

## Book Review

### AMERICAN PATRIOT: THE LIFE AND WARS OF COLONEL BUD DAY<sup>1</sup>

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Robert Coram's *American Patriot, The Life and Wars of Colonel Bud Day*, successfully introduces its readers to a real American war hero. Coram's biography of Colonel (Col) (Retired) George "Bud" Everette Day is empowering. It is equally humbling, as readers are surrounded by Col Day's unwavering strength and endless achievements. Colonel Day is a Marine, an Army officer, an Air Force fighter pilot, a Vietnam Prisoner of War (POW), a Medal of Honor winner, and an accomplished attorney. This biography is not only engrossing to a casual reader, but Col Day's story is highly relevant to military men and women today, as this nation continues to fight the war on terrorism.

Readers serving in the military will be immediately struck by *American Patriot's* simple and obvious message. Donning a military uniform in this country is like signing a contract. This contract demands those wearing it to "live their lives based on clear values—a code of honor and loyalty, a patriotism, a commitment, and a discipline that place[s] them on a moral high ground."<sup>3</sup> While this message may not sound profound or original, Coram's book about Col Day's life gives this old theory new meaning. It compels military members to critically ask themselves if they truly understand what it means to live this way, even when it seems impossible. More specifically, this book forces those wearing a uniform to take a cold, hard look in the mirror and question their own ability to comply with the Code of Conduct upon capture and "[r]eturn with honor."<sup>4</sup>

Coram's *American Patriot* has three major weaknesses and three major strengths. Its first weakness is that Col Day's life story is abruptly ended with a lengthy description of a documentary against Senator John Kerry, which contributes little to support Coram's ultimate message. Second, Coram glosses over Col Day's heavy involvement in the changes made to the Code of Conduct following Vietnam, even though this fact is extremely relevant to his message. Finally, Coram makes a distracting contradiction throughout his book, when he insinuates that Col Day is straight-lined, yet describes the life of a rebel. Ironically, this last weakness is also this book's first major strength. Coram's depiction of Col Day as someone who does not always walk the straight and narrow, prevents readers from viewing Col Day as extraordinary and makes him a human being to emulate. A second strength is that Coram relied on many different sources to write Col Day's story, even those sources who may ultimately disagree with his message. Finally, as stated above, Coram's biography has relevance and applicability to today's military.

Coram spends eighteen well-organized chapters in *American Patriot* describing how Col Day spent his life swimming upstream to reach the "moral high ground."<sup>5</sup> Colonel Day grew up watching his father emotionally abuse his mother and sister and defending himself against bullies. He disobeyed his father and dropped out of school at seventeen to enlist in the Marines, standing at just five foot two and weighing a mere 116 pounds.<sup>6</sup> Later, as an Air Force officer, Col Day was sent to Vietnam where he commanded an elite flying outfit called Misty<sup>7</sup> and was shot out of the sky by a missile. Colonel Day was captured by the North Vietnamese and spent nearly six grueling years as a POW.<sup>8</sup> After his release, Col Day sued the government he so bravely defended, when he discovered that the military had reneged on their promise of free medical care for life.<sup>9</sup> *American Patriot's* final chapter is devoted to Col Day's movement against Senator Kerry during the 2004

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<sup>3</sup> CORAM, *supra* note 1, at xii.

<sup>4</sup> *Id.* at 5, 209, 213, 214. *See also* GEORGE E. DAY, *RETURN WITH HONOR* (1991).

<sup>5</sup> CORAM, *supra* note 1, at xii.

<sup>6</sup> *See id.* at 27.

<sup>7</sup> Colonel Day named this outfit "Misty" after his favorite song, which was recorded by Johnny Mathis in 1959. *See id.* at 98–99, 124. *See also* Robert D. Kaplan, *Rereading Vietnam*, *THE ATLANTIC.COM*, Aug. 24, 2007, <http://www.theatlantic.com/doc/200708u/kaplan-vietnam>.

<sup>8</sup> *See* CORAM, *supra* note 1, at 135–254.

<sup>9</sup> *See id.* at 305–44.

Presidential Campaign.<sup>10</sup> More specifically, Coram describes Col Day's involvement in a documentary regarding Senator Kerry's 1971 statement before the Senate Foreign Relations Committee.<sup>11</sup>

It is obvious that Col Day has nothing but complete disdain for Senator Kerry. It is further true that Col Day has devoted time to spreading his opinion that Senator Kerry is a traitor and that electing him as the President in 2004 would have been "[r]idiculous[, u]nthinkable[, u]nbelievable[, and o]utrageous."<sup>12</sup> However, concluding this biography with an entire chapter devoted to Col Day's efforts to thwart Senator Kerry in 2004 seems to deflate the intended message that Col Day is a military man with "clear values" who lives "on a moral high ground."<sup>13</sup> Quite frankly, this chapter makes Col Day seem petty and vengeful and has little relevance or applicability to today's readers.

