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THE HIDDEN WAR

INJUSTICE IN THE WAKE OF THE PHILIPPINE-AMERICAN WAR

BY

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Abstract:

This thesis describes the United States' campaign in the Philippines and the atrocities that occurred there and tells the story of how those atrocities were hidden, marginalized, and forgotten in the years after the war. I will show how this was not a natural process, that the Philippine-American war was not passively misunderstood or forgotten. Instead, I will show how misinformation and the suppression of the truth was an orchestrated effort by imperialist politicians and military officials to control the narrative, justify their decisions and protect their policies. Specifically, this thesis will analyze the hearings before the Committee on the Philippines, which was tasked with investigating the reports of atrocities, as well as the military courts-martial after the war. Analysis of that bias and partisanship reveals that the hearings were more of a vindication than an investigation, and the courts-martial were more of a search for an excuse than a search for justice. This thesis will explain the precedents of military misconduct and political manipulation that were established by how United States politicians and military officials dealt with the atrocities that occurred during one of the United States' first overseas imperialist occupations.

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Stones Left Unturned

Introduction and Historiography

An American invasion, a military occupation, public outrage, human rights violations, and a tragic war that caused what historians have estimated to be up to a million dead and shaped two nations forever.¹ For most Americans, these phrases and statements will remind them of the Vietnam War and indeed, these statements hold true for that conflict. But there was an earlier war that bears a resemblance to American conflicts of foreign occupation from Vietnam to the Second Persian Gulf War: the Philippine-American War.

The Philippine-American War does not loom large in the collective memory of the United States. Even some avid students of history fail to learn of the war in the course of their education.² As Stuart Miller, a professor of history and the author of *Benevolent Assimilation* wrote, the United States suffers from a case of “imperialist amnesia” when trying to recall its long-forgotten wars.³ To many students of history, this fact may seem an afterthought, a truism of American imperialism that simply has always been. But this was not preordained. Histories are formed and memories are shaped. This paper will explore how a group of Americans shaped our memory of one of America’s first overseas conquests: the Philippines.

In this thesis, I will describe the United States’ campaign in the Philippines and the atrocities that occurred there and will tell the story of how those atrocities were hidden, marginalized, and forgotten in the years after the war. I will show how this was not a natural process, that the Philippine-American war was not passively misunderstood or forgotten. Instead,

¹ Luzviminda Francisco, “The First Vietnam: The U.S.-Philippine War of 1899,” *Critical Asian Studies* 5, no. 4. (December 1973).

² Gregg Jones, *Honor in the Dust*, (New York: New American Library, 2012) xi.

³ Stuart Miller, *Benevolent Assimilation*, (New Haven: Yale University Press, 1982) 250.

I will show how misinformation and the suppression of the truth was an orchestrated effort by imperialist politicians, military officials, and press to shape the nation's memory and make the lessons of the Philippine-American War and the occupation of the archipelago fall into the shadows of the past.

Furthermore, in the conclusion of this thesis, I will show the modern-day impact that this manipulation of the memory of the Philippine-American War has had on American foreign policy and military conduct. In the years since the Philippine-American War, politicians and even presidents such as George W. Bush and Donald Trump have made statements regarding the war that show a deep misunderstanding of the war and its impact. These misunderstandings have led these administrations to adopt rhetoric and policies that repeat the same mistakes made in the Philippines. Likewise, I will show how the military's lack of accountability for the misconduct displayed during the war allowed for a culture of abuse that has infected the United States' military operations in the majority of its overseas conflicts since.

While I will rely on a variety of sources in this analysis, I will pay particular attention to two primary sources to show how supporters of the war in the government doctored the story and remembrance of the war. The first of these is the *Affairs in the Philippines* in the *United States Congressional Record*. This transcript recorded the proceedings of the Committee on the Philippines which was formed after the Philippine-American War. This source will show how the committee was used to validate the war effort and to discredit the war's dissenters. The pro-war senators in the committee achieved these objectives through the selective calls of witnesses, the coaching of witnesses to elicit specific testimony, the unevenly abrasive treatment of witnesses who reported misconduct, the suppression of the press, and even the recording of the testimony. The second major source is the United States' courts-martial transcripts from after the war, which

shows how government military personnel mitigated the consequences and impact of the Philippine-American War through their administration of justice. Despite cases involving water torture, the burning of towns, and the murder of prisoners of war, the courts-martial ended with what one historian described as “ludicrously light sentences” including six officers who “received nothing more than reprimands for shooting and torturing prisoners.”⁴ These courts-martial served as the opportunity to make an example of those who engaged in such atrocities and could have had a lasting impact on the conduct of the United States military, possibly even leading to regulations that could have stopped transgressions in wars since. More than this, if these courts-martial completed their goals and legitimized the complaints of those who pointed out the terrible conditions of this war, they could have changed how the United States remembers the war entirely.

Before I delve into this story, it is important to explain some key terminology that will be used throughout this text. I will be referring to the conflict in the Philippines from 1899 to roughly 1902 between the United States military and the Filipino nationalists and resistance fighters as the Philippine-American War. Within scholarship regarding the war, there has been a debate on what to call this conflict. The reasons for this debate are many. Since the formation of the Philippines as a nation was ongoing at the time of the conflict, some have taken issue with the term “Philippine-American War,” since it insinuates a war between two nations. Some have used terms such as the “Filipino-American War,” the “Philippine Insurrection,” or the “Tagalog Insurgency.” Brian Linn, a distinguished military historian, avoids the confusion altogether by referring to the conflict as the Philippine War, focusing on the location instead of the warring parties.⁵ However, as Professor David Sibley explains, Filipino historians since the 1950s have thought of the war as the start of

⁴ Miller, *Benevolent Assimilation*, 218.

⁵ Brian Linn, *The Philippine War* (Lawrence: University Press of Kansas, 2000) x.

the Philippines nation. In the national memory of the Philippines, the war was a “central event of the national myth” and a major factor in the “birth of the idea of a larger Filipino nation.”⁶ To reduce the war to just an insurgency would be degrading, and would validate the American occupation of the Philippines as true sovereignty. For these reasons, I will refer to the conflict throughout this text as the Philippine-American War.

It is pertinent, also, to briefly discuss the historiography surrounding this topic. Before starting the composition of this thesis, I read the works of many other scholars on the Philippine-American War, and always finished reading them with the same few questions. No matter how detailed the author was or how robust their sources, two aspects of the story of this calamitous conflict are left unexplored, or simply assumed to have been a certain way. These two aspects are the manipulative nature of politics and the injustice of the courts. More specifically, the biased process of the hearings of the Committee on the Philippines following the war and the dubious sentences of the courts-martial of United States military personnel following the war. Historians have been content to skim over how these procedures have taken place, to move on to more heady discussions on the development of imperialism or the details of the war itself. But how the United States government, both in Congress and in the military, chose to deal with the atrocities of the Philippine-American War has had grave consequences, and warrants further exploration.

The hearings before the Committee on the Philippines were not only an investigation into the conduct of the United States military in the Philippines. The hearings also served as a debate stage for those politicians who supported the war and those who opposed it to make their case to the American people for how the United States should assert its power abroad. The significance

⁶ David J. Sibley, *A War of Frontier and Empire* (New York: Hill and Wang, 2007) xiv.

of these hearings was not lost on scholars of the conflict, and many spend time discussing specific testimony and political arguments from key witnesses in the hearings. However, certain strategies used by those senators in the committee have not been discussed. It is important to note that ten out of the twelve senators on the committee during the hearings had previously been lawyers, and therefore knew all the tricks of asking questions, leading witnesses, and controlling a narrative. I will not only explore the rhetoric used in the hearings, but will break new ground in discussing how the senators who supported the war disrupted adverse testimony, used leading questions to get the answers they wanted, controlled what press were present during damaging testimony, and used their privileges as the majority party in the committee to limit the Democrats' testimony and make sure that witnesses that supported the war went first and had the most time to testify. These strategies remain uncharted in the historiography surrounding the Philippine-American War, but were imperative in how and what the American public knew about the conflict, and therefore about how the conflict is perceived, remembered, or forgotten today.

The courts-martial following the war had as large or possibly even a larger impact on United States military conduct during future overseas conflicts than the congressional hearings did. These trials served as the military's opportunity to disavow the actions of certain personnel and dole out punishments that would set a standard for what is not acceptable behavior in the United States Armed Forces. Instead, few received harsh punishments despite vicious crimes. However, despite this being a failure of justice with massive consequences for the conduct of the United States' military, the courts-martial following the Philippine-American War has not been adequately analyzed. When reading the works of acclaimed historians such as Stuart Miller, Gregg Jones, or David Sibley, the courts-martial would be mentioned, and the general defense

used by those accused would be cited and high profile cases such as those of Preston Brown or General Jacob Smith would be used as examples of how easily military personnel avoided harsh punishments. But I was always left with the question, *how did they get away with it?* There were innumerable trials with different juries and in different locations. Yet, the perpetrators almost all received nothing more than a slap on the wrist. I will explore what strategies and rhetoric were used to defend the actions of accused military personnel who committed violent acts and tortured Filipinos as well as how the courts managed their cases, decided on sentencing and how the sentencing for these serious violent crimes compared to the sentencing of other military misconduct cases.

Lastly, this thesis relates to current events. Scholars such as Francisco Luzviminda and Stuart Miller related tragically overlooked lessons of the Philippine-American War to the Vietnam War, Frank Schumacher compared it to the War on Terror, and Gregg Jones highlighted the parallels between the Philippine-American War and the Second Gulf War. While I too will emphasize these conflicts in the conclusion of this thesis as examples of what the United States failed to learn from the Philippines, I will also relate it to events from the current administration of the United States. This will include statements made by the President that show how mischaracterized the Philippine-American War is, and contemporary examples of the continued practice of manipulating hearings and investigations in Congress.

Scholars have not taken the time to study the *how* of these events. Some are content just to state the outcomes or outline the main points of the manipulation of the hearings or the ineffectual nature of the military courts and chalk it up to the unscrupulousness of politicians and the proclivity of the United States military to turn a blind eye. But the *how* is the most important question to answer if the United States is to deal with its mistakes in a more ethical way in the

future. This thesis will contribute to the historiography of the Philippine-American War by bringing to light how these hearings and courts-martial were manipulated to control the impact and perception of the conflict and how this relates to current issues of political spin and military misconduct that the United States is dealing with currently.

The Road to War

Background

To understand the Philippine-American War and how its story was manipulated, we must first understand the conflict and the rhetoric with which the United States postured on the world stage as a benevolent savior. By understanding the significance of the wave of imperialist sentiment that led to the Philippine-American War, and the politicians whose careers were steeped in that sentiment, we can better understand the stakes of the war's message back home. To do so, we must start decades before the war broke out.

The end of the nineteenth century saw the rise of the United States as a global power. The Wild West had been tamed, the wars with the Native Americans were all but won and railroads crisscrossed the nation. Katharine Lee Bates had not yet written the famous words but it was already true that America stretched "from sea to shining sea." America's frontier was disappearing, and it did not take long for the American people to look across those shining seas for the next one.

Of course, thoughts of overseas expansion were nothing new. Under the guise of the Monroe Doctrine and the "protection" of New World lands from European colonialism, American politicians had pushed for overseas expansion for decades. John Quincy Adams had described Cuba and Santo Domingo as "natural appendages" to the United States that were needed for naval protection of the mainland.⁷ President Grant had attempted to annex the Dominican Republic, stating "they yearn for the protect[ion] of our free institutions and laws, our

⁷ Stuart Miller, *Benevolent Assimilation*, (New Haven: Yale University Press, 1982) 3.

progress and civilization. Shall we refuse them?”⁸ In 1881, Secretary of State James G. Blaine for President Garfield signed a treaty with Hawaii stating that the islands were “within the American system.”⁹ This excitement for expansion reached a fever pitch in the 1890s as relations with Spain and its North American territories became strained.

Spain had long been the face of failing, immoral European colonialism. Particularly, Spain’s struggle to maintain its sovereignty over Cuba throughout the late nineteenth century was the latest example of a deteriorating European colonial model. Cuban revolutionaries were organized and determined and by the late 1890s the Spanish resorted to desperate and brutal measures to hold onto the remnants of their New World holdings. Under the rule of Governor-General Valeriano Weyler, Spanish forces instituted concentration camps in which thousands of Cubans starved. Weyler went further and started an anti-insurgency campaign of torture, murder, and martial law to regain control of the island. Eventually, this affected United States interests when American citizens on the island reported being threatened or otherwise mistreated.¹⁰ At this point of rising national pride in America, it did not take much for a European power encroaching on the New World to raise the ire of the United States. And Spain did just that.

