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Spring 2006

Review Essay on The Politically Incorrect Guide to American History by Thomas E. Woods, Jr.

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REVIEW ESSAY

The Politically Incorrect Guide to American History. By Thomas E. Woods, Jr. Washington: Regnery, 2004.

THOMAS E. WOODS, JR.'s, *Politically Incorrect Guide to American History* not only became a *New York Times* bestseller but also raised an amazing amount of furor, to a certain extent among the left leaning, who are the book's *bête noire* and would be expected to take offense, but especially in conservative and libertarian circles, among the book's presumed friends. Woods's survey of U.S. history from the colonial period through President Clinton has been condemned so far by *Reason* magazine contributing editor Cathy Young (2005a, 2005b); both in the *Boston Globe* and on the pages in *Reason*, by John B. Kienker in the *Claremont Review of Books* (2005); by Max Boot in the *Weekly Standard* (2005); and in assorted blogs, most notably by historians Ronald Radosh (2005) and David Greenberg (2005); and by law professors Eric Muller (2004/2005) and Glenn Reynolds (2005).

Some of the critics have laced their denunciations with *ad hominem* attacks on Woods. Going beyond his book's content, they have dredged up what they consider either guilty associations with the League of the South or unconscionable past writings in *The Southern Partisan*. The most egregious offender is Eric Muller. Although Muller in no way qualifies as either a libertarian or conservative, his venomous assaults, descending to the low of Klan baiting, have been frequently referenced by other critics of the book.

For all of this, Woods and his editors must share partial responsibility. *The Politically Incorrect Guide to American History* (or *PIG* as it unabashedly fashions itself) is written and packaged in a breezy, sensationalist, and deliberately provocative style, with all the popular

I received helpful suggestions on drafts of this review from David Beito, Mark Brady, Williamson M. Evers, David Henderson, and John Majewski. Be assured, however, that none of them can be blamed for anything I have written here.

trappings of *The Complete Idiot's Guide* series or those assorted books . . . for *Dummies*. Throughout its pages are sidebars calling attention to "A Book You're Not Supposed to Read" with a cute drawing of a pig reading a book, or to "A Quotation the Textbooks Leave Out," next to a cartoon podium with a sign hanging on the front labeled "PIG." There are boxes exposing "PC Today," and each chapter starts out in the right-hand margin with a starred list of supposedly astonishing revelations under the headline "Guess What?"

On the front cover we confront Mort Künstler's portrait of Confederate General James Longstreet ("Old Pete") next to the caption "You think you know American history. But did you know: . . . " followed by another starred list. The back cover informs the reader: "Everything (well, almost everything) you know about American history is wrong because most textbooks and popular history books are written by left-wing academic historians who treat their biases as fact. But fear not: Professor Thomas Woods refutes the popular myths Professor Woods reveals facts that you won't be—or never were—taught in school. . . ." Blurbs announce that the book "heroically rescues real history from the politically correct memory hole" (Ron Paul) and that it "refutes the misinterpretations of American history that have misinformed generations" (Paul Craig Roberts).

Despite coming to 270 pages, the book has nice big type with lots of white space, making it in reality a slim volume. As a result, its coverage of U.S. history is far from comprehensive. Nothing at all is said about the Louisiana Purchase, President Andrew Jackson's destruction of the Second U.S. Bank, civil service reform, the Spanish-American War, Japanese-American internment during World War II, Nixon's wage and price controls, and other staples of standard texts. Even the topics included may be touched on spottily, often reducing *The Politically Incorrect Guide to American History* to nearly an insubstantial series of bullet points. This obviously leaves scant room for complexity or nuance, and when you couple that with Woods's journalistic selectivity and self-assured dismissal of dissenting views, it is no wonder that readers unsympathetic to any of his strong opinions are put off.

Although Woods likely could not control everything his publisher, Regnery, did to promote the book, I find it hard to sympathize with the tone of surprised martyrdom he takes in online replies to critics (Woods 2005a, 2005b). He is clever enough to have known what was coming, given the way he pitched his text. Indeed, I suspect that truth be told, he actually enjoys stirring up the controversy,

as he and his critics happily hurl charges of conscious ideological distortion back and forth at each other across the web.

The book's stylistic features provoke more than mere aesthetic annoyance at what purports to be an honest work of history being marketed like the latest potboiler from Danielle Steele and with all the huckstering pizzazz of P.T. Barnum. *PIG's* marketing and packaging is, to be blunt, misleading. Libertarian (or conservative) objections to mainstream history, as it is currently written by academics and taught in colleges, rarely hinge on outright errors, dishonest research, or disputes about hard facts. Cases of a Michael Bellesiles, who actually fabricate evidence in furtherance of political conclusions, are fortunately few and far between. Because professional historians tend to be concrete-bound, with almost undue reverence for facts over theory, factual details are not usually what gives rise to discordant interpretations. What differs is either the causal analysis or the ethical evaluation attached to those facts. This of course is a compelling implication of Ludwig von Mises's woefully neglected *Theory and History* (1957).

Such respect for simple accuracy applies as much to Thomas Woods himself as to other professional historians. He is a competent disciple of Clio who makes very few outright factual mistakes—certainly no more than inevitably yet inadvertently sneak into any history dealing with so broad a span of time. For instance, my copy states on page 187 that Winston Churchill gave his famous 1946 “iron curtain” speech in Michigan, although an Amazon.com reviewer reports that the location has been corrected to Missouri by the third printing. Thus, while *The Politically Incorrect Guide to American History* insinuates that it will expose myths and reveal hidden truths, the actual text delivers far less than the popular packaging promises. The efforts of Woods's harsher critics to impugn his motives and accuse him of deliberate falsehoods turn out to have as little substance as Woods's impugning of and accusations against left-wing historians.

This is not to deny that Woods's interpretations are widely at variance with mainstream history. But that variance, for the most part, arises from differing theories and values—not from different facts. I therefore propose to focus exclusively on the book itself (ignoring Woods's past associations and other writings) and evaluate its historical interpretations on the basis of libertarian theory and values (this after all being a libertarian journal). How congenial with libertarianism is *The Politically Correct Guide to American History*? It turns out only about half the time.

