Naval War College Review

Volume 23
Number 6 *June*

Article 11

1970

Abel Parker Upshur and The Dignity of Discipline

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Discipline is properly conceived not as a rigid authoritarianism which exacts instant and uncritical obedience from the lower echelons, but as a pyramid of responsibility which allots to each level of command a sense of dignity and the privilege of its own opinion. One man who understood this was Abel Parker Upshur, who became Secretary of the Navy in 1841 under the administration of President John Tyler. In dealing with the discipline problems which frequently arose in the course of a long world cruise in wooden sailing vessels, Secretary Upshur proposed a new concept of discipline and authority.

ABEL PARKER UPSHUR AND THE DIGNITY OF DISCIPLINE

An article prepared
by
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The political process of the American people has, through its custom of rewarding party constancy, placed individuals of widely varying aptitudes, abilities, and interests in the office of the Secretary of the Navy. Despite the gross ineptitude of some, the short tenure of office of others, and the uninformed minds of a few, the mantel of the secretaryship of the Navy has fallen on the shoulders of some whose initial maritime acumen was relatively slight but which broadened and deepened in the furnace of accepted responsibility and on the forge of harsh demand. One such individual whose matured understanding and strength of administrative ability enabled him to become one of the outstanding Secretaries of the Navy was the Virginia legislator and General Court judge, Abel Parker Upshur.

The Navy Department, to which President John Tyler appointed Upshur in 1841, was as chaotic in its administrative procedures and as weak in effectiveness as the scattered handful of ships it sought to support and command. These ships were spread across the Mediterranean, up and down the Atlantic, and in the eastern waters of the Pacific, singly or in groups of twos and threes. The Navy's vessels would remain on station for 3 and 4 years a cruise and were supported by drafts on the American credit spent for goods and services in foreign ports.[1]

The men who commanded these vessels had often come from extended tours of duty or leaves ashore and were overlong in their respective grades due to a paucity of ships in which they could exercise their profession. These commanding officers were often out of

touch with Washington for weeks at a time and were expected to use independent judgment in matters of delicate national concern. Receiving little guidance and supervision from Washington and infrequently falling in with other American men-of-war and their officers, these men sometimes gave orders and issued directives that seemed vexatious to their subordinates, in violation of naval usage, or downright lacking in commonsense. As a consequence, the return to American waters of these captains and their vessels often brought large cargoes of court-martial charges and demands for boards of inquiry.[2]

Upshur recognized these long lists of courts-martial and demands for inquiry as burdensome, contentious and frequently of dubious merit. The "Blue Book," the antiquated and inadequate disciplinary code of the Navy that was promulgated by the Board of Navy Commissioners in 1815, was the current guide to dealing with such problems. This "Blue Book" offended the Secretary's judicial perceptions, and, as a result, both the "Blue Book" and the Board of Navy Commissioners became objects of his reforming talents.[3]

Before the Virginian could properly draft a new code of naval justice, several instances of command indiscretion led him to draw up a most interesting letter on the sense, propriety, and nature of discipline. A lieutenant drunk on duty, a commanding officer who garbed his crew in red flannel shirts against uniform regulations, and the charges arising out of a squabble between Commodore Charles Morgan, commmanding the Mediterranean Squadron, and his subordinate, Comdr. Josiah Tatnall, were in most part responsible for this treatise.[4]

Commodore Thomas Catesby Jones, commanding the Pacific Squadron, was one of the first senior officers to receive these observations on the discipline.

