

Shmanners 148: Dueling

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Teresa: I demand satisfaction!

Travis: Podcasts at dawn!

Teresa: *Shmanners* it is!

Travis: It is *Shmanners*!

[theme music plays]

Travis: Hello, internet! I'm your husband host, Travis McElroy.

Teresa: And I'm your wife host, Teresa McElroy.

Travis: And you're listening to *Shmanners*.

Teresa: It's extraordinary etiquette...

Travis: For ordinary occasions. Hello, my dove.

Teresa: Hello, dear.

Travis: I have to be *really* careful, 'cause if I don't stay on top of my voice, [vocal fry] it's goin' down here.

Teresa: [indistinct grumbling, imitating him]

Travis: [vocal fry] 'cause we did podcasts—well, PodCon, I talked so much...

Hi, everybody! I'm so excited.

Teresa: Because...

Travis: And nervous! And nervous!

Teresa: Don't be nervous. You'll do great.

Travis: Okay. Well, so, I had an idea for a topic this week, and I was so interested in it that I said to Teresa, "*I will research, and you don't have to do anything but be awesome.*"

Teresa: And I said, "Sounds great."

Travis: And the thing is is Teresa always does such a good job on the episodes, so I'm just trying to live up to that. Um, but this one of those—so, we're talking about dueling, and this is one of those topics that, if you had asked me two days ago, I would've said, like, "Oh yeah, I know about this. I've seen movies like *Count of Monte Cristo* and—and, I guess, also *Three Musketeers*. A lot of Alexandre Dumas movies."

Teresa: [laughs]

Travis: But the thing is is it's... *intensely* compli—let me start by asking you this. Have you ever been in a fight? Like, not an argument with someone. Like, a physical... beat-'em-up.

Teresa: A phys—a physical altercation where we—we both were physical? No. But I did—

Travis: Wait, what's the o—wait, what's the other side? You punched—did you knock someone out in one punch?!

Teresa: No, not knocked out, but they didn't do anything in retribution.

Travis: [incredulously] What?!

Teresa: Uh, o—okay. So, I—

Travis: Let's take it back. [high pitched whoop]

Teresa: —I was young. I was very young. It was in the fifth grade, so still elementary school.

Travis: Uh-huh?

Teresa: Um, and a boy called me a name, and—

Travis: Was it a bad name? Do you remember?

Teresa: It was a bad—it was a bad name.

Travis: Like—well, yeah, I assume he didn't call you "Teresa," but was it, like, a really bad name?

Teresa: It was a name for a cat.

Travis: Okay... oh, okay.

Teresa: Um, and he called me that name, and I decided that I needed to prove my... my worth, I guess? And so I slapped him.

Travis: Okay! You know what? I stand by fifth grade Teresa.

Teresa: [laughs]

Travis: Uh, but no. I am talking about, like—

Teresa: Violence is not the answer.

Travis: No—well... okay.

Teresa: Violence is the answer to very few questions. How's that?

Travis: Yes. Okay.

Teresa: Okay.

Travis: Um, the thing is is, like, I'm talking more about, like, the "[dudebro voice] Let's take this outside."

Teresa: No.

Travis: I—there was—okay. So, there was a—a bar in Huntington, that still exists, so I will not name it. But every Wednesday night, they did—and everyone's head is gonna spin at this—\$5 all-you-can-drink beer.

Teresa: That's...

Travis: Yeah.

Teresa: ... ridiculous. And what kind of beer could they be doing this with?

Travis: So, basically—I think there was, like, one kind of beer, or one... they would, like, tap a certain kind of beer in a keg, right? And then, like, hand out red solo cups. That was, like, your cup, and you could just keep bringing it back and refilling it til that one beer was gone.

And so, as you might imagine, people got very drunk very fast, 'cause they were trying to finish their beers and get more beers before the beer ran out.

Teresa: Uh-huh.

Travis: I saw more fights in that place... in, like, a summer span, in a three-month span, than I think I have seen in all my life, otherwise.

Teresa: Wow.

Travis: I saw one fight, because a gentleman's friends, um, had been putting drinks on his tab, unbeknownst to him. And when he went to pay his tab it was, like, \$300.

Teresa: [gasps]

Travis: And... yeah. It was—that was a rough 'un.

Teresa: That's not cool.

Travis: No. That was a rough, rough o—rough one. Um, so the idea—I think the thing is, like, people think very much about, like, the, "I am incensed, and so I am going to kill you in a duel," is, like, the common practice, but that was actually very rare.

So let's go way, way, way, way back, because duels and—duels of some sort have basically been around, like, as long as recorded history.

Teresa: Well, so, when you say a duel, you mean, like... agreed upon rules, not just, like, brawls—

Travis: Right. Correct.

Teresa: —because people have been fighting forever, but, like...

Travis: Right. I'm not talking about, like, Cain and Abel, like, "[casually] Somebody killed somebody."

I'm talking about, like, there is a structure to this fight.

Teresa: Okay.

Travis: Um, and speaking of Cain and Abel, there was, like, a very famous biblical example of this. Do you know what I'm talking about? A biblical duel?

Teresa: Uhh, I was raised Catholic. We don't read the Bible.

