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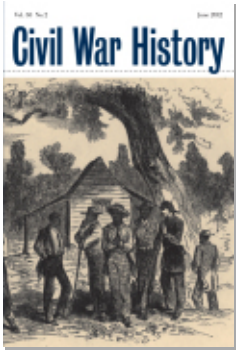

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In November 1862 a military commission convened in Cincinnati to review the actions of Maj. Gen. Don Carlos Buell, recently removed from command of the Army of the Ohio. Although primarily concerned with Buell's apparent failure to come effectively to grips with Confederate forces, the commission also probed the beleaguered general's conduct toward Southern civilians. It summoned a variety of witnesses, most of whom firmly believed that Buell had treated Southern civilians too leniently. He should not have extended protection to everyone, regardless of their sympathies. He should not have restrained his troops when they needed to forage supplies from the countryside. Instead, he should have dealt sternly with open secessionists, arrested them and confiscated their property. But other witnesses staunchly defended Buell; and although clearly hostile to the general, the commission conceded that his actions toward the enemy population were unassailable. He had simply adhered to what was "familiarly known as the conciliatory policy." Whether wise or foolish in its effects, the commission concluded, "General Buell deserves neither blame nor applause for it, because it was at that time understood to be the policy of the Government. At least he could violate no orders on the subject, because there were none."[1]

On the face of it, it seems odd that the commission could characterize the government's policy toward Southern civilians as "conciliatory" while maintaining that no specific orders on the subject existed. But the Lincoln administration had indeed given no formal instructions on the issue—in fact, would

[1] Opinion of the [Buell] Commission, undated, in *The War of the Rebellion: Official Records of the Union and Confederate Armies*, 128 vols. (Washington, D.C.: GPO, 1880–1901), ser. 1, vol. 16, 1:8–9 (hereafter cited as *OR*). Except where noted, all citations are to series 1. For background on the so-called "Buell Commission," see James Robert Chumney, "Don Carlos Buell: Gentleman General" (Ph.D. diss., Rice University, 1964), 1–32. See Testimony of William G. Brownlow before the "Buell Commission," Apr. 7, 1863, *OR*, vol. 16, 1:673–75.

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offer none until April 1863, two full years after the war had begun[2]—and yet an informal policy did exist, which Buell had earnestly tried to follow. The eventual demise of that policy signaled a major shift in the war's nature and level of severity.

The standard current interpretation of the American Civil War depicts it as the first of the modern total wars. Although begun as a limited conflict to quell rebellion, it eventually became the "remorseless, revolutionary struggle" of Lincoln's fears. A number of gifted historians have described and explained this development in a variety of ways, many of them quite insightful.[3] This essay builds on their work by examining the roots of the conciliatory policy and its early success. It then analyzes the various strains that beset the policy's implementation and critiques the competing explanations for its eventual failure.

Finally, it suggests that the present conception of a one-step transition from conciliation to "hard war" may be too simplistic. An identifiable intermediate step, here called the "pragmatic policy," was conciliation's initial successor. Like conciliation, the pragmatic policy was essentially a conservative program that emphasized the need to win victory by battlefield success, not by subjecting Southern civilians to the burdens of war. Although it permitted greater severity toward those who engaged in or abetted guerrilla warfare and offered larger scope for Union foraging operations, it did not yet view the Southern population and economic infrastructure as major targets.

The pragmatic policy differed from conciliation primarily in that it lacked a coherent strategic purpose. The mild policy, by contrast, sought to coax Southern civilians back to their former allegiance to the United States in order to erode support for the Confederate government and hasten its demise. In many ways the idea made excellent sense, given the widespread belief that secession had been the product of a small, slave-holding aristocracy. According to this view, the 350,000 slaveholders in the South—a mere 5 percent of its white population—controlled the balance through their domination of so-

[2] On April 24, 1863, the U.S. War Department published General Orders No. 100, the first time in Western history in which a government issued official guidelines for the conduct of its armies toward enemy civilians. See *OR*, ser. 2, vol. 3:148ff; and Richard S. Hartigan, *Lieber's Code and the Law of War* (Chicago: Precedent, 1983).

