



# THE GETTYSBURG COLLEGE JOURNAL OF THE CIVIL WAR ERA

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## Gettysburg College Journal of the Civil War Era 2019

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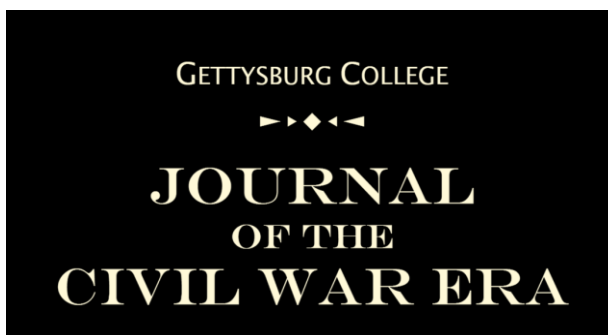
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# Gettysburg College Journal of the Civil War Era 2019

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**Volume 9, Spring 2019**

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**Cover Image:** An operating tent at Camp Letterman, Gettysburg, Pennsylvania in 1863. Courtesy of the Metropolitan Museum of Art.



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## A Letter from the Editors

It is our pleasure to present the ninth volume of the Gettysburg College Journal of the Civil War Era. This volume contains four academic essays, on topics ranging from medical dissection to the Revolution's legacy in the Civil War, and a book review on recent scholarship. The journal begins with Jonathan Tracey's "The Utility of the Wounded: Circular No. 2 and Medical Dissection." This well-researched essay explores transition in Victorian reaction to dissection from horror to a reluctant acceptance out of necessity. Next, Bailey Covington takes a look at the differences between white and black commemoration of the Civil War in "A Cause Lost, a Story Being Written: Explaining Black and White Commemorative Difference in the Postbellum South." This is followed by "'Mulatto, Indian, Or What': The Racialization of Chinese Soldiers and The American Civil War" by Angela He, who looks at the fluid racial categorization of Chinese soldiers. Then, Amelia Ward explores the Revolutionary rhetoric used by Civil War leaders to justify their political agendas in "Ghosts of the Revolution: Abraham Lincoln, Jefferson Davis, and the Legacy of the Founding Generation." Finally, Jacob Bruggeman reviews Joanna Cohen's *Luxurious Citizens: The Politics of Consumption in Nineteenth-Century America*.

Narrowing submissions down to these four final pieces was difficult, and there was much deliberation by our team over the well-researched pieces we received. The editorial process offered the editors important opportunities to work with authors and explore the field of Civil War history. Our team was able to engage a variety of topics in depth while reading and editing the submissions. We were impressed with each author's enthusiasm in studying the

Civil War Era and their commitment to their work in going the extra mile to submit to the eighth volume of our journal.

It is necessary to acknowledge and thank our dedicated associate editors whose hard work and diligence were vital to the ultimate publication of this journal: Ryan D. Bilger ('19), Benjamin T. Hutchison ('21), Brandon R. Katzung Hokanson ('20), Garrett Kost ('21), Christopher T. Lough ('22), Cameron T. Sauers ('21), Erica Uszak ('22), and Julia C. Wall ('19). We would also like to thank Dr. Ian Isherwood ('00), our faculty advisor, for his constant guidance and support of student work.

We hope that this journal will offer our readers a unique view into several important issues and events of the Civil War Era. We are incredibly proud of our editorial team as well as this year's authors, who offer their brilliance in the pages of this volume. We look forward to their future contributions to the Civil War field. Please enjoy this volume of the Gettysburg College Journal of the Civil War Era.

Sincerely,

Olivia J. Ortman, Gettysburg College Class of 2019  
Zachary A. Wesley, Gettysburg College Class of 2020



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**Jacob Bruggeman** is a senior at Miami University. He will graduate in May 2019 with majors in History and Political Science. In Fall 2019, he will begin an MPhil in Economic and Social History at Cambridge University.

## **THE UTILITY OF THE WOUNDED: CIRCULAR NO. 2 AND MEDICAL DISSECTION**

Jonathan Tracey

The American Civil War completely upended the American medical profession. Prior to the war, doctors and medical students had difficulty obtaining specimens to dissect and research. Due to Victorian social expectations and religious beliefs, families were extremely reluctant to allow research on their loved ones. As the Civil War began and medical necessity started to outweigh social norms, doctors struggled to find a socially acceptable way to acquire the bodies required to advance medical knowledge. With Circular No. 2, the Federal Government hoped to solve issues regarding inadequate specimens as well as poorly trained doctors. However, this medical advancement came at a deep social cost. Americans had to weigh two evils, debating whether it was worse to allow harm upon a deceased body or to let others die because of a lack of anatomical knowledge. The Civil War brought the gruesome reality of violent death to the doorsteps of families, and slowly but surely society transitioned from vehemently opposing medical schools towards begrudging acceptance and even curiosity, as shown through high visitation at the Army Medical Museum.

Previously, several scholars have examined the evolution of medicine during the Civil War as well as its effect upon Victorian society. Drew Gilpin Faust's *This Republic of Suffering* is a keystone in all studies regarding

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Victorian Americans' perception of death and loss, and it includes a small portion examining conceptions that limited the ability of doctors to procure remains to study, such as religious beliefs and the importance of the human body. Shauna Devine's work, *Learning from the Wounded*, as well as Ira Rutkow's book, *Bleeding Blue and Gray*, make the argument that the Civil War led to enormous medical progress and improvement both in the way injuries were treated as well as in the way new doctors were taught by tracking the changes that occurred throughout the war, such as professionalization of the medical field and increased success rates of medical treatment.

Yet, at what cost did this advancement come? Robert Goler's work, such as "Loss and the Persistence of Memory: 'The Case of George Dedlow' and Disabled Civil War Veterans," delves into this issue, raising the question of how veterans felt about the use of their medical records and answering it with the revelation that many veterans saw the wounds as a badge of honor. However, despite some coverage of grave robbing, minor discussions of Circular No. 2., and analysis of how the Civil War transformed medical study, no major studies have combined all three topics together to understand how and why the medical field changed. By examining antebellum America and the transition during the war through stories of men like James Bedell, society's transition from horror of dissection to accepting it for the greater good becomes clearer.

In the 1800s, it was incredibly difficult for budding doctors and medical schools to obtain cadavers for educational purposes. Part of the reason that medical

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specimens were so difficult to acquire was the idea of the Resurrection of the Body. Most Americans believed that a corpse retained “something of the former selfhood,” and prominent Protestant belief was that the same physical body would be raised again with the return of Jesus Christ.<sup>1</sup> Thus, Americans tended to believe that bodies should remain as whole as possible during burial, making the mutilation of bodies for dissection abhorrent. Religious objections were justified through Deuteronomy 21:22-23, which stated:

And if a man has committed a crime punishable by death and he is put to death, and you hang him on a tree, his body shall not remain all night upon the tree, but you shall bury him the same day, for a hanged man is accursed by God; you shall not defile your land which the Lord your God gives you for an inheritance.<sup>2</sup>

Most church interpretation of this section led to a desire for immediate burials rather than allowing time for dissection, which made it difficult for doctors to gain medical experience.

Many religious texts even forbade autopsies, especially in Orthodox Judaism. Although Judaism began to allow limited autopsy in specific cases, requiring organs to remain in situ rather than be fully removed, the definition applied not “for the good of all mankind or for future advancement of medical knowledge, but for the critically ill

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<sup>1</sup> Drew Gilpin Faust, *This Republic of Suffering: Death and the American Civil War* (New York: Alfred A. Knopf, 2008), 62.

<sup>2</sup> Suzanne M. Shultz, *Body Snatching: The Robbing of Graves for the Education of Physicians* (Jefferson: McFarland & Company, 1992), 7.

patient who may benefit directly from anatomical examination of the deceased person's remains."<sup>3</sup> In the words of Drew Gilpin Faust, "redemption and resurrection of the body were understood as physical, not just metaphysical, realities, and therefore the body, even in death and dissolution, preserved 'a surviving identity'. Thus, the body required 'sacred reverence and care'."<sup>4</sup> To Americans during the Civil War, the treatment of the bodies of the killed and the eventual respectful burial of the body as a whole were extremely important cultural norms. The bodies of the dead were supposed to belong to the families of the deceased, and dissection or experiments on bodies, despite potential medical gain, was contentious.<sup>5</sup>

Public outcry against medical study of cadavers further demonstrates both the adamant belief in concepts such as the Resurrection of the Body as well as explaining the government's perceived necessity of issuing Circular No. 2. Riots were directed against those who retrieved bodies, as well as the medical institutions that researched them, and many of the largest occurred mere decades before the Civil War. In 1811, a trail from a desecrated grave led to a hotel where medical students resided, and the hotel was destroyed by an angry mob.<sup>6</sup> In January 1824, a "resurrected" body, meaning one that had been taken from its burial, was found

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<sup>3</sup> Ibid.,

<sup>4</sup> Faust, 62.

<sup>5</sup> William Feeney, *Manifestations of the Maimed: The Perception of Wounded Soldiers in the Civil War North*, Dissertation, West Virginia University, 2015, ProQuest, 170-171.

<sup>6</sup> Shultz, 46.

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at Yale Medical College, leading to rioting for the better part of a week. One Yale student was even tried for grave robbing and convicted to jail time despite a lack of hard evidence and the fact no statutes covered the crime.<sup>7</sup> Worthington Medical College in Ohio was destroyed following a riot in 1839 when citizens gathered to accuse the college of grave robbery for dissection. Then, in 1847, Willoughby Medical College, which would later become the Ohio State University Medical School, was forced to relocate due to a mob. Angry mobs only temporarily dissuaded the practice, and ultimately Anatomy Laws were passed in several states from the 1840s to 1860s banning dissection and grave robbing except in specific situations, such as criminals being researched.<sup>8</sup> Clearly, public opinion in the mid-1800s objected to the “resurrection” and research of the dead.

As the Civil War began, doctors struggled to adapt to new types of wounds while also being limited by public opinion surrounding cadaver research. In the words of historian Margaret Humphreys, doctors who had mostly just been wrenched away from civilian life had to “invent an army medical system with little prior experience and few concrete models to draw from.”<sup>9</sup> As battles grew in scale and severity throughout late 1861 and 1862, doctors were faced with disaster. Examples of military medicine set by the Crimean War failed as the scale of the Civil War proved

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<sup>7</sup> Ibid, 47.

<sup>8</sup> Ibid, 47-48.

<sup>9</sup> Margaret Humphreys, *Marrow of Tragedy: The Health Crisis of the American Civil War* (Baltimore: The Johns Hopkins University Press, 2013), 7.

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much larger, and medical preparations proved unable to adequately transport and treat the wounded. Doctors simply lacked the experience and resources necessary to carry out their tasks. After all, gunshot wounds were rare for the civilian doctor, but would come in the hundreds or thousands following a battle. Although some publications were issued to civilian doctors that entered the service, they were by no means detailed enough to adequately prepare doctors for service as an army surgeon.<sup>10</sup>

The previous structures of medical research and instruction had been found to be severely lacking. In May 1862, Surgeon General William Hammond issued Circular No. 2 to attempt to address these weaknesses, especially the lack of knowledge about battlefield injuries:

Circular No 2.

Surgeon General's Office

Washington D.C., May 21, 1862

As it is proposed to establish in Washington, an Army Medical Museum, medical officers are directed diligently to collect and to forward to the office of the Surgeon General, all specimens of morbid anatomy, surgical and medical, which may be regarded as valuable; together with projectiles and foreign bodies removed, and such other matters as may prove of interest in the study of military medicine or surgery. These objects should be accompanied by short explanatory notes. Each specimen in the collection will have appended the

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<sup>10</sup> Ibid, 30.



name of the Medical Officer by whom it was prepared.

WILLIAM A. HAMMOND, Surgeon General.<sup>11</sup>

This order created the Army Medical Museum as well as setting the standards of documentation that had to accompany each case. Not only did it mandate sending cases to the museum, but it showed that doctors were also personally motivated to do so. By attaching their names to the cases they submitted, doctors could show off their knowledge and skill, potentially furthering their career. Circular No. 5, issued later, stated that contributed case studies would be published in the future *Medical and Surgical History of the War of the Rebellion*.<sup>12</sup>

Many doctors fully embraced the orders, eager to further medical knowledge while making a name for themselves. Charles Wagner, who would ultimately become one of the chief contributors, wrote to John Brinton often in 1862. As he was “desirous to be a part of the surgical history of the war,” he had already begun recording all his cases. Regarding specimens, he regretfully stated the he had treated “several interesting cases of gunshot wounds of the lungs, but cannot procure specimens because the cases will recover.” Though disappointed he could not send the lungs because his treatment was successful, he also noted he would

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<sup>11</sup> John H. Brinton, *Personal Memoirs of John H. Brinton: Civil War Surgeon, 1861-1865* (Carbondale: Southern Illinois University Press, 1996), 180.

<sup>12</sup> Shauna Devine, *Learning from the Wounded: The Civil War and the Rise of American Medical Science* (Chapel Hill: The University of North Carolina Press, 2014), 31.

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send “one very pretty specimen, a portion of the cranium from a case of resection of the cranium.”<sup>13</sup> However, sometimes other motivations won out, and there is at least one account of a surgeon facing military discipline because he had sold a specimen to a private collector.<sup>14</sup> Additionally, the issuance of Circular No. 10 in August 1862 chastising surgeons for not complying with previous circulars likely means that Hammond and John Brinton, who ran the museum, were not receiving compliance.<sup>15</sup>

Circular No. 2 and the Army Medical Museum have a complex legacy. Not only was it intended to compile specimens for medical research, but it was also intended to grow a collection for public display. Since it was federally funded and appropriated, the museum “was a ‘common possession,’ a shared reminder of the North’s losses and gains. The exhibits on display also acted as a siphon through which the public recognized the benefits of understanding human anatomy.”<sup>16</sup> Regarding issues of ownership, the Army Medical Museum argued that the Federal government owned soldiers’ bodies during enlistment as well as appealed to patriotism by arguing that the specimens could continue to serve the nation by furthering medical knowledge.<sup>17</sup> The museum collection grew to over 4,700 specimens and relocated to Ford’s Theatre, where Abraham Lincoln was shot by John Wilkes Booth.

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<sup>13</sup> Ibid, 38-39.

<sup>14</sup> Feeney, 165-166.

<sup>15</sup> Ibid.,

<sup>16</sup> Feeney, 167.

<sup>17</sup> Ibid, 176-177.

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The Army Medical Museum reopened on April 16, 1867.<sup>18</sup> The display was comprised of wooden cases filled with specimens and the associated photographs, complete with models of ambulances and medical tents and flags draped from the ceiling. One journalist described the museum as “not such a collection as the timid would care to visit at midnight.”<sup>19</sup> The gruesome display did not deter visitors, and by 1871 it boasted annual visitation of nearly 18,000 people. Although Hammond had hoped to start a school of medicine at the Army Medical Museum, Edwin Stanton thwarted him. Future doctors would have to rely on the records produced by Circular No. 2 rather than attending a full school based at the museum.<sup>20</sup>

In an optimal situation, such as at a permanent hospital, specimens for the museum were gathered in the following way:

[T]he bones of a part removed would usually be partially cleaned, and then with a wooden tag and carved number attached, would be packed away in a keg, containing alcohol, whiskey, or sometimes salt and water. Then, when a sufficient number of specimens had accumulated, the keg would be sent to Washington and turned over to the Army Museum,

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<sup>18</sup> Ira M. Rutkow, *Bleeding Blue and Gray: Civil War Surgery and the Evolution of American Medicine* (New York: Random House, 2005), 247.

<sup>19</sup> Robert Goler, and Michael Rhode, "From Individual Trauma to National Policy: Tracking the Uses of Civil War Veteran Records," in *Disabled Veterans in History*, ed. David A. Gerber, (Ann Arbor: University of Michigan Press, 2000), 180.