Travis: Okay! It is—

Teresa: [laughs]

Travis: —David and Goliath.

Teresa: Well, wait a minute! I thought that they were in, like, a war.

Travis: Yes. So, it—so there was this thing. I'm looking to see if I can see the name of it. Mm... nope. Um, this—so, there was... if you think about three—I'm going to say one that you'll definitely know. Trial by jury. Right?

Teresa: Okay, yeah.

Travis: Everybody knows trial by jury. There were two other forms. There may be more, but there's three that I could think of. Trial by jury, trial by ordeal, and this is probably something most famously connected with the witch trials.

Teresa: Yes.

Travis: Right? "I'm gonna dunk you, we're gonna do this, whatever. And if you survive, you're fine," or whatever. It's all—they're all different. And trial by combat.

Teresa: Okay.

Travis: Right?

Teresa: Like, gladiator-style.

Travis: Well, but this was more like an actual judicial fight. Of you would say—okay, I'll get to that in a second, but in David and Goliath, they're in a war, but rather than having both armies square off against each other and potentially lose thousands of men, they just say, "We're gonna send our best person out to fight your best person, and we all agree that whoever wins, it's like you just won this whole battle."

Teresa: Alright.

Travis: And the thing about this is, is I think it would be easy to look at this and think, "This is because you're trying to prove, like, 'We have the strongest guy.' 'No, we have—'" but it actually has to do with a strong belief in God or Gods.

Teresa: Okay.

Travis: The idea being that if I win, it's because God was on my side, and so I am right.

Teresa: Okay. Okay. I'm followin'.

Travis: Yeah, and so, like, you'll see another example of this in the Trojan War. I think it was the Trojan War? I don't know. With Hector and Achilles, right? Where rather than fight a whole war or a whole battle, just send out your best guy and have them fight.

Teresa: Why don't we do this more?

Travis: Well, it's a good question.

Teresa: [chuckles]

Travis: And so, when we're talking—we're gonna jump forward a little bit. There is an example sometime in the 1700s. This was between 1712 and 1730 AD.

A trial by combat where two families that were disputing the boundary between their lands—they took a handful of earth from the disputed land, put it between the two contestants, and they were required to touch it with their swords, each

swearing that the claim is lawful. So whoever first touches the land with their sword wins, and the losing party, beside forfeiting their claim, has to pay a fine.

So literally, like, trial... by combat. So, not just, like, trial by combat, like, whoever wins is the strongest, but really, like, "Oh, okay. Well, whoever wins is right."

Teresa: Well, but, like, wouldn't you just run up and touch it? [through laughter] You don't even have to hurt the other person?

Travis: Well, that's the idea, right? You wanna send out your fastest person, and they would block it with their sword, but then when they would try to—so, like, it's what makes it more of a struggle. And it's kind of evolved from there.

So, you have these judicial duels, right? Trial by combat. But then that starts to evolve into ch... I don't know how to correctly say the word. [sounding it out] Chivalratic? Chi—chivalry, um, battles.

Teresa: Right. Yeah.

Travis: It's not so much about proving what's right, but yes, proving who's strongest. So in, like, the 14th century to 15th century, they would do this thing where... and man, this is, like, the kind of most toxic masculine thing. And we'll keep touching back on that, 'cause that is a lot of dueling stuff.

Teresa: [chuckles]

Travis: But, like, knights—one knight or a group of knights would stake out a well-traveled place, like a bridge or whatever, an intersection, and say, like, "We're here. If you want to pass, you've gotta fight us."

Teresa: So, like trolls?

Travis: Yeah!

Teresa: [laughs] Like—

Travis: Well, here's a great example of it.

Teresa: [laughs]

Travis: In *Robin Hood*, Little John standing on the bridge and says, "If you wanna get past me, you either have to pay the toll or fight me." Right? This is kind of like that.

Teresa: Ohh, like in *Robin Hood: Men in Tights*!

Travis: Yes, but that's based—okay.

Teresa: [wheeze-laughs]

Travis: That's a joke, based on another thing, but yes. So—and then—you could pass without fighting...

Teresa: If you pay them.

Travis: You had to leave your spurs behind as a sign of humiliation.

Teresa: What?!

Travis: Yeah.

Teresa: Your spurs.

Travis: Yeah.

Teresa: The thing that you use to urge your horse.

Travis: Correct.

Teresa: So... bu—i—why—

Travis: Uh-huh.

Teresa: —it makes very *little* sense.

Travis: Well, see, this is it. So, this is like that test of masculinity, really, is what it boils down to. So we've gone from "God is on your side and you are right," to, like—

Teresa: Bullying.

Travis: [simultaneously] "We're so bored."

Teresa: Bullying.

Travis: Yes, yes. Bullying.

Teresa: Basically just bullying.

Travis: And so, like, for—a woman could pass, an unaccompanied woman could pass, but she would leave, like, a glove behind or a—a silken handkerchief, and then another knight could go rescue it and return it to her. It's... blegh. It's all weird.

And, like, if you didn't have weapons and you were just passing, they would provide weapons for—they were just so itching for a fight. And I'm sure that they had some big, built-up reason as to why this was necessary, but it really just sounds like, you know, "Yeah, we're with the King, anyways, let's fight."