At the beginning of his momentous cruise to the Pacific in 1841 and while his flagship U.S.S. *United States* was taking on stores at Rio de Janiero, two of his midshipmen had gone ashore and fought a duel in which neither man was injured. The angry Jones drew up a pledge that required his 28 midshipmen to refrain from contests of honor among themselves for the duration of the cruise. Twenty-one of the young officers signed the promise after they came to believe they would be confined to the ship for the remainder of the 3-year cruise if they did not do so. Several of the honor-sensitive young men tendered their resignations from the naval service rather than accept Jones' alternatives. After many weeks these tenders crossed Upshur's desk.[5]

This incident, piled upon the other indiscretions that arose throughout the scattered ships of the Navy, prompted Upshur to forward a strong and direct criticism of Jones' decision and the essay on discipline that follows and demonstrates both the capable Virginian's quality of insight and the enduring essential character and dimensions of the concept of discipline.[6]

> . . . The necessity for strict and vigorous discipline in the naval service is felt by all, and will be unsparingly enforced by me. But it is proper that we should correctly understand what is discipline, in order that we may understand by what means it is to be enforced. It does not consist in mere obedience to all orders, for that might involve not only an utter servility of spirit, but also a breach of all law. The whole subject may be reduced to a few simple principles.
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> It is the duty of the inferior to obey all lawful orders emanating from his superior. What is or is not a lawful order depends almost exclusively upon the subject to which it relates. Every order in the usual routine of the service, or touching the correct conduct of

it, according to the usages of the sea, is to be received as lawful by the inferior, and he is not at liberty to question it; it is his absolute duty to obey; but this obligation on his part does not necessarily render the order itself lawful. The commander gives it at his peril; and as it is his indispensable duty to understand the precise extent of his own authority, he should be held strictly responsible for transcending it. The fact that the power of the commander is in a great degree arbitrary, and without control, should render him cautious in the exercise of it; and the fact that it is the duty of the inferior to obey without question, entitles him to expect that no order will be given which he ought not to be required to obey.

The commander-in-chief should remember that the authority with which he is clothed is the *authority of the country*, and that, in the orders which he gives, the *law* speaks with his voice; and, by the same rule, the inferior should feel that, in obeying such orders, he obeys, not the man who gives them, but the *country* which authorizes him to speak in her name. In this case he honors himself in obeying. But he cannot feel thus, unless the orders he receives are in the spirit of the law, and worthy of the high source from which they emanate. If they be given in the mere arrogance of power, or in a capricious temper, obedience may indeed be enforced, but it loses all its dignity, and is necessarily regarded as oppressive.

As the supreme power over the squadron is centered in the commander-in-chief, and as he so far represents the power and authority of his country, he should be duly sensible of the dignity of his position. If he be worthy of his place, there is enough in the higher trusts with which he is clothed to occupy all his faculties and employ all his time. A proper respect for himself should forbid him to enter unnecessarily into trifling and minute details of duty. He should leave such matters, as far as possible, to his subordinates, reserving his own powers for occasions demanding a higher order of qualification. In this way he asserts his dignity when he proclaims, by useless intermeddling with little things, that he considers his faculties adapted to them. He cannot hope to receive from others the respect and consideration which he does not pay himself.

As every commander in the squadron is inferior to the commander-in-chief, the latter adds to his own importance precisely in proportion as he adds to the importance of his subordinates. There is no necessity that he should concentrate every department of duty in himself. He holds his power by a slippery tenure, if he cannot call it up whenever the occasion may require that he should exert it. He who finds it necessary to be always exerting his authority, lest those who are under him should forget that he possesses it, gives proof that he is deficient in that true dignity of character which impresses itself silently and without effort upon all who behold it.

This rule of conduct is still more important, with reference to the just claims of the subordinate officer. If his superior will not trust him, his inferior will not respect him. It is impossible to maintain a commander in the authority which properly belongs to

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him, when those under his immediate command are in the habit of seeing his orders unnecessarily superseded, his plans of discipline set aside, and his official conduct controlled and directed in matters to which he ought to be supposed perfectly competent. Wherever this state of things is found, a correct system of discipline cannot be established. Indeed, there can be no system at all, and no discipline, when rightful authority in the subordinate is thus checked and controlled. The young officer and the sailor soon learn to despise an authority which their commander himself has no assurance that he can maintain, and from which the transgressor is constantly encouraged to appeal. The surest means by which a commander-in-chief can strengthen his own authority is to strengthen that of the commanders under him. And this is due to the subordinate for another reason. His *competency* to command can never be tested if he be kept in a state of unnecessary pupilage, and he can never acquire that confidence in himself which is necessary in every commander, and which is best imparted by throwing him, on all suitable occasions, upon his own resources.