The American press latched onto the conflict, demonizing the Spanish, especially Valeriano Weyler, who was referred to as “the Butcher,” a “mad dog,” and a “human hyena.”¹¹ The *Chicago Daily Tribune* wrote an article on the general with the headline “Weyler’s Savage Proclamation” that described Valeriano’s plan to “crush out the spirit of liberty in that unfortunate island.” After comparing Weyler’s rule in Cuba to that of a previous ruthless Spanish

⁸ “May 31, 1870: Message Regarding Dominican Republic Annexation,” *University of Virginia Miller Center*.

⁹ Miller, *Benevolent Assimilation*, 5.

¹⁰ David J. Sibley, *A War of Frontier and Empire* (New York: Hill and Wang, 2007) 32.

¹¹ Miller, *Benevolent Assimilation*, 9.

general, the Count of Valmaceda Blas Villate, the newspaper ends the article by stating that “Cuba must not be subjected in like manner to Spanish barbarity.”¹²

American politicians likewise expressed their desire for action. John M. Thurston, a Republican senator from Nebraska, traveled to Cuba with a congressional delegation to see the developing conflict first hand. During this trip, his wife died of fever in Cuba, and upon his return he gave a powerful speech before Congress.¹³ In this speech, Senator Thurston stated that “Spain has lost control of every foot of Cuba not surrounded by an actual intrenchment” and explained in detail the horrible realities of the concentration camps in Cuba. Thurston addressed the President directly, stating that “Mr. President, there is only one action possible... intervention for the independence of the island; intervention that means the landing of an American army on Cuban soil.” He likened not intervening to passing “along the street to see a helpless dog stamped into the earth under the heels of a ruffian.”¹⁴ This speech epitomized the popular political rhetoric for intervention: the idea that the United States could be the savior to fix the problem. Many in Congress urged President Cleveland to act, and he did take some action. President Cleveland urged Spain to end the conflict in Cuba with increasing diplomatic pressure involving letters and threats of action, but to no avail.¹⁵

More effective than any call to war was the destruction of the *USS Maine* in the Havana harbor. The naval battleship was sent to Havana to protect American property in the city during a series of riots. But shortly after arriving the battleship exploded on February 15th, 1898, killing

¹² “Weyler’s Savage Proclamations,” *Chicago Daily Tribune*. Feb. 18th, 1896, 6.

¹³ Kristin Hoganson, *American Empire at the Turn of the Twentieth Century*, (Boston: Bedford/St. Martins, 2017) 62-63.

¹⁴ Remarks of Senator Thurston, *Congressional Record*, 55th Cong. 2nd Sess. March 24, 1898, 3162-65.

¹⁵ Sibley, *A War of Frontier and Empire*, 32. / Miller, *Benevolent Assimilation*, 9.

266 American servicemen on board.¹⁶ This put America's tense relationship with Spain over the edge. Press in the United States ran headlines such as "This means war!" and support for military intervention swelled. A preliminary investigation into the explosion reported the ship had been destroyed by a sea mine. This was enough for President McKinley and Congress to authorize a military engagement with Spain, and war was declared on April 25th, 1898.¹⁷ Later investigations of the *USS Maine* found that it was not destroyed by a mine, and instead the explosion was caused by a fire in the coal supply that caught the ship's ammunition on fire.¹⁸ But the damage was already done. The United States and Spain went to war.

The Spanish-American War is not the focus of this thesis, but its conclusion has important implications for the Philippines. The war was an unmitigated victory for the United States, and before the end of the year Spain sued for peace. In December of 1898, the Queen Regent of Spain in the name of her son, Don Alfonso XIII, met with delegates of the United States to sign what would come to be known as the 1898 Treaty of Paris. This treaty encapsulated seventeen articles, mostly referring to the rights of their citizens and trade agreements affected by the war. Significantly, however, the first three articles ceded Cuba, Puerto Rico, the Mariana Islands, Guam, and the Philippines to the United States.¹⁹

During the Spanish-American War, the United States sent a naval fleet under Admiral Dewey to capture Manila, the center of Spanish control in the Philippines. The American fleet, much larger and more advanced than that of the Spanish, easily destroyed the Spanish fleet

¹⁶ Kristin Hoganson, *American Empire at the Turn of the Twentieth Century*, 11.

¹⁷ Sibley, *A War of Frontier and Empire*, 33-34.

¹⁸ Hoganson, *American Empire at the Turn of the Twentieth Century*, 11.

¹⁹ U.S. Congress, 55th Cong. *A Treaty of Peace Between the United States and Spain* (Washington: Government Printing Office, 1899).

without losing a single ship or sailor.²⁰ When the peace treaty was signed, this American military force became the de facto rulers of the city. However, their occupation did not come without opposition.

The Spanish struggle to control the Philippines did not start with the Spanish-American War. Massive currency inflation and a series of military losses in the latter half of the nineteenth century made Spain desperate to cling to its colonial holdings during this economic downturn. This desperation to maintain control led Spain to implement harsh restrictions on the rights of Filipinos to suppress any thoughts of rebellion as famine and disease ravaged the islands. This backfired, and violent uprising arose all across the Philippines in the 1890's. Emilio Aguinaldo, a wealthy, educated, Filipino landowner, eventually came out as the champion of these revolutions and organized a Filipino nationalist party that formed a revolutionary government aimed at seeing the Philippines free of Spanish control.²¹

Originally, Aguinaldo welcomed United States military aid in the fight against the Spanish, but tensions rose quickly as this alliance faded. In July of 1898, Emilio Aguinaldo said in a meeting with American officers that "I have studied attentively the Constitution of the United States and in it I find no authority for colonies and I have no fear."²² Furthermore, in one of his first meetings with Admiral Dewey, Aguinaldo claims that Dewey promised him independence for the Philippines, although Dewey later denied ever stating anything of the kind.²³ Although Aguinaldo may have originally had fond ideas about the intentions of the Americans, this notion faded as American occupation of Manila continued.

²⁰ Sibley, *A War of Frontier and Empire*, 33-34.

²¹ *Ibid*, 10-11.

²² *Ibid*, 46.

²³ *Ibid*, 41.

While Dewey and Aguinaldo had a standoff in Manila, imperialist rhetoric supporting the war began to strengthen back in the states leading up to the presidential election of 1900. President McKinley, originally cagey on the issue of foreign land occupation by the United States, began to speak in favor of this policy after his advisors noted its public support. Henry Cabot Lodge, a Republican senator from Massachusetts, reported to the President that “Republican conventions are all declaring that where the flag goes it must never come down.” Republican Senator Orville Platt likewise advised McKinley to support the imperialist policy, telling him that ninety percent of voters in Connecticut were in favor of holding onto the Philippines.²⁴ As the Republicans began to create a consistent message to the people on the subject, anti-war Democrats floundered in response.

While there was significant resistance to the rising imperialist sentiments in the United States, the response was disjointed and sometimes even self-destructive. The anti-imperialists were a mismatched group of lofty humanitarian-minded intellectuals on one side and ex-Confederates who did not want Cubans and Filipinos to be a part of the Union on the other. The best example of this dichotomy is comparing the anti-imperial article of Mark Twain titled “To the Man Sitting in the Darkness,” to the anti-imperial article by Varina Davis, once the first lady of the Confederacy, titled “Why We Do Not Want the Philippines.” In “To the Man Sitting in the Darkness,” Mark Twain compares the United States to pirates and states that America should change its flag so that the “white stripes [are] painted black and the stars are replaced by the skull and crossbones.”²⁵ Twain goes on to compare the United States to the very imperialist powers it had fought against in the past: Britain and Spain. This rhetoric made for an effective read, but

²⁴ Miller, *Benevolent Assimilation*, 23.

²⁵ Mark Twain, “To the Person Sitting in Darkness,” *The North American Review* (172, no. 531, 1901) 172.

was completely at odds with that of another camp of anti-imperialists better exemplified by Varina Davis' article. In "Why We Do Not Want the Philippines," Davis states that "my most serious objection to making the Philippines American territories is because three-fourth of the population is made up of negroes," and "what are we going to do with these additional millions of negroes?"²⁶ Many Americans shared Davis' perspective and Senator Ben Tillman from South Carolina as well as other politicians used similar rhetoric to that of Davis in the halls of Congress.²⁷

In stark contrast to these white supremacists were prominent African Americans such as W.E.B. Du Bois and elite East Coast intellectuals such as the presidents of Harvard and Cornell who also supported anti-imperialist policies.²⁸ The anti-imperialists were not unified, and were outnumbered in Washington when compared to the scores of senators and congressmen that supported occupation. With Washington hardening its resolve on imperialism, Emilio Aguinaldo's chance to gain control of the Philippines began to slip away.

After the defeat of the Spanish in Manila, Aguinaldo asked the Americans to allow his army, which he referred to as the Army of Liberation, to occupy the city. American officers denied the Philippine army entry. Instead, General Wesley Merritt told Aguinaldo that "the government of the United States, you may be assured, for which as its agent I can make no promises, will deal fairly with the Filipino, but we must now insist for the good of all there should be no joint occupation of Manila."²⁹ Instead the Filipino soldiers stayed in camps on the outskirts of the city, simply awaiting the formal surrender of the Spanish to the Americans.

²⁶ Varina Davis, "Why We Do Not Want the Philippines," (*Arena* 23, 1900) 2-4

²⁷ Miller, *Benevolent Assimilation*, 26.

²⁸ Daniel Immerwahr, *How to Hide an Empire*, (New York: Farrar, Straus and Giroux, 2019) 81.

²⁹ Quoted in Miller, *Benevolent Assimilation*, 44.

Although the two armies did not share the city, tensions flared as the months went on with no signs of the United States handing the city over.

The already tense situation was made worse when the relatively diplomatic General Merritt was removed in favor of General Otis. General Elwell Otis was an accomplished Civil War general whom Professor Stuart Miller described as “fastidious, pompous, and fussy”³⁰ and Professor Brian Linn remarks that he “was to become one of the unpopular, maligned, and controversial commanders in the islands.”³¹ Indeed, General Otis made a series of decisions that upset Aguinaldo and his forces. He moved the American military line further into territory controlled by Aguinaldo’s Army of Liberation, often threatening “forcible action” if they did not retreat from their positions immediately.³² These advances by the United States did not honor the boundary lines conceded to by Otis’ predecessor, General Merritt, leading to frustrating negotiations.

The border between the two armies was the site of frequent outbreaks of violence. American soldiers often called Filipino civilians and soldiers derogatory slurs and subjected them to random searches. At times, these searches devolved into beatings. In some cases, Filipinos were even killed, such as one instance in which a soldier shot a civilian for “looking suspicious” and another when a Filipino soldier was killed for approaching an American position unannounced. Even General Otis spoke up on the subject, recounting an incident when a woman and child were “accidentally shot.” Although there are more cases of American violence against Filipinos, the assaults were not one-sided. There was a report of a Filipino soldier who swung a bolo at an American soldier, another report of an American soldier being shot to death by a

³⁰ Miller, *Benevolent Assimilation*, 46.

³¹ Brian Linn, *The Philippine War* (Lawrence: University Press of Kansas, 2000) 27.

³² Linn, *The Philippine War*, 30.

Filipino sentry, and one confusing incident of an American soldier being killed and two others being injured behind Filipino lines. Aguinaldo claimed the soldiers were drunk and had shot one another.³³

The tensions finally reached a boiling point, and after months of negotiations and outbreaks of isolated violence, war broke out in Manila once again. The ensuing chapter will survey the key points of that war which will be necessary to understand the war's significance and just how misunderstood it would become.

³³ Linn, *The Philippine War*. 27 / Stuart Miller, *Benevolent Assimilation*, 58-59

A War of American Atrocities

Background

The actual impetus of the Philippine-American War continues to be shrouded in mystery. Some contended that General Otis was pushing for war the whole time. Stuart Miller wrote that Otis was trying to “provoke his war” with aggressive troop movements and unreasonable demands.³⁴ Brian Linn took issue with that assessment, and stated that the “generals most strident critic, Stuart Miller, perversely terms Otis ‘a man of limited ability and understanding’ and yet accuses him of cleverly masterminding the outbreak of war.”³⁵ David Sibley points out that Aguinaldo’s control over the Army of Liberation was loosening, and that the frustration of months of concessions to American forces could have led his officers to start an unauthorized advance on American positions, forcing Aguinaldo into war.³⁶ Motivations aside, it is clear that the war started on February 4th, 1899.

On the night of the 4th, a patrolling American force approached a group of Filipino soldiers in an area that both sides claimed to be under their control. The American soldiers reported that the Filipino soldiers approached their position and refused an order to halt. Some Filipino historians claim the shootings were unprovoked.³⁷ Either way, the Americans fired on the Filipino soldiers and fighting broke out, starting the Battle of Manila. The Battle of Manila was gruesome and would set the precedent for a bloody war.

The Battle of Manila raged for two weeks and quickly devolved into an unorganized street fight. American forces found themselves engaging not only uniformed Filipino soldiers,

³⁴ Stuart Miller, *Benevolent Assimilation*, (New Haven: Yale University Press, 1982) 59-60.

