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HISTORY AND CONFEDERATE LEADERSHIP:
A STUDY IN THE INTELLECTUAL HISTORY OF THE CIVIL WAR

by
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A thesis
submitted in partial fulfillment
of the requirements for the
degree of Master of Arts
in the Graduate School
of
Appalachian State University
1974

Date: April 8, 1974

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ABSTRACT

The subject of this thesis is the historical-mindedness of Jefferson Davis, Alexander H. Stephens, Judah Benjamin, and Stephen R. Mallory and the intention, in addition to demonstrating its manifestations, is to show how their historical knowledge and interpretations influenced their policies and thinking during the American Civil War. It is this author's contention that with a better insight into the historical world-mindedness of these Confederate leaders, one can more ably comprehend the course of the Confederacy and the history of the American Civil War. For it has been the author's finding that these men did indeed exhibit definite historical-mindedness and that their historical views did indeed influence their thoughts and actions during the Civil War.

Each of these Confederate leaders had taken great pride in the United States government prior to the war. While none of these men were leading advocates of slavery, each went along with his state and section in upholding its validity. The history of the United States played a major role in the arguments in support of secession, especially in the mind of Davis. Benjamin was more concerned with the legal history of secession, while Stephens employed a more universal argument to support his thesis. He also studied other revolutions in history which made him very fearful of the South seceding. During the secession crisis, the historical knowledge of these men played a very important role.

In their support of slavery, Davis and Stephens relied on a strong religious historical argument while Benjamin turned to the legal history of slavery. In their defense of slavery, the cosmopolitan mindedness of the arguments of Stephens and Davis is very evident. In their arguments for slavery, as well as for the right of secession, these Southern leaders employed history as a tool to support their own ideas. Even in their attempts to gain recognition for the Confederacy, these men seemed to view history as an argumentative device more than a learning device. Mallory, Benjamin, and Davis each accused the European nations of ignoring the lessons of history and past international conflicts as well as of being very ignorant of the history of the United States. While these Confederate leaders recognized the importance of Europe to the Confederacy, they failed to win support of the European nations.

In regard to the military side of the Civil War, the lack of interest of Stephens and Benjamin paralleled their earlier lack of interest in military history. However, the mind of Mallory was shaped by his historical knowledge. Through history he realized the importance of proper training and of new inventions such as the ironclad, and with this understanding he was able to attain great achievements for the navy of the Confederacy. Davis was also influenced by an historical awareness of the military side of history, and his strategy and most of his policies or ideas were a reflection of this historical mindedness.

The sources for this study are abundant. Chief of them is The War of the Rebellion: Official Records of the Union and Confederate Armies.

This collection contains many documents and letters written by these Confederate leaders. Other important sources have been the documentary source collections on Davis, Stephens and the Confederacy of Rowland, Richardson, and Cleveland. Rembert W. Patrick's Jefferson Davis and his Cabinet and Burton J. Hendrick's Statesmen of the Lost Cause: Jefferson Davis and his Cabinet are the two most important books for general background to this study. In good part, however, neither these works nor standard biographical studies of Davis, Stephens, Benjamin, and Mallory have significant direct awareness and discussion of the historical dimension in the thought of these men. It is hoped that this work will help to fill this gap in studies of the Confederacy.

PREFACE

The intellectual history of the Confederacy has until recently been a neglected area of historical research in the United States. Today, however, more attention is being focused on the significant cultural and intellectual developments during the Civil War and Reconstruction era. In addition, many historians are interpreting the American Civil War as not representing a unique event in history; thus more attention is also being focused on the comparative aspects of the American Civil War.

This thesis represents an outgrowth of studies begun in courses in Civil War and Reconstruction and in American Intellectual History taken while at Appalachian State University. This thesis in the intellectual history of the South during the Confederate years is concerned primarily with the historical mindedness of four of the most important leaders in the Confederate government. My purpose has been to investigate the minds of Jefferson Davis, Alexander H. Stephens, Judah P. Benjamin, and Stephen R. Mallory with the purpose of showing and understanding how their historical ideas influenced and were expressed in their actions and thoughts during the Civil War years. In addition, I have tried to present a brief background of how their historical mindedness influenced their thinking prior to the outbreak of the war and how their ideas developed while the South was still a part of the Union.

By better understanding the historical mindedness of these chief Confederate leaders, one can not only get a better understanding of their policies, one can also see how they interpreted the developments during the Civil War. By this type of study, we can gain a deeper and more meaningful understanding of the American Civil War era in general and the Confederacy in particular. By studying the significance which each man attached to history and the study of the past, we can better understand how each man thought and acted while serving their cause. While this statement is especially true for Vice President Alexander H. Stephens, who saw history as consisting of the operation of great truths and principles that never changed throughout time and thus seemed more interested in standing for principles rather than winning the war, it also holds true for the other Confederate leaders. For example, Secretary of the Navy Stephen R. Mallory's ideas concerning the Confederate navy were greatly influenced by his interest in past naval history. Judah P. Benjamin's concern with gaining recognition for the Confederacy, while serving as Secretary of State, reflects his understanding of and deep interest in legal aspects of history. Jefferson Davis' preoccupation with the military was due to an abiding interest in military history. With a better understanding of the historical minds of these Southern leaders, we can gain a new and deeper insight not only into the men themselves but into the mentality of the Confederacy as a whole.

I should like to thank my family for their constant encouragement and Professor Eugene C. Drozdowski for ideas and suggestions which made this thesis possible.

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HISTORY AND CONFEDERATE LEADERSHIP:
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CHAPTER I

HISTORICAL THINKING IN PRE-WAR CAREERS

Jefferson Davis, the man who was destined to become the only president of the Confederacy, was born on January 3, 1808. Three years later he moved to Mississippi. In this year, 1811, Judah P. Benjamin was born on one of the West Indies Islands. Alexander H. Stephens was born a year later on a small farm in Georgia where he remained until the death of his parents in 1827. The same year that Stephen R. Mallory was born, 1813, saw Davis beginning school. After graduating from Transylvania University in Kentucky, Davis entered the military academy at West Point. From 1824 to 1828 Davis stayed at West Point where he was lastingly influenced by the strict soldiery regime. Throughout the rest of his life he felt close attachment to his alma mater and there was hardly a member of his class for whom he did not later render some service, either as Secretary of War or President of the Confederacy. While at West Point, he formed a trait which would be a cause of controversy during his later life. This trait was that of absolute loyalty to all whom he regarded as his friends even though this loyalty might not be deserved.¹ One incident which happened at West Point, however, had an adverse effect on any loyalty Davis might

¹William E. Dodd, Jefferson Davis (New York: Russell & Russell, 1966), p. 25.

have felt toward one member of his class, Sydney Johnson. Johnson won a fight that he and Davis were involved in over a tavern keeper's daughter. This, apparently left a scar which stayed with Davis and even influenced him in his relationship with Johnson during the American Civil War.²

In 1822, Benjamin moved to Charleston, South Carolina, from Wilmington, North Carolina, where he had lived for seven years. Two years later he began his studies at Yale where he was recognized as being a very capable student.³ In 1818 Mallory left school at the age of fifteen where he had been a student at a Moravian school in Pennsylvania. Mallory was a Roman Catholic and was half Irish. Mallory along with Davis and Benjamin, attended school in the North, hence they were able to have a more nationalistic attitude than Stephens who attended school in the South. All these men came to manhood just at the time that the abolition crusade began and it was only natural that each was, to a greater or lesser degree, affected by the violent attack upon his section.⁴ In 1828, Stephens entered Franklin College which later became the University of Georgia. Here he passed the happiest years of his life, graduating in 1832 at the head of his class.⁵ During this same period Mallory was engaged in private studies and at the same time he was also learning law. He paid close attention to the formation of good

²Burton J. Hendrick, Statesman and the Lost Cause: Jefferson Davis and his Cabinet (New York: The Literary Guild of America, 1939), p. 19.

³Robert Douthat Meade, Judah P. Benjamin--Confederate Statesman (New York, London: Oxford University Press, 1943), p. 22.

⁴Frank L. Owsley, "Jefferson Davis," The Southern Review III (New York: Kraus Reprint Corporation, 1965), p. 763.

⁵Rudolph Von Abele, Alexander H. Stephens (New York: Alfred A. Knopf, 1946), p. 37.

moral habits during these years which proved to be of lasting importance.⁶ Most of the administrative leaders of the new Confederacy seem to have had a sound moral upbringing and most took such matters fairly seriously. Of these four men, Benjamin seemed to be the least interested in such serious ideas as he always tried to keep a sense of humor. Mallory was also on the lookout for a good time. Stephens, at one time, took life more seriously and planned to be a minister and the Georgia Presbyterian Educational Society provided funds for schooling at Franklin College.⁷ Stephens, as Davis, took himself quite seriously. Both were humorless, self-conscious, and excessively sensitive. Davis experienced many and varied influences during his formative years. His teachers at St. Thomas were Englishmen; at Jefferson College, Scotsmen; at the County Academy, a Bostonian; and at Transylvania College, Scotsmen, French, New Englanders, and Irish. His religious contacts were also broad: Baptist at home, Catholic, Presbyterian, and Christian at school and college. This education helped shape his mind and gave him a cosmopolitan view or a world view. In other words, even in his earlier years, a predisposition toward international-mindedness was nurtured.⁸

Another important date which deserves mentioning for Davis is the winter of 1830. While stationed at Wisconsin he contracted pneumonia

⁶Joseph T. Durkin, Stephen R. Mallory - Confederate Navy Chief (Chapel Hill: The University of North Carolina Press, 1954), p. 4.

⁷Von Abele, p. 5.

⁸Robert McElroy, Jefferson Davis - the Unreal and the Real, Vol. I, (New York, London: Harper & Brothers, 1937), p. 12.

and barely survived the encounter. Partly as a result of this illness, he experienced health problems throughout his remaining years.⁹ Stephens also experienced health problems throughout his life, and both men were easily fatigued and often sick.

In 1833, Benjamin married Marie Augustine Natalie. He remained in love with her for as long as he lived, but if he ever failed in life, he surely failed in his selection of a wife. She was self indulgent, superficial, and wildly extravagant. Some historians have even said she was a nymphomaniac. During the war she caused him many trying moments, and later, she completely deserted him to live in France, although Benjamin still visited her whenever he could. Perhaps her residence in France before the war helped Benjamin gain connections in France and enabled him to better understand the people of France. If so, that was about the only good thing to come out of their marriage.¹⁰

By 1834, Mallory was well on his way to learning law. He was especially interested in the sphere of maritime affairs.¹¹ This interest would remain with him until the collapse of the Confederacy. This same year, 1834, also finds Stephens making his first political stand as he deplored the advent of rank Federalism while supporting the states rights party candidate.¹² From Stephens' journal we are able to get a better insight of his mind as he wrote

⁹Dodd, p. 33.

¹⁰Phillip Van Doren Stern, When the Guns Roared (Garden City, N. Y.: Doubleday & Co., 1965), p. 132.

¹¹Durkin, p. 20.

¹²Von Abele, pp. 49-50.

his meeting slaves who were being transported to New Orleans from Virginia. Here, also, Benjamin became involved with a person who would play a role in the foreign affairs of the Confederacy, John Slidell, who would serve as minister to France.¹⁷ Of the white population in Louisiana, almost half were either foreign born, chiefly Irish, German, and French, or natives of other American states. Benjamin fitted easily into this cosmopolitan atmosphere. He was an outstanding speaker as well as the most prominent man in the city of New Orleans. Thus, in 1842, he was elected as a Whig representative to the Louisiana legislature.¹⁸ Like so many other people of the Jewish faith, Benjamin had a cosmopolitan outlook and although he gradually separated himself from Jewish affairs, he never renounced his ancient faith.

In 1843, Davis ran successfully for the Mississippi legislature. Following a debate with his opponent, Sargent S. Prentiss, Davis became a man of mark in his state as the Democratic leaders looked to him to be a strong leader in his section of the state.¹⁹ During this time span, Mallory was becoming one of the leading Democrats in Florida.²⁰ During his short span in the state house, Davis attacked the protective tariff system as unconstitutional. He urged the government to aid all classes by releasing them from duties or other taxes not absolutely necessary for the general defense of the country.

¹⁷Meade, p. 40.

¹⁸*Ibid.*, p. 85.

¹⁹Dodd, p. 65.

²⁰Durkin, p. 33.

my soul's bent upon success in my profession (law) and the most trivial circumstance is frequently sufficient to dampen my whole ardor and drive me into despair . . . I believe I shall never be worth anything, and the thought is death¹³ to my soul . . . I was made to figure in a storm . . .

Also in his journal he expressed a contempt for the whole human race as he believed sensuality was the moving principle of mankind and the most brutish were the most honored. Perhaps this was an unconscious protest against nature having cheated him from engaging in most sensual activity.¹⁴

The same year that Stephens first ran for public office, a seat in the Georgia House of Representatives, Davis retired to his large estate "Briarfield". During his stay at the plantation, Davis did much reading, and although his favorite field was English history, he also read Latin and Greek.¹⁵ While living on his estate, not only did Davis prove himself a tried and experienced executive, but also he got to observe the system of slavery at work. Thus, two convictions were planted in his mind which would never leave him; first, that emancipation could not solve the Negro problem; and second, that the only hope for improvement in the condition of the Negro lay in the slow process of fitting him for economic competition with his white superiors. Sudden emancipation would destroy the Negro race. Davis argued for slavery from a historical-religious viewpoint.¹⁶ In 1842, Benjamin gained national prominence in his first important case which resulted from

¹³*Ibid.*, p. 51.

¹⁴*Ibid.*, p. 52.

¹⁵Hamilton Jones Eckenrode, Jefferson Davis: President of the South (New York: Macmillan Co., 1923), p. 37.

¹⁶Dodd, pp. 40-41.

He held to the view, the least government possible at the least possible cost.²¹ For Davis, as well as for many other Southerners, this fight against the protective tariff would continue up until the war. However, he was unlike most Southerners who attacked the protective tariff as being advantageous to the North while hurting the South. In Davis' argument one can find his world view playing an important part. For example, while serving as Secretary of War, he addressed an international scientific conference on July 19, 1853. Through this speech his universal mind at work can be seen.

I most cordially rejoice in the manifestations around me, which seem to indicate an increase of the fraternity of nations. For such must be the effect of bringing together men from every quarter of the civilized globe to compare with each other what each has been doing for the advancement of science . . . These are contributions to that bond of peace which will hold men together as one brotherhood . . . The earth was given to man for his domination. It has been perverted from the great object of the creator by vice and ignorance of men warring one with another, having forced nations to employ their industry upon things not adapted to their condition, climate, or soil, at the sacrifice of all--the loss of time and productiveness which belong to the want of adaptation. Throw open the ports of all the world. Let the civilized nation represented here declare that we are one brotherhood, and that whatever can be produced more cheaply in another country shall be bought there. Thus we will have a bond of peace that will not be in the power of unwise rulers ever to break.²²

In 1845, Davis joined Stephens in Congress. Stephens had been a member of the lower house since 1843. Two very serious questions concerning war were debated during this time. One question arose from the difficulty of both England and America claiming the same territory.

²¹Dodd, p. 76.

²²McElroy, p. 154.

This argument over the Oregon territory brought the two countries to the brink of war. Stephens recognized England as having rights in Oregon. He believed that the United States should admit that England had a just claim and thus the United States should abandon its argument.²³ Davis also strongly emphasized avoidance of war with England. His argument appealed to historical fact as he spoke of the visits of Spanish navigators to the port of Nootka Sound before the arrival of a British fur trader in 1788. He touched on the Hudson Bay Company and the Nootka Convention between England and Spain as he urged caution. He further said "the day is far distant when measures of peace or war will be prompted by sectional or class interests. War, sir, is a dread alternative and should be the last resort."²⁴ So in 1846 Davis was expressing the same opinion of war that he would express at the beginning of the Civil War. One factor which probably influenced Davis and not Stephens was military consideration, as Davis would be cautious since England was a strong military power. Stephens, on the other hand, seemed to be more caught up in the moral justice of it. When trouble again broke out with Great Britain in the 1850's as she began to board and search vessels flying an American flag, Stephens believed that war with Great Britain would be the most fortunate thing that could happen to the United States, as it would unite the hearts of the people and put down all sectional parties.²⁵

²³Louis Pendleton, Alexander H. Stephens (Philadelphia: George W. Jacobs and Company, 1908), p. 75.

²⁴Hudson Strode, Jefferson Davis: American Patriot, Vol. I (New York: Harcourt, Brace and Company, 1955), p. 149.

²⁵Allan Nevins, The Emergence of Lincoln I (New York, London: Charles Scribner Sons, 1950), p. 343.

Mallory, however, regarded war as the greatest calamity which a civilized nation could suffer with the exception of its loss of honor. After the United States had dismissed a British minister in 1855, many people expected war, but Mallory did not see war as a possibility since Great Britain had not gone to war with Spain in 1847 when she had dismissed a British minister.²⁶ Mallory's historical view allowed him to see the problem with Great Britain in a more objective light than many of his colleagues.

The question of America's claim to Mexico, which helped to bring about a war with Mexico, presented the second serious problem during this time. Both Davis and Benjamin were in favor of annexation of Texas but Stephens opposed it as being unjust. During June of 1846, he boldly attacked President Polk as being responsible for the war.²⁷ Davis argued in defense of the Mexican War that a strong and efficient nation may properly seize and make economically productive a country that is going to waste.²⁸ However, Stephens rejected any such argument. He went back to ancient history where he saw the degradation and sudden decadence which came to empire after empire when each empire had swallowed up all it could digest and had grown old and bloated with its energies deflated. He feared the same thing would happen in America as he believed that, due to the nature of man, the same cause would necessarily produce the same result. He believed that America

²⁶Congressional Globe (Washington, D. C.: John C. Rivers, 1855), 34th Congress, 1st Session, 1855-56, pp. 175-76. (From now on abbreviated as C.G.)

²⁷Pendleton, p. 76.

²⁸McElroy, p. 99.

was destined to extend from ocean to ocean, but he deprecated a destiny realized by the sword; such a destiny would be a downward progress leading only to violence and licentiousness. "Fields of blood and carnage may make men brave and heroic but seldom tend to make nations either good, virtuous or great."²⁹ Here again one sees that Stephens' view of man was biased by his intense consciousness of man's sin and imperfection as he regarded men as the lowest of animals.³⁰

Sometimes I almost have a contempt for the whole human race, the whole appearing like a degenerate herd, beneath the notice of a national, intellectual being. Sensuality is the moving principle of mankind, and the most brutish are the most honored. I long for a less polluted atmosphere.³¹

The same month that Stephens lashed out at Polk, Davis resigned from Congress and accepted command of the Mississippi Rifles, a volunteer regiment from Mississippi.³² In this war with Mexico, Davis gained much fame in the battle of Monterey and in the battle of Buena Vista. In the latter battle, he employed his famous V stand. Davis believed that this formation was the turning point at Buena Vista. It was a source of intense gratification when his exploits were praised by the Duke of Wellington and other European experts. Once Davis remarked to the Mississippi legislature that "the most marked compliment ever paid by one general to another was that of Napoleon to Caesar,

²⁹C.G., 29th Congress, 1st Session, 1846, pp. 946-50.

³⁰Von Abele, pp. 97-98.

³¹Richard M. Johnston and William H. Browne, Life of Alexander H. Stephens (Philadelphia: J. B. Lippincott & Co., 1878), p. 79, May 23, 1834.

³²Varina J. Davis, Jefferson Davis: A Memoir (Ex-President of the CSA), Vol. I (New York: Belford Company, 1890), p. 285.

when he halted in his encampment without a previous reconnaissance and explained how he himself had formed his 'V'."³³ Here a point can be made: Davis did look to European history as here he drew a parallel of American history to the history of Europe. Some historians have argued that after Buena Vista Davis regarded himself as a military genius and this view later caused "great" damage to the hope of the Confederates. In another chapter we shall deal with how Davis regarded himself as president and as commander-in-chief of the Confederate States of America. At the close of his Mexican career, President Polk commissioned him as a brigadier-general of volunteers. Davis, however, returned the commission with the remark that the President of the United States did not have the authority to make such an appointment, as that power belonged only to the state.³⁴

With the outbreak of the Mexican War, Benjamin was particularly concerned over the effect of the war on trade. He published an article in De Bow's Review on "The Law of Blockade," explaining some of the problems of commercial and international trade that the war had brought to the forefront. With the outbreak of the Civil War, Benjamin journeyed to California where he counseled the American commissioners. His familiarity with Spanish law proved a valuable asset.³⁵ In 1854, he even argued a case in Ecuador for a South American general.

Over the Clay Compromise in 1850, Davis and Stephens again followed different roads. Of course, they actually did not argue

³³ McElroy, p. 97.

³⁴ Dodd, p. 91-92.

³⁵ Meade, p. 64.

against each other as Davis was serving in the Senate while Stephens remained in the House. The Clay Compromise represented for Davis a complete surrender of the most vital contentions of the South, hence he spoke out for the line of 36° 30' to be carried to the Pacific. Thus Davis availed himself of every opportunity to accomplish the defeat of the Clay Compromise.³⁶ During this crisis he urged his Mississippi followers to build manufactories and to learn the arts and trade. In short, he wanted to render the South independent of the outside world.³⁷ Stephens supported the Clay Compromise as "an agreement on the part of the slaveholding States to continue in the Union in consideration of these renewed pledges on the part of the non-slaveholding States, through their members and senators, to abide by the Constitution."³⁸ However in a letter to his half brother, Linton, Stephens took his usual pessimistic view and saw the dismemberment of the Union as almost inevitable.³⁹ He was afraid that the North was going to stick the Wilmot Amendment to every appropriation bill and that the South would be forced to vote against any measure with this amendment stuck to it, thus clogging the system of government and bringing about a tremendous struggle. He predicted that President Polk, in starting one war, might find half a dozen wars on his hands.⁴⁰ Stephens declared that he would treat the Wilmot Proviso as Chatham had treated a similar problem in

³⁶ Dodd, pp. 119-120.

³⁷ Ibid., p. 177.

³⁸ Pendleton, p. 103.

³⁹ Von Abele, p. 124.

⁴⁰ Avery O. Craven, The Growth of Southern Nationalism 1848-1861 (Baton Rouge, La.: Louisiana State University Press, 1953), p. 226.

the British Parliament, when the question of power to tax the colonists without representation was being discussed in Great Britain. That question, Chatham would not discuss, but he told those who were so unjustly exercising their power, that if he were an American, he would resist it. For Stephens, as for Chatham, the question was whether it was consistent with representative republican government to do it. Stephens asked where the new latter day Whigs from the North stood on the question.

Will you take the side of Lord North and the British Tories, with its superior wisdom to legislate for the freeman of this country, as free born as yourselves, who quit your state jurisdictions and seek new homes in the West?⁴¹

Davis feared that folly, fanaticism, pride, and hate would destroy the peace and prosperity of the Union. He asked for the sections to part like the patriarchs of old and let peace and good will exist among their descendants.⁴² During this period, Davis was urging not only his Mississippi followers, but also all the people of the South, to build factories and organize industries in order to prepare the South for its own self subsistence.⁴³ After 1851, Davis' views on secession became much more moderate. In part, he seemed to be shaken by his loss to Henry S. Foote for the governor's seat in Mississippi. A year after the Clay Compromise, Mallory, who also had been in favor of the Compromise, entered the United States Senate.⁴⁴

⁴¹Henry Cleveland, Alexander H. Stephens in Public and Private (Philadelphia, Chicago: National Publishing Co., 1866), p. 405. Feb. 17, 1854.

⁴²C.G., 30th Congress, 1st Session, 1848, p. 927.

⁴³Strode, p. 262.

⁴⁴Durkin, p. 49.

When the Kansas questions had arisen, Stephens had supported Douglas' idea of popular sovereignty. After the first election in Kansas, Stephens questioned the right of Congress to interfere with the territory. He asked members of Congress where the validity of a law in any court of justice was allowed to be questioned by an inquiry into the legality of the election of the members of the legislature that passed the law. Stephens understood it to be a fundamental maxim of the English law, laid down by Sir Edward Coke, illustrated by Sir William Blackstone, and enforced by every writer on the subject, both English and American, that it was an inherent right of the high court of parliament to settle for itself all questions concerning its own organization; and when such questions were thus settled they could not be inquired into elsewhere. In 1850, Stephens switched parties, from the Whig to the Democratic, which he had earlier called a party of knaves or fools.⁴⁵ Benjamin, who had entered the Senate in 1852 as a Whig, also changed his party affiliation to the Democratic in 1856.⁴⁶ So, by 1856, all four of the future leaders of the Confederacy were members of the Democratic Party.

In March of 1853, Davis became Secretary of War in President Pierce's cabinet. Davis, incidentally, was not satisfied with the United States' modest acquisition of land from Mexico in 1848. He favored annexation of new lands in Cuba or Mexico. However, once Davis became Secretary of War, he concentrated much of his energy on his duties.

⁴⁵James Z. Rabun, "Alexander H. Stephens and Jefferson Davis" American Historical Review, Vol. 58, 1953, p. 290.

⁴⁶Meade, p. 100.

Davis ordered surveys for a transcontinental road to facilitate assemblage of troops on the Pacific coast. He also favored, for military reasons, a transcontinental railroad. However, he saw other benefits of such a railroad than just military, as he realized that such a railway system would permit the South to take advantage of the China trade, thus bolstering the South's sagging economy.⁴⁷ During Pierce's administration, limited trade with Japan had begun. Davis saw this opening of trade to be a benefit for the South if the transcontinental railway was built. Another reason Davis favored a railroad was that he understood that between the two great natural divisions of the United States, extensive tracts of both sterile and mountainous regions intervened such as in the past had formed and marked the division of Empires. Davis did not want this to happen as it had happened throughout history. He believed a Pacific railroad would virtually destroy these two great obstacles to a perpetual union.⁴⁸ Benjamin also desired to see the South connected with California by rail or canal. He favored having private capitalists finance this scheme rather than the Federal government. Out of this, arose Benjamin and Davis' first conflict. At one time the discussion became so heated that the two men almost became involved in a duel. Later, they quieted down and soon began to respect each other much more than they had previously.⁴⁹ Benjamin also favored a national railway

⁴⁷Dunbar Rowland, ed., Jefferson Davis Constitutionalist, His Letters, Papers, and Speeches, II (Jackson, Miss.: Mississippi Department of Archives and History, 1923), p. 590.

⁴⁸Hendrick, p. 175.

⁴⁹Dodd, p. 72.

system connecting the South, the West, and the Southwest with the New England and Atlantic seaboard states. He saw such a system as helping to bring the various sections together and aiding the growth of democracy. Here Benjamin displayed statesmanlike vision.⁵⁰

While Davis was serving as Secretary of War, he became aware that Santa Anna was in sore need of cash to keep his troops loyal. Thus Davis reasoned that the United States would be able to buy some disputed land from Mexico at a fairly low cost, enabling the railroad to lay its tracks along that part of the country rather than having to go through the Rockies. In this conviction, his foresight proved accurate as he and Secretary of State, William Marcy, through his agent Gadsden, were able to buy the land from Mexico.⁵¹

Davis gave special attention to the betterment of officers' quarters at West Point. He called for a Department of Ethics with a view to extending and elevating the professional education into the fields of philosophy, history, and literature. He believed these intellectual acquirements should be fitting to an officer as he represented his country.⁵² While making remarks on an army appropriation bill Davis touched on the subject of reorganizing the academic staff. He looked to those schools of Europe, France, Prussia, and Austria which had brought the greatest degree of perfection to their officers. Their academic staffs consisted of officers of the army and Davis was determined to follow this example.

⁵⁰Strode, p. 262.

⁵¹Morris Schaff, Jefferson Davis: His Life and Personality (Boston: John W. Luce and Company, 1922), p. 80.

⁵²Rowland, II, p. 446.

⁵³Ibid., p. 402-03.

When Davis spoke of the reorganization of the United States' army staff, he based his report on his knowledge of various European staffs. The French staff, Davis wrote, was divided into two branches, a military and a civil branch. The military branch had charge of everything that related to orders and military operations, while the civil branch furnished all the supplies of the army. Davis conceived of this system as being practicable only in a large army. England, instead of one corps to which all the military staff business was assigned, had two principal military staff departments, the Adjutant General and the Quartermaster General. This system, Davis believed, would avoid the mischief arising from corps organization like that of the United States. Davis believed that the English system of handling supplies was better than the French system. To separate the furnishings of army supplies from other staff duties often destroyed the unity of the military administration, where it was always useful and sometimes necessary to preserve it. In his first great campaign to the frontiers of Russia, the Emperor Napoleon found it useful to give military organization not only to his artillery trains but also to the general equipment and transportation trains. Davis understood that the civil machinery of the French staff was being censured by some of its ablest military critics as being too expensive and too much removed from military control. In this respect, it contrasted sharply with the Prussian military system where every branch of army administration was under military supervision. It was Davis' hope that the United States could secure the benefits of the French and English system as well as others which neither of these two systems could afford.⁵⁴ One can see,

⁵⁴Ibid., p. 409.

in Davis' calling for a re-organization of the army, his cosmopolitanism at work and the influence that foreign nations and their history had on him. Another example of this universal influence was Davis' realization that recent experiences by Europe placed beyond a doubt the wisdom of some type of sea coast defense.⁵⁵

Not only did Davis advocate an exchange of military students, he also sent observers to visit Europe and observe the war between England and Russia which was at its height in the Crimea.⁵⁶ There, those officers were to obtain useful information on the practical working of the changes which had been introduced into the military systems of Europe. The officers were also instructed to observe the military establishments of Prussia, Austria, France, and England and to examine the organization of the armies and their departments, manner of distributing supplies, medical and hospital arrangement, kind of arms and ammunition used and their advantages and disadvantages, the construction of permanent fortification, and the arrangement of a new system of sea coast and land defense.⁵⁷ Included in his observations of European military policies, Davis studied Napoleon's highly successful action of using the dromedary in subduing the Arabs. Davis believed that by studying Napoleon's coup, the United States could learn how to handle the Indians on the western plains whose habits and country were very similar to the Arabs. Davis also studied and experimented with the use of the camel on the American plains.⁵⁸

⁵⁵Ibid., pp. 451-52.