Um, so I don't—I don't, uh, necessarily support it.

Teresa: Did duels have anything to do with, like, the tournament sort of thing? With, like, lancing and...

Travis: So there is that, like what you would try but that is much more of, like, a competition rather than is was to prove—

Teresa: So that's more sport.

Travis: —yeah. Right?

Teresa: Okay.

Travis: Though I'm sure that that evolved out of this, or simultaneously with this chivalric—like, "Well, I'm go—I need to practice, or whatever, so I'm gonna fight you." But it *really* seems to be just, like, "Let's fight!" Um, and even though—

Teresa: "For funsies!"

Travis: Yeah.

Teresa: [laughs]

Travis: And that's the thing is it wasn't to the death. I mean, they weren't fighting—

Teresa: I am assuming it wasn't to the death.

Travis: Yeah. This was just, like, "Okay, I've beaten you. You can go on."

Teresa: A touch.

Travis: "But I win." And a lot of it was about, you know, humiliation, pride, a lot of those things.

Um, and it was actually frowned upon by the Holy Roman Empire, but they continued—like, the—they were deprecated by the Lateran Council of 1215, but the judicial duel persisted in the Holy Roman Empire until the 15th century.

Teresa: Okay.

Travis: So, that was when it was, like, *knights*, right? So then, in 1526, a treaty between France and Spain broke down, and Francis I challenged Charles IV to a duel, and they ended up not actually having the duel, but it made it, like, "Nobles? Dueling is super cool."

Teresa: Well, but kings don't actually duel, right? They have, like—

Travis: They do sometimes!

Teresa: —they do sometimes?

Travis: Yeah. Like, that's a—well, once more, we're talking about—

Teresa: They had, like, proxies.

Travis: —we're talking about the 1500s.

Teresa: Alright.

Travis: Right? It was like, where a king was mostly king 'cause they were a powerful soldier, right?

Teresa: Not because of divine right?

Travis: Well, yes, but also, like, the divine right was "I beat everyone else in a fight, so God's on my side."

Teresa: Okay.

Travis: Like we were talking about with the judicial—

Teresa: This all kind of mixes together.

Travis: Right, correct.

Teresa: In a lil duel soup.

Travis: Um, it is believed that in France, under Henry IV, during that 10 year period, 10,000 Frenchman died in duels. In a 10—

Teresa: With each other?!

Travis: —yeah!

Teresa: Not the Spaniards?

Travis: Well, I mean, maybe with the Span—I don't know.

Teresa: Well, wait—okay, wait—[stammering]—hm. So... when all these people were dying in duels, they were fighting each other, when they should've been fighting the Spaniards?

Travis: I'm sure that they were fighting both. I also don't know if it's cool to use the term "Span—" I know back then, that's an archaic term that they would've said. The Spanish.

Teresa: The Spanish.

Travis: Um, but I think that it's a matter of, they were all fi—like, fighting within each other, fighting—but... yeah. I don't know. I'm sure it's a mix of it.

Teresa: [chuckles]

Travis: Who knows?

Teresa: Alright.

Travis: Okay. So, we're gonna jump way forward now, by about 200 years, to the most interesting part of this entire thing. I find it fascinating.

But first... how about a word from some of our sponsors?

[theme music plays]

Travis: This week we would like to give a thank you note to our sponsor, Squarespace. Now, you've probably never heard me talk about Squarespace before.

Teresa: Hmm! Please, do go on!

Travis: Ah, well, thank you very much, Teresa. You see, Squarespace... is a space filled with squares that you float through. And it's very calming, but at times—

Teresa: The way—

Travis: —but at times, terrifying.

Teresa: —the way one enters the internet.

Travis: [gasps loudly] Oh my gosh, you're right! It's an internet website. So, Squarespace is a place where you go to build websites. For example, you might check out buttercupisaverygoodgirl.com.

Teresa: And you should, 'cause there's a fun game on there.

Travis: A website that I made dedicated to our dog, Buttercup. And now I feel bad, 'cause Lily's sitting in the other chair and I haven't made lilyisaverygoodgirl.com 'cause my older brother stole that URL from me. But I will at some point.

Teresa: So *you* shouldn't feel bad. Justin should feel bad.

Travis: Hey, yeah! You're right! Um, so here's the thing. You're gonna go on Squarespace. You've got a great idea for a website. You're gonna go on Squarespace and you're gonna build that website, and maybe you're gonna have, like, things people can buy, or you're gonna have, like, I don't know, your beautiful art on there, or maybe you're gonna use it to showcase your writing, or whatever. Promote a business, who knows?

And the thing is, it's gonna be so easy to make, because they have beautiful, customizable templates, everything optimized for mobile right out of the box, a new way to buy domains and choose from over 200 extensions, including .pizza. That's right, .pizza.

Teresa: Woo hoo!

Travis: And it's free and secure hosting with 27–24/7, award-win—that's right, 27 hours a day—

Teresa: You get 27 hours a day!

