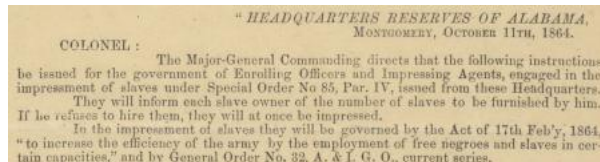**HISTORY NOW**
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New Interpretations of the Civil War

# The Riddles of "Confederate Emancipation"

*by Bruce Levine*



*Broadside from the Commandant of Conscripts in Alabama announcing order to impress slaves for service to the Confederate Army in the last months of the Civil War, October 12, 1864. (Gilder Lehrman Collection)*

In July 1861, Jefferson Davis, the president of the Confederate States of America, was exulting over the victory of his troops at the first Battle of Manassas (or Bull Run) and calling it a sign of eventual triumph in the war as a whole. One of his brigade commanders, Richard S. Ewell, demurred. The South, he reportedly cautioned his president, was only beginning "a long, and, at best, doubtful struggle." However there was one measure that would secure Southern independence, he added. When Davis asked what that might be, Ewell replied, "Emancipating the slaves and arming them."[1] In the months and years that followed this exchange, the same suggestion arose repeatedly.

From one angle, this was not a surprising proposal. It addressed one of the Confederacy's chief and most obvious problems—the numerical superiority of the foe. Everyone knew that the Union contained approximately three times as many military-age white males as did the Confederacy. But, as everyone also knew, the Confederacy contained three and a half million slaves, who made up almost 40 percent of its total population. Wouldn't arming slaves help to even the odds?

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Jefferson Davis firmly rejected the idea that summer and continued to do so through most of the war—until November of 1864. At that point, about five months before his government collapsed, the Confederate president abruptly reversed course, suggesting that the South prepare to bring slaves into its armies and offer freedom to those who joined.

When I began work on a book about this moment in the war, the "Confederate emancipation," I decided that it would have to answer two questions intimately related to each other yet seemingly opposite in thrust. The first question was: How could a government whose armies were so clearly and dangerously outnumbered refuse, adamantly and consistently, to tap this enormous potential pool of military manpower? The second question was the following: How could a regime brought into being precisely to ensure the survival of slavery ever seriously contemplate trying to survive through methods that would so directly undermine slavery?

The search for answers to these questions led me back through many of the most important issues and

themes raised by this war and the larger socio-political conflict that produced it. These include the causes of secession, the nature and strength of Confederate nationalism, the central goal of the Southern war effort, the significance of race and racial ideology, and the sources of friction and dissent within the Confederacy. And running like red threads through the whole story are the manifold ways in which the slave population itself influenced the policies of both the Union and Confederate governments.

Even asking the first question—why the Confederacy so long refused to recruit black soldiers—brought me into collision with a small army of modern "neo-Confederate" zealots. For the past three decades or so, they have been insisting (in books and especially websites) that anywhere from 10,000 to 100,000 or even more Southern blacks—both free and enslaved—served voluntarily and loyally as fully fledged combat soldiers in the South's armies. Those who most aggressively assert these claims generally do so to buttress the argument that "most blacks supported the Confederacy"[2]—that, indeed, "the overwhelming majority of blacks . . . supported and defended with armed resistance the cause of southern independence."[3]

These claims rest on wishful thinking, gullibility, and misuse and abuse of historical sources.[4] The relevant records are clear and plentiful. The Confederate government wanted no slaves—indeed, no men at all who were not certifiably white—under arms.

On the other side, the US government had entered the war with the same policy. But, recognizing the inexorable logic of necessity (to paraphrase Frederick Douglass), the Union reconsidered; between 1863 and the war's end, nearly 200,000 black men served as Union soldiers or sailors, crucially increasing the power and effectiveness of the Northern war effort.

The Confederacy, however, stood firmly by its ban on black troops. Why was the Southern leadership so stubborn on this score? Because it was fighting to preserve the slavery of millions of African Americans. Placing black men under arms threatened this purpose, in both theory and practice. Central to the South's justification for enslaving black people was the claim that they were racially inferior (and as such poor soldier material). As Confederate Secretary of War James Seddon put it, that stance, which the Confederacy had taken both before "the North and before the world," did "not allow the employment as armed soldiers of negroes."[5]

More practically, Confederates refused to employ blacks (and especially slaves) as soldiers because it would require masters to give up the most valuable property they owned. And many feared what black troops would do. Would they, as Confederate Secretary of State Judah P. Benjamin worried, desert "in mass" to the enemy?[6]

The South's reasons for refusing to use black troops, then, were fundamental to preserving its values. This made answering the second question posed above—why, then, ever adopt such a policy?—all the more interesting and illuminating.