⁵⁶Strode, pp. 274-275.

⁵⁷McElroy, pp. 155-156.

⁵⁸C.G., 30th Congress, 1st Session, 1848, p. 826.

As one can see, Davis looked to other nations, especially the European nations, for lessons the United States could learn. Thus one can see his world-mindedness constantly at work as he kept one eye on the developments in Europe.

Stephens was in favor of the telegraph and looked forward to the day when the whole body politic would be knit together with the wires communicating intelligence from one extremity to the other, thus making the people more united. In his speech in favor of a meteorological observation, he stated that he believed the physical world was governed by laws, and through the observation of these laws, great good would result for the United States as well as for all mankind.⁵⁹ Mallory also spoke in favor of the telegraph; he too expressed pride that the American genius had been responsible for this gift to mankind.⁶⁰ In addition, he favored extending the telegraph wires to Great Britain. In this way, he conceived the telegraph as being a way to send the principles of American freedom, in the language of Shakespeare, around the globe.⁶¹ Benjamin favored the development of the telegraph. He saw it as a good way to preserve peace, and when extended to Great Britain, it would repay her testimonial of good feeling.⁶² The United States would also reap advantages by being in communication with the whole English network which included Asia and Africa.

⁵⁹Ibid., 34th Congress, 2nd Session, 2nd pt., 1856, p. 1771.

⁶⁰Ibid., 3rd Session, 1856-57, p. 424.

⁶¹Ibid., pp. 416-17.

⁶²Ibid., p. 870.

Around the same time that Davis was serving as Secretary of War, Mallory was making a name for himself in the United States Senate. While serving as a state representative in Florida he had become interested in and served on the educational and naval committee. While in Florida, Mallory's interest and fame remained chiefly on the local level. However he had a great capacity for mental and moral growth.⁶³ Thus, once Mallory got to the United States Senate, he was already striving for a rehabilitation of the Navy. Mallory was one of the few Senators who favored corporal punishment in the Navy. He believed that the rate of deterioration in the Navy and its personnel was due to the lack of this type of punishment in maintaining discipline. He traced it back to the beginning of naval history, especially emphasizing England's navy.⁶⁴ When other senators attacked the navy's large expenditure with little production, Mallory promptly came to its defense. He showed that the shipyards of Great Britain were usually five times as big as the biggest shipyard in the United States, and that France and Great Britain paid much less (around one third) to their workers than did the United States. Mallory also desired that midshipmen be chosen from the ranks of existing experienced personnel. Later while serving as Secretary of Navy for the Confederacy, Mallory was able to get many of his reforms carried out, although some did necessitate a fight. As early as 1853, he spoke in favor of ironclads and stressed the importance of continuing the experiments on new types of warships. In a speech on the Senate floor in 1854, he spoke of

⁶³Durkin, p. 35.

⁶⁴Ibid., pp. 53-54.

naval strength and weaknesses as being relative, as it forever had to be measured by the strength of its probably adversaries. Therefore, he urged, if England built frigates, the United States had to do the same, making sure that United States' ships were no smaller than England's, and if England built gunboats, again, the United States had to follow.⁶⁵ He also looked to the English method of promoting officers as being the one the United States Navy had to undertake. Thus he favored merit rather than the seniority rule as being the guideline for promotion in the navy.⁶⁶ This problem would reappear once the Confederacy was formed and her navy established. In the thirty fifth Congress, Mallory served as chairman of the Senate Committee on Naval affairs. This position gave him experience as his mind continued to grow in such a way which would enable him to meet the crisis of the Civil War.

Mallory's world-wide interest grew as is evidenced by the fact that he became interested in, and was desirous of promoting trade with Paraguay. In an incident when Paraguay fired upon a steamer, Mallory did not want Paraguay punished, as any recriminatory act would injure the efforts of the United States to establish trade agreements with that country. He would have been in favor of punishing Spain if she had fired on an American steamer since she had caused many grievances, but he saw no reason to make Paraguay an exception to the general rule pursued toward other countries.⁶⁷

⁶⁵ *Ibid.*, pp. 63-64.

⁶⁶ *Ibid.*, p. 78.

⁶⁷ *C.G.*, 35th Congress, 1st Session, 1858, p. 1782.

The passage of the Kansas-Nebraska Act in 1854 again raised feelings to a high pitch concerning the issue of slavery. Mallory is labeled by Robert Meade, the biographer of Benjamin, as being one of the more radical Southerners who was willing to embroil the United States in a war with Spain in order to acquire Cuba as a slave territory.⁶⁸ On May 17 of that same year, Mallory introduced a Senate resolution stating that there was a plan to throw Cuba into the hands of its Negro population, thus reviving the scenes of San Domingo revolution.⁶⁹ However, both Davis and Benjamin were also interested in attaining Cuba. Davis was also convinced that a Spanish possession so close to the United States was a continual menace to the United States.⁷⁰ Mallory insisted that Cuba was at the mercy of any power and was quite severe on the diplomatic policies of France and Britain. He wanted to proclaim to the world that the Cuban question was an American question. He looked forward to a time when the Gulf of Mexico would be a closed sea, as much under the control of the United States as the Irish Channel was under the control of England. In addition, he argued that the safest way to abolish the African slave trade was to annex Cuba. President Buchanan had even offered Mallory the opportunity to serve as Minister to Spain, as President Fillmore had offered the same post to Benjamin in 1852, but Mallory, like Benjamin, declined the offer.⁷¹

⁶⁸ Meade, p. 92.

⁶⁹ Durkin, p. 68.

⁷⁰ Strode, p. 270.

⁷¹ Durkin, pp. 104-106.

Due to his historical knowledge, Stephens was opposed to the formation of any secret party including the Know-Nothing party. Distrustful of all parties, he was convinced that if any secret party should ever be successful in bringing the government, in all its departments and functions, under the baneful influence of its control, political ruin would inevitably follow. For him, there could be no truth in politics so easily and firmly established, either by reason or from history, than this truth. He compared the Know-Nothings to the Jacobin Club in France where all legislation was settled in the Club and the members went next day to the nominal halls of legislation, nothing but trembling automatons, to register the edicts of the Club though it were to behead a monarch or a member of their own society. He could not understand why people would join such a party and he asked, "Is history of no use? Or do our people vainly imagine that Americans would not do as the French did under like circumstances?"⁷²

Davis, as the years went on, seemed to become a little more conservative in his unionist stand. So, by the time of the secession crisis, not a one of these four men would step out and support secession from the Union. However, in 1850, while still holding rank in the army, Davis was first confronted with the problem of state versus national loyalty. There was a rumor that his regiment would be sent to Charleston. He replied that, "Much as I valued my commission, much as I desired to remain in the Army and disapproving as much as I did the remedy resorted to, that commission would have been torn to

⁷²Cleveland, p. 461.

tatters before it would have been used in Civil War with the state of South Carolina."⁷³ From that time on he became an ardent defender of slavery and states' rights. Stephens, also, during the 1850's was an ardent defender of the constitution and states' rights. But when the crisis came, neither man wanted to leave the Union.

Between 1857 and 1860 the Democratic party was involved in furious quarrels within its own ranks, with Davis and Stephens taking opposite sides. Stephens defended Stephen A. Douglas on "popular sovereignty," while Davis heatedly attacked both.⁷⁴ Benjamin joined Davis in his attack on Douglas. Benjamin could not stomach Douglas as a person, nor did he agree with his political stands.⁷⁵ Benjamin foresaw the danger of the breakdown of the Democratic party and was saddened by it. In a speech on May 8 to the Senate, he declared that he had "never felt such an utter shrinking of my whole being. I do not know whether I ever felt my heart sink within me as it did at the news that the Democratic Party was about to break into two sectional divisions."⁷⁶ The description of the Democratic party is perhaps indicative of the breakdown of the political system and the disruption of the country. Stephens retired from Congress in 1859. In the election of 1860, Davis, Benjamin, and Mallory were re-elected to the Senate. Soon after their election, the country became disrupted and this disruption was followed by four years of fierce fighting in which all four men were destined to play major roles.

⁷³Dodd, p. 38.

⁷⁴Rabun, p. 291.

⁷⁵Meade, p. 136.

⁷⁶C.G., 36th Congress, 1st Session, 3rd pt., 1860, p. 1967.

CHAPTER II

HISTORY, SECESSION, AND THE FORMATION OF THE CONFEDERACY

How did the future leaders of the Confederacy see the approaching storm? For Jefferson Davis, secession was never desired, never plotted, only accepted in the end as the alternate to what he considered majority exploitation of the minority.¹ But the truth was that Davis did not desire to see the South secede except as the last resort. Thus Davis would not desire to see the Union dissolved if it could be held together by any sort of arrangement which left the South unencumbered by restrictions on slavery or on its states rights policies.² At the last moment, Davis tried only lamely to delay disunion and in December 1860, he joined other Southern congressmen in a declaration in favor of secession. He fully justified it in a speech made in the Senate on January 21, 1861, before Mississippi voted to leave the Union.³ He labored to convince the public that the aim of the Southern states was what the Founding Fathers' aim had been in the Revolution--to defend the Constitution and the right of sovereign states to enjoy the kind of government desired by their inhabitants.⁴ He spoke of a time when there was a higher and holier

¹McElroy, p. 137.

²Dodd, p. 205.

³Rabun, p. 291.

⁴McElroy, p. 230.

sentiment among the men who represented the people of the country. Declaring that no narrow, miserable prejudice governed the actions of earlier leaders, he spoke of an incident which occurred when the government functioned under the Articles of Confederation. A committee which consisted of three men, two from the North and one from the South, unanimously proposed that negotiations should be instituted to require Spain to surrender some fugitive slaves hiding in Florida. For Davis, these men exhibited the most lofty purpose and genius. He wished to see the United States again governed by men with such high principles, he declared.⁵

On his part, Alexander Stephens consistently decried secession, and though he was spiritless and fatalistic in resisting the tide that swept Georgia out of the Union, he nevertheless did oppose it.⁶ He warned the country not to rashly try the experiment of changing their government and destroying it, "For as in Greece and Italy and the South American republics, and in every other place, whenever liberty is once lost, it may never be restored to us again."⁷ Davis did not see liberty as being so elusive as he believed that "liberty is always won where there exists the unconquerable will to be free."⁸ Stephens' fundamental doctrine was that revolution was right whenever it is right to revolt. But he believed it was no longer right, at least for that particular time.⁹ Revolt led to secession, and although a state had

⁵C.G., 35th Congress, 1st Session, 2nd pt., 1857-58, p. 618.

⁶Rabun, p. 294.

⁷Von Abele, p. 138.

⁸Cleveland, p. 703.

⁹E. Ramsey Richardson, Little Aleck: A Life of Alexander H. Stephens (Indianapolis, Ind.: Bobbs Merrill Company, 1932), p. 144.

the right to secede, revolt and secession should not be resorted to until everything else had failed. In 1850, and later in 1860, when he opposed secession, it was as a question of policy, not as a matter of right. He went back to earlier American history to prove this right as being an inalienable right. He reviewed the Declaration of Independence, the Federal Constitution, and the teachings of the Kentucky and Virginia Resolutions of 1798 and 1799. On these principles he was reared and they governed his political acts. He was not for nullification as it claimed the right of any State, in effect, to render null and void, or inoperative within her limits, any law of Congress, and still remain within the Union. Only by secession, Stephens believed, could the state resort to its own sovereign powers.¹⁰

Stephens wanted equality for Georgia but he believed equality was possible within the Union. He thought that, as Georgia had prospered before seceding, while within the Union, it should wait for an act of aggression before resorting to secession. He declared that although there were defects in the government, it was still the best in the world.¹¹ Stephens showed his historical mind at work in a letter he wrote to a friend at the end of 1860.

Revolutions are much easier started than controlled and the men that begin them seldom end them. Human passions are like the wind--when aroused they sweep everything before them in their fury. The wise and the good who attempt to control them will themselves most likely become the victims. When the moderate men, who are patriotic, have gone as far

¹⁰Ulrich B. Phillips, The Correspondence of Robert Toombs, Alexander H. Stephens and Howell Cobb (New York: De Capo Press, 1970), pp. 654-55, Nov. 10, 1864.

¹¹Phillips, p. 504.

as they think right and proper, and propose to reconstruct, there will be found a class below them governed by no principle, but by personal object, who will be for pushing matters further, until those who sowed the wind will find that they have reaped the whirlwind . . . Before tearing down even a bad government, we should first see a good prospect for a better.¹²

Stephens asked representatives to the Georgia State Convention to resort to every other remedy before seceding, however, he agreed to follow the people of his state if the convention did vote to secede.

Perhaps it was not so surprising that Stephens took up such a position. His adoration of the twin concepts of justice and law amounted to a religion. Lincoln had been legally elected; there could therefore be no possible ground for secession. In his very first term in Congress, Stephens had questioned his own right to hold a seat. His opposition to Polk's conduct of the Mexican War, whatever its root causes, had always been expressed in terms of justice and constitutional power. His support of the repeal of the Missouri Compromise had been based, as had his point of view in relation to Texas, upon the strict rationale of an equal and equitable division of public territory between the two great sections. Law was for him the written and procedural expression of a concept of justice, according to the terms of which human society, to be civilized, must operate. Justice is every man having and doing what is his own. For Stephens, the radicals who called for secession after the election of Lincoln exhibited irresponsibility. Secession was lawlessness, therefore he opposed it; however, he made it clear he would fight for the South if an overt attack came.¹³

¹²Ibid., pp. 504-05.

¹³Cleveland, pp. 186-87.

Stephens believed that the United States government was founded on and based upon the political axiom that all states and people have the inalienable right to change their forms of government at will. This principle was acted on in the recognition by the United States of the South America republics including Mexico. This principle was recognized in the struggle of Greece to overthrow the Ottoman rule. On this question, Daniel Webster first gained his laurels as an American statesman. This principle was endorsed in the recognition of the Lamartine government on the overthrow of Louis Phillippe in 1848. Again this principle was acted upon in recognition of the government of Louis Napoleon and even in the recognition of an independent Texas when she seceded or withdrew from Mexico.¹⁴

Stephens interpreted the meaning of state sovereignty not as the sovereignty of any government but as the sovereignty of the people of each state.¹⁵ In his judgment, the United States was clothed with certain sovereign powers given to it by the separate states. In the legitimate and proper exercise of these powers, the United States' powers were as sovereign or supreme as that of any other government, "just as sovereign as the autocrat of Russia in whom is concentrated all powers."¹⁶ In Stephens' mind the state could rightfully reassume her own sovereign powers, which, according to the language of Thomas Jefferson and George Washington she had acceded to the United States government. The action of each state was subject to the authority of

¹⁴ Ibid., p. 754.

¹⁵ J. G. Randall and David Donald, The Civil War and Reconstruction (Boston: D. C. Heath and Company, 1961), p. 158.

¹⁶ C.G., 34th Congress, 3rd Session, 1st pt., 1857, Appendix p. 133.

that great moral law which regulated intercourse between independent sovereign nations. When there had been a breach of the compact by the other party, the state had the right to disregard the obligation of the compacts by declaring itself no longer bound to it. It was on this principle, Stephens pointed out, that the United States had abrogated their treaty with France in 1798. Self-preservation, Stephens declared, was the first law of nature, not only with individuals but with states or nations.¹⁷ According to Stephens there was nothing new or novel in this principle as it was incident to all Federal Republics.¹⁸

Stephens entertained but one idea of the basic or final settlement; that was the recognition of the sovereignty of the states and of each state in its sovereign capacity to determine its own destiny. He saw this principle as lying at the foundation of the American system as it was what was achieved in the first war of Independence, and was what must be vindicated in a second war for Independence.¹⁹

Stephen Mallory also dreaded the dangers of secession. He also believed that ample remedies for all political wrongs could be more wisely and more advantageously secured within the Union than out of it. He regarded secession as revolution, justified only as a last resort from intolerable oppression. Mallory was called a Unionist by some of his critics and while he was in prison after the war he stated that he had never uttered a word of disloyalty to the Union.²⁰

¹⁷ Stephens, I, p. 495.

¹⁸ Ibid., p. 500.

¹⁹ Richardson, p. 340.

²⁰ Durkin, p. 113.

Nevertheless, perhaps due to pressure or changing convictions, Mallory served with Davis on a committee appointed by the Southern senators from the Southern states that had not seceded. This committee passed a resolution that stated that the remaining Southern states that had not yet seceded should leave the Union as soon as possible.²¹

Mallory, as Davis, went on to defend secession. He warned the North against an attempt to conquer, utilizing a historical analogy. He said:

Our willingness to shed our blood for this cause is the highest proof we can offer of the sincerity of our conviction, and I warn, nay I implore you, not to repeat the fatal folly of the Bourbons, and mistake a nation for a faction, for the people of the South, as one man, declare that, sink or swim, live or die, they will not as freemen submit to the degradation of a constrained existence under a violated constitution.²²

Judah Benjamin advocated an aggressive stand to be made within the Union, not outside the Union. He too saw secession only as a last resort. However on December 8, he wrote a letter in which he asserted that the time had come when it was necessary for the Southern states to secede through separate state action. He saw no hope that the North would let the South live in peace and security within the Union.²³ For Benjamin, the real motive of the North was to secure political power so that she could subvert the equality of the States. When the North had secured predominant political power and reduced the South to a feeble minority, she would then reveal her real

²¹Ibid., pp. 120-21.

²²C.G., 36th Congress, 2nd Session, 1st pt., 1860-61, p. 486.

²³Meade, p. 145.

abolitionist sentiment and ruin and destruction would spread all over the South.²⁴ Thus, the only thing left to do was for the Southern states to secede promptly.

Benjamin believed that every state had the right to leave the Union. He saw even Daniel Webster as a believer in this doctrine as Webster had said that a compact broken by one party could be repudiated by the other. The United States had already broken the contract, Benjamin believed, by sending troops into South Carolina without the permission of the civilian government and by closing the Southern ports. If a state chose to secede from the Union neither the Senate nor the President could veto the decision.²⁵ From the time that the people had declared their independence from Great Britain, the right of the people to self-government in its fullest and broadest extent had been a cardinal principle of American liberty. The entire list of grievances in the Declaration of Independence, Benjamin declared, dealt with the abuses of an admitted constitutional power. He compared the usurpation of powers by the President and the northern majority to an attempt made by the Queen to appoint to the House of Lords a single peer with a peerage for life. While the power of the Crown to appoint peers was undoubted, it could not appoint them for life. Eventually the Crown was forced to yield to the opposition which maintained that the creation of a life's peerage was an abuse of power and contrary to the fundamentals of the constitution of the Kingdom.²⁶

²⁴C.G., 34th Congress, 1st and 2nd Session, 1st pt., 1855-56, p. 1094.

²⁵Ibid.

²⁶Ibid.

He warned the North not to use force against the South in order to control the Southern states. By use of an historical example, he showed the mistake of a country trying to control her states or colonies by force. Benjamin spoke of the time when Lord North, speaking on the destruction of tea in the Boston harbor, stated that, "We must punish, control or yield to them." The statesmen of Great Britain answered "yield to them" while the courtiers and politicians said "punish" them. The result of this action was known, Benjamin warned the Senate. "History gives you a lesson. Profit by its teachings."²⁷

Even as late as January 1861, however, Benjamin still had misgivings about secession and appeared to have felt privately that the new movement was unwise, notwithstanding the fact that he had written a letter in December favoring secession. The December letter was a political letter. Benjamin thought it would be wise to fall in line with the movement and even when possible try to lead the new movement. If he failed to conform to the current movement, he feared that his office holding future and reputation as a loyal Southerner would be seriously impaired. In affairs preceding the Civil War Benjamin proved himself to be one of those politicians who follow rather the direct public opinions and events. At the same time, his ability to foresee political change enabled him to appear to lead when he was really drifting with the current. Robert D. Meade, Benjamin's biographer, suggests that this is not too surprising in the light of Benjamin's devotion to classical literature, especially the Roman

²⁷Meade, p. 138.

psychoanalytical poet, Horace, as both Horace and Benjamin seemed to share the same general attitude toward life.

As the Southern states seceded, most men from the South joined their states in leaving the Union. Davis, Stephens, Benjamin, and Mallory were no exceptions. It is interesting to note that none of these future leaders of the Confederacy were leaders of the secession movement. Even before the South had formed a government, Stephens recognized that the men who begin revolution, no matter what their purposes and objects, seldom end them. He realized that revolutions are much easier started than controlled.

Human passions are like the winds, when aroused they sweep everything before them in their fringe. The wise and the good who attempt to control them will themselves most likely become the victims. This has been the history of the downfall of all Republics. The selfish, the ambitious, the bad will generally take the lead. When the moderate men who are patriotic have gone as far as they think right and proper, and propose to reconstruct, then will be found a class below them who will be for pushing matters further and further until those who sowed the wind will find that they have reaped the whirlwind. These are my serious apprehensions. They are founded upon the experience of the world and the philosophy of human nature, and no wise man shall condemn them.²⁸

Stephens viewed the American Revolution of 1776 as being one of the rare exceptions to ideas and examples which the history of the world furnished.²⁹

Stephens believed that the current difficulties of 1860 sprang not from the government, not from its framework, nor from its administration so much as they did from the people, mainly the leaders.

²⁸Phillips, pp. 504-05, November 25, 1860.

²⁹Ibid.

Stephens was very cautious of the Southern leaders as well as the Northern leaders. Through his historical worldview, he had a broad comprehension of revolutions. The illustrations of previous revolutions that he reviewed were exceedingly unfortunate. For example, John Hampden, John Pym, and Denzil Holles were leading spirits of the English Revolution in 1840. Hampden fell in battle; Pym died before the wars ended; Holles alone of the three survived the civil conflict. But Holles was swept away by the current and was one of the first to call for a restoration of the monarchy under Charles II without one word of guarantee against the preogative of the Crown which was the cause of the Revolution. Oliver Cromwell had nothing to do with this first movement as an active agent and was still unknown. He was simply a child of the Revolution who grasped all honor and ruled England with more rigor than any king ever did before or has since. This reign he carried on in the name of liberty.³⁰

Another example Stephens gave was that of Louis Napoleon. Napoleon had nothing to do with the French Revolution in 1848 by which Louis Philippe was dethroned. This overthrow was started by Alphonse de Lamartine and a few other patriots with Louis Napoleon springing up afterwards. He then overthrew the Republic and put himself at the head of an empire with more despotic power than Louis Philippe ever undertook to exercise.³¹ Through his historical perspective, Stephens understood the dangers involved and was afraid for the South to secede and set up her own government as he did not see any great leaders in the South. One of the reasons he went to the Southern convention which

³⁰Ibid., p. 527.

³¹Ibid., p. 526.

was going to establish the new government was because he considered himself one of the very few Southerners with enough "high integrity, loyalty to principles, and pure disinterested patriotism" to guide the new government through its first crisis.³² In writing to J. Henly Smith, Stephens expressed his concern thusly:

The times are all sadly out of joint. Men have no regard for past principle or profession. Consistency is wholly disregarded. Passion and prejudice rule the hour, reason has lost its saw. The truth and the right are not sought after. Public virtue is no longer held in its proper estimation, and all our discussion reminds me more of the wranglings of the Jacobins in France than anything else . . . as I look out upon the country and contemplate the probable future I feel as Jesus did when he came near the city of Jerusalem and wept over it, saying if thou hadst known even thou at least in this thy day the things that belong unto thy peace, but now they are hid from thine eyes. Such are my feelings . . .³³

Stephens believed that there was little public virtue or patriotism among public men. Republics, he was convinced, could only be maintained by virtue, intelligence, and patriotism, but the leaders were generally selfish men who looked not to the country but to individual aggrandisement. He expressed the opinion that most members of Congress considered only those things which affected them at home. If the Union should break up, he said, and the South should form its own government, all those public leaders would be striving to take the lead of all the rest. Thus Stephens foresaw a race between demagogues to see who could pander most to the passions, prejudices, and ignorance of the people so that they, the so called public leaders, might profit

³²Johnston and Browne, p. 387.

³³Phillips, p. 496.

thereby--just as he considered had occurred in France in 1792 and was occurring in Mexico in the 1850's.³⁴

Later, Stephens declared that intelligence, virtue, patriotism, and all that was necessary to cultivate and perpetuate these things could be found in the South and in the Confederacy. He realized that intelligence was of little value without virtue. He saw France as once being a great nation of philosophers but when these philosophers became Jacobins, they began to lack that virtue, that devotion to moral principle, and that patriotism which was essential to all good government.³⁵ Furthermore, Stephens could not foresee only logical objections to the ultimate restoration of the Union. He realized, however, that the action of the men in the aggregate of states or nations was seldom governed or controlled by logic. If the action of these men had been controlled by logic, Stephens said, many of the bloody wars which filled the history of mankind would never have occurred. "What," he asked, "was more illogical than the influences that produced the crusade for the recovery of the Holy Sepulchre, or the passions that incited deadly strife on so many fields of carnage upon such a question as the 'real presence.'"³⁶ Through his historical insight, Stephens thought that only a war could reunite the two sections.

Stephens believed that the development of the country, in all areas of life, was the result of the enterprise of the American people

³⁴ Ibid., p. 458.

³⁵ Cleveland, p. 725.

³⁶ Ibid., p. 797.

under the operation of the government and institutions under which they lived. Even the American nation without these governmental institutions would never have developed the society that then existed. The organization of society had much to do with the development of natural resources of any country. He recognized this fact but felt that more importantly the institutions of a people or nation, political, and moral, were the matrix in which the germ of their organic structure quickened into life, took roots, and developed in form, nature, and character. Stephens contended that it was only by her institutions that this country had developed and become great. The development of the people was the result of their enterprise under the operation of the government and institutions under which they lived. Even the American people, Stephens maintained, would never have developed such a high society without the government and institutions. He realized that the organization of society has much to do with the development of the natural resources of any country or any land. Using his historical perspective, Stephens examined Greece in his speech before the Georgia Legislature, November 14, 1860. In Greece he saw the same fertile soil and blue skies and the same land where Homer sang and where Pericles spoke. Physically, it was the same old Greece but for Stephens it was no longer a living Greece, although descendants of the same people inhabited the country. To Stephens, there was but one reason for this mighty difference. In the midst of the then existing degradation, one could see the glorious fragments of ancient works of art, and the remains of a once high order of civilization. Why, he questioned, had this glory departed. His answer would be, because their institutions had been destroyed. These achievements were but

the fruit of their form of government and

when once the institutions of our people shall have been destroyed there will be no earthly power that can bring back the Prometheus spark to kindle the flame here again any more than it could in that ancient land of eloquence, poetry, and song. The same may be said of Italy. Where is Rome, once the mistress of the world? There are the same seven hills . . . but what a ruin of human greatness meets the eyes of the traveller throughout the length and breadth of this downtrodden land. Why have not the people of that Heaven favored clime (sic) the spirit that animated their fathers? Why this said difference? It is the destruction of her institutions that has caused it. And my countrymen, if we shall in an evil hour rashly pull down and destroy those institutions which the patriotic hands of our fathers labored so long and so hard to build up, and which have done so much for us and for the world, who can venture the prediction that similar results will not ensue. Let us avoid them if we can. I trust the spirit is among us that will enable us to do it, for as in Greece and Italy and the South American Republic, and in every other place, whenever our liberty is once lost, it may never be restored to us again.³⁷

Throughout Stephens' arguments, there runs this historical thread. His historical cosmopolitan mind worked with and afforded the constitutional arguments or discussions for which he is so famous. It would be fair to say that without his historical mindedness Alexander Stephens, the constitutionalist, could never have existed or at least could never have been effective nor convincing.

Stephens believed Georgia should treat the United States like any other foreign country. It should follow the example set by the colonies before the Revolution, he said, and make out a list of grievances and send it to the United States.³⁸ Even in his praise of the people in the South for their devotion to the Constitution, his reasoning was shaped by his historical knowledge. In one speech, for

³⁷ Johnston and Browne, p. 572.

³⁸ *Ibid.*, p. 575.

example, he saw a parallel between the defenders of constitutional liberty in the Confederacy and the old barons who extorted the Magna Carta from their oppressors by a resort to arms as the barons went forth to do their work, thoroughly imbued with a sense of what was right for rights' sake. Not even these people could present a grander spectacle for the admiration of the world than this gallant band of patriots (meaning the Confederates) as they went forth to war, inspired with no motive but a thorough devotion to, and an ardent attachment for, constitutional liberty.³⁹

Stephens was not concerned with the constitutionality of secession as he believed any state could secede from the Union; he was concerned with the wisdom of secession and of the formation of a new government. The right of secession, for Stephens, was a cause of all states and the cause of constitutional liberty everywhere. It was the cause of the federative principle of government against the principle of empire, the cause of the Grecian type of civilization of Greek liberty, against the Asiatic type of civilization of depotism and autocracy.⁴⁰ In Stephens' mind the cause of the Southern state took on an historical and world importance.

Davis also put the secession problem in an historical perspective. Here, though, Davis' mind does not seem to have quite the cosmopolitan-historical touch which Stephens' mind shows. Davis compared the position which the South occupied to that which the American colonists had occupied. Stephens had also declared that

³⁹ Cleveland, p. 784.