Travis: —every day. 24/7, award-winning customer support. It's beautiful, it's easy, and it's secure. So go to squarespace.com/shmanners for a free trial, and when you're ready to launch, use the offer code "shmanners" to save 10% off your first purchase of a website or a domain.

Teresa: And give us back that domain name!

[music plays]

Allie: Hi, I'm Allie Goertz.

Julia: And I'm Julia Prescott, and we're the hosts of..

Together: *Everything's Coming Up Simpsons!*

Julia: Every episode we cover a different episode of The Simpsons that is a favorite of our special guest.

Allie: We've had guests that are show runners and writers and voice actors, like Nancy Cartwright.

Nancy Cartwright: [Bart voice] I got a D minus! I passed!

Allie: And we've also had people that are on the Max Fun network already.

Julia: We've had Weird Al Yankovich on the show.

Weird Al Yankovich: I was just struck by how sharp the writing is. I mean, that's no surprise, 'cause it's *The Simpsons*, but I mean, like, you can't say that about a lot of TV shows, particularly ones that at that point had been on the air for 14 years.

Allie: Find us on Maximumfun.org, iTunes, or wherever you get your podcasts.

Julia: Alright, smell ya later!

[music plays]

Laurie: Hi, I am Laurie Kilmartin.

Jackie: And I'm Jackie Kashian.

Laurie: Together, we host a podcast called...

Jackie: *The Jackie and Laurie Show!* We're both stand up comics. We recently met each other, because women weren't allowed to work together on the road or in gigs for a long, long time, and so our friendship has been unfolding on this podcast for a couple years.

Laurie: Jackie constantly works the road. I write for Conan, and then I work the road in between.

Jackie: We do a lot of stand up comedy, and so we celebrate stand up—

Laurie: Yes.

Jackie: —and we also bitch about it.

Laurie: We keep it to an hour, we don't have any guests, we somehow find enough to talk about every single week. So find us! You can subscribe to *The Jackie and Laurie Show* at Maximumfun.org, or wherever you get your podcast.

Jackie: Kay, bye!

[music plays]

Travis: Okay. So, in 1777—I know you're thinking, "Travis, what about America?" Well, I'll get to America.

Teresa: Okay. Alright.

Travis: But in 1777, some people got together. Namely, uh—they got together—okay. This is an Irish name, so I'm *going...* to mispronounce it. They got together in Clonmel Summer Assizes? It's spelled kind of like one might say "Butt sizes."

Teresa: [laughs]

Travis: If that—okay. The gentleman delegates of Tipperary, Galway, Sligo, Mayo, and Roscommon, probably all mispronounced, they got together and wrote "The Code Duello."

Teresa: Okay.

Travis: Which is, I believe, translated to "The Duel Code."

Teresa: Yes. Yes.

Travis: Okay. And it became the code that was generally followed. Well, it was written for Ireland, but it was also followed in England, on the continent, and, in a lot of ways, in America. So, they followed it in America, but changed some things. And here's—this is where—

Teresa: Like we do.

Travis: —this is where... when I go through these rules, you're gonna see why this is, like, a *Shmanners* etiquette topic.

Teresa: Okay.

Travis: Because this is one of the most structured things I've ever heard. Alright.

Teresa: Okay.

Travis: Rule Number One: The first offense requires the first apology, though the retort may have been more offensive than the result. Example: A tells B he is impertinent. B retorts that he lies, yet A must make the first apology, because he gave the first offense, and then after one fire—shooting—then B may explain away the retort by subsequent apology. Right?

Teresa: So, wait a second. So, I call you impertinent.

Travis: Uh-huh.

Teresa: You call me a liar.

Travis: Correct.

Teresa: I *shoot* you.

Travis: Well, so, then you have to offer an apology, and if I don't accept, we fire. *Then, I* have to offer an apology because of the thing *I* said, and if you accept, we don't have to fire again, but if you don't accept, we have to fire again.

Teresa: Oh, man.

Travis: Right? Yeah, so, Rule Two: But if the parties would rather fight on, then after two shots each, but in no case before, B may explain first, and A apologize afterwards.

So after we've fired twice, now B can take lead on apologizing.

Teresa: So we're having a debate... but we're sprinkling bullets in there.

Travis: Well, so, this is more like if I—so, I say "You're impertinent," and you say, "You're a liar," right? And I say, "I demand satisfaction," or you do, right? Then we go to fight.

Whoever gave the first offense has to apologize, and if it's not accepted, then they go to the fight, right? So it's more about a structure of, um, apology, rather than a debate. We're not debating at this point. The debate's done. This is putting the thing to bed, and either I apologize first, or we shoot, right? And so it's more about who can apologize when.

So, Rule Three: If a doubt exists as to who gave the first offense, the decision rests with the seconds. If they won't decide or can't agree, the matter must proceed to two shots or to a hit, if the challenger require it.

Rule Four: When the lie direct is the first offense, the aggressor must either beg pardon and express terms, exchange two shots previous to apology, or three shots, followed up by an explanation, or fire on til a severe hit be received by one party or the other.

So here we see that there is a clear distinction between an apology and an explanation.

Teresa: Okay.

