
The Battle of Athens

2 AUGUST 1946

I. Introduction

On 2 August 1946, some Americans, brutalized by their county government, used armed force to overturn it. These Americans wanted honest, open elections. For years they had asked for state or Federal election monitors to prevent vote fraud -- forged ballots, secret ballot counts, and intimidation by armed sheriff's deputies -- by the local political boss. They got no help.

These Americans' absolute refusal to knuckle-under had been hardened by service in World War II. Having fought to free other countries from murderous regimes, they rejected vicious abuse by their county government. These Americans had a choice. Their state's Constitution - Article 1, Section 26 - recorded their right to keep and bear arms for the common defense. Few "gun control" laws had been enacted.

II. The Setting

These Americans were Tennesseans of McMinn County, located between Chattanooga and Knoxville, in Eastern Tennessee. The two main towns were Athens and Etowah.

McMinn Countians had long been independent political thinkers. They also had long:

- accepted bribe-taking by politicians and/or the Sheriff to overlook illicit whiskey-making and gambling;
- financed the sheriff's department from fines - usually for speeding or public drunkenness - which promoted false arrests;
- put up with voting fraud by both Democrats and Republicans.

Tennessee State law barred voting fraud:

- ballot boxes had to be shown to be empty before voting;
- poll-watchers had to be allowed;
- armed law enforcement officers were barred from polling places;
- ballots had to be counted where any voter could watch.

III. The Circumstances

The Great Depression had ravaged McMinn County. Drought broke many farmers; workforces shrank. The wealthy Cantrell family, of Etowah, backed Franklin Delano Roosevelt in the 1932 election, hoping New Deal programs would revive the local economy and help Democrats to replace Republicans in the county government. So it proved.

Paul Cantrell was elected Sheriff in the 1936, 1938, and 1940 elections, but by slim margins. The Sheriff was the key County official. Cantrell was elected to the State Senate in 1942 and 1944; his chief deputy, Pat Mansfield, was elected sheriff. In 1946, Paul Cantrell again sought the Sheriff's office.

IV. World War II Ends; Paul Cantrell's Troubles Begin

At end-1945, some 3,000 battle-hardened veterans returned to McMinn County. Sheriff Mansfield's deputies had brutalized many in McMinn County; the GIs held Cantrell politically responsible for Mansfield's doings. Early in 1946, some newly-returned ex-GIs decided:

- to challenge Cantrell politically;
- to offer an all ex-GI, non-partisan ticket;
- to promise a fraud-free election.

In ads and speeches the GI candidates promised:

- an honest ballot count;
- reform of county government.

At a rally, a GI speaker said, "The principals that we fought for in this past war do not exist in McMinn County. We fought for democracy because we believe in democracy but not the form we live under in this county." (*Daily Post-Athenian*, 17 June 1946, p. 1).

At end-July 1946, 159 McMinn County GIs petitioned the FBI to send election monitors. There was no response. The Department of Justice had not responded to McMinn Countians' complaints of election fraud in 1940, 1942, and 1944.

V. From Ballots to Bullets

The election was held on 1 August. To intimidate voters, Mansfield brought in some 200 armed "deputies". GI poll-watchers were beaten almost at once. At about 3 p.m., Tom Gillespie, an African-American voter, was told by a Sheriff's deputy, "Nigger, you can't vote here today!!". Despite being beaten, Gillespie persisted; the enraged deputy shot him. The gunshot drew a crowd. Rumors spread that Gillespie had been "shot in the back"; he later recovered. (C. Stephen Byrum, *The Battle of Athens*; Paidia Productions, Chattanooga TN, 1987; pp. 155-57).

Other deputies detained ex-GI poll-watchers in a polling place, as that made the ballot count "public". A crowd gathered. Sheriff Mansfield told his deputies to disperse the crowd. When the two ex-GIs smashed a big window and escaped, the crowd surged forward. "The deputies, with guns drawn, formed a tight half-circle around the front of the polling place. One deputy, "his gun raised high ...shouted: 'You sons-of-bitches cross this street and I'll kill you!'" (Byrum, p. 165).

Mansfield took the ballot boxes to the jail for counting. The deputies seemed to fear immediate attack, by the "people who had just liberated Europe and the South Pacific from two of the most powerful war machines in human history." (Byrum, pp. 168-69).

Short of firearms and ammunition, the GIs scoured the county to find them. By borrowing keys to the National Guard and State Guard Armories, they got three M-1 rifles, five .45 semi-automatic pistols, and 24 British Enfield rifles. The armories were nearly empty after the war's end.

By eight p.m., a group of GIs and "local boys" headed for the jail to get the ballot boxes. They occupied high ground facing the jail but left the back door unguarded to give the jail's defenders an easy way out.

VI. The Battle of Athens

Three GIs - alerting passersby to danger - were fired on from the jail. Two GIs were wounded. Other GIs returned fire. Those inside the jail mainly used pistols; they also had a "tommy gun" (a .45 caliber Thompson sub-machine gun).

Firing subsided after 30 minutes: ammunition ran low and night had fallen. Thick brick walls shielded those inside the jail. Absent radios, the GIs' rifle fire was un-coordinated. "From the hillside, fire rose and fell in disorganized cascades. More than anything else, people were simply 'shooting at the jail'." (Byrum, p. 189).