The fact that Senator Kerry's testimony was used by North Vietnamese captors to substantiate their belief that the American POWs were criminals<sup>14</sup> and referred to when the POWs were "called to quiz,"<sup>15</sup> provides readers with all they need to understand why this war hero hates Senator Kerry. Instead of expanding on Col Day's disdain for this man by describing his efforts to undermine Senator Kerry, Coram should have focused on a topic that lends support to his message and is more relevant and applicable to today's military.

A highly relevant topic that Coram glosses over<sup>16</sup> in this biography is Col Day's direct involvement in the changes that were made to the Code of Conduct by President Jimmy Carter in 1977.<sup>17</sup> When asked about this topic, Coram explains that "while interesting, it was not directly relevant to the thrust of Bud Day's story."<sup>18</sup> Colonel Day's devotion to the Code of Conduct is the "thrust of Bud Day's story."<sup>19</sup> Additionally, the changes to the Code of Conduct following Vietnam are extremely relevant to military members today who face the possibility of capture.

In 1977, Col Day was the Air Force representative on the board assigned with the task of reviewing the Code of Conduct and determining if revisions were needed.<sup>20</sup> One of the main revisions examined by this board was whether the word "only" should be eliminated from Article V's sentence, "I am required to give only name, rank, service number and date of birth."<sup>21</sup> Colonel Day states that the senior military leadership, including him, all recognized the need to delete this word from the Code of Conduct because it was unrealistic.<sup>22</sup> However, the first day that this board met, there was some opposition to this

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<sup>10</sup> See *id.* at 345–62.

<sup>11</sup> *Id.* at 356–62. In the beginning of chapter thirteen of *American Patriot*, Coram describes how Senator Kerry's 1971 testimony was shown to the American POWs by their captors. See *id.* at 243. The POWs watched in astonishment. *Id.* Senator Kerry testified that during the Vietnam War, American military men had "raped, cut off ears, cut off heads . . . randomly shot at civilians . . . and generally ravaged the countryside of South Vietnam . . ." *Legislative Proposals Relating to the War in Southeast Asia: Hearing Before the Subcomm. on Foreign Relations, 92nd Cong. 180 (1971)* (statement of John Kerry, Vietnam Veteran).

<sup>12</sup> CORAM, *supra* note 1, at 353 (quoting e-mail from Col George "Bud" Day (4 Oct. 2004, 06:45:49 PDT) (on file with author).

<sup>13</sup> *Id.* at xii.

<sup>14</sup> See *id.* at 243. North Vietnamese guards classified Americans POWs as criminals claiming that this status afforded them no protections under the Geneva Convention. See *id.* at 239.

<sup>15</sup> *Id.* at 243.

<sup>16</sup> See *id.* at 283.

<sup>17</sup> Exec. Order No. 12,017, 3 C.F.R. 152 (1977), *reprinted as amended in* 10 U.S.C. § 802 (2000).

<sup>18</sup> E-mail from Robert Coram, Author, to Major Kirsten M. Dowdy (29 Aug. 2007, 09:44 EST) (on file with author).

<sup>19</sup> *Id.*

<sup>20</sup> See DEFENSE REVIEW COMMITTEE, REPORT OF THE 1976 DEFENSE REVIEW COMMITTEE FOR THE CODE OF CONDUCT (1976), *available at* [http://www.dod.mil/pubs/foi/reading\\_room/13.pdf](http://www.dod.mil/pubs/foi/reading_room/13.pdf). This committee consisted of eleven total members and was chaired by Mr. John F. Ahearne, Acting Assistant Secretary of Defense, Manpower and Reserve Affairs. Along with the elimination of the word "only" in Article V, the committee also discussed topics such as UCMJ punishment for violations of the Code of Conduct, Code of Conduct training, and the extent of the power of the senior ranking officer in a POW camp.

<sup>21</sup> Exec. Order No. 10,631, 3 C.F.R. 266 (1954–1958), *reprinted as amended in* 10 U.S.C. § 802 (2000).

