National Guard officers who considered the proposal, and after suggestions and a few modifications, recommended its adoption by Congress. While it stopped well short of what army reformers wanted, which was a national reserve under direct army control, or what ambitious National Guard leaders wanted, which was designation as the national reserve and funding under their control, the act managed to successfully compromise the different positions. The Guard was recognized as a national reserve, and federal funding and training was authorized, but in return units would be standardized to federal specifications and would be liable to nine-months active service at the call of the President in order to repel invasion, suppress rebellion or enforce federal law.<sup>855</sup> “In the Militia Act of 1903 a great stride forward was made” towards nationalizing the militia, Young wrote shortly after its passage. Before this legislation, “the United States really had no militia system, ...for more than a century practically nothing had been accomplished toward systematizing the matter until Mr. Root took it up.”<sup>856</sup> As historian Daniel Beaver observed, “It

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<sup>854</sup> S. B. M. Young, “The United States Army in 1904,” *Munsey’s Magazine*, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>855</sup> Jerry Cooper, *The Rise of the National Guard: The Evolution of the American Militia, 1865-1920* (Lincoln, NE: University of Nebraska Press, 1997), 108-109.

<sup>856</sup> S. B. M. Young, “The United States Army in 1904,” *Munsey’s Magazine*, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA

was not the whole loaf, but it was a very nice half one.”<sup>857</sup>

With the passage of these two acts, Root considered his work at the War Department finished. He had already stayed in the job long past the time he had promised Clara he would be done, and his taste for making money had not completely disappeared during his years of relative penury working for the government. After representing the United States in London on the Alaska Boundary Commission, Root resigned on the first day of February 1904, taking leave of his friend President Roosevelt, and departing his house on Jackson Place in a carriage alongside Clara and surrounded by an honorary troop of cavalry.<sup>858</sup> Battles would continue to rage within the army over the specific structure and functions of the new institutions, his successors in the post occasionally altered what had been Root’s clear intentions, and not until the First World War would the entire military establishment be put to the test under the new system. Yet despite all the details that remained to be worked out, the general structure he created remained remarkably stable for many years, and served without major transformation through two immense world wars. Even when the entire military establishment was again restructured following the Second World War, the new institutions grew roughly out of the substance of the old, just as Root would have recommended. More importantly, the major realignment of power that concentrated military control at the top, provided a disciplined hierarchy reaching directly from the commander-in-chief to the lowest private, and forged an alliance between a professional military and an increasingly powerful presidency, only strengthened as the years passed. This was largely possible because the cultural bonds that enabled Root to create a new military establishment were sufficiently grounded in the dominant

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<sup>857</sup> Daniel R. Beaver, *Modernizing the War Department: Change and Continuity in a Turbulent Era, 1885-1920* (Kent, OH: Kent State University Press, 2006), 32.

<sup>858</sup> Jessup, *Elihu Root*, 412.

culture of the country's elite that over time what had seemed controversial gained such cultural legitimacy that it became difficult to remember that it was not always thus.

## Chapter Five

### Conclusion

“Mr. Root himself, as I happen to know, is fully satisfied with the performance of this creation of his,” General Samuel B. M. Young, Root’s new Chief of Staff, wrote in a 1904 magazine article summarizing the state of the army, “and where could we look for a more ardent champion and at the same time a severer critic than he?”<sup>859</sup> Young concluded his summary of the Root years with a fulsome benediction. “In conclusion I would say that, to all who have known Mr. Root, whether personally or through his work only, it should be a pleasure to contemplate the serene content which this able, forceful, industrious, and conscientious minister must feel in withdrawing from the public service with his chosen tasks completed, his office in perfect order for his successor, and in his ears the music of well-earned praise from his countrymen. It is the fitting close of a memorable administration.”<sup>860</sup> Root expressed his continued pride in his work in a 1915 letter to William H. Carter, then a retired general “It is a satisfaction to me that through some of the things we did, notably bringing about the detailed administrative staff, the General Staff, and the system of militia conformity and training, we made it possible for steps to be taken toward a more adequate militia system which would have been wholly impossible before.”<sup>861</sup> Carter’s

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<sup>859</sup> S. B. M. Young, “The United States Army in 1904,” *Munsey’s Magazine*, Box 7, Samuel B. M. Young Papers, U.S. Army Military History Institute, Carlisle, PA.

<sup>860</sup> S. B. M. Young, “The United States Army in 1904,” *Munsey’s Magazine*, Box 7, Samuel B. M. Young Papers, Military History Institute, Carlisle, PA.

<sup>861</sup> Elihu Root to William Harding Carter, 10 August 1915, quoted in Carter, “Creation of the American General Staff,” 63.

