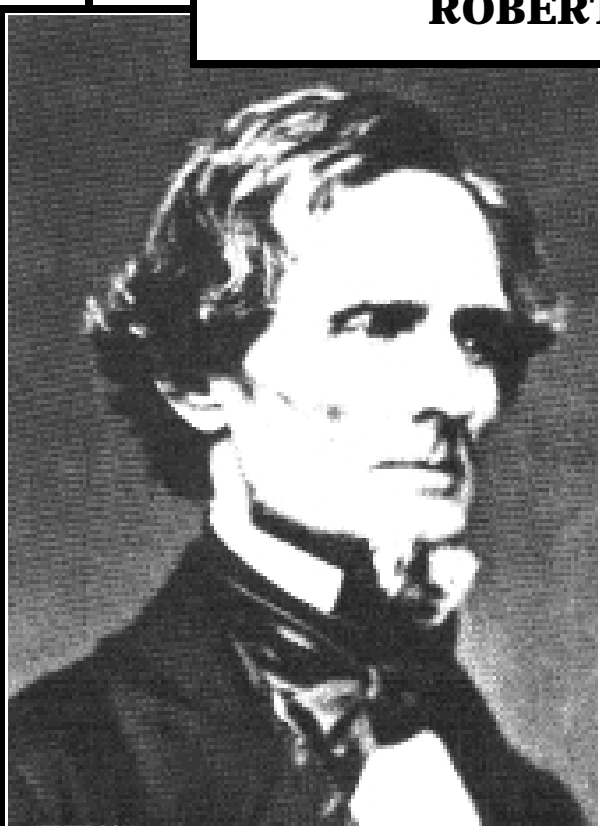


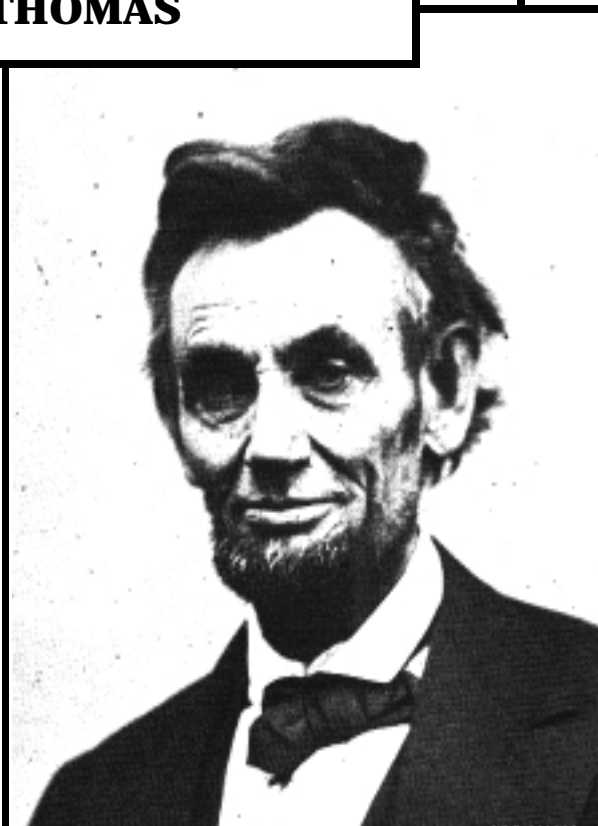


# **LIBERTY VERSUS LIBERTY IN THE AMERICAN CIVIL WAR**

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JEFFERSON  
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ABRAHAM  
LINCOLN

## **Historical Notes No. 24**

ISSN 0267-7105      ISBN 1 85637 152 2

An occasional publication of the Libertarian Alliance,  
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[www.libertarian.co.uk](http://www.libertarian.co.uk)      email: [admin@libertarian.co.uk](mailto:admin@libertarian.co.uk)

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# LIBERTY VERSUS LIBERTY IN THE AMERICAN CIVIL WAR

ROBERT THOMAS

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About a year ago a recording was issued of Lady Thatcher reading Abraham Lincoln's Gettysburg address. In an interview at the time a journalist put it to Lady Thatcher that really she should properly identify with the Confederacy rather than Abraham Lincoln's Unionism. The interviewer was at this point sharply rebuked for his presumptuousness: No no, he was told, Abraham Lincoln was in favour of individual liberty and so am I. In one sense Lady Thatcher's anger at such a suggestion is understandable — anyone believing in individual liberty might prefer to be associated with a political leader who liberated human beings from the institution of slavery rather than a cause which preached the imposition of servitude. In a sense, however, the interviewer also had a valid point — it is not impossible to see some sort of similarity between Lady Thatcher's position and that of the Confederate partisans who took up arms to defend their States Rights against the centralising power of the federal government. I would like to argue that the clash of the North and South which culminated in the 1861 outbreak of Civil War was in part an ideological struggle between two rival conceptions of liberty, one of which was based on egalitarianism and individualism, and the other on localism and independence from central government.

## OF THE "TRUE OLIVERIAN STRAIN"

The circumstances of the outbreak of the American Civil War were the product of immediate political events taking place in 1860 and 1861. The chasm which divided the North and the South which allowed these developments to achieve their dangerous potential had developed within America as part of the social change and political controversy of the nineteenth century. Nevertheless the origins of the differing attitudes to government and liberty can be detected in Colonial and Revolutionary America. In the early seventeenth century New England was settled by Protestant non-conformists whose religious beliefs combined individual salvation in the spiritual dimension and individual material self-enhancement. This tradition of seventeenth century Puritanism in America endured into the eighteenth century. The connection between spiritual and material individualism can be seen in the way that Benjamin Franklin's father chose to educate his son

with the Biblical maxim "Seest thou a man diligent in his business? He shall stand before kings" (*Proverbs* xxii 29).<sup>1</sup> While such ideas continued in America political attitudes in Britain were changing radically. The wars of the eighteenth century saw Britain change from a small Protestant Commonwealth surrounded by hostile Catholic continental powers to a major political and military force presiding over a vast and diverse empire.<sup>2</sup> This imperial ideology of British administrations conflicted with the colonists who had enjoyed a period of "benign neglect" by the government since the revolution of 1688.

The northerners of New England were particularly characterised by British observers as still belonging to this "Puritan" tradition. During the Seven Years War British sailors who co-operated with New Englanders during an attack on the French stronghold of Louisbourg in 1745 were surprised by the Americans insistence on praying before the attack was launched. The New Englanders, they said, were of a "True Oliverian strain".<sup>3</sup> Similarly a Royal Navy officer involved in the fighting at Lexington in 1775 described one of the American militia men as cursing like a "True Cromwellian".<sup>4</sup> Prior to the outbreak of hostilities British officers were in general scornful of the New Englanders with their anachronistic attitudes. One British officer in a letter home published in the *Bristol Gazette* stated that "The inhabitants of this province retain the religious and civic principles brought over by their forbears." The officer went on optimistically:

As to what you hear of their taking up arms to resist the force of England, it is mere bullying, and will go no further than words ... We expect to pass the winter very quietly. The Saints here begin to relish the money we spend among them, and, I believe, notwithstanding all their noise, would be sorry to part with us.

One British general, Lord Percy, commented on the intimate connection between New England religion and the spirit of rebellion. The clergy, he said,

Preach up sedition openly from their pulpits ... some of them have gone so far absolutely to refuse the sacrament to communicants till they have signed a paper of the most seditious kind

which they have denominated the Solemn League and Covenant.

The Anglican cleric Samuel Peters angrily recorded how the outbreak of the American War of Independence had brought a wave of iconoclasm against his church, and that:

... on their pious sabbeth day ... preachers and Magistrates left the pulpits for the gun and drum and set off for Boston.<sup>5</sup>

While the first fighting of the American War of Independence broke out among the countryside and mercantile ports of New England the British government was to find that it was facing a high degree of colonial solidarity uniting the New England colonies with those of the South. This solidarity manifested in the meeting of the First Continental Congress in September 1774 stands in sharp contrast to the previous lack of unity among the colonies. At the start of the war Governor Dunmore of Virginia declared that resistance to the British was restricted to a few ...

Young men of good parts, but spoiled by a strange imperfect desultory kind of education which has crept into fashion all over America.<sup>6</sup>

In the event the southern states were to provide some of the foremost leaders of the revolution and to witness some of the fiercest fighting.

## THE DIFFERENCES BETWEEN NORTH AND SOUTH

The first seventeenth century settlers in the southern coastal colonies of Virginia and South Carolina were a mixed group consisting variously of lowly artisans, indentured labour, tradesmen and apprentices. The initially plentiful supply of land encouraged a high degree of social mobility. By the mid-eighteenth century, however, the rapid take up of good farming land had produced an increasingly stratified social hierarchy. In some ways the society which emerged was similar to the country squirearchy which could be found in contemporary England. In the Southern colonies, however, a number of factors strengthened the particularism and independent temperament of this new American gentry. The nature of the rural economy meant that few towns were established and life remained centred around the large scale farms or plantations which resembled small villages in size. The aristocratic owners of these plantations dealt directly with trade, exporting on to the world market from riverside wharfs. The self-contained nature of their world increased the localism and coherence of the ruling class.

The importance of hierarchy to this society was further bolstered by the increasing importance of black slaves in the southern economy. The first negro

slaves had been come into Virginia in 1619, but the importation of slaves accelerated rapidly in the late seventeenth and early eighteenth centuries. In the first nine years of the eighteenth century 6000 slaves were imported, a total which probably equalled the entire importation of the previous century. The existence of large numbers of slaves created a permanent under-caste which secured the status of the white population.<sup>7</sup> When these southern planter aristocrats rebelled against the British government they saw themselves as following a conservative agenda. Like Englishmen of 1642 and 1688 they were taking a revolutionary path in order to defend traditional liberties against a centralising power.

The English tradition of opposition ideology was heightened by the peculiar institutions and ways of the Americas. Some observers were struck by the contrast between the planters professed belief in liberty and the large scale existence of slavery. In 1776 Samuel Johnson, prompted by the Declaration of Independence, exclaimed:

How is it that we hear the loudest yelps for liberty among the drivers of negroes?