I

Woods's book consists of eighteen chapters of varying length. Ten cover twentieth-century America, giving more recent events heavier weight. Even Woods's more measured critics, Cathy Young and John Kienker, concede that *The Politically Correct Guide to American History* has its strong sections, although they probably would not agree with me as to which those are. I found that the best chapters tend to focus on economic history: particularly Chapter 8 on the rise of big business, Chapter 10 on the 1920s, and Chapter 11 on the Great Depression. I would also include among the book's highlights Chapter 13 on how the U.S. got involved in World War II. The most dissatisfying chapters tend to come earlier: Chapter 1 on the colonial period, Chapter 2 on the American Revolution, Chapter 3 on the Constitution, and by far worst of all, Chapter 7 on Reconstruction.

Chapter 1, "The Colonial Origins of American Liberty," starts out with a curious omission. Following David Hackett Fischer's (1989) well-known social history, *Albion's Seed: Four British Folkways in America*, Woods lists four major groups of immigrants to the American colonies. But whereas Fischer makes clear that he is confining himself to English speaking immigrants, Woods leaves the impression that these four groups comprised the bulk of the colonists, who all "came from one part of Europe" and "spoke a common language" (p. 1). Being a descendant myself of the Dutch settlers of New Netherland, I could take umbrage. Yet as some reviewers have observed, Woods ignores a still larger group: involuntary immigrants from Africa, and their descendents, nearly all slaves. By 1770 blacks constituted more than one-fifth the total population of those British colonies that would become the United States, the highest proportion relative to population blacks would attain throughout all U.S. history.

Woods becomes still more selective when he takes on the treatment of American natives. In crediting the Puritans of New England with primarily voluntary negotiations and purchases in their acquisition of Indian land, he skips over the far less noble record of white Virginians and Carolinians. Within New England itself, there were complex variations. *PIG*, for instance, implies that Roger Williams of Rhode Island was somehow representative, when one of the several reasons the Massachusetts magistrates expelled Williams from their colony was his advanced respect for the rights of Amerindians.

Nor should a libertarian take comfort from the fact that the Puritan consensus was "that the king's charter conferred *political* and not *property rights* to the land" (p. 8). The New Englanders' haughty

and galling assumption of political sovereignty over native Americans was one root cause of such conflicts as the Pequot War. White treatment of the Indians in North America was generally characterized by the practice of collective guilt, in which punishment for crimes was extended to innocent members of the guilty party's tribe or sometimes to other tribes, as Murray Rothbard has emphasized in his four-volume history, *Conceived in Liberty* (Rothbard 1975, pp. 227–28). That may not qualify as true racism in Woods's eyes, but is it any more justifiable? Although Woods is technically correct about the failure of the New Englanders to fully exterminate the Pequots, Alden Vaughan's *New England Frontier* (1995), a pro-Puritan study that Woods references, admits that the Puritans indeed tried to. In the Mystic Fort massacre of 1637, they exhibited a brutality against women and children that horrified even the colonists' Indian allies.

In Chapter 2, "America's Conservative Revolution," Woods contends that the "American Revolution was not a 'revolution' at all" (p. 11). This conservative interpretation, in which the American colonists were merely resisting the innovative encroachments of the British Empire, has a hallowed tradition in American historiography and came close to dominating the profession during the early Cold War. That so much recent scholarship demonstrates the Revolution's radicalism does not necessarily prove this conservative interpretation wrong. A lot depends on how one defines a true "revolution." The American variant witnessed all the following alterations in the internal status quo: eventual abolition of slavery in the northern states with even some inroads in the South; the separation of church and State in the southern states; the rooting out everywhere of such vestigial feudal privileges as primogeniture, entail, and quitrents; and the adoption of new republican state constitutions containing written bills of rights that severely hemmed in government power. Woods may simply choose to consider these changes insufficiently radical.

If his standard for a genuine revolution is nothing short of the terror unleashed during the French episode, then the American experience cannot measure up. But even here, the distinction must not be overdrawn. As the classic work of R.R. Palmer, *The Age of Democratic Revolutions* (1959, vol. 1, pp. 187–89), first called to attention, between 60,000 and 80,000 Loyalists fled with British armies during the American Revolution, out of a total colonial population of 2.5 million. Compare that with 129,000 French émigrés during the French Revolution, from a population of 25 million. America produced refugees at five times the rate as France, and while most of the French expatriates returned, very few of the American loyalists did likewise.

Rothbard's *Conceived in Liberty* celebrates the radicalism of the American Revolution. Although Woods lists these volumes in his bibliography and clearly admires some of Rothbard's other works, he is certainly under no obligation to agree with Rothbard on every count. The American Revolution, like so many great events, was brought off by a disparate coalition of competing viewpoints and conflicting interests. At one end of the Revolutionary coalition were the American nationalists—men such as Benjamin Franklin, George Washington, Robert Morris, Alexander Hamilton, and James Madison. Representing a powerful array of mercantile, creditor, and landed interests, the nationalists went along with independence but certainly hoped to keep the Revolution conservative. They sought a strong and effective American central government, which would reproduce many of the hierarchical and mercantilist features of the eighteenth-century British Empire, only without the British. Why Woods would want to identify with these Statist elements is difficult to fathom, given his pronounced hostility to government in other chapters, but this is essentially what he does by embracing the conservative take on American independence.

This conservative bias cripples his next chapter on "The Constitution" as well. A libertarian rendition could have absolved the Articles of Confederation of the exaggerated complaints of the nationalists, arguing that the problem with the Articles is not they created a central government that was too weak but one that was too strong. The Constitution, rather than representing the culmination of the American Revolution, embodied in fact a reactionary counter-revolution, designed to reverse many of the previous victories of Liberty over Power. But you will find nothing of the sort in *The Politically Incorrect Guide to American History*. Instead, Woods ends up wallowing in the constitutional fetishism of conservatives, worshipping the document (correctly interpreted, to be sure) as the sacred text of America's political religion.