<sup>20</sup> Rutkow, 249-250.

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where the preparations of the specimens would be finished...The memoranda or histories of these specimens would in the meantime have been forwarded to the Surgeon-General's Office.<sup>21</sup>

This method of procurement was significantly more complicated when the realities of field medicine entered the equation. Often, specimens would be sent lacking proper documentation, or, worse in the eyes of Brinton, specimens would simply not be collected and sent at all. Early on, Brinton would even travel to battlefields and hospitals, personally gathering “mutilated limbs, organs from autopsies, and parts of bodies racked by disease – sometimes removing corpses from freshly dug graves to procure the needed specimen.”<sup>22</sup>

At Camp Letterman, the reality of how difficult it was to obtain records, as well as the inhumanity of how cases were handled, is clear. Camp Letterman was the conglomerated hospital established outside Gettysburg in late July 1863. There, thousands of soldiers wounded during the Battle of Gettysburg would be treated, and there James T. Bedell serves as a case study for Circular No. 2's use in the field. Bedell was a 43-year-old farmer from Michigan who lived with his 82-year-old mother, as well as his 55-year-old and 39-year-old brothers.<sup>23</sup> Bedell enlisted in the 7<sup>th</sup> Michigan Cavalry on January 1<sup>st</sup>, 1863, but the Battle of

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<sup>21</sup> Brinton, 185-186

<sup>22</sup> Rutkow, 246.

<sup>23</sup> 1860 U.S. Census, Oakland County, Michigan, population schedule, Waterford Township.

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Gettysburg was the first major battle he was a part of.<sup>24</sup> During the battle his horse was shot out from under him and he was captured, though he was still unwounded. While being led to the rear, “he was unable to keep up with the column, and all efforts to goad him on being unavailing, a confederate (SIC) lieutenant, in command of the provost guard, cut him down, and left him for dead by the roadside.”<sup>25</sup> While at the Cavalry Corps Hospital, his state was depressed, with a low pulse. However, it also states that he was “quite rational” when awoken.<sup>26</sup> His medical records conflict slightly beyond this point. The *Reports on the Extent and Nature of the Materials Available for the Preparation of a Medical and Surgical History of the Rebellion* cite records submitted by Surgeon W.H. Rulison that claim Bedell died August 15<sup>th</sup>, while the Case Book of Dr. Henry Janes, a record book of case files at Camp Letterman compiled by Janes while he supervised Gettysburg hospitals, picks up from August 16<sup>th</sup> to August 30<sup>th</sup>, stating that records previous to the 16<sup>th</sup> had been lost. It is probable that he actually died on the 30<sup>th</sup>, and Rulison’s records were simply

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<sup>24</sup> Travis Busey, and John Busey, *Union Casualties at Gettysburg: A Comprehensive Record, Volume 1* (Jefferson: McFarland & Company, Inc, Publishers, 2011), 299.

<sup>25</sup> *Reports on the Extent and Nature of the Materials Available for the Preparation of a Medical and Surgical History of the Rebellion: Circular No. 6 War Department, Surgeon General’s Office, Washington, November 1, 1865* (Philadelphia: J.B. Lippincott & Co, 1865), 40.

<sup>26</sup> *Ibid.*,

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the earlier copy that Camp Letterman doctors had been unable to obtain.<sup>27</sup>

While at Letterman, Bedell's situation remained very similar to when he was at the Cavalry Corps Hospital, with low pulse, weakness, and a depressed state. On August 30<sup>th</sup>, he took a drastic turn for the worse. He was afflicted by a severe chill along with a drastically increased heartrate for sixteen hours. The Case Book stated that "the brain protrudes from the wound" and that he had gone entirely blind. Horrifically, it also stated that his mind remained clear throughout the suffering until his death at 5 PM.<sup>28</sup> Following his death an autopsy was performed. This procedure revealed:

a sabre cut six inches long, which had raised an osseous flap, adherent at its base, from the left parietal, with great splintering of the vitreous plate. The sabre had penetrated the dura mater on the left side, and on the right side the meninges were injured by the depressed inner table. The posterior lobes of both hemispheres were extensively disorganized.<sup>29</sup>

The autopsy also included sawing "out a section of the skull about 5 inches long and 3 inches wide (elliptical) including the fracture and found internal table resting upon the cerebrum."<sup>30</sup> The speed at which the autopsy was completed

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<sup>27</sup> Jonathan. Tracey, "James Bedell, 7th Michigan Cavalry," *Killed at Gettysburg*, <http://killedatgettysburg.org/james-bedell-7th-michigan-cavalry/>

<sup>28</sup> *Dr. Henry Janes Case Book*, University of Vermont – Special Collections, transcription at Gettysburg National Military Park.

<sup>29</sup> *Ibid.*,

<sup>30</sup> *Ibid.*,

along with the distance that separated Bedell from his family almost certainly means they proceeded without gaining permission from the family. Bedell was then briefly buried in the Camp Letterman cemetery, though the exact grave number is unknown. The details then become murkier; he was ultimately disinterred and moved to the Soldiers' National Cemetery at an unknown date.<sup>31</sup> However, he was not buried whole.

His skull was removed from the rest of his body, and mailed to the Army Medical Museum near Washington D.C., where it was photographed by George Otis.<sup>32</sup> Sabre or bayonet wounds were extremely uncommon, comprising less than 1% of wounds treated by Union doctors during the Civil War.<sup>33</sup> This factor, compounded with the curiosity that Bedell had survived for nearly two months afterward and had remained lucid certainly meant his specimen was one that fit Circular No. 2's criteria "of morbid anatomy, surgical and medical, which may be regarded as valuable," explaining why his skull was sent to the museum.<sup>34</sup>

Bedell was far from the only victim of Circular No. 2 at Camp Letterman. Comparing the National Museum of Health and Medicine's Otis Historical Archives Surgical Photograph collection, which is composed of photographs taken by Otis of specimens at the Army Medical Museum,

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<sup>31</sup> Busey and Busey, 299.

<sup>32</sup> *James T. Bedell File*, National Museum of Health and Medicine.

<sup>33</sup> Charles Teague, *Gettysburg by the Numbers: The Essential Pocket Compendium of Crucial and Curious Data about the Battle* (Gettysburg: Adams County Historical Society, 2006), 41.

<sup>34</sup> Brinton, 180.

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against the Henry Janes Case Book reveals several heavily documented examples of specimens retrieved from Camp Letterman. These specimens include objects such as Bedell's section of a posterior portion of a cranium, Gardiner Lewis' excised knee-joint, John Durkin's shortened left thigh with removal of fragment of bone, S. Manley's upper portion of the right femur, L. Morell's cicatrices after shot perforation of the abdomen and Theodore W. Pease's secondary excision at the hip.<sup>35</sup> Additionally, unidentified amputated limbs from Camp Letterman were sent en masse to the Army Medical Museum. A visitor to Gettysburg, Frank Stoke, recorded that "the amputated limbs are put into barrels and buried and left in the ground until they are decomposed, then lifted & sent to the Medical College at Washington."<sup>36</sup>

John Brinton outlined his plan for records in a letter to Henry Janes on August 15<sup>th</sup>, 1863. Brinton begins the letter by mentioning that he forwarded additional blank pages to be filled with descriptions of wounds along with a few examples to show what information he required. He continues by stating Janes only need ask if he needs more liquor to store specimens. Brinton then chastised Dr. Neff for burying a barrel of specimens in the fashion described by Frank Stoke in his letter; burying specimens was "hardly the idea" of what Brinton wanted.<sup>37</sup> Instead, Brinton requested that the barrel be immediately forwarded by Adams' Express

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<sup>35</sup> Otis Historical Archives, OHA 82 Surgical Photographs, National Museum of Health and Medicine.

<sup>36</sup> Frank M. Stoke to J.M. Stoke, October 26, 1863. Library, Gettysburg National Military Park.

<sup>37</sup> Letter, J.H. Brinton to Henry Janes, August 15, 1863.



and that any future barrels or kegs should be sent to the Surgeon General's office as soon as they were full. Furthermore, Brinton requested that each specimen should have attached a block with the number as well as be marked with lead pencil. If each of Janes' 1,295 cases could be written on the blanks and kept up to date, Brinton thought Janes' "opportunity for an immortal paper [would] be the best any surgeon ever had."<sup>38</sup> However, apparently Janes had some difficulty obtaining records, as in September he wrote Brinton stating, "you have no idea how difficult it has been to get even such poor histories as those I send today."<sup>39</sup>

Concerning the specific case of James T. Bedell, it is unlikely his family was ever asked for consent or informed that his skull was being separated from the rest of his body. He was not an unknown soldier with an unknown origin, which may have excused the inhumane treatment of his body. Bedell was identified at the time of his death and his record was heavily documented. Additionally, upon his death his personal effects were recorded, including "a muster roll list, \$75 dollars in back pay from April to July, a diary, [and] a letter."<sup>40</sup> Bedell was treated not as a man worth individuality, but simply as a specimen with value solely as a medical oddity. The worth of the individual man and his individual body was made subordinate to national need. In

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<sup>38</sup> Ibid.,

<sup>39</sup> Letter, Surgeon Henry Janes to Surgeon J. H. Brinton about Camp Letterman Hospital, Gettysburg, Pennsylvania, September 12, 1863.

<sup>40</sup> Busey and Busey, 299.

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the eyes of many, “if the specimen could be used, perhaps it gave meaning to the soldier’s life.”<sup>41</sup>

Following the war, veterans continued to struggle with the legacy of Circular No. 2. Public displays of specimens at the Army Medical Museum and publication in the *Medical and Surgical History of the War of the Rebellion* served both to compile knowledge and honor veterans, but although many soldiers saw public display as an honor, other veterans and society members saw it as grotesque. Brinton’s memoirs have several examples of soldiers and their varied reactions to learning that their bones were on display at the Army Medical Museum. One Colonel arrived at the museum and, recognizing a display by the attached information, called his daughter over and exclaimed “Come here, Julia, come here, - here it is, my leg... and nicely fixed up too.”<sup>42</sup> Though the museum had been designed to provide a record of specimens for scientific purposes, many veterans saw having their injuries on display as a source of great pride. One of the most prolific examples of veterans embracing display in the Army Medical Museum is the case of Daniel Sickles. Union General Daniel Sickles had his leg amputated after he was wounded by artillery fire during the Battle of Gettysburg. He preserved the bones of his leg and donated them to the Army Medical Museum, using the wound and amputation as proof of his valor. For many years after, he would visit his limb on the anniversary of its amputation.<sup>43</sup>

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<sup>41</sup> Devine, 196.

<sup>42</sup> Brinton, 190.

<sup>43</sup> Rutkow, 247.

## The Utility of the Wounded

A fictional story that nevertheless details the importance of the Army Medical Museum in veteran memory involves a veteran by the name of George Dedlow participating in a séance attempting to contact his amputated legs. Much to his surprise, the medium proceeded to respond, “United States Army Medical Museum, Nos. 3486, 3487,” allowing Dedlow to briefly stumble around on invisible legs and ultimately visit his limbs and gain a pension.<sup>44</sup>

Additionally, amputated limbs that were stored at the Army Medical Museum with the accompanying paperwork proved incredibly useful for wounded veterans attempting to ensure compensation via a pension and other support. By citing the records held there, “disabled veterans were entitled to up to eight dollars a month and also had the option of being fitted for prosthetic devices,” since pension requests were routinely sent to the Surgeon General’s Office for verification.<sup>45</sup> Soldiers more commonly wrote asking the museum for photographs of the parts of their bodies for personal use rather than directly asking for the return of the specimens.<sup>46</sup> Just as presence in the Army Medical Museum assisted veterans in claiming glory and pensions, presence in the later *Medical and Surgical History of the War of the Rebellion* did the same. Surgeon General Joseph K. Barnes, who prepared the compendium, remarked:

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<sup>44</sup> Robert I. Goler, "Loss and the Persistence of Memory: 'The Case of George Dedlow' and Disabled Civil War Veterans," *Literature and Medicine* 23, no. 1 (2004): 161.

<sup>45</sup> Goler and Rhode, 165

<sup>46</sup> Devine, 187.

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In carrying out the intentions of Congress, it has been my earnest endeavor to make this *Medical and Surgical History of the War*, not only a contribution to science, but an enduring monument to the self-sacrificing zeal and professional ability of the Volunteer and Regular Medical Staff; and the unparalleled liberality of our Government, which provided so amply for the care of its sick and wounded soldiers.<sup>47</sup>

Clearly the work was not only for reference but was also intended to memorialize the valor and suffering of soldiers as well as the successes of the medical system.

Other veterans were less positive about the experience. A private travelled to the museum and located his amputated limb with the help of assistants. He then proceeded to demand the return of his limb, believing it to be his own property. The curator ultimately silenced the visitor with the following conversation: “For how long did you enlist, for three years or the war?’ The answer was, ‘For the war.’ ‘The United States Government is entitled to all of you, until the expiration of the specified time. I dare not give a part of you up before. Come, *then*, and you can have the rest of you, but not before.’”<sup>48</sup> As humorous as this story is, it is unlikely that this soldier was ever reunited with his limb, considering that the Army Medical Museum’s collection did not vanish at the conclusion of the war. However, as no name was linked with the story, it is impossible to know.

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<sup>47</sup> Goler and Rhode, 170.

<sup>48</sup> Brinton, 190.

## The Utility of the Wounded

The ultimate goal of Circular No. 2 was the publication of the *Medical and Surgical History of the War of the Rebellion*, which, as previously mentioned, served both as an instructional tool and a monument. The six-part compendium was published over the course of eighteen years, from 1870 to 1888, complete not only with the histories gathered from hospitals and battlefields but also with analysis of what these histories meant for medical science.<sup>49</sup> In the case of James Bedell, the coverage shows that his skull was statistically useful for the Army Medical Museum. Despite the fact that several thousand records are compiled in the publication, only 49 detailed records included incised fractures of the cranium. Of those, only 13 patients died. Of the 13, 10 died from inflammation of the brain or compression, including Bedell; this makes him a member of a very exclusive club. Only 331 cases of incised wounds of the scalp or cranium by sabre wound were ever recorded, though most were not very detailed.<sup>50</sup> Thus, the detail in Bedell's case made his skull valuable in the eyes of the Army Medical Museum. Through analyzing the various cases, it was concluded that generally wounds to the side of the head were generally more fatal than wounds to the top, except in the case of Bedell.<sup>51</sup> Specifically, it was concluded that Bedell's death was due to irritation caused by splinters of the inner table and not due to the broken section of bone at the wound seen in Appendix A. In fact, the ovular shaped

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<sup>49</sup> Rutkow, 249.

<sup>50</sup> *Medical and Surgical History of the War of the Rebellion* (Washington: Government Printing Office, 1870), 27.

<sup>51</sup> *Ibid*, 24.

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section had actually partially fused back to the skull at the time of Bedell's death.<sup>52</sup> As well as the conclusion on fatal wounds, it was also concluded that osseous flaps of bone such as seen with Bedell, should be helped to heal rather than removed, hopefully meaning that the study of Bedell's wound could save the life of another soldier wounded in some future battle.

It can be argued that Circular No. 2, the Army Medical Museum, and the publication of the *Medical and Surgical History of the War of the Rebellion* led to some medical advances. In 1870, a Parisian doctor remarked, "the United States has done as much in the matter of an anatomical-pathological museum in five years as has been done in all Europe in a century."<sup>53</sup> Additionally, the progress made by Joseph Woodward, who worked on the publication of the *Medical and Surgical History* as well as in the photography department of the museum, in the field of medical photography was important, as they may have been the first photomicrographs in the United States. The negatives and prints still reside in the museum and are of incredible quality.<sup>54</sup> The notes on Bedell indicate his wound did contribute to medical knowledge about what types of head wounds were the most dangerous as well as conclusions about types of treatment.