³⁵ Brian Linn, *The Philippine War* (Lawrence: University Press of Kansas, 2000) 29.

³⁶ David J. Sibley, *A War of Frontier and Empire* (New York: Hill and Wang, 2007) 66.

³⁷ Sibley, *A War of Frontier and Empire*, 64.

but also Filipino insurgents and rebels in civilian garb. The Army of Liberation was not as well-trained or organized and their coordination with insurgents was poor. This resulted in a series of ill-planned attacks on American positions. The battle was a clear American victory. With Aguinaldo's forces being forced into a retreat away from the city which they had been waiting to march through since their resistance against the Spanish started years ago. Although the battle was an American victory, there were heavy casualties taken by both armies, and there were reports of American soldiers shooting civilians indiscriminately in the streets of Manila, and even shooting prisoners.³⁸

From Manila, the war spread across the Philippines. Aguinaldo, whose army faced recurrent defeat on the battlefield, established a mandatory militia and guerilla organization. He mandated that all men age sixteen to fifty-nine be armed with bolos and fight in the militia and that each town's municipal government also serve as a committee of defense.³⁹ However, this focus on guerilla warfare and militia fighting led to the United States military's retaliation being carried out on the towns and their citizens. United States troops put the Philippines under martial law, set up concentration zones and destroyed food stores and farms to cut off the guerilla fighters' food supply.⁴⁰ The United States military fought a war of duality, against both the Army of Liberation and the unseen insurgents living amongst the Filipino population. This led to many civilian casualties, which made up the great majority of the war's casualty estimates, which range from around two-hundred and fifty thousand to approximately one million.⁴¹

³⁸ Linn, *The Philippine War*, 42-64.

³⁹ Linn, *The Philippine War*, 58.

⁴⁰ Frank Schumacher. "Marked Severities," (*American Studies* 51, no.4, 2006) 478.

⁴¹ Francisco, "The First Vietnam" / Schumacher, "Marked Severities," 479.

The United States' war against the Filipino population was not only the product of harsh anti-insurgency tactics, however. As Frank Schumacher, a professor at Western Ontario University specializing in American colonialism and imperialism put it, the vast majority of American soldiers during the Philippine-American War were, "white, young, and equipped with little military training."⁴² They were ill-prepared for the guerilla warfare they encountered in the Philippines, and they quickly became frustrated by the insurgency's tactics. This is clearly reflected in letters sent by American soldiers during the war. Captain John Leland of the 38th Volunteer Regiment, wrote home that "the women and children hate the U.S. soldiers, and in their language, a kind of dog language, they frequently abuse us... we catch their soldiers in civilian garb and turn them loose because we cannot prove who they are."⁴³ Frustration and racist sentiments grew quickly, and soon turned to violence. One soldier during the war wrote that "no cruelty is too severe for these brainless monkeys." Another soldier wrote that "This shooting human beings is a "hot game" and beats rabbit hunting all to pieces... we killed them like rabbits, hundreds, yes thousands of them. Everyone was crazy... No more prisoners."⁴⁴

It was not only front-line soldiers who possessed this mentality: it was shared and justified by U.S. military commanders. General MacArthur himself, in a speech to the Senate in 1900, stated that "men who participate in hostilities without being a part of a regular organized force... divest themselves of the character of soldiers and if captured are not entitled to privileges of prisoners of war."⁴⁵ The encouragement of this violent misconduct was also reinforced by General Jacob Smith, who told his soldiers to "kill and burn and turn Samar into a

⁴² Schumacher, "Marked Severities," 480.

⁴³ Schumacher, "Marked Severities," 480.

⁴⁴ Schumacher, "Marked Severities," 481.

⁴⁵ Miller, *Benevolent Assimilation*, 163. Quoted from: Senate Doc. 167, 56th Cong. 1st Sess., 3.

howling wilderness” and even gave orders to kill all boys capable of fighting over ten.”⁴⁶ As American soldiers continued to dehumanize the Filipino people, they utilized torture more and more, most notably, the “water cure”.

The water cure is a practice that predates the United States. Originally used by the Spanish Inquisition, the water cure has been used to elicit confessions for centuries. The water cure involves the practice of inserting a spout into the mouth of the victim and forcibly pumping water into them. This eventually fills their stomach and intestines, causing their organs to stretch and convulse.⁴⁷ Edward Peters, a professor of history at the University of Pennsylvania and author of the book *Torture*, wrote that the water cure causes “some of the most intense pain that visceral tissue can experience.”⁴⁸ Darius Rejali, a political science professor at Reed College specializing in torture, wrote in his book *Torture and Democracy* that victims of the water cure “feel their organs are being burned or cut on the inside.”⁴⁹

While these atrocities transpired in the Philippines, a different kind of war raged in the United States. Fierce debate about whether or not America should occupy the Philippines found its way into magazines and newspapers, into campaign rallies, and onto the floor of Congress. On the campaign trail for the presidential election of 1900, McKinley continued to solidify his attitude on holding the Philippines. In a speech in Boston, McKinley dismissed concerns about the morality of the war, stating: “Could we, after freeing the Filipinos from the domination of Spain, have left them without government and without power to protect life or property or to perform the international obligations essential to an independent state?... Did we need their

⁴⁶ “KILL, BURN AND MAKE SAMAR A WILDERNESS,” *The Atlanta Constitution*. April 26th, 1902. 1-2.

⁴⁷ Darius Rejali, *Torture and Democracy*, (New Jersey, Princeton University Press, 2007) 279.

⁴⁸ Edward Peters, *Torture*, (Philadelphia, University of Pennsylvania Press, 1996) 167.

⁴⁹ Rejali, *Torture and Democracy*, 279.

consent to perform a great act of humanity?... We were doing our duty by them, as God gave us the light to see our duty, with the consent of our own consciences and with the approval of civilization.”⁵⁰ This speech resonates with the rhetoric of the “white man’s burden,” which was a common strategy of justifying the war.

Another rhetoric that supported the war was espoused by McKinley’s vice-presidential running mate for the presidential election of 1900: Theodore Roosevelt. Roosevelt, who gained renown for his military service leading the “Rough Riders” during the Spanish-American War, rode his new-found fame up the political ladder from Assistant Secretary of the Navy, to Governor of New York in 1898, to vice presidential candidate in 1899. While on the campaign trail, he gave a speech at the Hamilton Club in Chicago, an all-male club, where he stated that “We do not admire the man of timid peace. We admire the man who embodies victorious effort... a man must be glad to do a man’s work... we cannot avoid the responsibilities that confront us in Hawaii, Cuba, Puerto Rico, and the Philippines.”⁵¹ This appeal to men’s masculinity to convince them to support war and expansion was an effective strategy that would become a staple of Roosevelt’s political career.

While McKinley argued morality and Roosevelt appealed to men’s masculinity, a young senator from Indiana was supporting the war through the promise of wealth. After a six-month trip to the Philippines, Senator Albert Beveridge returned to the Senate to make an impassioned speech in favor of continuing to occupy the islands.⁵² He argued that “just beyond the Philippines

⁵⁰ William McKinley, “Speech at Dinner of the Home Market Club, Boston, February 16, 1899,” *Speeches and Addresses of William McKinley, from March 1, 1897 to May 30, 1900* (New York: Doubleday and McClure, 1900) 187-193

⁵¹ Theodore Roosevelt, “The Strenuous Life” in *American Ideals, the Strenuous Life, Realizable Ideals*, ed. Hermann Hagedorn (New York: Charles Scribner’s Sons, 1926), 319-323.

⁵² Hoganson, *American Empire at the Turn of the Twentieth Century*, 96.

are China's illimitable markets" and that "our largest trade henceforth must be with Asia."

Beveridge not only argued that the Philippines served as a nexus for trade with China, but also that the Philippines themselves were ripe for exploitation. He stated that "No land in America surpassed in fertility the plains and valleys of Luzon" and that the "woods of the Philippines can supply the furniture of the world for a century to come."⁵³

While imperialists promised riches and the fulfillment of American destiny, anti-imperialists continued their struggle to gather supporters. Even as the war dragged on and support for the war waned, anti-imperialists failed to capitalize on the opportunity.⁵⁴ The Anti-Imperialist League, an organization formed near the end of the Spanish-American War, had a brief stint of success. Within a year of its founding in June of 1898, the Anti-Imperialist League claimed over seventy thousand members. The group busied itself creating pamphlets, sending petitions to the president, and holding rallies protesting the conquest of the Philippines. However, most of these efforts fell short of the group's goals. The group's founding-day rally in the center of Boston drew only around three-hundred people, a petition sent to President McKinley, which the group bragged would include ten million signatures, actually reached the President's desk with only two thousand signatures, and one of the group's executive member's was publicly threatened with treason and sedition charges by the attorney general for his plan to send anti-war material to United States soldiers in the Philippines. Furthermore, while opposition to the Philippine-American War had solid support, the leaders of the movement insisted on also opposing the much more popular Spanish-American War and the annexation of Hawaii.⁵⁵ Next

⁵³ Albert J. Beveridge, Senate Remarks, January 9, 1900, *Congressional Record*, 56th Cong., 1st Sess., 704-712.

⁵⁴ Miller, *Benevolent Assimilation*, 74.

⁵⁵ Miller, *Benevolent Assimilation*, 104-111.

to the upbeat, patriotic message of politicians such as McKinley, Roosevelt, and Beveridge, anti-imperialists had trouble enticing the general public.

The biggest blow to the anti-imperialists, however, was the result of the presidential election of 1900. William Jennings Bryan was nominated for a second time to run in the general election for the Democrats against the incumbent, President McKinley. The anti-imperialists' last chance to take advantage of the public's brief disapproval of the prolonged war in the Philippines was dashed on a candidate that brought along with him too much political baggage. William Jennings Bryan may have been publicly against occupying the Philippines, but he voted to ratify the Treaty of Paris during his time in the Senate. This hypocritical action alienated him from staunch anti-imperialists, who already had to stomach his "free silver" movement, which was a platform to transition the dollar to being based on silver. Overall, Bryan turned out not to be the ideal candidate to carry the anti-imperialist message, and his failure against McKinley in the election of 1900 allowed for the continuation of the war in the Philippines.⁵⁶

With McKinley's reelection in 1900, and therefore the public show of support to continue the war, the United States military fought with a renewed vigor in the Philippines. Under the new leadership of General MacArthur, who replaced the aging General Otis, United States soldiers became even more aggressive, burning towns, rounding up townspeople into concentration camps and executing suspected insurgents. Surely enough, the numbers of surrendering guerilla fighters began to increase.⁵⁷ In March, just months after the United States' renewed offensive, the revolutionary leader Emilio Aguinaldo was captured.⁵⁸

⁵⁶ Gregg Jones, *Honor in the Dust*, (New York: New American Library, 2012) 190; Miller, *Benevolent Assimilation*, 136-138.

⁵⁷ Jones, *Honor in the Dust*, 205-206.

⁵⁸ Linn, *Philippine War*, 297.

However, as their numbers dwindled, and their leaders were lost, the Filipino insurgents became more desperate and brutal than ever. In September of 1901, Filipino insurgents dressed as civilians launched an attack on an United States Army Company in the town of Balangiga while they were eating breakfast. Caught unawares, the insurgents quickly surrounded and assaulted the American soldiers with machetes known as bolos. Forty-eight United States soldiers were killed. The event became known as the Balangiga Massacre and was the single worst United States military disaster of the war.⁵⁹

If the United States military was not harsh before, it was unquestionably ruthless after the Balangiga Massacre. General Chaffee promised to instill a “wholesome fear”⁶⁰ of the United States in the Philippines. The fighting on Samar became particularly vicious under the leadership of General Jacob Smith. Marines later reported during an investigation that Smith had ordered them to “kill and burn” and “turn Samar into a howling wilderness.” It would also later be revealed that General Smith had ordered that even children ten years of age that were seen carrying bolos or knives were to be killed.⁶¹ Professor Luzviminda Francisco describes this stage of the war as “degenerating into mass slaughter.”⁶²

Crushed by the United States’ harsh tactics, the numbers of insurgent attacks began to lessen, and by the summer of 1902 the United States no longer considered them a viable threat. In a speech on July 4th, 1902, President Roosevelt declared the “insurrection” in the Philippines over, and that it was “one of the most glorious wars in American history.”⁶³ However, his

⁵⁹ Linn, *Philippine War*, 219.

⁶⁰ Quoted in Jones, *Honor in the Dust*, 237.

⁶¹ Quoted in Jones, *Honor in the Dust*, 243-247.

⁶² Francisco, “The First Vietnam.”

⁶³ Miller, *Benevolent Assimilation*, 250; Linn, *Philippine War*, 219.

declaration of a “glorious war” rang hollow, as debates had raged in Congress since that January as to the conduct of the United States military during the war.