1924 history of the creation of the American general staff showed his great admiration for Root, and the importance of the Root reforms. “Elihu Root was known to me and the Army generally as one of the leading lawyers of the Nation, but when after four years we regretfully parted with him we knew the Army had been served by one of the really great statesmen of the century. ...Without his kindly, but firm insistence upon a reform of our military system, the Army would have carried on in the World War under the same disadvantages and discouragements that confronted it in 1898.”<sup>862</sup>

Newton Baker, Secretary of War during the First World War, confirmed both opinions, writing that Root’s role in creating the General Staff was “not only his outstanding contribution to the national defense of the country, but the outstanding contribution made by any Secretary of War from the beginning of history. Without that contribution from him, the participation of the United States in the World War would necessarily have been a confused, ineffective and discreditable episode.”<sup>863</sup> Root’s friend and law partner Henry Stimson, who held the same office twice after Root, the second time during the Second World War, echoed that opinion. “In over a century of our national history no such intelligent, constructive and vital force had ever occupied the chair of the Secretary of War.”<sup>864</sup> Among the civilian and military elites who directed American military power in the decades following Root’s departure from the War Department, the admiration for Root and the new military establishment he created was nearly universal.

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<sup>862</sup> Carter, “Creation of the American General Staff,” 62.

<sup>863</sup> Royal Cortissoz, *Elihu Root, President of the Century Association, 1918-1927: Addresses Made in His Honor*, (New York, Private Printing, 1937), 17.

<sup>864</sup> Henry L. Stimson, *Elihu Root, President of the Century Association, 1918-1927: Addresses Made in His Honor* (New York: Private Printing, 1937), 29.

Such admiration was not limited to one side of the Atlantic. In the winter of 1905, Columbia University President Nicholas Murray Butler learned that Richard Haldane had been asked to join the cabinet of Sir Henry Campbell-Bannerman as Britain's Secretary of State for War. Knowing Haldane to be "a philosopher, a lawyer, an intellectual of the highest type, who had never seen an army and who had very few generals among his acquaintances," Butler found it impossible to "conceive anything more incongruous than his being Secretary of State for War." When they next met in London a few months later, Butler repeated his "humorous observation" to Haldane. Haldane replied: "Yes, but let me tell you how a philosopher may become a successful Secretary of State for War. The American government has printed in a single volume five annual reports of Mr. Elihu Root as Secretary of War, and they are the last word as to the organization and management of an army in a democracy. I have nothing else to do but follow those reports."<sup>865</sup> Haldane went on to oversee the creation of the Imperial General Staff, the Special Reserve, the Territorial Army, and the Officer Training Corps, laying the foundations for the British army that fought the world wars.<sup>866</sup> By making the German general staff model palatable in a democracy, Root provided a template for Haldane to do the same in Britain.

Such praise was certainly personally gratifying to Root, but it served two far more important functions. First, it helped establish Root as the template against which future defense and foreign policy elites modeled themselves and measured their performance. Stimson was Root's most influential acolyte, and through him a generation of policymakers was molded in the Root-Stimson tradition. The most prominent of their number was

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<sup>865</sup> Nicholas Murray Butler, *Elihu Root, President of the Century Association, 1918-1927: Addresses Made in His Honor*, (New York: Private Printing, 1937), 41-42.

<sup>866</sup> See Edward M. Spiers, *Haldane: an Army Reformer* (Edinburgh, UK: Edinburgh University Press, 1980).

lionized by popular history as “the Wise Men,” and political pundits and military commanders alike have occasionally ruefully lamented their absence in the twenty-first century. Even less remembered policymakers were influenced by Root. Louis Johnson, President Harry Truman’s second Secretary of Defense, who served for only a short time and left under a cloud, was a prominent lawyer and a friend of Elihu Root, Jr., who his biographers described as “the son of the lawyer-statesman who was Johnson’s role model.”<sup>867</sup> This legacy of the Root reforms has been perhaps the most exhaustively studied and the most generally accepted. Less well understood was the second important Root legacy, its continuing impact on the life of the institutions of the military establishment. However unlikely, Root’s brother may have understood the point best. “You have landed many things on the upper levels not to roll back but to be put forward and higher,” he wrote on Root’s first birthday after leaving office. “You have put the mark of your character as well as of your intellect on initial movements and they are at the opening of new phases of our national life and of the world life. Underlying elements are taking on new forms for dominance.”<sup>868</sup>

Why did this conservative corporate lawyer, who knew nothing about war and the military when he took office in 1899, succeed so dramatically as a reformer, indeed the one who founded modern American military power and became the model for civilian leadership in military affairs for nearly a century? Perhaps because Oren Root, Jr. was a scientist and accustomed to seeking the origins of things, he saw that Root had done much more than simply make the army a more efficient instrument of war. As the French sociologist Pierre

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<sup>867</sup> Keith D. McFarland and David L. Roll, *Louis Johnson and the Arming of America: The Roosevelt and Truman Years* (Bloomington, IN: Indiana University Press, 2005), 129.