⁴⁰ Stephens, I, p. 539.

the Confederate government was very similar to the government during the American Revolution as "each sought release from tyranny."⁴¹ In this comparison Davis saw many similarities. The result of Lord North's trying to force collection of revenue from the colonies resulted in a collision of two forces. Out of this collision came the separation of the colonies. He warned the people of the North that they were reenacting the blunders which the statesmen in Great Britain had once committed.⁴² Davis interpreted the American Revolution of 1776 as centering about one great idea, "community independence." Speaking in the state of Massachusetts before secession of his native state, he attempted to use historical arguments to persuade the people of the right of each state to secede. Like Stephens, Mallory, and Benjamin, Davis saw the Federal government as being a government formed out of and with the consent of each State government, with each state having the right to leave this union of states when it so desired. He viewed the United States not as a central consolidated government but instead as a union of sovereign states. If it were a central consolidated government, its fate, he believed, might be learned from the history of other nations but since it was not, its fate could not be learned from the lessons of history. In his trip to Massachusetts he urged the people to look into the collection of their historical association where they would find a

⁴¹E. Merton Coulter, The Confederate States of America 1861-1865 (Baton Rouge, La.: Louisiana State University Press, 1950), p. 60.

⁴²Rowland, V, p. 31, Jan. 10, 1861.

bounteous store of knowledge which upheld that sacred doctrine of states' rights which many people in the North had called the extreme opinion of the South.⁴³ To the argument that in the end the majority, which was with the North, must rule, Davis answered, "I am not so sure of that. Neither current events nor history shows that the majority rules or ever did rule. The contrary I think is true . . ."⁴⁴ Using this historical perspective, Davis was able to see the possibility of the South ruling the country. Later on, while serving as President of the Confederacy, Davis' view of states' rights changed somewhat as he tried to meet the emergencies of the war situation.

Davis believed that revolution was an inalienable right of the people to abrogate and modify their forms of government whenever it failed to answer the ends to which it was established. Davis interpreted this as having an historical meaning; the forefathers meant revolution was a right, and force could only be invoked when that right was wrongfully denied. Davis argued that if Great Britain had admitted this great American doctrine, there would have been no bloodshed; yet he saw that descendants of this great principle were proclaiming that if revolution was a right it was one "which you can only get as the subjects of the Emperor of Austria may get these rights, by force overcoming force." Davis then asked,

⁴³Ibid., IV, p. 329.

⁴⁴Ibid., V, p. 19.

Are we in the age of civilization and political progress, when political philosophy has advanced to the point which seems to render it possible that the millenium should now be seen by prophetic eyes, and again to return to the mere brute force which prevails between beasts of prey as the only method of settling questions among men.⁴⁵

Even while serving as Secretary of War Davis had warned that "we shall be untrue to the great principles which our forefathers bequeathed as a legacy to us if we should attempt to bind our Union together by other (measures) than the bonds of fraternity."⁴⁶ Davis believed that the only alternative to secession was coercion. He pointed out that Madison, Hamilton, and Edmund Randolph had all spoken against the central government having the power of coercion and that it was never granted to the Congress.⁴⁷ Davis' mind seemed to be struggling with this problem of advancements in history although he seemed to believe in a gradual improvement of history and civilization. Davis' mind, like Stephens' mind, did exhibit a more cosmopolitan comprehension or broad-mindedness than did the minds of most Southern leaders.

Yet none of these four Confederate leaders viewed secession as revolution. One example which shows that Stephens did not view the Confederacy as being a revolutionary government was the fact that he felt her government should be open and responsible to the people. At the same time, he believed that when any people have cause for revolution in their government, secrecy and even conspiracy may be justified, but not until then.

⁴⁵McElroy, p. 413.

⁴⁶Paul C. Nagel, One Nation Indivisible: The Union in America Through 1776-1861 (New York: Oxford University Press, 1964), p. 84.

⁴⁷Jefferson Davis, A Short History of the Confederate States of America (New York: Bedford Co., 1890), p. 51.

David and his men kept secrets from Saul--that Moses was at the head of a secret movement when he delivered Israel from Egypt--that Alfred the Great rescued his country in a similar manner from the domination of the Danes--that Samuel Adams and others, habited like Indians in 1773 struck the first blow for American independence.⁴⁸

Considering this historical interpretation for the necessity of secrecy and even conspiracy, many of Stephens' later actions involving secrecy and bordering on conspiracy and treason should not be so surprising or hastily condemned. With a better understanding of Stephens' historical mind, one can realize that his actions were logical and were not marked by great personal hatred or by an unbalanced mentality.

Benjamin did not see the secession crisis as being a rebellion on the part of the South. When, he asked, did millions of people as a single man, rise in organized, deliberate unimpassioned rebellion against justice, truth and honor? He agreed with a great Englishman who exclaimed on a similar occasion "You may as well tell me that they rebelled against the light of heaven . . . I pronounce fearlessly that no intelligent people ever rose or will ever rise against a sincere, rational, and benevolent authority."⁴⁹ If the people of the South were traitors and treasoners, Benjamin contended,

the people of the South imitate and glory in just such treasons as glowed in the souls of Hampden; just such treason as leaped in living flame from the impassioned lips of Henry; just such treason as encircled with a sacred halo the undying name of Washington.⁵⁰

⁴⁸Cleveland, p. 479.

⁴⁹Pierce Butler, Judah Phillip Benjamin 1811-1884 (Philadelphia: G. W. Jacobs & Co., 1907), pp. 222-23.

⁵⁰Ibid.

The southern convention, which met at Montgomery in February, 1861, elected Jefferson Davis as president and Alexander H. Stephens as vice president, thus showing to the watching world that the South was now united and that there were no factions whatever to disturb the perfect harmony of the new government. These choices were ironic as Davis desired a military commission and glory while Stephens had been an outspoken opponent of secession. Stephens had barely missed the opportunity to become president and throughout the war he found it hard, if not impossible, to play second fiddle to anybody. In choosing his cabinet, according to William E. Dodd, "Davis was concerned with the composing of differences and disagreements, not the securing of harmony in administration or the ablest talent for the work in hand."⁵¹ Opponents of Davis criticized him for choosing a cabinet in line with his own ideas with the exception of Robert Toombs. However, Dodd's statement seems to have much more validity. Another factor influencing Davis' choice of cabinet members was the need to appease the various state and other political factions. Benjamin was chosen as Attorney General although his abilities far outdistanced this cabinet position. Later in November 1861 he became Secretary of War but his stay here was relatively short. Then he became Secretary of State in March of 1862 and remained in this office till the war ended. Mallory, due to his naval background in the Senate, was appointed Secretary of the Navy, a position he held throughout the long struggle. Davis was deeply interested in finding capable men and placing them in the available positions. Although Davis hoped

⁵¹Dodd, p. 227.

for cooperation from these men in leadership positions, he demanded patriotism.⁵² In the organization of the army, particularly in appointment of officers, Davis steadfastly pursued the policy of employing experts rather than popular political leaders or orators. Here again Robert Toombs was an exception. Davis met much opposition to this employment of West Pointers to so many of the responsible positions.⁵³

For years Davis had been a student of Great Britain's system of government, and he brought this interest into play when he compared the Confederate government with the government of Great Britain. He found the two cases as distinct as to be opposite, rather than parallel to each other. In a letter in February, 1865, to J. A. Seddon, Secretary of War who had just resigned from his position, Davis seemed to lament the fact that the Southern government could not be more nearly like that of the British. In Great Britain, he wrote, a vote of the House of Commons expressing a want of confidence in the Ministry had a controlling influence because the Parliament governed. In the Confederacy, he said, the reverse was true. In Great Britain, the Ministry was the Executive Government and the Sovereign ruled but did not govern. In the Confederacy, the head of departments neither ruled nor governed. In Great Britain, the Sovereign was irresponsible and could do no wrong with the Ministry alone being responsible. In the Confederacy, the President could do wrong and he was responsible.

⁵²Harrison A. Trexler, "Jefferson Davis and the Confederate Patronage," South Atlantic Quarterly XXVIII (Durham, N. C.: Duke University Press, 1929), p. 52.

⁵³Dodd, pp. 254-55.

In Great Britain, the Ministry were members of the Legislature which originated laws, guided administrations, exercised the appointing power to all offices (the Sovereign being in practice purely nominal) and were apprised in advance of the grounds of a proposed vote of want of confidence and had the power and means of defending themselves. In the Confederacy the exact opposite of all of this was true. In Great Britain, even after a vote of censure, the Ministry might dissolve Parliament and appeal to the country which had not infrequently reversed the role of decision. Not so in this country.⁵⁴

The experiences of the war and of all the Confederate's tragedies, as well as his own personal tragedy, thus had changed Davis' perspective. Nevertheless he remained a firm believer in the American form of government and democracy. Stephens had earlier wanted the President to appoint his cabinet ministers from members of one or the other houses of Congress as he regarded this feature in the British constitution as being one of the most salutary principles.⁵⁵

Davis and Stephens both revered the Constitution. They rejoiced that the proposed Confederate Constitution used the United States Constitution as a basis for their new government. Davis even saw it as the "duty of the South in this last hour to seize the pillars of our government (United States) and uphold them, though we be crushed in the fall."⁵⁶ Mallory and Benjamin also expressed keen satisfaction with the Confederate Constitution.⁵⁷ They interpreted the Confederate

⁵⁴Rowland, VI, pp. 459-60.

⁵⁵Stephens, II, pp. 338-39.

⁵⁶Rowland, V, p. 22.

⁵⁷Meade, p. 165.

Constitution as being that framed by the forefathers of America. This devotion to the Constitution went hand in hand with their ideas on nationalism.

Stephens was very influential in the formation of the Confederate government. Through some of his speeches on certain aspects of government, one can get a clearer picture of his historical world-mindedness at work. Stephens believed that one of the chief liberties guaranteed by the United States government as well as by the Confederate States government was the liberty of any man in the country to sit down and worship as he pleased. He saw this principle as being established by Baldwin, the Pinckneys, Madison, Hamilton, and Washington. He warned the people not to be tempted to give up this great liberty in this American Eden as Eve was tempted by the great arch-enemy of the moral government of the universe.⁵⁸ Stephens was aware that any movement which sought to do away with religious freedom had its roots in older movements. He saw that there was such a movement in England once with Jack Cade at the head of it. Rome, as well as France, was also the theatre of many such movements. Stephens was especially concerned with Greece. It was true, he believed, that when one cast his eyes upon the home of Homer and Plato one would see "tis Greece but living Greece no more." He recollected that it was there that liberty once flourished, that heavens fought and poets sang, and philosophy reared her temples of arts and science, while statesmen directed public affairs. In the eyes of Stephens, the fall of Greece was preceded by a movement to do away with religious toleration and freedom; this

⁵⁸Cleveland, p. 482.

movement, unfortunately, succeeded in persuading the people to get rid of their ablest and best men in order to use other less capable men. It was then that political ruin and moral desolation came upon Greece. The same results, he said, might be expected to occur in any country when a similar policy was pursued.⁵⁹ Stephens feared that when the words of wisdom were no longer listened to, "we may well explain as once did Greece: Shrine of the mighty can it be--that this is all that remains of thee."⁶⁰

Stephens, in a letter to A. J. Marshall, wrote that it was a "lamentable fact that there had been less improvement in the progress of civilization in the light of experience in the science of government, than in any other branch of human knowledge."⁶¹ He warned those who doubted the efficient practical working of any new checks upon legislation to study the annals of Poland and the kingdom of Aragon, a province of Spain. Calhoun, Stephens stated, had clearly shown the admirable working of the unanimity principle of Poland, even in their election of their chief magistrate. In Aragon, Stephens continued, history had taught that for several hundred years the Cortes, the legislative body of the kingdom, could pass no law without the vote of every member in each house. Under this system, Spain reached a higher degree of civilization than any of her neighboring western states. The liberties of Aragon were not lost until the ambitious

⁵⁹ Ibid., pp. 483-84.

⁶⁰ Ibid., p. 484.

⁶¹ Ibid., p. 803.

Charles V, by corrupt means, procured the abandonment of this principle of the Cortes. After this step, Spain gradually declined in the western world. Stephens wanted the people to study all types of government before deciding on one of their own. He warned that no one should hastily and rashly condemn any system of government, even the unanimity principle, until they had studied the actual practical experiment.⁶²

Stephens believed that there was an universal rule in government. Society, he said, should look not to the greatest good to the greatest number, but to the greatest attainable good to all without injury or detriment to anyone. In his opinion, the best way to secure this practical application in a republic was to make approaches toward the unanimity principle at least in legislation. For Stephens, "no truth was better established than that 'the world is governed too much.' No new law ought ever to be passed until the wants and needs of the society as a whole, in its progress requires it."⁶³ Thus, it does not seem surprising that Stephens was shocked by Davis' use of power. To the vice president, this was a danger that could not be overlooked and he would not allow anybody to overlook it.

Stephens wanted to leave a way open for admission of other states whether slaveholding or not. He did not want the South to be

⁶² Ibid., pp. 803-04.

⁶³ Ibid., p. 803.

known as the Black Republic as he realized it would be without sympathy from any of the outside world.⁶⁴ Davis also favored leaving the door open for non-slave holding states to join the Confederacy.⁶⁵

On the question of higher law, Davis remarked to a New York audience in October 1858,

You have among you politicians of a philosophic turn who preach a high morality; a system of which they are the discoverers. They saw, it is true that the Constitution dictates this, the Bible inculcates that; but there is a higher law than these, and they call upon you to obey that higher law of which they are the inspired givers. Men who are traitors to the compact of their fathers--men who have prejured the oaths they have themselves taken . . . these are the moral law-givers who proclaim a higher law than the Bible, the Constitution, and the laws of the land . . . These higher law preachers should be tarred and feathered, and whipped by those they have thus instigated . . . The man who . . . preaches treason to the Constitution and the dictates of all human society, is a fit object for a lynch law that would be higher than any he could urge.⁶⁶

Whether Davis would really have hanged these people is doubtful but his speech did show his anger, his resentment, and his fear of the people who preached a higher law. Benjamin was also rankled by the "fools and knaves of New England," who declared that "the Earth belongs to the Saints and they were the Saints of the Lord." Such attacks on the people of the South and the institution of slavery spread much fear and resentment throughout the South and caused many Southerners to react in a more hostile, emotional manner.⁶⁷

⁶⁴Johnston and Browne, p. 392.

⁶⁵Robert Royal Russell, Economic Aspects of Southern Sectionalism 1840-1861 (Urbana, Ill.: University of Illinois Press, 1924), p. 269.

⁶⁶Rowland, III, pp. 336-37.

⁶⁷Ibid., p. 394.

In 1859, Stephens, in a moment of despondency, said there was a higher law that might be said to justify, in certain instances, the application of the extreme right of revolution even in violation of express constitutional provision.⁶⁸ Stephens insisted, "that the Union was formed for the benefit of all," and when one area took advantage of another area the Union was thereby dissolved. In reference to the Greeks he stated that, "if gentlemen supposed that by singing paeans to this Union it is to be preserved, they will find themselves mistaken." Since "the Union was founded upon justice--immutable justice--and right" it meant the weak were never to be despoiled by the strong.⁶⁹ Thus Stephens appealed to the Constitution and a higher law for his right to revolt.

Stephens believed that the physical world was governed by laws and that great good would result to the United States, as a whole, and to all of mankind from the observation of these laws.⁷⁰ At another time, he stated that he did not recognize any higher law than the Constitution.⁷¹ Thus, it seemed that Stephens saw the Constitution as being in line or agreement with the higher law and as long as the Constitution was followed, all would be well. It also seems that Stephens never fully worked out his understanding of the "higher law" doctrine; yet he used his higher law argument, as he did history, to advance his own arguments.

⁶⁸Cleveland, p. 649.

⁶⁹C.G., 31st Congress, 1st Session, 1st pt., 1850, Appendix p. 1413.

⁷⁰C.G., 30th Congress, 1st Session, 1st pt., 1848, p. 816.

⁷¹C.G., 34th Congress, 1st Session, 1st pt., 1855-56, Appendix pp. 1855-56.

CHAPTER III

HISTORY, NATIONALISM, AND DIPLOMACY

Nationalism is a feeling of loyalty and devotion to a nation, especially a sense of national consciousness. Before and during the Civil War, Jefferson Davis, Judah Benjamin, Stephen Mallory, and Alexander H. Stephens exhibited a nationalistic tendency. Before the war, these men had loved the United States primarily because of its government. Their devotion was directed mainly toward the government as an institution and not to the people that made up the nation. Abraham Lincoln had carried his love for national institutions to a love or respect for the common man much more so than did these Southern leaders. All these Southerners shared one thing, primarily devotion to the federal government and its constitution. They differed, however, in the way they interpreted the Constitution, thus differing in their ideas about the powers of the different institutions of Federal and State governments. During their formative years, these Southern leaders grew up with the increasingly important idea of sectional difference between the North and South. In the North, the prevalent belief was that the ways and principles of the free states were the standard for all the states. Thus, a gap grew in their nationalistic ideas as the Southerners began to take more and more pride in their own section and states. This extreme devotion to a state could be seen in Stephens, while Davis, Benjamin, and Mallory, although sharing

similar ideas as Stephens on the importance of the state, took a more sectional and nationalistic attitude than Stephens. In the sense that Davis, Mallory, Benjamin, and Stephens were nationalistic, they were for a southern nationalism, which meant not independence but domination from within the Union.¹ Davis expressed the wish that union of South and sober sense of North would produce a sense of justice and faithful observance of principles of federal compact which would enable a minority to live as equals in the United States.² By the outbreak of the Civil War, these four southern leaders were devoted to their section; they all saw two different nations not one united country. Benjamin expressed this thought quite well in a letter to Henri Mercier in 1862 when he wrote, "In reality we are two distinct people who ought to have each his own government. Our population has today more hatred for the Yankee than the French have ever had for the English."³ To these Southerners, the South was not a nation and their support of it, although once considered sectionalism, turned into nationalism as they attempted to build a nation. In the sense that they did have a feeling of nationalism toward the United States, they still emphasized their spirit of regionalism in this nationalism. They believed that Southern leaders had guided the country during the colonial period and that the South should continue to dominate the affairs of the Union.

¹Shelby Foote, The Civil War: A Narrative (New York: Random House, 1958), p. 13.

²Rowland, I, p. 595, Nov. 7, 1850.

³Lynn M. Case and Warren F. Spencer, The United States and France: Civil War Diplomacy (Philadelphia: University of Pennsylvania Press, 1970), pp. 279-80.

Gradually, these Southern leaders placed more and more emphasis on their section and region and became more devoted to the cause of the South and of the Confederacy.

Before the South seceded, Davis did desire a continuance of the Union in all its greatness, while at the same time, he was devoted to his state and to his section.⁴ Extensive travels in the army as well as afterward and his training in the army contributed strongly to his nationalism.⁵ Perhaps his mind was broadened by attending school in the North at West Point, yet this influence as well as the effect Yale had made on Benjamin's mind remains unknown.⁶ Davis' service as secretary of war, and Benjamin's and Mallory's foreign birth and overseas connections, as well as their religious heritage--one a Jew, the other a Catholic--gave to these men an influence that helped to broaden their minds. Benjamin's feeling of nationalism was also influenced by the new capitalism exemplified in the booming Louisiana port of New Orleans, of which he was a representative.⁷

In the midst of the know-nothing agitation in 1855, Stephens stated that an Irishman, a Frenchman, a German, or a Russian could be as thoroughly American as if he had been born within the walls of the old Independence Hall itself.⁸ Thus, Stephens' sense of nationalism

⁴Owsley, "Jefferson Davis," p. 764.

⁵William and Bruce Catton, Two Roads to Sumter (New York, Toronto, London: McGraw-Hill Book Co., 1963), p. 32.

⁶Clement Eaton, Freedom of Thought in the Old South (Durham, N. C.: Duke University Press, 1940), p. 209.

⁷Robert D. Meade, "The Relation Between Judah P. Benjamin and Jefferson Davis," Journal of Southern History, V (Richmond, Va.: Southern Historical Association, 1939), p. 470.

⁸Cleveland, p. 470, May 5, 1855.

did not blind him to the fact that all Caucasian nationalities and Protestant religious groups could be American; they did not have to be born in America. Like Lincoln, Stephens expressed a tolerant and more friendly attitude toward foreigners in a period when hostility to foreigners was rampant.⁹ Stephens also regarded any attempt by the people of the United States to trace their ancestry to the nobility of England or to any other country as inconsistent with the spirit which should animate the descendants of the sires of 1776, North and South.¹⁰ Of the other three Southern leaders, Davis' attitude had more prejudice involved in it, especially when dealing with non-European peoples. However, it does seem that all four leaders of the Confederacy adopted a more tolerant attitude toward the European nationalities, since they were members of the white race. These Southern leaders could accept and tolerate people from Europe coming to America much more easily than if they were from China or Japan.

A large part of Davis' love of the United States, and later the Confederacy, was derived from his feeling toward their constitutions and governments. Inherent in this devotion was his belief in constitutional liberty. Davis viewed the Confederacy as fighting for constitutional liberty, although he never became so fanatically attached to this idea as Lincoln was to the idea that the North was fighting for the preservation of democracy. So, to a more limited degree, Davis did see the Confederacy as fighting for the salvation of a world idea but he seldom tried to push it as strongly as did Lincoln.

⁹James G. Randall, Lincoln the Liberal Statesman (New York: Dodd Mead Co., 1947), p. 184.

¹⁰Myrta Lockett Avary, Recollections of Alexander H. Stephens. His Diary Kept When a Prisoner at Fort Warren, Boston Harbour 1865 (New York: Doubleday, Page and Co., 1910), p. 420.

One reason for this was that Davis seldom made public speeches. When he made them, however, he always insisted in telling the people that if "the Confederacy falls, constitutional government, political freedom itself, will fall with it."¹¹ While making a speech in Augusta, Georgia, Davis was interrupted by an Irishman who demanded three cheers for the Confederacy. To this remark, Davis replied,

From the accents of that voice, my friend, I see that you may have come into this country from one that has lost its liberty. You may well exclaim 'three cheers for the Confederacy,' upon whose success now alone depends the existence of constitutional liberty in the world. We are fighting for that principle, upon us depends its last hope . . . Ours is not a revolution . . . our struggle is for inherited rights. I believe that a just God looks upon our cause as holy, and that of the enemy as iniquitous.¹²

Davis, like many people in the Confederacy, viewed the issue of secession as being similar to that of Irish nationalism and related to the universal problem of freedom for nationalities.¹³ Yet Davis did not consider it his main function to tell the people in the South as well as the world, that with the Confederacy's fall, the world would see the fall of constitutional liberty, as Davis was too wrapped up in military matters which he considered much more important. Stephens also spoke of the Confederacy as being the only hope of constitutional liberty in the world.¹⁴

¹¹Dodd, p. 334.

¹²McElroy, p. 423, Oct. 5, 1864.

¹³Joseph M. Hernan, Jr., "The Irish Nationalist and Southern Secession," Civil War History, XII (Iowa City: State University of Iowa, 1966), p. 43.

¹⁴Cleveland, p. 739, April 23, 1861.

Stephens had seen the United States government as being the best government on earth but he felt that the Confederate Constitution and its government was an improvement on the old government.¹⁵ For him, the United States government had been an improvement upon England's government and if one compared the United States government with that of, "France, Spain, Mexico, the South American republics, East to Turkey or to China, one could not find a government that better protects the liberties of its people than the United States government."¹⁶

Throughout the pre-Civil War days, one can see examples of nationalism in the minds of Davis, Stephens, Benjamin, and Mallory. For example, in 1846, Davis' speech against war with Great Britain revealed his deep attachment to the Union as well as to the Constitution.¹⁷ In 1848, Stephens advocated national appropriation for the telegraph. He hoped to see the day "when our whole body politic would be knit together and the wires communicating intelligence from one extremity to the other would make us more and more one people."¹⁸ By 1848, however, the future leaders of the South, even Davis, were experiencing sectional pains. Davis wrote that the South was the minority and so she would remain, with her security depending upon the power of the constitutional curb to check the otherwise, unbridled will of the majority.¹⁹ On being appointed as an alternate to the

¹⁵Johnston and Browne, p. 568, Nov. 14, 1860.

¹⁶Ibid.

¹⁷C.G., 29th Congress, 1st Session, 1846, p. 318.

¹⁸Ibid., 30th Congress, 1st Session, 1848, p. 826.

¹⁹Ibid., 30th Congress, 1st Session, 1849, Appendix p. 730.

Nashville convention of 1850, Mallory regarded his section as evidence that his fellow citizens believed in his attachment to the South, an attachment to which all others, even the most holy and cherished, must be subservient.²⁰

In 1850, in a speech before the Senate, Davis expressed the problem he had in reconciling his nationalistic feeling and states rights ideas.

I sir, have not gone so far as the Senator from Texas has this morning. He said the South was his country. I sir, am an American citizen. My allegiance I know is first due to the state I represent. My feelings and my honor both bind me in the first and last resort. But this Union is my country. I am a citizen of the United States it is true because I am the citizen of a state. My affections begin in, but are not bounded by the limits of that state. I belong to no state and no section, when the great interests of the Union are concerned; I belong to the state which is my home when the Union attempts to trample upon her rights, when outrages and oppression shall drive those affections now extended over the broad Union, back to their more narrow circle than heart and hand, I am wholly her own.²¹

Later, during the Civil War, Davis argued that since a man owed his allegiance to the United States as a citizen of a state, he could not be accused of being disloyal to the Union if he followed the mandate of his own state. Such a charge, Davis felt, was treason to the principle of community independence. It would be a return to a doctrine of passive obedience which cost Charles I his head and drove James II out of England. Since the English Revolution of 1688, this doctrine, Davis argued, had existed nowhere where people speak the English language. In his speech to the Virginia Secession Convention,

²⁰Durkin, pp. 38-40.

²¹Rowland, I, p. 509, August 15, 1850.

Stephens expressed his feeling of nationalism thusly, "I was attached to it for what was its soul, its vitality and spirit; these were the living embodiments of the great principles of self-government."²² All four of these men possessed this similar type of devotion to the United States. Perhaps, their devotion and loyalty to the constitution, as they understood it, caused them to break away from a government which they believed was corrupting the ideas and principles of the constitution.

"To train the men who are at the head of the armies, to maintain the honor of the American flag, and in all circumstances to uphold the Constitution," Davis believed, "required a man above sectional prejudices, an intellectual superior to fanaticism."²³ Even up to the outbreak of hostilities, Davis retained some of his nationalistic feelings. Shortly before South Carolina seceded, Davis praised the common interest and the common sentiment of nationality which beat in every American bosom.²⁴ Between 1858-59, he traveled to New England in order to attempt to promote sectional harmony, mainly by ethical proofs, among the people.²⁵ In 1859, Stephens insisted that the great sectional issues had been adjusted and the people had never been more peaceful.²⁶ In his support of Stephen A. Douglas for president in

²²Cleveland, p. 729.

²³Hudson Strode, ed., Jefferson Davis, Private Letters (New York: Harcourt Brace and World, 1966), p. 92, June 19, 1857.

²⁴Avery O. Craven, Coming of the Civil War (New York: Charles Scribners Sons, 1942), p. 403.

²⁵J. Jefferson Auer, ed., Antislavery and Disunion, 1858-1861. Studies in the Rhetoric of Compromise and Conflict (New York, Evanston, Ill.: Harper & Row, 1963), pp. 52-53.

²⁶Ibid., p. 101.

1860, Stephens supported a man who made an effort for national unity.²⁷ In these speeches and other similar speeches Davis and Stephens showed they had pride in the people themselves but their devotion and attachment to the people never developed to the degree that Abraham Lincoln's developed, nor did their understanding of human nature.

In Stephens' eyes, the United States constituted a nation, not of individuals blended in a common mass with a consolidated sovereignty over the whole, but of which the constituent elements or members were separate and distinct political organizations or states. "It is a Confederated Republic, as Washington styled our present Union," Stephens declared, and "this is the same as if he had styled it a Confederated Nation." For Stephens the United States was a nation of nations and the highest and grandest type the world ever saw.²⁸ But how could Stephens consider the government of the United States the best ever in the world if any state could leave the Union whenever it so desired? For this argument Stephens used historical evidence. He argued that the Confederation of Greece was just such a government. "To whom," he asked, "is the world so much indebted for European civilization at this time, as to the little Republics . . . held together by no other bands than their own consent."²⁹ Their greatness only departed when the Hellenic States departed from their principles of government.

²⁷ Craven, Growth of Southern Nationalism, p. 344.

²⁸ Alexander H. Stephens, A Constitutional View of the War Between the States, Vol. II (Philadelphia, Cincinnati, Atlanta: National Publishing Co., 1867), p. 21.

²⁹ Ibid., I, p. 524.

All these governments, the Grecian, the Germanic as well as our own first confederation, were founded . . . upon just such a principle--the principle of voluntary consent. These governments are all Confederated Republics, which as Montesquieu informed us, have³⁰ saved the human race from universal monarchical rule.

He viewed the system of the United States as being a great improvement upon all former models of this kind of confederation.

Even though Stephens had not tried to keep the Confederacy united and its people loyal, he wrote after the war that in his judgment, the strongest force that could hold the parts of constituent elements of any government together was the affection of the people towards it. "The Universe is held together by force--the greatest of all forces, by omnipotence itself." In the material world he saw the force "which bind and hold together in indissoluble union all its parts in their respective and most distant orbits throughout the illimitable regions of space . . . the simple law of attraction."³¹ Stephens believed it should be this way with all governments. He believed that the Confederate government was the world's best hope and that it was "the strongest government on the Earth." Its strength lay in its moral power, in the heart and affection of the constituent elements with each party having the absolute right to judge, not only the infraction of the compact, but also the mode and measure of redress as well. Upon this self-adjusting principle depended the safety, security, and existence of each member, and this safety and security are the chief objects of all Federal Republics.³²

³⁰ Ibid., pp. 525-26.

³¹ Ibid., p. 527.

³² Ibid., pp. 528-29.