Travis: Right? "I'm sorry I said that" versus "The reason I said that is this." And so you can make an apology after two shots, and explain yourself after three shots. And, like, it's—once more, one—structure, structure, structure.

Rule Five: As a blow is strictly prohibited—blow talking about, like, hitting someone, and this is as the offense, not in the duel—as a blow is strictly prohibited under any circumstances among gentlemen, no verbal apology can be received for such an insult. The alternatives, therefore, the offender handing a cane to the injured party to be used on his own back—

Teresa: [gasps]

Travis: —at the same time, begging pardon; firing on until one or both are disabled, or exchanging three shots and then asking pardon without proffer of the cane.

Teresa: [through laughter] Whoa-ho-ho.

Travis: Um, if swords are used, the parties engage until one is well-bloodied, disabled, or disarmed, or until after receiving a wound and blood being drawn, the aggressor begs pardon.

A disarm is considered the same as a disable. The disarmer may, strictly, break his adversary's sword, but if it be the challenger who is disarmed, it is considered as ungenerous to do so.

In the case the challenge be disarmed and refuses to ask pardon or atone, he must not be killed. As formerly, the challenger may lay his own sword on the aggressor's shoulder, then break the aggressor's sword and say, "I spare your life."

The challenged can never revive the quarrel. The challenger may.

Teresa: Okay. I think a little later we're gonna have to act this out with some of Bebe's dolls.

Travis: Yeah.

Teresa: [laughs]

Travis: Rule Six: Is A gives B the lie and B retorts by a blow, being the two greatest offenses, no reconciliation can take place til after two discharges each or a severe hit, after which B may beg A's pardon humbly for the blow, and then A may explain simply for the lie, because a blow is never allowable. The offense of the lie, therefore, merges in it. [laughs quietly]

Teresa: Phew, boy.

Travis: So this is the thing of, like... and listen, I can keep going. There's [hesitantly] 26... rules. 26 rules. And the thing is is, like, all of this is to avoid the, like, "I'm looking for an excuse to kill you," right?

Teresa: All the rules, right.

Travis: Right, and not only that, it, like, also... to cheat at dueling was, like, the *height* of embarrassment, and that's... this is another thing that I think is really hard to wrap my mind around as you're reading through this, because on the one hand, I'm looking at it going, "I think that this is barbaric." The idea of, like, "Hey, how dare you say I'm a liar! Let's maybe kill each other." Right? But at the same time—

Teresa: Okay. Okay, wait just a second. I am reminded of the assassination of Alexander Hamilton by Aaron Burr, and the idea that when they shot, there was the... the common courtesy of, like, shooting up?

Travis: Well, we'll talk about that in a second.

Teresa: Okay. Okay.

Travis: But the thing that does kind of justify it a little bit for me, and I think it's important to contextualize, is at this time, when you're talking about—especially in, like, the 1700s, and even into, like, the 1800s—the way it was seen is, like, yes, wealth was an important commodity, but so much bigger than that was respect.

Teresa: Yes. I mean, absolutely. We've seen this over and over again, especially in these times of, like, strict social hierarchy.

Travis: Right. And especially, like, when you think about what it meant to, like, be a business owner, to be somebody that somebody would, like, invest in or support or whatever, this is what we're talk—of, like, "Ah, yes. You're a very respected family, 'cause you follow these rules and you do these things," and so if someone's like, "Aw, Jenkins? Jenkins is a liar, you can't trust this guy!" Like, where if someone would say that about me now I could kind of roll my eyes—

Teresa: This was your livelihood at that point.

Travis: —right! That could mean, like, "Oh, we can't trust Jenkins? Okay, well, then I'm not gonna do business with him." And it's like I *have* to prove you wrong. Like, I have to stand up for my—because if you're willing to stand up for that duel, it proves that you are not a liar, because, like, if you were a liar, you would've just taken the offense, right? So there's a lot more of that.

But then on the *other* other hand, it's also easy to look at this once again as, like, into that toxic masculinity thing of, like, "You—how dare you besmirch my honor!"

Teresa: Mm-hmm.

Travis: Right? So basically, as you go through the rules, there's more—like, uh, when apologies can be offered, how seconds are supposed to operate... I find this interesting. Rule Eight: In the above case, no challenger is obliged to divulge his cause of challenge if private, unless required by the challenged to do so before their meeting.

So, like, if I challenge you, I don't necessarily have to tell you why.

Teresa: Whaaat?

Travis: Right? Until we meet. Um, and it's—like I said, it goes on and on and on and—like, there are 25 rules that you need to know and learn.

So, let's talk about America. And listen, if you're interested in that, go read it, 'cause it really is so specific and interesting and, like, really bullet points the whole experience. You can really see, like, "Before you do this, do this, and after you do this, you have to do this, but before you can continue on, do this." And, like, that's why you had seconds there.

Teresa: Mm-hmm.

Travis: So that the seconds were there to be like "Hey, hey, hey. You gotta follow—keep your tempers low." And there's a lot of examples also, [holding back laughter] as you look through history, of the seconds then getting angry and challenging each other to duels?

Teresa: Oh no.

Travis: And then that being another thing of, like, "Well, we'll have to settle that later." Um—

Teresa: Well, so when I think about the US, I think about two periods of history. The first one being the Revolutionary times.