The Hearings

Roosevelt's declaration of victory in the Philippines was not the glorious conclusion to the conflict that he made it out to be in his speech. The first reason for this is that his declaration was premature, as fighting between the United States and insurgents continued in the Philippines for over a decade after he gave his speech in July of 1902.⁶⁴ But the most significant blemish on the face of the conflict were the atrocities committed by American soldiers in the Philippines.

As more and more soldiers returned home during the closing months of the war, reports of cruelty became more frequent in the press. Prominent newspaper editors, such as Herbert Welsh of the Philadelphia newspaper *City and State*, called for an investigation of the United States military's actions.⁶⁵ Anti-imperialists in the Senate seized on the wave of public interest, and on January 13th, 1902, Senator George Frisbie Hoar, who had been against the Philippine-American War since its inception, introduced a resolution to the floor of the Senate calling for a committee to investigate the conduct of the war. However, anti-imperialists were not the only ones with designs for how to capitalize on the scandal. Republican senators who supported the war not only had the support of the President, who was an avid supporter of the conflict, but also held the majority in an existing committee on the Philippines under the chairmanship of Henry Cabot Lodge. The very next day after Hoar introduced his resolution on the floor of the Senate, Lodge stated that his Committee on the Philippines held jurisdiction over the investigation, a statement that Hoar had difficulty contesting. Lodge then passed a resolution with unanimous consent that gave his committee the responsibility of holding the hearings.⁶⁶

⁶⁴ Frank Schumacher. "Marked Severities," (*American Studies* 51, no.4, 2006) 492.

⁶⁵ Schumacher, "Marked Severities," 482.

⁶⁶ Henry F. Graff, *American Imperialism and the Philippine Insurrection* (Boston: Little Brown and Company, 1969, xvi.

The significance of this early move by Lodge cannot be overstated. The Republicans, the majority of whom had supported the war, held the majority in the Committee on the Philippines and Lodge, who was one of the war's biggest advocates, was the Chairman. Lodge's vehement approval of imperialism and occupying the Philippines was showcased in a speech he gave in 1899 on the floor of the Senate where he proclaimed that "I believe the power of the United States in any territory or possession outside the limits of the States themselves is absolute" and that "it is for us to decide the destiny of the Philippines."⁶⁷ Not only was the committee mostly made up of Republicans who supported the war with a passionate imperialist as the Chairman, but as the majority the Republicans enjoyed certain privileges over the minority beyond their sheer numbers.

The majority party in a Senate committee gets the most amount of time to question witnesses and get to call the majority of the witnesses. Technically, by Senate rules, the majority party is only required to offer the minority party one day to call their own witnesses. Furthermore, the Chairman, Lodge in this case, holds the duty of sending the official letters inviting witnesses to testify. The Chairman gets to decide what day they testify, allowing him to stack the order of the witnesses in whichever way he so chooses.⁶⁸ Lodge made the most of this power. This chapter will show that Lodge gave witnesses whose testimony he supported more time, limited the time and number of adverse witnesses, and stacked the order so that witnesses supportive of his goal to validate the war effort went at better times.

⁶⁷ Henry Cabot Lodge, *Treaty of Peace with Spain: Speech of Hon. Henry Lodge*, (Washington D.C.: Government Printing Office, 1899) 4,7.

⁶⁸ Valerie Heitshusen, "Senate Hearings: Arranging Witnesses," *Congressional Research Service*, version 14, December 2017, 2.

But clever use of the powers wielded by the Chairman and the power of the majority were not the only ways that imperialists manipulated the hearings. Ten out of the twelve senators on the committee were lawyers, and the art of controlling a narrative was something they knew well.⁶⁹ This chapter will also show how senators often interrupted the testimony of adverse witnesses, used leading questions to get witnesses to say what they wanted, and even controlled what press was present during testimony and adopted other strategies to bias the hearings.

Witness Calls, Order, and Testimony Time

After Lodge asserted his right to run the investigation, the Committee began calling witnesses. Before delving into the details of the witnesses' testimony, it is important first to note what witnesses were called, in what order, and how much testimony each was allowed to give. Shown in the table below are the names of the witnesses in the order of their testimony, the amount of days each was allowed to testify, and the number of pages their testimony filled on the official public *Congressional Record* transcript. This table shows that witnesses who I will subsequently show were partial to defending the war and in favor of holding the Philippines were more numerous, testified for more days, and had more overall testimony on the record than witnesses who disapproved of the war or simply were called to present evidence that was primarily adverse to the chairman and the majorities' views. In fact, many of the soldiers called to testify were chosen by Chairman Lodge from a "safe" list given to him by Secretary of War Elihu Root.⁷⁰ This table only includes spoken testimony and does not include the hundreds of

⁶⁹ Graff, *American Imperialism and the Philippine Insurrection*, xvii-xx. Graff gives a detailed biography for each senator, which establishes that ten of them received a formal legal education and that many practiced law before becoming senators.

⁷⁰ Stuart Miller, *Benevolent Assimilation*, (New Haven: Yale University Press, 1982) 241.

pages of submitted documentary evidence brought forward by witnesses or the senators, which will be analyzed subsequently.

Figure 1

Order of First Appearance* ¹	Name and Title* ²	Pro / Anti Philippines War/Occupation Witness* ³	Days of Testimony* ⁴	Pages of Testimony
1	Governor William Howard Taft	Pro-War/Occupation	15	423
2	General Robert Hughes	Pro-War/Occupation	10	173
3	Mister David Barrows	Pro-War/Occupation	3	56
4	General Elwell Otis	Pro-War/Occupation	4	119
5	General Arthur Macarthur	Pro-War/Occupation	9	152
6	Sergeant Charles Riley	Anti-War/Occupation	1	11
7	Private William Smith	Anti-War/Occupation	1	9
8	Sergeant Edward Davis	Anti-War/Occupation	1	10
9	Lieutenant Grover Flint	Anti-War/Occupation	1	19
10	Sergeant Leroy Hallock	Anti-War/Occupation	1	16
11	Corporal Daniel Evans	Anti-War/Occupation	1	9
12	Sergeant Richard Hughes	Anti-War/Occupation	1	7
13	Sergeant Isadore Dube	Anti-War/Occupation	1	8
14	Sergeant Januarius Manning	Anti-War/Occupation	1	8
15	Sergeant William Gibbs	Pro War/Occupation	2	26
16	⁷¹ George Boardman	Pro War/Occupation	2	24
17	Lieutenant Jesse Hall	Pro War/Occupation	1	12

⁷¹ Military Rank Never Stated

18	Corporal Richard O'Brien	Anti War/Occupation	3	39
19	General William Crozier	Pro War/Occupation	1	5
20	Bishop James Thoburn	Pro War/Occupation	2	40
21	Captain Fred McDonald	Pro War/Occupation	2	36
22	Colonel Arthur Wagner	Pro War/Occupation	2	34
23	Sergeant Mark Evans	Pro War/Occupation	1	14
24	⁷² Seiward Norton	Pro War/Occupation	1	11
25	Admiral George Dewey	Pro War/Occupation	3	58

*¹ Some witnesses' testimony was broken up with other testimony in between. For simplicity's sake, this graph orders them by their first appearance.

*² Some of these are former titles. For example, Mark Evans was formerly a sergeant, and by the time of the hearings he was out of the army. However, since their time in the military is what they are primarily testifying to, their latest ranks will be noted here for the reader's understanding.

*³ This column delineates whether the testimony of the witness was primarily used to support or hurt the narrative of the Philippine-American War and/or support further occupation of the Philippines based on my reading of the hearings. I subsequently analyze much of the rhetoric and opinions espoused by these witnesses, which make my decisions for the delineations in this table clear.

*⁴ The amount of time that the various witnesses testified during a single day varied witness to witness, this column simply tracks how many calendar days each witness appeared before the committee.⁷³

⁷² Military Rank Never Stated

⁷³ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*. 57th Cong., 1st Sess., doc. 331 (Washington DC.: Government Printing Office, 1902).

Figure 2

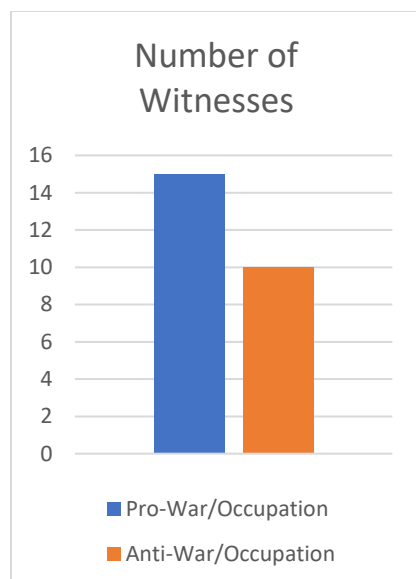


Figure 3

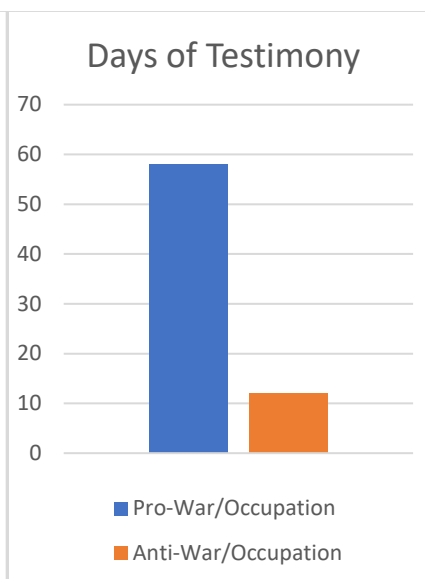
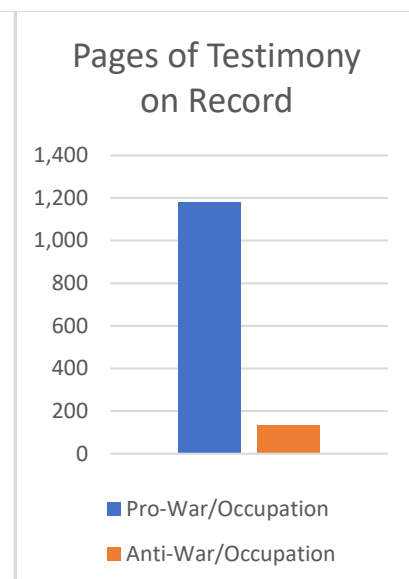


Figure 4



As shown in the table and graphs, overall, witnesses that were partial to the war effort and holding the Philippines as a territory, and who testified in support of these causes numbered 15, cumulatively testified on 58 days, and provided testimony spanning 1,183 pages of the *Congressional Record*. Witnesses whose testimony did not overall support these causes numbered 10, cumulatively testified on 12 days and their testimony covered 136 pages of the *Congressional Record*. Even witnesses called on at the request of anti-imperialist Democrats like Senator Culberson, such as soldier Seiward Norton, were often hostile to anti-imperialist questioning over military misconduct.⁷⁴

This is not surprising. Since the hearings mostly covered issues of the United States' military misconduct and most witnesses were military personnel, it is to be expected that many would be defensive or hostile to questioning over the topic. This reflects Lodge's strategy of stacking the hearing with members of the United States Armed Forces, partial to defending their

⁷⁴ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*. 2895.

actions. Lodge did not allow any Filipinos to testify. In fact, critics called upon Lodge to call the revolutionary leader himself, Emilio Aguinaldo to testify, or his cabinet member Sixto Lopez who was sent to the United States to negotiate peace. The Democrats even made a motion to call Filipino witnesses, but Chairman Lodge blocked the motion and never took action to call either of these witnesses nor any other Filipino witness.⁷⁵

This table also shows how the order was stacked to benefit the Chairman's views. The hearings began and ended with witnesses particularly partial to defending American involvement in the Philippines. The first witness that Lodge had testify was William Howard Taft, who was granted the enviable position of provincial-governor of the Philippines before being asked to testify on why the very territory he was granted control over ought to continue to be held by the United States. To highlight how biased Taft was, he testified the absolutism that "never was a war conducted, whether against inferior races or not, in which there were more compassion and more restraint and more generosity, assuming that there was a war at all, than there have been in the Philippine Islands."⁷⁶ The last witness was Admiral George Dewey, whose very career and legacy hinged on the positive memory of the Philippine-American War. After a career that historian Gregg Jones referred to as "unremarkable,"⁷⁷ Admiral Dewey's only crowning achievement was his capture of Manila from the Spanish fleet that started the de facto American occupation in the Philippines. He was even stated to have said the day before his attack "I have waited for sixty years for this opportunity."⁷⁸ Predictably, he defended the war that he hung his career on, testifying that Aguinaldo's call for independence was "so unimportant and so trivial

⁷⁵ Miller, *Benevolent Assimilation*, 241; Gregg Jones, *Honor in the Dust*, (New York: New American Library, 2012) 318.

⁷⁶ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*. 77-78.