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<sup>52</sup> Ibid, 25.

<sup>53</sup> Morris C. Leikind, "Army Medical Museum and Armed Forces Institute of Pathology in Historical Perspective," *The Scientific Monthly*, vol. 79, no. 2, (1954), 74.

<sup>54</sup> Ibid.,

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Additionally, one of the most pressing questions in Civil War medicine involved amputations: should operations be done immediately to curtail lack of blood and immediate infection, or after the patient has regained their strength and could better fight later infection? The *Medical and Surgical History*'s records indicated that "for those soldiers in overall good health, immediate amputation led to lower rates of complication than occurred when the injured soldiers were transported to a hospital setting."<sup>55</sup> The statistics after the war showed that mortality rates of immediate amputation were 27%, while delayed amputations reached a 38% mortality.<sup>56</sup> Concerning diseases, Woodward's compiled statistics concluded that fewer troops died from disease percentage-wise than any previous conflict, but mortality rate for soldiers was more than five times higher than similar men in peacetime, proving the importance of continued research into disease. The records compiled by Circular No. 2 and collected into the publication made a large impact on the study of medicine, helping to answer numerous questions about both injuries and diseases. Partially due to this six-volume set, American medicine began to surpass European medical studies.<sup>57</sup> Most importantly, the Army Medical Museum had changed public opinion. Average people who were able to visit the museum or read the published records no longer saw doctors merely as opportunists eager to exhume the bodies

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<sup>55</sup> Goler and Rhode, 169.

<sup>56</sup> Humphreys, 31.

<sup>57</sup> Feeney, 51.

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of loved ones for grim research. Instead, the medical profession had now been elevated in public opinion as a noble job; the scientific nature and governmental foundation of the museum made it more respectable than the curiosity cabinets and grotesque freak shows of the early 1800s.<sup>58</sup>

Within the Army Medical Museum, Victorian cultural values clashed with what was deemed to be medical necessity. Questions of the ethics of medical research also contrasted with extreme public interest in the displays. Although medical advances have now made some aspects of the *Medical and Surgical History of the War of the Rebellion* obsolete, the memorial aspect of the publication seems timeless. However, the inhumanity with which cases such as Bedell were treated contrasts sharply with the image that the *Medical and Surgical History* was intended to honor the veterans. Bedell and his family potentially would have felt more respected if his body had remained whole in burial, rather than with most of his body buried in a place of honor at the National Cemetery in Gettysburg while his skull rests in a museum collection in Maryland. The wounds and illnesses that came as a result of the war had an appreciable impact on both the development of medicine as well as public perception relating to it. Society had transitioned towards acceptance of dissection and curiosity concerning the grotesque aftermath of war. By appealing to patriotism and the idea that dissections would save future lives, the government had convinced many to accept medical research as a necessary evil.

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<sup>58</sup> Devine, 182-183.



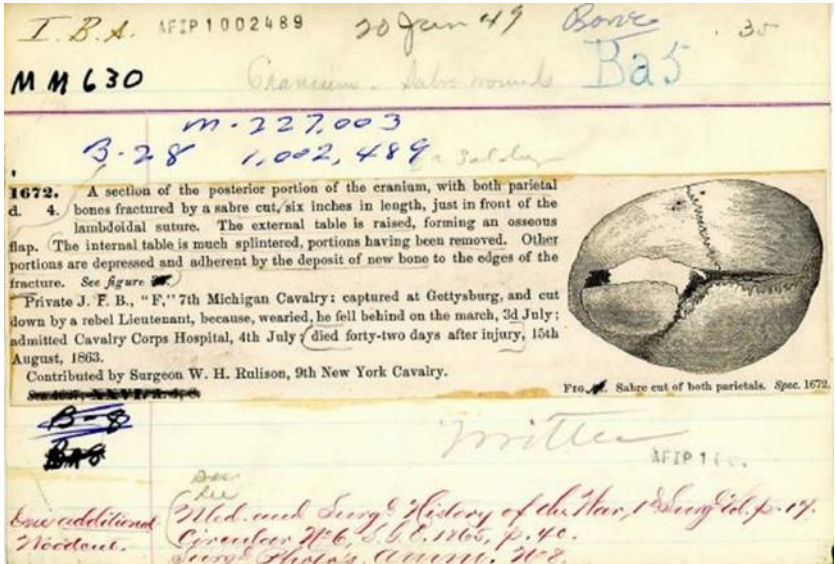
**Appendix A**



The skull of James Bedell. (National Museum of Health and Medicine)

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## Appendix B



An excerpt from the James Bedell file. (National Museum of Health and Medicine)

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# **A CAUSE LOST, A STORY BEING WRITTEN: EXPLAINING BLACK AND WHITE COMMEMORATIVE DIFFERENCE IN THE POSTBELLUM SOUTH**

Bailey M. Covington

From 1913 until August of 2018, a soldier stood stoically on the campus of the University of North Carolina at Chapel Hill, his gaze fixed unrelentingly into the upper distance above the heads of visitors to the historic campus. Students dubbed him Silent Sam, though he was erected as an anonymous stand-in for all Confederate soldiers who fell in America's Civil War, a monument to their sacrifice, generously sponsored by North Carolina's chapter of the United Daughters of the Confederacy.<sup>1</sup> There are hundreds of such monuments all across the United States, but they are especially concentrated in the South, like an occupying army that stands watch over the passage of time. Almost none of these monuments depict a black soldier or mentions the emancipation of enslaved black Americans. So, where are all of the black monuments?

The better question to ask is, while the University of North Carolina was dedicating Silent Sam to the Lost Cause, what were black Southerners doing to construct a memory of the Civil War and its consequences? Quite a lot, as it happens, though virtually none of it was monument

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<sup>1</sup> David A. Graham, "The Dramatic Fall of Silent Sam, UNC'S Confederate Monument," *Atlantic*, Aug. 21, 2018.

construction. The literature on Southern commemorative history centers the monument within Southern efforts to memorialize the Civil War, and, by proxy, scholars have privileged white forms of commemoration. John J. Winberry's seminal work examines (implicitly white) Confederate monuments, and H.E. Gulley's "Women and the Lost Cause" gives Southern women a place in commemorative history without specifying that the argument applies only to *white* Southern women.<sup>2</sup> There are few comparative analyses of black and white commemorative activity, and even fewer attempts at explaining *why* black and white Southerners differed in commemorative modes and messages. Scholars like W. Fitzhugh Brundage have undertaken important analyses of black commemorative activity in the South and have attempted to explain differences between black and white commemoration by citing the political marginalization and resource limitations blacks faced.<sup>3</sup> However, I argue that this explanation reduces the agency involved in blacks' development of commemorative traditions. I suggest instead that blacks' commemorative difference can be seen not just as a response to adversity but also as a strategy developed

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<sup>2</sup> John J. Winberry, "'Lest We Forget': The Confederate Monument and the Southern Townscape," *Southeastern Geographer* 23, no. 2 (1983): 107-121, and H. E. Gulley, "Women and the Lost Cause: Preserving a Confederate Identity in the American Deep South," *Journal of Historical Geography* 19, no. 2 (1993): 125-141.

<sup>3</sup> W. Fitzhugh Brundage, *The Southern Past: A Clash of Race and Memory* (Cambridge: Harvard, 2005).



for distinctive commemorative purposes under those conditions of adversity. A deeper examination of the issue proves worthwhile for understanding how blacks and whites used commemoration to accomplish different rhetorical goals.

My analysis will juxtapose black and white commemorative messages, purposes, and modes from the end of the Civil War until 1917, when the U.S. entered the First World War. This period includes a moment of relative sociopolitical freedom for blacks after emancipation and during Reconstruction, followed by the rising anti-black violence of the early Jim Crow years which changed the terms on which black and white southerners interacted publicly. I center black commemoration in my argument by attempting to explain why black traditions differed from white ones. I will begin by examining the place of commemoration in collective memory and identity formation, followed by a comparative discussion of commemorative messages, forms, and purposes between black and white southerners. I conclude that, while white supremacist society did deny them the economic and political capital to commission monuments, black Southerners organized public commemorative celebrations not as a last resort, but as a fitting strategy to advance black interests. Black commemorative distinctiveness stemmed from what black Southerners sought to *do* with commemoration. While white Southerners used commemoration to establish permanent testaments to Confederate glory in the face of a culturally devastating loss, black southerners used commemoration as a forum to

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commune about the past and use that past as a tool for understanding and shaping their future.

### **The Implications of Commemoration**

The versions of history which are commemorated become part of public memory and influence ideology, and, in the South as well as in America generally, this has contributed to the persistent codification of white supremacy. To understand why commemoration holds important implications for the identity formation of individuals as well as for the structuring of societies around norms and ideals, we must understand commemoration as a way of constructing and institutionalizing collective memory. My use of commemoration as a theoretical concept is influenced by the work of sociologist Maurice Halbwachs on historical and collective memory and of historian John Bodnar on American public memory and commemoration, combining key elements of both theories to contextualize my analysis.

First, I suggest that commemoration is a way of both representing and constructing collective memory, and that, while the collective memory of a society is formed by the individual memory of its members, collective memory remains distinct and in turn shapes the recollections and interpretations of the individual. I take this concept from Halbwachs's *The Collective Memory*, in which Halbwachs theorizes that individual memory relies on collective memory as a reference point, borrowing from it to construct ideas about the past and present. Halbwachs repeatedly

refers to a concept of “social milieu,” which I take to mean culture, and so I extend his theory of memory to include identity and ideology. According to Halbwachs, individual memory—or identity—is formed with the benefit of “instruments the individual has not himself invented but appropriated from his milieu.” These “instruments,” a term which Halbwachs uses somewhat ambiguously to describe “words and ideas,” are treated here as ideological schema which individuals adopt from their cultural background, and which act as guides for the range of actions and attitudes appropriate to that culture.<sup>4</sup> I adapt commemoration to this theory by analyzing it as a manifestation of collective memory, and therefore as a process of representing and repeating ideological schema. Civil War commemoration in the South, then, is an expression of collective historical memory about the war’s causes and consequences which carefully shapes the ideological identity of Southerners and prescribes what they should believe about the war.

Second, commemorations are deliberate curations of symbol and ceremony implicated in official culture, a force which maintains social organization around shared values and limits social change. Official culture, with commemoration as one of its tools, creates self-perpetuating structures which endure across generations. I pull the concept of “official culture” from Bodnar’s *Remaking America*. Bodnar theorizes that cultural leaders produce and

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<sup>4</sup> Maurice Halbwachs, “Historical Memory and Collective Memory,” in *The Collective Memory*, translated by Francis J. Ditter, Jr. and Vida Yazdi Ditter (New York: Harper & Row, 1980), 51.

maintain official culture. These leaders benefit from the status quo, so they have a vested interest in “maintaining the social order and existing institutions” by working against radical change and emphasizing citizens’ duties to society rather than their rights within it. Cultural authorities use symbolic expressions such as commemoration to assert the dominance of their preferred interpretations of the past, present, and future, often implying that these interpretations are timeless or sacred, and therefore indisputable.<sup>5</sup> In Bodnar’s theory, public memory is the result of a dialectic between official and vernacular culture; however, his work is a study of American public memory on a national scale, while my analysis will address regional conflicts within the South. The South’s commemorative contests are best served by an analytical framework which is limited to an examination of competing official cultures between black and white communities. The relevant implication of commemoration as an expression of official culture is that commemoration becomes a means of solidifying ideologies for transmission across generations. Therefore, Civil War commemoration represents a concerted effort on the part of cultural authorities to enshrine a particular view of the war within the community, and to perpetuate that view across generations.

From this theoretical framework, we can conclude that Civil War commemoration attempted to control and

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<sup>5</sup> John Bodnar, “The Memory Debate: An Introduction,” in *Remaking America: Public Memory, Commemoration, and Patriotism in the Twentieth Century* (Princeton: Princeton University, 1992), 13-15.

solidify cultural narratives around the war, shaping the ideologies of individual southerners and passing those ideologies down through generations. Particularly, commemorative activity involved interpretation of the past, present, and future of the war, meaning that it constructed ideas about the war's causes and its implications, both for the commemorative moment and for the future beyond that moment. For its potential to shape collective ideology, commemorative space is a valuable form of social capital which whites—especially in the South—have attempted to monopolize. White commemoration of the Civil War as an honorable stand for the southern plantation lifestyle (intimately implicated in slavery) contributes to the perpetuation of white supremacy by discouraging progressive change and by downplaying the rights of blacks as equal citizens in favor of the “proper place” of blacks as second-class citizens. Any measure of success that this cultural narrative has met with has shaped collective memory and social organization into the image of white supremacy which persists today. The contestation of commemorative space, then, represented a life-or-death struggle for black southerners in which they fought to forge a narrative in which black southerners could have an equal place.

Almost immediately upon the war's conclusion, black and white Southerners sprang into action to construct competing narratives of the Civil War, attempting to control the definition of Southern identity, which was shaped around the war's perceived causes and results. From their position as the defeated, white Southerners largely concluded that the

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war was caused by Northern aggressions and federal violation of states' rights, that the Confederate cause was a noble one, and that the Confederate dead deserved honor and praise from the living on the grounds of their loyal sacrifice.<sup>6</sup> Meanwhile, black southern discourse expressed the belief that the war was God's punishment for the crime of slavery, that the defeat of the Confederacy and the restoration of freedom to enslaved blacks was an act of divine justice, and that black claims to citizenship were deeply rooted in the nation's history.<sup>7</sup> The construction of these narratives involved a competitive discourse between and within the two groups, and the stories that southerners spun informed not only the commemorative messages they sponsored but the commemorative modes they adopted as well.

### **White Monuments to the Lost Cause**

The story of white Civil War commemoration in the South is best understood by centering upon white southern women. Immediately following the Confederate defeat, white Southern commemoration was primarily about grief: before 1885, funerary monuments accounted for more than 90% of all Confederate monuments, and 70% of all

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<sup>6</sup> Paul A. Shackel, "Contested Memories of the Civil War," in *Memory in Black and White: Race, Commemoration, and the Post-Bellum Landscape* (Walnut Creek: AltaMira, 2003), 26-27.

<sup>7</sup> Brundage, *The Southern Past*, 91-94, and Kathleen Ann Clark, introduction to *Defining Moments: African American Commemoration and Political Culture in the South, 1863-1913* (Chapel Hill: University of North Carolina, 2005): 9.

Confederate monuments were erected in cemeteries.<sup>8</sup> As mourning was a traditionally feminine duty, white Southern women placed themselves at the spearhead of the postwar commemorative movement, fundraising and organizing vigorously to erect the majority of Confederate monuments of this period.<sup>9</sup> The Ladies' Aid Societies that had valiantly tended to wounded Confederate soldiers during the war were transformed into Ladies' Memorial Associations (LMAs) to honor them afterwards.<sup>10</sup> These associations were foundational to the Confederate commemorative fervor that would persist for over a century after the Civil War.

The LMAs were succeeded by the United Daughters of the Confederacy (UDC) in the 1890s, coinciding with the rise of the Lost Cause ideology—the principal lens through which white Southerners at the peak of commemorative activity understood the causes and consequences of the war—and an uptick in monument construction in prominent public spaces such as courthouses and state capitols. Winberry suggests various reasons for the shift in commemorative circumstance away from cemeteries and towards public spaces. He describes the shift as an attempt to preserve the memory of aging veterans, to mark a transition from immediate-postwar defeat to restoration, to retreat into the glory of the past through Lost Cause rhetoric,

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<sup>8</sup> Shackel, "Contested Memories of the Civil War," 24.

