

SINEWS OF WAR



The Civil War was the first large-scale, long-term modern war in North America, and to wage it both the United States and Confederate governments required what countries everywhere have required for modern warfare: large armies, big contracts to equip and maintain them, revenue to pay for the armies and the contracts, and, nearly always, some form of rationing. Of these conventional war measures, the armies were paramount, and in this respect the Rebels were initially in reasonably good shape, with a steady flow of volunteers drawn by martial fervor, frontier habits of hunting and Indian fighting, and the desire to defend their homeland against both military invasion and political interference with slavery and white supremacy.

By early 1862, however, this reliance on volunteer forces looked increasingly inadequate to the Confederate government in Richmond—uneven, not wholly reliable, and especially under too much control by the individual states, some of which were not even willing to release their own militia units for national service. There was also growing regional resistance to the entire war effort, especially in the mountainous interior districts with relatively few slaves.

In March 1862 Confederate President Jefferson Davis sent a message to Congress (excerpted below) urging a formal draft and explaining why it was needed. A conscription act, the first in North American history, followed shortly. The measure was not altogether successful. Resistance to conscription continued, and it remained hard for field commanders to maintain full-strength forces. Confederate army strength peaked in mid-1863 at about five hundred thousand men and declined thereafter. Even so, nearly a million men—out of a white male draft-age population between the ages of eighteen and thirty-nine that numbered only slightly more—did in fact serve. Only a hundred thousand or so of these were actual conscripts, but many of the rest served in part because of the pressure of possible conscription. In this sense conscription, which eventually took everyone under the age of fifty who did not own at least twenty slaves, may be said to have constituted the single most important Confederate government initiative of the war.

The United States did not conscript soldiers until mid-1863, a year later than the Rebels, concentrating initially on training, outfitting, equipping, and deploying its hordes of volunteers. Congressional attention turned instead to measures to pay for the war and especially to promote the interests of the remaining states of the Union—building a transcontinental railroad, for example, establishing a national banking system, and, especially, expanding the existing system of higher education. Congressman Justin Morrill had first sponsored a bill to fund new “land grant colleges” in 1857, only to see President James Buchanan, a Democrat under Southern influence, veto the legislation. In 1862, with the Southerners gone from Congress, Morrill reintroduced his bill, which passed handily. Abraham Lincoln eagerly signed it.

With the possible exception of the Northwest Ordinance of 1785, the Morrill Land Grant College Act was the most important federal education measure ever passed. It gave thirteen million acres of federal land to the states, which formed the basis of the far-flung American state university system. No legislation of this kind was ever proposed in the Confederacy, but the rebellious states, initially excluded, were made a part of the system in 1890. The universities that arose under the impetus of the Morrill Act eventually educated hundreds of thousands who would not otherwise have attended college. The act was therefore one of the most far-reaching pieces of reform legislation ever enacted in any country.

Born in Kentucky in 1808, the young Jefferson Davis moved to the frontier state of Mississippi with his parents, who accumulated great wealth in cotton land and slaves. Davis attended the U.S. Military Academy at West Point, served in the army, became a Mississippi planter himself, was an officer in the Mexican War, and was elected to the United States Senate in 1847. He was secretary of war in the 1850s, then went to the Senate again until 1861, when Mississippi withdrew from the Union. Having aggressively urged the expansion of slavery through absorption of territory in the Caribbean and the American West and now one of the wealthiest slaveholders in the South, it was natural for him to be chosen president of the Confederacy in February 1862, shortly before calling for conscription. Lacking Abraham Lincoln’s political skills, Davis’s oversensitive and reserved nature made for poor relations with important state governors, while his military expertise led him to interfere with field command decisions, again producing friction. But Robert E. Lee said after the war, “Few people could have done better. I know of none that could have done as well.” Davis served two years in prison for treason after the war, but was never brought to trial. He died in Mississippi in 1889, a relic of the “lost cause.”

Justin Morrill was born in Strafford, Vermont, in 1810. He left school at age fifteen to work in a store, became a partner, and made enough money to retire to politics. He was elected to Congress in 1854 as a

Whig, but soon helped organize the Republican Party in Vermont. He remained in the House until 1867, serving at one point as chairman of the Ways and Means Committee; he then entered the Senate, where he served for thirty years. Morrill supported high tariffs to raise revenue and protect industry and also, as a fiscal conservative, high taxes to maintain a balanced budget. He was a key figure in the landscaping of the Capitol grounds and the building of the Washington Monument and the Library of Congress. But his chief contribution to the United States was the Land Grant College Act, which he viewed as both a war measure and a peace and progress measure. He died in Washington in 1898.