Several who ventured into "no man's land", the street in front of the jail, were wounded. One man inside the jail was badly hurt; he recovered. Most sheriff's deputies wanted to hunker down and await rescue. Governor McCord mobilized the State Guard, perhaps to scare the GIs into withdrawing. The State Guard never went to Athens. McCord may have feared that Guard units filled with ex-GIs might not fire on other ex-GIs.

At about 2 a.m. on 2 August, the GIs forced the issue. Men from Meigs county threw dynamite sticks and damaged the jail's porch. The panicked deputies surrendered. GIs quickly secured the building. Paul Cantrell faded into the night, almost having been shot by a GI who knew him, but whose .45 pistol had jammed. Mansfield's deputies were kept overnight in jail for their own safety. Calm soon returned: the GIs posted guards. The rifles borrowed from the armory were cleaned and returned before sun-up.

VII. The Aftermath: Restoring Democracy in McMinn County

In five precincts free of vote fraud, the GI candidate for Sheriff, Knox Henry, won 1,168 votes to Cantrell's 789. Other GI candidates won by similar margins.

The GIs did not hate Cantrell. They only wanted honest government. On 2 August, a town meeting set up a three-man governing committee. The regular police having fled, six men were chosen to police Athens; a dozen GIs were sent to police Etowah. In addition, "Individual citizens were called upon to form patrols or guard groups, often led by a GI. ...To their credit, however, there is not a single mention of an abuse of power on their behalf." (Byrum, p. 220).

Once the GI candidates' victory had been certified, they cleaned-up county government:

- the jail was fixed;
- newly-elected officials accepted a \$5,000 pay limit;
- Mansfield supporters who resigned, were replaced.

The general election on 5 November passed quietly. McMinn Countians, having restored the Rule of Law, returned to their daily lives. Pat Mansfield moved back to Georgia. Paul Cantrell set up an auto dealership in Etowah. "Almost everyone who knew Cantrell in the years after the 'Battle' agree that he was not bitter about what had happened." (Byrum, pp. 232-33; see also *New York Times*, 9 August 1946, p. 8).

VIII. The Outsiders' Response

The Battle of Athens made national headlines. Most outsiders' reports had the errors usual in coverage of large-scale, night-time events. A *New York Times* editorialist on 3 August savaged the GIs, who:

"...quite obviously - though we hope erroneously - felt that there was no city, county, or State agency to whom they could turn for justice.

... "There is a warning for all of us in the occurrence...and above all a warning for the veterans of McMinn County, who also violated a fundamental principle of democracy when they arrogated to themselves the right of law enforcement for which they had no election mandate. Corruption, when and where it exists, demands reform, and even in the most corrupt and boss-ridden communities there are peaceful means by which reform can be achieved. But there is no substitute, in a democracy, for orderly process." (NYT, 3 Aug 1946, p. 14.)

The editorialist did not see:

- McMinn Countians' many appeals for outside help;
- some ruthless people only respect force;
- that it was wrong to equate use of force by evil-doers (Cantrell and Mansfield) with the righteous (the GIs).

The New York Times:

- never saw that Cantrell and Mansfield's wholesale election fraud, enforced at gun-point, trampled the Rule of Law;
- feared citizens' restoring the Rule of Law by armed force.

Other outsiders, e.g., *Time* and *Newsweek*, agreed. (See *Time*, 12 August 1946, p. 20; *Newsweek*, 12 Aug 1946, p. 31 and 9 September 1946, p. 38).

The 79th Congress adjourned on 2 August 1946, when the Battle of Athens ended. However, Representative John Jennings, Jr., from Tennessee decried:

- McMinn County's sorry situation under Cantrell and Mansfield;
- the Justice Department's repeated failures to help the McMinn Countians.

Jennings was delighted that "...at long last decency and honesty, liberty and law have returned to the fine county of McMinn...". (*Congressional Record*, House; U.S. Government Printing Office, Washington, D.C., 1946; Appendix, Volume 92, Part 13, p. A4870.)

IX. The Lessons of Athens

Those who took up arms in Athens, Tennessee:

- wanted honest elections, a cornerstone of our Constitutional order;
- had repeatedly tried to get Federal or State election monitors;
- used armed force so as to minimize harm to the law-breakers;
- showed little malice to the defeated law-breakers;
- restored lawful government.

The Battle of Athens clearly shows:

- how Americans can and should lawfully use armed force;
- why the Rule of Law requires unrestricted access to firearms;
- how civilians with military-type firearms can beat the forces of "law and order".

Dictators believe that public order is more important than the Rule of Law. However, Americans reject this idea. Criminals can exploit for selfish ends, the use armed force to restore the Rule of Law. But brutal political repression - as practiced by Cantrell and Mansfield - is lethal to many. An individual criminal can harm a handful of people. Governments alone can brutalize thousands, or millions.

Since 1915, officials of seven governments "gone bad" have committed genocide, murdering at least 56 million persons, including millions of children. "Gun control" clears the way for genocide by giving governments "gone bad" far greater freedom to commit mass murder.

Law-abiding McMinn Countians won the Battle of Athens because they were not hamstrung by "gun control". McMinn Countians showed us when citizens can and should use armed force to support the Rule of

Law. We are all in their debt.

This is a bare bones summary of a major report in JPFO's *Firearms Sentinel* (January 1995). To learn how the gutsy people of Athens, Tennessee did the Framers of the Constitution proud, send \$3 to JPFO, 2872 South Wentworth Avenue; Milwaukee, WI 53207; and request the January 1995 *Firearms Sentinel*. This document is from: chiliast@ideesign.com (A.K. Pritchard)

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