Davis, like other Southern leaders, believed that each state retained its sovereignty, freedom and independence, and every power, jurisdiction, and right which is not expressly delegated to the central government of the United States. Under this type of contract, Davis insisted, the American Revolution was successfully waged. It resulted in the treaty of peace with Great Britain in 1783 by the terms of which the several states were "each by name" recognized to be independent.³³ This states' rights view influenced Davis' thinking, as well as most Southerners', and hindered his efforts in striving for a central power or authority to carry on the war successfully.

It was Davis' judgment that the United States government was the best government ever instituted by man. On this, he and Stephens agreed, and they, along with Benjamin and Mallory, were relieved to see the Confederate government and constitution modeled after the United States government. The reason for this great government, Davis believed, was that the founding fathers learned wisdom from the experiences of Rome and of Greece--Rome being a consolidated government and Greece being strictly a Confederacy--and were taught by the lessons of their previous experience under the Confederation.³⁴ In a speech on this subject of government, after Lincoln's election, Davis' historical mindedness was brought out, in rather full-blown language, however:

³³The War of the Rebellion: Official Records of the Union and Confederate Armies (Washington D. C.: Government Printing Office, 1961), Ser. IV, Vol. I, p. 256, April 29, 1861. (From now on abbreviated as O.R.A.)

³⁴Rowland, IV, p. 544, Dec. 10, 1860.

In the long periods which elapsed after the downfall of the Great Republic of the East, when despotism seemed to brood over the civilized world, and only here and there constitutional monarchy even was able to rear its head, when all the great principles of republicanism and representative government had sunk deep, fathomless into the sea of human events, it was then that the storm of our Revolution moved the waters. The earth, the air, and the sea became brilliant and from the ages rose the constellation which was set in the political firmament as a sign of unity and Confederation and community independence, coexistent with Confederate strength. That constellation has served to bless our people. Nay, more, its light has been thrown on foreign lands, and its regenerative power will outlive, perhaps the Government as a sign for which it was set.

In this speech, Davis' pride in the government of the United States could be clearly seen. Davis declared that if the United States should fail, it would not be the defect of the system.

Though its mechanism was wonderful, surpassing that which the solar system furnished for our contemplation, it had no center of gravitation, each planet was set to revolve in an orbit of its own, each moving by its own impulses and all attracted by the affections which countervailed each other. It was the perversion of the Constitution; it was the substitution of theories of morals for principles of government; it was the forcing of crude opinions about things not understood upon the domestic institutions of other men, which had disturbed these planets in their orbits; it was this which threatened to destroy the constellation which, in its power and its glory, had been gathering one after another, until from thirteen, it had risen to thirty-three states.³⁶

Evidence of Davis' cosmopolitan mind was his knowledge of European governments and a somewhat more limited knowledge of the history of their organization or governmental processes and the use of this knowledge in the statements and argumentation. Davis could not admit the existence of a power or right in the legislative

³⁵Ibid., V, p. 25, Jan. 10, 1861.

³⁶Ibid., p. 26.

department of the government to control the continuance in office of principal officers in each of the executive departments whose choice the Constitution had vested in the President or Chief Magistrate. He believed it would be just as proper for the executive department to express want of confidence in the legislative department as for the latter to express distrust in the former. Davis maintained that the notion that under our form of government an expression by the legislative of want of confidence in the executive department was an appropriate exercise of constitutional power and should cause a change in the cabinet, was quite unfounded, as the difficulty arose from a false analogy, that most fertile source of error. In Great Britain, Davis contended, for example, a vote of the House of Commons expressing a want of confidence in the ministry had a controlling influence because the Parliament was the government, but in the Confederacy the reverse was true. Indeed, Davis was convinced that the two cases were so distinct as to be opposite rather than parallel to each other. To support his belief, he offered other examples founded on his own knowledge of British history. In contrasting, he stated that in Britain the crown was hereditary as well as irresponsible to the wants and demands of the people. The power of making policy in the government was in the hands of the House of Commons. In the Confederacy, however, the president was elected as well as the members of the legislature. The president was given a six-year term and the power to make the tenure of office in the cabinet his pleasure. In Great Britain, Davis insisted, the ministry were members of the legislative department, and originated laws, guided administration, and exercised the appointing power to all offices. As they were

apprised in advance of the grounds of a proposed vote of confidence, they had the power and means of defending themselves. In practice, therefore, the sovereign power was purely nominal. However, in the Confederacy the reverse of all this was the case, Davis declared. Finally, in Great Britain, Davis maintained, even after a vote of censure, the ministry might dissolve Parliament and appeal to the country, which had not infrequently reversed the vote of the House of Commons. In this way, the members of the House of Commons were usually restrained from factions or unfounded charges by their responsibility to the people and the peril of losing their seats. Again in the Confederacy, Davis insisted that the reverse was true.³⁷

In one sense, these ideas about legislative powers which Davis talked about in a letter to his retiring Secretary of State, J. A. Seddon, in 1865, was a reflection of the bitterness that Davis felt toward Congress for having hampered and insulted his cabinet members and his own efforts during the war. However, these ideas were also a reflection of his historical mind as he explored the history of Great Britain to find, what he considered, the false analogies that had made the founders of the constitution place so many limitations on the executive. He was not denying to enlightened public opinion, which deliberately formed after knowledge of facts, its just and legitimate influence. He believed such public opinion was almost invariably correct and could rarely be disregarded without injury to the public will. It was the unenlightened and uninformed public opinion that he was concerned about and that he was condemning. Probably Davis

³⁷ O.R.A., Ser. IV, Vol. III, pp. 1046-47, Feb. 1, 1865.

believed that if the people of the Confederacy were as well informed as he was, they would let him run the government as he thought best. He sincerely believed that, if his efforts were unhampered, the Confederacy would have been better off.

In the early days of the Confederacy, it was hoped that there would be neither partyism or sectionalism in the new nation. Davis' first public utterance made on his arrival in Montgomery to assume the presidency of the Confederacy was, "For now we are brethren not in name, but in fact - men of one flesh, of one bone, of one interest, of one purpose, and of one identity in domestic institution."³⁸ As Allan Nevins has said, "His dedication to Southern nationalism was complete."³⁹ In a letter to General J. E. Johnston, Davis said he felt Johnston's anxiety for the army of the Potomac even more than Johnston, because the South, the West, and the East also demanded his care.⁴⁰ He saw more clearly than most prominent confederates that if the South won, it would have to be as a united nation, not a loose bundle of states.⁴¹ Although some historians have insisted that Davis' great weaknesses was his failure to insist that the interest of the Confederacy as a whole should take precedence over the interest of the individual states,⁴² Nevins' argument that Davis more than anybody else thought of the South as a separate and unified entity

³⁸Coulter, pp. 113-14.

³⁹Allan Nevins, The Statesmanship of the Civil War (New York: Macmillan Co., 1953), p. 45.

⁴⁰Rowland, V, p. 161, Nov. 10, 1961.

⁴¹James D. Richardson, ed., The Message and Papers of Jefferson Davis and the Confederacy With an introduction by Allan Nevins, Vol. 1 (New York: Chelsea House and R. Hector, 1966), p. XXV.

⁴²Maurice, p. 17.

with the potentialities of a grand future seems to be the more correct viewpoint.⁴³

During the war, Secretary of Navy Mallory maintained a vigorous southern and national sentiment. He saw the Confederacy not as a league of mutually exclusive states but as a whole.⁴⁴ His devotion to the cause of the Confederacy can be seen in a letter he wrote to the Governor of Florida, John Milton, in November of 1861.

Strange as it may sound to us, the Republicans and even the Democrats in the North are still dreaming of a 'reconstruction of the Union' and hug themselves with the belief that we would consent to a connection with them. I trust that those among us, and there are many here, who entertain such a dream will soon awake to its utter unreality. Upon no terms, and under no circumstances should we consent again to go into any Union with them; and if we can silence grumblers for eighteen months more, there will not be found one man in one thousand among us who will not feel degraded by the proposition. We are a purer, nobler, braver and better people in all respects than they can ever become so long as the Puritan blood flows in their veins, and I know as well as I can know anything in the future that all mankind will so acknowledge us.⁴⁵

With his cosmopolitan background and wide experience, Benjamin was able to view the war and the problems of the Confederacy with a broad perspective. He was a Southern nationalist and could see beyond his beloved Louisiana; he was capable of thinking in terms of the South as a whole.⁴⁶ The patriotism of Benjamin, while he was serving on the cabinet, was attacked, but it seems unjust to deny that

⁴³Richardson, I, The Message and Papers of Jefferson Davis and the Confederacy, p. XXIX.

⁴⁴Hendricks, p. 363.

⁴⁵Durkin, p. 184.

⁴⁶Sedley L. Ware, "Jefferson Davis, Constitutionalist," Sewanee Review XXXIII (New York, London: Longman Green and Co., 1925), p. 225.

his patriotism was genuine or that he gave his best sincerely and in his way unselfishly to what he felt to be his country. However, he has been criticized for not maintaining relations with Jefferson Davis after the war nor did he utter any regrets after the defeat of the Confederacy. Thus some historians are inclined to believe that nothing with him went deep. Perhaps he thought it better to let sleeping dogs lie; Davis, however, always considered Benjamin a close friend and a loyal Southerner. In his philosophy of life, it was not in him to look back and complain; rather, he looked to the future.

It would be fair to say that Benjamin and Mallory were quite sincere and very hard working for the Confederacy, and few men believed in this cause quite so devotedly as Davis. But with Stephens, one faces a dilemma. Perhaps he was one of those many seemingly loyal Confederates who, Kenneth M. Stampp suggests, not only lacked a deep commitment to the southern cause but even desired unconsciously to lose the war.⁴⁷ This possibility is not to be laughed at, as Stampp has so ably suggested. Secession, for Stephens, was a last resort. He also quickly accepted the abolition of slavery which may have shown the guilt, or more probably the contradiction he sensed in the South's possessing the institution of slavery. Finally, he never urged the people of his own state to resist by guerilla warfare the invading Union troops. On the contrary, he believed that Georgia should get out of the Confederacy if it so benefitted her. In the study of human behavior, one frequently encounters cases of persons

⁴⁷Kenneth M. Stampp, "The Southern Road to Appomattox," The National Temper and Readings in American Culture and Society (New York, Atlanta: Harcourt Brace, Inc., 1972), p. 221.

involved in conflicts which outwardly they seem to be striving to win, when, for reasons of which they are hardly conscious, they are in fact inviting defeat.⁴⁸ Alexander H. Stephens may have very well been one of these persons.

In the six months that followed his election as Vice President, Stephens made no fewer than forty-two speeches in Alabama, Georgia, Virginia, and the Carolinas. In these speeches, he pleaded for unanimity among the people. However, during the critical years of the war, he did not choose to undertake extensive speaking tours which might have wielded great influence in informing Southern opinion and rallying Southern patriotism.⁴⁹ This point is surprising in the light of the importance which Stephens attached to public speaking from an historical point of view. Stephens applauded publication of speeches and acclaimed the printing press for making it possible. He commented that if such means of publication had existed in the past in England, it would have made it possible to record the earlier speeches in Parliament. The first speech ever published, according to Stephens, was a speech by Dr. Samuel Johnson in 1740. Stephens was aware of the history of the speech and its historical importance.⁵⁰ Thus Stephens was aware of the significance of publishing speeches when they were made. His historical mind dreamed of reading speeches that had been made throughout all of history. He also had a great

⁴⁸Coulter, p. 17.

⁴⁹Rabun, pp. 294-95.

⁵⁰James D. Waddell, Biographical Sketch of Linton Stephens (Atlanta: Dodson and Scott, 1877), pp. 100-01, April 15, 1856.

historical awareness of orators throughout history, and of their important role in shaping history. Stephens spoke of orators who not only moved masses but impressed their ideas upon the world, men, such as Massillon, Bossuet, Whitfield, and Wesley, and those who controlled the destinies of nations among whom he listed Demosthenes, Cicero, Pericles, Mirabeau, Chatham, Burke, Patrick Henry, Webster, Clay, Calhoun, and Rufus Choate. For Stephens, these were the men who shaped society and with whom Stephens wanted to be identified.⁵¹

Despite his belief in the value of publicity, however, Stephens made no extensive speaking tours during the war years. Davis, who also favored publication and distribution of public speeches, expressed the wish that the Confederacy could be as efficient as England in the distribution of public speeches.⁵² Both men, perceptive to the influence of public opinion, realized the advantages of a well informed public. This realization was based on their world-minded historical knowledge. Davis, like Stephens, also did not make any extensive tours of the South. He did not believe that the people needed to be informed as he was convinced that they would trust him. The absence of a two-party system and the lack of a presidential election did not necessitate these speech-making trips through the South. In the light of these facts, plus Davis' ill-health, it is easier to understand why Davis did not show himself much in public. Neither Benjamin nor Mallory made such tours through the South; in fact, their presence

⁵¹Cleveland, p. 655, Jan. 21, 1861.

⁵²Rowland, IV, p. 194, Feb. 15, 1860.

in the cabinet may have hindered the formation of a nationalistic attitude by the people, as many individuals, especially opponents of Davis, could not stomach those two men.

Stephens believed that Georgia, if she left the Confederacy and made peace with the Union, would be justified in withdrawing and would commit no breach of faith with her sister-states in doing so.⁵³

However, Davis, Benjamin, and Mallory never accepted such thinking.

It was Davis' conviction that the experience of humanity showed that mankind had generally been far better off when organized in great states than when cut up into numerous feeble divisions.⁵⁴ This

obvious truth for Davis was not often shared by many state governors as they tried to make a separate defense against the enemy.⁵⁵ The

idea of this local-defense system was also discouraging to Benjamin.⁵⁶

All three of these men, Davis, Benjamin, and Mallory recognized that

all these Confederate states must work together or the cause could

not succeed. Davis expressed it in this manner, "The States of the

Confederacy can have but one fortune. Localities and individuals must

suffer differently, but the prize for which we strive--independence--

must be gained by all or we must all share a fate which to every man

fit to be a freeman, would be worse than torture and death."⁵⁷

⁵³Rabun, p. 312.

⁵⁴Eckenrode, p. 116.

⁵⁵O.R.A., Ser. IV, Vol. I, p. 795, Dec. 14, 1861.

⁵⁶Ibid., Ser. I, Vol. VI, p. 763, Nov. 4, 1861.

⁵⁷Ibid., Vol. XXII, pt. 2, p. 932, July 15, 1863.

Even though Davis seldom generalized about how the Confederacy could win the war, the paramount thought in his mind was freedom and independence. After the evacuation of Richmond, Davis told the people of the South, "It is my purpose to maintain your cause with my whole heart and soul . . . I will never consent to abandon to the enemy one foot of the soil of any one of the States of the Confederacy."⁵⁸

In a letter to R. M. Johnson he stated that freedom and independence were worth whatever it might cost, whether it was in the form of blood or treasures. Even if the children were left poor, they would be left with a better heritage than wealth.⁵⁹

Davis was very critical of the malcontents who tried to create a feeling of hostility to the government and the execution of the vigorous laws which were necessary to raise and feed the armies. These malcontents, by magnifying every reserve and prophesying ruin, Davis believed, had sown the seeds of disintegration. He attacked the men of the old Federal school who invoked the laws of states' rights to sustain a policy which, in proportion to the extent of its adoption, tended to destroy the existence of the states of the Confederacy and make them conquered provinces.⁶⁰ Thus Davis was not one of those Southerners who secretly or unknowingly wished failure for the Confederacy. He was always against separate state action, whether it be for fighting the war or suing for peace.⁶¹ In these respects,

⁵⁸Richardson, The Message and Papers of Jefferson Davis and the Confederacy, Vol. I, pp. 568-69, April 4, 1865.

⁵⁹O.R.A., Ser. I, Vol. LIII, p. 880, July 14, 1863.

⁶⁰Strode, Jefferson Davis, Private Letters, p. 140, Jan. 8, 1865.

⁶¹O.R.A., Ser. I, Vol. LIII, p. 880.

Davis differed sharply from Stephens and these differences helped increase the breach between the two highest Confederate leaders. Both Benjamin and Mallory were firm believers in united action by the Confederate government. Even when the Confederacy had been defeated, they urged the President to lead the South in accepting peace, thus doing away with separate state action.⁶²

The minds of Davis, Benjamin, and Mallory did have an international flavor as they all recognized the importance of foreign powers. Nevertheless they did not realize, as clearly as Lincoln did, that favors and disavors of foreign nations could have an important influence on enlarging and prolonging the war.⁶³ This can be seen in the fact that all of these men, with the exception of Stephens, expected foreign recognition early in the war, and were somewhat surprised when they failed to gain recognition. Benjamin, with his past connections and with his wife living in France during this time,⁶⁴ had the best understanding of current affairs and ideas in the European nations. He was the first to realize how important slavery was to these countries. He realized that the abolition of this institution would prove more valuable than any other diplomacy.⁶⁵ As Lincoln looked upon the struggle as a struggle for democracy, he realized and used to advantage the fact that other countries might look on the struggle in the light of a war for slavery. But Davis and the other Southern

⁶²Ibid., Vol. XLVII, pt. 3, pp. 832-34, April 22, 1865.

⁶³Ibid., Ser. IV, Vol. III, p. 826, November 17, 1864.

⁶⁴Charles Curran, "The Three Lives of Judah P. Benjamin," History Today, XVII (London: Bracken House, 1967), p. 589.

⁶⁵O.R.A., Ser. IV, Vol. III, p. 959, December 21, 1864.

leaders never tried to portray the struggle as a struggle for slavery which might have gained the support of other nations still practicing slavery, particularly Brazil. In this sense, the South was caught in a dilemma and the Southern leaders never developed an international consciousness nor could they ever take quite as world-minded a view as Lincoln.

Europe was essential to the success of this new nation, for the Confederacy, being mainly an agricultural nation, needed the manufactured goods, ships, medical supplies, and ammunition which Europe could provide for her. Without the aid of France and Great Britain, the Confederacy would be hard pressed to fight the kind of war its more mechanized northern adversary could be expected to wage. Not everybody in the Confederacy knew the South's acute need for assistance, but its leaders did realize this fact as they strove to help the Confederacy win the war.⁶⁶ However, Davis failed to offer enough inducements to Europe, as his whole-hearted Americanism prevented his wanting independence from the North at the price of dependence on Europe. Davis could not and would not take this great gamble,⁶⁷ but even if he had attempted to do so, it would be doubtful that Great Britain or France would have changed their roles in the war.

Davis expected to get Europe to recognize his government and to receive its ambassadors on grounds of international duty.⁶⁸ He also believed that the commercial rivalry between the United States and

⁶⁶Stern, p. 13.

⁶⁷Eckenrode, p. 184.

⁶⁸James Morton Callahan, The Diplomatic History of the Southern Confederacy (Springfield, Mass.: The Walden Press, 1956), p. 88.

Great Britain would lead the latter to recognize the Confederacy, if not actually to intervene.⁶⁹ In addition, he hoped that sentiment would lead the British people to align themselves with the Confederacy as he was aware that Britain had long felt sympathy for small people battling for freedom. Another factor he believed would be favorable to the Confederacy was the dislike of conservative-aristocratic British people for the bumptious democracy of the North.⁷⁰ However, Davis underestimated the force of European, especially British, antipathy to slavery. No evidence of a desire to placate the British sensitivity on this subject appeared in Davis' state papers.⁷¹ In fact, as late as 1865, he argued that the obstacle to the recognition of the Confederacy was an unwillingness on the part of the European nations to be embroiled in a quarrel with the United States. "If slavery or any other cause had been the impediment, our advances to European governments would have led to the disclosure of their reasons for not acknowledging our independence."⁷²

Davis felt that since France and Great Britain had had treaties with separate states such as Virginia, these countries were obligated to recognize the Confederacy. Recognition was a public duty, despite the fact that these treaties which France and Great Britain had signed with Virginia in the eighteenth century and which had remained

⁶⁹McElroy, p. 300.

⁷⁰Richardson, I, Message and Papers of Jefferson Davis and the Confederacy, p. XXXVI.

⁷¹Ibid., p. XXVI.

⁷²Rowland, VI, p. 519, March 22, 1865.

unquestioned for nearly three generations, were being disregarded by France and Great Britain during the Civil War years.⁷³ The disregard of this just, human, and Christian public duty by the nations of Europe, Davis felt, was most remarkable considering the fact that the governments of both France and England believed, in the earlier part of the war, that the United States was unable to conquer the Confederacy.⁷⁴ It was Davis' conviction that when the history of the war should be fully disclosed, the calm judgment of impartial historians would be unable to absolve the neutral nations of Europe from a share in the moral responsibility for the human lives that had been unnecessarily sacrificed during its progress.⁷⁵

It was Benjamin's belief that the heat of popular passion which controlled public policy in the Northern government would not permit the Northern rulers to entertain for a moment the idea of separation "so long as foreign nations tacitly assert the belief that it is in the power of the United States to subjugate the South."⁷⁶ In this way, Benjamin similarly held the European nations partly responsible for the continuance of the war.

In Davis' mind, it was and had long been the proper functions and duty of neutral powers to judge whether a nation could conquer another nation. If not, the neutral powers were obligated to recognize the resisting nation. This recognition was a human and Christian duty

⁷³Richardson, I, The Message and Papers of Jefferson Davis and the Confederacy, p. 444, May 2, 1864.

⁷⁴Ibid., p. 486.

⁷⁵Ibid., p. 485.

⁷⁶Official Record of the Union and Confederate Navies in the War of the Rebellion (New York: Antiquarian Press, 1961), Ser. II, Vol. III, p. 389, April 12, 1862. (From now on abbreviated as O.R.N.)

of the nations of Europe and it was most remarkable to Davis that these foreign nations disregarded this duty.⁷⁷ At the same time, Davis felt and hoped that the blockade would make the South more self-supporting, independent and more united.⁷⁸ Benjamin also believed the blockade would have the effect of making the South more self-sustaining as it was forced to provide for itself.⁷⁹ So, even under difficult circumstances, these men kept their nationalistic attitudes when dealing with foreign nations.

When the war broke out, Stephens believed that the European countries would rejoice to see professed republicans cutting each others' throats and to see the failure, as they viewed it, of the great experiment of self government on the North American continent.⁸⁰ Hence, Stephens was very doubtful as to whether any European country would intervene in the war. Furthermore, he was convinced that the greatest hope of recognition would lie with France as he believed Napoleon III could most easily be persuaded by a favorable economic treaty.⁸¹

On their parts Mallory wrote to John Milton, the governor of Florida, that he was looking confidently for a speedy recognition of the Confederacy by the great powers of Europe,⁸² while Benjamin

⁷⁷O.R.A., Ser. IV, Vol. III, p. 792, November 7, 1864.

⁷⁸Jefferson Davis, A Short History of the Confederate States of America (New York: Bedford Co., 1890), pp. 115-16.

⁷⁹O.R.A., Ser. IV, Vol. I, p. 759, Feb., 1862.

⁸⁰Cleveland, p. 781, March 16, 1864.

⁸¹Ibid., p. 777.

⁸²O.R.N., Ser. II, Vol. II, p. 184, April 11, 1862.

expressed surprise when recognition did not come to the Confederacy.⁸³ Indeed by the beginning of 1863, Benjamin realized that the European nations would not recognize the Confederate government, although he never gave up hope. He believed fear of war with the United States was their dominant if not sole guide to their policy which was opposed to, what he understood to be, their clearest dictates of policy.⁸⁴ Benjamin continued to believe that recognition of the Confederacy by the great powers of Europe would quickly end the war. Davis emphasized the fact that the Confederacy only wanted recognition, not intervention, as so many European nations seemed to think. The view of these European countries was surprising to Benjamin as he understood that history was full of recognition unaccompanied by any intervention or mediation, and productive, if there was no further manifestation of resentment on the part of the nation seeking the subjugation of the other country than an empty protest or remonstrance.⁸⁵ He felt that if recognition did not come early in the war the South should feel entitled, like Napoleon I, "to refuse an express recognition on the grounds of its implying a doubt of the pre-existence of a self-evident fact."⁸⁶ He stated that Napoleon III, by his hesitating policy unprecedented in his career, was quickly losing the chance of binding the interest of France to the interest of the Confederacy.⁸⁷

⁸³Richardson, II, The Message and Papers of Jefferson Davis and the Confederacy, p. 364, Nov. 19, 1862.

⁸⁴Ibid., pp. 407-08.

⁸⁵Ibid., pp. 672-74.

⁸⁶O.R.N., Ser. II, Vol. III, p. 724, March 24, 1863.

⁸⁷Ibid.

Benjamin realized the importance of propaganda and of educating the people in Europe.⁸⁸ For example, the Secretary of State, although limited by funds, shared French propagandist Paul du Bellet's view on the necessity of creating in France a journal for the purpose of enlightening public opinion about the South and defending the interest of the Confederacy.⁸⁹ He also wanted England informed. In a letter to Henry Hotze, he wrote, "Your position as commercial agent was conferred principally with the view of rendering effective your service in using the press of Great Britain in aid of our cause, and until our recognition, all other subjects must be made subordinate to that end."⁹⁰ Thus, Benjamin was aware of the use and importance of propaganda. In this sense, he was more modern minded and had a more resourceful approach than the other members of his cabinet. Not only did he try legal arguments based on historical facts, and even a form of bribery to the Emperor of France, he also attempted to utilize Europe's fear of the United States to the benefit of the Confederacy. He argued that, in reality, the Confederacy was fighting the battle of France and England. The sentiments of the people of the United States toward these countries, he said, had been known far too long to permit a doubt of the aggressive policy which would be pursued by the Northern government on the first favorable occasion.⁹¹

⁸⁸Butler, p. 315.

⁸⁹Paul Pecquel Du Bellet, The Diplomacy of the Confederate Cabinet of Richmond and its Agents Abroad (Tuscaloosa, Ala.: Confederate Publishing Co., 1963), pp. 38-39.

⁹⁰Richardson, II, The Message and Papers of Jefferson Davis and the Confederacy, p. 411, Jan. 16, 1863.

⁹¹O.R.N., Ser. II, Vol. III, pp. 1156-57, June 23, 1864.

Thus, in regard to the French intervention in Mexico, he accused the French people of being very ignorant if they thought the United States would not uphold the Monroe Doctrine.⁹² Mallory also accused the French people of being very ignorant of the United States' purpose in the Monroe Doctrine. He said the French people would soon learn, after the war, that whatever doubts New England might entertain of the divinity of Christ or the immortality of the soul, she would have no hesitation about the Monroe Doctrine. No man nor party, he said, could reach power in the United States whose platform did not uphold this policy as a fundamental truth.⁹³ Benjamin warned that if the United States was successful in their war against the South, France would become involved in a war with the United States government over Mexico. Benjamin argued, in addition, that there was even more venomous hostility toward Great Britain in the North. The insulting letter of Mr. Webb to the Brazilian Cabinet, the rancor of Mr. Seward's response to Lord Wharncliffe, the debates of Congress on the reciprocity treaty with Canada, the arrogant boastings of the press which represented the Republican party--all pointed, Benjamin insisted, to the existence of a desire on the part of the United States to engage in a war with England, a desire repressed solely by the necessity of concentrating their energies on the war against the South.⁹⁴ Benjamin believed that no future event on earth was more

⁹²Ibid., Vol. II, p. 674, June 20, 1864.

⁹³Ibid., pp. 674-75.

⁹⁴Richardson, II, The Message and Papers of Jefferson Davis and the Confederacy, pp. 694-95, Dec. 27, 1864.

certain than an early and bitter war between the United States and Great Britain.⁹⁵

Throughout the war, Benjamin was convinced that the interests of Great Britain and France really conflicted.⁹⁶ By offering each country, especially France, certain trade benefits as well as cotton,⁹⁷ Benjamin hoped to drive a wedge between the two countries in the hope that one would act independently of the other. Benjamin also planned to create and stimulate large material interests in the Confederacy among the merchants of Great Britain and France. In this attempt he had partial success, but his hope that the merchants would force their government to demand peace for a short time or to actually aid the Confederates proved unfounded as he overestimated the power of the merchants.⁹⁸

Stephens believed that the Confederacy had one element of tremendous power which was a power and resource unknown in European wars and unknown to his ancestors in the Revolution. This resource and power which Stephens alluded to was cotton. Cotton, he maintained, was one of the greatest elements of power, possibly the greatest at the command of the South, and if it were properly and efficiently used it would be the greatest power at the command of the South.⁹⁹ Hence, one can see, that Stephens was a victim of the King Cotton theory.

⁹⁵O.R.N., Ser. II, Vol. III, pp. 902-03, Sept. 19, 1863.

⁹⁶Richardson, II, The Message and Papers of Jefferson Davis and the Confederacy, p. 228, April 12, 1862.

⁹⁷O.R.N., Ser. II, Vol. III, pp. 389-90, April 12, 1862.

⁹⁸Richardson, I, The Message and Papers of Jefferson Davis and the Confederacy, pp. 370-71, Dec. 7, 1863.

⁹⁹Stephens, II, pp. 782-83.

In a Biblical allegory, Stephens made his position even clearer. "Samson's strength was in his locks. Our strength is our locks--not of hair or wool, but in our locks of cotton."¹⁰⁰ Stephens thought that any acts to coerce England to recognize the Confederacy were a radical and fundamental error, as England would never be controlled by such a policy. He accepted the idea that all cotton should be burned or destroyed rather than to let it fall into the enemy's hand. For him, this was the only acceptable reason for its destruction. Stephens knew that Lord Palmerston would be pleased if the South burned all its cotton or failed to grow any for twenty years as the power of cotton was well known to and felt by British statesmen. These states "know it is King in its proper sphere, and hence they want the scepter of this King for their own use."¹⁰¹

This reliance upon the economic magic of cotton was a fundamental factor in Southern diplomacy. This belief or delusion was held to be true by most of the men who were to guide the South in the war.¹⁰² Jefferson Davis, himself, believed cotton was king and would remain king. At the beginning of the war, it was his unwavering conviction that if England could not get cotton she would, in less than six months, be starved into subjection. When the North first started the blockade of the South, Davis believed that England must raise the blockade to preserve her internal peace, if not prevent revolution. After Davis' death Mrs. Davis testified that her husband and his

¹⁰⁰Ibid., p. 783.