Travis: Uh-huh.

Teresa: Like I said before, uh, Hamilton and Burr, right?

Travis: Correct.

Teresa: And then the second one being The West.

Travis: Okay. We're gonna talk about these. So, in America what you see is where, in the European countries it was a lot about honor—and that was still true in America, in the US, but what you saw becoming was not just honor, but politics.

Teresa: Yeah! Yeah. I mean, that makes total sense, because this was—that was kind of the new hierarchy.

Travis: Right, and so a lot of the cause for duels that you would see is, like, between politicians, between lawyers... one of, like, the most common duels was

between someone and a newspaper editor, because newspapers, if you can believe it, at the time were very, uh, like, factionalized. They were like—they supported this person or they supported this person.

And so apparently editors would carry pistols with them all the time [holding back laughter] just in case they got challenged, right?

Teresa: Oh boy.

Travis: They were always ready for—to fight. And so, that's why when we get into Hamilton and Burr, that's where that comes from. And one of the interesting things I found was actually the approved way to throw away your shot was to shoot into the ground.

It was actually very—one of the rules in the Code Duello is it's very, uh, embarrassing to fire your shot into the air, because the idea being, if you were going to, you should've either apologized or accepted the apology, and if you shoot in the air it's like child's play. You're pretending at dueling.

Teresa: Oooh.

Travis: And it's very embarrassing. So there's actually a lot of debate about what actually occurred in the thing, in the fight between Hamilton and Burr. Some people think he was throwing away his shot, some people believe that he was aiming at ground but he was surprised by getting hit, and it made his shot go wide, and that's why it went up.

Some people believe Burr did not intend to shoot at all but had a hair trigger on his gun, which was frowned upon, and the sound of Hamilton's shot scared him, and he fired. Like, there's a whole bunch of—

Teresa: Wow.

Travis: —so it is unlikely, although it is a very wonderful, iconic moment in the musical and should not be frowned upon and should be judged and people should not tweet at Lin to say I said this—

Teresa: [laughs]

Travis: —it is very unlikely that he aimed straight up at the sky and fired.

Teresa: Because, friends... that's a musical. [laughs]

Travis: And also, I say "unlikely." It definitely didn't happen, because the bullet was found 12 feet up a tree, which means it was not shot straight into the air. It was shot, like, up over Burr's shoulder, basically.

And so it is most likely that he did intend to miss, but that his shot went especially wide because, you know, he got shot.

Um, so actually, you talked about the different periods, and we are gonna talk about the Old West, but also, duels continued on into, like, the 1860s and 1870s—

Teresa: When did they become illegal?

Travis: Well...

Teresa: Have they always been illegal?

Travis: Mmm...

Teresa: Mmm...

Travis: They've kind of gone, like, in steps, right? Where it's like, it started to—so for example, in 1859 18 states had outlawed—and that's not out of 50. I don't know, like, 30-some probably at that point—um, had outlawed it, right? But it was still pretty common in, like, the South and the West, right? And so in the South—

Teresa: Right. If the lawman ain't there...

Travis: Well, in the South it was also—there was a lot more focus on, like, honor and, you know, uh, that kind of structure. *And*, a lot of duels over slavery.

Teresa: I'm sure.

Travis: Yeah. There was—

Teresa: And in the West, there were a lot less police officers.

Travis: Correct. So I think that once again we're looking at honor, but in two different—you know, the code of the West and the Southern gentleman, right? We're looking at these two where I think people in the North had their own set. There were probably a lot more fistfights, right? That's probably what we're looking at.

Teresa: [laughs]

Travis: But even—even Abraham Lincoln was challenged to a duel, and he accepted it and chose swords, because he had very long arms. He didn't end up fighting the duel. It was able to be worked out through apology, right? And that's the other thing is, like, it was very hard to say no to a public duel, where I think most of the time what you would do is you would say yes, and then work it out before any blood was shed or any actual fighting occurred.

Teresa: I see.

Travis: right?

Teresa: So it was kind of a performance at this point.

Travis: Yeah! Right? It was—it was—as we've talked about before about a lot of, like, Victorian and Edwardian and that kind of thing, is, like, what it was, was "This is the structure. This is the process," right? And it removed a lot of uncertainty of, like, "Okay, well, I offended this person. Okay, cool. This is what I do, and then I do this, and if we can't do that, then we do this, and if we can't do that, we do this."

And that's why in the Code Duello you also see a lot of, like, "Once this is settled, this person can't bring it up again, this person can if they need to—" right? It's another thing of, like—don't get me wrong. [exaggerated deep voice] We should not be doing this today.

Teresa: [laughs]

Travis: But, I do think that there is something appealing to that idea of, "If A then B, if B then C, if C then D," right? And, like, now the matter's done.

Now, that's not to say that it was always, like, smooth and genteel, right?

Teresa: Right, because it only works if everyone follows the rules.

Travis: Right. So, like, there was one example I read about where a guy, like, stood up in front—I think it was in England—but stood up in front of Parliament and, like, made this very inflammatory speech about this other person. They were challenged to a duel, and he ended up shooting the guy, and then people found out that he had spent six months practicing in a target range before making the speech. So, like, he knew exactly what was happening, he knew exactly what he was doing.