<sup>9</sup> Winberry, "The Confederate Monument and the Southern Townscape," 112.

<sup>10</sup> Gulley, "Women and the Lost Cause," 128, 129.

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and to foster racial unity against black political advances.<sup>11</sup> I argue that Lost Cause rhetoric was the common language of white Southern commemoration, and that the need for this language grew from the disruptions of the Civil War. White anxieties about a changing social order prompted the desire to preserve a nostalgic Old South ideal in which blacks knew their place and white citizenship was united against the specter of blackness.

The Lost Cause is a historical and cultural narrative of the war which gained popularity in the late nineteenth century as a means of mitigating the Confederate South's defeat. It represented a defensive response to Northern accusations of Southern guilt following the humiliating loss. As the victors, Northerners were able to assign the full burden of guilt for the war to the vanquished Southerners, and white Southerners vigorously resisted any guilt for their rebellion or for the enslavement of blacks.<sup>12</sup> The Lost Cause expressed a belief in the just cause of the Confederacy as a defender of Southern society. Various accounts within the Lost Cause genre insisted on Southern states' constitutional right to secede due to Northern abuses, sought to justify slavery, and depicted the Confederate soldier as a defender of southern honor.<sup>13</sup> This white Southern narrative of the Civil War erased slavery as a principal cause for the war and

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<sup>11</sup> Winberry, "The Confederate Monument and the Southern Townscape," 108, 115.

<sup>12</sup> Lori Holyfield and Clifford Beacham, "Memory Brokers, Shameful Pasts, and Civil War Commemoration," *Journal of Black Studies* 42, no. 3 (2011): 441.

<sup>13</sup> Shackel, "Contested Memories of the Civil War," 26



ignored emancipation as its most significant outcome, instead shifting the focus to states' rights as a cause and unjust Confederate victimization as a result.

A 1914 address delivered in Savannah, Georgia, by the UDC's historian general, Mildred Lewis Rutherford, attempted to justify Southern secession and slavery in the tradition of Lost Cause rhetoric. She justified Southern secession as a response to Northern constitutional abuses, defending "the right of any state to withdraw from the Union of States, when a right reserved to it by the Constitution was interfered with." Rutherford also made several claims about the benevolence of slavery: that the practice civilized Africans, who were originally "savage to the last degree," and "[brought those] benighted souls to a knowledge of Jesus Christ"; that the Bible condoned slavery on several counts; and that, under slavery, blacks were "the happiest set of people on the face of the globe—free from care of thought of food, clothes, home, or religious privileges," and well-treated by their kind-hearted and paternal masters.<sup>14</sup> Rutherford's speech is not only a reflection of the UDC's ideology; she had a hand in actually constructing the commemorative mission of the organization. Monuments erected by UDC chapters across the South mimic this narrative of the war.

The messaging attached to white Southern monuments reflects deep ties to the Lost Cause. The

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<sup>14</sup> Mildred Lewis Rutherford, "Wrongs of History Righted," (address, United Daughters of the Confederacy, Savannah, GA, Nov. 13, 1914): 6-8, 11, 15-16.

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language of inscriptions and dedication materials glorifies the Confederate cause and the sacrifices made by those who fought and died for it. In this 1887 inscription on a monument erected in a North Carolina cemetery, the figure of the fallen Confederate soldier is evoked alongside the “lost cause” of his southern brethren: “To the soldiers of the Southern Confederacy, who sacrificed their lives in a cause which, though lost, will always remain dear to their countrymen.”<sup>15</sup> Another inscription from a 1902 monument erected by the Tyrell County Monument Association suggests that the Confederate soldier fought a war for “honor” and “liberty,” and that, in the hearts of the southern people, he was victorious: “The Confederate soldier won and is entitled to the admiration of all who love honor, and liberty.” Yet another inscription on the same monument, “in appreciation of our faithful slaves,” suggests the nostalgic recollection of a plantation society in which enslaved blacks were supposedly content and loyal to their masters throughout the duration of the war.<sup>16</sup>

Southern whites commemorated neither the Civil War itself nor its aftermath, but an antebellum past to which they longed to return. The Lost Cause narrative was constructed, adopted, and repeated in white commemoration as a means of preserving an ideal Old South and shoring up a unified white southern society against the disruptive transformations wrought by the Civil War, including the

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<sup>15</sup> “Confederate Soldiers Monument, Smithfield” (monument inscription, Smithfield, NC, 1887).

<sup>16</sup> “Tyrell County Confederate Memorial, Columbia” (monument inscription, Columbia, NC, 1902).

emancipation and subsequent political empowerment of enslaved blacks. Southern whites did not construct hundreds of monuments over this period just because they had the political and economic capital to do so. In fact, they can only be said to have had that economic capital relative to the newly-freed black population. Coming out of the war, southern pockets felt the pinch of a persistent economic depression, and yet UDC chapters across the region managed to raise significant sums in their communities for their widely popular monument projects.<sup>17</sup> It appears that the sting of hard times only spurred on the efforts of white southerners to erect durable symbols of a lost golden era. The permanence of monuments reflected a white southern desire to make permanent the legacy of the Confederacy and the plantation society for which it fought and fell. Monuments to the Confederacy were meant to stand for centuries, ignorant of the fall of the Old South, and defiant against the violent tides of a changing world.

### **Black Freedom Celebrations**

For black southerners, the Civil War meant one thing undeniably: emancipation. The ink had hardly dried before black Southerners were organizing to celebrate the end of the long night of slavery, and yet black memorialization of the Civil War and its consequences was not just a matter of recreation. Among black Southerners, commemorative ceremonies were as much about looking back at and

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<sup>17</sup> Gulley, "Women and the Lost Cause," 129.

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collectively remembering the past as they were about forging a place for blacks in the future of the nation. They gathered in large numbers every year for Emancipation Day, Juneteenth, July 4, Lincoln's Birthday, the anniversary of the ratification of the 13<sup>th</sup> and 14<sup>th</sup> Amendments, and many other public observances. These celebrations involved marching through cities in parades that usually ended up in a park or a black church, where public orations outlined the past, present, and future of black contributions to the U.S. These elaborate parades and booming speeches allowed black southerners to construct a memory of the Civil War and its consequences that centralized the black experience.

After the Civil War, black Southerners quickly developed an oratory tradition associated with commemorative celebration. Through speech, a narrative of the Civil War and its consequences was freely distributed to a wide gamut of black society. Brundage suggests that the development of this oral tradition was a result of widespread illiteracy among newly-freed blacks which would have limited the reach of a collective history to the black community.<sup>18</sup> One of the great ambitions of black commemorators was to construct and distribute a collective memory of the black past; however, I suggest that another element to the usefulness of oration as a commemorative strategy was its flexibility for evolving discussions of the present and future. Black commemorators wanted to create a collective memory of the past, but they also wanted to use that memory to inform a vision of the future and prescribe

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<sup>18</sup> Brundage, *The Southern Past*, 60.

the conduct of blacks in the present to serve that vision. During an 1888 Emancipation Day oration, Rev. E. K. Love acknowledged his community's oratory tradition of "thinking of the dark past, [surveying] the present and taking as best we can, a peep into the future."<sup>19</sup> While black orators like Rev. Love were acutely aware of what commemorative speeches traditionally did for the audience, to the extent that Brundage describes the yearly consistency of the commemorative narrative as a "familiar spiritual drama," this unrelenting consistency only applied to narratives of the past.<sup>20</sup>

The past, however, was always the first order of business for black orators. During commemorative observances, southern black community leaders such as ministers, educators, businessmen, and politicians repeated familiar narratives of historical black excellence, inserting blacks into a central place as shapers of American history, fully capable of holding citizenship. Orators set about proving these claims by sharing stories of great African civilizations and heroic American blacks. The accomplishments of the Egyptian empire and the deeds of men such as Crispus Attucks and Frederick Douglass were part of a common refrain to highlight blacks as participants in progress, capable and deserving of the responsibilities of full citizenship.<sup>21</sup> With this motive, the black soldier also

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<sup>19</sup> Rev. E. K. Love, "Oration Delivered on Emancipation Day, January 2<sup>nd</sup> 1888, by Rev. E. K. Love," *Savannah Tribune* (Savannah, Georgia), Jan. 2, 1888.

<sup>20</sup> Brundage, *The Southern Past*, 89.

<sup>21</sup> Clark, *Defining Moments*, 9.

held a prominent place in black Southern commemoration, both in the words of orators and in the ranked order of celebratory parades.<sup>22</sup> In an article detailing Savannah, Georgia's 1892 Emancipation Day celebration, the *Savannah Tribune* placed the names and ranks of black servicemen at the top of a long list of organizations that marched in the day's parade.<sup>23</sup> The salient presentation of the black soldier was a way for Southern black commemorators to highlight black troops' contribution to the outcome of the Civil War, as well as to assign dignity and competence to the image of black citizenship.<sup>24</sup>

Even as they insisted on the dignified past of black folk, orators never failed to acknowledge blacks' long enslavement in America and the miraculous deliverance of the Emancipation Proclamation. Brundage offers a valuable interpretation of black narratives around slavery and the Civil War. He describes the narrative as a "providential" one, in which blacks expressed the belief that slavery was just as much part of their destiny in America as was emancipation. This was a narrative couched in religious rhetoric, with slavery as the cause of the Civil War not in a political sense but in an apocalyptic sense. Slavery in America was the crucible through which Africans passed to attain Christian civilization, and at the same time the Civil War was a cataclysmic, divine punishment for the white sin

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<sup>22</sup> Brundage, *The Southern Past*, 72.

<sup>23</sup> "Twenty-Ninth Anniversary of Emancipation Day! The Day Honored by the Colored Citizens," *Savannah Tribune* (Savannah, Georgia), Jan. 2, 1892.

<sup>24</sup> Brundage, *The Southern Past*, 73.

of enslaving blacks, and the Emancipation Proclamation an intervening act of God.<sup>25</sup>

Rev. E. K. Love's Emancipation Day oration deploys this traditional rhetoric of divine intervention to explain slavery to his audience, in the tradition of many other orators before and after him: "The mighty God said to the raging billows of slavery thus far shalt thou go and no further and in 1865 there was a great calm on his disturbed sea . . . I thank God for Mr. Lincoln for his election which had much to do with kindling the fire between the two sections which resulted in a bloody war whose crimson stream washed away the black stain of slavery."<sup>26</sup> Black commemorative oration in the South drew intimate connections between the Civil War and slavery, confident in the conviction that slavery was an evil institution destined to end in a cataclysm like the Civil War. Southern blacks spoke about emancipation not just as the salvation of enslaved blacks but as the redemption of the nation's moral heart. Most commemorative celebrations began with the reading of a hallowed document such as the Declaration of Independence or the Emancipation Proclamation.<sup>27</sup> In its 1866 report on Augusta, Georgia's first anniversary Emancipation Day celebration, the *Colored American* marks a recitation of the Emancipation Proclamation before "the oration of the day" commenced.<sup>28</sup> This rhetorical technique was part of black

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<sup>25</sup> Ibid, 91-94.

<sup>26</sup> Love, "Oration Delivered on Emancipation Day," 2.

<sup>27</sup> Brundage, *The Southern Past*, 89.

<sup>28</sup> "Celebration of the First Anniversary of Freedom," *Colored American* (Augusta, Georgia), Jan. 6, 1866.

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Southerners' efforts to couch the legitimacy of their citizenship within the dominant chronicle of American freedom, painting emancipation as another victory towards America's destiny as a land of equality. From the end of the Civil War, blacks intended to progress along with the nation.

Oration and celebration as black commemorative forms were reflections of what motivated southern blacks after emancipation. The conclusion of the Civil War and the Reconstruction which followed saw Southern blacks gain unprecedented social and political freedoms, and they were quick to grasp onto that freedom. Through commemorative ceremonies, they were able to commune about what emancipation meant in the context of American history generally, and they concluded that emancipation was the most important step America had taken towards its destiny as a free and equal nation. Through patriotic and religious rhetoric, black commemorative orations painted a picture of black freedom as American freedom and constructed an historical framework in which the future of blacks in America would be an uninterrupted progression from the end of slavery onwards, towards full equality.

Whether black or white, commemoration is not history. Rather, it is a way of constructing meaning from history—of codifying and transmitting ideas about a community's relationship with the past. Likewise, whether black or white, Southern commemoration of the Civil War was not a matter of remembering the Civil War itself, let alone remembering the Civil War as it "was." As constructors of official culture, leaders in both communities had agendas that can be understood through the messages



and modes they deployed to commemorate aspects of the war which served their particular interests. Those disparate agendas, derived from disparate relationships with the war and its outcomes, are the root of commemorative difference between black and white Southerners.

For white Southerners, the Civil War represented a devastating disruption of social institutions, and the Confederacy's military defeat in that war was also a cultural one. First as a means of mourning the southern dead, and then as an effort to counter northern narratives of southern guilt, and to mitigate the loss of a social order which had long allocated them enormous socioeconomic benefits, southern whites sought a permanent expression of nostalgia for an imagined past of noble southern folk and faithful slaves. They found that expression in the Lost Cause ideology, and, with the political and economic capital available to them in a white supremacist society, white Southerners, with white women at the forefront, erected an enormous number of monuments over the course of more than one hundred years, nearly all of them memorializing the Confederate cause. This commemorative tradition attempted to erase slavery as a principal cause of the Civil War and emancipation as its most remarkable outcome by constructing narratives of the war in which intolerable Northern abuses forced the South's hand, heroic Confederate soldiers fought and died for the honor of the region's people, and previously contented slaves mourned their forced emancipation after having benefited immensely from the civilizing paternalism of slavery. White Southerners chose monuments as their principal commemorative mode for their

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quality of permanence against the tides of time. By erecting monuments to the glory of the Confederacy and its loyal slaves, white Southerners sought to make permanent an image of the antebellum South lost to them forever.

Southern blacks' sense of history was distinct from that of Southern whites, and so the commemorative strategies they employed were distinct as well. Black southerners viewed their history in the nation as a logical progression from exploitation and oppression to a destiny of equality, and the Civil War fit nicely into a longstanding black narrative in which the cruelties inflicted on blacks by white society would one day be punished through an act of God. While the Civil War's result was a devastating loss for Southern whites, it was something to be celebrated as deliverance for Southern blacks. They asserted and defended the legitimacy of that deliverance by inserting themselves into the annals of American history from which whites were trying to erase them. Although it is true that Southern blacks were denied the resources to erect enduring monuments, they also didn't have much need to. White southerners erected monuments as a means of crystallizing an imagined past, but black Southerners didn't believe that the past was separate from the present or the future. In the black narrative, the past was intimately linked to the present and it informed the future. For Southern blacks, oratory and ceremonial traditions were better vehicles for the collective transmission of an ongoing history.

On university campuses, in public parks, in county courthouses, on main streets, in war-era cemeteries, white society has made the Confederate legacy a prominent facet

of public life in the South. It is easy—almost unavoidable—to see Silent Sam on the University of North Carolina’s Chapel Hill campus, and similar specters across the region overshadow an opposing narrative of the Civil War’s causes and consequences. A black memory of the Civil War would not exist at all in the public imagination if monuments were the only way we measured the relevance of a commemorative narrative. However, as in the case of Silent Sam, a more public challenge to the white monumental legacy has come to the fore. Perhaps the region (and the nation) will begin to take notice of the alternative ways forward offered by the South’s black commemorative traditions.