¹⁰¹Ibid., pp. 784-85.

¹⁰²Randall and Donald, p. 500.

advisors felt the power of cotton was so great that foreign recognition was looked forward to as an assumed fact. They looked to the stringency of the English cotton market and the suspension of the manufactories to send up a ground swell from the English industries that would compel recognition.¹⁰³ Benjamin believed that when England needed cotton badly enough, "all the coyness about acknowledging a slave power will come right at last."¹⁰⁴ Thus Davis, Benjamin, and Mallory all agreed that foreign recognition would be soon in coming and that it would result in European needs for the great Southern crop.

When the war began, Benjamin urged the government to take some type of positive action in connection with cotton. Vice President Stephens also had a definite plan to use the cotton. Neither of their plans was practical. Both men were right, however, in believing that the Confederacy should ship as much cotton as possible to Europe before the blockade became effective. If this had been done, cotton could have become a valuable asset instead of a liability.¹⁰⁵

The commissioner to England, William L. Yancey, found that Davis did not favor the policy of negotiating commercial treaties, but expected to base his diplomacy on the importance of the cotton crop and the legality of secession.¹⁰⁶ Davis was convinced that the whole commercial world had an interest scarcely less than the Confederacy in the South's exportation of cotton. This common interest of producer

¹⁰³Varina Davis, II, p. 160.

¹⁰⁴William Howard Russell, My Diary North and South, I (London: Rodbury & Evans, 1863), p. 254.

¹⁰⁵Stern, p. 64.

¹⁰⁶Callahan, p. 86.

and consumer could only be interrupted by some exterior force, such as a blockade. Such a force would obstruct the transmission of Southern staples to foreign markets, a cause of conduct which would be as unjust, as it would be detrimental to manufacturing and commercial interests abroad.¹⁰⁷

One can see that the Confederate leaders placed a great deal of trust in the power of cotton. Most Southerners ignored, as powerful forces as they may have been, the effect of Northern wheat and the anti-slavery feeling in England and France. By this misreading and misunderstanding of world opinion, the South's foreign policy was destined to fail. Believing in the soundness of the cotton theory, the Confederacy tried to coerce European powers into recognition. The Embargo Act, however, quickly proved a failure. Benjamin was probably in favor of the embargo,¹⁰⁸ while Davis seemed to realize that it would not be good diplomacy to even allow the enactment of a law placing an embargo upon cotton.¹⁰⁹ After this failure, the Confederacy tried such desperate means as burning the cotton crop.¹¹⁰ However, it is impossible to tell how much the idea of burning cotton to force recognition influenced Davis or Benjamin. Both men were equally, if not more, concerned with keeping the cotton crop or any other crop from falling into the hands of the North.¹¹¹

¹⁰⁷Owsley, King Cotton Diplomacy, p. 35.

¹⁰⁸Ibid., p. 43.

¹⁰⁹Ibid., p. 30.

¹¹⁰Ibid., p. 43.

¹¹¹Butler, p. 287.

The great error of those who supposed that King Cotton would compel the English ministry to recognize the Confederate Government and raise the blockade, and those who would look for the same result from the total abandonment of its culture (cotton), Stephens said, consisted in mistaking the nature of this potentate. Its power was commercial and financial not political. To stimulate the production of cotton in the English dominions was one of the leading objects of English statesmen. This they could not do to any extent while their inexperienced producers had to compete with the South. While improvements in agriculture were slower in their progress than in any other department of life, cotton might someday be grown as cheaply in England's East India possessions as it was in the South. However, Stephens believed that "there is nothing within the bounds of human knowledge on which reliance can be placed with such certainty as to result, as upon the law of nature."¹¹² Thus he saw the South having one distinct advantage over the other countries producing cotton, not in climate nor soil, but in the South's system of labor.¹¹³ Even though cotton was very important to Stephens, he urged the farmers and planters to plant larger grain crops in order to feed the troops and maintain the cause. So duty and patriotism, as well as necessity due to the blockade, required the South to curtail its cotton production.¹¹⁴

Stephens believed that cotton could be used in breaking up the blockade. It was his early belief that the North would inflict more

¹¹²Stephens, II, p. 785.

¹¹³Ibid.

¹¹⁴Ibid.

serious injury on the Confederacy by the blockade than by all other means combined. Unlike Davis, he never believed that such was the demand for cotton in England, that she would disregard the blockade. Both leaders saw the blockade as being illegal as it never came within the bounds of the Paris agreement, but Stephens insisted that the Confederacy, itself, would have to lift the blockade. This, he said could be done through the agency of cotton, not as political power, but as a commercial and financial power.¹¹⁵

By 1863, Benjamin broke sharply away from the King Cotton doctrine. He asserted that it was a matter of primary importance to bring in army supplies at the Confederate ports and proposed a definite export of cotton to be received by the merchant vessels of France at certain designated points.¹¹⁶ Benjamin first had the idea of using cotton as a pledge for security for debts of the Confederacy.¹¹⁷ However, it was Secretary of Navy, Mallory, who first passed beyond the stage of vague inquiry and took definite steps to pledge cotton in exchange for equipment when he sent G. N. Sanders to Europe with orders to use cotton bonds for money.¹¹⁸ Since the Treasury Department was unable to supply the money appropriated by Congress for the navy, to be used abroad, the use of cotton certificates, where cotton would be delivered within a stated time after the war, was the only way Mallory could buy foreign supplies.¹¹⁹

¹¹⁵Ibid., p. 786.

¹¹⁶David M. Potter, "Jefferson Davis and the Political Factors in Confederate Defeat," Why the North Won the Civil War (New York: Collier Books, 1960), p. 96.

¹¹⁷O.R.A., Ser. IV, Vol. I, pp. 845-46, Jan. 17, 1862.

¹¹⁸O.R.N., Ser. II, Vol. II, pp. 529-31, Nov. 30, 1863.

¹¹⁹Durkin, p. 289.

As one can see, there were many different proposals for the use of cotton, but practically all were doomed at the onset. In this sense, the Confederacy was a victim of its own delusion--King Cotton. Since the 1820's many Southerners had begun to believe that the world needed their cotton. By 1850, Davis himself felt that the North could not do without the cotton of the South. It seems that the Confederacy could never break away from this trust in cotton, but even if they had gotten away from this belief there was little else they could have done as cotton was their most important commercial crop.

After the Trent incident in November of 1861, where two Confederate commissioners, James Mason and John Slidell, were seized from the British ship, Davis hoped to use this incident to gain recognition for the Confederacy. In his opinion, the United States had violated the rights of embassy by seizing the commissioners while under the protection and within the dominions of a neutral nation. This right, he argued was held sacred even among most barbarians. He attempted to show that the commissioners on the British ship were just like any private citizen on British soil. If the conduct of the United States were legal, then the United States' claims would be good in the streets of London. In actuality, however, the only way the United States could arrest even their own criminals would be under the express provisions of a treaty.¹²⁰ In his argument, Davis tried to show the danger and insult this seizure represented for England. Another reason why Davis expected foreign recognition was the advantage in trade the South would prove to be to these countries. The Confederacy

¹²⁰O.R.A., Ser. IV, Vol. I, p. 736, Nov. 18, 1861.

would offer to manufacturing nations the most favorable markets which ever invited their commerce.¹²¹

Davis, in spite of all the Confederate setbacks, was convinced that if the European powers had promptly admitted the Confederacy's right to be treated like all other independent nations, the moral effect alone would have dispelled the delusion under which the United States had persisted in its efforts to subjugate the Southern people. Like other Southern leaders, including Benjamin, Mallory, and Stephens, Davis believed that the neutrality of England and France was an actual decision against the rights of the Confederacy.¹²²

Benjamin and Davis, in questioning the legality of the United States' blockade, argued from a strong historical slant. They considered the paper blockade so manifestly a violation of the law of nations that it seemed incredible that it could have been issued by the President of the United States. When the European nations accepted the blockade as being a real blockade to combat the insurrections of the rebels, they were again astonished.¹²³ Davis stated that compared with the monstrous pretensions of the United States, the blockades established by the Berlin and Milan Decrees and the British Orders in Councils, 1806-07, seemed mild in their pretense of legality.¹²⁴ Benjamin and Davis saw the blockade as being opposed

¹²¹Ibid.

¹²²Richardson, I, The Message and Papers of Jefferson Davis and the Confederacy, p. 280, Jan. 12, 1863.

¹²³Ibid.

¹²⁴Davis, A Short History of the Confederate States of America, pp. 318-19.

to the declaration of the maritime rights of neutrals made at Paris in 1856.¹²⁵ Davis realized that the customary law of nations was made up of their practice rather than their declarations. If such declarations, as that of Paris in 1856, were only to be enforced in particular instances at the pleasure of those who made them, then the commerce of the world, instead of being placed under the regulation of a general law, would become subject to the caprice of those who execute or suspend it at will. If such was to be the course of nations in regard to this law, Davis warned, it would become a rule for the weak and not for the strong.¹²⁶ Benjamin, as well as Davis, spent much time in gathering information to show the European governments that the blockade was ineffective. Lord Russell, however, stated that the mere escape of vessels through the blockade did not invalidate the legality of the blockade provided a number of ships were stationed at the entrance of the port to prevent access to it, or to create an evident danger in entering or leaving it. Benjamin pointed out that this outmoded meaning was defined in an old treaty between England and Russia in 1801, not the Paris decree in 1856.¹²⁷ Throughout his legal arguments, Benjamin relied heavily on historical facts. When historical precedence did not support his argument, he insisted "that Great Britain's history, like that of mankind in general, offers exceptional instance of indefensible conduct in 'former times,' and we may well

¹²⁵O.R.A., Ser. IV, Vol. I, p. 264, April 29, 1861.

¹²⁶Ibid., Vol. II, p. 1027, Dec. 7, 1863.

¹²⁷Owsley, King Cotton Diplomacy, p. 428.

deny the morality of violating recent engagements through deference to the evil precedents of the past."¹²⁸ For both Benjamin and Davis, the Christian nations of Europe did not act as justly as might have been expected on the basis of their history in performing the duties imposed by international law, nor in fulfilling the claims of humanity.¹²⁹ Mallory was primarily concerned with the idea of mutual interest.¹³⁰ Davis and Benjamin also believed that the blockade would seriously injure the trade and manufactures of the United Kingdom.¹³¹

To combat the injustice of the northern blockade, Davis saw two possible remedies. One possibility would be to retaliate by the declaration of a paper blockade of the coast of the United States and to capture all neutral vessels trading with their ports. In so doing, the Confederacy, Davis reasoned, would but follow the precedents set by Great Britain and France in the Berlin and Milan decrees and the British Orders in Council at the beginning of the nineteenth century. But this policy Davis was not in favor of so he would not recommend it. A second measure would be to ignore the declaration of Paris compact as the North refused to fulfill the compact. But, Davis reminded, war was but temporary while peace should be permanent. The future policy of the Confederacy, Davis believed, was to uphold neutral rights to their full extent. The principles of the declarations of

¹²⁸O.R.A., Ser. IV, Vol. II, p. 1030, December 7, 1863.

¹²⁹Richardson, I, The Message and Papers of Jefferson Davis and the Confederacy, p. 485, Nov. 7, 1867.

¹³⁰O.R.N., Ser. II, Vol. II, pp. 710-12, Aug. 25, 1864.

¹³¹Richardson, I, The Message and Papers of Jefferson Davis and the Confederacy, p. 352, Dec. 7, 1863.

Paris were more just, more humane, and more consistent with modern civilization, Davis declared, than those belligerent pretensions which great naval powers had previously sought to introduce into the maritime code: "To forego our undeniable right to the exercise of those pretensions," Davis believed, "is a policy higher, worthier of us and our cause, than to revoke our adherence to principles that we approve."¹³² So, for Davis, his redress for the Confederacy would rest on a returning sense of justice to awake the people. Thus it would seem that Davis as well as Stephens, pictured themselves as being more concerned with a sense of right than were their northern contemporaries. Davis seemed to hope that history would do justice to the Confederacy as well as to himself. This same desire of justification is evidenced by Davis' statement that even if civil war could not be avoided, he hoped and expected that "posterity will acquit us having needlessly engaged in it."¹³³ Davis not only had a more historical view of the world than Lincoln but also thought of his actions in an historical perspective. He was concerned about what future historians would think of him and the Confederacy.

When one considers the appointees of Davis to foreign positions, it would seem that interests other than his understanding of history and of those nations, or a lack of understanding, influenced his decision in appointing his diplomats and commissioners. Many of the so-called radicals before the war were appointed to represent the Confederacy in other nations. Since this author does believe that Davis

¹³²Ibid., pp. 358-59.

¹³³Ibid., p. 33, Feb. 18, 1861

did possess a considerable amount of knowledge about these European nations, it would thus seem that Davis' desire to get these radicals out of the country where they could not hinder the war effort, and his overwhelming concern with the army, where he usually appointed more moderate men and showed great skill in his appointees, predisposed him to give only superficial thought to his choice of foreign commissioners. The other cabinet members, as well as the Vice President, did not exert much influence over the President in choosing his appointees, especially during the early part of the war. For example, William L. Yancey, Pierre A. Rost, and A. Dudley Mann were extreme pro-slavery men and eager secessionists. In his appointment to France, Davis disregarded the fact that Henry Hotze was born in Germany, a fact that offended many Frenchmen, including Paul P. du Bellet. The youth of the military agent, Major Huse, made a bad impression on the French. His job was one that young active officers in France scorned as being one more befitting an incapacitated soldier or a person too old for active duty.¹³⁴ Thus, it would seem that while Davis was generally wise in making his military appointments, he devoted less consideration to and less sagacity in his political appointees, and was influenced more by politics as well as by personal desire in choosing his foreign commissioners. In selecting John T. Pickett as commissioner to Mexico, Davis selected a quick tempered, sharp tongued individual. Although Pickett was familiar with Mexico where he had been a consul at Vera Cruz for a number of years, he was more of a so-called radical Southerner than Davis. Furthermore, he was no diplomat.¹³⁵ Here, as on previous

¹³⁴Du Bellet, p. 64.

¹³⁵Owsley, King Cotton Diplomacy, p. 89.

occasions, it seems that Davis did not recognize what was needed in order to be a successful diplomat.

With the occupation of Mexico by France, unlike many leaders in the North, Davis showed little concern. Although Davis preferred his own government and institutions, he felt that he had little right to contest the Mexicans' right of self-government. If the Mexican people preferred a monarch to a republic, it was the duty of the Confederacy to wish them a sincere and friendly interest in their prosperity.¹³⁶

On January 12, 1865, the old Jacksonian Democrat, Frances P. Blair, proposed to Davis that, if Davis and Lincoln could obtain the benefit of an amnesty, Davis should transfer a portion of the Confederate armies to Texas and then to Mexico to help Juarez throw out the French leader Maximilian. Davis approved the plan although he was very skeptical of it.¹³⁷ Stephens however was enthused about the plan as he believed it would be a natural and proper enterprise. Too, he was convinced that Europe would never intervene. This plan gave the Confederacy a way to end the war.¹³⁸ At a conference during the same month, he pointed out to President Lincoln that history was full of examples of nations at war laying aside a quarrel and co-operating in matters of mutual interest.¹³⁹ To this argument, Lincoln responded

¹³⁶Richardson, I, The Message and Papers of Jefferson Davis and the Confederacy, pp. 359-60, Dec. 7, 1863.

¹³⁷McElroy, pp. 429-30.

¹³⁸Callahan, p. 257.

¹³⁹Edward Younger, ed., The Diary of Robert Garlick Hill Kean, Inside the Confederate Government (New York: Oxford University Press, 1957), p. 195, Feb. 5, 1865.

that he knew nothing about history, but if Stephens wanted to talk about historical subjects he could do so with the Northern Secretary of State, Seward.¹⁴⁰

Earlier, by 1863, Benjamin had seen little hope of action by Great Britain and began to suspect Napoleon's designs for Texas. He felt that the French would try to use Texas as a buffer state between Mexico and the Confederacy and make it a colony, dependent on Mexico. He was also suspicious that the Emperor, in accordance with the tradition of the French policy, had secret designs on some of the other Southern states.¹⁴¹ He then asked John Slidell to open communications with Spain by suggesting the advantage of alliance and by offering to join in a disclaimer as to designs on Cuba. Benjamin wrote that the Confederacy thought it particularly desirable that Cuba remain a colonial possession of Spain.¹⁴² He also diplomatically praised the extraordinary development of Spanish power and resources.¹⁴³ However, one cannot fully trust diplomatic correspondence, as Benjamin had, and in all likelihood continued to have, a desire to expand slavery and the Confederacy. In any event, his work failed to gain recognition for the Confederacy. By 1864, Davis was saying, "Put not your faith in Princes and rest not your hopes on foreign nations. This war is ours; we must fight it ourselves."¹⁴⁴ The year before, in 1863, Davis

¹⁴⁰ Ibid.

¹⁴¹ Callahan, pp. 205-06.

¹⁴² Richardson, II, The Message and Papers of Jefferson Davis and the Confederacy, p. 484, May 15, 1863.

¹⁴³ Ibid., p. 482.

¹⁴⁴ Strode, II, Jefferson Davis: American Patriot, p. 349.

had yielded to the Senate and recalled the foreign commissioners until the foreign nations would recognize the independence of the Confederacy.¹⁴⁵ Benjamin, however, was reluctant to risk the loss of any advantage that might occur through a possible change of attitude on the part of the British government, so he left the decision up to the commissioner as to whether he should obey immediately or disregard the order to withdraw.¹⁴⁶ Benjamin saw the current conditions of Europe as being disturbed with grave events impending and a possibility of new and unexpected relations arising between the European powers. He saw many disturbing causes threatening the tranquility of Europe with a general war. He seemed especially concerned with France and Austria and he warned his commissioners to be on the lookout for any advantage they might find in these countries.¹⁴⁷

There is some evidence that Davis, in the final stages of the war, entertained the idea of seeking support or assistance from other slave-holding countries. Davis desired to see a growth in power and influence of any slave country. He wanted to see all such nations with this common interest bound together, and armed with the means to protect their common interest. Of all the nations on earth, Davis believed, there could be no country as deeply interested in the outcome of the war as Spain. He did not expect Spain to intervene in the

¹⁴⁵ Richardson, II, The Message and Papers of Jefferson Davis and the Confederacy, p. 83, Sept. 23, 1863.

¹⁴⁶ Butler, pp. 322-23.

¹⁴⁷ Richardson, II, p. 620, Jan. 25, 1864.

war but he did expect Spain to recognize the Confederacy and the cause for which she was fighting.¹⁴⁸ In September 1865, Benjamin wrote to Mrs. Davis that he had been charged by the President to perform certain public duties in Nassau and Havana, and then to rejoin Davis in Texas.¹⁴⁹ Although one can only speculate on what Benjamin's duties were to be, perhaps these men had decided to conduct the war in a more international vein by trying to persuade certain countries which still retained slavery as an institution, to help the Confederacy.

By their historical knowledge, the Confederate leaders realized the importance that the European powers would have on the outcome of the war. Unfortunately they assumed that Europe would come to their aid. Although from an historical perspective, they should have expected Europe to come to their aid, they failed to understand the European's mind at that time, and his disgust for slavery.

¹⁴⁸O.R.N., Ser. II, Vol. II, pp. 250-51, Aug. 24, 1861.

¹⁴⁹Strode, Jefferson Davis, Private Letters, p. 172, Sept. 1, 1865.

CHAPTER IV

SLAVERY, WAR, AND HISTORY

When Abraham Lincoln issued his Emancipation Proclamation on January 1, 1863, Jefferson Davis and his Confederate cohorts responded with harsh condemnation. All four Confederate leaders believed that this act represented a usurpation of powers by Lincoln. For Davis, this proclamation was a direct and unconstitutional interference with slavery. Davis saw a broad moral distinction between the use of slaves as soldiers in defense of their homes and the incitement of Negroes to insurrection against their masters. The first example would be justifiable, if necessary, while the other was iniquitous and unworthy of a civilized people. He averred that this judgment was insisted on by all enemies in all the wars prior to the war waged against the South. He declared that the North had been loudest in its denunciation of such practices in the two wars with Great Britain; while the climax of atrocity was deemed to be reached only when the English monarch was denounced as having "excited domestic insurrection amongst us."¹ To Davis the incitement of slaves to insurrection against their masters was as great an atrocity as the incitement of domestic insurrection by the English monarch. In the early years of the war, he could not

¹Rowland, VI, p. 396, Nov. 7, 1864.

accept the necessity of using slaves as soldiers even when experience had shown this necessity to be an important factor in waging war. Yet by the end of 1864, Davis himself was considering such action.

Both Davis and Judah Benjamin understood that Lincoln's emancipation act would have a great impact abroad; yet at that time neither man was willing to take some responsive action which would make the South seem better in the eyes of the European leaders. Some European countries had expected the Confederacy to enter into treaties which stipulated against the slave trade. However, in a secret message to L. Q. C. Lamar, Confederate minister to Russia in 1863, Benjamin, Secretary of State, issued orders that the commissioners were not to enter into any treaty which stipulated against slave trade.² While this action might have cushioned the announcement of Lincoln's proclamation, Benjamin felt that the Confederacy could not enter any such agreement as that decision must be left up to the individual states themselves.³ However, Lincoln's declaration of freedom made the Confederates realize that they must take some positive action toward the emancipation of slaves. Still their prior experiences with Negroes and their belief that Negroes were inferior, based upon their historical interpretation, made any similar action difficult to seriously consider and even more difficult to put into effect.

The early experiences of these men and their close connection with slavery left a deep impression on their minds. All of these men

²Judah P. Benjamin, The African Slave Trade (Philadelphia: C. Sherman, 1863), p. 6.

³Ibid., p. 9, Jan. 15, 1863.

owned slaves and thus they could appreciate the disastrous losses which would have been brought through emancipation without compensation to the owner.⁴ The years that Jefferson Davis spent at his plantation implanted in his mind two convictions which would never leave him: first, that emancipation would not solve the Negro problem, and second, that the only hope for improvement of the Negro lay in the slow process of making him fit for economic competition with his white superior. In other words, he viewed sudden emancipation as being a destructive force, not only to the Caucasian race, but the Negro race as well, as they were unfitted to compete in white society.⁵ Even though these men pictured Negroes as only suited for being slaves, their minds could not be regarded as full of hatred for Negroes. Davis and Benjamin were both kind masters to their slaves, and most Negroes who came into contact with Davis respected and admired him. Alexander Stephens, and Mallory too, were kind and humane men in their treatment of their Negro slaves.

Before the war, Davis, Stephens, and Benjamin had definite ideas on Negroes and slavery. However, on the issue of slavery, Stephen Mallory's position was more vague. His position on slavery was unpopular with many Southerners. He took no firm stand and, except for unfriendly remarks on John Brown, Harriet Beecher Stowe, and Hinton Rowan Helper, it is difficult to find any other comments of Mallory dealing with Negroes.⁶ During the war, he was more interested

⁴Meade, p. 63.

⁵McElroy, p. 41.

⁶Durkin, p. 366.

in providing Negro labor for naval services than in participating in arguments in regard to slavery.⁷ He felt Negroes would make good workers as they were used to following orders and working with their hands at hard labor. After the war was over, Mallory did take an optimistic outlook on the future of the Negro. He pointed out that free Negroes had themselves been slaveholders and real property holders in Florida ever since the acquisition of the territory from Spain, and these freedmen had always been regarded as good law-abiding people. Mallory believed, at least after the war, that God had decreed "not only that the Negro should dwell amongst us, but also that he should be free."⁸

Both before and during the war, Benjamin approached the subject of slavery with much reluctance. Perhaps this reluctance was due to the great difficulties in slavery being steeped in history, especially legal history. As early as 1844, he saw the problem of slavery as being a problem that would obliterate all party distinctions, with the South forming a single party.⁹ He insisted that slavery existed under the common law of the English people and traced prevailing conditions back to English soil.¹⁰ He stated that from the time the Negro was first known in Europe and America, up to the time that Lord Mansfield made his decision in the Sommersett case, Negroes had never existed except as slaves. Although there was no law declaring them to be slaves,

⁷O.R.A., Ser. IV, Vol. III, p. 143, Oct. 25, 1862.

⁸Durkin, p. 358.

⁹Meade, p. 55.

¹⁰C.G., 34th Congress, 1st Session, 1st pt., 1856, p. 1095.

they were so treated by the common consent of mankind, not merely by the tacit consent of the people of England. Benjamin showed that Negroes existed in England and were bought and sold in the market. For example in 1702, a Negro slave called Pompey complained because his collar was not as pretty as the collar of the mistress' dog.¹¹ Years earlier in the Senate, Benjamin had declared that slavery was not outlawed under the law of nations, but rather was protected by the law of nations. Chief Justice Marshall had held this view, Benjamin argued, as well as the High Court of Admiralty of Great Britain and the Court of Kings Bench of Great Britain.¹²

Benjamin's first legal case of national significance which occurred in 1842 was a suit resulting from the mutiny of slaves being transported on the Brig Creole.¹³ The cases that grew out of this kept him busy for many years. In one appeal he attacked the traditional Southern contention that the slaves were resigned to their lot. He argued that the Negroes were human beings and were thus anxious to be free. A slave was a human being, he said, with feelings, passions, and intellect. This passion and feeling might be somewhat different from that of the white man, and he might be more violent and dangerous, due to the circumstance that his mind was comparatively weak and unenlightened. Considering the character of the Negro and the condition he was kept in, Benjamin feared the Negro would be prone to revolt and

¹¹Ibid., 36th Congress, 1st Session, 1st pt., 1860, p. 1095.

¹²Ibid., 34th Congress, 1st Session, 1st pt., 1856, p. 1094.

¹³Meade, p. 40.

ever ready to gain his liberty where a probable chance presented itself. In view of this fact, Benjamin insisted that police measures had to be used to keep the Negro in slavery.¹⁴ How serious this argument can be taken is debatable. Was Benjamin just arguing for his clients or was he speaking with his own genuine feeling? In any event, he was opposed to any plans for immediate emancipation of the Negro.¹⁵

In the early years of his life Alexander H. Stephens professed that he was no believer of slavery in the abstract.¹⁶ However, as the attacks of the abolitionists increased, his ideas on slavery hardened. In 1845 he confessed to have no wish to see slavery extended to other countries.¹⁷ At the same time, he had no desire to deprive the people of any state or territory of the right of adopting such institutions. Such an action would be entirely anti-American and entirely at war with the spirit of the age.¹⁸ He considered any attempt by Congress to restrict the legislative authority of a territory as more odious than the attempt by the British Parliament to tax the colonies which led to the American Revolution.¹⁹ Stephens' defense of slavery was also along economic lines. He brought out statistics to prove that slavery had

¹⁴Ibid., p. 62.

¹⁵Ibid., p. 63.

¹⁶C.G., 28th Congress, 2nd Session, 1st pt., 1845, p. 189.

¹⁷Ibid.

¹⁸C.G., 33rd Congress, 2nd Session, 1855, p. 57.

¹⁹Ibid., 32nd Congress, 2nd Session, 1853, p. 193.

made Georgia more prosperous,²⁰ yet he also realized that the western territories could not support slavery.²¹ Gradually Stephens became convinced that slavery was humane and right, and that the Negroes from the jungles were better off around southern homes than they could ever be in their native land. He looked upon slavery as being conducive to progress in the South. Thus from a mild advocate of slavery, Stephens had evolved by 1858 into a vehement defender of slavery.²²

In Stephens' opinion, the Negro was inferior to the white man on the basis of original nature had made him so. Observation of history, from the most remote times, established this fact and any attempts to make the inferior Negroes equal to the superior Whites was but an effort to reverse the decrees of the Creator. Using a stereotyped allegory from nature, Stephens stated that "the Ethiopian can no more change his nature or his skin than the leopard his spots."²³ Thus, in the South, Stephens did see a degraded caste, but he believed it was a race fitted by nature for its subordinate position. Turning to history, Stephens wanted to see only that the Negro was placed in a subordinate position since he believed history taught it unwise to subordinate members of the same race. Such subordination and its resulting misfortunes occurred when the helots in Greece were placed in an inferior position. It was Stephens' wish that such a state of affairs would never exist in the United States.²⁴

²⁰Ibid., 33rd Congress, 2nd Session, 1855, p. 58.

²¹Ibid., 34th Congress, 3rd Session, 1856, p. 134.

²²Richardson, Little Aleck: A Life of Alexander H. Stephens, p. 183.

²³C.G., 34th Congress, 1st Session, 1856, Appendix p. 728.

²⁴Cleveland, p. 465, May 5, 1855.

By 1859, Stephens was convinced that slavery rested upon principles that could never be successfully assailed. He looked on any attempt to overthrow it as the absurdest of all crusades. He saw the world as growing wiser, especially in relation to the proper status of Negroes--with natural subordination being their status. Stephens had a basic conception of the human society as a hierarchy. In this hierarchy, order was the first law of nature and with it came graduation and subordination. He looked at nature and Heaven as providing other examples of hierarchies. In heaven, the hierarchy consisted of the greater and lesser lights as the stars differed from each other. On the earth, in the vegetable kingdom ranging from the stateliest trees of the forest to the rudest mosses and ferns, one could see this hierarchy. The animal kingdom of earth also exhibited evidence of hierarchy. One could see similar distinctions and graduation in the races of men. For Stephens these graduations were mysteries in the creation which were not for him to explain. In this hierarchy, Negroes were inferior, their logical place in the social organism was that of slaves. In the Southern social organism, Stephens saw their place as being clearly fixed and this position provided for their comfort and satisfaction. Nevertheless, Stephens argued that without an increase of African slaves from abroad, the North need not fear any more slave states. Thus, if the North would just let things follow their natural course, all would be well.²⁵ In a comparative spirit, Stephens insisted that the Negro's condition in the South was better than any place else in the world.²⁶ To further justify his belief in slavery, he employed

²⁵Von Abele, pp. 175-76.