⁷⁷ Jones, *Honor in the Dust*, 39.

⁷⁸ Quoted in Jones, *Honor in the Dust*, 40.

that I did not cable it to Washington.”⁷⁹ Chairman Lodge and the other Republican senators had stacked the deck from the start. But they didn’t stop there.

Objecting To and Interrupting Adverse Testimony

One of the most blatant ways that the Republicans controlled the hearings was by interrupting adverse testimony. When they could, they cleverly masked these interruptions as objections to committee rules that Chairman Lodge had in place, but as I will show, they selectively applied these rules only to opposing witnesses.

The best example of this selective use of Lodge’s committee rules was the admission of hearsay. Hearsay, generally, is the report of someone else’s words that cannot be substantiated. While hearsay does have further meaning in a court of law, a committee hearing is not a legal court and is not bound to apply hearsay rules stringently. Witnesses such as Governor Taft and General Macarthur were allowed to liberally make use of hearsay testimony when it benefitted the pro-war and occupation case. For example, when Governor Taft was trying to make light of the use of the water cure,⁸⁰ he stated that “there are some rather amusing instances of Filipinos who came in and said they would not say anything until they were tortured.”⁸¹ No one objected to this as hearsay, nor asked Taft who these Filipinos were, what their names were, or who told him that these Filipinos were coming in requesting the water cure.

Contrast this with the treatment of hearsay testimony when it was damaging. When Sergeant Dube was asked whether he knew “of any other punishment or unusual conduct of American soldiers toward Filipinos” he began a story of the types of orders given to Army

⁷⁹ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*. 2934.

⁸⁰ For details regarding what the water cure is and what effects it had, see the preface chapter “A War of American Atrocities.”

⁸¹ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 75.

soldiers by an officer by the name of Captain Butts. Before he could state what these orders were Chairman Lodge stated “you need not give hearsay evidence unless you can give the names of witnesses” which ended that line of inquiry.⁸² When Sergeant Charles Riley, who testified about seeing the use of the water cure firsthand once, tried to testify about how other soldiers told him about how they treated Filipinos, Senator Beveridge objected to hearsay, forcing Riley to move on to another subject.⁸³ When Seiward Norton, a United States soldier in the Philippines, began answering a question about military misconduct by testifying about three United States soldiers in the Filipino town of San Juan, Beveridge quickly cut him off. Beveridge asked “were you with them?” and when Norton responded with a no Beveridge went on to say “what you relate then is hearsay... That has been excluded by the committee. The witness can only relate his personal observations.”⁸⁴ Keeping out testimony about how the water cure was ordered to be used or how it was used by others besides the limited amount of witnesses called aided the Republican rhetoric that the water cure was, as General Macarthur euphemistically put it: “individual instances of excesses.”⁸⁵

However, when an objection could not be made, Republican senators were just as comfortable taking the less creative approach and simply interrupting witnesses. For example, when Senator Patterson, a Democrat from Colorado, was given his allotted time to question General Macarthur on military misconduct, he was interrupted by tangential clarifying questions being interjected by Republican Senators Beveridge, McComas, and Burrows. When Senator Patterson tried to ask General Macarthur if American troops were ordered to warn suspected insurgents three times before firing on them, Senator McComas interjected “does it appear that

⁸² *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 2244.

⁸³ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 1531.

⁸⁴ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 2896.

⁸⁵ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 871.

there could have been any magic to stop those men if they had challenged the third time, from all circumstances?”⁸⁶ Senator Patterson was interrupted so much during his questioning that

Democrat Dubois pleaded with Chairman Lodge for order, stating:

“Mr. Chairman, I submit that this is not fair. We have had it repeatedly here that the majority are breaking in on the examination which belongs to Mr. Patterson. We have had it in the investigation of every gentleman who has been before us. The Witness makes his statement with scarcely any interruption from the minority... But the moment the minority commence to ask questions they are interrupted by almost every member of the majority except the chairman.”⁸⁷

But Chairman Lodge refused to admonish his Republican colleagues, and the interruptions continued, coming to a head during the testimony of the last witness, Admiral Dewey. Lodge was not present during this testimony and gave Beveridge the role of acting chairman. Beveridge used this power to interrupt Patterson even more, this time halting his questioning of Dewey to call the Democratic Senator’s questions “discourteous.” Patterson, clearly irritated by the incessant interruptions, responded “I don’t care what the opinion of the chair[man] is.” But Beveridge, using his power as acting chairman, commanded “and I will not allow the question to be put.”⁸⁸

While the Republican majority used objections and other interruptions to break up or stop adverse testimony or questioning, they had a more nuanced way to control witnesses who were friendly to their cause.

⁸⁶ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 1393.

⁸⁷ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 1394.

⁸⁸ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 2973.

Leading Questions

The majority of the witnesses, as we have seen, were sympathetic to the Republican cause of validating the war and occupying the Philippines, but they did not always know how best to skew their testimony to help further enhance the case for the Republicans. To fix this, the senators used leading questions. Leading questions are questions that prompts the desired answer, such as: “the car was blue, correct?” Sympathetic witnesses, knowing which senators were on their side, always answered in the way they were encouraged to by Republican senators.

General Macarthur was unwaveringly imperialist, testifying that “wherever the American flag goes mankind will be benefited” and that “we were representing the highest stage of civilization.” But even Macarthur started to veer towards discussing misconduct, stating “of course in conducting war all of the ferocity of humanity is brought to the surface, and in individual instances excesses were have been committed.” But Beveridge got Macarthur back on message by prompting him with the question: “the general conduct of our soldiers and officers, irrespective of orders from headquarters, was in the direction of kindness, mercy, and humanity, was it?” Macarthur caught on, and returned to discussing the United States military generally in a strictly positive way.⁸⁹

The Republicans called Lieutenant Hall to help mitigate the damaging testimony by other witnesses about the severity of the war. Hall was clearly interested in defending the conduct of the military, going so far as to say that the military’s official casualty reports on the number of Filipinos killed were wrong. “I never saw as many dead as were reported afterwards...I think the mortality on both sides has been very slight on both sides. I think it has been exaggerated.”⁹⁰

⁸⁹ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 870-71.

⁹⁰ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 2433.

When Republican Senator Dietrich asked him “Do you think from what you have learned that the water cure is much less harmful than the vino [wine] that was drunk by many of our soldiers voluntarily?” he responded to the leading question: “I imagine it would be less harmful, yes.”⁹¹ Despite the fact that Lieutenant Hall never brought up the water cure being less harmful than drinking wine, Dietrich was able to use leading questions and a loyal witness to elicit the testimony and marginalize the severity of the water cure’s effects.

Whataboutism

Another strategy used by the Republican senators has become known as whataboutism. The whataboutism strategy is to not directly respond to an argument, but instead to bring up a different point that discredits the opposition. During testimony in which United States soldiers were reported to commit horrific deeds, Republican senators would immediately ask questions about misconduct by Filipino forces, even though it makes the actions by United States soldiers no less horrific or illegal. At best, this was used to redirect attention away from damning facts, but at worst it was used to justify the atrocities committed by the soldiers against Filipinos.

After Sergeant Riley testified that he witnessed United States soldiers torture the mayor of the Filipino town of Igbaras and then burn down the entire town, Lodge responded by reciting crimes committed by Filipinos against Americans, and simply adding “is that true?” to the end of each recitation to make it a proper question. “Private Dugan, Hayes, and Tracy, of Company F, were murdered by the town authorities at Calinog” ... “Private Nolan, at Dingle, was tied up by the ladies while in a stupor. The insurgents were sent for and cut his throat” ... “the body of Corporal Doheny, of Company D, was dug up, burned, and mutilated at Dumangas,” the

⁹¹ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 2431-2432.

Chairman went on like this for nearly a full page of testimony, reading off a list of crimes he requested from the Secretary of War Elihu Root.⁹² None of this directly related to Sergeant Riley, or was linked to the torture of the mayor of Igbaras or the burning of the town. Instead, reciting this list of Filipino crimes is aimed at directing attention away from the damaging testimony about American misconduct. Or worse, perhaps Senator Lodge did see it as related, as a justification for the United States soldiers' actions in the Philippines.

This whataboutism was also used in the opposite extreme. Shortly after Captain Fred McDonald denied the statements of a previous witness that there were orders to “take no prisoners,” Beveridge quickly turned the witness’s attention to how high quality the food was that they served to Filipino prisoners. Beveridge asked McDonald if the Army served the prisoners “fish in the way they liked it,” or if they “served it up in according to their tastes.”⁹³ Similarly, after Sergeant Manning testified that his commanding officer had ordered their company to make use of the water cure, and that he had witnessed it being administered to Filipinos to try and gain information, Beveridge asked him “what kind of food” Filipino prisoners were given and whether “that was the food that they preferred.”⁹⁴ This is also whataboutism. In response to allegations of torturing prisoners, Beveridge redirects attention by pointing to how the prisoners were fed well, even though food provisioning is not related or of comparable significance to the serious crimes being investigated.

⁹² *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 1529-1534.

⁹³ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 2763-2764.

⁹⁴ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 2544-2255.

Uncooperative Witnesses

It has already been established that some witnesses who were partial to the Republican senators' cause let themselves be led by the senators' questions and offered useful evidence to help out the case for validating the war effort and continuing to occupy the Philippines. On the other hand, many of these witnesses were uncooperative, and at times even needlessly contrarian when it came time to answer questions by the Democratic senators.

Most of this came down to the fact that, due to Lodge's control of the committee, almost all of the witnesses were either previously or currently members of the United States military. Therefore, many of the witnesses saw it as their duty to defend the the United States military, putting them at odds with the Democratic senators trying to investigate misconduct. As George Boardman put it while being questioned by Senator Patterson: "It is the unwritten law that one soldier shall not talk against another soldier, and I am a soldier." When asked to expand upon what he meant by that by Senator Patterson, he stated that "a man who has been with his comrades for three years through the privations of war would be considered a pretty low man who would come and testify against that comrade."⁹⁵ This "us versus them" mentality made many of the witnesses refuse to adequately answer questions by Democratic senators, seeing it as a betrayal of their fellow soldiers whose actions were being investigated.

The best example of an uncooperative witness was Admiral Dewey, who at times refused to even answer questions from Democratic senators he did not like. When Senator Patterson tried questioning Admiral Dewey on the statements of his fellow General Anderson that Dewey had given orders to supply Aguinaldo's rebels with guns and ammunition to fight the Spanish,

⁹⁵ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 2331.

Dewey quipped “I do not like your questions a bit. I did not like them yesterday and I do not like them today.” The Admiral’s refusal to respond was supported by Beveridge, who was the acting Chairman during his testimony. Beveridge assured Dewey that “you will not be required to answer questions that may, in any way, in your judgement, reflect upon brother officers or criticize officers of the Army or Navy.”⁹⁶

The assurance by the majority that they would not have to answer incriminating questions coupled with the military’s “unwritten law” as Boardman put it of not speaking ill of other soldiers meant that the Democrats were fighting an uphill battle to elicit any useful evidence from many of the witnesses.

Appeals to Racist Sentiments

Another strategy used to deflect blame from the military and the pro-war administration was the use of prejudice. The Republican senators and the witnesses who supported them justified the occupation of the Philippines and excused the atrocious actions of the military by asserting that Filipinos were incapable of self-rule and that violence was at times the only kind of diplomacy they understood. These assertions drew on racist sentiments and had no basis in fact. They were used to prejudice the American people against the Filipinos so that they would more willingly accept the actions of the military and the pro-war administration.

David Barrows, who was in charge of establishing schools in the Philippines, testified at length on his opinion of the Filipino people as a race to help justify United States rule. When asked by Senator Beveridge whether he believed that Filipinos were capable of self-government, Barrows responded that he believed that the Filipino race was developing, but that “political

⁹⁶ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States, 1899.*

experience sufficient to govern... is about the last thing that a man or a race attains... I never expect to live to see the day when he [the Filipino] can govern.”⁹⁷ Bishop James Thoburn, who was the Methodist Bishop in charge of all of his denomination’s branches in India and Malaysia, and who had made a few visits to the Philippines, was also asked to testify to the racial abilities of the Filipinos. Bishop Thoburn asserted that the people of Malaysia known as “Malays” and the Filipinos were of the same race, and when asked by Senator Beveridge what he thought “what the capacity of the Malays for self-government” was, he responded “I think he is very defective in that point; indeed, very defective.” He went on to explain that the Filipinos could not be trusted as they were “treacherous in their character.”⁹⁸

More alarming than the use of racial prejudice to justify United States control was the use of prejudice to justify American atrocities. When Governor Taft was asked “when a war is conducted by a superior race against those who they consider inferior in the scale of civilization, is it not the experience of the world that the superior race will almost involuntarily practice inhuman conduct?” The Governor answered: “There is much greater danger in such a case than when dealing with whites. There is no doubt about that.”⁹⁹ The use of the word “involuntary” is especially troubling, as it takes the agency away from the soldiers who committed war crimes, and instead treats their race and the race of the Filipinos as the cause of their actions. General Robert Hughes testified cavalierly to the burning and destruction of Filipino houses as “a punishment” for Filipinos he suspected of housing or aiding insurgents. When Democratic Senator Rawlins queried “but is that within the ordinary rules of civilized warfare?” Hughes

⁹⁷ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 718.