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## **“MULATTO, INDIAN, OR WHAT?”: THE RACIALIZATION OF CHINESE SOLDIERS AND THE AMERICAN CIVIL WAR**

Angela He

The bloodiest battle of the American Civil War ended July 3rd, 1863, with 51,000 casualties over the course of three days. Amongst the dead was a young man named John Tommy, who fought for the Union under Major General Daniel Sickles in the First Regiment of the Excelsior Brigade. Tommy survived being a prisoner of war, as well as the disastrous battle of Fredericksburg, but his luck finally ran out in Gettysburg, where he was "struck by a shell which tore off both legs," eventually bleeding to death. His obituary listed him as "bright, smart and honest," brave and well-liked by his comrades. Yet, these qualities alone had not marked his death as particularly extraordinary out of the thousands of casualties at Gettysburg. Rather, he was remembered as unique, "peculiar," in a way captured by the three-worded title of his *The New York Times* obituary: "CHINA AT GETTYSBURG." Out of the thousands of soldiers who fought at the battle, John Tommy stood out because he was not white, or black, but because he was Chinese.

Tommy, also known as Tomney, was remembered as "the only representative of the Central Flowery Kingdom in the Army of the Potomac," a point which was re-emphasized at the end of his obituary. Yet this myth of "Chinese exceptionalism" in the American Civil War is untrue. While

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Chinese immigration in America has traditionally been a narrative focused on the West Coast, from the California Gold Rush through the building of the Transcontinental Railroad, on the eve of the Civil War it is estimated that there were at least 200 people of Chinese origin living in the eastern half of the United States. Yet, historians believe even this figure is an underestimation; as historian Ruthanne Lum McCunn points out the possibility that numbers recorded on the census did not cover the entirety of the Chinese population in this region. One contemporary observer noted that 150 Chinese people resided in New York City alone by the beginning of the Civil War.<sup>1</sup> Furthermore, the census also may have excluded those prone to travel, like sailors and certain merchants, as their places of residency in America often fluctuated.

Regardless of exact numbers, however, the estimation that around seventy of these men served marks a significant portion of the eastern-U.S. Chinese population. With America's immigrant population primarily concentrated in the North, it is no surprise that most of these Chinese men served in the Union Army, though there were accounts of people of Chinese ethnicity serving under the Confederacy as well. Neither black nor white, such men challenged societal understandings of the racial binary in the United States during the nineteenth century.

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<sup>1</sup> Arthur Bonner, *Alas! What Brought Thee Hither? The Chinese in New York 1800-1950* (Vancouver: Fairleigh Dickinson University Press, 1996), p. 11.



## “Mulatto, Indian, or What?”

Although their numbers were miniscule in the grand scheme of the war, the participation of these Chinese soldiers in the conflict reveals the way in which Americans constructed ideas regarding race and whiteness, highlighting the constantly shifting paradigm of race during the nineteenth century. Up through 1860, the U.S. federal census only listed “black,” “white,” and “mulatto” as options for denoting race. Racial classifications on the census, assigned at the discretion of the census taker, varied geographically as well. According to McCunn, Louisiana classified Chinese men as “white,” whereas Massachusetts labeled as them as “mulatto,” demonstrating the inconsistencies in how American society racially categorized Chinese immigrants prior to 1870.<sup>2</sup>

Why did these census takers choose to categorize these men as fitting in one racial category over the others? The fact that racial classifications varied geographically suggests that context played a large role in the racialization of Chinese immigrants. Even in terms of the white-black racial binary, racial classification could vary from state to state as well. Some states, such as Louisiana, Texas, and Virginia abided by the “one drop” rule, where even having one ancestor of African descent, no matter how distant, meant that one was considered black. Other states based a person’s race on how many generations removed one was from an African ancestor. Kentucky considered a person to

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<sup>2</sup> Ruthanne Lum McCunn, “Asians and the Civil War: Introduction,” in *Asian and Pacific Islanders and the Civil War*, edited by Carol A. Shively (Washington, D.C: National Park Service, 2015), p. 37.

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be black if they were of one-sixteenth African descent; Mississippi, Missouri, and Indiana required one-eighth descent; and Oregon considered a person to be black if they were a quarter.<sup>3</sup> As historian Gary Okihiro notes, a person could thus be considered “white” in one state or “black” in another, and even change races simply by moving across state boundaries. Thus, race was a concept that depended on local conceptualizations and definitions, varying across the nation.

Furthermore, with the smaller Chinese population in the eastern U.S., most people, if they had any idea of what Chinese people were like, probably never met a Chinese person themselves. Such was the case when John Tommy was captured by Confederate forces and brought before General John Magruder. The Confederate commander was purportedly so “surprised at his appearance and color” that he asked Tommy if he was “mulatto, Indian, or what?”<sup>4</sup> Evidently, a Chinese soldier was a great novelty, as Magruder was “very much amused” when Tommy mentioned he was from China— so much so that he asked Tommy how much it would take for him to defect and join the Confederate army instead. The answer was that Magruder would have to make Tommy a brigadier general.

The anecdote, while interesting, does provide some insight into the perception of the Chinese, or at the least of Tommy. Even if exaggerated, the one-on-one conversation

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<sup>3</sup> Gary Y. Okihiro, *Common Ground: Reimagining American History*, (Princeton, NJ: Princeton University Press, 2001), p. 51.

<sup>4</sup> “China At Gettysburg,” *The New York Times*, July 12, 1863, p. 2.

and exchange of banter implies some level of mutual respect. However, such respect was not usually offered to African Americans serving in the Union. The Confederacy saw black soldiers not as equal enemy combatants, but as criminals and slaves trying to stir up revolts, a crime that was punishable by death. As a result, the Confederacy treated black men caught assisting the Union in any way, both free and enslaved, worse than white prisoners. Official Confederate policy dictated that black prisoners were to be either sold into slavery, as a means of raising funds for state coffers, or executed upon capture. Newspapers published horrific accounts of the mass murder of African Americans upon their surrender, among them the 1864 capture of the Union garrison at Fort Pillow, Tennessee. About half of the 600 Union men stationed at the fort were black. Under Confederate Major General Nathan Bedford Forrest, white soldiers were allowed quarter upon surrender, but black soldiers received no mercy. By the end of the Fort Pillow Massacre, almost two thirds of the black soldiers there lay dead. Yet, as historian John Witt notes, the event was “the logical outcome of the South's official denial that blacks could be lawful soldiers.”<sup>5</sup>

Neither immediate death nor enslavement was the fate for John Tommy; based upon the line “mulatto, Indian, or what” it seems that Magruder was at least sure of what Tommy was *not*—that is to say, that Tommy was not black. However, he was also evidently not white, or Magruder

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<sup>5</sup> John Fabian Witt, *Lincoln's Code: The Laws of War in American History*, (New York, NY: Free Press, 2012), p. 258.

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would not have asked about Tommy's ethnicity. Even those Americans with greater amounts of contact with foreigners and people of various ethnicities seemed at a loss as to the classification of Chinese in America. A recruiting officer in Rhode Island listed Chinese volunteer A. Moor as having "black eyes, black hair" as well as a "mulatto complexion."<sup>6</sup> Consequentially, the volunteer enlisted in the Union Colored Infantry. In other instances, however, Chinese men could enlist in otherwise white regiments— meaning that military categorization could actually be at odds with the racial spaces Chinese people occupied in the legal system. Prior to the Emancipation Proclamation in 1863, African Americans were barred from formally serving in the U.S. Army, but Chinese people were omitted from this racial prohibition of service. In 1861, Thomas Sylvanus, who was Chinese, enlisted in the 81<sup>st</sup> Pennsylvania Infantry, making the Chinese one of the Asian groups that served in both white and USCT regiments.<sup>7</sup>

The language used in contemporary sources also reveal the attitudes that Chinese soldiers such as Tommy may have faced during the war. Compared to the language of the press at the height of Chinese exclusion in 1882, the language of the wartime press was relatively mild. In recounting Tommy's capture by Confederate troops, the *Richmond Dispatch* only describes him in passing as "a Chinaman." In their eyes, Tommy's being a "Federal

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<sup>6</sup> Volunteer papers for A. Moor, as posted on Alex Jay, "A. Moor," *The Blue, the Gray and the Chinese, American Civil War Participants of Chinese Descent* (blog), uploaded April 7, 2014.

<sup>7</sup> *The Cambria Freeman*, June 19, 1891, n.d.

soldier” was the greater crime, and the only reason Tommy’s ethnicity was of note was to make the point that “the United States are hiring of all nations their people, to subjugate the independent people of the south.”<sup>8</sup> The press stressed national allegiance over race.<sup>9</sup>

That is not to say that racial bias and discrimination did not exist. Tommy’s experience as a prisoner of war seems to suggest that that Chinese prisoners were treated about the same as white prisoners-of-war, as opposed to the vastly greater levels of mistreatment that black soldiers faced when captured by Confederate forces. However, as the *Richmond Enquirer* observed, Tommy was “an especial object of attention with the boys” when captured.<sup>10</sup> In a memoir published during the war, Reverend Nicholas A. Davis, who served as chaplain of the 4th Texas, recounted what he heard of Tommy’s imprisonment, describing an incident where the “Yankee Chinaman” was “quietly placed” across the lap of a Texan “frontiersman” and

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<sup>8</sup> “Affairs on the Potomac,” subsection “An Adventure,” *The Richmond Dispatch*, March 24, 1862, p. 2.

<sup>9</sup> The Chinese prisoner of war is not mentioned by name in *The Richmond Dispatch* article, the *Richmond Enquirer* article, or Davis’s account. However, based on the time and place of the capture described in all three accounts, as well as comparisons with Tommy’s muster roll documents regarding when and where he fell out of rank while marching in the Stafford and Prince William counties in Virginia, researchers such as Mary L. White and Gordon Kwok strongly believe that the unnamed Chinese prisoner was John Tommy. See also Gordon Kwok, “John Tommy,” *The Blue, the Gray and the Chinese, American Civil War Participants of Chinese Descent*, last modified January 31, 2009.

<sup>10</sup> “Affairs on the Potomac,” *Richmond Enquirer*, March 27, 1862, n.p.

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received “a chastisement” with a leather belt, such that the “Celestial” and “ruthless invader” had probably not received since childhood.”<sup>11</sup> As a cleric, Davis presumably had some awareness of world history and the Mongol Empire; thus, Davis draws upon “Mongol” imagery in reference to a captured soldier, sarcastically referring to Tommy as a “ruthless invader” to not only mock the Union soldier, but by extension the Union itself. Furthermore, the paternalistic language used meshed with common Southern attitudes towards both free and enslaved blacks. Davis infantilized Tommy’s experience in the war by describing him as being “a little stubborn” and “committed to the care” of Confederate forces and emasculated him by drawing upon frontier imagery to make the Texan seem manlier in comparison. By using such language to address this incident, Davis noticeably did not acknowledge Tommy’s experience as an equal enemy combatant.

Tommy’s imprisonment did not last, and he went on to eventually fight in the Battle of Gettysburg, where he received a mortal wound and eventually died of blood loss. Othering language was not limited to Confederate papers, as Union newspapers sought to capitalize on Tommy’s exoticism when publishing his obituary. The matter-of-fact language used in the *Dispatch* contrasts with that used in Union newspapers such as *The New York Times* and *New York World*, which described Tommy as “a lion in the rebel

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<sup>11</sup> Nicholas A. Davis, *The Campaign from Texas to Maryland* (Richmond: Office of the Presbyterian Committee of Publication of the Confederate States, 1863), p. 26.

camp.”<sup>12</sup> The same obituary, which had described Tommy as “the only representative of the Central Flowery Kingdom in the Army of the Potomac” focused much more on Tommy’s race. As a Union-supporting paper, the *Times* did not cast Tommy in a negative light, in comparison to later newspapers and publications that would describe Chinese people as “washee washee, yellow skinned importations.”<sup>13</sup> Yet out of the twenty-seven obituaries printed regarding Tommy’s death at the Battle of Gettysburg, it was the first to focus on his ethnicity, which was peculiar since, according to the article, he was “widely known” for his race. As the “only representative of the Empire of China,” he was repeatedly described as “one of the bravest soldiers” and as “a great lion,” thereby transforming his courage and service into a novelty and spectacle via exoticization. There, too, lies a contradiction—although Tommy was marked as notably “other” via the exoticizing language, the commendation for his bravery also made him a model for other (white) soldiers. In a way, his sacrifice and heroism was a “currency” in buying whiteness, and through whiteness, American-ness.

Contrary to Tommy’s obituaries, however, there was at least one other Chinese soldier who fought at Gettysburg – Joseph Pierce, who also served in an otherwise “white” regiment. A member of the 14th Connecticut Infantry, and the only Chinese soldier to be promoted to the rank of corporal over the course of the war, Pierce fought on Cemetery Ridge in Gettysburg, and followed his superior,

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<sup>12</sup> “China At Gettysburg,” *The New York Times*, July 12, 1863, p. 2.

<sup>13</sup> *Idaho Statesman*, July 5, 1891. n.p.

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Major Theodore Ellis, to gather Confederate wounded after the fight. Pierce was also among the first to go out on the skirmish line on July 2<sup>nd</sup>, and he volunteered to participate in the attack against the Bliss farm on July 3<sup>rd</sup>.<sup>14</sup> Pierce enlisted on July 26, 1862, a year before the Emancipation Proclamation was issued. From his participation in the company and the time of his enlistment, it seems as if he was not considered “colored” the way free African Americans were.

The context in which Pierce volunteered provides one possible explanation as to his participation in a “white” regiment. Pierce arrived in America in 1853 in the company of Amos Peck, a Connecticut merchant and captain of the ship, *Hound of Stonington*. During this period, there was a precedent of Chinese parents selling their children to missionaries and sea captains as either servants or cabin boys.<sup>15</sup> Some historians believe that Peck first met Pierce in this type of situation, and that Peck purchased the then-ten-year-old in China for six silver dollars.<sup>16</sup> As a

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<sup>14</sup> Charles Hablen, *Connecticut Yankees in Gettysburg*, (Kent, OH: Kent State University Press, 1993), p.112.

<sup>15</sup> Irving Moy, *An American Journey: My Father, Lincoln, Joseph Pierce, and Me* (Lulu Press, 2011), p. 28.

<sup>16</sup> There are several incompatible stories regarding Joseph Pierce and how he came to leave China and live in Connecticut. The first, recounted by an unnamed soldier as well as by Charles Hablen's *Connecticut Yankees in Gettysburg*, claims that Pierce drifted to Japan as a young boy, where he was picked up by Peck and brought home to be raised by Peck's family. Another version of the story, told by fellow regiment member Edwin Stroud said that Pierce was picked up "40 miles from shore in the China Sea" by Peck. Finally, two oral accounts passed down by the Peck family state that Pierce was explicitly sold to



Congregationalist, a church with abolitionist leanings, Peck was believed to be anti-slavery, and some researchers speculate that he bought Pierce specifically because he abhorred various forms of slavery. Rather than keeping him as a servant or cabin boy, Peck brought “Joe” to his own parents’ home, where he was raised alongside the rest of the Peck family.

The Pecks were a prominent, respected family in Berlin, Connecticut. On his father's side, Amos Peck was descended from Deacon Paul Peck, one of the original local proprietors and founders of Hartford in 1636.<sup>17</sup> Irving Moy's research showed that not only did the Peck family raise Pierce, but that he was also taught to read by Amos's mother, that he played and attended Stocking Brook School alongside Amos's younger siblings, and that he attended services at the Kensington Congregational Church with the Peck family. Growing up, the younger Pecks always viewed Pierce as one of their own. The association with such an established family probably played a large role the

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Peck by family members, one version stating that it was his father who had sold him in or near Canton for six silver dollars to support a starving family, and the other account casting his older brother in that role, having sold Pierce for 50 to 60 dollars only to get rid of him. Out of the four possible narratives, researchers such as Moy, McCunn, and Dr. Michael Marcus agree that account where Pierce was sold by his father for six dollars seems the most likely. See Irving Moy, *An American Journey: My Father, Lincoln, Joseph Pierce, and Me* (Lulu Press, 2011), pp. 20-22; Irving Moy. N.d. “The story of Joseph Pierce continues.” Accessed Oct. 28, 2018.; Ruthanne Lum McCunn, ““Chinese in the Civil War: Ten Who Served,” *Chinese America: History and Perspectives*.