The attachment to traditional English ways while prompting some southerners to rebel against the innovative imperial power also seems to have inspired a high degree of loyalism in others. These men were prepared to fight and die for "The king and his laws".<sup>8</sup>

The southern colonies, however, extended beyond the ordered societies of Virginia and South Carolina, with their tobacco plantations and rice fields, into wilder frontier territory. The colony of Georgia had been founded in 1732 by the philanthropist General Oglethorpe, as part of a utopian experiment whereby London's poor would be exported to America, to cultivate silk in a climate which was largely unsuitable for such an enterprise. By 1751, however, the experiment had clearly failed, its founders admitting that those individuals

... who had been useless in England, were inclined to be useless in Georgia likewise.

The settlers themselves lamented that

The poor inhabitants of Georgia are scattered over the face of the earth; her plantations a wild; her towns a desert; her villages in rubbish.<sup>9</sup>

Georgia at the time of the revolution was a place where

Men hunted animals by setting fire to vast tracts of woodland ... they scavenged the ashes for edible meat and salable skins. When men disagreed politically they attacked one another with knives and guns.<sup>10</sup>

Arkansas, one of the new states of the early nineteenth century, is similarly described, it being said that one of the leading families was

... wonderfully ignorant as full of superstition as their feeble minds were capable of ... they did not farm, had no fences round their shanty habitations and appeared to have lived a roving, rambling life ever since the battle of Bunker Hill when they fled to this wilderness.<sup>11</sup>

It was perhaps the untamed nature of this territory coupled with the prevailing southern concentration on the importance of individual status and honour which explains the ferocity of fighting in the War of Independence between the rival loyalist (Tory) and American (Whig) militias. Nathaniel Greene, a northerner and son of a Quaker sent south to command the American forces there in 1780, was shocked by the violence, alien to his previous experience, which he witnessed. He stated that:

The spirit of plundering which prevails among the inhabitants adds not a little to our difficulties. The whole country is in danger of being laid waste by the Whigs and the Tories who pursue each other with relentless fury as beasts of prey.<sup>12</sup>

These early differences between the cultures of the north and south was noted by Edmund Burke. In his "Speech on Conciliation with America" made in 1775 Burke drew attention to the fact that:

All Protestantism, even the most cold and passive, is a sort of dissent. But the religion most prevalent in our northern colonies is a refinement of the principle of resistance; it is the dissidence of dissent and the Protestantism of the Protestant religion. This religion under a variety of denominations agreeing in nothing but a communion in a spirit of liberty, is predominant in most of the northern provinces ... The colonists left England when this spirit was high and in the emigrants highest of all.

Turning his attention to the south Burke states:

A circumstance attending these colonies ... makes the spirit of liberty still more high and haughty than in those northward. It is, that in Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free, are by far the most proud and jealous of their freedom. Freedom to them is not only an enjoyment but a kind of rank and privilege.<sup>13</sup>

## IDEOLOGICAL AND POPULATION DIFFERENCES

To detect in the colonial and revolutionary period ideological and cultural peculiarities in the north and

south which persisted up to the period of the Civil War is not to imply that there was an enduring difference in the populations involved. The late eighteenth and nineteenth centuries were a period which saw massive immigration into America from Europe and also internal movements of the population. This is perhaps illustrated by the fact that neither of the two men who represented the north and the south at the highest level during the Civil War period, Abraham Lincoln and Jefferson Davis, originally came from these areas. Both Lincoln and Davis originally came from the "border" state of Kentucky with Lincoln migrating north to Illinois and Davis going south to Mississippi.<sup>14</sup> Significantly, however, as the north and south drew apart, partisans of these sections sought to acknowledge these ideological differences and present them in terms of historical population differences. Edward A. Pollard, a southern partisan, stated that:

They had come ... from different stocks of population. There could be no congeniality between the Puritan exiles who established themselves upon the cold and rugged and cheerless soil of New England, and the Cavaliers who sought the brighter climate of the South and drank in their baronial halls in Virginia confusion to the regicides.<sup>15</sup>

Similarly, at the height of the Civil War Jefferson Davis, President of the Confederacy, sought to rally the citizens of Jackson, Mississippi, by reminding them of the Puritan origins of the north. Davis stated

There is indeed a difference between the two ... Our enemies are a traditionless and homeless race. From the time of Cromwell to the present moment they have been disturbers of the peace of the world. Gathered together by Cromwell from the bogs and fens of the north of Ireland and of England, they commenced by disturbing the peace of their own country; they disturbed Holland to which they fled and they disturbed England on their return.<sup>16</sup>

The north denounced the South with equal vehemence. The *Milwaukee Sentinel* stated that the South had "sunk three centuries back toward the age of barbarism".<sup>17</sup>

The progress of the nineteenth century saw the increasing divergence of the north and south and the development of a coherent regional identity within these areas. This economic and ideological division largely absorbed the earlier splits such as the East/West divide between the coastal "Tidewater" areas of Virginia and the inland rural Shenandoah Valley or between the coastal regions of New England and the interiors of Massachusetts and Pennsylvania.<sup>18</sup> (In some areas such divisions did, however, persist with the western areas of Virginia — which geographically formed part of the Ohio valley — attempting to secede from the

rest of Virginia in 1861. The recognition of West Virginia as a state by the federal government in 1863 represented an apparently contradictory move by a government fighting a war based on the illegality of secession.<sup>19</sup>

## THE RISE OF INDUSTRIALISM

The America of the eighteenth century had been a predominantly rural society, the years following the War of 1812 saw rapid industrial and urban expansion. This rise of industrialism, however, was overwhelmingly concentrated within the north and particularly in New England. Of the 143 important inventions patented in the United States 93 per cent came from the north and nearly half from New England alone. The new industrial system was characterised by mass production and mass consumption. The new factory system of production enabled the New England textile industry to increase its output from 4 million yards in 1817 to 308 million in 1837, and American machinery was imported to Britain in order to found the Enfield armoury during the Crimean War. This system was able to supply plentiful consumer goods to an expanding middle class through the new institution of the “department store”. European visitors of the time often commented on the connection between the economic system of mass consumption and the American political system of universal suffrage. These economic advances were, however, viewed with suspicion by some Americans. The factory system was seen as a violation of the Old republican traditions where freedom was equated with independence. It was reasoned that someone who was dependent on the factory owner for his wages could not be truly free. Some opponents denounced the factory system with its regime of work by the clock as “wage slavery”. One anti-factory song stated that

For liberty our father’s fought  
which with their blood they dearly bought  
the Fact’ry system sets at nought  
Great Britain’s curse is now their own,  
enough to damn a king and throne.

Defenders of capitalist advancement were, however, also putting forward an increasingly coherent “Free Labour” ideology. The economist Henry Carey wrote that:

The interests of the capitalist and the laborer are ... in perfect harmony with each other. Each derives advantage from every measure that tends to facilitate ... growth.

Abraham Lincoln, in many ways the epitome of the self-made man, stated that:

The man who laboured for another last year, this year labours for himself, and next year will hire others to work for him ... The free labour system

opens the way for all — gives hope to all, and energy, and progress, and improvement of condition to all.

It was during this period that the term “Yankee” was coined to describe the new industrial classes of the north.<sup>20</sup>

The rise of urbanism in the north contrasted with the persistence of the rural economy in the south. While the proportion of the population involved in agriculture in the north had declined from 70 per cent to 40 per cent in the south the agricultural population had remained stable at 80 per cent. In its own way, however, the Southern economy was also undergoing radical transformation. The industrial revolution in Britain had created a massive demand for cotton from the factories and textile mills around Manchester. The states of the “New” or “Deep South” (Tennessee, Alabama, Mississippi and Louisiana), which had been opened to American colonisation by the defeat of Spanish and Indian power in the area, were climatically suited to the production of cotton.

It was the invention of the cotton gin by Eli Whitney (patented in 1794) which made such production economically viable. The spread of the plantation system adapted for the growing of cotton into the New South created an acute labour shortage. Where in the north the demand for labour had been met by the use of new technological and labour saving devices the man power demand in the south was met by the increasing use of slave labour. The plantations of the Old South were often turned over to the breeding of slaves in order to meet this demand (the import of Slaves into America had been banned in 1808). The Old and the New South had become linked by the growing of cotton and the institution of slavery. The ascendancy of “King Cotton” created a new and self-confident agrarian order in the South which noted with satisfaction its apparent immunity to the economic fluctuations such as that which afflicted the North in 1857. In the eyes of the South they had achieved a commercial revolution while preserving the Old Republican idea of liberty based on independence of action which was being lost in the north. “Cotton” it was said, had

... made it possible for a man to hang a crystal chandelier in his log cabin.<sup>21</sup>

## THE TARIFF

It should be said, however, that economic and cultural differences within a single polity need not automatically lead to conflict. Tension between the sections was heightened by the southern conviction that federal government policy was promoting northern interests and its way of life. The idea of “states rights” was a fundamental tenet of American constitutionalism and

its importance was by no means limited to the South. Indeed it was the New Englanders who in the period prior to the war of 1812 had sought through the assertion of states rights to restrain the anti-British policy of the southern “War Hawks”. With the increasing conflict with federal policy the South came to see states rights as their principal instrument of resistance. One of the most important issues over which conflict arose was the imposition of the tariff. Tariffs on international trade were introduced in 1816, 1824 and 1828, and remained an important aspect of American commercial policy until as late as 1860. In 1832 Abraham Lincoln defined his political platform succinctly saying:

I am in favour of a national bank. I am in favour of an internal improvements system, and a high protective tariff.<sup>22</sup>

The tariff was a measure aimed at the consolidation of the United States; by placing protective duties on imported goods it was believed that domestic industry in the north-east would be strengthened. The expanding territories in the west would supply agricultural produce for the urban areas of the east while absorbing the industrial goods produced in the eastern factories. This arrangement was known as the “American System” and its architect was the western senator, Henry Clay of Kentucky.<sup>23</sup> This protectionist system was understandably unpopular in Britain and when in 1862 William E. Forster MP ventured to suggest in the House of Commons that slavery was the cause of the Civil War he was met by cries of “No” and “The Tariff, the Tariff”.<sup>24</sup> *The Economist* commented in 1844 on the irony that

