



View of three cowboys on horseback holding ropes attached to a steer, and a single cowboy, standing on the ground, holding the steer's tail.



Three Block cowboys eating breakfast by a chuck wagon near Ashland, Kansas. Visible in the photograph are bedding, several saddled horses, and a pot over a fire.

## American Icon: the Appeal of the Cowboy

By Jim Hoy

Without doubt the cowboy is a, if not the, leading folk hero of the United States, an internationally acknowledged icon of America. After the flag and the bald eagle, I would argue that the cowboy is likely the third most recognized symbol of our country abroad. Back when Boris Yeltsin visited Kansas, he was given a ride on a combine harvesting wheat in Sumner County, but the photograph that appeared in the news media showed him at Wichita's Old Cowtown Museum sporting a Stetson, thus making him an unofficial honorary American. Some years later, when the Prime Minister of China rang the bell to open trading on the New York Stock Exchange, he did it attired in similar headgear. Not only is the image of the American cowboy nearly ubiquitous, it is also a powerful symbol. I've noted elsewhere (*Cowboys and Kansas*, p. 4) that when Henry Kissinger, then President Nixon's Secretary of State, was asked by Italian journalist Oriana Fallaci to describe how he worked, he replied in words to the effect that he was like the cowboy who rode into town, cleaned up the bad guys, then rode out again. The incongruity of one of the politically most powerful men in the world, an intellectual Harvard professor, a jet setter who was dating movie stars at the time, a European Jew with a heavy German accent comparing himself to a low-paid laborer would border on the absurd if the cowboy was not in fact the quintessential American hero.

One question is, How did the cowboy become an American icon? A major part of the answer is found in popular culture. Between the media accounts of trails-end cowtown revelry, dime novels, and Wild West shows of the later nineteenth century and the movies, genre fiction, and television shows of the twentieth, the lowly hired-man-on-horseback was transformed into a white-hatted knight errant, a defender of the weak and a dispenser of rough-hewn justice.

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The more important question is, Why? Of all the many character types that occupied or were created on the Great Plains frontier (among them the wagon-train pioneer, the homesteader, the prospector, the Plains Indian, the cavalryman), why was it the cowboy who rose to the top of the pantheon of iconic heroes? The answer, I believe, can be found in a fundamental contradiction in the American character.

As Americans, we believe firmly in the rule of law. We maintain staunchly that we are a nation of laws, not of men. The highest appeal to justice in our land is to the Supreme Court, whereas at the time of our nation's founding the highest court of appeal in Europe (and essentially in the rest of the world, too) was to the court of a king. The whim of a monarch could override any law or any court of justice. In this country, on the other hand, we pride ourselves that no one is above the law, not even the President of the United States, as, most recently, both Bill Clinton and George W. Bush, in different ways and circumstances, could attest.

In reality, human nature being what it is, the poor and downtrodden are much more likely to suffer injustice than the rich and powerful. Or, to put it conversely, the rich and powerful are much more able to secure legal representation that can keep them out of jail than are the poor, as prison statistics, particularly death-row statistics, amply illustrate. Still, despite these inequities, we as a people still hold fast to a solid, nearly religious faith in the Law, with a capital L.

At the same time we hold an equally solid, nearly religious belief in the right of the individual to act in accordance with the dictates of conscience and morality, even if that action is in violation of statutory law. To paraphrase Henry David Thoreau, who wrote movingly on this subject in "Civil Disobedience" and who also practiced what he preached, one person, with God on his side, is already a majority and thus has the right, indeed the obligation, to act in violation of what he perceives to be an unjust law.

This doctrine is as emotionally appealing as the rule of law is intellectually appealing, and for most of us emotional appeals are more compelling than intellectual ones. Let me give a couple of examples, drawn from my memory of events that transpired some quarter of a

century back. I recall the case of a teenager from Wyoming who shot his sleeping father dead with a rifle. Obviously this was not a case of self defense, and usually we would condemn the parricide, but in this instance the father was physically and mentally abusive almost beyond belief, beating and berating his wife, son, and daughter, and repeatedly raping his own daughter. In another case, from the Pacific Northwest, a woman shot to death in open court (in the days before metal detectors were installed in almost every public venue) a defendant who had, through a technicality in the law, just been released from custody. He had been charged with, and was clearly guilty of, sexual molestation of the woman's young daughter.

I don't recall what eventually happened to the boy or the mother (the news media are much better at reporting sensational immediate events than at following through with more mundane ultimate outcomes), but in both these cases my sympathies (and those of most Americans, I would wager) were strongly with them, even though both were unquestionably guilty of cold-blooded murder. When one part of the system had failed to protect them and their loved ones, they had acted in violation of another part of the system in order to protect themselves and their loved ones. The problem with the rule of law is that it must, of necessity, have rules, and where there are rules there are those who can find loopholes that violate the spirit, and sometimes evade the letter, of the law. Thus, there is in our national character a wellspring of outrage at those lawbreakers who commit evil acts and get away with them, and an equally powerful wellspring of approval for the individual who, in violation of the law, renders justice on those evildoers.

In our national mythology, it is the cowboy, the quintessential individualist, who symbolizes the urge to take the law into one's own hands in order to bring about law and order, who oxymoronicly commits violent acts in order to bring an end to violence, who defies the authority of human law to act in accord with a higher moral law. This is the underlying theme of countless Westerns (movies, television shows, genre novels), the Great American Morality Play. This theme is one that underlies the first serious novel of the American West, Owen Wister's classic *The Virginian* (p. 228). In that novel the title character leads what

is, in effect, a politer version of a lynch mob, hanging to death, without due process of law, a number of horse thieves, including his one-time best friend (pp. 277-96). Although he acts under the imprimatur of the rancher who employs him, a man who carries the honorific of “Judge,” the hangings are conducted without any statutory authority, only the authority of what was perceived as “right” by the Virginian, the Judge, and others of the ranching establishment in Wyoming Territory. The Virginian has regrets over what he has had to do, but he places ultimate blame on the fact that his friend has gone bad. The implication of this episode in the novel is that in a perfect society, the law would have dealt with the transgressors, but in the real world of events it is sometimes necessary to take extra-legal means in order to enforce the Law.

Thus the cowboy of popular culture, in Thoreau-like fashion, becomes a vehicle for administering extra-legal justice by taking the law into his own hands when the system fails. The problem with Thoreau’s dictum is that an individual who claims God’s support in taking extra-legal actions makes a huge, insupportable assumption: who can truly know God’s thoughts? Adolf Hitler may well have believed that God was on his side, and many fervent true believers, from medieval crusaders to modern jihadists, have no doubt whatever that they are acting under divine authority.

Elements of doubt in the American psyche concerning the right of the individual to defy civil authority, to act alone in what is sometimes perceived to be a reckless fashion are reflected in the use of the term “cowboy” as a pejorative. Recall, for instance, the references to “the cowboys in Reagan’s Whitehouse” during the Iran-Contra episode. Or the derogatory references of political commentators to “cowboy diplomacy” when contrasting the second President Bush’s approach to Iraq with that of his father.

Yet, despite these reservations, the cowboy figure, whether in the form of John Wayne’s movie-cowboy persona, Clint Eastwood’s Dirty Harry, or Harrison Ford’s aptly named space cowboy, Han Solo, remains a powerful emotional force in our culture, one that acts as a check, or as a corrective, to the flaws and inequities of that equally powerful intellectual force in our culture, the rule of law.

References cited:

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