<sup>22</sup> E-mail from Col George "Bud" Day, to Major Kirsten M. Dowdy (7 Sept. 2007, 12:09 EST) [hereinafter Day e-mail, 7 Sept. 2007, 12:09 EST] (on file with author).

change. There was “a concern that dropping the word ‘only’ would somehow or another weaken and gut the Code.”<sup>23</sup> Colonel Day explains that this concern “was [the] kind of mealy-mouthed stuff which the [Vietnam] POWs listened to without any enthusiasm . . . .”<sup>24</sup> Colonel Day goes on to explain that “within a day or two it became clear that the voters were going to be voting to drop that word . . . and the civvie leader really did not intend to get crosswise with [the Vietnam] POWs.”<sup>25</sup> The word “only” was in fact dropped from the Code of Conduct.<sup>26</sup>

The majority of Coram’s biography is focused around Col Day’s commitment to the Code of Conduct. His desire to want to change this Code that he lived by for almost six years in captivity is not a topic that should be ignored in Col Day’s biography. Coram left an enormous hole in his book by not addressing Col Day’s involvement in and opinion of the 1977 changes to the Code of Conduct.

This book’s final weakness involves Coram’s numerous contradictions about what type of person Col Day is. Throughout his book, Coram makes statements that insinuate Col Day is a man who always walks the straight and narrow and never breaks the rules. For instance, he writes, “[b]lack and white, right or wrong, good or bad—that’s the world of Bud Day.”<sup>27</sup> Coram adds that Col Day is “a soft-spoken and kind man, with elaborate, almost Victorian manners.”<sup>28</sup> Similarly, Coram describes Col Day and his wife as “slightly prudish,” explaining that the officer’s club parties were “too wild for them.”<sup>29</sup>

However, Coram ultimately contradicts each of these statements by portraying Col Day as a hot-tempered man who often acts without thought of natural consequences. While enlisted in the Marines, Col Day attempted to make homemade liquor to sell to other Marines. He also broke restriction and stole a Navy officer’s jeep. He faced a summary court martial for the latter two offenses and was sentenced to twenty-eight days confinement and a reduction in rank from a Corporal to a Private First Class.<sup>30</sup> As an Air Force officer, Col Day was insubordinate on more than one occasion.<sup>31</sup> He also destroyed government property during pilot survival training in Germany.<sup>32</sup> Further, Col Day punched a subordinate officer in the face in the officer’s club.<sup>33</sup> Finally, as a retiree Col Day organized rallies on the Capitol steps<sup>34</sup> and eventually sued the “government to which he had devoted most of his life.”<sup>35</sup> Coram tells the story of a man who is constantly bucking the system, yet at the same time, to lend support to his message, tries to convince his readers that Col Day is a man who sees “only black or white.”<sup>36</sup> This inconsistency is obvious and distracting to readers. It is as if Coram is describing two different people. Coram seems to make these contradictory statements throughout his book to convince his readers of his ultimate

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<sup>23</sup> E-mail from Col George “Bud” Day, to Major Kirsten M. Dowdy (7 Sept. 2007, 14:17 EST)) [hereinafter Day e-mail, 7 Sept. 2007, 14:17 EST] (on file with author).

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> Exec. Order No. 12,017, 3 C.F.R. 152 (1977), *reprinted as amended in* 10 U.S.C. § 802 (2000). In support of this change, the board heard testimony from World War II POWs, Korean War POWs, and Vietnam War POWs, “including a couple of ‘finks’ who had taken early release.” Day e-mail, 7 Sept. 2007, 14:17 EST, *supra* note 23. Colonel Day anxiously volunteered to be the board recorder because he saw it as an opportunity to have some control over the board. See Day e-mail, 7 Sept. 2007, 12:09 EST, *supra* note 22. His job was to “summarize and put in writing all of the discussion, witness testimony, document examination . . . . [t]his was a very important job [because] if any doubt existed about what was said everyday . . . [he] got to settle the issue on [his] notes and progress reports.” *Id.*

<sup>27</sup> CORAM, *supra* note 1, at 296.

<sup>28</sup> *Id.* at 107.

<sup>29</sup> *Id.* at 76.

<sup>30</sup> See *id.* at 37–41.

<sup>31</sup> See *id.* at 69, 79, 129.

<sup>32</sup> See *id.* at 85.

<sup>33</sup> See *id.* at 280.

<sup>34</sup> See *id.* at 325.

<sup>35</sup> *Id.* at 310.

