

Chapter 1

An Introduction to Lincoln's War

In the midst of his 1863 invasion of the United States, Gen. Robert E. Lee issued a proclamation to his men. After suffering for two years innumerable depredations by their enemies, some Southerners, soldiers and civilians, thought at last the time had come for retaliation. Lee would have none of that. He reminded his troops that “the duties exacted of us by civilization and Christianity are not less obligatory in the country of the enemy than in our own.”

The commanding general considers that no greater disgrace could befall the army, and through it our whole people, than the perpetration of the barbarous outrages upon the unarmed and defenseless and the wanton destruction of private property, that have marked the course of the enemy in our own country. . . .

It must be remembered that we make war only upon armed men, and that we cannot take vengeance for the wrongs our people have suffered without lowering ourselves in the eyes of all whose abhorrence has been excited by the atrocities of our enemies, and offending against Him to whom vengeance belongeth, without whose favor and support our efforts must all prove in vain.¹

Accustomed as we are in our own time to war's unmitigated horrors, the injunction of Lee seems anachronistic if not

quixotic, yet is a measure and reminder of how much has been lost.

Through the centuries, by common consent within what used to be called Christendom, there arose a code of civilized warfare. Though other issues are covered by the term, and despite lapses, it came to be understood that war would be confined to combatants. Thus limited, said historian F. J. P. Veale, "it necessarily followed that an enemy civilian did not forfeit his rights as a human being merely because the armed forces of his country were unable to defend him."² According to Veale, the amelioration of war's barbarism did not come as a direct result of Christianity, or even from the rise of European chivalry, but "as the product of belated common sense." As early as the eighteenth century, Swiss jurist Emeric de Vattel, author of *The Law of Nations*, expressed what should be obvious to any student of history: breaking the code on one side encourages violations by the other, multiplying hatred and bitterness that can only increase the likelihood and intensity of future wars.³ "There is today," concluded Vattel in 1758, "no Nation in any degree civilized which does not observe this rule of justice and humanity."⁴

Yet warring against noncombatants came to be the stated policy and deliberate practice of the United States in its subjugation of the Confederacy. Shelling and burning of cities, systematic destruction of entire districts, mass arrests, forced expulsions, wholesale plundering of personal property, even murder all became routine. The development of Federal policy during the war is difficult to neatly categorize. Abraham Lincoln, the commander in chief with a reputation as micromanager, well knew what was going on and approved. Commanders seemed always inclined to turn a blind eye to their soldiers' proclivity for theft and violence against the defenseless. And though the attitude of Federal authorities in waging war on Southern civilians became increasingly harsh over time, there was from the beginning a widespread conviction that the crushing of secession justified the severest of measures. Malice, not charity, is the theme most often encountered.

Lincoln's embracing of "hard war" may have had consequences more far-reaching even than defeat of the South. Union general Philip Sheridan, in Germany to observe that empire's conquest of France in 1870, told Otto von Bismarck that defeated civilians "must be left nothing but their eyes to weep with over the war." The chancellor was said to have been shocked by the unsolicited advice. But the kind of warfare practiced by the Federal military during 1861-65 turned America—and arguably the whole world—back to a darker age. "It scarcely needs pointing out," wrote Richard M. Weaver, "that from the military policies of [William T.] Sherman and Sheridan there lies but an easy step to the total war of the Nazis, the greatest affront to Western civilization since its founding."⁵

"In war, as in peace," observed Weaver, "people remain civilized by acknowledging bounds beyond which they must not go." Echoing the words of Lee, Weaver understood no necessary contradiction in the term "Christian" as applied to the profession of arms. "The Christian soldier must seek the verdict of battle always remembering that there is a higher law by which he and his opponent will be judged, and which enjoins against fighting as the barbarian."⁶

Some assume that as long as there are wars, there will be widespread excesses. Telford Taylor noted that the attitude of Americans when informed of the massacre of South Vietnamese civilians at My Lai was to discount it by saying that such things are bound to happen. "So, too," Taylor pointed out, "are murders and robberies 'bound to happen' in our streets, and they are likely to happen much more often if we cease to regard them as reprehensible."⁷ Others justify war on civilians as necessary to achieve victory. They applaud the depredations of Sherman, hail him as a man ahead of his time, and smile as they repeat his "war is hell" mantra, not hearing the totalitarian echo in their words.