[3] Annual Message to Congress, Dec. 3, 1861, in Roy P. Basler, ed., *The Collected Works of Abraham Lincoln*, 8 vols. (New Brunswick, N.J.: Rutgers Univ. Press, 1953–55), 4:49 (hereafter cited as *CWL*). For examples of this almost-universal interpretation, see Bruce Catton, *Centennial History of the Civil War*, 3 vols. (Garden City, N.Y.: Doubleday, 1961–65); Russell F. Weigley, *The American Way of War: A History of United States Military Strategy and Policy* (Bloomington: Indiana Univ. Press, 1973), 132–50; Gerald F. Linderman, *Embattled Courage: The Experience of Combat in the American Civil War* (New York: Macmillan, 1987), 180–215; and James M. McPherson, *Battle Cry of Freedom: The Civil War Era* (New York: Oxford Univ. Press, 1988). Mark E. Neely, Jr., questions the conventional view in "Was the Civil War a Total War?" and concludes that the Civil War merely approached totality in some respects (*Civil War History* 37 [Mar. 1991]: 5–28). However, his critique does not disturb the basic picture of an initially limited conflict that later assumed more destructive dimensions.

cial and political life. The pervasive "Slave Power" myth suggested that most Southerners had enjoyed no voice in the decision to leave the Union and simply accepted it as a fait accompli engineered by their social betters. If so, the war was not really a contest between two mobilized, committed societies. Rather, as Representative James M. Ashley of Ohio insisted, it was a "struggle between the people on one side, and privileged class on the other."[4]

Given this view, it seemed pointless to invade the South with fire and sword. James Shields, an Illinois congressman-turned-general, summed up the popular view when he offered Maj. Gen. George B. McClellan this unsolicited advice in January 1862: "The Southern Government is a military oligarchy. The head of the oligarchy is in Richmond, and when the head falls a Union sentiment will be bound to burst forth in the south, which will soon entomb the body of this foul conspiracy."[5]

The idea of a slave power conspiracy not only explained the nature of the rebellion—and therefore the measures appropriate for its suppression—but also served as a powerful ideological tool to legitimize Northern efforts to subdue it. Misguided as Northerners believed the Southern rebellion to be, like all Americans they also believed in the right of revolution. It had, after all, been purchased with the blood of their ancestors and enshrined in the Declaration of Independence. Thus, when Southerners cited the right of revolution to justify their own rebellion, Northerners found it hard to rebut. This was one reason the Lincoln administration insisted on drawing a distinction—obscure to the vanishing point but nevertheless useful—between crude "coercion," which had the taint of tyranny, and just enforcement of the laws. Union men joined the colors with this distinction in mind. The belief that a Southern aristocracy had engineered secession became both an estimate of the rebellion's nature and a means to assure Northerners that their cause was ideologically pure. They were not fighting a people who had consciously and deliberately exercised the right of revolution, but rather were preserving the Union against the machinations of a band of conspirators. They could even imagine themselves acting on behalf of the common people of the South, who seemed merely pawns of a planted aristocracy.[6]

Contemporary legal prescription also argued for a mild policy toward Southern civilians. Both sides generally conducted themselves as if engaged

[4] For background on the belief in a slavepower conspiracy, see David Brion Davis, *The Slave Power Conspiracy and the Paranoid Style* (Baton Rouge: Louisiana State Univ. Press, 1969); and Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party Before the Civil War* (New York: Oxford Univ. Press, 1970), esp. 88–102. Message to Congress in Special Session, July 4, 1861, *CWL* 4:437; qtd. in Kenneth M. Stampp, *And the War Came: The North and the Secession Crisis, 1860–1861* (Baton Rouge: Louisiana State Univ. Press, 1950), 254.

[5] Shields to McClellan, Jan. 28, 1862, *OR*, vol. 5:700–702.

[6] Proclamation Calling Militia and Convening Congress, Apr. 15, 1861, *CWL* 4:331–32. As late as November 1863, a Union brigadier general in Alabama could write, with sublime condescension, "I feel well satisfied that in waging this war . . . we are fighting for the rights of

in international war and both asserted their fidelity to the established *jus in bello*. Many quoted the work of the Enlightenment jurist Emmerich de Vattel, who insisted that "at present war is carried on by regular troops: the people, the peasants, the citizens, take no part in it, and generally have nothing to fear from the sword of the enemy. Provided the inhabitants submit to him who is master of the country, pay the contributions imposed, and refrain from all hostilities, they live in as perfect safety as if they were friends: they even continue in possession of what belongs to them." Northerners could also consult a recently published treatise by Union general Henry W. Halleck which agreed that, as far as possible, civilians should be spared the severities of war.[7]

