

Emancipation

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Preface

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Emancipation was the central issue of the Civil War. African Americans came to that conclusion at the outset of the war. The Union government took somewhat longer to reach the conclusion. The timing and the steps taken to achieve emancipation raise some interesting questions, which historians still grapple with. First, was emancipation a matter of expediency or conviction? Second, were the origins of emancipation top down or bottom up? To put it another way, was the government the catalyst or were African Americans and abolitionists the means of emancipation? The following is an examination of how some historians have treated the issue of emancipation. While they do not answer the above questions directly, they do point in the general direction of an answer to both of them. Through the examination, it will be seen that emancipation was a matter of conviction for some, and expediency for others. Additionally, the government in Washington, African Americans, and abolitionists alike, catalyzed emancipation.

Any examination of emancipation must begin with Abraham Lincoln. His words and deeds at the beginning of the Civil War have led some historians to conclude that he viewed emancipation as a political and military necessity, nothing more. This view is supported in *The Destruction of Slavery*.¹ From the beginning of the war, Lincoln struggled with the emancipation issue. Harry Jarvis, a Virginia slave, escaped to Fortress Monroe occupied by Union forces under General Benjamin Butler. Jarvis asked Butler to let him enlist in the Union Army. Butler responded, "It wasn't a black man's war." Jarvis replied, "It would be a black man's war before they got through."² African Americans as

¹ Ira Berlin, et al., *Freedom: Documentary History of Emancipation 1861–1867* Vol. 1: *The Destruction of Slavery* (Cambridge: Cambridge University Press, 1985), 2.

² Eric Foner, *Forever Free: The Story of Emancipation and Reconstruction* (New York: Alfred A. Knopf, 2005), 43.

well as abolitionists understood from the beginning that slavery was the chief cause of the war, and as a Georgia slave put it, "Liberty must take the day."³

However, other historians conclude that Lincoln was in an extremely delicate position. He had to maintain the support of the Border States, the slave states that stayed loyal to the Union, war Democrats, and his own party. According to LaWanda Cox, it was unclear until the election of 1864 that slavery would be destroyed. In her book, *Lincoln and Black Freedom* Cox argued, "Lincoln held a deeply felt conviction that slavery was morally wrong and should be placed on the road to extinction."⁴ Additionally, James McPherson, in *Who Freed the Slaves*, argued, "The common denominator in all the steps that opened the door to freedom was the active agency of Lincoln as antislavery political leader, president-elect, president, and commander in chief."⁵

Lincoln preferred a program of gradual compensated emancipation. That is, to offer slave states compensation to persuade them to abolish slavery themselves by acts of their own legislatures.⁶ The Confiscation Act of August 1861 and contrabands imperiled such a program. Slaves made their way into Union-occupied areas of the South months before there was a Confiscation Act. Harry Jarvis and others like him, some with families, who made it to the Union lines, came to the attention of the commanding General of the area, and thus Congress. By taking such risks, African American slaves took steps toward emancipation and as *The Destruction of Slavery* affirmed, pushed Northerners to do what before the war seemed unimaginable: make

³ Eric Foner, *Forever Free: The Story of Emancipation and Reconstruction* (New York: Alfred A. Knopf, 2005), 42.

⁴ LaWanda Cox, *Lincoln and Black Freedom: A Study in Presidential Leadership* (Columbia: University of South Carolina Press, 1981), 4.

⁵ James M. McPherson, "Who Freed the Slaves?" *Proceedings of the American Philosophical Society*, 139.1 (1995): 3

⁶ Allen C. Guelzo, *Lincoln's Emancipation Proclamation: The End of Slavery in America*, (New York: Simon & Schuster, 2004), 55.

African Americans citizens.⁷ Abolitionists saw the Confiscation Act as “a significant step in the direction of emancipation.”⁸ They were elated in late August 1861 by the act of John C. Frémont, whose job was to keep slaveholding Missouri in the Union; he declared martial law in Missouri, thus emancipating all slaves in the state. This military emancipation went far beyond the Confiscation Act and outraged the Border States.

Lincoln wrote Frémont on September 2, 1861 asking him to modify slave emancipation to the disloyal so it conformed to the Confiscation Act. On September 8, 1861 Frémont responded that he would not modify anything about emancipation unless order to openly by Lincoln. The next day Lincoln issued a direct order to modify the emancipation clause in Frémont’s proclamation. This action seems to confirm the view held by Berlin and his colleagues in *The Destruction of Slavery*. In contrast, however, Allen Guelzo stated in *Lincoln’s Emancipation Proclamation*, “It was not emancipation Lincoln objected to but the way Frémont had chosen to go about it.”⁹ Lincoln eventually revoked Frémont’s proclamation. Abolitionists were appalled. According to James McPherson in *The Struggle for Equality*, “Lincoln’s revocation of Frémont’s proclamation ended the five-month armistice between abolitionists and the administration.”¹⁰

The problem with contraband, confiscation, and martial law as means of emancipation, from Lincoln’s point of view, was their lack of permanence. He was concerned that none of them would have a lasting effect. That is, contraband, confiscation, and martial law could all be challenged in the federal courts as soon as the

⁷ Ira Berlin, et al., *Freedom: Documentary History of Emancipation 1861–1867* Vol. 1: *The Destruction of Slavery* (Cambridge: Cambridge University Press, 1985), 55.