<sup>17</sup> Moy, *An American Journey*, p. 29.

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community's acceptance of Pierce, despite his Asian roots and "dark complexion."<sup>18</sup>

Notably, Pierce was not drafted, nor was he hired to act as a substitute in the draft, but he volunteered. After the devastating defeat at the Battle of First Bull Run, the Union realized that the war would not be the quick affair that many had anticipated it to be. Further calls for volunteers went out, and among those that answered the call was Matthew Peck, Amos Peck's younger brother. Three to five years older than Pierce, Matthew enlisted with the 1st Connecticut Cavalry. Twenty-one men from Berlin enlisted on July 26, 1862—neighbors, friends, fellow community members, people that Pierce and the Pecks may have known, talked to, and attended church with.<sup>19</sup> Although no known sources explicitly state what motivated Joseph Pierce to enlist that day, the patriotic fervor that swept through Connecticut and the social context likely played a role in his volunteering.

Pierce volunteered, enlisting alongside the community members that he grew up with. As a result, even though he was not phenotypically white himself, he was able to enlist in a white regiment before non-whites could enlist as soldiers. By raising Pierce, the Pecks contributed to the Chinese man's "whiteness" via networks of association. However, Pierce's contextual "whiteness" is not a unique, isolated incident. A similar case occurred in the Confederate forces as well. Christopher Wren Bunker, named for the

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<sup>18</sup> Joseph Pierce enlistment papers, as reproduced in Moy, *An American Journey*, p.31.

<sup>19</sup> *Ibid.*

great English architect, grew up in Surry, North Carolina. As slaveholders and plantation owners, he and his family strongly supported the Confederate cause. The Bunkers provided food and clothing to Confederate troops, bought Confederate bonds, and in April of 1863, at age 18, Christopher enlisted with the 37<sup>th</sup> Battalion of the Virginia Cavalry, where he was eventually joined by his cousin Stephen Decatur Bunker (named after the American naval officer) the following January.<sup>20</sup> Christopher was captured in August later that year and sent to Camp Chase, near Columbus, Ohio, where he contracted smallpox. He was eventually treated, and despite his pessimistic outlook on the possibility of a prisoner exchange, was exchanged in March 1865, and returned home within the month.<sup>21</sup>

As a prisoner of war of the Union army, Christopher’s experience is less informative than Tommy’s in regard to the role of race in one’s experience after capture, and whether or not being Chinese would correlate with equal or worse treatment. Unlike Tommy and Pierce, who were of Chinese origin, Christopher and Stephen were both of Chinese descent. Their fathers were the famous Chang and Eng, known as the “Siamese Twins.” Although the twins had grown up in Siam (now Thailand), they were at least half Chinese from their father’s side, and possible three-quarters

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<sup>20</sup> Ruthanne Lum McCunn, "Christopher Wren Bunker and Stephen Decatur Bunker," in *Asian and Pacific Islanders and the Civil War*, edited by Carol A. Shively (Eastern National, 2015), p. 68.

<sup>21</sup> Correspondence from Christopher Wren Bunker to his family, 12 October 1864, Christopher Wren Bunker Letters, 1863-1864, Microfilm 04822-z, Folder 1, University of North Carolina Chapel Hill, Wilson Library, Chapel Hill, North Carolina, USA.

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Chinese (it is commonly believed that their mother was half-Chinese herself). Yet despite their Asian roots, the twins were able to establish themselves in the South, marry into a prominent local plantation family, and own slaves themselves—privileges usually associated only with white people in America. The racial binary and white-black hierarchy was even more emphasized in a plantation-slaveholding economy. Although non-whites such as various members of the Cherokee tribe had owned slaves, normative social practices regulating social order demanded that the institution of slavery be seen as a predominantly white over black hegemonic power structure. The racial lines had been rigidified by the time Chang and Eng settled in North Carolina.

Christopher and Stephen's mothers were sisters, and the daughters of David Yates, a wealthy planter and the county justice. Although multiple laws in North Carolina forbade miscegenation, the twins encountered no legal difficulties when getting married, nor did they face monetary fines for marrying white women, as stipulated in a 1741 statute.<sup>22</sup> By this point the two had been renting enslaved labor from local families. As historian Joseph Orser notes, the fact that they were trusted enough to rent slave labor is telling, in that "it reveals both how the twins came to see their own new status in the Southern hierarchy and how they quickly came to be accepted as part of the oppressor class."<sup>23</sup>

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<sup>22</sup> Joseph Orser, *The Lives of Chang and Eng: Siam's Twins in Nineteenth-Century America*, (Chapel Hill, NC: The University of North Carolina Press, 2014), p. 210.

<sup>23</sup> *Ibid.*, p.204.

Chang and Eng’s marriages, alongside their ownership of property and networking with the prominent families in the area, ensured their status as “honorary whites.” As a result, Christopher was also regarded by the census takers and the Confederate army as “white,” despite being described as having “flat, swarthy features, black course hair, and low, retreating forehead” (“indicating clearly” his “Siamese paternity”).<sup>24</sup> Furthermore, the idea of non-whites as equals to white troops in the Confederate Army would have been regarded as ridiculous at the time. Thus, Christopher’s participation in the 37th Virginia Cavalry and his loyalty to the Confederate cause emphasized that “whiteness” by placing it in opposition to “blackness.”

Yet, context and class could also serve to categorize a Chinese person as “black” as well. Besides merchants and those with commercial interests, China also attracted a large number of missionaries looking to convert the “heathen Chinese.” Among such men was Reverend James William Lambuth, who, like many missionaries, saw education as a means of “uplifting” what was perceived as an inferior race of people. Dzau Tsz-Zeh was one of the Chinese boys willing to be educated in America, and in 1859 he was brought to America by Lambuth’s wife.<sup>25</sup> After his baptism, he took on the name “Charles K. Marshall,” after one of his

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<sup>24</sup>“The Siamese Twins at Home,” *The North-Carolina Standard*, October 2, 1850, n.p.; Orser, *The Lives of Chang and Eng*, p.152.

<sup>25</sup> Ruthanne Lum McCunn, “Dzau Tsz-Zeh,” in *Asian and Pacific Islanders and the Civil War*, edited by Carol A. Shively (Eastern National, 2015), p. 48.

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benefactors and educators.<sup>26</sup> The newly christened Charles Marshall continued his studies and attended a college in Lebanon, Tennessee. When the war broke out, David C. Kelley, a former missionary, head of the college, and “Charlie’s” primary caretaker formed a cavalry company that became a part of the 3rd Tennessee Cavalry. Marshall accompanied him as his personal attendant, a practice found in both the Union and Confederate armies.

Thus, Marshall’s role as a personal attendant affected the his position within the Confederate army. Usually, such manservants accompanying military officers, on both sides of the conflict, were black—either enslaved or free. As such, Marshall would have been quartered with other African Americans. This would mean sleeping in the same spaces, eating food together, and performing similar tasks. Prior to the recruitment of African Americans as soldiers, such men primarily held menial labor roles, such as “teamsters, hospital attendants, company cooks and so forth,” so as to save “soldiers to carry the musket.”<sup>27</sup> Although exposed to dangers over the course of the war, fighting was not amongst their duties, and they were not seen as equal to soldiers, thereby illustrating the imbalance and racial hierarchy that existed within the military.

Furthermore, Marshall’s status as educated in the United States served as proof that the “heathen Chinese” could in fact become “civilized,” also creating a certain

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<sup>26</sup> “A Chinese Missionary,” *St. Louis Republic*, May 9, 1890, n.p.

<sup>27</sup> Grant, as quoted in James M. McPherson, *Battle Cry of Freedom: The Civil War Era*, (New York: Oxford University Press, 1988), p. 502.

power dynamic between himself and the missionaries with whom he interacted. Such paternalist views mirrored the language used by Southern slaveholders to justify slavery. In both cases, nonwhites were seen as needing guidance, to be saved from what Samuel Bowles would later coin as a “most of the ignorance of a simple barbarism” on his 1865 trip to the western portion of the country.<sup>28</sup> Although not necessarily racialized the way Pierce and the Bunker cousins were in terms of greater social standing outside the war, Marshall’s context and surrounding company still racialized him, making “Chinese” more akin to being black than white.

Uncertainty regarding the racial categorization of Chinese people persisted outside of the military as well, as seen in the New York Draft Riots of 1863. From July 11 through July 16, protests and rioting broke out against what were perceived as unfair draft laws— highlighting the class and racial tensions between the white (predominantly Irish) working class, free blacks, and wealthier whites who could afford to pay for substitutes when drafted. The conflict soon escalated into an “indiscriminate race riot.”<sup>29</sup> By Wednesday the conflict had spread to Manhattan’s Chinatown, where anti-black sentiments touched upon Chinese lives when someone persuaded others that “the Chinese were but a

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<sup>28</sup> Samuel Bowles, *Across the Continent: A Summer's Journey To The Rocky Mountains, The Mormons, and the Pacific States, With Speaker Colfax*, (Springfield, MA: Samuel Bowles & Company, 1865), p. 247. Yoshio Kishi and Irene Yah Ling Sun Collection, Fales Library, New York University.

<sup>29</sup> Iver Bernstein, *The New York City Draft Riots: Their Significance for American Society and Politics in the Age of the Civil War* (New York: Oxford University Press, 1991), p. 34.

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‘modification’ of blacks.”<sup>30</sup> Other reports also point to racial anxieties linked to issues such as miscegenation, when rioters targeted “a few defenseless Chinese peddlers, suspected of liaisons with white women.”<sup>31</sup> Yet even then, when people targeted the Chinese for being “black-adjacent” and “not-white,” confusion persisted. Someone disagreed with the original inciter who claimed that Chinese people were a “modification” of African-Americans, with the result that “several blows were struck, the anti-Chinaman in the end getting the worst of it.”<sup>32</sup> Clearly, some men disagreed enough with their fellow mob-member’s racial classification of Chinese in New York to incite an intra-mob fight. Thus, even when state legal systems codified Chinese people as not-white, confusion over racial categories persisted in American society.

However, these instances where Chinese identity was fluid enough to fit either racial category contradicted the legal realities of most Chinese people in America. In 1854, the California Supreme Court ruled in *People v. Hall* that Chinese people could not testify as witnesses against white people. The act itself stated that “no black or mulatto person, or Indian, shall be allowed to give evidence in favor of, or against a white man,” but whether “black,” “mulatto,” and “Indian” was meant generically as an overarching term for nonwhites was up for debate.<sup>33</sup> Chief Justice Hugh Murray concluded that “black” as a category was to be understood as

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<sup>30</sup> Bonner, *Alas! What Brought Thee Hither*, p. 17.

<sup>31</sup> Bernstein, *The New York City Draft Riots*, p. 34.

<sup>32</sup> Bonner, *Alas! What Brought Thee Hither*, p. 17.

<sup>33</sup> *People v. Hall*, 4 Cal 399 (1854).



"contradistinguished from white," that "white" as a category "excludes all races other than the Caucasian." While the decision speaks more to race relations between Chinese immigrants and other groups in the western United States, where racial lines had become more rigid than those in the East, it is still important that the decision legally classified the Chinese not only as "not-white," but, in fact, below whites in the legal hierarchy in America.

The question of where Chinese people fit in the established racial hierarchy— if they were mulatto, Indian, or some "what" of question— remained ambiguous in the eastern United States until rising Sinophobia and fear of the "yellow peril" eventually culminated in the Chinese Exclusion Act of 1882. Yet, until then, race as a construct was heavily localized.<sup>34</sup> Both John Tommy's death and the meeting with Magruder imply that, as a Chinese soldier, Tommy was obviously seen as an unknown racial "other," but what that "other" was remained up for debate. The negative connotations of being Chinese, however, were mostly absent, not to be seen until after the war. Joseph Pierce and Christopher Bunker illustrated how, depending on class and background, Chinese men could be conceived of as white, as long as they played into the socioeconomic statuses and concepts of respectability associated with

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<sup>34</sup> As Orser states in regards to Chang and Eng, "Normative ideals of race, gender, and the family in the nineteenth century often derived from local standards, and different parts of the United States reacted to the twins in distinct ways. These differences rested partly in each region's distinct economic and labor systems."; see also Orser, *The Lives of Chang and Eng*, p. 6.

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whiteness, and in turn enlisted in otherwise white regiments. Meanwhile, Charles Marshall and A. Moor, showed that Chinese men were not always considered “white,” and just as easily could be considered “black” or “colored” as well. The uncertainty regarding racial classification caused confusion during incidents of racial tension and violence, as seen in the New York Draft Riots. Even if Chief Justice Murray ruled that Chinese, as legal nonwhites, were considered the same as “mulattos” and “Indians,” Chinese on the east coast navigated a racial liminal space in a black-white hierarchical system; depending on class context and background, Chinese men could be perceived as either colored or white, revealing the dissonance between popular and legal understandings of race in nineteenth-century America.

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# GHOSTS OF THE REVOLUTION: ABRAHAM LINCOLN, JEFFERSON DAVIS, AND THE LEGACY OF THE FOUNDING GENERATION

Amelia F. Wald

## Introduction

Describing the genesis of the United States, Abraham Lincoln referred to the fledgling American Republic as “a new nation, conceived in Liberty” in the now oft-quoted opening lines of his November 1863 Gettysburg Address.<sup>1</sup> A mere five months later, Lincoln also asserted, “The world has never had a good definition of the word liberty, and the American people, just now, are much in want of one. We all declare for liberty; but in using the same *word* we do not all mean the same *thing*.”<sup>2</sup> The central political and military conflicts during the Civil War revolved around the concept of liberty. Both the Union and the Confederacy perceived their respective nations as the sacred protector of American freedom and liberty. Lincoln’s insightful observation in April 1864 reflected one of the fundamental conflicts of the American Civil War.

Unable to resolve the slavery question, the Founding generation passed the debate onto their posterity. Throughout the antebellum years and the secession crisis,

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<sup>1</sup> Abraham Lincoln and Andrew Delbanco, *The Portable Abraham Lincoln* (London: Penguin, 2009), 323.

<sup>2</sup> *Ibid*, 334.

each side of the conflict called upon the words of the Founders to justify their ideology. Despite fundamental differences in the Republican and Democratic platforms, both parties claimed that their policies reflected the Founders' intent in order to legitimize their political claims. Revolutionary references also served as patriotic inspiration for American civilians both before and during the war. Abraham Lincoln's and Jefferson Davis's deployment of Revolutionary rhetoric during the Civil War revealed a striking paradox. Both executives claimed their beliefs stemmed directly from the Founders, despite their oppositional ideologies. Both Lincoln and Davis battled to claim the Founding Generation's legacy to defend their respective political ideologies and motivate their civilian populations before and during the Civil War.

### **The Antebellum Years**

Throughout the antebellum political debates, Lincoln and Davis frequently invoked the legacy of the Founding generation. Lincoln relied on Revolutionary references to both inspire his audience and instill in them a sense of patriotic responsibility. On January 27, 1838, Lincoln addressed the Young Men's Lyceum of Springfield, Illinois, expressing his fears that the contemporary generation teetered towards political complacency. Lauding the Founders' republican principles, he proclaimed, "We, when mounting the stage of existence, found ourselves the legal

inheritors of these fundamental blessings.”<sup>3</sup> Lincoln’s emphasis on inherited rights placed a particular obligation on the young men in the room. They had not fought for these rights themselves but had received an obligation to act as worthy stewards. The Founding generation bought with blood and resilience the rights which their posterity now enjoyed. This “once hearty, brave, and patriotic but now lamented and departed race of ancestors” could no longer lead the country in the pursuit of liberty.<sup>4</sup> Now, the younger generation needed to assume the mantle. Lincoln declared, “This task of gratitude to our fathers, justice to ourselves, duty to posterity, and love for our species in general, all imperatively require us faithfully to perform.”<sup>5</sup> Lincoln’s bold call to action claimed that only the current generation of Americans could carry on the Founders’ vision; however, millions of people depended on the success of the American experiment.