Teresa: So basically it was murder.

Travis: Well... I don't know. It's possible on the one hand to say—

Teresa: [simultaneously] Pre-meditated murder!

Travis: —but it's possible to say, like, "He just knew he needed to make the speech and that the guy would challenge him," but I agree with you.

Teresa: [laughs]

Travis: That he was like, "I kinda wanna kill this guy!" Um, so you also mentioned the Old West, so let's talk about the Old West. Now, here's the thing: I think when most people think about duels in the Old West, they're thinking about, like, a showdown. But that's not really... real.

Teresa: So, like, the idea... okay, so the iconic scene of, like, an empty street—

Travis: Mm-hmm.

Teresa: —right? And you got—you got the good guys on one side, you got the bad guys on the other. There's usually, like, maybe three or four of each, right?

Travis: Yeah, and the thing is is, like, that... *did* happen, but not... [sighs] not in that way.

Teresa: Okay.

Travis: So the thing is, is, like, yes, people did draw on each other, right? And there were shootouts. But the idea of, like, "At high noon, you're on one side of the street and I'm on the other and we walk 10 paces and turn and fire," that was not common.

Teresa: That's a movie thing.

Travis: Yeah, it—[through laughter] well, even then that doesn't really happen all that much in movies, either. Like, it does, but the much more common thing is like—so, if you've ever seen *Tombstone*, there's the—

Teresa: Nope. [chuckles]

Travis: Okay. We need to watch that.

Teresa: [through laughter] Okay.

Travis: There were shootouts, but they were much more like that of, like, there's four of us, we're gonna go find these people, and you're inside the building, we're out here, we're gonna fire.

Or it was, like, in a bar, and you've offended me, and we both go for our guns and shoot. Right?

Teresa: Okay.

Travis: And so the idea of, like—

Teresa: Like, that was the O.K. Corral, right? I mean, it was basically just a fight with guns. There wasn't any, like, dueling.

Travis: Right, but more of, like, a shootout than we think of, like—it wasn't a spontaneous thing.

Teresa: Right.

Travis: So that's close to a duel, I guess. Or, like, the drawing on each other in a bar. That's close to a duel. But the idea of, like, "This person's the fastest gun in the West," "No *this* person's the fastest gun," and they're gonna find each other and square off to see who's fastest? That didn't really happen, 'cause if you were good at it, you didn't wanna fight someone else who was good at it, 'cause then you'd die.

Teresa: Right.

Travis: Right? Like, you don't wanna take that chance. Um, especially since, in all of this, another thing we should mention is you also have to keep in mind that even if you didn't get shot fatally or stabbed fatally or whatever, medicine weren't good!

Teresa: Yeah.

Travis: Right? So chances are you'd probably die of infection or something along those lines.

Teresa: Well, and I have to think that dueling kind of evolved as the firearms evolved, too.

Travis: Absolutely.

Teresa: So, I mean, when I think about in the 1700s—I mean, sure, guns worked but there were a lot of misfires, and you had to load them specifically, and all that kind of stuff to the part where you get to, like, the West, and you have a Derringer that's pretty reliable most of the time, right?

Travis: Well—so, the Derringer was the smaller one, but if you're talking about, like, a revolver, yeah.

Teresa: Yeah.

Travis: Absolutely. But even then—actually, so, the reason the dueling pistol became—like, was so specialized, is even when you got into guns that could fire multiple rounds without having to be reloaded, people still used the dueling pistol for a couple reasons.

One, it was more accurate, because it only fired one, right? So that was their const—what they understood is that because it only had one chamber it was more accurate.

But also, it helped enforce the rules!

Teresa: Right. 'Cause you had to stop and reload.

Travis: Of you couldn't just, like, boom, boom, boom, and hope to hit 'em. You would fire one, and then you would have to reload it, and that enforced the, like, "Now it's time for us to talk," right?

Or, like you saw with Abraham Lincoln, you could still opt for, like, "We're gonna swordfight instead of gunfight."

Now, that's not to say that the showdown didn't happen. There is a very famous one of Wild Bill Hickok versus Davis Tutt Jr. where they, like, had a drunken argument over a card game, reportedly that Wild Bill had, like, lost a watch in the game or something, and they, you know—they were 75 yards from each other, and shot at each other—now, apparently Tutt fired the first blow. It kind of rapid-fired; and Hickok took, like, one second longer to aim, and killed the dude.

So, like, it did—

Teresa: But was Hickok wounded?

Travis: No, I don't believe so. It went wide. But that's the thing is, like, it did happen, but it happened very rarely. And you also have to remember, Hickok was a showman, right?

Teresa: Right.

Travis: And so, like, he was making a name for himself and making a big deal out of it. This was not, like, "Oh! Another shootout! Ugh."

Teresa: This was another performative tactic, probably.

Travis: Very much so. And here's the thing: I have used a lot—I just realized I said "showman," and throughout this I talked a lot about, like, gentlemen and men fighting and everything, but women dueled too! There were—it was not as common, but it happened.