⁸ James M. McPherson *The Struggle for Equality: The Abolitionists During the Civil War and Reconstruction* (Princeton New Jersey: Princeton University Press, 1964), 72.

⁹ Allen C. Guelzo, *Lincoln’s Emancipation Proclamation: The End of Slavery in America* (New York: Simon & Schuster, 2004), 50.

¹⁰ James M. McPherson *The Struggle for Equality: The Abolitionists During the Civil War and Reconstruction* (Princeton New Jersey: Princeton University Press, 1964), 74.

war was over. None of these means did anything to slavery itself.¹¹ Guelzo maintained that Lincoln's indifference to these methods did not equate to an indifference to emancipation. However, abolitionists did not see Lincoln's actions in that light. According to McPherson, sharp criticism of Lincoln appeared more frequently in abolitionists' writings after he revoked Frémont's proclamation. William Lloyd Garrison charged Lincoln with "serious dereliction of duty," and privately said of Lincoln, "even if Lincoln was six feet four inches high, he is only a dwarf in mind."¹² Garrison and the other abolitionists failed to comprehend Lincoln's sense of timing, as did the editors of the Freedmen and Southern Society Project. They maintained slaves were the prime movers in securing their own liberty.¹³

As stated above, African American slaves did push the North into eventually making them citizens, but had it not been for Lincoln's prudence and his steadfastness to save the Union African American liberty could have been short-lived. McPherson stated in *Who Freed the Slaves*, "no matter how many thousands of slaves came into Union lines, the ultimate fate of the millions who did not, as well as the fate of the institution of slavery itself, depended on the outcome of the war."¹⁴ In McPherson's view, Lincoln was crucial to the emancipation of African American slaves. Even if one changes focus, as Berlin and his colleagues have done, from the halls of government to the slave quarters of the South Lincoln's actions were still important. Cox, McPherson, and Guelzo view Lincoln's actions as necessary for achieving emancipation. In contrast, Berlin and his colleagues view Lincoln's actions in a dimmer light.

¹¹ Allen C. Guelzo, *Lincoln's Emancipation Proclamation: The End of Slavery in America*, (New York: Simon & Schuster, 2004), 54.

¹² James M. McPherson *The Struggle for Equality: The Abolitionists During the Civil War and Reconstruction* (Princeton New Jersey: Princeton University Press, 1964), 73.

¹³ Ira Berlin, et al., *Freedom: Documentary History of Emancipation 1861–1867* Vol. 1: *The Destruction of Slavery* (Cambridge: Cambridge University Press, 1985), 3.

¹⁴ James M. McPherson, "Who Freed the Slaves?" *Proceedings of the American Philosophical Society*, 139.1 (1995): 5

In April 1862, Congress passed a bill emancipating all African American slaves in the District of Columbia. Lincoln signed it into law on April 16, 1862. Lincoln's only problem with the bill was immediate rather than gradual emancipation. That is, the bill simply cut African Americans free, but did not provide for the elderly who could not support themselves, or children orphaned by the sale of their parents.¹⁵ Still, it was emancipation, and abolitionists were pleased. Even Garrison saw abolition in the District as "an event of far-reaching importance."¹⁶

In mid-1862, northern public opinion was more receptive to emancipation. It was clear to Lincoln emancipation had become a political and military necessity, and making slavery a target of the war would keep Britain from recognizing the Confederacy. He also hoped that emancipated African Americans, like Harry Jarvis, would meet the army's manpower needs. To keep the Emancipation Proclamation from being perceived as a desperate act, Lincoln, who was ready on July 21, 1862 to issue a preliminary Emancipation Proclamation, decided on the advice of the Secretary of State to wait for a victory. After a two-month delay, on September 22, 1862, five days after Union victory at Antietam, Lincoln issued the Preliminary Emancipation Proclamation. In essence, it told the South to lay down its arms by the end of 1862, or Lincoln would emancipate the slaves.¹⁷

On January 1, 1863, Lincoln signed the Emancipation Proclamation. According to Eric Foner in *Forever Free*, "the Emancipation Proclamation is the most misunderstood important document in American history." While it exempted the Border States, the entire state of Tennessee, and parts of Virginia and Louisiana, it is not true that the proclamation freed no slaves in 1863. In fact, the Sea Islands of South Carolina,

¹⁵ Allen C. Guelzo, *Lincoln's Emancipation Proclamation: The End of Slavery in America* (New York: Simon & Schuster, 2004), 87.