The chapter at least hints that the Constitution, without its perspicacious Anti-Federalist opponents, would have contained no Bill of Rights. Woods pays special attention to the First, Second, Ninth, and Tenth Amendments, offering historical interpretations that are quite sound. He is, however, at great pains to remind his readers that the First Amendment only restricted the national and not the state and local governments, a fact that he first brought up back on page 3, when discussing the Puritans. The Constitution chapter, having reiterated this information, does hastily admit, almost as an afterthought, that only through the Fourteenth Amendment (incorrectly interpreted in Woods's opinion) did the First Amendment's

separation of Church and State get extended beyond the federal level, after which the chapter promptly returns once again to the Founders' view of the religion clauses.

This obsessive repetition within such a slim volume that leaves out so much other American history inevitably raises concerns about Woods's own views about government and religion. Why harp on a detail that every competent historian, informed journalist, and educated citizen already knows? No doubt Woods encounters students who have never learned how the Bill of Rights was initially circumscribed in scope. I myself get students who do not even know the difference between the Constitution and the Declaration of the Independence. In fact, some of my foreign-born students are unclear that the American Civil War came after the American Revolution. But I chalk this up to simple ignorance rather than left-wing distortions. The libertarian solution to conflicts over the religious content of education is to abolish all government schools, but reading *PIG* leaves one with a nagging suspicion that Woods's agenda is to bring religious elements back into government-subsidized curricula.

Chapter 4, "American Government and the 'Principles of '98,'" is much better, because Woods at last more closely aligns his text with the radical opponents of State power and makes a partial and brief retreat from his Constitution idolatry. Presenting a capsule history of Thomas Jefferson's Kentucky Resolutions and John C. Calhoun's doctrine of nullification, he strives to show how these principles could provide workable limitations on the power of the central government. While Woods does also argue that these principles are constitutionally plausible, he stops short of insisting that they constitute the only proper constitutional interpretation. In other words, the chapter puts the focus where it belongs: on the structural *desirability* rather than strict *legality* of states' rights.

In the final analysis, there is no absolutely correct interpretation of the Constitution. From the outset, it was a political document, deliberately ambiguous in some clauses to ease its ratification, and contested right from the Philadelphia starting gate in 1787. Since then, competing theories about applying the Constitution have vied for political supremacy. American politicians have invariably embraced whatever constitutional theory fits their policy predilections. Over the two centuries and more the Constitution has been in force, only a mere handful of intellectually consistent statesmen has ever publicly concluded that government activities they favored for other reasons were proscribed under the Constitution. And I include among politicians all judges, because the courts have always been as politicized as the other branches.

It is vain for hostile critics, such as Max Boot or John Kienker, to ridicule Woods's extreme defense of states' rights. Doing so evades the historical reality of many Northerners as well as Southerners taking such doctrines seriously. That today these ideas are politically moribund has no bearing on their ultimate attractiveness. The current refusal to give states' rights a fair hearing obviously stems from their past and intimate association with the South's defense of chattel slavery and Jim Crow. Hence the importance of *PIG's* Chapter 4, where Woods chronicles instances of states interposing themselves against clear threats to individual liberty: alien and sedition acts, protective tariffs, and fugitive slave laws.

II

Which brings us to the section of *The Politically Incorrect Guide to American History* that has provoked the loudest howls of outrage, the two chapters relating to the Civil War: Chapter 5, "The North-South Division," and Chapter 6, "The War Between the States." Woods clearly wants to tender a neo-Confederate interpretation, in which slavery is shunted into the background as a motive for southern secession. In his preface, he characterizes as a cliché the statement: "the Civil War was all about slavery" (p. xiii). Yet notice the ambiguity in the little word "all." Drop it out entirely, to read "the Civil War was about slavery," and you have a statement with which even Woods would have to agree. In fact, later on, Woods disclaims any attempt to show "that slavery was irrelevant or insignificant" (p. 48). Change the word "all" to "only," yielding "the Civil War was only about slavery," and you now have a claim that no serious historian would endorse.

Woods is too scrupulous to fall into the careless or blatant errors of the more amateurish neo-Confederate books, such as Tom DiLorenzo's *The Real Lincoln* (2002); Charles Adams's *When in the Course of Human Events* (2000); or James and Walter Kennedy's *The South Was Right* (1994).¹ *The Politically Incorrect Guide to American History* puts forward no such easily refutable claims as that the southern states had no concerns about slavery's future or that they really seceded over the tariff. The resulting account of the Civil War ends up far more mainstream than at first appears. Much of the two chapters' material, unaltered, could grace any standard treatment. A few of Woods's critics have gotten themselves all exercised over his

¹The numerous factual errors in DiLorenzo's book have been noted even by such favorably inclined reviewers as Gamble (2003), and Majewski (2003). For a hostile review of both DiLorenzo and Adams, see Feller (2004).

assertion that “for at least the first eighteen months of the war, the abolition of slavery was not” the Union’s war aim (p. 65). But no Civil War scholar would dream of denying the unmitigated truth of that assertion.

In only two significant respects does *PIG* try to sneak a neo-Confederate slant into its otherwise tame Civil War chapters. First, in Chapter 5, Woods writes “that the slavery debate masked the real issue: the struggle over power and domination” (p. 48). Talk about a distinction without a difference. It is akin to stating that the demands of sugar lobbyists for protective quotas mask their real worry: political influence. Yes, slaveholders constituted a special interest that sought political power. Why? To protect slavery.

Second, Chapter 6 boldly declares that “the Southern states possessed the legal right to secede” (p. 62). Here Woods lapses back into constitutional fetishism, of a particularly silly form. Why should any libertarian care one whit whether secession was a legal right? The vital, unaddressed question is whether the southern states had a moral right to secede. With respect to evaluating the American Revolution, do we ask whether it was legally justified or whether it was morally justified? If the secession of the slave states was truly immoral, than of what possible import was the legal right? On the other hand, if they indeed had a moral right to leave the Union, so what if doing so was illegal? Only a legal positivist would let the legality determine the morality of the act.