The only safe rule of discipline is, to trust each man fully, in his own peculiar department of duty, holding him strictly responsible for a proper discharge of it. He who has full power to do right cannot complain that he is censured or punished when he does wrong; but where that power is limited or restrained, or controlled, he is not justly responsible at all. Indeed, no one is responsible; for while the subordinate must be excused on the ground that his discretion was taken away from him, the superior can rarely be reached, because the error was not committed in his peculiar department of duty. There is no more reason that the commander-in-chief of a squadron should assume the duties of the immediate commander of his flag ship, than that he should assume those of the boatswain or gunner. When he departs from this rule, he sets an example which, if followed by his subordinates, would produce utter confusion and disorder in the details of duty. If the captain may assume the duties of the lieutenant, why may not the lieutenant assume the duties and wear the whistle of the boatswain? Let each one be confined to the appropriate duties of his own position—let him be duly trusted in them, subject only to the superintendency and correction of the superior authority. Responsiblity will thus be fixed and concentrated, and, as a necessary consequence, a proper performance of duties will be ensured.

It follows from what I have said, that while the commander-in-chief should hold the reins of government with a firm and steady hand, he should not draw them unnecessarily. Let his eye be over every part of his squadron, and let his hand be ready to correct whatever he sees that is wrong. But he should, at the same time, trust his subordinate commander in all things as far as possible, and never interpose his authority except in cases which certainly require it; and whenever it is necessary so to interpose, he should do it quietly and secretly, so that the crew may not perceive that their immediate commander has required correction. All orders to the ship should be given

through her immediate commander, and in such mode as to appear to proceed from himself. This will secure to the commander-in-chief the respect and confidence of his officers, whilst it will secure to those officers themselves the respect and confidence of those under their command.

It is a prevailing error, in the commanders of all grades, to prescribe too many rules for the internal police of their commands. This inordinate love of *regulating* everything, even to minute trifles, is not always restrained by a proper respect for the laws of the country. The captain of a ship is not an autocrat, authorized to do what he pleases with his vessel and crew. His power is only so far absolute that no one under his command can question it; but it is limited by the law, and qualified by the very nature of his duties. He has a right to prescribe rules necessary to the good order and good government of his command, and within the usages of the sea service; but his right is to be exercised in good faith, when it is really necessary; and not capriciously, under the pretence of enforcing discipline. Commanders should remember that the restraints and privations of the sea are very great, even under the most favorable circumstances, and therefore that it is a duty of common humanity to alleviate them as far as possible. This is necessary, in order to prevent the service from becoming odious, causing all men to shun it. There is therefore little wisdom in multiplying restraints, and hunting up new modes of teasing and annoyance. Every indulgence should be allowed, compatible with good order and a sound and wholesome discipline, and no restraint should be imposed and no observance exacted, which is not clearly necessary.

Complaints are often made against subordinates, for what is termed insubordinate and disrespectful conduct. Certainly such conduct is wholly inexcusable, and cannot be too severely rebuked and punished; but care should be observed not to suspect such disrespectful conduct when no disrespect is intended. Every officer on board a ship, whatever his grade, is to be regarded as a gentleman, and is to be addressed in language becoming a gentleman; not indeed in the conventional forms of polite society, but in terms of respect suited to the place and to the relation of the parties. The relation which the inferior officer holds to his superior is not that of the slave to the master. The observances required of him are those of deference and respect, and not those of humility and subserviency. Mere freedom of address is not disrespectful; a temperate assertion of his own rights is not insubordinate in an inferior officer. The proper deportment of officers towards one another is simply that of well-bred gentlemen in society, modified by the necessary forms of the service, arising from the relations of rank and authority. It is true, the forms of the drawing room are unsuited to the ship's deck; but authority may be stern without being harsh; respect may be enforced, without exacting servility along with it; orders may be given with firmness and decision, and prompt obedience to them may be enforced, without breaking the laws of good breeding. The dignity of lawful authority will preserve itself, if it

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be not brought into discredit by arrogance, which claims too much, or by vanity, which concedes too little.