¹⁶ James M. McPherson *The Struggle for Equality: The Abolitionists During the Civil War and Reconstruction* (Princeton New Jersey: Princeton University Press, 1964), 97.

¹⁷ Eric Foner, *Forever Free: The Story of Emancipation and Reconstruction* (New York: Alfred A. Knopf, 2005), 48-49.

occupied by the Union since 1861, were not exempt from the proclamation, thus Lincoln emancipated more than ten thousand slaves. Foner concluded the proclamation changed the course of the war and American history. It gave the Army a moral purpose, a cause to fight for. After January 1863, the war was no longer about restoring the Union as it was, but creating the Union that could be.¹⁸

The above suggests that Foner would agree with Cox, McPherson, and Guelzo, and disagree with Berlin and his colleagues. Berlin and his colleagues argued that neither the origins of emancipation “nor its mainspring could be found in the seats of executive and legislative authority from which the great documents were issued.”¹⁹ This argument paints emancipation as an expedient war measure, and marginalizes the actions of Congress and Lincoln. According to McPherson, this argument suggests that Lincoln had very little to do with emancipation.²⁰ As stated above, Lincoln had much to do with the issue of emancipation before the proclamation and after its issuance in 1863. Foner stated the proclamation initiated the process of Reconstruction.²¹

Lincoln took special interest in Louisiana. In November 1863, Lincoln, in a letter to military governor General Nathaniel Banks, demanded the establishment of a state government in Louisiana committed to the destruction of slavery by state action. According to Cox, Lincoln wanted to ensure that the new state government would not repudiate the Emancipation Proclamation.²² *Lincoln and Black Freedom* explained in detail Lincoln’s efforts to reconstruct the government of Louisiana, so that emancipation would not be abandoned after the war. Published four years after Cox’s book, *The*

¹⁸ Eric Foner, *Forever Free: The Story of Emancipation and Reconstruction* (New York: Alfred A. Knopf, 2005), 50-51.

¹⁹ Ira Berlin, et al., *Freedom: Documentary History of Emancipation 1861–1867* Vol. 1: *The Destruction of Slavery* (Cambridge: Cambridge University Press, 1985), 55.

²⁰ James M. McPherson, “Who Freed the Slaves?” *Proceedings of the American Philosophical Society*, 139.1 (1995): 3.

²¹ Eric Foner, *Forever Free: The Story of Emancipation and Reconstruction* (New York: Alfred A. Knopf, 2005), 51.

²² LaWanda Cox, *Lincoln and Black Freedom: A Study in Presidential Leadership* (Columbia: University of South Carolina Press, 1981), 47.

Destruction of Slavery mentioned the reconstruction of Louisiana, and the fact that the exemption from the Emancipation Proclamation was effectively rescinded. However, the editors do not explain that Lincoln directed General Banks to undercut the exemption; they give the credit to General Banks. In fact, there is no mention of Lincoln.²³

In 1864, Lincoln urged the Governor of Louisiana to support partial African American suffrage. In fact, as Foner, stated in, *Nothing But Freedom*, African Americans ...”within a few years of the emancipation enjoyed full political rights and a real measure of political power.”²⁴ For individuals, “politics offered a rare opportunity for respectable, financially rewarding employment.... Although elective office and the vote remained male preserves, black women shared in the political mobilization.”²⁵ The above suggests that before the end of the war and for some time during Reconstruction, the government was committed to lasting emancipation and equal rights. With that in view, Congress and Lincoln considered a variety of plans for making emancipation permanent. According to Michael Vorenberg, in *Final Freedom*, the Thirteenth Amendment did not automatically follow emancipation; the abolition amendment was just one of many possible alternatives. Interestingly, Vorenberg stated, “historians that seek mainly to identify the primary agents of emancipation tend to emphasize division among those who strove for black freedom rather than acknowledging some of the common goals.”²⁶

Vorenberg’s view supports the thesis as stated above that the government in Washington, African Americans, and abolitionists alike, catalyzed emancipation. Additionally, Vorenberg’s view of the Thirteenth Amendment as a historical contingency suggests emancipation was a matter of conviction. The amendment was part of no

²³ Ira Berlin, et al, *Freedom: Documentary History of Emancipation 1861–1867* Vol. 1: *The Destruction of Slavery*, (Cambridge: Cambridge University Press, 1985), 198.

²⁴ Eric Foner, *Nothing But Freedom: Emancipation and Its Legacy* (Louisiana: Louisiana State University Press, 1983), 40.