Whether the *moral* right of secession is conditional or unconditional is a question about which libertarian political theorists disagree. I have made the case for an unconditional right of secession in my own book on the Civil War (Hummel 1996).² But Woods dares not go down that path. Because if the states have a moral right to secede from the Union, regardless of motives or grievances, then counties have an unconditional moral right to secede from states, and individuals from counties. This not only sanctions the Confederacy’s 1861 firing on a federal fort in Charleston Bay but also John Brown’s 1859 raid on a government arsenal at Harpers Ferry, which was merely an attempt to apply the right of secession to the plantation.

Consequently, *The Politically Incorrect Guide to American History* enmeshes itself again in a futile debate over the Constitution’s one-and-only proper interpretation, which, as emphasized above, is a quest for a chimera. Woods grasps at the ratification ordinances of Virginia, New York, and Rhode Island, all of which he alleges

²A libertarian treatise on political theory that ends up endorsing an unconditional right of secession is Kukathas (2003).

reserved the right of secession. Back in the Constitution chapter, he did add a caveat to this allegation:

Some scholars have tried to argue that Virginia was simply setting forth the right to start a revolution, which no one disputed, rather than a right to withdraw from the Union. But this interpretation is untenable. (p. 18)

It is a pity that *PIG* does not provide the exact wording of these ratification ordinances among its “Quotations the Textbooks Leave Out.” Here is Virginia’s: “the powers being granted under the Constitution, being derived from the people of the United States, may be resumed by them, whensoever the same shall be perverted to their injury or oppression.” The sentence containing these words, by the way, actually precedes as preamble the formal ratification. The wording in the New York and Rhode Island ratifications is almost identical (Elliot 1836, vol. 1, pp. 327–31, 334–37). I leave up to the reader’s judgment whether such language invokes a legal right to secede or a natural right of revolution. Can such wording be reasonably construed as a precedent for secession? Probably. But as decisive proof? Assuredly not.

All considered, Woods’s two chapters on the Civil War sadly reduce to a missed opportunity. Hoping to present a neo-Confederate interpretation, he let his consideration for the facts get in the way. But that hope still prevented Woods from fashioning a libertarian interpretation. And so he is left with the worst of all worlds: a mundanely mainstream account that manages only to offend readers as neo-Confederate without actually being so and that scores few noteworthy libertarian points.

In the subsequent chapter, in contrast, Woods utterly fails to rein in his neo-Confederate sympathies. Chapter 7 on “Reconstruction” becomes therefore the book’s weakest. I’ll pass lightly over its argument that the Fourteenth Amendment was ratified illegally, still another manifestation of Woods’s constitutional fetishism. Every American historian is quite aware of the irregularities surrounding this amendment’s adoption, but so what? One may as well similarly argue that the Constitution itself is illegal, because its ratification clause violated the requirement for unanimous state consent to any amendment of the Articles of Confederation. The critical issue is whether the Fourteenth Amendment brought a net increase or decrease in the liberties Americans enjoy.

On this, like secession, libertarians find themselves divided, and pure logic does not require that even advocates of an unconditional right of secession also oppose the Fourteenth Amendment. By applying the Bill of Rights to the states, the amendment helped to halt and forestall some of the most egregious government assaults on the former slaves. It subsequently resulted in many court rulings

that protected liberty, particularly those involving substantive due process or freedom of speech. On the other hand, the Fourteenth Amendment more recently has resulted in court rulings that violated liberty, particularly those imposing forced busing or local taxation. The most prominent libertarian defender of the Fourteenth Amendment is Roger Pilon (2000a, 2000b) of the Cato Institute; the most articulate libertarian detractor is Gene Healy (1999, 2000), also of the Cato Institute. Woods obviously includes himself among the detractors.

What is reprehensible about the Reconstruction chapter is not its denigration of the Fourteenth Amendment but its apologia for the Black Codes adopted by the southern states immediately after the Civil War. Contending that these codes have been misunderstood, *PIG* favorably quotes an essay written by H.A. Scott Trask and Carey Roberts (2001, p. 301). “Most [of the codes] granted, or recognized, important legal rights for the freedmen,” the two authors state in the passage quoted by Woods (p. 81), “such as the right to hold property, to marry, to make contracts, to sue, and to testify in court.” Marxist historian Eric Foner, in his history of *Reconstruction: America’s Unfinished Revolution, 1863–1877*, notorious for its “political correctness,” hardly disregards these aspects. He writes that the Black Codes “authorized blacks to acquire and own property, marry, make contracts, sue and be sued, and testify in court cases involving persons of their own color. But,” Foner adds, “their centerpiece was the attempt to stabilize the black work force and limit its economic options” (1988, p. 199).

The first two codes, of Mississippi and South Carolina, were the most severe. Mississippi’s required all blacks to have written evidence of employment or face arrest. They were forbidden to rent land or own homes outside towns and cities. Other provisions applying only to African-Americans criminalized insulting “gestures” or language, preaching the Gospel without a license, or keeping firearms. South Carolina’s code barred blacks from practicing any profession other than servant or agricultural laborer unless they paid a steep tax. The former slaves were required by law to sign annual contracts, labor “from sunrise to sunset, with a reasonable interval for breakfast or dinner” if they worked on farms, and if they were house servants, “at all hours of the day and night, and on all days of the week, promptly answer all calls and obey and execute all lawful orders and commands of the family in whose service they are employed.”³ Nearly every one of the states’ codes subjected blacks

³These quotations from the actual statutes come from a neo-Confederate work that Woods cites as an authority (Henry 1938, pp. 108–09). For a detailed monograph on the subject, see (Wilson 1965).

who were idle or unemployed to imprisonment or forced labor for up to one year, while “enticement” laws made it a crime, rather than simply a tort, to offer higher wages to a worker already under contract. In essence, the goal was to have government partly assume the role of the former masters by, in Foner’s words, “inhibiting development of a free market in land and labor” (Foner 1988, p. 210).