The simplest answer, of course, is that by the fall of 1864, the Confederacy's situation had become dire enough to require a radical change. But that answer is only partial. Military danger does not by itself explain how and why a regime created to protect slavery would try to cope with danger using methods that would subvert its own core purpose and aim. Nor does it explain why Confederate leaders would now expect black Southerners, whom they had routinely dismissed as creatures innately devoid of martial capacity, to become able soldiers.

A deeper explanation can be found in analyzing the wartime conduct of the Southern slave population. Official Confederate ideology (and postwar Confederate apologists) insisted that slavery was benign and

that slaves were content with their lot. Yet whenever opportunity appeared, slaves escaped from their masters by the hundreds and thousands, making their way to Union lines. They made clear their determination to become free, to remain slaves no more. Often, those who remained in place began working more slowly or refusing work directives entirely.

The more far-sighted Confederate leaders came to recognize these facts and their implications. Refusing to use black troops for fear of undermining slavery was an outdated preoccupation: slavery's dissolution was already far advanced, and what remained of it would be utterly destroyed unless military defeat could be avoided. Second, the effective and often heroic service that black soldiers were performing for the Union disproved the hoary myths of black military incapacity. If black men could fight well for the Union, surely they could do the same for the Confederacy.

Some who now supported the idea of Confederate emancipation wanted the slaves to fight without being offered freedom. Here, too, slaves' wartime conduct demonstrated the futility of such hopes and shaped Confederate policy. Only by granting slaves freedom, Jefferson Davis noted, would they have "motive for a zealous discharge of duty."[7] "Unless their freedom is guaranteed to them," Robert E. Lee also understood, we "shall get no volunteers."[8] And trying to compel men to serve under arms while still enslaved, Lee added tersely but meaningfully, would not be "wise."[9] It was essential that prospective recruits believe that military service would bring them liberty. (Although, as the private conversations and correspondence of the measure's framers and champions revealed, the government never intended to grant black soldiers anything but the most limited, circumscribed version of freedom.)

During the last weeks of its life, the Confederate government adopted a version of the black-troops policy. They called upon slaveowners to volunteer their slaves—and slaves to volunteer themselves—for military duty. Despite great fanfare and optimistic predictions, the results were negligible. The opposition of both masters and slaves consigned this hotly debated plan to impotence and oblivion. Most slaveowners refused to offer up what they believed to be their valuable human property even when the government they had created to protect their beliefs and interests faced destruction. And the vast majority of slaves, empowered by the course of the war and their own experience in it, declined to volunteer. They recognized that a Confederate defeat would bring them freedom more swiftly, fully, and securely than a Confederate victory achieved on any basis. They turned their backs on the offer, as the fomer slave Frederick Douglass later explained, because it called upon them to fight "against Lincoln the emancipator for Davis the enslaver." To expect any appreciable number of black men to respond enthusiastically to any such proposal, as Douglass wrote, was a species of "madness."[10]

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[1] This account of Ewell's 1861 conversation with Davis comes from a friend and relative of Ewell's, to whom the general recounted the exchange in 1866. See Tasker Gantt to Henry Hunt, May 19, 1886, Henry Jackson Hunt Papers, Library of Congress.

[2] H. C. Blackerby, *Blacks in Blue and Gray: Afro-American Service in the Civil War* (Tuscaloosa, AL: Portals Press, 1979), 40.

[3] P. Charles Lunsford, "The Forgotten Confederates," in Charles Kelly Barrow, J. H. Segars, and R. B. Rosenburg, eds., *Black Confederates* (1995; reprint, Gretna, LA: Pelican Publishing Co., 2001), 97.

[4] The supposed evidence offered in their behalf is rife with unsupported anecdotes and rumors, demonstrably erroneous (and usually second-hand) reports, wholesale misinterpretation, and quotations reproduced incompletely and/or out of context. I have discussed this subject in greater detail in "Black Confederates and Neo-Confederates: In Search of a Usable Past," in *Race, Slavery and Public History:*

*The Tough Stuff of American Memory*, ed. James Oliver Horton and Lois E. Horton (New York: The New Press, 2006), 187–211, and "Myth and Reality: Black Confederates," *North & South* 10, no. 2 (July 2007), 40–45.

[5] James A. Seddon to Edmund S. Dargan, Dec. 18, 1863, Record Group 109, National Archives, Washington, DC.

[6] Judah P. Benjamin to Benjamin to H. Micou, Aug. 18, 1863, Letterbook, Confederate States of America records, Manuscript Division, Library of Congress.

[7] *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, series 4 (Washington, DC: Government Printing Office, 1880–1901), 3:798.

[8] R. E. Lee to John C. Breckinridge, March 14, 1865, Army of Northern Virginia Headquarters Papers, R. E. Lee Papers, Virginia Historical Society.

[9] Lee to Barksdale, Feb. 18, 1865, as published in the *Richmond Sentinel*, Feb. 23, 1865.

[10] Frederick Douglass, *The Life and Times of Frederick Douglass: His Early Life as a Slave, His Escape from Bondage, and His Complete History* (1892; Mineola, NY: Dover Books, 2003), 262.

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