Monarchical England is struggling to break the chains that an unwise legislature has forged for the limbs of its trade ... but democratic America is urged to put on the fetters which older but less liberal nations are throwing off.<sup>25</sup>

Even the normally Pro-Northern John Bright spoke privately of the “Foolish Tariff”.<sup>26</sup> The tariff was also widely resented by the South, for whom it inhibited both their ability to buy cheap goods directly off the international market and to export their cotton directly. The English observer William Cobbett described this situation in *The Political Register* of 1833 saying that

All these Southern and Western states, are, commercially speaking, closely connected with Birmingham, Sheffield, Manchester, and Leeds ... they have no such connection with the Northern states ... The heavy duties imposed by congress upon British manufactured goods is neither more nor less than so many millions taken from the southern and Western states, and given to the Northern states.<sup>27</sup>

In 1832 the “Nullification Crisis” arose over resistance by South Carolina to the imposition of the 1828 tariff or “Tariff of Abominations” as it was known to its opponents. While the 1832 crisis subsided due to a combination of federal determination to assert authority whilst making some compromise on the level of tariff, and lack of sectional unity the idea that federal economic policy discriminated against the south remained a potent force of friction between the sections. In November 1860 when America was on the brink of civil war Senator Robert Tombs of Georgia was to tell his state legislature that

They (the North) will not strike a blow or stretch a muscle without bounties from the government. No wonder they cry aloud for the glorious Union ... By it they got their wealth; by it they levy tribute on honest labour.<sup>28</sup>

## SLAVERY

While such economic tensions may have increased the pressure on the federal structure it was the issue of slavery which brought the situation to breaking point. To many southerners the impositions of federal economic policy and the attempts by the northern abolitionists to interfere with the institution of slavery were part of a coherent and unconstitutional attack on the rights of the southern states. In the words of Jefferson Davis:

What do you propose gentlemen ... Do you propose to better the condition of the slave? Not at all ... it is that you have the opportunity of cheating us ... it is that you have a majority in the congress of the United States and concert the government into an engine of northern aggrandisement ... you want by an unjust system of legislation to promote the industry of the United States at the expense of the people of the South.<sup>29</sup>

The issue of slavery laid bare the contradictions which underlay Southern society. In its political culture it saw itself as the true inheritor of the Republican traditions of the founding fathers and yet its social order was founded on human servitude. At one level the South maintained publicly that the slaves were happy to live under their masters’ paternal authority while at another level Southerners lived in constant fear of slave rebellions. The desire to maintain their “Peculiar Institution” also saw the Southerners, who in all other things favoured a weak central government in order to preserve local independence, championing the idea of a strong federal Fugitive Slave Law (first introduced in 1793, and reinforced in 1850) against which Northern free-states enacted personal liberty laws (the first being Pennsylvania in 1826) which served to obstruct the implementation of the federal law.<sup>30</sup> When Harriet Beecher Stowe’s anti-slavery classic, *Uncle Tom’s Cabin* was published it was re-

viled by Southern reviewers with the *New Orleans Crescent* declaring that

There never before was anything so detestable or so monstrous among women as this.

Southern politicians went as far as to call for the book to be banned, and yet the book sold so fast that southern booksellers were unable to keep pace with demand.

The importance in Southern culture of honour as a measure of individual worth coupled with a moral ambiguity regarding slavery made it particularly vulnerable to any perceived attack on its institutions. Such an attack, however, was forthcoming in the shape of the northern Abolitionist movement. The Abolitionist movement was rooted in the “Second Great Awakening”, a religious revival which had swept the North in the first decades of the nineteenth century. In this religious system of ideas the individual should not simply be free, but should be improved. This belief helped to shape the movement to liberate the slaves, but was also manifest in phenomena such as the growth of temperance societies. While some blood was shed during attempts to capture fugitive slaves and during localised fighting between pro and anti-slavery settlers in Kansas after 1854, the overwhelming majority within the Abolitionist movement remained dedicated to peaceful resistance to slavery. In the minds of southerners, however, the mass society and democracy from which the movement was derived combined with the apocalyptic righteousness which flavoured its words and actions made it heir to the revolutionary Jacobins conspiring to overthrow by violence the Southern way of life.<sup>31</sup>

In the already highly charged atmosphere of the autumn of 1859 John Brown was to provide the southerners with their vindication of this point of view. John Brown was an inept businessman whose enterprises had failed twenty times in six states. He also believed that he was God’s agent on earth in the mission to free the slaves. In pursuit of that goal he had with the help of a small band of followers abducted and hacked to death five pro-slavery settlers in Kansas in 1856.<sup>32</sup> The Abolitionist Journal *The Liberator* described Brown as

A Cromwellian Ironside introduced into the nineteenth century for a special purpose.<sup>33</sup>

In 1859 Brown decided that the time had come to lead his armed crusade to end slavery, and he set out to seize the federal arsenal at Harpers Ferry, Virginia. Brown was undaunted by the fact that he was accompanied by only eighteen followers. “One man and God” he declared “can overturn the Universe.”<sup>34</sup> The raid ended as a dismal failure for Brown with he and his band being besieged within the Harpers Ferry buildings which were subsequently stormed by US

marines led by Colonel Robert E. Lee. Brown’s raid and his subsequent execution electrified American politics. The South reacted in horror not so much to the reality of the raid, but to the way in which northern public opinion sought to exonerate Brown presenting him as a righteous martyr. Henry David Thoreau described Brown as “An angel of light”. One South Carolinian commented that

I have always considered myself a fervid Union man but I confess the endorsement of the Harpers Ferry outrage ... has shaken my fidelity.<sup>35</sup>

It was in this atmosphere of near hysteria that the presidential election of 1860 was fought. In the South little distinction was now made between violent men such as John Brown and the anti-slavery Republican party whose candidate, Abraham Lincoln was contesting the election (the Republican Party — founded in 1854 — had in fact strongly condemned Brown’s actions). When Lincoln emerged victorious — largely due to the division of the Republicans opponents; Lincoln in 1860 managed to mobilise a share of the vote comparable to Barry Goldwater in 1964 and George McGovern in 1972 — the stage was set for Southern secession.<sup>36</sup>

## JOHN RANDOLPH

The political and constitutional trends which led the south to break away from the Union can be observed in the ideas and actions of the generation of leaders who preceded the secession. Of particular importance in this process were John Randolph of Virginia and John C. Calhoun of South Carolina. As a politician and writer John Randolph (1773-1833) spans the period from the American War of Independence to the rise of the abolition controversy and in many ways embodied the political attitudes which the South saw itself as defending during the Civil War.

Randolph saw his role in politics as defending the graduated and localised liberty which he believed was rooted in the institutions of his native Virginia. “I am an aristocrat”, Randolph declared. “I love liberty, I hate equality.” Despite deploring the particular actions of British forces during the War of Independence and the War of 1812 his conservative vision made him deeply Anglophile with frequent references in his speeches and letters to the works of Edmund Burke. Randolph opposed all the forces which he saw as disruptive of the principles of local liberty. These forces included the tendency of the federal government in Washington to develop imperial ambitions through foreign military entanglements (such as the War of 1812 which Randolph opposed vigorously), the growth of corruption in the federal government, and the rising power of the Unstructured Western states who without settled traditions would be a latent source

of nationalism which would be able to override the localism Randolph valued so much.

Closely connected to the rise of nationalism in Randolph's mind was the fear of mass democracy and the ability of a majority in control of government power to oppress the minority. In a speech to the Virginia Convention (1829-1830) he condemned both the incursions of the federal government and the principle of mass democracy which he called "King Numbers". He declared that:

I have very high authority ... to say that the Federal government was to be charged only with the external relations of the country; but by a strange transformation it has become the regulator of the interior of the country ... And to use a homely phrase ... we can't take a step without breaking our shins on some federal obstacle ... shall we in Virginia introduce this deadly principle into our own government which give power to a bare majority to tax us ad libitum ... instructed by this most baneful example, we shall next have one part of a county conspiring to throw their burden of the levy on the other part ... were I a young man, I would, in case this monstrous tyranny should be imposed upon us, do what a few years ago I should have thought parricidal. I would withdraw from your jurisdiction. I would not live under "King Numbers". I would not be his steward, nor make him my taskmaster. I would obey the principle of self-preservation ... in flying from the mischief.

On the central issue of slavery, however, Randolph showed typical Southern ambiguity. From his youth Randolph deplored the institution of slavery, and in 1804 when South Carolina reopened the slave trade he wrote

I tremble for the dreadful retribution which this horrid thirst for African blood may bring upon us.

Randolph in his will made provision for the emancipation of all the slaves he had inherited. Yet at the same time Randolph opposed all attempts by the federal government to interfere in the local institutions of which slavery was a part. If anything his willingness to tolerate slavery increased as the conflict with the Federal government increased. He took to trying to foster Southern solidarity by referring to Southerners as "My fellow slaveholders" and in 1820 he wrote:

These Yankees have almost reconciled me to negro slavery.