²⁶C.G., 33rd Congress, 2nd Session, 1855, p. 57.

another Biblical argument, declaring that such great and good men like Job, Issac, Jacob, and all other patriarchs, owned slaves; and Jesus Christ lived in a world that was full of slaves and never condemned it.²⁷ Thus Stephens carried the Biblical argument a step farther than Davis.

By 1848, Jefferson Davis was one of the leading defenders of slavery. In 1859 he addressed the Southern people and insisted that "if slavery be a sin, it is not yours. It does not rest on your action for its origin, on your consent for its existence. It is a common law right to property in the service of man, its origin was Divine decree."²⁸ Davis believed in the Biblical origin. This curse as decreed by Father Noah condemned all the dusky sons of Ham to everlasting servitude.²⁹ Again bringing to focus the cosmopolitan quality of his historical mind, Davis attempted to justify and explain slavery other than using the Bible when he looked at history. He found that under laws older than the records of history, men were taken captive in war and held as slaves. The slaves that were brought from Africa were saved from a more degrading form of slavery. The Negroes also benefited from the blessings of civilization and Christianity. Davis' prejudices were aimed not only at Negroes. His view of the American Indian was similar to his view of the Negroes. He considered the Indians to be as deceptive, as blood-thirsty, as treacherous, as cowardly a race of men as were to be found on the globe.³⁰ He believed it was absurd for the

²⁷Cleveland, pp. 558-59, June 28, 1856.

²⁸Rowland, IV, pp. 71-72, July 6, 1859.

²⁹C.G., 36th Congress, 1st Session, 2nd pt., 1860, p. 1682.

³⁰Ibid., 35th Congress, 1st Session, 1st pt., 1858, p. 55.

United States government to make treaties with Indians as they possessed no intelligence to understand any such agreement. Furthermore, governments which had made no treaties with Indians had maintained more peaceful relations with the Indians than the United States.³¹

The inequality of the races, Davis declared, was confirmed by history through all its successive stages beginning at the most remote period of time. Thus for Davis his defense of slavery took on religious overtones as well as historical arguments. He attacked the people who insisted that the two races were equal. He could not understand that people of any state could make such an accusation. From what race of these states have the men descended who make this argument?

Not from the old Puritan blood which asserted its supremacy both against the Negro and the Indian . . . not the Cavaliers, not the Quakers nor the younger sons of noble families, who peopled different colonies; for in all of them they asserted their supremacy as a race and only permitted emancipation within their³² limits when the Negro slave had ceased to be profitable.

For Davis, the equality argument, or pseudo-philanthropy, was an unnatural outgrowth of the American mind which sprang from a more recent foreign germ. This foreign germ developed from Great Britain, after the colonies had broken away, as Great Britain was one of the first nations to emancipate her slaves.³³ He blamed both New England and Great Britain for having contributed to the domestic disorder deriving from the Southern institution. He felt that New England should

³¹Rowland, III, pp. 151-52, January 26, 1858.

³²C.G., 36th Congress, 1st Session, 2nd pt., 1860, p. 1682.

³³Ibid.

support the South as the South had supported New England during the American Revolution.³⁴ He considered Great Britain the instigator of the slave problem in the South, as during the colonial period, Great Britain not only protected the slave trade, but also denied to the colonies the right to prohibit the importation of Negro slaves into the respective territory. These descendants were the same ones held in bondage and thus Britain had no right to complain about slavery.³⁵

In the Declaration of Independence, Davis argued, there was no reference to slaves. Looking at history he saw that one of the items of arraignment made against George III was the accusation that he was endeavoring to do just what the North was endeavoring to do--to stir up insurrection among the slaves. He concluded.

Had the Declaration announced that the Negroes were free and equal how was the Prince to be arraigned for stirring up insurrection among them? And how was this to be enumerated among the high crimes which caused the colonies to sever their connection with the mother country?³⁶

In a speech in 1859, Davis traced what he thought had been the history of the institution of slavery through Spain to America, through the native tribes and through Dutch and English traders.

When the Spaniards discovered this continent and reduced the sons of Shem to bondage, unsuited to the condition they pined and rapidly wasted away in unproductive labor. The good Bishop Las Casos with philosophical humanity inaugurated the importation of the race of Ham; they came to relieve from an unnatural state the dwellers in tents and to fulfill their own destiny, that of being the servants of servants. In their normal conditions they thrived and by their labor the land was subdued and made fruitful . . . Reckless indeed must that man be who in the face of the results which have followed

³⁴Ibid., 30th Congress, 1st Session, p. 927, 1848.

³⁵Rowland, IV, pp. 71-72.

³⁶C.G., 36th Congress, 2nd Session, 1st pt., 1860, p. 487.

emancipation in the West Indies and Hispano America would seek under similar circumstances to repeat the experiment . . . The history of man traced back to the period which has left none other than pictorial records, exhibit the Negro in all times as the subservient race, nowhere has he shown capacity to found civil government . . . In the Northern states where a false sentiment has prevailed and the great efforts have been made by enthusiasts to raise the Negro to social equality, he is still subjected to such odious discriminations, as persons fit to be free would not for a day voluntarily endure. For far less cause, the Puritans embarked for the inhospitable shores of New England, and the Huguenots penetrated the swamps of Carolina with no sustaining hand to aid and to guide them. The world bears witness to the triumphs which both have achieved.³⁷

Other evidence that indicated to Davis that Negroes were unfit to live as equals to white men was that all experiments to colonize Negroes had failed. Surprisingly, Davis pictured these experiments as being made under the most favorable circumstances. In this event, Davis' historical knowledge was not at all correct, as these Negroes faced tremendous problems. But, the failure of colonization proved, for Davis, that the best situation for Negroes was to keep them in their normal condition.³⁸ He wanted to allow the problem of slavery to bring about its own solution; in other words, to leave natural causes to their full effect and when the time arrived when emancipation would be proper, then those most interested would be the most anxious to free the Negroes. He wanted the country to the South and to the North to be left open in order that Negroes could move to this open country and live in independent communities. It was his belief that Negroes must first be separated from white men and be relieved from

³⁷Rowland, IV, pp. 71-72.

³⁸Ibid.

the condition of degradation which would always be attached to them as long as they were in contact with a superior race. Furthermore, he insisted that Negroes must be elevated by association and instruction, or, instead of a blessing, liberty would be their greatest curse.³⁹

Although Davis was a defender of slavery as a necessary stage in the progress of the Negro race toward ultimate freedom, he never looked upon slavery as the final solution to the problem of the race.⁴⁰ For him, the practical and useful emancipation of the slaves could not and would not be the labor of one generation, as slaves first had to be made unfit for slavery.⁴¹ The best way to abolish slavery, he argued, was to extend slavery and thus diffuse it.⁴² In Davis' mind, slavery was not only a solution to the labor problem in the South, it was also a partial solution to the problem of how to make two distinct races live together without friction, without creating what has generally been called the race problem.⁴³ Many Southerners as well as Northerners refused to recognize the problem of two races living together. But some Southern and later Confederate leaders, recognized this problem and admitted that it was an important point to consider. For Benjamin,

³⁹C.G., 30th Congress, 1st Session, 1st pt., 1848, p. 927.

⁴⁰Ibid.

⁴¹Ibid.

⁴²Hendrick, p. 43.

⁴³C.G., 34th Congress, 1st Session, 1st pt., 1865, p. 1094.

one of the chief obstacles to emancipation was where to find a home for the freedman.⁴⁴ Thus slavery was seen by some Southern leaders as being a partial solution to the race problem.

Davis' view on the economic justification of slavery was very interesting. He held to the notion that only Negroes could be efficient laborers in producing the staple crops of the lower South. Other immigrants such as the Germans or the Irish might produce southern crops but in the long run, only the Negroes could endure the climate.⁴⁵ Stephens also held to this view.⁴⁶ Stephens even felt that the slave system in the South gave to it an advantage over all other cotton producing nations.⁴⁷ In Davis' judgment, history taught that whenever a country's population had reached a certain density and it could trade easily, it often decided not to provide for slavery or serfdom, and they thus disappeared. However, Davis felt the southern climate presented a new problem untouched by contemporary commentators. The problem of a semi-tropical climate produced a different result from that found in cooler climates. For Davis, there was only one race suited to this type of labor in the southern climate.⁴⁸ Furthermore, even if one attempted to substitute men from China or India for the African, it

⁴⁴Walter C. Fleming, "Jefferson Davis, the Negro and the Negro Problem," Sewanee Review, XV (New York, London: Longman Green and Co., 1968), p. 407.

⁴⁵C.G., 35th Congress, 1st Session, 1st pt., 1856, p. 1094.

⁴⁶Richardson, Little Aleck: A Life of Alexander H. Stephens, p. 97.

⁴⁷Stephens, II, p. 785.

⁴⁸C.G., 35th Congress, 1st Session, 2nd pt., 1857, p. 619.

would but neglect the lessons of history and uselessly repeat the cruelties for the suppression of which the African was originally imported into America.⁴⁹ In a comparative sense, with other societies possessing Negro slaves, Davis boasted that the people of the South had abundant reason to be satisfied with their peculiar institution.⁵⁰ In addition, Davis was convinced that slave labor removed from the South and the Confederacy all that controversy between the laborer and the capitalist, "which has filled Europe with starving millions and made their poorhouses an onerous charge."⁵¹

Davis' prejudice went beyond a dislike for just the Negroes or other races. He felt it would be dangerous to mix the blood of the white Americans with that of Negroes as this would delete the Puritan blood which flowed in their veins and which was responsible for their great civilization. He did not desire to see incorporated into the Union, countries densely populated with a different race.

We are one, let us remain unmixed. In our neighbors of Southern and Central America we have a sufficient warning, and may it never be our ill-fortune to learn by experience the lessons taught by their example, where revolution after revolution has occurred since the formation of free government.⁵²

Davis assumed these people because of their heredity were incompetent to govern themselves.⁵³

⁴⁹Rowland, IV, p. 70, July 6, 1859.

⁵⁰McElroy, p. 496.

⁵¹Rowland, III, p. 357.

⁵²Ibid., pp. 313-14.

⁵³Ibid., p. 287, August 24, 1858.

By the time that the secession crisis arose, Benjamin was convinced that the southern slaveholder was only the magistrate of his slaves. This system gave the Negroes their only fair legal system. For, Benjamin argued, if a slave was caught stealing from another slave, his master would have him whipped and the legal process would end there. However, if the same occurrence took place in the North between two white persons, the guilty person, if convicted, would be sentenced to the penitentiary. In England, the situation was even worse, for there a convicted person would be hanged or sent to some penal colony. Yet, said Benjamin, the American slaveholder who punished his slave was held to be a monster of guilt, while British philanthropy chuckled in self-compacency at its tender mercies toward the transported convict.⁵⁴ By the time of the secession crisis, both Davis and Benjamin were tired of apologies for the institution of slavery.⁵⁵ However, it was Vice President Stephens who became the most outspoken proponent of slavery as an institution in the South.

Stephens stated that the ideas that the forefathers had concerning the equality of the races were fundamentally wrong. "It was a sandy foundation; and the idea of a government built upon it when the storm came and the wind blew, it fell."⁵⁶ Stephens was also critical of the great philosophers of antiquity. Pythagoras, Plato, Aristotle, all directed their minds on the systems of government and the proper constitution of a state. The republican form was the ideal model of each man. They all saw the necessity of some sort of

⁵⁴ C.G., 34th Congress, 2nd Session, 1st pt. 1856, p. 1095.

⁵⁵ Dodd, p. 168.

⁵⁶ Cleveland, p. 710, March 21, 1861.

graduation in the element of its composition. Their system failed, Stephens believed, because they violated nature in making the subordinate class of the same race. Subordination, however, was the normal condition of Negroes. That slavery was the natural and moral condition of Negroes was the idea that the Confederate government was based upon. Furthermore, he stated, "This, our new Government, is the first in the history of the world based upon this great physical, philosophical, and moral truth."⁵⁷ He believed this truth had been slow in developing like all other truths in the various departments of science. It was so with the principles announced by Galileo; it was so with Adam Smith and his principle of political economy; and it was so with William Harvey and his theory of the circulation of the blood.⁵⁸ Stephens hoped that a change was occurring in the intellectual world. The British West Indies experiment was doing much to produce this change.⁵⁹ Many people, he said, based their premises on defective reasoning and were still slow to catch on to the truth. Stephens saw the Negro as being fitted by nature or by the curse against Canaan to an inferior position. He declared that the Confederate system did not violate any laws of nature. For Stephens, slavery had become the real corner stone of the government, a stone upon which the Confederacy stood and was determined to stand.

The Confederate leaders did not regard the issue of slavery as the primary or long range cause of secession and conflict. These men

⁵⁷ Ibid.

⁵⁸ Ibid., p. 717.

⁵⁹ Ibid., p. 743, April 23, 1861.

interpreted the cause of the conflict in terms of the constitutionality of secession.⁶⁰ Mallory was not particularly concerned with the issue of slavery and neither did he deplore the issue of Southern political power nor fear the consequences, for the South, he insisted, had built a republic that was the wonder of the world. Nevertheless, Mallory did warn the North that it was assuming a great responsibility.⁶¹ Benjamin saw the North's real motive as an attempt to secure political power as a contrivance whereby it could subvert the equality of the states. In Benjamin's eyes, the North was struggling for the possession of a power to which she had no legitimate claim under the Constitution, while the South was struggling for all that was dear to man: property, honor, and safety. He declared in 1856 that the history of the world had never exhibited an example of a people occupying a more noble attitude than the people of the South. Once the North had secured a predominant political power and reduced the South to a feeble minority, the North would then reveal its real abolitionist sentiments and ruin and desolation would spread over the slaveholding states.⁶² For Stephens, Negro slavery was the immediate cause of the rupture of the Union and of the outbreak of the war. However, he too, viewed the the rupture of the Union as being primarily a constitutional question. Davis believed that the conflict was not a contest between freedom and

⁶⁰Thomas J. Pressly, Americans Interpret Their Civil War (Princeton, New Jersey: Princeton University Press, 1954), p. 85.

⁶¹Rembert W. Patrick, Jefferson Davis and His Cabinet (Baton Rouge, La.: Louisiana State University Press, 1948), p. 4.

⁶²C.G., 34th Congress, 2nd Session, 1st pt., 1854, p. 1194.

slavery, that in fact, slavery was a false issue brought on and argued by Northerners, a moral justification for political aims. He saw the basic issue as a desperate determination of the South to maintain local self-government under a strict interpretation of the Constitution, which rigidly defined and limited the power of the central government and insured a genuine federal government. The North, on the other hand, was desperately determined to establish a consolidated national government, thereby weakening and ultimately destroying the local self-government of the states. Thus the American Civil War grew out of this conflict of principle.⁶³ Yet the question of slavery and race were central in Davis' thoughts.

The belief in slavery of these four Confederate leaders was an important criteria for their belief in expansion. By the time the southern states had seceded, they were looking forward to expanding the Confederacy. Even before the southern states had seceded, Jefferson Davis had been interested in expanding the country. Davis wanted to see the United States take over Mexico, capture Cuba, Yucatan, and other Central American states. By making these countries slave states he believed a permanent equilibrium would be established between the North and the South. If possible, Davis would probably have resorted to physical force to take over these countries. In 1854, Davis had declared that the recent acts and declarations of the Cuban authorities, considered in connection with Spain's port policy, was designed to throw Cuba ultimately into the hands of the Negro population which would revive the scene of the San Domingo revolution.⁶⁴ In another

⁶³Owsley, "Jefferson Davis," p. 766.

⁶⁴C.G., 33rd Congress, 1st Session, 1nd pt., 1854, p. 1194.

examination of history, Davis argued that the United States could exchange money for Cuba.⁶⁵

Mallory was also interested in expanding slavery into the tropics, primarily Cuba. He defended the strategic and commercial importance of Cuba. It was his desire that the Americanization of the island would result in the annexation of Cuba.⁶⁶ Benjamin was another leading advocate of the movement to encompass the rich sugar lands of the island for the United States.⁶⁷ As early as 1854, he proposed that the government adopt "most decisive and energetic measures" on Cuban annexation.⁶⁸ Stephens was in favor of the acquisition of Cuba on the grounds of humanity, public interest and statesmanship.⁶⁹ However, he was careful to warn against imperialism. In an early speech in 1845, he reminded his audience of the growth of the Roman Empire which became so large and unwieldy that it fell, and of England, which was hardly able to keep together its extensive parts.⁷⁰ By 1860, Stephens saw the importance of Cuba for slavery.⁷¹ After the outbreak of the war, Davis stated to a Mississippi audience that the Confederacy was justified in seeking to carry out the most settled policy of the

⁶⁵Rowland, IV, p. 82.

⁶⁶C.G., 33rd Congress, 2nd Session, 1855, p. 264.

⁶⁷Basil Rauch, American Interest in Cuba 1848-1855 (New York: Columbia University Press, 1948), pp. 205-06.

⁶⁸C.G., 33rd Congress, 2nd Session, 1854, p. 1298.

⁶⁹Ibid.

⁷⁰Cleveland, pp. 299-300, Jan. 25, 1845.

⁷¹Rauch, pp. 297-98.

United States, that of expansion. "In nations as in organic bodies, the suspension of that law is the unfailing evidence of decline."⁷²

While these four Confederate leaders tried to argue from a more practical standpoint, there did exist in the back of their minds the idea that these countries could become a breeding ground for slavery.

The use of slaves during the war years posed many problems for the Confederate leaders. The sinew and craftsmanship of Virginia Negroes contributed much to Confederate naval ordnance and naval stores. They worked diligently procuring raw materials and fabricating naval essentials. For Mallory the best use of Negro slaves for the war effort would be to employ them in building ships and fortifications.⁷³

Stephens was convinced that the Negro slaves were needed at home just as much as in the army.⁷⁴ Davis also realized that not everybody could be in the army as this would leave nobody to provide the labor at home. Stephens carried this idea a little further than Davis. Thus for the Vice President, slaves would be most beneficial to the Confederacy working in the fields. However, Stephens agreed with Aristotle's idea that emancipation should be held out to slaves upon their proving themselves worthy.⁷⁵

Although rumors of insurrections among the slaves were numerous during the war, only a few outbreaks actually occurred.⁷⁶ This danger, and the example which had occurred in India, in 1857, where Indians

⁷²Rowland, IV, p. 84-85.

⁷³Callahan, p. 95.

⁷⁴O.R.A., Ser. IV, Vol. III, pp. 520-21, July, 1864.

⁷⁵Avary, p. 322.

⁷⁶Bell Irvin Wiley, Southern Negroes 1861-65 (New York: Rinehart & Company, Inc., 1938), p. 82.

formerly employed as soldiers by the British army had arisen against their former masters, were deterrents to arming the slaves. In August of 1863, Benjamin believed that the arming of slaves might be very dangerous and that the labor of the slaves was needed in the mines and in the fields.⁷⁷ It was contended, however, that slaves could be easily disciplined and would make good soldiers, that slave soldiers would enable still further the institution of slavery and lighten its rigors after the war, that without more soldiers the war might be lost, and that as slaves had fought for American independence during the Revolution they should now help gain southern independence.⁷⁸

Early in 1864, General Pat Cleburne advocated the use of slaves as soldiers before a meeting of the officers of the Army of Tennessee. A copy of his paper was sent to the President. Davis, however, requested that Cleburne's paper be suppressed:

Deeming it to be injurious to the public service that such a subject should be mooted, or even known to be entertained by persons possessed of the confidence and respect of the people, I have concluded that the best policy under the circumstance will be to avoid all publicity . . ."⁷⁹

During the early war years, the Confederacy had impressed large amounts of black labor to dig field fortifications and to throw up earthworks around cities and towns. The War Department alone had been authorized to impress up to 20,000 blacks. By November, 1864, Davis was ready to ask Congress for authority to purchase 40,000 black men for non-combatant military duty. He still advised against a general arming of slaves, however:

⁷⁷ Butler, p. 349, Aug. 18, 1863.

⁷⁸ Coulter, p. 267.

⁷⁹ Wiley, p. 82.

Until our white population shall prove insufficient for the armies we require and can afford to keep the field, to employ as a soldier the negro, who has merely been trained to labor, and as a laborer under the white man, accustomed from his use to the use of firearms, would scarcely be deemed wise or advantageous by any, and this is the question before us. But should the alternative ever be presented of subjugation or of the employment of the slave as a soldier, there⁸⁰ seems no reason to doubt what should be our decision.

Davis even went so far as to suggest the expediency of freeing those who should render faithful service to the end of the war. In some quarters this was regarded as a "feeler" to ascertain the feeling of the country with the idea of following it with a proposal to enlist and free Negro soldiers.⁸¹ At the end of 1864, due to arguments of Benjamin and General Robert E. Lee, Davis' stand on his refusal to arm slaves was weakening.⁸² Benjamin wrote to Fred Procher in December 1864, asking him to agitate for action in favor of arming the slaves through the newspaper, always urging this point as the true issue. "It is better for the Negro to fight for us or against us."⁸³ In this argument, Benjamin showed that he understood the necessity of using public means to educate the people. His line of reasoning converted many opponents of the arming of slavery to his side. Even Davis was influenced by his Secretary of State's argument. In February, 1865, Davis wrote to John Forsyth that, "It is now becoming daily more evident

⁸⁰ O.R.A., Ser. I, Vol. LII, pt. 2, p. 596, Jan. 13, 1864.

⁸¹ Journal of the Congress of the Confederate States of America, IV (New York: Kraus Reprint, 1968), pp. 258-59.

⁸² N. H. Stephenson, "The Question of Arming the Slaves," American Historical Review, XVIII, (New York: The Macmillan Company, 1953), p. 297.

⁸³ O.R.A., Ser. IV, Vol. III, p. 959, Dec. 21, 1864.

to all reflecting persons that we are reduced to choosing whether the Negroes shall fight for or against us."⁸⁴ Judah Benjamin carried on an active campaign to arm the slaves. However, it was Robert E. Lee who spoke the most decisive words. In January, 1865, Lee wrote to a Virginia legislator in support of a proposal to recruit Negro soldiers authored by Virginia's Governor, William Smith. Benjamin, realizing the necessity of using slaves as soldiers and the impact which Lee's support would have on Congress, urged Lee to express himself fully on the matter to Congress. In a letter to Ethlebert Barksdale, Lee affirmed that black troops were indeed required, that black men would make good soldiers, and that slave soldiers ought to receive their freedom.⁸⁵ In a second letter that month, to Andrew Hunter, Lee wrote that military necessity compelled the abandonment of the slave system of the past. He argued that black troops were needed, and military service must be followed by their emancipation, and that, in time, by a general abolition of slavery.⁸⁶

Slaves were not drafted even though General Lee expressed the opinion that some form of compulsion was desirable.⁸⁷ Davis' idea was that the policy of asking owners to volunteer their slaves was preferable to the Confederate president's request for Negro military support. If this plan failed, he realized he would still have the option of compulsory enlistment.⁸⁸ Even at the very end of the war,

⁸⁴Ibid., p. 1110.

⁸⁵Thomas, pp. 129-30.

⁸⁶O.R.A., Ser. IV, Vol. III, pp. 1012-13.

⁸⁷Ibid., Ser. I, Vol. XLVI, pt. 3, p. 1349, March 25, 1865.

⁸⁸Ibid.

Davis was not yet willing to use certain powers which he deemed unconstitutional. Lee's influence was shown by the Richmond Examiner. It was strongly opposed to the policy of enlisting the Negroes until Lee's opinion was expressed. On February 15, 1865, its editor wrote: "General Lee urgently calls for a large force of Negroes. The country will not deny to General Lee . . . anything he may ask for."⁸⁹ Secretary of State Benjamin, who had been one of the early proponents in the administration for the arming of slaves, again spoke in favor of this move in a speech to a crowd in Richmond in February.

Is it not a shame that men who have sacrificed all in our defense should not be re-enforced by all the means in our power? Is it any time now for antiquated patriotism to argue refusal to send them aid, be it white or black . . . Could divine prophecy have told us of the enemy's death grapple at our throats, . . . should we have entertained any doubt upon the subject. I feel that the time is coming when the people will wonder that they ever doubted. Let us say to every negro who wished to go into the ranks on condition of being made free, 'Go and fight--you are free.'⁹⁰

He further stated that the institution of slavery had preserved the Negro race since

the Southern system was the true system for the improvement of the blacks, and freedom of the whites but if we were in a condition in which we could no longer protect our slaves, we would say to them 'we yield what we believe to be the best system on earth under protest and take the next best system which could be obtained.'⁹¹

On March 13, 1865, the Confederate Congress authorized the government to recruit up to 300,000 slaves for the army. But no more

⁸⁹Wiley, p. 158.

⁹⁰New York Times, Vol. XIV, No. 4177, Feb. 13, 1865.

⁹¹Ibid.

than twenty-five percent of the male slaves between eighteen and forty-five years old could be drawn from any one state. The act further stated, "nothing in this act shall be construed to authorize a change in the relation which the said slaves shall bear toward their owners."⁹² The last provision was understood as being little more than verbiage by many Confederate leaders including Benjamin, Lee, Mallory, Stephens, and probably Davis, as they recognized that should the slave soldiers eventually be part of a victorious army, freedom would be their only just reward.⁹³ On March 13, 1865, shortly after Congress had finally decided to allow the use of slaves as soldiers, Davis communicated to it this criticism:

The bill for employing negroes as soldiers has not yet reached me, though the printed journal of your proceedings inform me of its passage. Much benefit is anticipated from this measure, though far less than would have resulted from its adoption at an earlier date, so as to afford time for their organization and instruction during the winter months.⁹⁴

Davis' remarks angered many Senators for which a special committee replied:

. . . if the policy and necessity of the measure had been seriously urged on Congress by an Executive message, legislative action might have been quickened. The President, in no official communication to Congress, has recommended the passage of a law putting slaves into the army as soldiers, and the message under consideration is the first official information that such a law would meet his approval.⁹⁵

⁹²Journal of the Congress of the Confederate States of America, IV, p. 703.

⁹³Thomas, p. 130.

⁹⁴Journal of the Congress of the Confederate States of America, IV, p. 704.

⁹⁵Ibid., pp. 726-27.

Hence it would seem that some time between November 7, 1864, and March 13, 1865, Davis became a convert to the scheme to enroll slaves as soldiers. The knowledge of the universal hostility of Europe to slavery and the frequent warnings that Europe would never recognize the Confederacy as a slave power were as important in the final decision to begin the emancipation of slaves as was the need for soldiers. So the Confederate government determined to capitalize in its diplomacy upon the ideas of emancipation.⁹⁶

In speeches to the Confederate Congress, as well as in private letters, written during the war, Davis expressed the doubt that slavery was or had been an impediment to recognition. He believed that the only obstacle to the recognition of the Confederacy was an unwillingness of the European powers to be embroiled in a quarrel with the United States.⁹⁷ Stephens, who was aware that the French and English governments, while jealous of the United States, were also opposed to slavery, had never looked to foreign intervention or recognition.⁹⁸ Considering this, one can see why Stephens had given his famous cornerstone speech, in which he had stated that the slavery institution was a basic fundamental of the Confederate government. It would seem that Stephens did not expect any foreign intervention; neither did he want any help.

Benjamin had seen early in the war that slavery would be a stumbling block for the Confederacy in its efforts to gain recognition by foreign governments. In 1864, he sent a minister, Duncan F. Kenner,

⁹⁶Owsley, p. 532.

⁹⁷O.R.A., Ser. IV, Vol. III, p. 792, Nov. 7, 1864.

⁹⁸O.R.N., Ser. II, Vol. III, p. 903.

to Paris and to London to discover whether such a policy of freeing the slaves would be likely to induce France and England to help the Confederacy. For Benjamin, no sacrifice, except that of honor, was too great to save the Confederacy.

If, then the purpose of France and Great Britain has been, or be now, to exact terms or conditions before conceding the right we claim, a frank exposition of that purpose is due to humanity. It is due now, for it may enable us to save most precious lives to our country by consenting to such terms in advance of another year's campaign.⁹⁹

He authorized Kenner to supersede the other ministers and to declare that his powers came from Davis himself. These powers extended to the authorization to make a promise that the Confederacy would abolish slavery if it were found to be an obstacle to recognition.¹⁰⁰ Benjamin realized that slavery was like a disease, slowly causing any hope for foreign recognition to die.

By March 1865, Davis and Benjamin had demonstrated just how far the Confederacy was willing to go in the matter of emancipation. By the end of the war, these two Confederate leaders had realized the significant impact that emancipation of slaves would have had on the world. Mallory, Davis, and Benjamin were able to learn from their own knowledge of history, while Stephens seemed little concerned with the impact which the use of slaves as soldiers and their emancipation could have had on the history of the Confederacy. Their historical understanding that slavery was the proper position for Negroes to occupy in society was slowly changed by the lessons they learned from their own experiences and history. Only the Vice President seemed

⁹⁹O.R.A., Ser. IV, Vol. III, p. 854, Nov. 21, 1864.

¹⁰⁰McElroy, p. 423.

unable to accept the fact that Negroes were destined to be free, while Davis, Benjamin, and Mallory realized that for the South to win the war, certain fundamental ideas in the Confederacy concerning Negroes had to be changed.

