

1981

Rocks and Shoals: Order and Discipline in the Old Navy, 1800-1861

James C. Bradford

Follow this and additional works at: <https://digital-commons.usnwc.edu/nwc-review>

Recommended Citation

Bradford, James C. (1981) "Rocks and Shoals: Order and Discipline in the Old Navy, 1800-1861," *Naval War College Review*: Vol. 34 : No. 2 , Article 21.
Available at: <https://digital-commons.usnwc.edu/nwc-review/vol34/iss2/21>

This Book Review is brought to you for free and open access by the Journals at U.S. Naval War College Digital Commons. It has been accepted for inclusion in Naval War College Review by an authorized editor of U.S. Naval War College Digital Commons. For more information, please contact repository.inquiries@usnwc.edu.

operations. What he has to say here is most interesting and useful, but in light of his ultimate conclusion, it might have been even more appropriate to examine all aspects of that campaign, including the military side and the coordination of high command. It is a campaign that still wants an unbiased historian, but in its broad aspects it presents some of the very fundamental issues in which Dr. Till deals.

In his final chapter, Till concludes that the Royal Navy yielded the race in developing airpower at sea by 1939. The tendency to underrate the performance and potential of naval aviation, as well as to deny it appropriate resources, was the result of many factors. Among them was the lack of a bureaucratic organization to support progress and expansion. Another factor was the economic climate of the times which required cutbacks. Simultaneously, there was a lack of vision and leadership for naval aviation. Perhaps this in itself was because of the Fleet Air Arm's position as a hybrid between the advocates of seapower and those of airpower. It was caught in the rivalry and friction between two views that were attempting to exclude the other. Moreover, the struggle between air and naval advocates was as much a conflict between prophetic views as it was a struggle for scarce national resources. This was Britain's particular dilemma. She lacked resources for defense on land, at sea and in the air, but she needed all three. The battle for priority among the three was a partisan struggle that missed the essential point.

Dr. Till's analysis of this topic is an excellent contribution to naval history. By effectively breaking out of the narrow mold of naval historians, one can find here a valuable case study in some of the most basic issues in defense policy.

JOHN B. HATTENDORF
Naval War College

Valle, James E. *Rocks and Shoals: Order and Discipline in the Old Navy, 1800-1861*. Annapolis: Naval Institute Press, 1980, 341pp.

During the past decade the study of naval history has expanded into several areas not previously examined to any degree. Since Harold Langley's path-breaking *Social Reform in the United States Navy, 1798-1862* (Urbana: University of Illinois Press, 1967) historians have increasingly studied not just ships, their commanders, and their battles, but also the enlisted men of the Navy. This work is a welcome addition to this trend.

In it Valle examines the nascent years of the American Navy, a time during which it was "a singular military organization characterized by smallness, scattered deployment, and peculiar values and ethos." His opening chapters sketch the Navy's system of administration, "among the [world's] most backward and poorly organized," and examine its judicial system that was not designed to dispense justice but to maintain discipline.

Valle next analyzes the provisions of the Articles of War of 1800, which served the Navy relatively unchanged from their passage until 1950, when they were replaced by the Uniform Code of Military Justice. In many cases the "Rocks and Shoals," as they were known, were nebulous, leaving much to the discretion of the enforcer. As in so many other ways, Commodore Edward Preble set the standard for their implementation. He disliked formal courts-martial and courts of inquiry because he believed that too many resulted from trivial matters, that they wasted time, but most importantly, that they gave the defendant too favorable an opportunity of either being acquitted or of receiving a light sentence. Thus he avoided formal proceedings whenever possible by such expedients as breaking major offenses down into a series of subjudicial charges that could be tried at captain's mast or imposing combined modes of

126 NAVAL WAR COLLEGE REVIEW

punishment, e.g., lashes and time in irons, so as not to exceed permitted maximums in any one category.

The pattern was similar for officers. If an offense was grave Preble would seek an officer's resignation rather than formally try him. Even if found guilty few officers suffered harsh penalties for their transgressions and political influence was regularly used to reduce or overturn guilty verdicts and sentences. Enlisted men generally lacked political connections to obtain such favors and sentences given were almost invariably carried out unless the death penalty was involved, in which case it was usually reduced to a number of years at hard labor. Flogging was accepted by officers and seamen and preferred to other forms of punishment inasmuch as it meant quick justice which once endured was over.

"Preble's Boys" accepted these practices and followed his example thus establishing an unwritten and basically *illegal* system of naval justice, but one that was effective and accepted by persons in authority both inside and outside of the Navy as being in the best interest of both the service and the nation. These early sections are basically sound, though Valle has an annoying habit of linking the views of officers on discipline to the views of the major political parties in incorrect ways. For example, he says that "like the Federalists in Congress, Preble believed in different treatment for officers and enlisted men." Such an attitude was certainly shared by Jeffersonian Republicans as well.