Randolph epitomised the Southern dilemma in that under attack from Northern public opinion they felt forced to defend an institution which their more enlightened members knew to be morally wrong.<sup>37</sup>

## A CONSERVATIVE TRADITION OF LIBERTY

John C. Calhoun was a major figure in US politics from the time that he took his seat in the House of Representatives in 1810 until his death in 1850.<sup>38</sup> Calhoun had begun his political career as an advocate of nationalist measures such as the tariff and Clay's "American System", and until his death Calhoun remained concerned with the preservation of the Union. Increasingly, however, Calhoun devoted his energy to the means by which minority rights, and particularly those of his native South Carolina, could be defended within the Union. It was as an instrument of this defence that Calhoun formed the principle of "Nullification" during the 1832 confrontation with the federal government. According to Calhoun's theory when the Constitution had been formed in 1787 the states had not given up their sovereignty to the federal government they had merely entered an alliance while retaining full sovereign power to veto or nullify federal legislation. While the 1832 controversy ended in a vindication of federal power Calhoun's assertion that states could ultimately resume full sovereignty under the option of secession remained influential. In South Carolina's December 1860 Declaration of Secession it stated that

South Carolina has resumed her position among the nations of the world as a separate and independent state.<sup>39</sup>

At the start of the war one Confederate officer commented that he

... never believed the Constitution recognised the right of secession. I took up arms on a broader ground — the right of revolution. We were wronged. Our properties and liberties were about to be taken from us. It was a sacred duty to rebel.<sup>40</sup>

Overwhelmingly, however, the Southerners saw themselves as acting in a conservative tradition of liberty harking back to the American Revolution. In 1860-61 as secession loomed Southern militia organisations formed calling themselves the "Minute Men" recalling the former revolutionary militia.<sup>41</sup> The *Charleston Mercury* greeted the election of Abraham Lincoln by stating:

The tea has been thrown overboard ... the revolution of 1860 has been initiated.<sup>41</sup>

In 1861 Jefferson Davis compared Britain during the revolution to a lion, but the federal North was like a bear now he said

We invoke the God of our fathers, who delivered them from the power of the lion, to protect us from the ravages of the bear.<sup>42</sup>

Within this tradition the South saw its role as defensive resisting the armed incursion of a centralising

federal power. Sam Watkins a non-slave holding volunteer from Tennessee recorded that he fought for States rights and because

The South is our country, the North is the country of those who live there.<sup>43</sup>

Similar, though more sophisticated sentiments determined the decision of Robert E. Lee. Lee was an opponent of secession and had declared slavery to be a "moral and political evil". When war broke out Lee was offered command of the Unionist army, but ultimately local defensive loyalties won out.

I must side either with or against my section ... I cannot raise my hand against my birthplace, my home, my children ... Save in defence of my native state I never desire again to draw my sword.

Subsequently Lee accepted command of the Virginia state militia.<sup>44</sup> Alexander H. Stephens, who served as Vice-President of the Confederacy maintained in his post-war work that the Southern stance during the war was not principally motivated by slavery:

The contest was between those who held it to be strictly federal in its character, and those who maintained that it was thoroughly national. It was a strife between the principles of federation, on the one side, and Centralism and Consolidation on the other. Slavery ... was but the question on which these principles ... were finally ... brought into collision on the field of battle.<sup>45</sup>

It is interesting, however, to compare Stephen's post-war statement in which slavery is subordinated as a cause of war to defence of the constitution with this speech he made in Savannah, Georgia in March 1861. In this he states that

[the Confederate] Constitution has put to rest forever all the agitating questions relating to our peculiar institution the proper status of the negro in our civilization. This was the immediate cause of the late rupture and present revolution. Our new government ... its cornerstone rests on the great truth that the negro is not equal to the White man. That slavery ... is his natural and moral condition.

Jefferson Davis, who also considered the Civil war to a constitutional conflict, nevertheless saw the immediate cause of secession as the Northern Republican threat to the institution of slavery.<sup>46</sup> Ultimately the Southern fight against centralism was inextricably bound up with their defence of the institution of slavery. In 1864 the distinguished Confederate general Patrick Cleburne suggested to a council of officers in the Western theatre of the war that the best way for the Confederacy to end its manpower shortage and secure the rights of states was to emancipate the slaves and recruit them into the Confederate army. Cle-

burne's proposal was immediately suppressed by the shocked Confederate high command, and the Richmond politicians.<sup>47</sup> A year later, however, March 1865 a Negro Soldier bill was passed, with the prompting of General Lee, through the Confederate congress authorising the recruitment of negro soldiers to fight for Southern independence. By then of course it was too late to make any difference to the death throes of the Confederacy.<sup>48</sup>

The Unionists too looked back to the traditions of the American Revolution. The Republican Party saw itself as restoring the traditions of republicanism which had been perverted by slavery. Lincoln declared that

We began by declaring that all men are equal, but now from that beginning we have run down to that other declaration that for some men to enslave others is a sacred right of self-government.

For some Northerners the war was from the start a crusade to free the slaves. Such people supported the war in the conviction that, in the words of Julia Ward Howe, that

The Hero born of woman would crush the serpent with his heel.

Abraham Lincoln's original aims were far more conservative than the South gave him credit for. His policy was to restrict the extent of slavery but not to abolish it outright. Slavery was to him "a vexing but minor detail". Under the pressure of war, however, Lincoln adopted the Emancipation Proclamation of 1863. Though limited in its extent the proclamation gave the Union a critical claim to the moral high ground, and transformed the struggle into a war of liberation.<sup>49</sup> This missionary zeal supplemented the original Union war aim of maintaining the constitution expressed by General Grant who in 1861 stated that:

Whatever may have been my political opinions before, I have but one sentiment now that is we have a government, and laws and a flag, and they must all be sustained.<sup>50</sup>

## THE BRITISH REACTION

The issues at stake in America's Civil War were followed with interest in Britain. When news of the war's outbreak reached Britain Lord John Russell commented to his colleagues:

For Gods sake let us, if possible, keep out of it.<sup>51</sup>

Throughout the war the British government followed this maxim, maintaining a careful neutrality despite periods of tension in relations between Britain and the North over such incidents as the seizure of Confederate envoys, and the activities of the British manned Confederate commerce raider "The Alabama". The

British Prime Minister Lord Palmerston was strongly opposed to slavery, but he had concluded that:

If slavery was not at stake then the war became merely a sordid attempt by northern industrialists to impose their wills on an unwilling agrarian south.

To Palmerston the shambolic flight of the federal troops after the first battle of Bull Run (Manassas) had proved that theirs was not a cause based on anti-slavery idealism. Palmerston also viewed the war as unnecessary as slavery would be gradually eroded by competition between the independent south and the north (the independent south would also offer a market for British goods, Palmerston believed).<sup>52</sup> Pro-Southern sentiments were also expressed by the British Chancellor of the Exchequer, William Gladstone who in a speech in Newcastle declared

There is no doubt that Jefferson Davis and other leaders of the South have made an army. They are making it appears a navy. And they have made what is more ... a nation. We may anticipate with certainty the success of the southern states.<sup>53</sup>

The historian and philosopher Lord Acton, who was a close friend of Gladstone's, expressed the view that the south had "wickedly defended" the institution of slavery, but on the constitutional aspects of the war he stated that:

The North has used the doctrines of democracy to destroy self-government. The south has applied the principle of conditional federation to cure the evils and correct the errors of a false interpretation of democracy.<sup>54</sup>

Despite these expressions of support from British politicians no help was forthcoming for the Southern cause, and to the frustration of the Southern leaders Britain continued to refuse recognition to their putative new state.

For radical liberals such as Cobden and Bright the war was a tragedy disrupting as it did the political life of America which they had held up as a pacific and democratic ideal. While such Manchester School Liberals with strong support in the cotton producing areas of Lancashire had strong free-trading links with the South they were also opponents of slavery. For Bright the war was the terrible price needed to end the institution of slavery:

Only a miracle could have averted the measureless calamity and liberated slaves peacefully.

Cobden was originally sceptical of the Northern cause asking of one of the Northern states:

Is it not commercial gain and mercantile ascendancy which prompt their warlike zeal (of the state of New York) for the federal government?

Cobden's enthusiasm for the Northern cause was, however, transformed by the emancipation proclamation of 1863. From then on he argued strongly against British intervention on the behalf of the South. Cobden suggested that it would be cheaper to feed all the unemployed of Lancashire (caused by the economic disruption of the war) on "Turtle, Champagne and Venison" than go to war with the North.<sup>55</sup>

Some Conservatives welcomed the war as an attempt by the aristocratic South to counter the onward march of Northern democracy. The Earl of Shrewsbury expressed his pleasure that "The dissolution (of the Union) means that men now before me will live to see an aristocracy established in America."<sup>56</sup> The poet Matthew Arnold believed that a Confederate victory was vital "To prevent the English people from becoming, with the growth of Democracy Americanised."<sup>57</sup> Disraeli was to confide his excitement in a private letter

What wondrous times are these! Who could have supposed that the United States would be the scene of a great revolution ... No one can foresee the results. They must, however, tell immensely in favour of aristocracy.

Despite these sentiments Disraeli showed the same unwillingness as his Liberal colleagues to involve Britain in the war. After the victory of the North Disraeli was able to console himself with the thought that:

The democracy of America must not be confounded with the democracy of the Old World. It is not formed in the slums of turbulent cities, neither is it merely a section of the exhausted middle class which speculates in stocks and calls that progress. It is a territorial democracy.<sup>58</sup>

## IRREVERSIBLE CHANGE

Both sides were transformed by the war. In the South, states faced by the demands of a wartime government sought to continue their assertion of states rights by defying the Confederate government as before the war they had defied the government in Washington. Particularly notorious in this respect were governors Joseph Brown of Georgia and Zebulon Vance of North Carolina. Brown enabled 10,000 men to avoid the Confederate draft by appointing them all as second lieutenants in the state militia while Vance hoarded uniforms, blankets, and shoes which were vitally needed for the Confederate army. Other states presided over an immediate growth in the number of school teachers, after teachers had been granted immunity from military service. Brown summed up his situation saying:

My position is the position of the old States' Rights leaders of the days of 1787. I contributed my mite to sustain the rights of states and to prevent the consolidation of the government, and I am still a rebel no matter who may be in power.<sup>59</sup>

In despair Jefferson Davis stated that:

If the Confederacy fails there will be written on the tomb stone: Died of a theory.<sup>60</sup>

The South had seceded in order to preserve its agrarian order in which it believed that liberty was embodied. The process of fighting the war, however, meant that the South was undergoing irreversible and revolutionary change. In order to cope with war demand, rapid industrialisation took place and the characteristic cotton crops were replaced by food crops. Social changes were also taking place and it was noted that

Ladies who never worked before are hard at it making uniforms and tents.