The excuse given by Trask and Roberts, as quoted by Woods (p. 81), for these provisions, is as follows:

Many [Black Codes] mandated penalties for vagrancy, but the intention there was not to bind them [blacks] to the land in a state of perpetual serfdom, as was charged by Northern Radicals, but to end what had become an intolerable situation—the wandering across the South of large numbers of freedmen who were without food, money, jobs, or homes. Such a situation was leading to crime, fear, and violence.

Sometimes the line is very fine between empathically understanding the motives of historical actors and morally exculpating their actions. If Woods, through the quoted passage from Trask and Roberts, has not crossed that line with respect to white Southerners, he has skirted dangerously close. The former slaves did wander across the South and flock to cities immediately after emancipation. Many southern whites found utterly irrational and ungrateful, on the part of a people they had considered less than fully human, this desire to exercise a newly acquired freedom by doing something never permitted before and to perhaps track down lost family members who had been sold away. That any American writing in the twenty-first century who claims to be an advocate of liberty could likewise view such wandering as “intolerable” borders on disgraceful. As for flocking to the cities, which have always been magnets of economic opportunity, African-Americans showed themselves no less enterprising than other poor groups. Finally we come to Trask and Roberts’s alleged violence, but the real wonder, which leaves most historians marveling, is that blacks visited so little upon their former masters.

The Politically Incorrect Guide to American History goes on to compare the Black Codes with the vagrancy and discriminatory legislation of the North. Even if northern laws were actually as bad, that hardly excuses the southern states. The Black Codes did indeed borrow from antebellum restrictions on free blacks, North and South, from northern vagrancy statutes, from the labor regulations of the Freedmen’s Bureau, and from the apprenticeship system adopted in the British West Indies after emancipation in 1833 and later abandoned. But seeming parallels between northern laws and southern

Black Codes are superficial, ignoring the profound impact that the antislavery crusade had in promoting throughout the *North* a free-labor ideology. During America's colonial period, many laborers had been indentured servants, a status they often (though not always) voluntarily entered into, yet involving mandatory service for a fixed term. By the time of the Civil War, indentured servitude was a thing of the past, legally as well as practically. Except for sailors who jumped ship and military personnel who deserted, an employee's breach of a labor contract was no longer a criminal but only a civil matter. Moreover, specific performance was no longer a remedy for such breaches, so that the North had moved, as the research of Robert J. Steinfeld has reminded us, to the modern conception of free labor, in which workers can essentially quit at will (Steinfeld 1991 and 2001).

The North did have vagrancy laws with penalties on the books that were unduly harsh. But northern courts mainly employed these laws to discipline prostitutes and petty thieves. The South's Black Codes applied vagrancy more broadly. Mississippi, for instance, counted anyone who "mispend what they earn" or who failed to pay a special poll tax levied on Negroes between the ages of 18 and 60; South Carolina explicitly counted persons who lead idle or disorderly lives, as well as gamblers, fortune tellers, unlicensed itinerant peddlers, and unlicensed thespians, circus performers, or musicians. Northern restrictions on free blacks, while inexcusable, were neither universal nor unchanging. By the mid-1850s Massachusetts had dispensed with every limitation on blacks voting or holding office, with its ban on Negro jurors, and with its prohibition of interracial marriage—legal disabilities that characterized all the Black Codes. Woods is quite correct that Illinois kept on the books until 1865 "a law imposing a fine of fifty dollars upon free blacks entering" the state. This law provided that any "unable to pay had their labor sold to whoever paid the fine for them and demanded the shortest period of labor" (pp. 81–2). However, as revealed by historian Leon Litwack (not someone who would ever overlook or pardon any transgressions against African-Americans), the Illinois law was a dead letter and almost never enforced (Litwack 1961, pp. 70–71).⁴

The harshest features of the Black Codes were never enforced either, because of intervention by the War Department's Freedmen's

⁴Litwack cites the earlier research of (Harris 1904, p. 237) who could only find evidence of three attempts to enforce the law, all in 1853, and at least one of which was subsequently overturned.

Bureau. An exception was southern apprenticeship laws. Although apprenticeship still existed in the North, the free-labor ideology had transformed it there from a category of unfree labor into a form of guardianship confined to minors. The Black Codes, in contrast, allowed southern courts to bind out the children of black parents without their consent or sometimes without their knowledge, simply because the court found the parents unable to support the children. In one North Carolina county, 10 percent of black apprentices was over 16 years old. As late as 1867, Freedmen's Bureau agents were still releasing Negro children from court-ordered involuntary apprenticeship.

The chapter on Reconstruction closes with an analysis of the Radical Republicans. Relying on Howard Beale, a progressive-school historian who wrote back in the 1930s, Woods attributes the Radicals' northern political success in the congressional elections of 1866 to their economic stances, particularly their support of high protective tariffs (Beale 1930). But he has misread his source, at least with respect to that election. Beale reveals that the Republicans were so deeply divided over the tariff that they had to soft-pedal the issue that year. As for Beale's overall thesis that the Radicals represented neomercantilist northern interests, subsequent research has found it wanting. The Radicals were far from united over purely economic policies. Some, like Representative Thaddeus Stevens of Pennsylvania, were protectionists and inflationists. Others, like Charles Sumner of Massachusetts, the leading Radical in the Senate, were advocates of free trade and hard money. When the Liberal Republicans, with their penchant for *laissez faire*, broke with their former party to oppose Ulysses Grant's reelection in the presidential race of 1872, their ranks included a host of former Radicals.

The Reconstruction chapter is responsible for one note of unintended irony on the book's cover. The original cover reportedly would have displayed a picture of George Washington. Washington was supplanted by General Longstreet, one of Robert E. Lee's lieutenants, undoubtedly to further Woods's neo-Confederate aspirations. Neither Woods nor his editors probably realized that, after the Civil War, Longstreet became a prominent Louisiana Republican and notorious southern supporter of Radical Reconstruction. For that reason, former Confederate General Jubal A. Early and a cabal of Virginians instigated a literary campaign to shift blame for the Confederate defeat at the battle of Gettysburg from Lee to Longstreet.