There was a duel in 1792 between Lady Almeria Braddock and Mrs. Elphinstone. Uh, "Mrs. Elphinstone expected no more than a cup of tea when she paid a social call to Lady Almeria Braddock's London home in 1792, but the visit veered off into decidedly unladylike territory when the hostess, evidently enraged by a casual comment Mrs. Elphinstone made about her age, challenged her guest to a duel in Hyde Park. According to reports, Mrs. Elphinstone fired her pistol first, knocking Lady Braddock's hat to the ground. The women then took up swords, and Lady Braddock got her revenge by wounding her opponent in the arm. The petticoat

duel, as it became known, ended without further incident when Mrs. Elphinstone agreed to write a letter of apology."

Teresa: Wooow.

Travis: Yeah, and there's more of those as you look throughout history. So, the one last thing I wanna say before we wrap up is that... people... I think it's very easy, especially when you talk about... complete jerks—I wanted to use stronger language there, but I walked it back—

Teresa: [laughs]

Travis: —like Andrew Jackson, who was like "I fought in 14 duels!" And I found one—I believe his name was Humanity Rick, was his nickname—a dude who claimed to have fought in over 100 duels. Um, which I also believe got him the nickname Hair Trigger Rick. Um, people didn't want to. Like, it was not a thing that you jumped to, 'cause you could *die*.

Teresa: Yeah.

Travis: Right? Which is why there's all these off ramps in the Code Duello.

Teresa: Mm-hmm.

Travis: And actually, according to one source I read, most duel—like, only 20% of duels ended in death. So, like—

Teresa: 20% is still a lot! That's one in five!

Travis: —listen, it's still pretty high, but also, how many bar fights now end with somebody getting injured or—you know what I mean? like—I'm not—

Teresa: I mean, I guess that's true. Do—I would love to see the breakdown between immediate death and, like, death from gangrene.

Travis: Right. And that's the thing, is most fights—most duels, I should say—if you think about sword fights, a lot of it was first blood. So if you got, like, nicked on the arm—that's why if you ever see in movies and stuff, the reason that they would take off their jackets and just wear, like, white shirts, it's so you could very easily see, like, "Okay! You're bleeding. You're out."

Teresa: Oh, like in *Hamlet*!

Travis: [simultaneously] *Hamlet*, correct. And so—

Teresa: That was amazing! What a wavelength we have together.

Travis: Yeahhh. And so, like, that's a thing of, like, first blood could be anything. It was not, like, "We're gonna sword fight til I stab you through the heart." Now, there were certain offenses where you're like, "We're gonna fight to the death."

Teresa: "A touch! A palpable touch!"

Travis: Correct, but that was—that was the most common, first blood. Or, with pistols, any kind of wounding would usually end it. Or, "Well, we've each fired a shot and nobody got hit, so honor is served. We're done."

Teresa: Yeah.

Travis: Right? And so that was the more common thing. But like I said earlier, [holding back laughter] I *do not* think we should do duels now.

Teresa: [laughs]

Travis: So that's dueling! And that's gonna *duel* it for us this week.

Teresa: Oh no...

Travis: Eh? No? Okay. Thank you for listening, and once again, like I said, we were at PodCon, it was amazing. Thank you to everybody who came out. Thank you to Hank Green and to Joseph Fink and Jeffrey Cranor, and all the staff at PodCon, and everybody. It was just—

Teresa: All the volunteers. It was wonderful.

Travis: —it was amazing. Also, go check out mcelroy.family if you wanna see all the other projects that the McElroys work on. Teresa and I are working on some new video stuff that—well, you'll find out about it—

Teresa: It's gonna be really great.

Travis: —you'll find out about it. Um, you can also go to mcelroymerch.com and see all our amazing merch there, including some "Hello, my dove," "Hello, deer," pins and a t-shirt that Kate Leth designed that you can check out there. Uh, what else, Teresa?

Teresa: Oh, tell 'em about the tour.

Travis: Oh, right! We are going to be in Birmingham, Alabama, and New Orleans on I believe February 7th, 9th, and 10th. Birmingham is the 7th, New Orleans is the 9th and 10th, and that's *My Brother, My Brother, and Me* and *The Adventure Zone*, but *Shmanners* is opening... I think the one in New Orleans? And *Sawbones* is opening in Birmingham, so if you wanna check out those and get tickets for it, you can go to mcelroy.family and click on "tours," and the tickets are there, and we'll see you there!

Teresa: Yeahh. So, also, as always we want to thank Brent "brentalfloss" Black for writing our theme music, which is available as a ringtone where those are found. Also, thank you to Kayla M. Wasil for our Twitter thumbnail art. You can reach us on Twitter @shmannerstcast. That's where we get a lot of our really great ideas and a lot of our listener questions.

Also, thank you to Keely Weis Photography for our beautiful cover banner for our fan-run Facebook group, Shmanners Fanners! You should join that, so that you can connect with other fans of *Shmanners* and get some and give some really great advice!

Travis: Well, that sounds great. So, join us again next week!

Teresa: No RSVP required.

Travis: You've been listening to *Shmanners*...

Teresa: Manners, *Shmanners*. Get it?

[theme music plays]

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