<sup>36</sup> E-mail from Robert Coram, Author, to Major Kirsten M. Dowdy (28 Aug. 2007, 18:16 EST)) (on file with author) (quoting conversation with Senator John McCain).

message, that Col Day is a man who lives his life “based on clear values” and should be placed “on a moral high ground.”<sup>37</sup> This is unnecessary. Colonel Day is obviously not a rule follower. He is not a man who sees only good and bad or black and white. He is not a soft-spoken, prudish man. However, these characteristics aren’t necessarily what place a person “on a moral high ground.”<sup>38</sup> Coram’s biography successfully places Col Day on this high ground by merely describing his honorable actions. This same man of honor, however, is cocky, feisty, and rebellious.

Coram should embrace Col Day’s fiery personality and eliminate the attempts to convince his readers of this starchy facade. Colonel Day’s brash personality complicates, but in no way invalidates Coram’s ultimate message that Col Day has “clear values” and should be placed on a “moral high ground.”<sup>39</sup>

The above stated weakness is ironically *American Patriot’s* first major strength. In his attempt to portray Col Day as a man who is straight-lined, Coram fortunately achieves the opposite. This biography allows its readers to meet a man who is human. Coram, unintentionally,<sup>40</sup> but brilliantly, pulls the pedestal out from under Col Day.

It is too easy to read a biography of a military war hero such as Col Day and falsely regard the subject as an obscure superhero rather than a role model. By choosing to include Col Day’s blemishes, Coram allows his readers to relate to this man of honor. He is a real person who was able to do what it took to “[r]eturn with honor.”<sup>41</sup> Coram strengthens his message that *everyone* who wears a uniform signed a contract and is expected to perform honorably in captivity, by constantly reminding readers that Col Day is not a fictional character.

*American Patriot’s* second major strength is that Coram wrote this book after contacting numerous sources first hand.<sup>42</sup> Coram did not only contact those sources who would support his opinion about Col Day, but he also contacted many who he knew would resent his message. Therefore, it seems that Coram wrote this book after hearing all sides of the story.<sup>43</sup>

Coram readily admits that he “went native”<sup>44</sup> when writing this book. There is no doubt that Coram is partial to Col Day.<sup>45</sup> However, this partiality did not stop him from fully investigating his subject. Coram, not only spoke to proponents of Col Day, like Air Force Col (Retired) Larry Guarino, a fellow POW and Doris Day, his wife, but also spoke with Norris Overly,<sup>46</sup> an early release and Senator John McCain, who was portrayed as an arrogant womanizer in this book.<sup>47</sup> Coram’s

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<sup>37</sup> CORAM, *supra* note 1, at xii.

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> It is conceivable that Coram exposed Col Day’s court-martial and other UCMJ violations to allow readers to draw similarities between Col Day and himself. Coram’s preface indicates that while in the military he himself was court-martialed three different times. *See id.* When probed further, Coram states that two court-martials involved having a female in his barracks. The last court martial involved getting drunk, signing out a government vehicle from the motor pool, and stealing some minor pieces of warehouse furniture. This incident is remarkably similar to Col Day’s theft of the Navy officer’s jeep. *See* e-mail from Robert Coram, Author, to Major Kirsten M. Dowdy (28 Aug. 2007, 17:51 EST) [hereinafter Coram e-mail, 28 Aug. 2007, 17:51 EST] (on file with author).

<sup>41</sup> *See supra* note 4.

<sup>42</sup> *See id.* at 379–80.

<sup>43</sup> Ironically, Coram’s dedication in *American Patriot* reads, “Every story has at least two sides.” *Id.* at dedication page. Coram states that his intent was to dedicate this book to his daughter who he has “not seen for 30 years and it regards whatever story her mother might have told her about [their] divorce.” Coram e-mail, 28 Aug. 2007, 17:51 EST, *supra* note 40.

<sup>44</sup> CORAM, *supra* note 1, at xii.

<sup>45</sup> Coram spent many years with Col Day researching this book and they still maintain close contact. *See* e-mail from Robert Coram, Author, to Major Kirsten M. Dowdy (29 Aug. 2007, 09:53 EST) (on file with author). Coram states that in Col Day he sees “personified all that [his] father had tried to teach [him] about the military and all that [he] had rejected.” Coram e-mail, 28 Aug. 2007, 17:51 EST, *supra* note 40.

<sup>46</sup> Coram was surprised that Norris Overly agreed to speak with him regarding his early release. *See* e-mail from Robert Coram, Author, to Major Kirsten M. Dowdy (6 Sept. 2007, 14:42 EST) [hereinafter Coram e-mail, 6 Sept. 2007, 14:42 EST] (on file with author).