²⁵ Eric Foner “Rights and the Constitution in Black Life during the Civil War and Reconstruction,” *The Journal of American History*, 74.3 (1987), 878.

²⁶ Michael Vorenberg, *Final Freedom: The Civil War, the Abolition of Slavery, and The Thirteenth Amendment* (Cambridge: Cambridge University Press, 2001), 2-3.

intricate policy, part of no grass-roots movement; it simply was a solution to the problem of how to make emancipation permanent.²⁷ Yet the amendment changed the public perception of the Constitution as a sacred untouchable document. Through the amendment, Americans could affirm their belief that they were building on the foundation constructed by the Framers. Vorenberg concluded, "It was slavery more than anything else that forced Americans to confront the imperfections of their Constitution."²⁸

As the war ended, there was no consensus about what kind of social and political system would replace slavery in the South. Lincoln had no clear plan for Reconstruction in the South. However, he did express to the country that the service of African American soldiers brought about by the Emancipation Proclamation entitled them to a political voice in the postwar nation. Lincoln did not live to see the Thirteenth amendment become law, or oversee Reconstruction in the South. After Lincoln's death, Andrew Johnson would oversee Presidential Reconstruction (1865-1867). It was at this point that the commitment to emancipation and equal rights began to falter. Johnson could not support partial African American suffrage due to his views on both race and government. African Americans had no role to play in Johnson's Reconstruction.

Foner, in *Forever Free*, said of Johnson, "racism remained deeply ingrained in his views of politics and society." However, Foner focused on Johnson's governmental views. Johnson was a Unionist and a believer in states' rights, thus the federal government had no authority to dictate voting requirements or other local political and social arrangements. In his view, the problem of Reconstruction was placing state governments under the control of loyal whites and returning them to the Union as quickly as possible.²⁹ In contrast, Cox examined Johnson's racial views and compared them to

²⁷ Michael Vorenberg, *Final Freedom: The Civil War, the Abolition of Slavery, and The Thirteenth Amendment* (Cambridge: Cambridge University Press, 2001), 3, 86.

²⁸ *Ibid.*, 6-7.

²⁹ Eric Foner, *Forever Free: The Story of Emancipation and Reconstruction* (New York: Alfred A. Knopf, 2005), 79.

Lincoln's. Throughout her book, Cox detailed Lincoln's racial views and that they changed over the course of the war. Johnson's racial views did not change during the course of the war. Johnson saw slavery as right. For Johnson there was no contradiction between democracy and slavery; they were in harmony with each other. According to Cox, Johnson's belief that African Americans should be subordinate to whites, "distorted his perception of reality, and precluded the possibility that as president he would move his fellow Southerners to accept and institutionalize a substantial measure of freedom and equality for blacks." Cox concluded Andrew Johnson was incapable of meeting the challenge.³⁰

Given Johnson's views on both government and race illustrated by Cox and Foner, his commitment to emancipation was politically expedient. During Presidential Reconstruction Johnson took no action to ensure African American enfranchisement in the South. Johnson took a laissez-faire approach to all aspects of the formation of state governments in the South except loyalty to the Union, and "made plain the battle over the consequences of emancipation was far from settled."³¹

The above set the stage for a battle between Johnson and Congress. According to Foner, the crisis was due to three developments. First were African Americans' militant demands for substantive freedom. Next was white Southerners' unwillingness to accept the reality of emancipation. Finally was Johnson's unwillingness to compromise amid growing concern over a series of momentous events in the South. Foner views the struggle that ensued as creating far-reaching changes in the nature of citizenship and the meaning of Federalism. He concluded Americans still confront issues bequeathed to us by the successes and failures of Reconstruction.³²

³⁰ LaWanda Cox, *Lincoln and Black Freedom: A Study in Presidential Leadership* (Columbia: University of South Carolina Press, 1981) 147-149.

³¹ Eric Foner, *Forever Free: The Story of Emancipation and Reconstruction* (New York: Alfred A. Knopf, 2005), 100.

³² *Ibid.*, 107.

As early as 1861, Lincoln viewed emancipation with deep conviction, as did abolitionists, and many in Congress. As illustrated by the historians above they only differed as to the means of emancipation. The overriding concern for Lincoln was that emancipation become permanent. After Lincoln's death, emancipation, at least, from the presidential point of view was a matter of expediency. Additionally, it is clear the government in Washington, African Americans, and abolitionists alike, catalyzed emancipation. While it is true, that slavery was the central issue of the Civil War, it is also true that the three groups had to work together to ensure its destruction. No one group could have succeeded alone.

While historians emphasize different aspects of the Civil War, it is necessary to search for connections between them to understand the conflict as a whole. No one historian or historical philosophy is sufficient to formulate a complete understanding of the conflict.

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