During this period the population of Richmond trebled and a local newspaper commented disapprovingly on the increasingly risqué forms of entertainment available. It demanded an end to:

Short skirts, nigger dancing, ribaldry, blasphemous mock piety, gross buffoonery and other piquant and profane attractions for the carnal minded and illiterate.

The South Carolinian diarist, Mary Chestnut wrote:

There are nights here with the moonlight cold and ghostly when I could tear my hair for all that is past and gone.<sup>61</sup>

Jefferson Davis confided to his wife that whoever won the war would serve to destroy the peculiar institution of slavery.<sup>62</sup>

## ENLARGED STATES

The victorious North had consolidated the United States as a nation state in that period of the later nineteenth century characterised by the centralisation. The late nineteenth century not only saw the vindication of the Union but also the unification of Italy and Germany, and the period of self-confident high imperialism in the Empires of Britain and France. A. V. Dicey commented on Britain during this period saying

The sincerity of our imperialism is shown by our actions. The war in South Africa was surely waged by England and her self-governing colonies to maintain unity of the British Empire as the war against the Southern states was waged by the Northerners was waged to maintain the unity of the United States.<sup>63</sup>

Following Dicey's comparison the ruthlessness and resolution with which the British crushed the Boer guerrilla resistance can be viewed alongside the "scorched earth" policies of Sherman's Unionist forces in South Carolina and Georgia. It was these enlarged states which were to come into conflict in the terrible warfare of the early twentieth century. Many of the characteristics of conflict seen in the First World War had already been manifest in the American Civil War. These attributes included the transporting of troops by rail, trench warfare, massed artillery barrages, telegraph communications, and government mobilisation of economic resources in war planning. The Civil war had shown the potential of the state to intervene in American society. Even more dangerously, by intervening successfully against a clearly oppressive and immoral intermediate institution and freeing human beings from slavery, an aura of legitimacy had been given to the propensity of the state to intervene in society.

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# LIBERTY VERSUS LIBERTY IN THE AMERICAN CIVIL WAR

ROBERT THOMAS

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About a year ago a recording was issued of Lady Thatcher reading Abraham Lincoln's Gettysburg address. In an interview at the time a journalist put it to Lady Thatcher that really she should properly identify with the Confederacy rather than Abraham Lincoln's Unionism. The interviewer was at this point sharply rebuked for his presumptuousness: No no, he was told, Abraham Lincoln was in favour of individual liberty and so am I. In one sense Lady Thatcher's anger at such a suggestion is understandable — anyone believing in individual liberty might prefer to be associated with a political leader who liberated human beings from the institution of slavery rather than a cause which preached the imposition of servitude. In a sense, however, the interviewer also had a valid point — it is not impossible to see some sort of similarity between Lady Thatcher's position and that of the Confederate partisans who took up arms to defend their States Rights against the centralising power of the federal government. I would like to argue that the clash of the North and South which culminated in the 1861 outbreak of Civil War was in part an ideological struggle between two rival conceptions of liberty, one of which was based on egalitarianism and individualism, and the other on localism and independence from central government.

## OF THE "TRUE OLIVERIAN STRAIN"

The circumstances of the outbreak of the American Civil War were the product of immediate political events taking place in 1860 and 1861. The chasm which divided the North and the South which allowed these developments to achieve their dangerous potential had developed within America as part of the social change and political controversy of the nineteenth century. Nevertheless the origins of the differing attitudes to government and liberty can be detected in Colonial and Revolutionary America. In the early seventeenth century New England was settled by Protestant non-conformists whose religious beliefs combined individual salvation in the spiritual dimension and individual material self-enhancement. This tradition of seventeenth century Puritanism in America endured into the eighteenth century. The connection between spiritual and material individualism can be seen in the way that Benjamin Franklin's father chose to educate his son

with the Biblical maxim "Seest thou a man diligent in his business? He shall stand before kings" (*Proverbs* xxii 29).<sup>1</sup> While such ideas continued in America political attitudes in Britain were changing radically. The wars of the eighteenth century saw Britain change from a small Protestant Commonwealth surrounded by hostile Catholic continental powers to a major political and military force presiding over a vast and diverse empire.<sup>2</sup> This imperial ideology of British administrations conflicted with the colonists who had enjoyed a period of "benign neglect" by the government since the revolution of 1688.

The northerners of New England were particularly characterised by British observers as still belonging to this "Puritan" tradition. During the Seven Years War British sailors who co-operated with New Englanders during an attack on the French stronghold of Louisbourg in 1745 were surprised by the Americans insistence on praying before the attack was launched. The New Englanders, they said, were of a "True Oliverian strain".<sup>3</sup> Similarly a Royal Navy officer involved in the fighting at Lexington in 1775 described one of the American militia men as cursing like a "True Cromwellian".<sup>4</sup> Prior to the outbreak of hostilities British officers were in general scornful of the New Englanders with their anachronistic attitudes. One British officer in a letter home published in the *Bristol Gazette* stated that "The inhabitants of this province retain the religious and civic principles brought over by their forbears." The officer went on optimistically:

As to what you hear of their taking up arms to resist the force of England, it is mere bullying, and will go no further than words ... We expect to pass the winter very quietly. The Saints here begin to relish the money we spend among them, and, I believe, notwithstanding all their noise, would be sorry to part with us.

One British general, Lord Percy, commented on the intimate connection between New England religion and the spirit of rebellion. The clergy, he said,

Preach up sedition openly from their pulpits ... some of them have gone so far absolutely to refuse the sacrament to communicants till they have signed a paper of the most seditious kind

which they have denominated the Solemn League and Covenant.

The Anglican cleric Samuel Peters angrily recorded how the outbreak of the American War of Independence had brought a wave of iconoclasm against his church, and that:

... on their pious sabbeth day ... preachers and Magistrates left the pulpits for the gun and drum and set off for Boston.<sup>5</sup>

While the first fighting of the American War of Independence broke out among the countryside and mercantile ports of New England the British government was to find that it was facing a high degree of colonial solidarity uniting the New England colonies with those of the South. This solidarity manifested in the meeting of the First Continental Congress in September 1774 stands in sharp contrast to the previous lack of unity among the colonies. At the start of the war Governor Dunmore of Virginia declared that resistance to the British was restricted to a few ...

Young men of good parts, but spoiled by a strange imperfect desultory kind of education which has crept into fashion all over America.<sup>6</sup>

In the event the southern states were to provide some of the foremost leaders of the revolution and to witness some of the fiercest fighting.

## THE DIFFERENCES BETWEEN NORTH AND SOUTH

The first seventeenth century settlers in the southern coastal colonies of Virginia and South Carolina were a mixed group consisting variously of lowly artisans, indentured labour, tradesmen and apprentices. The initially plentiful supply of land encouraged a high degree of social mobility. By the mid-eighteenth century, however, the rapid take up of good farming land had produced an increasingly stratified social hierarchy. In some ways the society which emerged was similar to the country squirearchy which could be found in contemporary England. In the Southern colonies, however, a number of factors strengthened the particularism and independent temperament of this new American gentry. The nature of the rural economy meant that few towns were established and life remained centred around the large scale farms or plantations which resembled small villages in size. The aristocratic owners of these plantations dealt directly with trade, exporting on to the world market from riverside wharfs. The self-contained nature of their world increased the localism and coherence of the ruling class.

The importance of hierarchy to this society was further bolstered by the increasing importance of black slaves in the southern economy. The first negro

slaves had been come into Virginia in 1619, but the importation of slaves accelerated rapidly in the late seventeenth and early eighteenth centuries. In the first nine years of the eighteenth century 6000 slaves were imported, a total which probably equalled the entire importation of the previous century. The existence of large numbers of slaves created a permanent under-caste which secured the status of the white population.<sup>7</sup> When these southern planter aristocrats rebelled against the British government they saw themselves as following a conservative agenda. Like Englishmen of 1642 and 1688 they were taking a revolutionary path in order to defend traditional liberties against a centralising power.

The English tradition of opposition ideology was heightened by the peculiar institutions and ways of the Americas. Some observers were struck by the contrast between the planters professed belief in liberty and the large scale existence of slavery. In 1776 Samuel Johnson, prompted by the Declaration of Independence, exclaimed:

How is it that we hear the loudest yelps for liberty among the drivers of negroes?

The attachment to traditional English ways while prompting some southerners to rebel against the innovative imperial power also seems to have inspired a high degree of loyalism in others. These men were prepared to fight and die for "The king and his laws".<sup>8</sup>

The southern colonies, however, extended beyond the ordered societies of Virginia and South Carolina, into wilder frontier territory. The colony of Georgia had been founded in 1732 by the philanthropist General Oglethorpe, as part of a utopian experiment whereby London's poor would be exported to America, to cultivate silk in a climate which was largely unsuitable for such an enterprise. By 1751, however, the experiment had clearly failed, its founders admitting that those individuals

... who had been useless in England, were inclined to be useless in Georgia likewise.

The settlers themselves lamented that

The poor inhabitants of Georgia are scattered over the face of the earth; her plantations a wild; her towns a desert; her villages in rubbish.<sup>9</sup>

Georgia at the time of the revolution was a place where

Men hunted animals by setting fire to vast tracts of woodland ... they scavenged the ashes for edible meat and salable skins. When men disagreed politically they attacked one another with knives and guns.<sup>10</sup>

Arkansas, one of the new states of the early nineteenth century, is similarly described, it being said that one of the leading families was

... wonderfully ignorant as full of superstition as their feeble minds were capable of ... they did not farm, had no fences round their shanty habitations and appeared to have lived a roving, rambling life ever since the battle of Bunker Hill when they fled to this wilderness.<sup>11</sup>

It was perhaps the untamed nature of this territory coupled with the prevailing southern concentration on the importance of individual status and honour which explains the ferocity of fighting in the War of Independence between the rival loyalist (Tory) and American (Whig) militias. Nathaniel Greene, a northerner and son of a Quaker sent south to command the American forces there in 1780, was shocked by the violence, alien to his previous experience, which he witnessed. He stated that:

The spirit of plundering which prevails among the inhabitants adds not a little to our difficulties. The whole country is in danger of being laid waste by the Whigs and the Tories who pursue each other with relentless fury as beasts of prey.<sup>12</sup>

These early differences between the cultures of the north and south was noted by Edmund Burke. In his "Speech on Conciliation with America" made in 1775 Burke drew attention to the fact that:

All Protestantism, even the most cold and passive, is a sort of dissent. But the religion most prevalent in our northern colonies is a refinement of the principle of resistance; it is the dissidence of dissent and the Protestantism of the Protestant religion. This religion under a variety of denominations agreeing in nothing but a communion in a spirit of liberty, is predominant in most of the northern provinces ... The colonists left England when this spirit was high and in the emigrants highest of all.