<sup>868</sup> Copy of letter from Oren Root, Jr. to Elihu Root, 15 February 1905, Box 221, Philip Jessup Papers, Manuscript Division, Library of Congress, Washington, D.C.



Bourdieu observed, “there exists as correspondence between social structures and mental structures.”<sup>869</sup> Root’s progress through the New York elite depended on that interaction. During Root’s years in New York, he relied primarily on his family connections and the wealth of cultural capital he inherited from his professor father. His legal skill was a necessary concomitant to his success, but only in as much as his ability allowed him to maximize the benefits of his advantages and privileges. It was not his skill that earned Root his first case from Donaldson, but his skill was essential to the reputation he soon built with his clients and amongst his fellow lawyers. His enduring friendship with Joseph Choate depended not only on that skill and the reputation it brought, but also on their common associations with social institutions such as the Union League Club. Those institutional affiliations in turn opened up new avenues of power and influence, granting access to new connections while acting as imprimaturs of sociability and reliability within the cultural milieu of the wealthy class. By the time the call came to Southampton summoning him to the War Department, Root’s mental universe was a well-ordered and dependable reflection of the New York elite.

Culturally constructed assumptions and modes of thought create an often unconscious but ordered mental universe that frames and prioritizes subsequent actions. While individuals like Root no doubt act to impose their will and vision on their social universe, they do so not simply as rational actors, but as people with points of view determined by their mental universe and their position within the social world they intend to transform.<sup>870</sup> In Root’s case, his point of view and his position in society were determined by

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<sup>869</sup> Pierre Bourdieu, *The State Nobility: Elite Schools in the Field of Power* (Stanford, CA: Stanford University Press, 1989), 1.

<sup>870</sup> Pierre Bourdieu, *The State Nobility: Elite Schools in the Field of Power* (Stanford, CA: Stanford University Press, 1989), 1-3.

his membership in the wealthy New York elite. That cultural context provided the basic assumptions and influenced his actions as Secretary of War. He arrived at the War Department during a period when “the combined impact of *crisis*, *class conflict*, and *complexity* [of social interactions] was concentrated on a national scale for the first time in American history,” leading political scientist Stephen Skowronek to conclude that the problems elites like Root struggled with “shaped the character of the modern American State.”<sup>871</sup> The changes he made in the structure of the military establishment, with the support of an energized and professionalized group of officers, were understandable and acceptable to Root precisely because they conformed to the basic assumptions of his cultural milieu, his professional experience, and his political values. At a time of state building and upper class dominance of the country’s national government, the commonality of outlook between the ambitious officer elite and the wealthy elite produced the political will that finally made the army reformists’ dreams a reality.

Even more important was the fundamental way the Root reforms reordered the relationships between the country’s military and political power. By concentrating control of the army at the top of a well ordered and disciplined hierarchy, directed by a newly empowered professional class of officers, Root not only made the conduct of war more effective, he made it more likely. By creating what was in some ways a mirror image of the elite, corporate world that was his New York cultural milieu, he made it easier for civilian and military elites to seek and find common interests and goals. The basic assumptions they shared —belief in the importance of preserving existing domestic hierarchies, desire for national greatness, belief in the superiority of the nation’s Anglo-American heritage, belief

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<sup>871</sup> Stephen Skowronek, *Building a New American State: The Expansion of Administrative Capacities, 1877-1920* (New York: Cambridge University Press, 1982), 3 and 10.

that the conduct of states was best understood through the prism of a gendered masculinity, and faith in scientific knowledge and professional expertise —not only constituted the basis for Root’s political success in advancing the reformist agenda of an elite group of the army’s officer corps, the institutions they established together reflected as well that common mental universe. In the future, those officers who succeeded and were promoted were those who best conformed to the new structures. Future officers who shared the values and priorities of those officers who opposed Root’s reforms were necessarily disadvantaged as they attempted to progress in a system unsympathetic to their point of view. While representing a much greater diversity of views as a result of the continuing vitality of the country’s democratic institutions, the civilian elites who directed foreign and defense policy were also influenced by the nature and ethos of the institutions they inherited, as well as by the legend of Elihu Root. In that way, an elitist but undeniably efficient military establishment became to reflect less the somewhat anarchic but undeniably democratic establishment it had once been, and to take on the structure, ethos and goals of a newly corporate America. The underlying elements of America’s military establishment had truly taken on new forms for dominance on a global stage.

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