⁹⁸ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 2670, 2694.

⁹⁹ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 77.

simply replied “these people are not civilized.”¹⁰⁰ This strategy excused the actions of United States military personnel by arguing that Filipino people were not granted the same rights and laws of war as other peoples. The response of General Hughes, for example, does not actually answer the question of whether his actions were within the rules of civilized warfare, and instead deflects to answer instead about whether or not the Filipinos deserve the qualification in the first place.

Invocation of God

When appeals to racist sentiments or whataboutism did not work to deflect damaging testimony, Republican senators and their witnesses also relied on appeals to God and religion to justify the war effort and occupation. The most transparent example of this is in the testimony of Bishop Thoburn.

Bishop Thoburn asserted that the United States control of the Philippines occurred by the will of God. He stated that United States occupation “did not come by deliberate design of the American government – and so I attribute it Providence, another name for God.” Senator Patterson incredulously subsequently asked him “you think we are there without any design on our own part, but through the hand of Providence?” To which the Bishop confidently answered “I do.”¹⁰¹ This strategy, much like the appeal to racist sentiments, took the agency away from the United States administration, and placed the responsibility for their actions elsewhere. Also much like the appeals to racist sentiments, it was not only used to justify occupation, but also to justify misconduct and atrocities.

¹⁰⁰ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 559.

¹⁰¹ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 2677.

The Republicans called an Army officer named Colonel Wagner primarily to mitigate the severe rhetoric espoused by anti-imperialists about the concentration camps in the Philippines. He testified that these camps, made to concentrate and control the Filipino populations in insurgent-controlled areas, were actually a humanitarian effort to protect natives from insurgents, assure they were fed and to ensure they met certain sanitation standards. However, when asked whether certain towns were destroyed by the military, Colonel Wagner responded in the affirmative, but justified it by stating “the Almighty had destroyed Sodom” to which Senator Beveridge added on “how strange; I was thinking of that instance of Sodom and Gomorrah.”¹⁰²

This strategy, just like whataboutism and appeals to racist sentiments, ignored the real issues and diverted attention to a tangential topic to shift attention and blame. However, bias in the hearings and controlling the narrative did not stop with witness calls, Senate rules, or clever distractions. Not even submitted documentary evidence was safe from bias and manipulation.

Selective Documentary Evidence

In addition to the spoken testimony, witnesses were allowed to submit documents as evidence onto the *Congressional Record* for the senators, and eventually the American people, to read. Figures such as Secretary of War Elihu Root, who did not testify before the committee, instead sent in written testimony. This written testimony, however, was selectively chosen to only represent positive aspects of the war, while ignoring any negative evidence.

Governor Taft, in addition to his testimony, turned in hundreds of pages of written reports from civil governors serving under him in the Philippines. These reports backed up his claims of benevolent American rule and Filipino desire for American occupation. However, as brought to

¹⁰² *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 2858

light by Democratic Senator Culberson, Taft had decided not to include a governor's report that he found to disagree with his own testimony. Senator Culberson explained that "it appears that Governor Taft has withheld at least one civil governor's report contrary to the rule of this committee." Culberson went on to explain that this report contained "serious charges against the military administration in that province and against the conduct of the army generally."

Culberson then accused Taft of attempting to "violate the rules of the committee" and asked that this final report be added to the *Congressional Record*. Lodge responded that he was made aware of the report, and that it had been withheld at the request of the War Department because "they made most sweeping attacks on the officers of the Army" and that the War Department thought it was unfair. Senator Culberson cuts to the core of the problem in his response that "that assumes authority upon the Secretary of War to control the examination of the committee."¹⁰³ The Secretary of War is a part of the executive branch, and holds no direct power over the Senate, therefore Chairman Lodge's granting of this request to withhold some reports that were negative while allowing in others showed that the committee was working directly with the President's administration to manipulate the hearings.

The committee also requested that the Secretary of War send them a report on the military courts-martial regarding the "cruelty and oppression" exhibited by American soldiers. However, Secretary Root provided much more than was requested. While only a report on the courts-martial regarding military misconduct was requested, Secretary Root submitted a seven-section report, only two of which included these courts-martial. The other five unsolicited sections of his report included his own assertions that "the war on the part of the Filipinos has been conducted with the barbarous cruelty common among all uncivilized races," a letter from a

¹⁰³ *Affairs in the Philippine Islands: Hearings before the Committee in the Philippines of the United States*, 849-850.

United States officer alleging that the charges of misconduct were an “atrocious lie without the slightest foundation in fact,” dated military rules issued by President Lincoln in 1863 during the height of the Civil War, and numerous reports on cruelties committed by Filipino insurgents, despite the fact that it was United States courts-martial which were requested. Most of these sections were not what was requested by the committee, and shows not only an attempt to bury damaging evidence in a sea of irrelevance, but also the use of other strategies used during the hearings, such as whataboutism and appeals to racist sentiments.

Requested or volunteered documentary evidence was selectively submitted to present a more benevolent view of United States occupation and military actions. Even when damaging reports were specifically requested, administration officials offered their own spin to the evidence. Chairman Lodge was not content to only control the evidence, however. He also controlled who was immediately allowed to see the evidence and report it to the American people.

Censoring the Press

Just like Congress, the American press was split between those that supported imperialist expansion and the war and those who opposed it. Many large papers, such as *The New York Times*, supported the administration, but the stories coming out of the Philippines were too scandalous not to attract attention. *The Atlanta Constitution* asked the question in February of 1902 “Do We Torture Filipinos?” in which the newspaper promptly answered its own question by quoting Senator Teller in saying that “of 160 Filipinos whom the water cure had been applied, all but twenty-six had died from its effects.”¹⁰⁴ *The Chicago Daily Tribune* titled one of their

¹⁰⁴ “Star Chamber Tactics Named Against Lodge,” *The Atlanta Constitution*, Feb.13th, 1902, 1.

Lodge knew that the *Congressional Record* was public, and at the end of the hearings it would have to be revealed. Furthermore, he knew that he did not have the power to stop the press' right to view the hearings in their entirety, but that did not mean he could not limit them. To stop more critical press about the event, Lodge advocated to severely limit the number of reporters allowed to view the hearings. Senator Lodge only allowed three newspaper correspondents in the hearings, claiming, according to the *Washington Post*, "that the capacity of the room was limited," and that the "room was totally inadequate for the accommodation of the public." Senator Patterson, however, called for the hearings to be open to all, and accused Lodge of wanting to hold the hearings in secret, an accusation that the Chairman denied vigorously. However, Lodge's insistence that the only members of the public allowed into the hearings be three selected newspaper correspondents, and that the rest of the country only rely on reports released by those three correspondents, shows a clear desire to limit the press and the public's immediate access to the damaging testimony being elicited.¹⁰⁸

For the duration of the hearings, Lodge continued to deny public access to the hearings despite calls from Democratic senators for increased transparency. As the humid D.C. summer began to approach, and senators began to leave for their respective states, Lodge ended the Committee on the Philippines' hearings. But the end of the hearings did not mean the end of Republican's manipulation of them.

Post-Hearings Manipulation

After the hearings, the Washington Government Printing Office finished organizing and printing all of the testimony and evidence from the hearings. However, the transcript was 2,894

¹⁰⁸ "Denied by Mr. Lodge" *The Washington Post*, Feb. 13th, 1902, 4.

pages of single-spaced, small type characters. Reading the hearings in their entirety was a feat few achieved, and definitely beyond the time or attention span of the American people, who mostly would not have been able to get their hands on a copy of the massive transcript even if they wanted to. Senator Beveridge, however, saw this issue as an opportunity. Beveridge, who was present and who participated in almost all of the hearings, released a “summary” of the hearings in a separate public Senate document in June of 1902.

Beveridge started his summary by stating that anti-imperialist senators were “slandering the army” and trying to take “exceptional instances... as though they were the customary conduct of the American Army.” He went on to state that “I do not think the mere assertion of senators will be controlling or convincing. But certainly, the words of those who had been upon the ground and who have studied the question and who have observed conditions there ought to carry greater weight.” Then, in a mere 78 pages, Beveridge “summarizes” all 2,894 pages of evidence. Yet, despite his assertion that the testimony of “those upon the ground... ought to carry greater weight,” Beveridge declined to include any testimony at all from many front-line soldiers. While his summary had much testimony from pro-war and pro-occupation higher-ups like Governor Taft, Admiral Dewey, Colonel Wagner, and Generals Macarthur, Otis, and Hughes, soldiers who testified to witnessing atrocities firsthand like Sergeant Davis or Sergeant Dube, were not even mentioned once throughout the summary. Instead, frontline soldiers whose testimony that was cited were the likes of Captain McDonald, who claimed to have never seen the water cure. Most other cited testimony by soldiers was regarding whether or not Filipino prisoners were fed well or treated by doctors when captured, a clear use of the whataboutism strategy that the Republican senators used throughout the hearings. Despite the summary’s brevity, many pages are occupied with assertions that “Filipinos can copy but not invent,”

“Filipinos ‘averse to social order’,” or even “Filipinos have no idea of organization” that Beveridge cites from a book by author John Foreman, to help back up his claim that they need American occupation.¹⁰⁹

Beveridge’s summary took any significant adverse testimony and buried it in a last act of manipulation before the hearings faded out of the spotlight. The Democratic senators, either fed up with the whole charade or having moved on to other concerns, seemed to have taken the injustice done to their months of work lying down. No rebuke was made in the Senate in the form of an opposing summary or otherwise during the rest of the session. Instead, Congress went into recess for the summer and the debate took to the newspapers. The Republicans’ success during the hearings can best be seen in the press. Imperialist papers returned to vindicating and justifying the war, now espousing the same rhetoric they read in the hearings. The *New York Times* defended American atrocities, writing “having the devil to fight, it [the military] has sometimes used fire.” *The New York Tribune*, *Providence Journal*, *Harper’s Weekly* and other imperialist papers were granted a renewed vigor by the Republican’s narrative in the hearings, and all reported favorably on the war following the hearings as the summer approached.¹¹⁰ In the following Senate session in 1903, Democratic Senator Carmack tried to rekindle the issue with a speech on the floor about the atrocities, but to no avail. American imperialists felt vindicated in their beliefs and had moved on. The Committee on the Philippines held no further hearings on the matter.

However, the hearings in the Senate were not the only means the United States had of dealing with the allegations. Happening parallel to the hearings were the military courts-martial,

¹⁰⁹ Albert Beveridge, *The Philippine Situation*, 57th Cong., 1st Sess., doc. 422 (Washington D.C.: Government Printing Office, 1902).

¹¹⁰ Miller, *Benevolent Assimilation*, 245-247.

which had the potential to not only expose wrongdoing, but also to create lasting impacts on the military by punishing those responsible for committing atrocities overseas.

The Courts-Martial

As American abuses in the Philippines were being addressed in Congress, they were also being addressed internally by the United States Armed Forces. The military has its own justice system, with trials known as courts-martial. Much like standard civilian trials in the rest of the United States, a court-martial can set a standard for acceptable behavior in the military, what precedent military judges and advocates have to rely on when making cases, and frankly, what an American soldier can and cannot get away with. The Philippine-American War was one of the United States' first overseas imperial ventures, and the first one with a widely publicized misconduct scandal, and how the military dealt with the issue through their justice system would set the standard for the conduct of the United States military in every major overseas conflict since.

But American military officials did not see it this way, and neither did the Roosevelt administration. As established in the background chapters, Roosevelt had been a supporter of occupying the Philippines, and as President, he was not keen on back-peddling. Instead, as stories of misconduct came back with American soldiers in 1902 he stated that there were “few acts of cruelty” and only “in retaliation [for] the hundreds committed by Filipinos”; even going as far as to state that it was “one of the most glorious wars in the nation’s history.”¹¹¹ Military officials also refused to concede their mistakes, with one being quoted in *The Advocate of Peace* as stating that the war was “remarkably humane.”¹¹² Colonel Dickman of the Twenty-Sixth Volunteer Infantry, the same regiment that Charles S. Riley, who testified to the use of the water cure, wrote a report denying the committee’s findings on the water cure. He wrote that “the

¹¹¹ Quoted in Stuart Miller, *Benevolent Assimilation*, (New Haven: Yale University Press, 1982) 250.

¹¹² "The Inherent Cruelty and Inhumanity of War." *The Advocate of Peace*, no. 12 (1902): 215-16.

conduct of the American troops in the Philippines has been so humane as to be a continuous source of surprise to all foreigners and natives.”¹¹³ However, despite all of their failures to conduct a fair investigation into American misconduct in the Philippines, the hearings succeeded in garnering enough attention to force Roosevelt to change his stance on the conduct of the military.