III

After *PIG*'s treatment of Reconstruction, it is a relief to turn to a chapter that I can praise without reservations. Chapter 8 on "How Big Business Made Americans Better Off" is an outstanding corrective to the standard condemnation of James J. Hill, John D. Rockefeller, and other Gilded Age businessmen. Woods relies heavily, although not exclusively, on Burt Folsom's wonderful book, *The Myth of the Robber Barons* (2003). Historians untutored in economics may be uncomfortable with this chapter's content, but there is little in it that is inconsistent with such mainstream texts in U.S. economic history as Gary M. Walton and Hugh Rockoff's *History of the American Economy* (2005), except for Woods's libertarian rejection of all antitrust, a position that not every economist accepts.

Chapter 9, "World War I," is also good, although not quite as unconventional, since its revisionist condemnation of U.S. entry into that particular war still commands mainstream respectability. Even proponents of the League of Nations agree with Woods that President Woodrow Wilson's uncompromising fanaticism torpedoed any chance of U.S. participation. The book follows with a very brief but excellent chapter on "The Misunderstood Twenties," indebted also to Burt Folsom, in this case for setting the record straight on the tax cuts of Secretary of the Treasury Andrew Mellon, which, contrary to most textbooks, helped those in lower tax brackets as much as those in higher.

Chapter 11 covers "The Great Depression and the New Deal." It is another of the book's best. Its main thrust is the highly contentious yet thoroughly defensible thesis that Franklin D. Roosevelt's New Deal prolonged the depression. Although Nobel laureate Milton Friedman and Anna Jacobson Schwartz, in their 1963 *Monetary History of the United States, 1867–1960* (1963), legitimized among academic economists the finding that government failure rather than market failure caused the Great Depression, only a dissident if distinguished minority of economists (including Murray Rothbard and Robert Higgs) has held further that government intervention under both Herbert Hoover and FDR prevented recovery, that is until recently. With the appearance in the August 2004 issue of the top-flight *Journal of Political Economy* of an article by Harold Cole and Lee Ohanian (2004), upholding this conclusion, it is now a serious contender within the economics profession, and Woods provides a valuable service by giving it a popular forum.

With Chapter 12, "Yes, Communist Sympathizers Really Existed," Woods again begins to drift from libertarianism to conservatism.

Nothing he says about the infatuation of pre-World War II intellectuals with Russian Communism or about the pervasiveness of Soviet espionage is at all objectionable. He even gives his defense of Senator Joe McCarthy a libertarian spin. Denying that McCarthy had anything “to do with investigations into Hollywood” of private individuals, *PIG* credits the Wisconsin Senator as “concerned with Communists or Communist sympathizers *in government*” (p. 157 and p. 168). Ronald Radosh’s (2005) online review waxes indignant at Woods’s use of a book that Radosh and Harvey Klehr (1996) co-authored on *The Amerasia Spy Case*, as if Radosh was the first ever to suffer what is in fact routine among historians, having your own research employed by others to arrive at inferences you may not share.⁵ A re-reading of the pages establishes that Woods is quite careful to distinguish between Klehr and Radosh’s findings about the *Amerasia* case *per se* and his own appreciation for McCarthy.

What one would have hoped to see in this chapter, however, is some acknowledgment of how the unholy triumvirate of President Roosevelt, F.B.I. Director J. Edgar Hoover, and Congressman Martin Dies of Texas, often in bitter competition but still with unintended collaboration, erected in the late thirties an extensive U.S. security apparatus directed at both the far right and the far left. This apparatus continued to operate under Harry Truman into the fifties, and its primary victims were not government employees but private individuals. Unfortunately Woods’s attitude toward the Cold War suffers from a fundamental ambivalence, reflected here and arising later in the book. The libertarian in him wants to denounce the U.S. government’s Cold War interventionism; the conservative in him wants to applaud the government’s Cold War anti-Communism.

Woods does have the courage to stick by his anti-interventionist guns in the next chapter on “The Approach of World War II.” For that reason, I can forgive his unreflective fondness (common among libertarians) for the U.S. neutrality laws of the 1930s. The first U.S. neutrality act was enacted in 1794 to further the Washington administration’s foreign policy. Like all such acts, its primary restrictions applied to private citizens and their involvement in foreign conflicts. Americans who in the 1930s had joined the Abraham Lincoln Brigade to fight in the Spanish Civil War, for instance, later found themselves prosecuted by the Roosevelt administration for neutrality infractions. (After a public outcry, the charges were dropped.) Because this is exactly the kind of voluntary activity that libertarians should favor permitting, as an alternative to the government intervention they

⁵The passage Woods quotes comes from p. 217 of the Klehr-Radosh book.

oppose, the correct position is blanket opposition to all neutrality legislation. The neutrality statutes so innocently designed to keep the United States out of the Second World War by binding the discretionary power of the president in reality infringed upon the freedom of American citizens to trade and travel.

Cathy Young in her *Boston Globe* review takes Woods to task for ignoring “the moral issues in World War II,” while in *Reason* she asserts that “Woods is wrong” because “U.S. intervention in World War II . . . may have been vital to defeating totalitarianism.” But she herself does not tackle the really hard moral and political question: Roosevelt’s telling the American people he was trying to keep the country out of the war while doing everything in his power to draw the U.S. in. Interventionist historians do not deny this incontrovertible fact; they explicitly or implicitly approve of the president’s lying to the public for its own good. Sometimes they convince themselves that if FDR had been more forthright, he could have changed Americans’ minds. Equally often they criticize the president for not getting the U.S. into the war sooner. If Young buys this excuse for FDR’s prevarication, she should come right out and say so, although it would raise some troubling doubts about her commitment to limited and transparent government.