<sup>47</sup> *See* CORAM, *supra* note 1, at 187. Coram states that the majority of the information supporting this portrayal of Senator McCain was gathered from Norris Overly and Col (Ret.) Larry Guarino. Coram e-mail, 6 Sept. 2007, 14:42 EST, *supra* note 46. Coram further states that he heard similar accounts from other POWs who were in captivity with Senator McCain. *See id.* In Coram’s words, “[Senator McCain] was a cocky little party animal trying to come out from under the shadow of his father and grandfather.” *Id.* Orson Swindle, who currently works on Senator McCain’s campaign, was upset with Coram’s portrayal of Senator McCain. He did not tell Coram that it was inaccurate, only that it did not belong in a book about Col Day. *See id.*

professionalism and desire to get it right is clear in the fact that he contacted both favorable and unfavorable sources. Despite his own criticism that he “went native,”<sup>48</sup> this book is more balanced than he may have intended.<sup>49</sup>

*American Patriot*'s third and final strength is its relevance and applicability to today's hostilities. Military members deploying to Iraq and Afghanistan might question why they should comply with the Geneva Convention, when the enemy clearly does not. This book explains that North Vietnamese captors claimed that American POWs could not enjoy the protections of the Geneva Convention because they were criminals.<sup>50</sup> While this certainly does not amount to compliance, these captors were at least watching the actions of American soldiers and felt a need to justify their actions under the Geneva Convention. This demonstrates that if these protections are ignored by this country, they will likewise be ignored by the observant enemy. If American soldiers comply with the Geneva Convention, their enemy may be influenced to do the same.

Similarly, this book is full of lessons about the Code of Conduct. For instance, this book illustrates how the senior member is expected to take charge in captivity in accordance with the Code of Conduct.<sup>51</sup> Further, this book shows that it is extremely important to train military members on the Code of Conduct, so they have rules to cling to if captured.<sup>52</sup> Finally, Coram's biography shows that those who violate the Code of Conduct will face consequences. Many of the early releases described in this book faced trials, most were given negative evaluations by their superiors, and all were snubbed by those who did not cooperate with the enemy.<sup>53</sup> Military members facing the possibility of capture today must understand that compliance with the Code of Conduct is not an option, it is a duty.

In conclusion, *American Patriot* is an exceptional book and will inspire even the most casual reader. Additionally, upon reading Coram's book, military men and women will be reminded that their contract with this country should not be taken lightly. As stated, this book is not without some flaws. However, its strengths certainly outweigh its weaknesses. Most notably, this book is extremely relevant and applicable to military members today as they face the possibility of capture and need to be reminded of what it means to “[r]eturn with honor.”<sup>54</sup>

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<sup>48</sup> CORAM, *supra* note 1, at xii.

<sup>49</sup> An example of this balance can be seen with Coram's portrayal of Norris Overly. Overly was a roommate to Col Day and Senator McCain in captivity. Although he was despised for being an early release, Coram describes how Overly nursed both Col Day and Senator McCain back to health while in captivity. Coram may have unintentionally allowed readers to have a certain fondness for this man. *See id.* at 184-190. *See also* Ted Sampley, *John McCain Is No "Hero POW,"* U.S. VETERAN DISPATCH 4 (Nov. 1999), available at <http://www.usvetdsp.com/mciahro.htm> (describing how Overly nursed Senator McCain back to health).

<sup>50</sup> *See supra* note 14.

<sup>51</sup> *See id.* at 197, 199, 223, 225, 232, 235, 237, 246.

<sup>52</sup> *See id.* at 86; *see also* Major Donna Miles, *Code of Conduct: Guide to Keeping the Faith*, ARMED FORCES PRESS SERV. NEWS ARTICLES (Apr. 27, 1999), available at <http://www.defenselink.mil/news/newsarticle.aspx?id=42786>; Robert K. Ruhl, *The Code of Conduct*, AIRMAN 63, 66 (May 1978), available at <http://www.au.af.mil/au/awc/awcgate/au-24/ruhl.pdf> (explaining that Code of Conduct training is complex because it deals “with what goes on in a guy's mind and whether we can help him stay in control of himself under what . . . are probably the most difficult situations he or any man may ever have to face.”). *But see* Ted Sampley, *The Military Code of Conduct; It's Unrealistic and Deadly*, U.S. VETERAN DISPATCH (Aug./Sept. 1996), available at <http://www.usvetdsp.com/story12.htm> (arguing that the Code of Conduct is inadequate to protect POWs).

<sup>53</sup> CORAM, *supra* note 1, at 263-72.

<sup>54</sup> *See supra* note 4.