Turning his attention to the south Burke states:

A circumstance attending these colonies ... makes the spirit of liberty still more high and haughty than in those northward. It is, that in Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free, are by far the most proud and jealous of their freedom. Freedom to them is not only an enjoyment but a kind of rank and privilege.<sup>13</sup>

## IDEOLOGICAL AND POPULATION DIFFERENCES

To detect in the colonial and revolutionary period ideological and cultural peculiarities in the north and

south which persisted up to the period of the Civil War is not to imply that there was an enduring difference in the populations involved. The late eighteenth and nineteenth centuries were a period which saw massive immigration into America from Europe and also internal movements of the population. This is perhaps illustrated by the fact that neither of the two men who represented the north and the south at the highest level during the Civil War period, Abraham Lincoln and Jefferson Davis, originally came from these areas. Both Lincoln and Davis originally came from the "border" state of Kentucky with Lincoln migrating north to Illinois and Davis going south to Mississippi.<sup>14</sup> Significantly, however, as the north and south drew apart, partisans of these sections sought to acknowledge these ideological differences and present them in terms of historical population differences. Edward A. Pollard, a southern partisan, stated that:

They had come ... from different stocks of population. There could be no congeniality between the Puritan exiles who established themselves upon the cold and rugged and cheerless soil of New England, and the Cavaliers who sought the brighter climate of the South and drank in their baronial halls in Virginia confusion to the regicides.<sup>15</sup>

Similarly, at the height of the Civil War Jefferson Davis, President of the Confederacy, sought to rally the citizens of Jackson, Mississippi, by reminding them of the Puritan origins of the north. Davis stated

There is indeed a difference between the two ... Our enemies are a traditionless and homeless race. From the time of Cromwell to the present moment they have been disturbers of the peace of the world. Gathered together by Cromwell from the bogs and fens of the north of Ireland and of England, they commenced by disturbing the peace of their own country; they disturbed Holland to which they fled and they disturbed England on their return.<sup>16</sup>

The north denounced the South with equal vehemence. The *Milwaukee Sentinel* stated that the South had "sunk three centuries back toward the age of barbarism".<sup>17</sup>

The progress of the nineteenth century saw the increasing divergence of the north and south and the development of a coherent regional identity within these areas. This economic and ideological division largely absorbed the earlier splits such as the East/West divide between the coastal "Tidewater" areas of Virginia and the inland rural Shenandoah Valley or between the coastal regions of New England and the interiors of Massachusetts and Pennsylvania.<sup>18</sup> (In some areas such divisions did, however, persist with the western areas of Virginia — which geographically formed part of the Ohio valley — attempting to secede from the

rest of Virginia in 1861. The recognition of West Virginia as a state by the federal government in 1863 represented an apparently contradictory move by a government fighting a war based on the illegality of secession.<sup>19</sup>

## THE RISE OF INDUSTRIALISM

The America of the eighteenth century had been a predominantly rural society, the years following the War of 1812 saw rapid industrial and urban expansion. This rise of industrialism, however, was overwhelmingly concentrated within the north and particularly in New England. Of the 143 important inventions patented in the United States 93 per cent came from the north and nearly half from New England alone. The new industrial system was characterised by mass production and mass consumption. The new factory system of production enabled the New England textile industry to increase its output from 4 million yards in 1817 to 308 million in 1837, and American machinery was imported to Britain in order to found the Enfield armoury during the Crimean War. This system was able to supply plentiful consumer goods to an expanding middle class through the new institution of the “department store”. European visitors of the time often commented on the connection between the economic system of mass consumption and the American political system of universal suffrage. These economic advances were, however, viewed with suspicion by some Americans. The factory system was seen as a violation of the Old republican traditions where freedom was equated with independence. It was reasoned that someone who was dependent on the factory owner for his wages could not be truly free. Some opponents denounced the factory system with its regime of work by the clock as “wage slavery”. One anti-factory song stated that

For liberty our father’s fought  
which with their blood they dearly bought  
the Fact’ry system sets at nought  
Great Britain’s curse is now their own,  
enough to damn a king and throne.

Defenders of capitalist advancement were, however, also putting forward an increasingly coherent “Free Labour” ideology. The economist Henry Carey wrote that:

The interests of the capitalist and the laborer are ... in perfect harmony with each other. Each derives advantage from every measure that tends to facilitate ... growth.

Abraham Lincoln, in many ways the epitome of the self-made man, stated that:

The man who laboured for another last year, this year labours for himself, and next year will hire others to work for him ... The free labour system

opens the way for all — gives hope to all, and energy, and progress, and improvement of condition to all.

It was during this period that the term “Yankee” was coined to describe the new industrial classes of the north.<sup>20</sup>

The rise of urbanism in the north contrasted with the persistence of the rural economy in the south. While the proportion of the population involved in agriculture in the north had declined from 70 per cent to 40 per cent in the south the agricultural population had remained stable at 80 per cent. In its own way, however, the Southern economy was also undergoing radical transformation. The industrial revolution in Britain had created a massive demand for cotton from the factories and textile mills around Manchester. The states of the “New” or “Deep South” (Tennessee, Alabama, Mississippi and Louisiana), which had been opened to American colonisation by the defeat of Spanish and Indian power in the area, were climatically suited to the production of cotton.

It was the invention of the cotton gin by Eli Whitney (patented in 1794) which made such production economically viable. The spread of the plantation system adapted for the growing of cotton into the New South created an acute labour shortage. Where in the north the demand for labour had been met by the use of new technological and labour saving devices the man power demand in the south was met by the increasing use of slave labour. The plantations of the Old South were often turned over to the breeding of slaves in order to meet this demand (the import of Slaves into America had been banned in 1808). The Old and the New South had become linked by the growing of cotton and the institution of slavery. The ascendancy of “King Cotton” created a new and self-confident agrarian order in the South which noted with satisfaction its apparent immunity to the economic fluctuations such as that which afflicted the North in 1857. In the eyes of the South they had achieved a commercial revolution while preserving the Old Republican idea of liberty based on independence of action which was being lost in the north. “Cotton” it was said, had

... made it possible for a man to hang a crystal chandelier in his log cabin.<sup>21</sup>

## THE TARIFF

It should be said, however, that economic and cultural differences within a single polity need not automatically lead to conflict. Tension between the sections was heightened by the southern conviction that federal government policy was promoting northern interests and its way of life. The idea of “states rights” was a fundamental tenet of American constitutionalism and

its importance was by no means limited to the South. Indeed it was the New Englanders who in the period prior to the war of 1812 had sought through the assertion of states rights to restrain the anti-British policy of the southern “War Hawks”. With the increasing conflict with federal policy the South came to see states rights as their principal instrument of resistance. One of the most important issues over which conflict arose was the imposition of the tariff. Tariffs on international trade were introduced in 1816, 1824 and 1828, and remained an important aspect of American commercial policy until as late as 1860. In 1832 Abraham Lincoln defined his political platform succinctly saying:

I am in favour of a national bank. I am in favour of an internal improvements system, and a high protective tariff.<sup>22</sup>

The tariff was a measure aimed at the consolidation of the United States; by placing protective duties on imported goods it was believed that domestic industry in the north-east would be strengthened. The expanding territories in the west would supply agricultural produce for the urban areas of the east while absorbing the industrial goods produced in the eastern factories. This arrangement was known as the “American System” and its architect was the western senator, Henry Clay of Kentucky.<sup>23</sup> This protectionist system was understandably unpopular in Britain and when in 1862 William E. Forster MP ventured to suggest in the House of Commons that slavery was the cause of the Civil War he was met by cries of “No” and “The Tariff, the Tariff”.<sup>24</sup> *The Economist* commented in 1844 on the irony that

Monarchical England is struggling to break the chains that an unwise legislature has forged for the limbs of its trade ... but democratic America is urged to put on the fetters which older but less liberal nations are throwing off.<sup>25</sup>

Even the normally Pro-Northern John Bright spoke privately of the “Foolish Tariff”.<sup>26</sup> The tariff was also widely resented by the South, for whom it inhibited both their ability to buy cheap goods directly off the international market and to export their cotton directly. The English observer William Cobbett described this situation in *The Political Register* of 1833 saying that

All these Southern and Western states, are, commercially speaking, closely connected with Birmingham, Sheffield, Manchester, and Leeds ... they have no such connection with the Northern states ... The heavy duties imposed by congress upon British manufactured goods is neither more nor less than so many millions taken from the southern and Western states, and given to the Northern states.<sup>27</sup>

In 1832 the “Nullification Crisis” arose over resistance by South Carolina to the imposition of the 1828 tariff or “Tariff of Abominations” as it was known to its opponents. While the 1832 crisis subsided due to a combination of federal determination to assert authority whilst making some compromise on the level of tariff, and lack of sectional unity the idea that federal economic policy discriminated against the south remained a potent force of friction between the sections. In November 1860 when America was on the brink of civil war Senator Robert Tombs of Georgia was to tell his state legislature that

They (the North) will not strike a blow or stretch a muscle without bounties from the government. No wonder they cry aloud for the glorious Union ... By it they got their wealth; by it they levy tribute on honest labour.<sup>28</sup>

## SLAVERY

While such economic tensions may have increased the pressure on the federal structure it was the issue of slavery which brought the situation to breaking point. To many southerners the impositions of federal economic policy and the attempts by the northern abolitionists to interfere with the institution of slavery were part of a coherent and unconstitutional attack on the rights of the southern states. In the words of Jefferson Davis:

What do you propose gentlemen ... Do you propose to better the condition of the slave? Not at all ... it is that you have the opportunity of cheating us ... it is that you have a majority in the congress of the United States and concert the government into an engine of northern aggrandisement ... you want by an unjust system of legislation to promote the industry of the United States at the expense of the people of the South.<sup>29</sup>

The issue of slavery laid bare the contradictions which underlay Southern society. In its political culture it saw itself as the true inheritor of the Republican traditions of the founding fathers and yet its social order was founded on human servitude. At one level the South maintained publicly that the slaves were happy to live under their masters’ paternal authority while at another level Southerners lived in constant fear of slave rebellions. The desire to maintain their “Peculiar Institution” also saw the Southerners, who in all other things favoured a weak central government in order to preserve local independence, championing the idea of a strong federal Fugitive Slave Law (first introduced in 1793, and reinforced in 1850) against which Northern free-states enacted personal liberty laws (the first being Pennsylvania in 1826) which served to obstruct the implementation of the federal law.<sup>30</sup> When Harriet Beecher Stowe’s anti-slavery classic, *Uncle Tom’s Cabin* was published it was re-

viled by Southern reviewers with the *New Orleans Crescent* declaring that

There never before was anything so detestable or so monstrous among women as this.