Chapter 14 of *The Politically Incorrect Guide to American History*, “World War II: Consequences and Aftermath,” combines several good points with one bad one. It reports on Operation Keelhaul, the forcible repatriation of Russians who had surrendered themselves to the Americans, one of the most neglected atrocities from the annals of the U.S. government. It explodes the Marshall Plan myth, bringing to a wider audience Tyler Cowen’s demonstration of the trivial to nonexistent role played by American aid in the postwar economic recovery of Europe. And it comes out flatly against Truman’s military adventurism, whether it be aid to Greece and Turkey or undeclared war in Korea. But this last position is somewhat at odds with Woods’s tired rehashing, reflecting again his Cold War ambivalence, of Roosevelt’s purported sellout at the Yalta conference. As if any U.S. policy, short of full-scale war against Stalin, could have changed the postwar fate of Eastern Europe. Bear in mind that, whereas the economic contribution of the United States to the European outcome of World War II was enormous, with America accounting for nearly half the Allied output of munitions over the entire war, the military contribution was minor and last-minute. The major European combatants, measured by either troops committed or casualties, remained Nazi Germany versus the Soviet Union. Eastern Europe

was simply going to be dominated by one or the other at the conflict's conclusion.

IV

Woods wraps up his book with four chapters dealing with the post-Korean War period. Chapter 15 on "Civil Rights" is a collection of genuine horror stories about forced busing and affirmative action. But if *PIG's* perspective on Reconstruction had not already undermined its credibility on these sensitive issues, then its blasé indifference toward government-mandated segregation now does. Although Woods quite rightly exposes the peculiar sociological basis for the Supreme Court's landmark decision in *Brown v. Board of Education*, he further suggests that racial integration of government schools would have proceeded almost as rapidly without the decision. I do concur that "it is probably a waste of time to argue that affirmative action violates Title VII" of the Civil Rights Act of 1964 (p. 207). The problem is the act itself, coerced integration being no more moral than coerced segregation. Too bad Woods did not apply the same healthy reasoning to the U.S. Constitution and save himself the sterile disputes over its "legal" interpretation.

Chapter 16, "JFK and LBJ" is mainly preoccupied with critiquing Lyndon Johnson's "Great Society." A dispassionate recounting of the welfare State's historical consequences would have been devastating by itself, but Woods cannot now resist sacrificing whatever historical detachment he displayed in previous chapters for some outright polemics. For example, in a sarcastic comment on the way "the American intellectual class" nowadays dismisses "any distinction between a 'deserving' and a 'non-deserving' poor," he interjects: "Shame on you, in other words, if you see a difference between a widow with five young children and an irresponsible, self-centered couch potato who simply refuses to work" (pp. 225-26). Those who already agree may be entertained, but only at the expense of the chapter's persuasiveness. Plus *PIG's* Cold-War ambivalence induces equivocation over the Vietnam War. "Instead of taking the war to the North and thus attacking the insurgency at its source," Woods appears to lament, in a paraphrase of Walter McDougall's analysis, (McDougall 1997) "American officials sought to export the welfare state to Vietnam" (p. 229). I was left wondering about Woods's own opinion; does he oppose U.S. involvement in Vietnam or just the inept way it was conducted?

The next, short chapter defending "The Decade of Greed" and especially Michael Milken is a worthy one, but it only temporarily

elevates the tenor of this concluding section of *The Politically Incorrect Guide to American History*. The final chapter, entitled simply “Clinton,” becomes little more than a political tirade. In flailing around, Woods tell us that “Clinton dispatched the military overseas an amazing forty-four times during his eight years. The U.S. military had been deployed outside of our borders only eight times in the previous forty-five years” (p. 242). Let’s see; between 1948 and 1993 we have the Korean War, Vietnam War, and the (first) Gulf War. President Eisenhower sent the Marines to Lebanon in 1958, and President Reagan sent them there again in 1982. Johnson invaded the Dominican Republic in 1965, Reagan invaded Grenada in 1983; and President George H. W. Bush invaded Panama in 1989. The U.S. military skirmished with Libyan forces both in 1981 and 1986, while the first U.S. troops were sent to Somalia in 1992, shortly before Clinton assumed office. I’m already over eight military interventions in this 45 years and could go on. Of course, just as Woods has an idiosyncratic definition of the word “revolution,” he may also have an idiosyncratic meaning for “dispatching the military overseas.”

In sum, *The Politically Incorrect Guide to American History* is a disappointment for libertarians. Although there are many fine libertarian introductions to economics, there has never been a general survey of American history from a libertarian perspective. The extreme left has long had Howard Zinn’s *A People’s History of the United States: 1492–Present* (2003), already in its twentieth-anniversary edition. More recently, the militarist right has gotten Larry Schweikart and Michael Allen’s *A Patriot’s History of the United States: From Columbus’s Great Discovery to the War on Terror* (2004). The hackneyed works of Paul M. Johnson, such as *A History of the American People* (1998), have enjoyed an appalling popularity among libertarians, except those who actually know some history.

Woods, alas, falls far short of filling this yawning gap. His conservative reverence for the Constitution, for the Old South, and for tradition in general too often triumphs over a libertarian respect for individual rights. Many of his negative reviewers ultimately dislike *The Politically Incorrect Guide to American History* for being too anti the United States government. The real problem is that the book is not antigovernment enough.