Pressure to Hold the Military Accountable

After the damaging testimony of Charles Riley concerning the use of the water cure, Roosevelt held an emergency cabinet meeting on how to deal with the scandal.¹¹⁴ Anti-imperialist papers and even magazines like *Life*, as was shown in the preceding chapter, were latching onto the outrage and Roosevelt needed to take action to mitigate the scandal’s damage. The issue was further exacerbated by the controversial result of the court-martial of Major Tony Waller.

Major Waller, who was hailed as a war hero after he led American soldiers during the Boxer Rebellion in China and who served in the Philippines, was charged by the United States Army of murdering Filipino prisoners. His trial was heavily publicized, and many Americans were shocked when Waller admitted to the execution of a dozen Filipino prisoners. In his defense, Waller cited a distrust of the Filipinos, Filipino treacheries, and most importantly, the orders from his commanding officer, General Smith, to “kill and burn anyone over ten.” Despite it being proven that he had directly commanded the execution of a dozen prisoners, Waller was acquitted, and allowed to retake his position in the military.¹¹⁵

¹¹³ “THE PHILIPPINE INQUIRY,” *New York Times*. April 17th, 1902. 1

¹¹⁴ Gregg Jones, *Honor in the Dust*, (New York: New American Library, 2012) 305.

¹¹⁵ Jones. *Honor in the Dust*. 282-295.

This verdict, as well as the testimony of Charles Riley, drew such attention that the President had to act. After his emergency cabinet meeting, he promised an investigation into the charges “of the most thorough and sweeping character” and that “no provocation, however great, can be accepted as an excuse for the misuse of the necessary severity of war.”¹¹⁶ Roosevelt’s Secretary of War, Elihu Root, immediately sent a letter to Lodge’s ongoing hearings in the Committee on the Philippines citing a bevy of cases of American misconduct that the military had already convicted soldiers of, in an effort to convince Congress that the military had been proactive on this matter. However, Root failed to note that he had the sentences of these convicted soldiers reduced, effectively holding them guilty only in the official record.¹¹⁷ President Roosevelt kept his promise and launched an investigation into the reports of misconduct, indicting new officers and starting new cases. But whether justice would truly be served, or just a sham dog and pony show to quiet his critics, remained to be seen.

Before delving into the subsequent events, it is important to note how a U.S. court-martial was held during the Philippine-American War. Fortunately, the publicizing of the abuses of the war meant that the American people were curious as to how these trials functioned as well, and *The North American Review* published a guide in its magazine explaining exactly how a court-martial took place during the war. In many ways, the court-martial system emulates the justice system in the rest of the nation. The author of the article, Earl Cranston, who served in the United States military himself and held an LL.D. from Ohio University, notes that “there obtains in courts-martial the same right to a trial by jury as in courts of law, and the same rules of evidence are adopted.”¹¹⁸ This means that courts-martial are adjudicated by a council of ones

¹¹⁶ “President on “Water Cure,”” *The Washington Post*, May 18, 1902, 1.

¹¹⁷ Jones, *Honor in the Dust*, 274.

¹¹⁸ Earl Cranston, “The Existing Court-Martial System,” (*The North American Review* 168, no. 507, 1899) 248.

peers, just like in a civilian trial, and that the same rules in terms of verifying evidence and calling witnesses were used. Despite these procedural similarities, these courts-martial had a major difference: the jury was also the judge. Cranston notes that “the court exercises a dual function. In its judicial capacity, it passes on all propositions of law; as a jury, it passes on all matters of fact. It is an anomalous system... and leaves the application of those rules to a body of laymen.”¹¹⁹ Where in civilian court a judge rules on objections and decides what evidence may be presented to the jury, the average court-martial during the Philippine-American War had the juries not only deciding the case, but also ruling on the evidence. While there was a judge-advocate who was an appointed military lawyer whose duty it was to prosecute the case and also to counsel the jury as to matters of the law, but his role was strictly advisory.¹²⁰ This distinction from a civilian trial gave the jury in a court-martial much more discretion, and could be problematic. As I will show in the subsequent section, the majority of the cases I explore occurred in Manila, meaning the panel of soldiers acting as the judge and jury were involved in the same campaign against the Filipinos that the accused was.

A Failure of Justice

After Roosevelt’s promise for action, a flurry of new high-profile courts-martial took place. In this section, I will analyze the most significant and publicized courts-martial, what the defendants were charged with, how they pleaded, whether the court found them guilty or acquitted them, and most importantly, how they decided to punish those they found guilty, which shows what significance they attribute to the crime, and how much they desire to deter future soldiers from acting in a similar fashion. These cases, which best exemplify the injustice of these

¹¹⁹ Cranston, “The Existing Court-Martial System,” 248.

¹²⁰ Cranston, “The Existing Court-Martial System,” 249.

courts-martial, are organized from the least severe charge of misconduct to the most severe, to show arbitrary the sentences are when compared to the charge.

One of the most significant courts-martial was that of General Jacob Smith. As has already been established, multiple people, including Waller in his trial, had reported that General Smith had told soldiers under his command to “kill and burn,” “turn Samar into a howling wilderness,” and even to “kill everyone over ten.” For these heinous orders, which, as we have seen by Major Waller’s justification of his actions, had severe consequences, General Smith was charged with “Conduct to the prejudice of good order and military discipline” under the 62nd Article of War. According to Army Judge-Advocate Lieutenant-Colonel George Davis in 1899, “conduct to the prejudice of good order” was a relatively minor charge usually used as a catchall if there is not enough foundation for a more severe charge.¹²¹ The General pleaded not guilty. A court-martial was held in Manila to try him. During the trial, the General’s defense team did not deny that the General gave the order but instead attempted to justify it. They cited the Balangiga Massacre of American soldiers that happened previous to his commands, and called the inhabitants of Samar “religious fanatics” that were “very treacherous.” They claimed that the natives of Samar were “inferior” to other Filipinos. The defense even admitted that General Smith ordered the execution of boys over ten who were hostile, claiming that they “were equally dangerous as an enemy as those of more mature age.” The court was sympathetic to the General’s defense, and stated that it would be “lenient” because the General “did not mean everything that his unexplained language implied,” “that the orders were never executed,” and that the accused was under pressure because there was a “desperate struggle... conducted with a

¹²¹ George Davis, *A Treatise on the Military Law of the United States*, 2nd Ed. (New York: John Wiley and Sons, 1899) 477.

cruel and savage foe.” Although the court officially found General Smith guilty, his sentence was not a punishment at all. His official punishment was: “To be admonished by the reviewing authority.” “Admonishment,” was the General’s only punishment for his orders to kill everyone over ten in Samar. “The reviewing authority” that the court referred to was Theodore Roosevelt, who initially ordered the court-martial. Since the court refused to punish him, the final word on the trial would be made by Theodore Roosevelt.¹²²

Captain James Ryan was also tried in Manila by a jury of his fellow soldiers fighting in the Philippines. Captain Ryan was accused of ordering and administering the water cure on a Filipino mayor to elicit information, and repeatedly dunking the head of one of his prisoners in a bucket of water until he almost drowned as an interrogation method. Captain Ryan was also charged with “Conduct prejudicial of good order and military discipline, in violation of the 62nd Article of War.” The Captain pled not guilty. The Captain’s defense team did not contest that they used water torture, and instead argued that “the average Filipino will not talk without being subjected to pressure of some kind” and that “let us apply General Sherman’s rules to the present insurrection in these islands.” The defense attempted, much like the defense of Smith, not to deny the act, but instead to justify it, even comparing Captain Ryan’s actions to Sherman’s March during the Civil War. The court found the captain “not guilty,” despite not even denying that he ordered the acts.¹²³

Major Edwin Glenn, whose trial was particularly political since Charles Riley and William Smith implicated him during Lodge’s committee hearings, was accused of ordering the

¹²² “Jacob Smith,” Army Court-Martial Cases 1894-1917, Box 101, Record Group 153, United States National Archives, Washington D.C. All subsequent archival citations refer to this collection. In accordance with how the courts-martial are organized, I am titling each case by the name of the accused.

¹²³ “James Ryan,” Army Court-Martial Cases 1894-1917. Box 101.

use of the water cure on a Filipino town mayor to garner information. Another officer, Lieutenant Julien Gaujot, was accused of the same, and both were charged with violating the 62nd Article of War. They both made similar arguments to that of Captain Ryan, with neither denying the commands, but instead justifying it. In Gaujot's statement to the court, he admitted to using the water cure, but explained that "I desire to briefly place before the court the conditions existing during the Insurrection on the Island of Samar so that the Court may more readily determine the extent of guilt attached to my actions." Gaujot went on to describe the difficult geography of the island and how "crafty, lying and treacherous," the Filipinos were, whom he characterized as "fanatical savages." He asserted that the actions he took were necessary to ensure American success. In the sentencing of Major Glenn, the court stated that they would be "lenient on account of the circumstances" and suspended him for one month and fined him \$50. Lieutenant Gaujot was given a similarly light sentence.¹²⁴

Captain Fred McDonald, discussed in the previous chapter, who was a pro-war witness called by Senator Lodge to help vindicate the war and who testified to never having seen the water cure and to the conduct of the United States military being exemplary, was charged with misconduct himself by the United States Army. Specifically, he was charged with having let a prisoner of war under his charge who was accused of being a "ladrone," a bandit or criminal, be executed despite being given orders to "be careful no harm" came to him until his trial was complete. The accused "ladrone" claimed to be a secretary of one of Aguinaldo's generals and to have not violated any laws of war. He wished for a trial to exonerate him from the accusation of being a criminal but was instead executed before any trial could be had. Captain McDonald was charged with "conduct to the prejudice of good order and military discipline in violation of the

¹²⁴ "Edwin Glenn," "Julien Gaujot," Army Court-Martial Cases 1894-1917. Box 754.

62nd Article of War,” “disobedience of orders in violation of the 21st Article of War,” and “conduct unbecoming an officer and a gentleman in violation of the 61st Article of War.” These charges are much more severe. Not only, like the preceding cases, did the Army charge him with violating the 62nd, but he was also charged with violating the 61st, which carries with it the sentence of “immediately being dismissed from service,” and violating the 21st, a crime that Judge-Advocate George Davis stated “constitutes the most serious offenses known to military law,” and could carry with it the sentence of death.¹²⁵ He pled not guilty. The senior Captain who ordered McDonald to not allow the prisoner to be harmed testified that McDonald told him he wanted the prisoner shot, and when he was ordered not to allow that to happen, McDonald delayed the officer at a prolonged dinner, while he knew that native police were going to carry out the execution of the prisoner. McDonald’s soldiers watched as the prisoner was put before a chopping block and a Filipino policeman, believing him to be a criminal, tried to decapitate him. American soldiers who witnessed the attempted decapitation stated that despite two swings, the prisoner remained alive. American soldiers, knowing they could not commit the execution themselves, ordered the town mayor’s nephew to shoot the prisoner to put him out of his misery. It took him two full cylinders of bullets from his revolver to finally end the man’s life. The Captain was only found guilty of the most minor charge, violating the 62nd, and the court sentenced him to merely have his rank reduced to that of a more junior captain.¹²⁶

An even more egregious case was that of First Lieutenant Preston Brown, who was accused of killing a native Filipino he had taken prisoner and was charged with “Murder, in violation of the 58th Article of War.” Lieutenant Brown pled not guilty, and a trial was held in

¹²⁵ Davis. *A Treatise on the Military Law of the United States*, 378-79, 468.

¹²⁶ “Fred McDonald,” Army Court-Martial Cases 1894-1917. Box 467.

Manila. During the trial, it was established that the Filipino victim was unarmed, and was apparently fishing near to where a skirmish was taking place between American and Filipino soldiers. During this skirmish, an American soldier was wounded and drowned in a river. American soldiers grabbed a nearby Filipino fisherman and brought him to Lieutenant Brown, stating that the Filipino saw where their man died, but refused to tell them so they could not recover the body. Witnesses then asserted that Brown stated he'd "teach that black son of a bitch a lesson," approached the man and briefly questioned him before striking him with his pistol and subsequently shooting him in the head. Tragically, a soldier later testified that the fisherman had actually tried to help him save the wounded, drowning soldier, and that the whole event was a miscommunication. The defense tried to imply, by the man's proximity to the fighting that he may have been an insurgent trying to pose as a civilian, and defense witnesses often referred to the victim as a "n-----." The court once again seemed convinced by the defense's strategy of admission followed by justification through racist stereotype, and the judge-advocate general even concluded that "the circumstances which attended the taking of human life in this case are such to diminish materially the criminal responsibility of the accused" and that no prison time should be imposed. Instead, while Lieutenant Brown was found guilty, his only punishment was a "reduction in lineal rank on the list of first lieutenants" and "forfeiture of one-half of his monthly pay for a period of nine months."¹²⁷ This sentence seems especially anomalous when one reads the full wording of the 58th Article of War, which explains that "the punishment in any such case shall not be less than the punishment provided by the laws of the State, Territory, or district in which such offense may have been committed."¹²⁸ Despite this, the ruling made no mention of Filipino or American precedent for the punishment of murder, and let Brown off with

¹²⁷ "Preston Brown," Army Court-Martial Cases 1894-1917. Box 80.