Historian James M. McPherson estimated that fifty thousand Southern civilians perished in war-related deaths.⁸ Others place the figure far higher. Despite such numbers apologists for Lincoln's "hard war" then and now downplay the suffering endured and damage done, lay much to "mistakes" or

“accidents,” or even try to place blame on victims themselves. Little attention is paid to the poor who were plundered or to brutalized African-Americans. Many cling to the Lincolnian myth that only by the most horrendous of wars could the slaves be freed, ignoring the fact that the rest of the Western world managed to bring an end to the institution without bloodshed.

But one conviction remains an American article of faith: the war on Southern civilians was justified—the war itself was just—because it resulted in saving the union.

Abolitionist Lysander Spooner spent a lifetime battling slavery, but surprisingly found little to rejoice in over the outcome of Lincoln’s war.

The principle, on which the war was waged by the North, was simply this: That men may rightfully be compelled to submit to, and support, a government that they do not want; and that resistance, on their part, makes them traitors and criminals.

No principle, that is possible to be named, can be more self-evidently false than this; or more self-evidently fatal to all political freedom. Yet it triumphed in the field, and is now assumed to be established. If it really be established, the number of slaves, instead of having been diminished by the war, has been greatly increased; for a man, thus subjected to a government that he does not want, is a slave.⁹

The Deep South understood Lincoln’s sectional victory in the 1860 presidential election to be a revolutionary event that virtually abolished the confederated republic of the founders. In withdrawing from the union, they simply removed themselves from a government they did not want. It took Lincoln’s declaration of war five months later to convince others of his true intentions, prompting a second wave of secession. The sovereign people—organized as sovereign states—had created the federal government in ratifying the Constitution. States that entered the union of their own free will now left it in the same manner.

“The reason Lincoln gave for launching a military invasion

of the South was to save the Union,” wrote Thomas J. DiLorenzo.

Translating from his obfuscating rhetoric, this means that he wanted to use military force to destroy once and for all the doctrines of federalism and states' rights that had, since the founding of the republic, frustrated ambitious politicians like himself who wanted a highly centralized and greatly enlarged state.¹⁰

Federal troops died to preserve the union. But, Lincoln's pious poetry to the contrary, it was their opponents in gray who struggled “that government of the people, by the people, for the people, shall not perish from the earth.”

The people of Maryland never had the opportunity to choose whether to remain in the United States or join the new Confederacy. The Federal army overran the state, and Lincoln was quick to jail legislators and other elected officials, close newspapers, and suppress free speech in his zeal to insure “loyalty.” Lee, on crossing the Potomac in 1862, issued another extraordinary document, this directed to the citizens of that suffering state.

Believing that the people of Maryland possessed a spirit too lofty to submit to such a government, the people of the South have long wished to aid you in throwing off this foreign yoke. . . . In obedience to this wish, our army has come among you, and is prepared to assist you with the power of its arms in regaining the rights of which you have been despoiled. . . .

We know no enemies among you, and will protect all, of every opinion. It is for you to decide your destiny freely and without constraint. This army will respect your choice, whatever it may be; and while the Southern people will rejoice to welcome you to your natural position among them, they will only welcome you when you come of your own free will.¹¹

That principle—of people having the right to freely choose their own destiny—was utterly repugnant to Lincoln. In waging war on civilians he returned to the barbarism of the past,

but he also dealt a blow to limited, constitutional government from which America has yet to recover. That all Americans are less free today, and live in a more dangerous world, are among his legacies.