Halleck pointed to the disasters that had ensued when Napoleon's armies departed from enlightened conduct during their Iberian campaigns of 1808–13. The Spanish people had risen up in a large-scale guerrilla war, bled the Grand Army heavily, and ultimately played a signal role in the ejection of the Napoleonic regime from the Spanish throne. Although not well understood even fifty years later, the memory of this people's war horrified professional officers, who warned against unleashing such savagery in the future. Lt. Gen. Winfield Scott's conduct in Mexico formed an object lesson in how to avoid a potentially disastrous popular uprising. During his decisive campaign against the Mexican capital, he had followed a policy of painstaking restraint toward the civilian populations along his army's line of march. His rationale stemmed less from excessive scruples than the prudent recognition that his lines of communication were both long and tenuous. Anxious to forestall an active partisan resistance in his rear, Scott tried to make his troops as inoffensive as possible, even requiring them to salute local officials. His orders emphasized an even-handed system of justice that sought to preserve, within limits, peacetime standards of order.[8] Many of his junior officers emulated his example, at least initially, when they assumed major assignments during the Civil War.

Scott, indeed, epitomized the conciliatory policy at the war's outset. He saw quite clearly the likely result if the North tried to reunify the country through unbridled violence. Although conceding that it might be done in two

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the poor white trash of the South, men who tho' good enough originally have been so kicked and abused that they believe themselves now to be inferior beings—indeed they are" (qtd. in Reid Mitchell, *Civil War Soldiers: Their Expectations and Their Experiences* [New York: Viking, 1988], 32).

[7] Emmerich de Vattel, *The Law of Nations, or, Principles of the Law of Nature Applied to the Conduct and Affairs of Nations and Sovereigns*, rev. ed. (London: G. G. and J. Robinson, 1797), 352–53; Henry W. Halleck, *International Law; or, Rules Regulating the Intercourse of States in Peace and War* (New York: D. Van Nostrand, 1861), 446.

[8] Halleck, *International Law*, 459; Baron Henri Jomini, *The Art of War*, trans. G. H. Mendell and W. P. Craighill, (1862; Westport, Conn.: Greenwood Press, 1971), 29; Ralph H. Gabriel, "American Experience with Military Government," *American Historical Review* 49, no. 4 (1944): 633–37.

or three years by a large army, he doubted the victory could be worth its cost. "The conquest completed at that enormous waste of human life to the North and Northwest," he wrote William Seward in March 1861, "with at least $250,000,000 added thereto, and *cui bono?* Fifteen devastated provinces! not to be brought into harmony with their conquerors, but to be held for generations, with heavy garrisons, at an expense quadruple the net duties or taxes which it would be possible to extort from them, followed by a protector or an emperor." His solution to the problem, the famous "Anaconda Plan," envisioned a blockade of Southern ports, the eventual dispatch of a strong column to seize control of the Mississippi River, and then a period of waiting while Southern disenchantment with the Confederate government asserted itself. At its core was the desire to avoid a bloody series of battles that might poison relations between North and South beyond hope of recovery. Many in the North thought his scheme entirely reasonable. Those who rejected it generally did so because they thought it would not erode popular Southern support for the Confederacy, as Scott believed, but rather would give it time to solidify.[9] Lincoln accepted this second view, and it formed part of the reason he insisted on the prompt offensive that resulted in First Bull Run. In so doing he scuttled whatever chance the Anaconda had for success.

Summoned to Washington to retrieve this defeat, Maj. Gen. George B. McClellan offered his own strategy for winning the war. The task before the Federal government was not simply to defeat the Confederacy's field armies, he argued, but also "to display such an overwhelming strength, as will convince all our antagonists, especially those of the governing aristocratic class, of the utter impossibility of resistance." He regretted the Bull Run setback because he felt sure that it had consolidated the nationalist sentiment of the Southern people. "Had we been successful in the recent battle," he wrote, "it is possible that we might have been spared the labor and expense of a great effort," but as things stood the North had no alternative: the Southern success "will enable the political leaders of the rebels to convince the mass of their people that we are inferior to them in force and courage, and to command all their resources." In McClellan's view, the idea that the slaveholding aristocracy formed the major foe was, for the moment at least, no longer the case. "The contest began with a class; now it is with a people"—and only military success could divide the people from the slaveocracy. A strategy of painstaking conciliation, coupled with crushing, complete military success,