¹²⁸ Davis. *A Treatise on the Military Law of the United States*, 439.

a punishment that was not comparable to the sentences for murder in either the United States or the Philippines. Brown got off with nothing more than a temporary reduction in pay and a longer wait for promotion and proceeded to have a long and successful career in the army, lasting through World War 1.

The Unusual Nature of the Light Sentencing

One way to explain away these exceptionally light sentences would be to assert that the United States Army during this time simply had a merciful justice system, and that soldiers regardless of their crimes usually were not punished harshly. But this is not the case. The military at this time had very harsh punishments for soldiers who even committed minor infractions, which make the light sentences given to American officers found guilty of torturing and murdering Filipinos seem even more ludicrous and unjust. To show how unusual these light sentences were, this section will give examples of how other crimes committed by United States soldiers in the Philippines were treated in the same time period.

Private Harry Tiedeman was found guilty of drunk and disorderly conduct in June of 1902. His sentence was to be confined for three months of hard labor and a \$60 fine. In contrast, Major Glenn, whose trial was held only a month later and was found guilty of torturing prisoners and sullyng the name of the United States military, was only sentenced to a month suspension and a \$50 fine. Private William Stafford was found guilty of assaulting a fellow member of the United States military. He was sentenced to four months of hard labor and a \$40 fine. Compare this to the sentence of Preston Brown, who was found guilty of murdering a Filipino civilian, and faced no prison or hard labor time. The sentence for assaulting a member of the United States military was harsher than for murdering a Filipino. The punishment for conscripted native

Filipino soldiers were even more severe. Gregorio Zalazar was found guilty of “violation of the oath of allegiance.” He was sentenced to 10 years of hard labor.¹²⁹

The disparity in sentencing shows what the military deemed as unacceptable. Infighting between its troops and drunkenness were taken seriously. Anything less than complete loyalty from conscripted natives was considered unacceptable. But the murder of Filipinos, torture, and commands to kill children were not considered critical enough for the military to offer severe punishments for.

Turning a Blind Eye

The cases of these United States Army officers serve as pertinent examples of the way the military chose to deal internally with the scandal. Even when the defendants admitted to committing the crimes, the court was partial to their pleas for clemency on the basis of racist sentiments about their enemies and the basic hardships of war. Even when they were found guilty, there were no true punishments. None of them were dishonorably discharged and none of them were imprisoned even when those found guilty of objectively far lesser crimes were. The army sent a message that would reverberate for years to come: if you commit atrocities against a people we deem inferior in war, we will protect you.

However, the difference with these courts-martial, as opposed to that of Major Waller, was that President Roosevelt was watching the new cases. To make good on his promise for a sweeping investigation, President Roosevelt reviewed a few of these courts-martial personally, and although he took some action, it was marginal and spotty, and more for show than actual substantial change or reform. He disapproved of the sentence for Captain James Ryan, which

¹²⁹ “Harry Tiedeman,” “William Stafford,” “Gregorio Zalazar,” Army Court-Martial Cases 1894-1917. Box 754.

simply led to an inconsequential retrial. He disapproved the finding of another case where an American scout was charged with manslaughter for ordering the execution of Filipino prisoners he thought were trying to escape, leading to another inconsequential retrial. However, he also approved of some of the few trials he read. He approved of the lenient sentencing for Major Glenn and Lieutenant Gaujot.¹³⁰ The most significant action he took was regarding the trial of General Smith. Although he officially approved of General Smith's 'punishment' of admonishment, he then sent a very carefully worded letter that explained that the General had faced "intolerable provocations" and that "General Smith has behind him a long career distinguished for gallantry and on the whole for good conduct. Taken in the full, his work has been such to reflect credit upon the American Army," and after pandering to his patriotic base, and implying that he actually approved of the General's commands, Roosevelt ends his laudatory letter by asking that General Smith be "retired from the active list."¹³¹

Honorably retiring General Smith was the closest Roosevelt came to making a serious change to the military's administration of justice. His investigation into the courts-martial was so minor to suggest that he was simply doing it for show to vindicate his record as a president who does not allow war crimes, and to put the anti-imperialists at ease. But after reading just a few courts-martial, and intervening in even less, the President moved on, busying himself with the establishment of National Parks and taking on the monopolies of robber barons with a series of anti-trust legislation. Even when Major Glenn, whose first case was reviewed by Roosevelt, was charged again, this time with murdering seven Filipino prisoners, the President never intervened

¹³⁰ "Edwin Glenn," "Julien Gaujot," Army Court-Martial Cases 1894-1917. Box 754.

¹³¹ Army Court-Martial Cases 1894-1917. Box 101.

again in the court-martial system of the Army, instead allowing Glenn and others to be quietly acquitted as he turned a blind eye.¹³²

¹³² Jones, *Honor in the Dust*, 342.

An Imperialist Victory and Lessons Lost

Conclusion

As the presidential election of 1904 approached, newspaper founder and editor Henry Watterson, who would subsequently win the Pulitzer Prize, wrote that “the paramount issue, the issue of issues, in 1904 will be the Philippines.”¹³³ If he was right, then the election showcased an unmitigated victory for American imperialism, and the triumph of Lodge and his fellow Republicans in Congress in the military misconduct scandal. Roosevelt, who had defended the war and promised to continue occupying the Philippines, won in a landslide victory over Democrat Alton B. Parker. Senators Lodge and Beveridge, the two most impassioned defenders of imperialism in the Senate, who fought for American intervention in 1899 and continued to defend the war up through its conclusion, were both reelected. The Republicans, unhurt by the Philippines scandal thanks to the efforts they took to mitigate its impact, maintained their majority in Congress. The people of the United States had bought the tale that the imperialists had spun for them, a tale of patriotic heroism and benevolence against savages on an island that needed American authority.

Americans began to get tired of the anti-imperialists citing military misconduct, especially the water cure. Barraged for months with horrific stories of torture and bloodshed, the American public’s outrage began to sputter and die. This is well illustrated in a joke column in the *Cleveland Dealer*, which published the joke: “Ma: What’s that sound of running water out there, Willie? Willie: It’s just us boys ma. We’ve been trying the Filipino water cure on Bobbie Snow and now we’re pouring him out.”¹³⁴ The *Washington Times* also made light of the water

¹³³ Quoted in Gregg Jones, *Honor in the Dust*, (New York: New American Library, 2012) 351.

¹³⁴ Quoted in Richard E Welch, *Response to Imperialism*, (University of North Carolina Press) 146.

cure, writing a story on how the Secret Service should have administered “the water cure, in proper Philippine style,” to a drunk who was trying to serenade President Roosevelt while he was traveling through Massachusetts.¹³⁵ This use of humor shows how apathetic the American public had become towards the issue, and their desire to move on from that political outrage. The Democrats had missed their chance to capitalize on the public’s attention due to the Republican’s ability to complicate and manipulate the issue until it fell from prominence.

Although the public moved on from the Philippines and the President had declared the war ended, war continued for years in the southern provinces of the Philippines, now unfettered from the same level of public scrutiny present in 1902. In 1906, a group of Moros, a southern Muslim Filipino tribe, revolted and took refuge in a crater outside of United States control. United States soldiers were sent to crush the rebellion, and killed every single member of the revolting tribe. Men, women, and children, numbering around one thousand in total. This became known euphemistically as the First Battle of Bud Dajo, and more realistically as the Moro Crater Massacre.¹³⁶ This shows how the military learned little from its misconduct scandal only a few years prior, and the true cost of the military courts refusing to do justice and make an example of what is unacceptable military behavior.

The Philippine-American War was the first war of its kind for America: an overseas counterinsurgency effort in a hostile environment against a different race with different customs and languages. This war was an opportunity for the military to set a standard for how its soldiers were to act in this scenario. But instead, military officials and politicians, eager to protect their own interests, marginalized the significance of American misconduct in the war. Instead of a

¹³⁵ Quoted in Jones, *Honor in the Dust*, 339.

¹³⁶ Daniel Immerwahr, *How to Hide an Empire*, (New York: Farrar, Straus and Giroux, 2019) 105-106; Jones, *Honor in the Dust*, 352-354.

precedent of accountability and dignity, this set a precedent of abuse and complicity. The precedent set in the Philippine-American War has echoed throughout overseas conflicts against primarily nonwhite races and every counterinsurgency effort the United States has been involved in. In the My Lai Massacre in the Vietnam War, a company of United States soldiers burned down a Vietnamese town and murdered almost all of its citizens, including the men, women and children in an action reminiscent of the burning of towns in the Philippines and the Moro Crater Massacre. In the Second Persian Gulf War, United States soldiers were found to have viciously tortured prisoners of war sometimes resulting in their deaths at Abu Ghraib, similar to the vicious torture and murder of Filipino prisoners in the Philippine-American War.

The clearest example of the military's disregard for the lessons learned in the Philippine-American War is the reemergence of the use of water torture. As recently as 2005 there have been reports of the Central Intelligence Agency using "waterboarding" to secure confessions from suspected terrorists. Waterboarding is a practice similar to the water cure. In waterboarding "cellophane is wrapped over the prisoners face and water is poured over him, the gag reflex sets in, responding to the fear of drowning."¹³⁷ This scandal led to public outcry again, and an issue that could have been dealt with for good at the beginning of the twentieth century instead continues to be debated at the beginning of the twenty-first. Had the military administered justice fairly, precedents could have been set that may have deterred these practices from persisting.

Like the courts-martial, the manipulation of the hearings of the Philippine-American War has also skewed the memory and lessons of the Philippine-American War. Instead of serving as a monument to the dangers of unchecked imperialist ambition, the war and subsequent occupation

¹³⁷ Frank Schumacher. "Marked Severities," *American Studies* (51, no.4, 2006) 494.

of the Philippines was remembered as Lodge and the Republicans of his committee wanted it to be: as the success of American liberty over foreign savagery and tyranny. To see this, one only needs to look at the statements of recent United States leaders. President Bush, in a speech made in 2003, used the Philippines as an example for how he planned to help turn Iraq into a “vibrant democracy.” He stated that the United States “liberated the Philippines from colonial rule,” in a reference to the Spanish, while ignoring the United States’ own occupation of the archipelago.¹³⁸ President Trump has also referenced the Philippines, citing fictitious war crimes alleged to have been committed by General Pershing around the time of the Moro Crater Massacre as evidence for his claim that harsh tactics on terrorism are effective.¹³⁹ While his story of Pershing executing prisoners is fake, his belief that it is true, as well as the gullibility of those that believed the claim, shows that the conflict in the Philippines is not well understood by the American public at large, and thanks to how the story was manipulated, has become a tale of American success in counterinsurgency, instead of a warning.

The hearings have also set a standard for partisan investigations by Congress aimed to vindicate political beliefs instead of seeking out the truth. Hearings and investigations by Congress have become more commonplace in the twenty-first century, and ever more biased and manipulative. During the confirmation hearings for Brett Kavanaugh, two women came forward with allegations of sexual assault. However, in a similar fashion to how the Republican majority controlled what witnesses were called for in the Philippine hearings, the Republican majority only allowed Christine Blasey Ford to publicly testify, and blocked the motion to allow the second accuser, Deborah Ramirez, to testify.¹⁴⁰ In another egregious action to block a proper

¹³⁸ David Sanger, “Bush Cites Philippines as Model in Rebuilding Iraq,” *New York Times*, October 19th, 2003.

¹³⁹ Jonathan Katz, “What General Pershing Was Really Doing in the Philippines,” *The Atlantic*, August 18th, 2017.

¹⁴⁰ Jackie Calmes, “New Reporting Details How FBI Limited Investigation of Kavanaugh Allegations,” *Los Angeles Times*, September 16th, 2019.

investigation and manipulate what evidence makes it to the public record, the Republican majority blocked a motion to allow any witnesses to testify in the Senate impeachment trial of Donald Trump.¹⁴¹

Our legal institutions and political representatives have an immense effect on shaping public perception and setting a standard for American involvement abroad. Unfortunately, the Philippine-American War set a standard of injustice in the military and political manipulation at home. How to fix unjust courts and manipulative partisan politics is a topic that has been debated in the United States since the Constitution was written. But undoubtedly, the first step to fixing a broken system is to recognize that it is one.

¹⁴¹ Erin Schaff, “Republicans Block Impeachment Witnesses,” *New York Times*, January 31st, 2020.

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