The occasion is considered a fit one for such an expression of opinion, on the part of the Department, as ought to have its influence in every squadron and with every commander. It is the rarest thing in the world for an American squadron to return from abroad without bringing with it a long list of disputes and mutual complaints between the superior and inferior officers. This is discreditable to the service in the highest degree and cannot be contemplated without regret and sorrow. Why should it be so? A little good temper, a little self-command, a due self-respect and an ordinary regard for the law and for the proprieties of official station, are all that is required to preserve the harmony of the service. I cannot be insensible to the fact that there is among junior officers too captious a spirit, and too great an aptitude to question the legality and propriety of orders. Formerly this was not the case, and I incline strongly to think that the change has been produced in a great degree by the vexation to which they have been subjected by unnecessary restraints, useless orders, and ill-timed interference on the part of their superiors. It is true, as a general rule, that so long as the superior does not assume, the inferior will be willing to obey. There is an inherent dignity in all lawful authority, judiciously exercised, which commands the ready respect of all mankind. The order of system and regularity and promptitude of true discipline are extremely beautiful; and such is the comfort which they confer that there are very few who feel the restraints they impose. Nothing is easier than to enforce discipline, because discipline is desirable in itself. It is, in other words, the wholesome action of wholesome laws, giving order to all efforts and security to all rights. The military man should feel there is a positive dignity in his submission to authority, and should place his chief pride in his ready obedience to command. He should also feel respect for his superior, confidence in his justice, reliance upon his honor, and an assured hope in his skill, vigilance, and wisdom. The commander who can inspire these feelings is *worthy* of command. But he can never do this by acting as if he regarded himself as the only person in the squadron worthy of consideration. There is no necessity that the weight of his power should be constantly pressing upon those beneath him. On the contrary, it is his chief excellence so to impress his authority upon his inferiors, that they may obey without feeling it. This is disci-

BIOGRAPHIC SUMMARY

Lawrence C. Allin is presently a doctoral student in maritime history at the University of Maine, having completed his master's degree at Syracuse University and his undergraduate work at the College of the Pacific in Stockton, Calif. His 8 years of active duty as a naval reservist include assignments to the Office of Naval History in Washington, the U.S.S. *Kearsarge* and several patrol aviation squadrons. He has contributed to the *Pacific Historical Review*, the *United States Naval Institute Proceedings*, and the *Civil War Naval Chronology* published by the Office of Naval History.

pline truly worthy of the name. There is an instinct of obedience in all men, which renders harshness in the exercise of authority altogether unnecessary. There is a quiet dignity and a tempered firmness in the laws, which should always appear in the conduct of the commander, and which will never fail to secure ready submission and obedience, whensoever they be manifested.[7]

FOOTNOTES

1. Harold H. Sprout and Margaret T. Sprout, *The Rise of American Naval Power, 1776-1918* (Princeton: Princeton University Press, 1967), p. 116-118.
2. Claude H. Hall, *Abel Parker Upshur, Conservative Virginian, 1790-1844* (Madison: State Historical Society of Wisconsin, 1964), p. 152.
3. Hall, p. 128-129; Charles O. Paullin, *Paullin's History of Naval Administration, 1775-1911* (Annapolis: U.S. Naval Institute, 1968), p. 201-203.
4. Hall, p. 161.
5. "Jones to Upshur and Enclosures" of 19 March 1842, *Letters Received by the Secretary of the Navy from Commanding Officers of Squadrons*, National Archives, Naval Records Collection, Record Group 45.
6. *Taking Possession of Monterey*, House Executive Document 166, 27th Congress, 3d sess., v. V, p. 57-60.
7. *Ibid.*, p. 60-64.

The superior man is firm in the right way, and not merely firm.

Confucious, 551-478 B.C., Analects