Southern politicians went as far as to call for the book to be banned, and yet the book sold so fast that southern booksellers were unable to keep pace with demand.

The importance in Southern culture of honour as a measure of individual worth coupled with a moral ambiguity regarding slavery made it particularly vulnerable to any perceived attack on its institutions. Such an attack, however, was forthcoming in the shape of the northern Abolitionist movement. The Abolitionist movement was rooted in the “Second Great Awakening”, a religious revival which had swept the North in the first decades of the nineteenth century. In this religious system of ideas the individual should not simply be free, but should be improved. This belief helped to shape the movement to liberate the slaves, but was also manifest in phenomena such as the growth of temperance societies. While some blood was shed during attempts to capture fugitive slaves and during localised fighting between pro and anti-slavery settlers in Kansas after 1854, the overwhelming majority within the Abolitionist movement remained dedicated to peaceful resistance to slavery. In the minds of southerners, however, the mass society and democracy from which the movement was derived combined with the apocalyptic righteousness which flavoured its words and actions made it heir to the revolutionary Jacobins conspiring to overthrow by violence the Southern way of life.<sup>31</sup>

In the already highly charged atmosphere of the autumn of 1859 John Brown was to provide the southerners with their vindication of this point of view. John Brown was an inept businessman whose enterprises had failed twenty times in six states. He also believed that he was God’s agent on earth in the mission to free the slaves. In pursuit of that goal he had with the help of a small band of followers abducted and hacked to death five pro-slavery settlers in Kansas in 1856.<sup>32</sup> The Abolitionist Journal *The Liberator* described Brown as

A Cromwellian Ironside introduced into the nineteenth century for a special purpose.<sup>33</sup>

In 1859 Brown decided that the time had come to lead his armed crusade to end slavery, and he set out to seize the federal arsenal at Harpers Ferry, Virginia. Brown was undaunted by the fact that he was accompanied by only eighteen followers. “One man and God” he declared “can overturn the Universe.”<sup>34</sup> The raid ended as a dismal failure for Brown with he and his band being besieged within the Harpers Ferry buildings which were subsequently stormed by US

marines led by Colonel Robert E. Lee. Brown’s raid and his subsequent execution electrified American politics. The South reacted in horror not so much to the reality of the raid, but to the way in which northern public opinion sought to exonerate Brown presenting him as a righteous martyr. Henry David Thoreau described Brown as “An angel of light”. One South Carolinian commented that

I have always considered myself a fervid Union man but I confess the endorsement of the Harpers Ferry outrage ... has shaken my fidelity.<sup>35</sup>

It was in this atmosphere of near hysteria that the presidential election of 1860 was fought. In the South little distinction was now made between violent men such as John Brown and the anti-slavery Republican party whose candidate, Abraham Lincoln was contesting the election (the Republican Party — founded in 1854 — had in fact strongly condemned Brown’s actions). When Lincoln emerged victorious — largely due to the division of the Republicans opponents; Lincoln in 1860 managed to mobilise a share of the vote comparable to Barry Goldwater in 1964 and George McGovern in 1972 — the stage was set for Southern secession.<sup>36</sup>

## JOHN RANDOLPH

The political and constitutional trends which led the south to break away from the Union can be observed in the ideas and actions of the generation of leaders who preceded the secession. Of particular importance in this process were John Randolph of Virginia and John C. Calhoun of South Carolina. As a politician and writer John Randolph (1773-1833) spans the period from the American War of Independence to the rise of the abolition controversy and in many ways embodied the political attitudes which the South saw itself as defending during the Civil War.

Randolph saw his role in politics as defending the graduated and localised liberty which he believed was rooted in the institutions of his native Virginia. “I am an aristocrat”, Randolph declared. “I love liberty, I hate equality.” Despite deploring the particular actions of British forces during the War of Independence and the War of 1812 his conservative vision made him deeply Anglophile with frequent references in his speeches and letters to the works of Edmund Burke. Randolph opposed all the forces which he saw as disruptive of the principles of local liberty. These forces included the tendency of the federal government in Washington to develop imperial ambitions through foreign military entanglements (such as the War of 1812 which Randolph opposed vigorously), the growth of corruption in the federal government, and the rising power of the Unstructured Western states who without settled traditions would be a latent source

of nationalism which would be able to override the localism Randolph valued so much.

Closely connected to the rise of nationalism in Randolph's mind was the fear of mass democracy and the ability of a majority in control of government power to oppress the minority. In a speech to the Virginia Convention (1829-1830) he condemned both the incursions of the federal government and the principle of mass democracy which he called "King Numbers". He declared that:

I have very high authority ... to say that the Federal government was to be charged only with the external relations of the country; but by a strange transformation it has become the regulator of the interior of the country ... And to use a homely phrase ... we can't take a step without breaking our shins on some federal obstacle ... shall we in Virginia introduce this deadly principle into our own government which give power to a bare majority to tax us ad libitum ... instructed by this most baneful example, we shall next have one part of a county conspiring to throw their burden of the levy on the other part ... were I a young man, I would, in case this monstrous tyranny should be imposed upon us, do what a few years ago I should have thought par-ricidal. I would withdraw from your jurisdiction. I would not live under "King Numbers". I would not be his steward, nor make him my taskmaster. I would obey the principle of self-preservation ... in flying from the mischief.

On the central issue of slavery, however, Randolph showed typical Southern ambiguity. From his youth Randolph deplored the institution of slavery, and in 1804 when South Carolina reopened the slave trade he wrote

I tremble for the dreadful retribution which this horrid thirst for African blood may bring upon us.

Randolph in his will made provision for the emancipation of all the slaves he had inherited. Yet at the same time Randolph opposed all attempts by the federal government to interfere in the local institutions of which slavery was a part. If anything his willingness to tolerate slavery increased as the conflict with the Federal government increased. He took to trying to foster Southern solidarity by referring to Southerners as "My fellow slaveholders" and in 1820 he wrote:

These Yankees have almost reconciled me to negro slavery.

Randolph epitomised the Southern dilemma in that under attack from Northern public opinion they felt forced to defend an institution which their more enlightened members knew to be morally wrong.<sup>37</sup>

## A CONSERVATIVE TRADITION OF LIBERTY

John C. Calhoun was a major figure in US politics from the time that he took his seat in the House of Representatives in 1810 until his death in 1850.<sup>38</sup> Calhoun had begun his political career as an advocate of nationalist measures such as the tariff and Clay's "American System", and until his death Calhoun remained concerned with the preservation of the Union. Increasingly, however, Calhoun devoted his energy to the means by which minority rights, and particularly those of his native South Carolina, could be defended within the Union. It was as an instrument of this defence that Calhoun formed the principle of "Nullification" during the 1832 confrontation with the federal government. According to Calhoun's theory when the Constitution had been formed in 1787 the states had not given up their sovereignty to the federal government they had merely entered an alliance while retaining full sovereign power to veto or nullify federal legislation. While the 1832 controversy ended in a vindication of federal power Calhoun's assertion that states could ultimately resume full sovereignty under the option of secession remained influential. In South Carolina's December 1860 Declaration of Secession it stated that

South Carolina has resumed her position among the nations of the world as a separate and independent state.<sup>39</sup>

At the start of the war one Confederate officer commented that he

... never believed the Constitution recognised the right of secession. I took up arms on a broader ground — the right of revolution. We were wronged. Our properties and liberties were about to be taken from us. It was a sacred duty to rebel.<sup>40</sup>

Overwhelmingly, however, the Southerners saw themselves as acting in a conservative tradition of liberty harking back to the American Revolution. In 1860-61 as secession loomed Southern militia organisations formed calling themselves the "Minute Men" recalling the former revolutionary militia.<sup>41</sup> The *Charleston Mercury* greeted the election of Abraham Lincoln by stating:

The tea has been thrown overboard ... the revolution of 1860 has been initiated.<sup>41</sup>

In 1861 Jefferson Davis compared Britain during the revolution to a lion, but the federal North was like a bear now he said

We invoke the God of our fathers, who delivered them from the power of the lion, to protect us from the ravages of the bear.<sup>42</sup>

Within this tradition the South saw its role as defensive resisting the armed incursion of a centralising

federal power. Sam Watkins a non-slave holding volunteer from Tennessee recorded that he fought for States rights and because

The South is our country, the North is the country of those who live there.<sup>43</sup>

Similar, though more sophisticated sentiments determined the decision of Robert E. Lee. Lee was an opponent of secession and had declared slavery to be a "moral and political evil". When war broke out Lee was offered command of the Unionist army, but ultimately local defensive loyalties won out.