As Lincoln’s political career blossomed, he called upon the Founders’ ideology to justify his antislavery stance. Although he previously held a seat in the federal House of Representatives, Lincoln had declined to seek reelection in 1848 because of his personal philosophy of rotation. After several years practicing law privately and a series of personal tragedies, the Kansas-Nebraska Act invigorated Lincoln to return to politics.<sup>6</sup> Lincoln supported policies that limited the expansion of slavery; he opposed the Kansas-

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<sup>3</sup> Ibid, 18.

<sup>4</sup> Ibid, 18.

<sup>5</sup> Ibid, 18.

<sup>6</sup> Ibid, xxiv.



Nebraska Act's implementation of popular sovereignty in the territories, which repealed the Missouri Compromise of 1820. Naturally, Lincoln's return to the political stage involved frequent references to the Founders. In 1854, he delivered a powerful speech condemning the Kansas-Nebraska Act in Peoria, Illinois. Recalling the Northwest Ordinance of 1787, Lincoln noted that Thomas Jefferson "who was, is, and perhaps will continue to be, the most distinguished politician of our history...conceived the idea of taking that occasion, to prevent slavery ever going into the northwestern territory."<sup>7</sup> His Early Republic anecdote involved multiple rhetorical strategies. First, Lincoln established the historic tradition of limiting slavery in the territories. His policy proposal followed a trend predating the Constitution. Second, by invoking the memory of Jefferson, Lincoln highlighted the wisdom of his platform and validated his own argument by aligning himself with the brilliant Founder.

To further prove not only Jefferson's sagacity but also his own, Lincoln informed his audience that the land of the Old Northwest "is now what Jefferson foresaw and intended—the happy home of teeming millions of free, white, prosperous people, and no slave among them."<sup>8</sup> Having already established that his policy mimicked Jefferson's, Lincoln suggested that the vision had previously proven successful. His statement implied that the lack of slavery in the Old Northwest directly correlated to the

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<sup>7</sup> Ibid, 43.

<sup>8</sup> Ibid, 44.

political liberty the free white population enjoyed. Slavery threatened the liberty of the white man because it allowed for the rise of aristocratic slaveholding landowners who dominated the political landscape. The Founders envisioned a republic in which every white man enjoyed liberty and political representation. According to Lincoln, limiting the expansion of slavery into the territories served this mission.

Lincoln argued that prohibiting the expansion of slavery not only increased the liberty of the white man but also freed the American republic from accusations of hypocrisy. He implored, “Let us turn slavery from its claims of ‘moral right’ back upon its existing legal rights, and its arguments of ‘necessity.’ Let us return it to the position our fathers gave it; and there let it rest in peace. Let us re-adopt the Declaration of Independence, and with it, the practices, and policy, which harmonize with it....If we do this, we shall not only have saved the Union; but we shall have so saved it, as to make, and to keep it, forever worthy of the saving.”<sup>9</sup> Lincoln abhorred slavery on moral grounds but respected each state’s power to legislate its own laws on slavery. He believed that the Founders shared his perspective, as evidenced in the Declaration. Limiting slavery’s expansion fell within the power of the federal government and offered a tangible path to slowly ridding the United States of slavery. Lincoln’s emphasis on the congruence between his philosophy and the Founders’ philosophy legitimized his beliefs and placed him in a position to fulfill the Founders’ vision.

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<sup>9</sup> Ibid, 74.

Lincoln effectively asserted that the Founders began the tradition of limiting slavery in the federal territories and that the current generation of white men now reaped the benefits of such policies. He then sought to reinforce the connection between the repealed Missouri Compromise and the Northwest Ordinance. Lincoln plainly stated, “In excluding slavery North of the [Missouri Compromise] line, the same language is employed as in the Ordinance of ’87.”<sup>10</sup> His simple comparison suggested that the Kansas-Nebraska Act overturned a long-running, effective policy for addressing the slavery issue that the Founders had established even before they ratified the Constitution. Lincoln deftly rooted his argument in the legacy of the Founders to persuade his audience to his platform.

Lincoln also turned to the Declaration to expound his moral and political interpretations of slavery. Lincoln constantly battled mislabels: he was antislavery, not an abolitionist; he believed every race deserved equal natural rights, not political ones. Condemning the Dred Scott decision on June 26, 1857, Lincoln professed, “I think the authors of [the Declaration] intended to include *all* men, but they did not intend to declare all men equal in *all respects*.”<sup>11</sup> Lincoln hoped his explanation of the Declaration might alleviate misconceptions about his ideology. Although he yearned for an end to slavery, he only wished to interfere with it in the territories, where the Constitution permitted. His distaste for slavery meant he desired that all people enjoy

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<sup>10</sup> Ibid, 45.

<sup>11</sup> Ibid, 96.

the rights to life, liberty, and the pursuit of happiness, but he still firmly supported white supremacy. The nation's founding document served as a vehicle through which Lincoln could clarify his beliefs.

During the antebellum years, Jefferson Davis capitalized on the Founders' legacy with vigor equal to Lincoln's. In an 1853 letter, Davis proclaimed, "my father and uncles fought through the Revolution of 1776, giving their youth, their blood, and their little patrimony to the constitutional freedom which I claim as my inheritance."<sup>12</sup> The Davis family fought ardently for American liberty. Patriotism ran through Davis' blood. Throughout his political career, Davis capitalized on his familial connection to the Revolution; such connection allowed him to claim special ownership in preserving American republican principles.

While Lincoln claimed that the Founders supported limiting slavery in the territories, Davis argued that the Founders endorsed the continuation of slavery. Speaking on the floor of the House on December 18, 1845, Davis queried, "Had the gentleman [from Massachusetts] forgotten that both the Adamses, and Otis, and Gerry, and Hancock, had all sprung from a State which tolerated slavery?" Davis's question indirectly countered the Massachusetts representative's accusation that "wherever slavery existed there the high moral character and perfectability of man was

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<sup>12</sup> Jefferson Davis and William J. Cooper, *Jefferson Davis: The Essential Writings* (New York: Modern Library, 2003), 103.

not to be found.”<sup>13</sup> The New Englander accused Southerners of moral inferiority because of their slave society. To counter, Davis referenced five Founders who hailed from Massachusetts themselves. The Mississippian reminded his New England contemporary that not only did the Founders favor slavery, but Northern states had also embraced the system in years past. Davis’s decision to incorporate the Founders into his proslavery argument undermined the attempts of Northern politicians to paint slavery as a moral ill. In countering the Massachusetts representative’s statement, Davis demonstrated that indirect criticisms of the Founders’ morality dishonored the Revolutionary generation’s sacrifices and compromised the integrity of the republic’s foundation.

In an 1849 letter to Mississippi editor Malcolm D. Haynes, Davis recalled the Founders to condemn both antislavery sentiments and sectional parties, which he considered intimately connected. Davis erroneously characterized the Liberty Party, Free Soil Party, and any other antislavery proponents as abolitionists. He noted that these groups only held influence in the North and therefore categorized them as sectional parties. Davis implored, “we have to meet the evil which Washington deprecated, the indication of which startled Jefferson like ‘a fire bell at night,’ a geographical party.”<sup>14</sup> By demonizing the sectional nature of abolitionism and antislavery parties, Davis also inherently condemned their ideology. If the Founders

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<sup>13</sup> Ibid, 28.

<sup>14</sup> Ibid, 65-66.

objected to the very existence of such parties, then the legitimacy of those parties' platforms crumbled. Davis transformed resistance to antislavery efforts into a service to the Founders' legacy.

Davis accused sectionalists of disunionism, an affront to the memory of the Revolutionary generation. Speaking to an audience in Portland, Maine in 1858, Davis implored that as long as Americans celebrated and preserved the Founders' contributions, "we cannot sink to the petty strife which would sap the foundations, and destroy the political fabric our fathers erected, and bequeathed as an inheritance to our posterity forever."<sup>15</sup> Celebrating the Founders inspired citizens to emulate their liberty-loving forefathers. Just as Lincoln had done twenty years previously at the Young Men's Lyceum, Davis emphasized the current generation's responsibility to carry on the Founders' work for the benefit of future Americans. For Davis however, the "petty strife" of sectionalism dishonored the Founders, not political complacency. Antislavery sectionalism threatened to destroy the republic that the Founders had labored to create.

Well before the establishment of the Confederacy, Davis advocated for the legality of secession. In Fayette, Mississippi on July 11, 1851, Davis asserted that "The Declaration of Independence recognized the right of secession under circumstances of oppression and injustice."<sup>16</sup> Davis assumed that because the Declaration

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<sup>15</sup> Ibid, 149.

<sup>16</sup> Ibid, 97.

announced one instance of secession, the document endorsed every act of secession if a valid complaint accompanied. As the secession crisis reached its peak in the wake of Lincoln's election, Davis would again turn to the pro-secession arguments he espoused in the 1850s.

### **The Presidential Election and the Secession Crisis**

The Republican Party entered the political arena amidst growing sectional tension. Propelled to national prominence as the Republican Party presidential nominee, Lincoln acutely understood the controversy surrounding his party's platform. In an effort to persuade voters and assuage white Southerners' fears, Lincoln delivered a campaign speech addressing his stance on slavery at the Cooper Institute in New York City on February 27, 1860. He unequivocally stated, "We [Republicans] know we hold no doctrine, and make no declaration, which were not held to and made by 'our fathers who framed the Government under which we live.'"<sup>17</sup> Lincoln focused on proving the congruence of Republican ideology with the Founders' intent to justify his position to the nation.

The presidential candidate recapitulated many of the arguments he professed previously in his condemnation of the Kansas-Nebraska Act. Lincoln once again reminded his audience that the tradition of limiting the expansion of slavery into the federal territories began with the Northwest Ordinance of 1787. In his campaign speech, however,

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<sup>17</sup> Lincoln, 209.

Lincoln intentionally noted that “Washington...had, as President of the United States, approved and signed an act of Congress, enforcing the prohibition of slavery in the Northwestern Territory.”<sup>18</sup> Invoking the name of the first president emphasized the deliberateness of the act. Dispensing a historical lesson, Lincoln informed his audience that “about one year after [Washington] penned it, he wrote La Fayette that he considered that prohibition a wise measure, expressing in the same connection his hope that we should at some time have a confederacy of free States.”<sup>19</sup> Lincoln capitalized on Washington’s writings as a posthumous endorsement of the Republican platform. Furthermore, the Illinois politician positioned himself as the fulfillment of Washington’s hope. Only through limiting the expansion of slavery could the United States eventually become a nation of free states.

In the same speech, Lincoln also called upon Jefferson’s legacy to defend the Republican platform. Quoting Jefferson, Lincoln professed, “It is still in our power to direct the process of emancipation, and deportation, peaceably, and in slow degrees, as that the evil will wear off insensibly; and in their places be, *pari passu*, filled up by free white laborers.”<sup>20</sup> Jefferson advocated for gradual emancipation and “recolonization” in order to eliminate African-Americans from white American society. Decades later, Lincoln deployed the Founder’s words to firmly assure

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<sup>18</sup> Ibid, 207-208.

<sup>19</sup> Ibid, 208.

<sup>20</sup> Ibid, 211.



his audience that the Republican platform favored the gradual elimination of slavery because it would lead to greater prosperity of the white man. The Presidential candidate clarified, “Mr. Jefferson did not mean to say, nor do I, that the power of emancipation is in the Federal Government... The Federal Government, however, as we insist, has the power of restraining the extension of the institution.”<sup>21</sup> Lincoln attached his own voice to Jefferson’s to persuade his audience with multiple strategies. First, Lincoln implicitly vowed to his audience that just as the government did in the days of Jefferson, the Republicans would respect the rights of individual states to legislate their own slavery laws. Second, Lincoln also positioned himself as the candidate who could execute Jefferson’s vision. Jefferson understood that the federal government had the power to eliminate slavery through limiting its expansion, yet the issue of slavery continued to divide the nation. Lincoln suggested that finally implementing Jefferson’s proposal with force would eventually rid the United States of the curse of slavery, and all white men would prosper and fully enjoy the benefits of liberty as the Founders intended.

As Southern states began seceding in the wake of Lincoln’s election, the President-elect turned to the Founders in an effort to assuage the fears of both the loyal citizenry and the secessionists. Writing to Alexander Stephens on December 22, 1860, Lincoln expressed his horror that Southerners feared “that a Republican administration would, *directly*, or *indirectly*, interfere with their slaves.” He

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<sup>21</sup> Ibid, 211.

pledged, “The South would be in no more danger in this respect, than it was in the days of Washington.”<sup>22</sup> By selecting the nation’s founding as his point of reference rather than another historical period, Lincoln conveyed that his administration would respect the fundamental rights for which the Revolutionary generation fought. His comment established that the Southern states could continue to enjoy the same rights they did when they first decided to revolt against Great Britain and join the Union. Lincoln made such assurances based on his often-communicated premise that the federal government exercised its right to limit the expansion of slavery in the territories since before the Constitution.

In his 1861 Inaugural Address, Lincoln referenced historical memory to offer healing and reconciliation to the recently seceded states. The President intoned, “The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature.”<sup>23</sup> Without listing any specific Founder, Lincoln conjured up an inspiring image of not only the Revolutionary generation but also every subsequent generation that carried on the Founders’ work. For the new President, preservation of the Union remained paramount; Lincoln owed a responsibility to the Founders to preserve the Republic they had envisioned. While he extended a forgiving and

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<sup>22</sup> Ibid, 224.

<sup>23</sup> Ibid, 235.

compassionate offer for reunion, Lincoln also firmly established that he would not tolerate the unconstitutional act of secession. Speaking as a lawyer, the President plainly stated, “in legal contemplation, the Union is perpetual, confirmed by the history of the Union itself. The Union is much older than the Constitution.”<sup>24</sup> For Lincoln, the Union remained unbroken, and rebellious states needed to return to the flock. Secession threatened to destroy the Union not because the United States would lose a handful of states but because secession undermined the entire political authority of the U.S. If states could leave the Union at-will, then the United States would lose all political credibility with European powers. Foreign powers would not trade with a nation whose member states remained in flux. The dissolution of the Union would prove the Europeans despots correct, and the Founders’ republican experiment would collapse in failure. Lincoln would especially emphasize this fear during the outset of the war.

While Lincoln attempted to link the Republican platform with the Founders’ intent, Davis invoked the Revolutionary generation to decry Republican policies. Speaking on the floor of the Senate on February 29, 1860, Davis verbally attacked Senator William Seward of New York. Describing Seward, Davis stated, “He tells us this is a Government which we will learn is not merely a Government of the States, but a Government of each individual of the people of the United States; and he refers to that doctrine of coercion which the great mind of

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<sup>24</sup> Ibid, 229.

Hamilton...said was a proposition not to provide for a union of the States, but for their destruction."<sup>25</sup> Davis alluded to a fundamental division between the Republican and Democratic ideologies. Republicans averred that the Constitution, based on a union of the American people, formed United States government. Democrats, however, insisted that both the Articles of Confederation and the Constitution formalized a compact between the American states, not independent American people. The latter assumption would later serve as the justification for secession. At the outset of the presidential campaign, however, Davis focused on undermining the Republican platform, not justifying secession. By juxtaposing Seward's political ideology with that of Hamilton, Davis accused the entire Republican Party of promulgating ideas that not only inspired disunion but also contradicted the Founders' philosophy.