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REFERENCES

- Adams, Charles. 2000. *When in the Course of Human Events: Arguing the Case for Southern Secession*. Lanham, Md.: Rowman and Littlefield.
- Beale, Howard K. 1930. *The Critical Year: A Study of Andrew Johnson and Reconstruction*. New York: Harcourt, Brace.
- Boot, Max. 2005. "Incorrect History." *Weekly Standard* (15 February).
- Cole, Harold L., and Lee E. Ohanian. 2004. "New Deal Policies and the Persistence of the Great Depression: A General Equilibrium Analysis." *Journal of Political Economy* 112 (August): 779–816.
- DiLorenzo, Thomas J. 2002. *The Real Lincoln: A New Look at Abraham Lincoln, His Agenda, and an Unnecessary War*. Roseville, Calif.: Prima.
- Elliot, Jonathan. 1836. *The Debates in the Several State Conventions on the Adoption of the Federal Constitution*. 2nd ed. Philadelphia: Lippincott. Vol. 1.
- Feller, Daniel. 2004. "Libertarians in the Attic, or A Tale of Two Narratives." *Reviews in American History* 32 (June): 184–95.
- Fischer, David Hackett. 1989. *Albion's Seed: Four British Folkways in America*. New York: Oxford University Press.
- Folsom, Jr., Burton W. 2003. *The Myth of the Robber Barons: A New Look at the Rise of Big Business in America*. 4th ed. Herndon, Va.: Young America's Foundation.
- Foner, Eric. 1988. *Reconstruction: America's Unfinished Revolution, 1863–1877*. New York: Harper and Row.
- Friedman, Milton, and Anna Jacobson Schwartz. 1963. *Monetary History of the United States, 1867–1960*. Princeton, N.J.: Princeton University Press.
- Gamble, Richard. 2003. "Review of *The Real Lincoln* by Thomas J. DiLorenzo." *The Independent Review* 7 (Spring): 611–14.
- Greenberg, David. 2005. "History for Dummies." <http://hnn.us/articles/10760.html>.
- Harris, N. Dwight. 1904. *The History of Negro Servitude in Illinois, and of the Slavery Agitation in that State, 1719–1864*. Chicago: A.C. McClurg.
- Healy, Gene. 2000. "The 14th Amendment and the Perils of Libertarian Centralism." Mises Institute Working Paper (5 May). Available at Mises.org.
- . 1999. "Liberty, States' Rights, and the Most Dangerous Amendment." *Liberty* 13 (August): 13–17, 24.
- Henry, Robert Selph. 1938. *The Story of Reconstruction*. Indianapolis: Bobbs-Merrill.
- Hummel Jeffrey Rogers. 1996. *Emancipating Slaves, Enslaving Free Men: A History of the American Civil War*. Chicago: Open Court.
- Kennedy, James Ronald, and Walter Donald. 1994. *The South Was Right*. 2nd ed. Gretna, La.: Pelican.
- Kienker, John B. 2005. "Mainly Incorrect." *Claremont Review of Books* 5 (Spring): 26.

- Klehr, Harvey, and Ronald Radosh. 1996. *The Amerasia Spy Case: Prelude to McCarthyism*. Chapel Hill: University of North Carolina Press.
- Kukathas, Chandran. 2003. *The Liberal Archipelago: A Theory of Diversity and Freedom*. Oxford: Oxford University Press.
- Johnson, Paul M. 1998. *A History of the American People*. New York: HarperCollins.
- Litwack, Leon F. 1961. *North of Slavery: The Negro in the Free States, 1790–1860*. Chicago: University of Chicago Press.
- Majewski, John. 2003. "Review of *The Real Lincoln* by Thomas J. DiLorenzo." *Ideas on Liberty* 55 (April): 60–62.
- McDougall, Walter A. 1997. *Promised Land, Crusader State: The American Encounter with the World Since 1776*. Boston: Houghton Mifflin.
- Mises, Ludwig von. 1957. *Theory and History: An Interpretation of Social and Economic Evolution*. New Haven, Conn.: Yale University Press.
- Muller, Eric. 2005. <http://www.isthatlegal.org> (entires for 2, 19, and 21 February; and passim).
- . 2004. www.isthatlegal.org (entries for 30 January).
- Palmer, R.R. 1959. *The Age of Democratic Revolutions*. Princeton, N.J.: Princeton University Press.
- Pilon, Roger. 2000a. "In Defense of the Fourteenth Amendment." *Liberty* 14 (February): 39–45, 49.
- . 2000b. "I'll Take the 14th." *Liberty* 14 (March): 15–6.
- Radosh, Ronald. 2005. "Why Conservatives Are So Upset with Thomas Woods's *Politically Incorrect History Book*." <http://hnn.us/articles/10493.html>.
- Reynolds, Glenn. 2005. <http://instapundit.com/archives/020873.php>.
- Rothbard, Murray N., with Leonard Liggio. 1975. *Conceived in Liberty*, Vol. 1: *A New Land, A New People, the American Colonies in the Seventeenth Century*. New Rochelle, N.Y.: Arlington House.
- Schweikart, Larry, and Michael Allen. 2004. *A Patriot's History of the United States: From Columbus's Great Discovery to the War on Terror*. New York: Sentinel.
- Steinfeld, Robert J. 2001. *Coercion, Contract, and Free Labor in the Nineteenth Century*. Cambridge: Cambridge University Press.
- . 1991. *The Invention of Free Labor: The Employment Relation in English and American Law and Culture, 1350–1870*. Chapel Hill: University of North Carolina Press.
- Trask, H. Arthur Scott, and Carey Roberts. 2001. "President Andrew Johnson: Tribune of States' Rights." In *Reassessing the Presidency: The Rise of the Executive State and the Decline of Freedom*. John V. Densen, ed. Auburn, Ala.: Mises Institute.
- Vaughan, Alden T. 1995. *New England Frontier: Puritans and Indians, 1620–1675*. 3rd ed. Norman: University of Oklahoma Press.
- Young, Cathy. 2005a. "Last of the Confederates." *Boston Globe* (21 February).
- . 2005b. "Behind the Jeffersonian Veneer." *Reason* 37 (June): 20–22.

- Walton, Gary M., and Hugh Rockoff. 2005. *History of the American Economy*, 10th ed. Mason, Oh.: Thomson/South-Western.
- Wilson, Theodore Brantner. 1965. *The Black Codes of the South*. Tuscaloosa: University of Alabama Press.
- Woods, Thomas. 2005a. "Driving the Bad Guys Crazy." <http://www.lewrockwell.com/woods/woods38.html>.
- . 2005b. "Response to My Critics." <http://www.lewrockwell.com/woods/woods39.html>.
- Zinn, Howard. 2003. *A People's History of the United States: 1492–Present*. New York: HarperCollins.