I must side either with or against my section ... I cannot raise my hand against my birthplace, my home, my children ... Save in defence of my native state I never desire again to draw my sword.

Subsequently Lee accepted command of the Virginia state militia.<sup>44</sup> Alexander H. Stephens, who served as Vice-President of the Confederacy maintained in his post-war work that the Southern stance during the war was not principally motivated by slavery:

The contest was between those who held it to be strictly federal in its character, and those who maintained that it was thoroughly national. It was a strife between the principles of federation, on the one side, and Centralism and Consolidation on the other. Slavery ... was but the question on which these principles ... were finally ... brought into collision on the field of battle.<sup>45</sup>

It is interesting, however, to compare Stephen's post-war statement in which slavery is subordinated as a cause of war to defence of the constitution with this speech he made in Savannah, Georgia in March 1861. In this he states that

[the Confederate] Constitution has put to rest forever all the agitating questions relating to our peculiar institution the proper status of the negro in our civilization. This was the immediate cause of the late rupture and present revolution. Our new government ... its cornerstone rests on the great truth that the negro is not equal to the White man. That slavery ... is his natural and moral condition.

Jefferson Davis, who also considered the Civil war to a constitutional conflict, nevertheless saw the immediate cause of secession as the Northern Republican threat to the institution of slavery.<sup>46</sup> Ultimately the Southern fight against centralism was inextricably bound up with their defence of the institution of slavery. In 1864 the distinguished Confederate general Patrick Cleburne suggested to a council of officers in the Western theatre of the war that the best way for the Confederacy to end its manpower shortage and secure the rights of states was to emancipate the slaves and recruit them into the Confederate army. Cle-

burne's proposal was immediately suppressed by the shocked Confederate high command, and the Richmond politicians.<sup>47</sup> A year later, however, March 1865 a Negro Soldier bill was passed, with the prompting of General Lee, through the Confederate congress authorising the recruitment of negro soldiers to fight for Southern independence. By then of course it was too late to make any difference to the death throes of the Confederacy.<sup>48</sup>

The Unionists too looked back to the traditions of the American Revolution. The Republican Party saw itself as restoring the traditions of republicanism which had been perverted by slavery. Lincoln declared that

We began by declaring that all men are equal, but now from that beginning we have run down to that other declaration that for some men to enslave others is a sacred right of self-government.

For some Northerners the war was from the start a crusade to free the slaves. Such people supported the war in the conviction that, in the words of Julia Ward Howe, that

The Hero born of woman would crush the serpent with his heel.

Abraham Lincoln's original aims were far more conservative than the South gave him credit for. His policy was to restrict the extent of slavery but not to abolish it outright. Slavery was to him "a vexing but minor detail". Under the pressure of war, however, Lincoln adopted the Emancipation Proclamation of 1863. Though limited in its extent the proclamation gave the Union a critical claim to the moral high ground, and transformed the struggle into a war of liberation.<sup>49</sup> This missionary zeal supplemented the original Union war aim of maintaining the constitution expressed by General Grant who in 1861 stated that:

Whatever may have been my political opinions before, I have but one sentiment now that is we have a government, and laws and a flag, and they must all be sustained.<sup>50</sup>

## THE BRITISH REACTION

The issues at stake in America's Civil War were followed with interest in Britain. When news of the war's outbreak reached Britain Lord John Russell commented to his colleagues:

For Gods sake let us, if possible, keep out of it.<sup>51</sup>

Throughout the war the British government followed this maxim, maintaining a careful neutrality despite periods of tension in relations between Britain and the North over such incidents as the seizure of Confederate envoys, and the activities of the British manned Confederate commerce raider "The Alabama". The

British Prime Minister Lord Palmerston was strongly opposed to slavery, but he had concluded that:

If slavery was not at stake then the war became merely a sordid attempt by northern industrialists to impose their wills on an unwilling agrarian south.

To Palmerston the shambolic flight of the federal troops after the first battle of Bull Run (Manassas) had proved that theirs was not a cause based on anti-slavery idealism. Palmerston also viewed the war as unnecessary as slavery would be gradually eroded by competition between the independent south and the north (the independent south would also offer a market for British goods, Palmerston believed).<sup>52</sup> Pro-Southern sentiments were also expressed by the British Chancellor of the Exchequer, William Gladstone who in a speech in Newcastle declared

There is no doubt that Jefferson Davis and other leaders of the South have made an army. They are making it appears a navy. And they have made what is more ... a nation. We may anticipate with certainty the success of the southern states.<sup>53</sup>

The historian and philosopher Lord Acton, who was a close friend of Gladstone's, expressed the view that the south had "wickedly defended" the institution of slavery, but on the constitutional aspects of the war he stated that:

The North has used the doctrines of democracy to destroy self-government. The south has applied the principle of conditional federation to cure the evils and correct the errors of a false interpretation of democracy.<sup>54</sup>

Despite these expressions of support from British politicians no help was forthcoming for the Southern cause, and to the frustration of the Southern leaders Britain continued to refuse recognition to their putative new state.

For radical liberals such as Cobden and Bright the war was a tragedy disrupting as it did the political life of America which they had held up as a pacific and democratic ideal. While such Manchester School Liberals with strong support in the cotton producing areas of Lancashire had strong free-trading links with the South they were also opponents of slavery. For Bright the war was the terrible price needed to end the institution of slavery:

Only a miracle could have averted the measureless calamity and liberated slaves peacefully.

Cobden was originally sceptical of the Northern cause asking of one of the Northern states:

Is it not commercial gain and mercantile ascendancy which prompt their warlike zeal (of the state of New York) for the federal government?

Cobden's enthusiasm for the Northern cause was, however, transformed by the emancipation proclamation of 1863. From then on he argued strongly against British intervention on the behalf of the South. Cobden suggested that it would be cheaper to feed all the unemployed of Lancashire (caused by the economic disruption of the war) on "Turtle, Champagne and Venison" than go to war with the North.<sup>55</sup>

Some Conservatives welcomed the war as an attempt by the aristocratic South to counter the onward march of Northern democracy. The Earl of Shrewsbury expressed his pleasure that "The dissolution (of the Union) means that men now before me will live to see an aristocracy established in America."<sup>56</sup> The poet Matthew Arnold believed that a Confederate victory was vital "To prevent the English people from becoming, with the growth of Democracy Americanised."<sup>57</sup> Disraeli was to confide his excitement in a private letter

What wondrous times are these! Who could have supposed that the United States would be the scene of a great revolution ... No one can foresee the results. They must, however, tell immensely in favour of aristocracy.

Despite these sentiments Disraeli showed the same unwillingness as his Liberal colleagues to involve Britain in the war. After the victory of the North Disraeli was able to console himself with the thought that:

The democracy of America must not be confounded with the democracy of the Old World. It is not formed in the slums of turbulent cities, neither is it merely a section of the exhausted middle class which speculates in stocks and calls that progress. It is a territorial democracy.<sup>58</sup>

## IRREVERSIBLE CHANGE

Both sides were transformed by the war. In the South, states faced by the demands of a wartime government sought to continue their assertion of states rights by defying the Confederate government as before the war they had defied the government in Washington. Particularly notorious in this respect were governors Joseph Brown of Georgia and Zebulon Vance of North Carolina. Brown enabled 10,000 men to avoid the Confederate draft by appointing them all as second lieutenants in the state militia while Vance hoarded uniforms, blankets, and shoes which were vitally needed for the Confederate army. Other states presided over an immediate growth in the number of school teachers, after teachers had been granted immunity from military service. Brown summed up his situation saying:

My position is the position of the old States' Rights leaders of the days of 1787. I contributed my mite to sustain the rights of states and to prevent the consolidation of the government, and I am still a rebel no matter who may be in power.<sup>59</sup>

In despair Jefferson Davis stated that:

If the Confederacy fails there will be written on the tomb stone: Died of a theory.<sup>60</sup>

The South had seceded in order to preserve its agrarian order in which it believed that liberty was embodied. The process of fighting the war, however, meant that the South was undergoing irreversible and revolutionary change. In order to cope with war demand, rapid industrialisation took place and the characteristic cotton crops were replaced by food crops. Social changes were also taking place and it was noted that

Ladies who never worked before are hard at it making uniforms and tents.

During this period the population of Richmond trebled and a local newspaper commented disapprovingly on the increasingly risqué forms of entertainment available. It demanded an end to:

Short skirts, nigger dancing, ribaldry, blasphemous mock piety, gross buffoonery and other piquant and profane attractions for the carnal minded and illiterate.

The South Carolinian diarist, Mary Chestnut wrote:

There are nights here with the moonlight cold and ghostly when I could tear my hair for all that is past and gone.<sup>61</sup>

Jefferson Davis confided to his wife that whoever won the war would serve to destroy the peculiar institution of slavery.<sup>62</sup>

## ENLARGED STATES

The victorious North had consolidated the United States as a nation state in that period of the later nineteenth century characterised by the centralisation. The late nineteenth century not only saw the vindication of the Union but also the unification of Italy and Germany, and the period of self-confident high imperialism in the Empires of Britain and France. A. V. Dicey commented on Britain during this period saying

The sincerity of our imperialism is shown by our actions. The war in South Africa was surely waged by England and her self-governing colonies to maintain unity of the British Empire as the war against the Southern states was waged by the Northerners was waged to maintain the unity of the United States.<sup>63</sup>

Following Dicey's comparison the ruthlessness and resolution with which the British crushed the Boer guerrilla resistance can be viewed alongside the "scorched earth" policies of Sherman's Unionist forces in South Carolina and Georgia. It was these enlarged states which were to come into conflict in the terrible warfare of the early twentieth century. Many of the characteristics of conflict seen in the First World War had already been manifest in the American Civil War. These attributes included the transporting of troops by rail, trench warfare, massed artillery barrages, telegraph communications, and government mobilisation of economic resources in war planning. The Civil war had shown the potential of the state to intervene in American society. Even more dangerously, by intervening successfully against a clearly oppressive and immoral intermediate institution and freeing human beings from slavery, an aura of legitimacy had been given to the propensity of the state to intervene in society.

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