After Lincoln's election as President, Davis integrated the Founders' memory into his justification for seceding from the very Union they had established. On January 20, 1861, one day before his farewell speech in the U.S. Senate, Davis wrote to Franklin Pierce to inform the former president that the senator would follow Mississippi as it departed the Union. Davis made clear that the Revolutionary generation remained heavily on his mind. He opened, "the hour is at hand which closes my connection with the United States, for the independence and Union of which my Father bled and in the service of which I have

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<sup>25</sup> Davis, 168.

sought to emulate the example he set for my guidance.”<sup>26</sup> Davis invoked his familial connection to the blood of the Revolution at this critical political juncture. As Davis approached secession, he meditated on his intimate connection to America’s history and birth. He fervently loved the founding principles of the United States, but the current stewards had corrupted Union to the point it no longer resembled the Founders’ vision. As a son of the Revolution, Davis left the Union to safeguard the rights that the Revolutionary generation held dearest.

The same day, Davis wrote another letter, this one to his friend George W. Jones. The senator lamented, “I am sorry to be separated from many true friends at the North, whose inability to secure an observance of the Constitution does not diminish our gratitude to them for the efforts they have made.”<sup>27</sup> Davis made clear that a fear of losing Constitutional rights prompted Mississippi to secede. The state suspected that the Republicans’ anti-expansionist platform would quickly evolve into an abolitionist crusade. With growing population in the Northern states, soon the Northern, Republican agenda would dominate legislation. To safeguard their property rights in the form of slave labor, the future Confederate states elected to leave the Union and author their own constitution.

In his January 21 farewell speech, Davis professed that his once-beloved Union now betrayed the Founders’ legacy. Explaining Mississippi’s reason for seceding, Davis

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<sup>26</sup> Ibid, 189.

<sup>27</sup> Ibid, 188.

declared, “It has been a conviction of pressing necessity, it has been a belief that we are to be deprived in the Union of the rights which our fathers bequeathed to us.”<sup>28</sup> The Founders broke from Great Britain to bestow freedom and liberty onto their posterity. According to Davis, the states had then entered into a national compact in order to secure that liberty. Now, however, the Union that was intended as a safeguard for the liberty of its states and citizens actually deprived them of their rights. Both for self-preservation and reverence for the Revolutionary generation’s sacrifices, Mississippi accepted that secession remained the only option. At his inauguration as provisional President of the Confederacy on February 18, 1861, Davis emphasized that in seceding, the Confederate states “merely asserted a right which the Declaration of Independence of 1776 had defined as inalienable.”<sup>29</sup> The new President understood secession as both an extreme measure and a fundamental right. Although Mississippi did not arrive at the decision lightly, once the state felt the Union no longer protected its rights, secession seemed like the natural progression of events.

Davis made clear that for Confederate states, secession represented a recapitulation of the Founders’ battle for liberty. On February 16, 1861, in Montgomery, Alabama, Davis preached, “if we must again baptise in blood the principles for which our fathers bled in the Revolution, we shall show that we are not degenerate sons, but will redeem the pledges they gave to preserve the sacred rights

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<sup>28</sup> *Ibid*, 193.

<sup>29</sup> *Ibid*, 199.

transmitted to us, and show that Southern valor still shines as brightly as in the days of '76."<sup>30</sup> Davis offered both a call-to-action to the Confederate citizens and a warning to the loyal states. Even before the firing upon Ft. Sumter, Davis fortified the civilian population for a fight to defend the fabric of their society. For secessionists, only the Confederate government could preserve the sacred property rights for which the Founders fought. The survival of the Founders' vision rested on the shoulders of Confederates, who needed to prepare for a bloody struggle. Davis's bold statement also melded the assurance of Confederate victory with religious language. In Davis' mind, Providence had delivered triumph to the Revolutionary generation and would likewise reward Confederate devotion.

The proximity in time of Davis's February 1860 speech in the Senate and Lincoln's speech at the Cooper Institute reflected the intellectual battle raging over the legacy of the Founders. Both politicians internalized enormous responsibility to safeguard the republican principles for which the Revolutionary generation fought. For Lincoln, the destruction of the Union innately meant the betrayal of the Founders' legacy and American liberty; republicanism would collapse if the Union could not preserve political autonomy. For Davis, the Union had utterly failed to preserve the rights that the Revolutionary generation bought with blood; only by creating a new American republic could posterity enjoy the same liberty as the Founders. Both executives recognized that calling upon

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<sup>30</sup> *Ibid.*, 197.

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the Founders represented effective rhetorical strategies to persuade voters and civilians. As the political battle erupted into martial combat, Lincoln and Davis vigorously fought for the Founders' legacy.

## **The War Years**

During a special session of Congress on Independence Day of 1861, Lincoln relayed his understanding of the rebellion's outbreak. The President praised the loyalty of the common soldier in the face of multiple officers who deserted the U.S. army for the Confederacy. He lauded, "they understand, without an argument, that destroying the government, which was made by Washington, means no good to them."<sup>31</sup> Lincoln's admiration for the common soldiers also played into his larger understanding of the conflict itself. The President identified the United States government as Washington's creation to convey that the current government still maintained the values of the Founders. The soldiers who remained loyal inherited the mantle of the Continental Army. Lincoln suggested that their loyalty proved not only wise but brave. Lincoln rhetorically pursued not only the moral superiority of the Union but also a morale boost. By stating that the Confederates' rebellion "means no good to them," Lincoln implied that the secessionist movement would eventually disintegrate as the Confederate civilian population realized the folly of their actions.

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<sup>31</sup> Lincoln, 254.



In the same speech, Lincoln also sought to disprove secessionists' justifications for withdrawing from the Union. Secessionists asserted that, because the states had freely entered into a compact, they could just as easily leave it. Lincoln countered his opposition's political philosophy with references to the Declaration and the Constitution. When defining the Founder's intent for the Declaration, Lincoln stated, "the object plainly was not to declare their independence of one another, or of the Union; but directly the contrary, as their mutual pledge, and their mutual action, before, at the time, and afterwards, abundantly show."<sup>32</sup> From the inception of the United States, the Founders understood that the Union did not mean a temporary association. With the ratification of the Constitution, the Founders solidified the perpetuity of the Union. Under the Constitution, "the States have their *status* IN the Union, and they have no other *legal status*. If they break from this, they can only do so against the law, and by revolution."<sup>33</sup> Lincoln did not equivocate. According to the nation's two foundational documents, states did not possess a right to secede. Given his presidential oath, Lincoln would not tolerate secession and open rebellion.

Following months of difficult fighting, Lincoln discarded any hopes of a quick victory. By August 1862, Lincoln had decided an Emancipation Proclamation would offer the Union a desperately needed strategic advantage. The commander-in-chief elected to withhold issuing a

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<sup>32</sup> Ibid, 249-250.

<sup>33</sup> Ibid, 250.

preliminary proclamation until the Union Army delivered an adequate military victory. Such an opportunity did not arise until the Battle of Antietam in September, but in the interim, Lincoln practiced a new rhetorical strategy that incorporated the Founders.

The President hoped that free black people would participate in a recolonization experiment. He also understood, however, that most members of the black community considered their home America, not Africa. On August 22, 1862, Lincoln met with several black leaders in the White House to discuss the feasibility of a black colony in South America. In an attempt to convince the men to agree to a colonization attempt, Lincoln narrated, “in the American Revolutionary war sacrifices were made by men engaged in it; but they were cheered by the future. Gen. Washington himself endured greater physical hardships than if he had remained a British subject. Yet he was a happy man, because he was engaged in benefiting his race.”<sup>34</sup> Lincoln offered a transgressive, unprecedented comparison. Even as he implored the black leaders to accept policies that removed them from American soil, Lincoln placed the freemen on the same plane as Washington. He invited African-Americans and former slaves to share in the legacy of the Founders, a legacy which had historically only included white Americans. Throughout his career, Lincoln proved a deft executor of rhetorical strategies that invoked the Revolutionary generation. As the Emancipation Proclamation lay in the back of his mind, Lincoln expanded

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<sup>34</sup> Ibid, 267.

his rhetorical skills to previously undiscovered territory. By offering the black community a share in the Founders' legacy, Lincoln could then effectively invite them to join in the efforts to defeat the rebellion. As the Civil War tested the President's limits, Lincoln constantly adapted, deploying tested strategies in innovative ways.

As Davis accepted the executive office of the Confederacy, he repeatedly called upon the memory of the Revolutionary generation to justify the Confederacy's existence. In his Inaugural Address on February 22, 1862, Davis declared, "The experiment instituted by our revolutionary fathers, of a voluntary Union of sovereign States for purposes specified in a solemn compact, had been perverted by those who, feeling power and forgetting right, were determined to respect no law but their own will."<sup>35</sup> Under Davis' logic, not only did the Confederate states always possess the right to secede from the United States, but the Union they first agreed to join effectively no longer existed. Although the Confederate states chose to secede, the Republicans represented the true enemies of the American Union. Between the Republicans' interpretation of the Union as a compact between people rather than states and the party's clear platform condemning the expansion of slavery in the territories, Confederates could not fathom a world in which Republicans did not attempt to interfere with slavery laws within each state. Confederates could assuage any guilt about leaving the Union of their fathers, since the Republican administration allegedly threatened to corrupt

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<sup>35</sup> Davis, 226.

the Union beyond recognition. Davis's reasoning allowed Confederates to end their association with the United States while maintaining a link between each other and their forefathers.

Davis emphasized that the immense strife the Confederacy currently faced mimicked the struggle of the Revolutionary generation, thereby giving new life to the cause of liberty. The Confederate President encouraged, "To show ourselves worthy of the inheritance bequeathed to us by the patriots of the Revolution, we must emulate that heroic devotion which made reverse to them but the crucible in which their patriotism was refined."<sup>36</sup> The trials the Founders faced produced a thriving republic dedicated to liberty and the respect of property rights. Although the United States had strayed from those principles, the Confederacy offered a beacon of hope that the Founders' vision still lived. Nearly a year into the war, Davis's Inaugural Address served as both an apology for the Confederacy as an institution and a galvanizer for a civilian population in the midst of a bloody war.

Throughout the war, Davis continued to paint the Confederate effort as the Revolution reincarnated. Addressing the Army of Tennessee on October 14, 1863, Davis lauded, "nobly have you redeemed the pledges given in the names of freedom to the memory of your ancestors and the rights of your posterity."<sup>37</sup> Just as the Revolution heavily focused on the impact on posterity, Confederates

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<sup>36</sup> *Ibid*, 229.

<sup>37</sup> *Ibid*, 323.

gained pride knowing they fought to secure the right to own slaves for their descendants. Recalling the Founders also gave hope to the Confederates, since the former emerged victorious. The Continental Army under Washington offered the ideal example of a small nation rebelling against a formidable foe. Washington simply needed to keep his army extant and in the field, and eventually Britain relented due to the continuous drain on resources. The Confederacy relied on their resilience to break Union morale. Davis's hopeful and inspiring speeches galvanized his civilian population to continue the fight.

### Conclusion

Rhetoric invoking the Revolutionary generation's legacy continued to mark each executive's public communication through the remainder of the war. As the fighting grew in intensity, each side became even more convinced that the Founders' legacy depended on their respective side's victory. Even after the war's conclusion, neither president could escape the ghosts of the Revolution. Davis continued to profess that the Founders supported state sovereignty into the 1880s.<sup>38</sup> In death, Lincoln stood immortalized on a bronze medallion as the Union's Martyr next to Washington, its Father.<sup>39</sup> Both before and during the war, Lincoln and Davis invoked the same individuals,

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<sup>38</sup> Ibid, 433.

<sup>39</sup> Gary W. Gallagher, *The Union War* (Cambridge, Mass.: Harvard Univ. Press, 2012), 139.

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documents, and generation to argue polar opposite philosophies. The rhetorical conflicts between the two presidents of the Civil War reflected the uniquely American nature of the war. Confronting a fundamental question of how to navigate through a paradoxical, nebulous political landscape, two nations made of one group of people battled physically and intellectually to claim the legacy of the Founding generation.

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Jacob Bruggeman

To what extent should consumption reflect local and national interests? Joanna Cohen has written an excellent book at the intersection of intellectual, economic, and cultural history about how this question was asked and understood in the period extending from the American War for Independence to the post-bellum era. She demonstrates how citizens in the early republic struggled to understand the consumer's place in the constellation of America's national interest, asking questions such as, "Who [should have] access to foreign goods?" and "Who should shop and how[?]" (52). Although the Constitution roughly framed the relationship between the American government and consumers, it did not codify what it meant to be a consumer, leaving the American citizen-consumer subject to debate and the throes of a changing political economy.

So, what did it mean to be a citizen-consumer in 18th and 19th century America? Answering this question requires an investigation of the early republic's civil society – a probing of identities and privileges that were not often implemented through law. Instead, they were culturally implied and tacitly understood, and unavoidably varied on an individual basis. Cohen traces these changing commercial identities and their impact on communities and individuals.



In the aftermath of the War of 1812, for example, the political and economic elites' contested claims about American consumption were transformed into a consequential discussion about consumers' rights. This development portended more than a shift in the image of the paragon American consumer—the idealized citizen for whom the market was to be a place of patriotism as much as a locus of economic activity. The disputes about consumption in the early republic and the contours of the citizen-consumer had material and metaphysical significance for the elite and everyman alike; politicians and powerful merchants, though perhaps more invested in the debate, were no more subject to its repercussions than traders in the Ohio Country and silversmiths in Philadelphia.

However, citizens were not all equal in their consumption. Cohen demonstrates these inequalities by focusing on social norms and the interaction of consumer attitudes with identities, such as age and gender, and location-based differences between consumers, such as geography and community. Gender, in particular, looms large in *Luxurious Citizens*. Men were often responsible for their family's choices, thereby granting them more freedom as consumers, whereas women were expected to balance their desires with their duties to both family and society. Women were especially subject to idealized portraits of the virtuous consumer. Americans expected women's inherent morality, long recognized as a reason for their relegation to the domestic sphere, to carry into the marketplace and favor American goods over foreign importation. Failures to adhere to the strictures of this trope or to spend in the proper,

proscribed ways exposed women to wicked criticism, a consequence of the “matrix of meaning” through which elites interpreted consumption in the emerging nation (220).

Cohen also argues that citizens’ choices were worth paying attention to and monitoring, for they were a crucial part of the nation’s nascent political economy. When, in 1852, the Franklin Institute’s William D. Kelley lamented America’s “luxurious citizens” and their foreign purchases instead of American-made goods, he was not lamenting the citizens’ choices themselves, but their aggregate effect (221). Cumulatively, citizens’ desires and preferences for imported goods rejected the citizen-consumer ideal that Kelley promoted. In 1871, almost twenty years later, Kelley celebrated an America that, despite invasion and Civil War, strutted the successes of its political economy on the world stage. With manufactories producing both opulent and ordinary goods, the United States’ postbellum citizen-consumer was defined by “the freedom to indulge personal desires,” with American-made goods, which “represented the pleasing success of the American Republic” (221-222). Yet, the consumer could also freely purchase foreign goods, as the freedom to shop became enshrined in a reunified America.

Though the citizen-consumer has remained only loosely defined, American society since the postbellum era has shifted “toward a more liberated form of consumption” in which the “public good” is “measured by the extent to which it enabled the free pursuit of private interest” (223). The middle class became the core of the Republic’s citizenry, their actions the “template of how citizens could

add to America's wealth without draining the nation's resources or threatening its moral and social order" (224). This newfound sense of consumer freedom is ever-prevalent in contemporary American, where it is still enshrined as the cardinal virtue of free enterprise. In this sense, Cohen's history is as relevant for common Americans as it is for historians studying how a country made sense of consumption.