The remainder of the book is devoted to an examination by category of offenses committed, trials conducted, and the sentences meted out. Most interesting were the capital offenses. Valle shows that charges of mutiny were often used to cover lesser offenses which threatened officers. It is ironic that the closer an incident came to real mutiny, i.e., to endangering the safety of

a ship, the more reluctant officers were to identify it as such. Murder was an enlisted man's crime and like true mutiny, quite rare, while desertion was so common that death was an impractical penalty and rarely imposed except during the period from 1812 to 1819.

In chapters examining all cases of homo- and heterosexual misconduct that came to trial and the more nebulous crimes of disobedience and disrespect, Valle again shows that a double standard of punishment existed for officers and enlisted men.

That the author has made an important contribution to our understanding of the Old Navy cannot be doubted, but his work does suffer from serious weaknesses. Some of his conclusions, e.g., "that the navy's use of the death penalty was arbitrary, capricious, occasionally irregular, and almost always justified by the 'good of the service' rather than the merits of the cases," may be true, but they are not convincingly supported by the evidence presented.

More importantly, indeed his fatal flaw, is the shallowness of his research. After explaining how officers took careful pains to avoid formal legal proceedings, Valle goes on to base almost his entire analysis of misconduct and discipline on records of those formal proceedings as contained in the "Records of General Courts-Martial and Courts of Inquiry of the Navy Department, 1799-1867," in the National Archives. In his introduction he notes that "one can tap a rich body of manuscript material" including "old logbooks and accounts of voyages and expeditions . . . letters, diaries, books, pamphlets, and even novels." It is unfortunate that he has made so little use of these sources, as they would reveal much about the subjudicial proceedings and the levying of combinations of punishments used by officers to avoid formal proceedings. It is also of note that the novel he makes most use of as a source material is *White Jacket*, Herman

Melville's propagandistic attack on flogging, a practice that Valle says was generally supported by enlisted men and officers alike.

Valle's main contribution is his careful analysis of the formal judicial proceedings and his extraction from them of a great deal of information. It remains for him, or someone else, to broaden the research and to place the naval judicial system in the context of its times. Until then his conclusions must be considered tentative as applied to the Navy as a whole.

JAMES C. BRADFORD
U.S. Naval Academy

Von Müllenheim-Rechberg, Baron Burkhard. *Battleship Bismarck: A Survivor's Story*. Trans. by Jack Sweetman. Annapolis: U.S. Naval Institute Press, 1980. 290pp.

In the words of Admiral Sir John Tovey, Commander in Chief, Home Fleet, as the British closed in on *Bismarck*, "the sinking of the *Bismarck* may have an effect on the war as a whole out of all proportion to the loss of the enemy of one battleship." In retrospect, it is not surprising that the sinking of *Bismarck* took on more significance than the loss of one battleship—small as the German Fleet in 1941 was—or that the story continues to attract popular and scholarly interest. Before *Exercise Rhine* was over, the British had lost its largest warship and deployed four battleships, two battle cruisers, two aircraft carriers, three heavy cruisers, ten light cruisers and twenty-one destroyers in a chase that covered an area of more than a million square nautical miles. *Bismarck* demonstrated the technical achievements of German naval architecture and the culmination of German naval gunnery in its duel with *Hood* and *Prince of Wales*. In the final 90-minute action, *Bismarck*, unable to defend herself, demonstrated almost unbelievable staying power absorbing

2,876 hits before the crew set the scuttling charges and opened the sea-cocks. Another facet of this phase of the Anglo-German Atlantic battle, which has intrigued students of modern naval warfare, is the role of naval intelligence. Fueled by the publications beginning in 1974 about ULTRA and the British success in breaking the German naval code, there was speculation that Admiral Tovey's forces had substantial, if not decisive, aid from this source in tracking *Bismarck*.

As the senior survivor and fourth gunnery officer of *Bismarck* during her training period and first and final sortie, Baron Burkhard von Müllenheim-Rechberg provides an entirely new perspective to the ship's 8-day operation. The author's account, written 40 years after the sinking of *Bismarck*, represents the first and only detailed account of the battle from the German side.

Supplemented by new archival sources and the author's vivid recreation of events and the morale of the officers and crew, he has made a major contribution to this chapter of World War II and naval history in general. Not only does Müllenheim demonstrate his objectivity and scholarship but his writing holds the reader in suspense throughout the chase. His description of the ship's fitting-out and training period and the photographs provide a rare opportunity to experience what life was like on board *Bismarck*.

The book also presents Müllenheim with an opportunity to provide some counterinterpretations and necessary corrections to the various battle reports in the *Bismarck* literature. Müllenheim's *Battleship Bismarck* thereby joins Russell Granfell's *The Bismarck Episode* and Brian Schofield's *Loss of the Bismarck* as the classic accounts of the pursuit and destruction of *Bismarck*.

Müllenheim poses the difficult questions that Lütjens, the Fleet Commander, had to face at each critical