Questions to Consider. Conscription is invariably an exercise of power by the central government of a country. Did Davis's call for a Confederate draft undermine the states' rights ideology of the South? How persuasive do you find his arguments on behalf of conscription? Does the message suggest that he expected resistance to the measure? If so, from what quarters? Davis proposed to draft all men between ages eighteen and thirty-five. Why did he choose this age cohort? The measure would in fact apply only to white Southerners. What phrase in Davis's message enabled him to indicate that without actually saying so?

Education is not normally thought of as a war measure. But Justin Morrill did think of his bill as in part a war measure. In what ways might it have served the war interests of the United States? Given the goals of the act, who would benefit most from its passage? To what extent might this explain why there was no such initiative in the Confederacy? To what extent might this have been a vote-buying scheme for the Republican Party and Abraham Lincoln? Did Morrill intend land grant college education to be wholly utilitarian and technical in nature? If not, why not?



Message on Conscription (1862)

JEFFERSON DAVIS

March 28, 1862. To the Senate and House of Representatives of the Confederate States.

The operation of the various laws now in force for raising armies has exhibited the necessity for reform. The frequent changes and amendments which have been made have rendered the system so complicated as to make

it often quite difficult to determine what the law really is, and to what extent prior enactments are modified by more recent legislation. There is also embarrassment from conflict between State and Confederate legislation. I am happy to assure you of the entire harmony of purpose and cordiality of feeling which have continued to exist between myself and the Executives of the several States; and it is to this cause that our success in keeping adequate forces in the field is to be attributed. These reasons would suffice for inviting your earnest attention to the necessity of some simple and general system for exercising the power of raising armies, which is vested in the Congress by the Constitution.

But there is another and more important consideration. The vast preparations made by the enemy for a combined assault at numerous points on our frontier and seacoast have produced the result that might have been expected. They have animated the people with a spirit of resistance so general, so resolute, and so self-sacrificing that it requires rather to be regulated than to be stimulated. The right of the State to demand, and the duty of each citizen to render, military service, need only to be stated to be admitted. It is not, however, wise or judicious policy to place in active service that portion of the force of a people which experience has shown to be necessary as a reserve. Youths under the age of eighteen years require further instruction; men of matured experience are needed for maintaining order and good government at home and in supervising preparations for rendering efficient the armies in the field. These two classes constitute the proper reserve for home defense, ready to be called out in case of emergency, and to be kept in the field only while the emergency exists. But in order to maintain this reserve intact it is necessary that in a great war like that in which we are now engaged all persons of intermediate age not legally exempt for good cause should pay their debt of military service to the country, that the burdens should not fall exclusively on the most ardent and patriotic. I therefore recommend the passage of a law declaring that all persons residing within the Confederate States, between the ages of eighteen and thirty-five years, and rightfully subject to military duty, shall be held to be in the military service of the Confederate States, and that some plain and simple method be adopted for their prompt enrollment and organization, repealing all the legislation heretofore enacted which would conflict with the system proposed.



Land Grant College Act (1862)

JUSTIN MORRILL

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be granted to the several States, for the purposes hereinafter mentioned, an amount of public land, to be apportioned to each State a quantity equal to thirty thousand acres for each senator and representative in Congress to which the States are respectively entitled. . . .

And be it further enacted, That all moneys derived from the sale of the lands aforesaid by the States to which the lands are apportioned, and from the sale of land scrip hereinbefore provided for, shall be invested in stocks of the United States, or of the States, or some other safe stocks, yielding not less than five per centum upon the par value of said stocks; and that the moneys so invested shall constitute a perpetual fund, the capital of which shall remain forever undiminished, (except so far as may be provided in section fifth of this act,) and the interest of which shall be inviolably appropriated, by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and mechanic arts, in such manner as the legislatures of the State may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life. . . .

No State while in a condition of rebellion or insurrection against the government of the United States shall be entitled to the benefit of this Act.