CHAPTER V

HISTORY IN THE POLITICAL-MILITARY COURSE
OF THE CONFEDERACY

How did the historical cosmopolitanism of Davis, Stephens, Benjamin, and Mallory shape their understanding and their interpretation of the internal aspects of the great conflict in which they were engaged? How did they view the actions of Lincoln and of the North in general? What was each one's understanding of his own position and role as he viewed them from a historical perspective? These are just some of the questions which must be answered in trying to determine the shaping of each man's view toward the political and military course of the war toward ultimate Confederate defeat.

Jefferson Davis talked alternately of war and peace. Once he reported that he anticipated a long and bloody war, but later he assured his friends that he had not expected it.¹ He and Vice President Alexander Stephens viewed Lincoln's calling of troops as a declaration of war. They were especially critical of Lincoln's acting on his own without the shadow of lawful or constitutional authority. Stephens expressed Lincoln's move this way, "No ukase of the Autocrat of Russia was ever more impartial or absolute in its character."²

¹Richard N. Current, "The Confederates and the First Shot," Civil War History, VII (Iowa City: State University of Iowa, 1961) pp. 366-67.

²Stephens, II, p. 408.

On the firing on Fort Sumter, Robert Toombs alone in the cabinet counseled restraint, while all the others, including Judah Benjamin and Stephen Mallory, insisted the time had come to act. So Davis acted,³ trusting the world to understand the complicated reasoning with which he ably sustained the Southern position. It was not apparent to him that the public seldom concerns itself with subtleties. Davis had either to take over Fort Sumter or suffer a loss of prestige at the beginning of his administration.⁴ Davis also was aware that there would be future judgment of his actions. He was conscious of what history and historians would think of him. After the firing at Fort Sumter, he believed the truth of history would show the North to be the aggressor.⁵

Even before the firing on Fort Sumter, Stephens declared that the South would be in one of the bloodiest civil wars that history had ever recorded. He moaned that the Confederacy was on the road to ruin.⁶ After the war had begun, Stephens wrote to his half-brother, Linton, speaking in favor of a purely defensive war as being the only chance for the Confederacy to avoid a general war.⁷ Very early in the war, Stephens foresaw that the Confederacy was on the eve of a tremendous conflict between the sections.

³Current, p. 368.

⁴McElroy, pp. 287-88.

⁵Richardson, I, The Message and Papers of Jefferson Davis and the Confederacy, p. 117, July 20, 1861.

⁶Johnston and Browne, p. 377, Jan. 1, 1861.

⁷Ibid.

Davis believed the nation's military policy should logically duplicate its political intentions. He did not intend to give the North another chance to brand him an aggressor in the eyes of history and of Europe. He announced that all the South asked was to be left alone. In meeting Lincoln's challenge of gathering resources and manpower, Davis chose to interpose troops where they blocked the more obvious paths of invasion.⁸

One of the first tasks facing Davis was the organization of the army. He was especially concerned with the organization of a general staff, "which would be permanent in its character, trained in its duties, aspiring to promotion in its own corps, and responsible to the head of the department."⁹ The training and knowledge that he had gained while Secretary of War, made him realize that it would be impracticable to organize and administer armies with efficiency without the aid of such a general staff. He preferred to develop his staff by the European methods where years of varied education in the schools, in the cantonment, and in the field made the officers fit for their positions. But due to the emergency of the situation, he realized this training would be impossible.¹⁰ Davis attempted, in dealing with military promotions, to be guided exclusively by military consideration. Even if a person had been in opposition to secession, Davis would not hesitate to give such a rank as he deserved according to his military record.

⁸Foote, I, p. 56.

⁹O.R.A., Ser. IV, Vol. III, p. 450, May 28, 1864.

¹⁰Ibid.

Through his historical knowledge, Mallory also understood the importance of providing for the education of naval officers. On the strength of his historical knowledge, Mallory insisted that naval education and training lay at the foundation of any naval success, and any power which neglected this essential element of strength would find that its ships, however formidable, would succumb to a more thoroughly trained and educated enemy. From 1793 to 1815 the French built and equipped fleets only to have them captured by the accomplished seamen of Britain, and in "the memorable combat of the eventful period of history in which the strength, models, and ordnance of French ships and the courage of their personnel were in no respect inferior to those of Britain. The superior seamanship of the British navy secured an almost unbroken succession of naval victories."¹¹ With his historical insight, Secretary of Navy, Mallory, insisted that, along with proper training, a system of naval discipline must be maintained in the Confederate navy.¹² Before the outbreak of war, Mallory was convinced that the state of deterioration in naval personnel was due mainly to the abolition of strict naval discipline,¹³ and he was determined that the Confederate navy would not lack such a system. Like Davis, Mallory was familiar with the educational system in Europe. He realized that the scientific education of naval officers was more necessary at that time than at any previous period, and that all the

¹¹O.R.N., Ser. II, Vol. II, p. 635, April 30, 1864.

¹²Ibid., Ser. II, Vol. III, p. 365, May 7, 1864.

¹³Durkin, p. 53.

other naval powers of the earth had made for it the most ample and thorough provision.¹⁴ Under his guidance a naval school was established at Richmond.¹⁵

During the early period of the war, Mallory followed the rule that no naval appointment would be made from civil life while resigned officers of the old Union navy were available. Mallory allowed officers to retain in the Confederate navy the rank which they held in the old service. Eventually, Mallory was responsible for the passing of an act which would allow promotion solely dependent on "gallant or meritorious conduct during the war."¹⁶ In using this system of promotion based on education, experience, and training, Mallory and Davis differed from their northern counterparts in avoiding political appointments.

Davis, in choosing his general staff, appointed primarily men who had graduated from West Point. Unlike Lincoln, he did not appoint many political leaders to lead the army and for this, many dissatisfied states-rights leaders attacked him. Stephens was also against the appointment of West Pointers to so many offices. He argued that West Point made a mechanism of a soldier, killed his spirit, enthusiasm, initiative, and native ability and made him forget he was a gentleman. Furthermore, he contended, it forced the war into an uneven contest of material force, thereby eliminating the only resource with which the

¹⁴O.R.N., Ser. II, Vol. II, p. 152, Feb. 17, 1862.

¹⁵John Thomas Scharf, History of the Confederate States Navy, (New York: Rogers & Sherwood, 1887), p. 46.

¹⁶Durkin, p. 148.

South could ever hope to win--superior enthusiasm, superior spirit, and superior morale.¹⁷

Benjamin was also concerned with the organization of the army. Like Davis, he was not in favor of using suffrage in the army in selection of officers.¹⁸ One of the main problems that Benjamin was concerned with as Secretary of War from September 17, 1861 to March 18, 1862, was the short enlistments in the army. Benjamin was one of the first men to see the necessity of having men serve for longer periods of time than just six months. He quickly saw that it was useless for the state to accept any troops that she could not arm, unless they were willing to enlist for the war, in which event the Confederate government would pay for the expenses of keeping the men in training camps until they were armed.¹⁹ Through his urging, the Confederate government soon passed a law making all enlistments last until the end of the war.

When the war began, Davis first favored a defensive war.²⁰ His earlier idea of a defensive war was the traditional type defense where the idea of defending territory was predominant. Later Davis became more concerned with buying time, if need be with the loss of territory, although he was always disheartened when the Confederacy had to give up territory.

¹⁷Johnston and Browne, p. 372, Dec. 30, 1860.

¹⁸O.R.A., Ser. I, Vol. VI, p. 794, Jan. 5, 1862.

¹⁹Ibid., p. 785.

²⁰Clement Eaton, A History of the Southern Confederacy (New York: Macmillan Co., 1954), pp. 124-25.

Davis, who at the outset favored a defensive war, had been influenced while at West Point by the Frenchman, Baron Jomini, one of the foremost writers on the theory of war in the eighteenth century. It was Jomini who stressed the offensive and who influenced Davis to adopt the ultimate position that the best defense is a good offense. Jomini also emphasized importance of the objective, the capital city as being the primary objective.²¹ Davis also saw the capital as being very important. Consequently, the South spent much time in trying to capture Washington and expended much energy and many men in defending Richmond. For Davis, it was a matter of national pride that the South maintain Richmond as its seat of government. He believed that the preservation of the capital was usually regarded as the evidence to mankind of a separate national existence. Thus the loss of Richmond was a great moral as well as material injury to Davis and to the South.²² Some historians have suggested that with his close connection at Richmond, Davis began to see the war through the eyes of the border states, especially Virginia, and began to lose his contact with the Gulf region.²³ However, the influence of General Lee and the Jomini ideas seemed to play a far greater role in Davis' concentration on the border states. Too, most of the early fighting was centered around the border states. To say that Davis saw the war through the eyes

²¹T. Harry Williams, "The Military Leadership of North and South," Why the North Won the Civil War (Baton Rouge, La.: Louisiana State University Press, 1960), p. 40.

²²O.R.A., Ser. I, Vol. XLVI, pt. 3, pp. 1381-83, April 4, 1865.

²³Eckenrode, p. 144.

of the border states and was less concerned with the Gulf region seems to be a oversimplification and a somewhat faulty interpretation of Davis' mind.

A distinctive characteristic of Davis was a curiously dogged obstinacy which made him, while loath to encourage and even permit offensive adventures, regard retreat as an indefensible weakness, even when retreat was obviously the correct military course.²⁴ Thus he was often angered by the action of General J. S. Johnston. This tendency to argue with Johnston or other military leaders interfered with Davis' thinking and the best use of his time. In his arguments, he seemed to have a gaze bent to some degree on posterity as well as the current exigency.²⁵ With one eye toward what the future would think of him, he differed sharply from his northern counterpart, Mr. Lincoln.

With the South relieved from the necessity of guarding cities and particular points which were important but not vital to her defense, Davis saw that the Confederate army would be free to move from point to point and strike in detail the detachments and garrisons of the enemy, operating in the interior of the South.²⁶ With the loss of Richmond, Davis recognized advantages which were not present when the Confederacy was trying to defend its capital. On the other hand, Stephens never believed that the maintenance of Richmond as the seat of government was very important. One reason may have been that he disliked Richmond, seldom stayed there, and wanted Montgomery to be the Southern capital.

²⁴Maurice, p. 31.

²⁵Nevins, Statesmanship of Civil War, p. 43.

²⁶O.R.A., Ser. I, Vol. XLVII, pt. 3, p. 1383.

Another reason was that he never regarded the capital--any capital--as being that important. Here again Stephens turned to history to find examples which would support his belief. He used the lessons of Frederick of Prussia who fought all the great powers of Europe for seven years and was ultimately successful. His country was overrun and his capital, Berlin, was twice taken and sacked during the war. Thus, Stephens believed that if Richmond should yet fall and twice fall, the South should be no worse off than Prussia; nor should the South be more disposed than the great Frederick to give up its cause as a lost one.²⁷ He also looked at the Seven-Year War for America's independence. During that struggle several of the states were overrun, occupied, and held for long periods of time by the enemy, including the capital, Philadelphia. But the colonies did not give up, and eventually they were successful. So, Stephens reasoned, the South should not be downhearted by the loss of Richmond, as history showed many countries, which after the loss or capture of their capitals, were later successful in the end. Stephens called for the people of the Confederacy to follow these early examples for, as these earlier people had fought on, so could the Confederacy continue its fight for the same rights and principles until success was finally theirs. "Nor have our sufferings or sacrifices, as great as they are, been anything like as severe as theirs were."²⁸ Thus Stephens reasoned, that with equal patience and fortitude, the Confederacy could maintain their rights and principles. Benjamin stated that he

²⁷Stephens, II, p. 782.

²⁸Ibid.

was not afraid of the North taking cities in the South. Talking to Mercier in 1862, Benjamin showed that his reason for not worrying about this situation was taken from history. He said,

We remember that in the War of Independence, the English, at one time possessed almost all the coastal cities, and yet they lost. It will be the same this time . . . Like the English, the Yankees are fighting today to save their power and riches, and we are fighting, like the Americans did, to win our independence.²⁹

A weakness of Davis, shared by many people of his time, especially the military mind--and Davis' mind was shaped by his military training--was the belief that war was the business of the military not the politician. His choice of military appointees reflects his belief. Unfortunately he seldom attempted to explain the action of his administration as he made the mistake of assuming his purity of motive would be unquestioningly accepted by the Southern people. It was often Davis' rule to ignore assaults upon himself and his policy, not realizing that the leader of a political cause is inviting disaster if he assumes that the people need no additional enlightenment about their government and its leader's policies.³⁰ This was an important lesson which Davis failed to see in history and it proved to be a costly mistake.

Unlike many Southern contemporaries who made fun of Lee for digging fortifications and entrenchments, Davis seemed to understand the importance and the necessity of using such methods. In one letter to his wife, Davis wrote that the greatest generals of ancient and modern times have won their renown by labor, with victory as the result.

²⁹Lynn M. Case and Warren F. Spencer, The United States and France: Civil War Diplomacy (Philadelphia: University of Pennsylvania Press, 1970), pp. 279-80.

³⁰Rabun, p. 300.

Caesar who revolutionized the military system of his age never slept in a camp without entrenching it. To this day, France, Spain, and Great Britain retain memorials of Roman invasion in the massive works constructed by the Roman armies.³¹ Through the lessons of history, Davis realized the importance of entrenchments. In this sense, Davis was very modern minded. Not only did he understand the real function of a staff, but also he understood the importance of railroads to interior lines.³² He understood, too, the importance of the development of internal resources.³³ Even before the South had seceded Davis had been calling for these new developments for the South.

Davis believed that like the American colonies during the American Revolution, the South could win independence. In other words the Confederates could win by not losing.³⁴ Even when the end was near, Davis exhorted Southerners to take to the hills and resist as long as necessary to secure independence. In 1864 while Sherman was marching to the sea and the Confederates were being pressed from all sides, he declared that the Confederate cause was not lost as Sherman could not keep up his long line of communications and must retreat sooner or later. When the day came, he said, the fate that befell the army of the French empire in its retreat from Moscow would be reenacted.³⁵

³¹Rowland, V, p. 272, June 11, 1862.

³²Williams, p. 40.

³³O.R.A., Ser. I, Vol. LIII, p. 831, Oct. 21, 1862.

³⁴Emory M. Thomas, The Confederacy As a Revolutionary Experience (Englewood Cliffs, New Jersey: Prentice Hall, Inc., 1971), p. 46.

³⁵Dodd, p. 334.

In his vision of this disaster he somehow forgot to consider the effects of the morale of the people, the condition of the land, and the variation in the two climates. He insinuated that simply because Sherman was over-extending his line of supplies, disaster would befall him as it had Napoleon. Davis miscalculated the effect of "total war" upon the Southern people. They had had enough. Thus, the Confederacy failed to do what the colonies had done against England because the Union had revolutionized the art of war.³⁶

Benjamin, like Davis, saw clearly the problems of the Confederacy as a whole, and made a strenuous effort to prevent dispersion of men and materials to nonessential places.³⁷ Benjamin realized the importance of the West to the Confederacy. He declared that the lines of communications to the West must be held "at any sacrifice."³⁸ Davis attempted to follow this same pattern in his dealing with the military although many states' rights men became angered with him.³⁸ As far as organizing recruits into companies and companies into regiments, Davis followed the practice of requiring men of the several states to be kept together. However, he would not carry this practice into any higher echelons such as into a division, as its destruction would bring too heavy a calamity upon a single community. Too, the assigning of troops from separate states to comprise a division would keep up a spirit of emulation among state governments.⁴⁰ Furthermore,

³⁶Thomas, p. 51.

³⁷O.R.A., Ser. I, Vol. XV, p. 871, Feb. 23, 1862.

³⁸Meade, "The Relations Between Judah P. Benjamin and Jefferson Davis," p. 473.

³⁹O.R.A., Ser. I, Vol. XXXII, pt. 2, p. 554, Jan. 14, 1864.

⁴⁰Rowland, V, p. 462, March 30, 1863.

Davis did not believe it to be wise to allow each state to retain its own troops for its own defense, as this practice would give strength to the fatal error of supposing that the great war could be waged by the Confederate States severally and unitedly. This theory offered the least hope of success. For Davis, the very existence of the Confederacy depended upon the "complete blending of all the states into one united body to be used anywhere and everywhere as the exigences of the contest may require for the good of the whole."⁴¹ As far as the organization and placement of land troops, Davis and Benjamin took a more national view than Stephens, who was primarily concerned with the defense of his own state.

Besides his personal and historical disposition, there were other reasons why Davis favored a defensive war. He wanted to present to the world the idea that the South was waging the war solely for self-defense and that the South desired only to govern itself.⁴² Another reason he did not mount a major offensive was because he did not want to withdraw troops defending the different parts of the South. Here the idea of states' rights seemed to hinder Davis from acting, as Davis was, in the beginning, too cautious to take any domestic measures.

One of the weaknesses of Benjamin while he was serving as Secretary of War was his lack of military knowledge of procedure and tactics.⁴³ Benjamin was also often overly optimistic which interfered with his handling and interpretation of events. Once, in 1862, when

⁴¹O.R.A., Ser. I, Vol. LIII, p. 831, Oct. 21, 1862.

⁴²Ibid., Vol XIX, pt. 2, p. 598, Sept. 7, 1862.

⁴³Meade, "The Relations Between Judah P. Benjamin and Jefferson Davis," p. 473.

talking about a recent engagement, he exclaimed about "the enormous losses suffered by the enemy during the present campaign to which history furnishes no paralled except the disastrous retreat from Moscow."⁴⁴ He was the only cabinet member who supported Davis in his determination to continue fighting. A poem that he wrote, when the Confederacy was quickly sinking, shows this optimistic outlook.

My voice is still for war
 Gods! Can a Roman senate long debate
 Which of the two to choose, slavery or death!
 No, let us arise at once, gird on our swords
 And at the head of our remaining troops
 Attack the foe, break through the thick array
 of his thronged legions, and charge home upon him.⁴⁵

Even after Johnston surrendered, Benjamin did not lose all hope. Mallory, on the other hand, admitted that "the great object of our struggle is hopeless."⁴⁶

Initially it was believed that the war would be a conventional nineteenth century clash of nations, but Davis and many of his generals gradually changed their minds and adopted a strategy more compatible with the revolutionary nature of the Confederacy. Perhaps because they were revolutionary, and chiefly, because they felt they were affirming the true spirit of 1776, the Confederate leaders drew heavily on the experience of the American Revolution.⁴⁷ As the situation became more desperate, the Confederate leaders adopted more revolutionary ideas.

Neither Davis, Stephens, Benjamin, nor Mallory looked on the Southern secession as being a revolutionary movement, however; instead,

⁴⁴Richardson, II, The Message and Papers of Jefferson Davis and the Confederacy, p. 324, Sept. 26, 1862.

⁴⁵Meade, p. 315.

⁴⁶Durkin, p. 339.

⁴⁷Thomas, p. 44.

they were upholding the Constitution. Only Benjamin, later during the war, seemed to grasp the fact that the Confederacy would have to take drastic steps to win its independence. Davis failed to realize he was a revolutionary chief and looked upon himself as a constitutional ruler, forgetful of the fact that the South had to win independence.⁴⁸ Davis emphasized that the Confederate movement was not a revolution as they were seeking to preserve the laws and the old constitution, not to change them.⁴⁹ Davis, unlike Lincoln, was not a reformer. The life he inherited from his forefathers, his experiences as a soldier and farmer, his education, contacts, and experiences as Senator shaped his mind.⁵⁰ He read widely in military history and the British classics which helped make him the type of politician he was, steeped in precedent and instances. The London Times said in 1865 that one of the causes of the Confederate failure was the reluctance of the President "to assume at any risk the dictatorial powers . . . which are alone adapted to the successful management of revolutions."⁵¹ Davis soon realized and understood that the Confederacy was fighting, not for some abstraction, but first and foremost for the right to exist.

On the other hand, Stephens' mind seemed to think in terms of abstract ideas and principles. He was never able to grasp the truth that no nation can fight a successful war against a formidable foe when it is torn by internal quarrels. He never realized that a government

⁴⁸Eckenrode, p. 351.

⁴⁹Pressly, p. 62.

⁵⁰Russell Homer Quynn, The Constitution of Abraham Lincoln and Jefferson Davis (New York: Exposition Press, 1959), p. 87.

⁵¹Rabun, p. 321.

that lacks power in wartime is foredoomed to diffusion of effort, demoralization, and probably defeat. Neither did he understand that the Confederacy must first fight for its right to exist, not for some abstractions.⁵² Yet Davis was more of a conservative leader than his northern counterpart. He exhibited a strong sense of protocol and convention but a weak sense of innovation. He was a man who loved order and logical organization better than he loved results which are achieved by unorthodox methods. He often thought more in terms of principles rather than of possibilities.⁵³ In his message to Congress, Davis showed his conservative nature and early non-revolutionary spirit. For him, the Confederacy desired "no evils to our enemies nor do we covet any of their possessions, but we are only struggling to the end that they shall cease to devastate our land and inflict useless and cruel slaughter upon our people and that we be permitted to live at peace with all mankind."⁵⁴ This language implied that Davis did not look on the South as a new nation or as a revolutionary nation but as the continuation of an old established nation.

Benjamin seemed to have a broader mind and a broader understanding of the problems facing the new government. Eventually, he was even ready to adopt a dictatorship with Davis at the head. Furthermore, his realistic and farsighted view on slavery showed his open and broad mind. Secretary of Navy Mallory also realized the necessity of the

⁵²Ibid.

⁵³Potter, p. 106.

⁵⁴Richardson, II, The Message and Papers of Jefferson Davis and the Confederacy, p. 571, Sept. 23, 1963.

South to be a unit, but his mind was mainly, and sometimes solely, concerned with the developments in the naval department. Mallory was an able administrator and a clever innovator but most of his time was taken up by the war at sea. To him, the road to victory was on the shoulders or ships of the Confederate navy. Although his dedication to the navy was admirable, his mind lacked breadth of vision in that it only recognized and was concerned with, the necessity and importance of the Confederate navy. Still he realized the importance of support from foreign sources. His ideas extended not only to the major European countries and Latin American nations, but also to the Mediterranean nations and China as well.⁵⁵ However, neither Davis nor Benjamin placed as much emphasis on the maintenance of the Confederate ports as did Mallory as they devoted more of their thinking toward the army and the maintenance of territory.⁵⁶

Mallory, far earlier than his Union counterpart, Gideon Wells, became aware that the American Civil War was being waged in an era of transition in naval architecture and fighting methods. In the half-century preceding the war, at least five great naval revolutions were under way. These new developments included steam, shell guns, and screw propeller, rifled ordnance, and armor. It was the shell gun that upset the balance between offense and defense and sounded the knell of the unarmored wooden ship.⁵⁷ During the war Mallory contributed to the development of new naval tactics. It was his belief that the Confederate

⁵⁵ O.R.N., Ser. II, Vol. II, pp. 672-73, June 20, 1864.

⁵⁶ Jones, p. 55.

⁵⁷ Randall and Donald, p. 439.

ships could attack New England ports and cripple the fishing trade from Maine to California. Such Confederate ships, he believed, could make a united dash at New England fisheries and ports, then separate for reunion at Wilmington or Charleston, where they might strike a telling blow, to separate again for coaling among the West Indies. "Such a system of alternate united and separate action naval light infantry tactics," Mallory said, "has never been adopted upon the sea, simply because under sail it would be impracticable," and "since the application of steam to warships, the opportunity has never been offered. Let us be the first to put it to good account."⁵⁸ Even though Mallory was not acutely aware of the happenings in foreign countries, these foreign countries, especially the naval powers, were probably closely observing his actions because of his development of tactics and equipment.

One can see that Mallory's mind was concerned mainly with the Confederate Navy. In light of the means and resources he had at his command, the job he accomplished was highly admirable and somewhat surprising.⁵⁹ He displayed exceptional imagination and initiative in developing modern equipment peculiarly adaptable to Confederate resources and needs.

Throughout the 1850's, while he was in Congress, and into the 1860's, when he was Secretary of the Navy, Mallory reviewed the history of the ironclad ships in Great Britain and France and recognized that

⁵⁸ Ibid., p. 622, April 7, 1864.

⁵⁹ Scharf, p. 37.

not only economy but also naval success dictated the wisdom and expedience of the use of ironclad ships.⁶⁰ Especially in use of the ironclads, Mallory's action was highly commendable as he saw what the federal experts had either failed to see or failed to act upon, the importance of ironclads. Both Davis and Mallory realized that the possession of an iron-armored ship must be a matter of the highest necessity.⁶¹ While Davis was Secretary of War, he had studied closely the Crimean War and its effects upon warfare both on land and on sea. Mallory had also been aware of the ironclad, steam-propelled battleship and the power it had demonstrated in the Crimean War. By 1860, its full meaning had even startled the world, especially Great Britain and France.⁶²

Another reason for his emphasis on the ironclad was the realization that the ironclad was the quickest way to raise the Confederate fleet on a level similar to and eventually superior to the northern fleet. His strategy was to concentrate on the building of ironclads. In his report to Congress in 1861, he talked about the rivalry between France and Great Britain on the building of ironclads and about their various uses. If the South, he said, concentrated on building wooden ships, it would have to build much quicker than the North as the North already possessed more ships than the South. The wooden vessels built by the Confederacy would fall easy prey to the enemy's comparatively numerous steam frigates. Hence, he would try to compensate for this inequality of number by invulnerability. Mallory felt that naval

⁶⁰Strode, II, p. 77.

⁶¹O.R.N., Ser. II, Vol. II, pp. 67-69, May 10, 1861.

⁶²Ibid., pp. 67-69.

engagements between wooden frigates as they were built and armed were obsolete efforts.⁶³ So he decided not to try to build large wooden ships even if they could be made superior to the northern wooden vessels.⁶⁴ An example of this single-minded devotion to the Confederate Navy can be seen in a letter he sent to W. W. Hunter, the commanding officer at Savannah.

Should the city fall, however, you must save your vessels. Under any circumstances, it is better for the vessels, for the Navy, for our cause and country, that these vessels should fall in the conflict of battle . . . than that they should be tamely surrendered to the enemy or destroyed by their own officers.⁶⁵

Here Mallory's mind seemed only to grasp the importance of the naval vessels, not the military and economic effect that the fall of Savannah would have. One of the surprising aspects of the war was not only the fact that Mallory recognized the importance of new developments such as the ironclad but also the fact that the North was so slow in recognizing and responding to these significant advancements.

While Mallory realized that the Confederate Navy by use of force could not destroy Federal blockade, he believed, however, that such Confederate ships as the Tallahassee and the Alabama could bring about a compulsory withdrawal of a portion of the blockade force. Thus he saw naval strategy as more than one ship fighting another ship. He understood that the consequent insecurity of the United States coastline commerce, the detention and delay of vessels in ports, and the augmentation of the rates of marine insurance, adding millions to the expenses

⁶³Ibid., Vol. I, pp. 742-43, May 8, 1861.

⁶⁴Ibid., Vol. II, p. 64, May 9, 1861.

⁶⁵Ibid., Ser. I, Vol. XVI, p. 481, Dec. 17, 1864.

of commerce and navigation, were more important in the overall picture of strategy and Confederate success.⁶⁶

Mallory hoped to increase the Confederacy's limited naval resources with foreign aid. At first, he was optimistic about the Confederacy receiving resources from abroad. Shortly after the Confederacy seceded, he sent men to the United States and Canada to buy vessels, but the opening of hostilities prevented any purchases from these two sources.⁶⁷ Then Mallory turned his attention toward Europe, particularly England and France. Here again Mallory seemed somewhat naive in anticipating no difficulties in purchasing materials for his ironclads as he misunderstood world opinion at that time. Eventually, as the war wore on, he realized that construction of ironclads within the jurisdiction of the English and French governments was very unlikely.⁶⁸ Mallory continued to strive toward the construction of a Confederate navy within her own boundaries.

In times of war, one is especially aware of the humanity or cruelties of the two opposing sides. In spite of such hardships and cruelties, Davis, Benjamin, Stephens, and Mallory showed a benevolent spirit. In a communication with the Vice President Davis declared that he wanted "to place this war on the footing of such as are waged by civilized people in modern times, and to divest it of the savage character which has been impressed on it by our enemies in spite of all our efforts and protest."⁶⁹ Fundamentally Davis and Stephens

⁶⁶ *Ibid.*, Vol. X, pp. 793-94, Oct. 22, 1864.

⁶⁷ Patrick, p. 249.

⁶⁸ *O.R.A.*, Ser. I, Vol. XXVII, pt. 1, p. 595.

⁶⁹ *Ibid.*, Ser. II, Vol. VI, pp. 74-75, July 2, 1863.

thought in terms of principles, rather than in how to defeat the North and win the war. They would hardly consider carrying the war to the civilian population of the North as they believed that the Southern military should be only concerned with the Northern military.

Both Davis and his Secretary of War Benjamin believed to the last that it was not merely right, but the wisest and best policy to maintain and respect every one of the humane restrictions in the conduct of the war which other civilizations had maintained. They did not agree with the United States War Department that any and all destruction of the property of the enemy was justifiable.⁷⁰ Although the Secretary of Navy, Mallory, could adopt harsh measures toward prisoners of war,⁷¹ he urged the Confederacy to act in accordance with the rules of Christian warfare, even when trying to inflict upon the enemy the greatest injury in the shortest time.⁷² Implicit in his orders was his conviction that even in war one must remain a gentleman.⁷³ He also expected the officers and seamen alike to live up to the codes of sound morality. He insisted that each vessel having a chaplain was to provide worship services for its men.⁷⁴ Stephens always considered himself to be high-minded and superior to other people so he abhorred the conduct of the war, on the southern side as well as on the northern side. These men found themselves more traditionally

⁷⁰ Richardson, II, The Message and Papers of Jefferson Davis and the Confederacy, p. 349.

⁷¹ *O.R.A.*, Ser. II, Vol. III, pp. 703-04, Aug. 15, 1861.

⁷² *O.R.N.*, Ser. I, Vol. V, p. 812, July 13, 1861.

⁷³ *Ibid.*, Vol. III, p. 356, May 7, 1864.

⁷⁴ Durkin, p. 142.

linked to the past than the leaders in the North were. They were horrified by the North's use of "total war" and did not utilize the more modern barbarous methods of warfare, either psychological or military, if they thought it was beneath their principles and was opposed to previous codes of warfare of other civilizations.

Yet Davis made privateering legal and was violently attacked for doing so by Abraham Lincoln and the North. Davis made it known that the United States had previously accepted privateering and had used it successfully against the British merchant marine in the War of 1812. In addition, the United States government had refused to sign the Declaration of Paris which was an agreement among the European powers which had defined privateering illegal.⁷⁵ From this legal-historical point of view, Davis was convinced that privateering was a legal means of waging war. But here again he would only go so far, insisting he had no idea of becoming the chief of disorganized land pirates who obeyed no rules of organized warfare.⁷⁶ This suggestion was abhorrent to him until near the end of the war when he realized that guerilla warfare was the only way the South could continue to exist. Then he advocated such types of warfare only until the South was again able to get back on her feet. Mallory, who also favored privateering, turned a cold shoulder to an offer made by certain people who desired, for a share of the prize money, to initiate guerilla tactics on the western rivers.⁷⁷ Thus, a combination of high standards of morality and an

⁷⁵ Foote, II, p. 114.

⁷⁶ McElroy, p. 402.

⁷⁷ O.R.A., Ser. I, Vol. XXII, pt. 2, pp. 1001-02, Sept. 10, 1863.

insistence on order and regularity made Mallory and Davis opposed to certain military measures however closely they resembled privateering, which they both favored.

While these men were concerned with principles and rights, they seldom gave extended consideration to the basic question of what the South would have to do in order to win the war. In contrast to Davis who seldom mentioned it, Lincoln emphasized this basic question of what was necessary to win the war in his speeches to Congress.⁷⁸ It seems that the mind of Benjamin understood better than Davis, the importance of this question. He recognized it as being the most important and the fundamental question for the South. However, like Davis and Mallory, he failed to comprehend the importance of the military and the civilian working in harmony with an understanding of what each was doing. Thus the South's leadership fell short of the North's leadership and made it increasingly unlikely that the South could ever gain its independence.

While Davis was not overly concerned with what the people thought, he was not indifferent, as Stephens implied, to the personal liberty of the Southern people nor was he forgetful of the rights of individuals. He was slow to suspend the writ of habeas corpus and when he did finally yield to the needs of any given situation it was only under the form of law and at the request of Congress and the people concerned. When the need for martial law in a given locality had expired, he was quick to restore the authority of the civil magistrates.⁷⁹ Not until

⁷⁸ Potter, p. 111.

⁷⁹ Dodd, p. 294.

the war was racing to its close did he suggest the suspension of the writ of habeas corpus in all disaffected districts. This action would have been equivalent to putting the country into the hands of a supreme dictator.⁸⁰ Whereas, previously he had been very harsh to any military commanders who exercised martial rule without his permission, he finally realized that such steps must be taken if the South was to win the war.⁸¹

Viewing the suspension of the writ of habeas corpus from an historical perspective, Stephens was especially alarmed that Davis would take such action. Stephens looked at the history of England, the beheading of Charles I and the subsequent strife between the people and the crown which finally terminated in 1688-89 when William and Mary became the sovereigns. In this settlement, all the ancient rights and liberties of the English people, including the right of the writ of habeas corpus, were reaffirmed and secured. He believed that everyone should study closely the effect that the suspension of the writ of habeas corpus had had on England.⁸² So, for Stephens, if the Confederate government suspended the writ of habeas corpus, the result could be disastrous to its internal harmony. In September of 1862, he implied in a letter to James Callahan that the suspension of the writ amounted to nothing at all except withdrawing the privilege of bail.⁸³ These theories of Stephens' were directly contrary to historic practice. In Great Britain and in America, the suspension of the writ of habeas corpus had always meant that the state could arrest and imprison a

⁸⁰ Ibid., p. 323.

⁸¹ O.R.A., Ser. I, Vol. XVI, pt. 2, pp. 979-80, Oct. 27, 1862.

⁸² Cleveland, p. 772, March 16, 1864.

⁸³ Rabun, p. 303.

suspected traitor or conspirator of treason and hold him imprisoned with a practical indefiniteness.⁸⁴ In a letter to the mayor of Atlanta in 1862, after the city had been placed under martial law, Stephens again turned to history to support his argument that since the suspension of the writ of habeas corpus was not a written law, only an unconstitutional decree by Davis, the people did not have to obey it. His example was that when the British Queen Anne was once urged by the emperor of Russia to punish one of her officers for what the emperor considered an act of indignity to one of his ambassadors, though the officer had violated no written law, the Queen replied that "she would inflict no punishment upon any of the meanest of her subjects, unless warranted by the law of the land."⁸⁵

Another reason Stephens was fearful of such action was that he was afraid of one man having too much power. Stephens believed that power was a corrupting force, and he saw Davis affected by the same problem. This excess power caused Davis to become enraged when anybody questioned his decisions. Stephens warned that what thousands of others under like temptations had done was history as it was an eternal truth that power "fascinates, intoxicates, and changes the nature of man."⁸⁶ Stephens further stated that he did not fight the act of habeas corpus simply to censure the President. He again turned to an historical parable as he replied that it would be humiliating and almost degrading to human nature if people insisted that Washington,

⁸⁴ James G. Randall, Constitutional Problems under Lincoln (Urbana, Ill.: University of Illinois Press, 1951), p. 125.

⁸⁵ Cleveland, p. 748, March 8, 1862.

⁸⁶ Ibid., pp. 794-95, June 22, 1864.

in his memorable address to the army in 1782, the greatest speech Stephens believed ever delivered by man, had no higher object than to censure or put down the supposed author. Stephens implied that his own motives were similar to those of Washington, and of a purer and more noble spirit than spite or malice. Even in his argument he hunted for an historical lesson to support his own argument.⁸⁷ Stephens believed that if the suspension of habeas corpus continued, constitutional liberty would go down, never again to rise on this continent.⁸⁸ He even insisted that it was

Far better that our country should be overrun by the enemy, our cities sacked and burned, and our land laid desolate, than that the people should thus suffer the citidel of their liberties to be entered and taken by professed friends.⁸⁹

Stephens continued to warn the Confederate legislature against two fatal snares which he believed were being spread-trust in a dictator and "that most insidious enemy which approaches with the syren (sic) song, independence first and liberty afterwards."⁹⁰ In a paraphrase of Patrick Henry's speech, he concluded his address to the legislature, "As for myself, give me liberty as secured in the constitution with all its guaranties, amongst which is the sovereignty of Georgia--or give me death."⁹¹ Unlike Benjamin, Mallory, or Davis, Stephens never considered independence as being the foremost question or goal.

⁸⁷Ibid., p. 791.

⁸⁸Johnston and Browne, p. 453, Jan. 1, 1864.

⁸⁹Ibid.

⁹⁰Rabun, p. 310.

⁹¹Ibid.

While Stephens believed the suspension of habeas corpus would cause a bad reaction abroad,⁹² the President did not foresee any difficulties from the suspension of habeas corpus. Indeed, Davis recognized that in the last hundred years, the history of England was full of examples where she had been forced to suspend the writ of habeas corpus.⁹³ Thus, Davis reasoned, England could not object to the Confederacy suspending the writ of habeas corpus.

To Stephens, the preservation of liberty was more important than the preservation of the Confederacy. He believed that all wars, especially civil wars, always menaced liberty while they seldom advanced it, and they usually ended in the overthrow and destruction of liberty. For Stephens, this problem was the most significant one the young Confederacy faced. The teaching of history, he declared, illustrated this fact. An example he gave was England in 1639 when she abandoned reason and resorted to the sword as the surest means of advancing her cause. Even after the great accomplishments under Charles I, the people were still not satisfied, and as a result, a civil war erupted. Even though the king was deposed, the end result was the reduction of the people of England to a worse state of oppression than they had experienced for centuries. They retraced their steps, and it was not until twenty years later that they restored their liberties. Henceforth the House of Commons and the House of Lords were the theatres of operations, not the field of Newberry or Marston Moor.

⁹²Richardson, I, The Message and Papers of Jefferson Davis and the Confederacy, p. 400, Feb. 3, 1864.

⁹³Cleveland, p. 781, March 16, 1864.

The result was that in less than thirty years, all their ancient rights and privileges, which had been lost during their civil war, were re-established with new securities in the ever-memorable settlement of 1688, which for all practical purposes might be looked upon as a bloodless revolution. From that time, all reforms that were made in England were made in peace. This hope was Stephens' dream for the South.⁹⁴ Throughout the war he fought against such action that he believed would deprive the people of the South of their liberties. In this light, perhaps, one can better understand Stephens' opposition to the Davis' administration.

During the last few months of the war, Benjamin hinted at the need for a dictatorship if the South could win by no other means.⁹⁵ In this direction, he went much farther than the other members of the Confederate cabinet. Benjamin would have preferred Davis to be the dictator, not Robert E. Lee. In November, 1864, Benjamin declared that,

If the Constitution is not to be our guide, I would prefer to see it suppressed by a revolution which should declare a dictatorship during the war, after the manner of ancient Rome, leaving to the future the care of reestablishing firm and regular government.⁹⁶

Stephens considered federal warfare against the Confederacy as being unnatural, unjust, unchristian, and inconsistent with every fundamental principle of American constitutional liberty.⁹⁷ The Civil

⁹⁴Johnston and Browne, pp. 584-85.

⁹⁵Meade, "The Relations Between Judah P. Benjamin and Jefferson Davis," p. 476.

⁹⁶O.R.A., Ser. IV, Vol. III, pp. 759-60, Nov. 3, 1864.

⁹⁷Ibid., Ser. II, Vol. VI, pp. 94-95, July 8, 1863.

War would also be, believed the Vice President, the greatest war waged on the largest scale of any since the birth of Christ. "The history of the world--not excepting the Crusade--furnishes no parallel to it in the present era."⁹⁸ Hence the American Civil War was especially tragic for Stephens in two ways; one, because of the great killing which took place, and two, because of the infringements upon the constitutional liberty of the American people which occurred.

Even though he expressed a high personal regard for Lincoln, Stephens considered him to be a usurper of power who disregarded his oath and was lacking in a feeling of humanity. Stephens recognized that Lincoln was a kind-hearted individual in his private life but so were many men who figured in history, men who brought the greatest suffering and miseries upon mankind. Stephens insisted that Danton and Robespierre, "the bloodiest monsters in the form of men we read of in history," were distinguished by the same qualities in their private lives.⁹⁹ Stephens thought that Lincoln

may have indulged in a 'casuistry' after the sort of that indulged by Danton. It may be that he thought that he was not the 'minister of Justice' in these things, but the 'Preserver of the Union.' He may even have come to the conclusion, as I think not improbable, that he was an instrument especially raised up by Providence to emancipate the Black race in the Southern states--an object so dear to the hearts of so many of his Party, as it was so dear to the hearts of Robespierre, towards a like population in other parts of the world. All this may be possible, but his acts like Robespierre, and the acts of all men of like character belong to history, and with them as such only I now deal. They must, like the acts of all public men, be held up as beacons to warn the present and future generation.¹⁰⁰

⁹⁸Stephens, II, p. 491.

⁹⁹Ibid., p. 447.

¹⁰⁰Ibid., p. 455.

Stephens also found Julius Caesar to be a kind-hearted man as well as sharing a number of other characteristics with Lincoln. Caesar was certainly esteemed by many of the best men of his day for some of the highest qualities which dignified human nature. Caesar was a thorough scholar, a profound philosopher, an accomplished orator, and one of the most gifted, as well as published writers of the age in which he lived. He had many devoted personal friends. "Yet notwithstanding all these distinguishing, amiable, and high qualities of his private character, he is by the general consent of mankind looked upon as the destroyer of the liberties of Rome."¹⁰¹ Stephens used the case of Caesar to illustrate his own view on the private character of Lincoln and of his public acts. Stephens believed that power generally changes and transforms the character of those invested with it. Hence, he saw a great necessity for "chains" in the Constitution, to bind all rulers and men in authority, spoken of by Thomas Jefferson.¹⁰²

If a prophetic disclosure had been made to Lincoln, regarding his action, Stephens believed that he would have been shocked like the prophet Hazael when he was told by Elisha that Benhadad, the King of Syria, would surely die and that he, Hazael would be elevated to the throne. But Hazael did everything which was told to him that he would do. He maintained a government over an unwilling people, though in doing it, he put thousands to death, because they would not submit to his rule. He also found it necessary to burn their cities and to destroy their land. Thus so Lincoln, and it did not excuse them that

¹⁰¹Ibid., p. 447.

¹⁰²Ibid., pp. 447-48.

both Lincoln and Hazael were perfectly conscientious in all that they did to maintain their government.¹⁰³ Stephens seems to have had a difficult time, as a commentator from history, in that he usually tried to put the blame of some event on the head of one person in particular. He could not look at events in an objective way and when he studied history, he seemed to know what he wanted to find before he even started searching for it.

Another target of Stephens' attack was the Confederate conscription law. He believed that nothing could be more ruinous to the cause of the Confederacy than the conscription law, if it was carried into effect. In his judgment, to wage war successfully, men at home were as necessary as men in the field. The people could successfully carry on a long war with more than a third of its arms bearing population kept constantly at home. Especially if cut off by the blockade and thrown upon its own internal sources, a country needed men at home. He used historical evidence to show his case. He viewed the success of Greece against the invasion of Persia, the success of the Netherlands against Phillip, the success of Frederick against the allied powers of Europe, and the success of the colonies against Great Britain; in this light all these historic examples of resistance to invasion proved that a country, even without all its arms bearing young not in the field, waged war successfully. He insisted that an invaded people, the Confederacy, had many advantages that might be resorted to in order to counterbalance the North's superiority in numbers. Thus, he insisted, the people should study and compare the present conditions with past conditions in

¹⁰³Ibid., p. 451.

order to understand these advantages, as, in order to secure success, brains must be used as well as muskets.¹⁰⁴ So Stephens' historical knowledge and his interpretations of this knowledge argued against the use of conscription. Stephens also believed that once the conscription law was repealed, the people, no longer fearing a military tyranny, would volunteer in large numbers.¹⁰⁵ Stephens also used a moral argument in his opposition to conscription. He believed that war ought to be abandoned the moment conscription became necessary to fill up the army, as conscripts, who might be effective machines for erecting dynasties, could never be the means of establishing free institutions or maintaining them.¹⁰⁶

Davis upheld conscription under the clause of the Constitution which gave to Congress the power to raise and support armies, and since the Constitution did not specify just how Congress was to raise armies, Congress itself had to devise this mode.¹⁰⁷ Davis believed that to deny to Congress the right to say how it would carry out one of its unquestionable powers would compel it to abandon the power altogether. "That was a conclusion so manifestly absurd," said Davis, "that the framers of the Constitution could never have contemplated it."¹⁰⁸ While Stephens saw conscription as an encroachment upon the sovereignty of the states, he also regarded it as a violation of not only the spirit but also the letter of the Constitution.¹⁰⁹ If Davis had concurred

¹⁰⁴Cleveland, p. 766, March 6, 1864.

¹⁰⁵Rabun, p. 309.

¹⁰⁶Stephens, II, p. 573.

¹⁰⁷O.R.A., Ser. I, Vol. LIII, p. 213, Jan. 12, 1862.

¹⁰⁸Rowland, V, pp. 292-93, July 10, 1862.

¹⁰⁹Stephens, II, p. 572.

with Stephens' contentions in controlling his policy, the Confederate government would have had as little assured military strength as the government of the Confederation had had during the American Revolution. Such an ineffective government Davis had no thought of heading, for having given his loyalty to the Confederacy, he was ready to sacrifice the supposed interest of any part to the attainment of the independence of the whole.¹¹⁰ Indeed, Davis' determination to run the show caused him many problems as he was an unyielding nationalist, loyal to the South rather than to Mississippi, ready to consolidate the Confederacy at the cost of state privileges, and bold in his strokes for independence no matter how angrily governors protested at some of them.¹¹¹

Davis, in calling for all the people in the Confederacy to fight the enemy, used as his example the American Revolutionary War in which no man was too old and no boy was too young, if he had the physical capacity to enter the army and fight for his cause.¹¹² Benjamin and Mallory agreed, and were in favor of the conscription law and the abolition of class exemptions, while Stephens opposed such measures. Another reason for Stephens' opposition, although one does not know what role it played, was his personal dislike and mistrust of Davis which grew as the war went on. In any event, Davis, Benjamin, and Mallory were more concerned with reality and the war than with the high-minded principles of Stephens, who, although he seemed to have had a great knowledge of history, saw history in terms of eternal

¹¹⁰Rabun, p. 301.

¹¹¹Nevins, The Statesmanship of the Civil War, p. 49.

¹¹²Rowland, VI, p. 352, Oct. 6, 1864.

principles and easily perceived truths. Davis, although lacking part of Stephens' great knowledge, could see the stark realities of history and could learn from history much more than Stephens ever could. Davis, Benjamin, and Mallory did benefit from their study of history and were able, especially Mallory, to apply lessons from history to benefit the Confederate cause.

CHAPTER VI

CONCLUSION: HISTORICAL THINKING AND UNDERSTANDING
OF FOUR CONFEDERATE LEADERS

It can firmly be maintained that the concepts of history and historical understandings held by Jefferson Davis, Alexander Stephens, Judah Benjamin, and Stephen Mallory had significant influences on their thought and action during the Civil War years. How were the policies, roles, and activities of each man influenced by their ideas of history and world views?

Stephen Mallory's early influences, his religion, and his schools helped him to develop a world view. Mallory's interest in naval history developed due to his interest in maritime law. His mind was also linked to tradition as he had great pride in the United States navy, even though, like other navies, it was deteriorating due to the problem of discipline. As Secretary of Navy, Mallory's continuous interest in naval history became very important to the Confederacy. He understood the importance of educating and training the naval personnel as he believed this had made the navy of Great Britain superior to the navies of France and Spain. Mallory also used naval history to improve upon his own navy and thus he was one of the first to realize the great impact which the ironclad ships would have on the future of the world. However, the lessons he learned from history were directed primarily toward improvement of the Confederate Navy. Indeed, it seemed that his mind was directed almost singularly toward naval history.

Mallory's mind was not as concerned with slavery as that of the other Confederate leaders. Yet he expressed hope that the Negroes could become useful members of society, and during the war he was desirous of using slaves to help construct the navy. This probably contributed to his feeling that the future would show that Negroes were fit to be members of society.

Mallory regarded secession as only the last resort. He warned the North not to repeat the mistakes of the Bourbons and mistake a nation for a faction. Mallory saw the Confederate states as being one united nation and expressed great pride in the Confederate government. Mallory also believed that a speedy recognition would follow the South's secession. He accused the French of being very ignorant of United States' history if they thought the United States would ignore their own Monroe Doctrine. It was Mallory who first pledged cotton in return for equipment, becoming the first to attempt to use cotton in his diplomacy.

From his early background, Judah Benjamin gained a cosmopolitan outlook. In the 1850's, along with Davis, Benjamin recognized the importance that trade with China and Japan could represent for the South. While he was interested in Greek and Roman history, his main contact with history was through his law practice. Benjamin exhibited a great deal of knowledge concerning not only the legal history of the United States but of foreign nations as well.

Benjamin argued for slavery from a historic-legal viewpoint. From the time when Greece had made slaves of their prisoners captured in war until the formation of the English empire, slavery had been recognized by all nations. He examined court cases in Great Britain

and the United States to support his argument. Hence, his historical knowledge formed the basis for Benjamin's defense of slavery.

Benjamin saw the Southern states as having a legal right to secede. He studied similarities between the events leading up to the revolution of 1776 and the secession of the Southern states. Benjamin believed that as history gave lessons to the people, it was up to the people to profit by its teachings. On the other hand, the North's desire to control the South made her overlook the teachings from history.

Like Davis and Stephens, Benjamin also took great pride in the governmental structure of the United States and rejoiced to see the Confederacy following its example. By the late 1850's, however, he felt there could never be a truly unified North and South as this would be like uniting the French and English. Benjamin was quick in understanding the importance that European nations would play in the Civil War. He expected recognition but when it did not come, he was one of the first in the cabinet to recognize that slavery had been the chief impediment for recognition. Thus he became one of the leaders to advocate arming slaves and having them fight for the Confederacy with emancipation to follow. Benjamin argued that recognition of the Confederacy was called for by international law. He accused the French and English of ignoring the history of the United States and chided France for believing that the United States would not act to overthrow Maximilian in Mexico. Benjamin also understood the importance of propaganda and of educating the people of Europe to the cause of the Confederacy.

Through his historical insight, Benjamin was more effective as Secretary of State than Secretary of War. Even while he was head of the war department, he recognized the need for the Confederacy to fight a united war, rather than each state controlling its men. More than other members of the cabinet, Benjamin showed a willingness to take drastic steps to win the war. He even hinted at a dictatorship, leaving to the future, after the manner of ancient Rome, the responsibility for re-establishing a constitutional government.

Due to his vision of history, Benjamin was able to accept the misfortune of the Confederacy. As he stated to Varina Davis, he "believed that there was a fate in the destiny of nations and it was wrong and useless to distress one's self and thus weaken one's energy to bear what was foreordained to happen."¹ This trust in a higher law made Benjamin place most of his emphasis on the present. Unlike Stephens, he had little interest in his own past and unlike Davis, little interest in his own future. However, he did enjoy studying the history, especially legal history, of other nations. Benjamin's ideas of history played an important part in his own personal life as well as in his efforts and actions to help the Confederacy.

In the mind of Alexander Stephens one can see the importance he attached to the study of history. Shortly after his graduation from Franklin College, when he was twenty-two, he wrote: "no inconsiderable portion of pleasure which constitutes human happiness is derived from leisurely reviewing the past, this may be a depository ever at hand

¹Varina Davis, I, p. 277.

to which the mind when unengaged may revert and draw stores of pure delight and unfeigned enjoyment."² Stephens even hoped to learn from his own past. In the introduction to his diary, in 1834, he stated that he hoped not only to derive pleasure but also to draw many lessons from the future by comparing future events with similar occurrences in the past.³ As Stephens matured during the 1840's, his mind became more conscious of the importance that world history played in his own society.

During this period, Stephens began to use historical arguments to support his own thesis or ideas. He argued for slavery from a strong historical slant. He saw slavery from Biblical times and the Greek and Roman periods, up to the Spanish and English empires, as being a natural position in the hierarchy of the Creator. This higher law doctrine was supported by lessons from history as he viewed history as consisting of permanent truths and principles.

During the secession crisis, Stephens' historical mind again came to the forefront. While he did not desire secession, he was convinced that it was an inalienable right. However, he also realized the dangers of human passions in revolutions as having caused the downfall of all republics. He studied the "unfortunate" examples of the English Revolution in 1640 and Louis Napoleon's takeover in the French Revolution in 1848. Stephens feared the same horrible consequences would result if the South seceded, unless, like the American

²Johnston and Browne, p. 63, Nov. 19, 1834.

³Ibid., p. 64.

Revolution of 1776, it could become one of those rare exceptions to the lessons which history taught.

Stephens expressed great admiration for the United States' government, and later, the Confederate government. He felt that it was not the people, but rather their governmental institutions, which made countries great. Stephens wanted people to compare the governments of all past countries before they changed the governmental institutions they then had. He compared American institutions with the ancient Grecian society. The collapse of the Greek culture was due to the destruction of their institutions. He warned that history taught, as in Greece, Italy, the South American republics and other places, that whenever liberty was lost it might never be restored. Without his historical-mindedness, Stephens, the constitutionalist, could never have been so effective, nor convincing. The Confederate Vice President's devotion was directed toward a government, not to the people.

Stephens' understanding of European history convinced him that the European nations would probably not intervene in the Civil War. Nevertheless, like other Southerners, he hoped that Europe's desire for cotton would force it to come to the aid of the Confederacy. However, he was not too worried as to whether the Confederacy gained recognition or not. Neither was Stephens greatly concerned with strictly military matters although, unlike most Confederate leaders, he realized through his historical insight that the maintenance of a capital was not so important. What really concerned the Vice President was the infringement of the condition of the personal liberty of the people of the Confederacy. Due to his historical interpretation,

he was horrified by Davis' suppression of the writ of habeas corpus. He also insisted that history taught that power corrupts and he was very fearful of Davis' use of power, even though it was necessary if the Confederacy was to win the war. Stephens compared Lincoln with Hazael and Caesar in order to show that power was indeed a corruptive influence. For Stephens, the preservation of liberty was more important than the preservation of the Confederacy. He believed that all wars, especially civil wars, always menaced liberty and usually ended in the destruction of liberty. Furthermore, Stephens saw a historical necessity for leaving men at home in order to wage wars successfully. In addition, conscription could never be the means of establishing or maintaining free institutions.

Stephens considered himself to be a very high-minded individual. In his own eyes, he was not moved by ordinary motives but by great principles. When announcing for reelection in 1866, he stated that he would rather be defeated in good cause than to triumph in a bad one. He told his audience that he would always speak the truth, as had Aristedes when Themistocles conceived the proposition of burning all the fleets of other Grecian states so that Athens might hold domain over the seas. All the other generals supported this plan except Aristedes who said to the Athenians that what Themistocles proposed would be greatly to the advantage of Athens, but that it would be unjust.⁴ For Stephens, Aristedes was one of those rare men in history who dared to speak the truth even when it appeared to be opposed

⁴Cleveland, pp. 474-75.

to the best interest of the people; the Vice President considered himself to be of this noble breed.

To support his great principles, Stephens studied ancient societies and compared those societies with that of the United States. His objective was to show the people of the United States and later the Confederacy what these great history-embodied principles were. Edmund Wilson has stated that Stephens was not at all historically minded in the modern sense since Stephens saw the great principles of history as being unchangeable, in accordance with eighteenth century Enlightenment thinking. Indeed, Stephens did believe that "Times change, and men often change with them, but principles never! These, like truths are eternal, unchangeable, and immutable."⁵ Stephens did not study history in order to better ascertain what action should be taken in a particular incident. For instance, he was never interested in how the Confederacy could win the war. To him, this was just not the most important consideration since his great emphasis was on the higher principles. His mind and his actions must be understood in the context of this grand idea. Stephens realized that most people who studied history looked at the events and the changes which occurred in history. Unlike these people, Stephens studied the past in order to reconfirm the great principles and truths of history. In the introduction of his book, A Constitutional View of the War Between the States, modeled after the writings of Plato and Cicero, Stephens wrote that "the chief usefulness of all History consists in the lessons it teaches."⁶

⁵Stephens, I, A Constitutional View of the War Between the States, p. 9.

⁶Ibid., p. 87.

In early childhood Jefferson Davis was influenced by a wide variety of ideas and influences. As a young man he had a certain degree of interest in the past but it was not until he became Secretary of War that his historical world-mindedness developed. His studies were concentrated primarily on the military history of foreign nations. He tried to learn from their examples and experiences how to develop the United States Army. After Davis had resigned from his cabinet position, his historical consciousness developed further, however.

By the 1850's, Davis had become one of the most outspoken exponents of slavery. His argument for slavery was from a strong historical-religious standpoint. He studied the institutions of slavery in Spain and Great Britain, and looked at the history of the slaves themselves. He concluded that slavery was the best and proper condition for Negroes. Davis also insisted that only Negroes could do the work of slaves in the South as other nationalities could not stand the physical conditions. In his defense of slavery, Davis' mind showed a more cosmopolitan approach than usual; generally he was more concerned with the history of the United States than with the history of the European nations.

During the secession crisis, Davis saw similarities when he compared the position of the South with that of the American colonies before the American Revolution. He warned the North not to repeat the blunders which Great Britain had made. Thus, Davis argued that people could learn lessons from history and profit by its examples. Davis also took great pride in the United States' government and was delighted to see the government of the Confederacy modeled after the United States' government. However, Davis admired certain features

in Great Britain's government. Not only did he compare Great Britain's government with that of the Confederacy but also he seemed to regret that, in some instances, the Confederacy had not followed the examples of Great Britain.

Like Stephens, Davis' devotion was aimed primarily toward governmental institutions rather than toward people, but he did take more of a nationalistic outlook than Stephens. While serving as President of the Confederacy, he was more interested in the Confederacy than in any individual state, while Stephens remained more interested in his home state of Georgia. Unfortunately, Davis ignored the historical lesson of keeping the people informed as he felt that the people would trust him to do what was right.

Like many Southerners, Davis expected foreign recognition early in the Civil War. Davis thought that the history of international law would require foreign nations to recognize the Confederacy. Similarly, he felt that Europe must react to the United States' blockade, but again he misunderstood Europe's antagonism to slavery and the ineffective coercive power of King Cotton. Toward the end of the Civil War, Davis entertained the idea of getting recognition from Spain or Brazil. Unfortunately for the Confederacy, this idea was never fully developed.

Davis was also concerned with how future historians would regard his actions and realized that his name was tied up with the history of the Confederacy.⁷ Although he stated that he was convinced that the

⁷Jefferson Davis, The Rise and Fall of the Confederate Government, Vol. I (New York: D. Appleton and Co., 1881), p. 205.

future would prove the Confederacy innocent of any wrong-doing, he always kept an eye glued toward the future.

In all these Confederate leaders, historical-mindedness was present. While their minds were concerned with history, they were more absorbed with what principles or truths history could teach them than with deriving practical applications from history. To understand the actions of each man, it is important to know what role their historical mindedness played. For Mallory, this historical awareness was of great importance during the Civil War. With Davis and Benjamin, this factor hindered their effectiveness during the Civil War. As for Stephens, his mind was so concerned with the great truths in history that he was not at all concerned with how the Confederacy could win the war. Indeed, his historical-mindedness hindered the Confederate cause. Through an understanding of the historical thinking of these Confederate leaders, one can better understand the Civil War itself.

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