[9] Winfield Scott, *Memoirs of Lieut.-General Scott*, 2 vols. (New York: Sheldon and Co., 1864), 2:625–28. For Scott's plan, see Scott's endorsement, McClellan to Scott, Apr. 27, 1861, *OR*, vol. 51, 1:338–39; Scott to McClellan, May 3 and 21, 1861, ibid., 369–387; and E. D. Townsend, *Anecdotes of the Civil War in the United States* (New York: D. Appleton, 1884), 55–56. For favorable press reaction, see, for example, *Boston Evening Transcript*, May 18 and (quoting *New York Evening Post*) 24, 1861; and *Washington Daily National Intelligencer*, June 12 and 27, 1861. For the rationale behind a prompt advance, see Montgomery Blair to Lincoln, May 16, 1861, Robert Todd Lincoln Collections of the Papers of Abraham Lincoln, Library of Congress; and *Washington National Republican*, May 22, 1861.

was the best (in McClellan's mind the *only*) way to achieve this: "By thoroughly defeating their armies, taking their strong places, and pursuing a rigidly protective policy as to private property and unarmed persons . . . we may well hope for the permanent restoration of a peaceful Union; but in the first instance the authority of the Government must be supported by overwhelming physical force."[10]

McClellan had already tried this method in western Virginia and was convinced of its effectiveness. Indeed, taken as a whole, the Union forces' early experiences with the conciliatory policy were generally positive. In August 1861, for example, Union troops occupied a portion of North Carolina's Outer Banks near Hatteras Inlet. The local commander reported back that he had promised residents to respect their property and avoid interference with slavery and that they, in response, had shown strong Unionist sentiment. Three months later, Maj. Gen. John A. Dix dispatched a small expedition to gain control over Virginia's Eastern Shore. "A conciliatory course," he told the officer in command, "should be pursued in regard to those who are not under arms and have not been in the pay of the Confederate Government. . . . No distinction should be made between the citizens of those counties in regard to the past. All who submit peaceably to the authority of the Government are to be regarded as loyal." Within five days, Brig. Gen. Henry Lockwood could report that the local inhabitants seemed "quite pleased" with Dix's orders and were anxious to retake their place in the Union. Although soon forgotten in the wake of the bloody campaigns that came later, these episodes made national headlines at the time and Lincoln, in his year-end address to Congress, noted them with satisfaction.[11]

Other successes followed during the early months of 1862. In March a corps from the Army of the Potomac entered northern Virginia. The commander of the advance element in Loudoun County reported that "The order preserved and respect for property maintained (unexpected, through misrepresentations made with regard to the Federal Army) left a favorable impression on the people, and friends to the Union came forward in every town and village and proclaimed their allegiance to the Government." When Brig. Gen. Ambrose E. Burnside's expedition seized coastal North Carolina, his general orders emphasized that his troops had come strictly "to support the Constitution and the laws, to put down rebellion, and to protect the persons and property of the loyal and peaceable citizens of the State." While on the march, he warned, "all unnecessary injury to houses, barns, fences and other property will be carefully avoided, and in all cases the laws of civilized war-

[10] McClellan to Lincoln, "Memorandum for a Plan of Campaign," Aug. 2, 1861, Stephen W. Sears, ed., *The Civil War Papers of George B. McClellan: Selected Correspondence, 1860–1865* (New York: Ticknor and Fields, 1989), 71–72.

[11] Col. Rush C. Hawkins to Brig. Gen. John E. Wool, Sept. 11, 1861, *OR*, vol. 4:611; Dix to Brig. Gen. Henry Lockwood, Nov. 11, 1861, ibid., vol. 5:424–25; Lockwood to Dix, Nov. 16, 1861, ibid., 435; Annual Message to Congress, Dec. 3, 1861, *CWL* 5:50.

fare will be strictly observed." A proclamation issued to the people of North Carolina stipulated that "The Government asks only that its authority may be recognized, and, we repeat, in no manner or way does it desire to interfere with your laws constitutionally established, your institutions of any kind whatever, your property of any sort, or your usages in any respect."[12]

Here again, the North Carolinians responded well. Many coastal inhabitants were alienated from the Confederacy and anxious to return to the Union. By May, Burnside's force had extended its control into the Albemarle Sound region and navy Capt. S. C. Rowan issued the now-standard assurances to the local population. Union troops, he asserted, did not intend to "interfere with the people or to trouble private property." In exchange, he expected that the citizenry would "pursue their business and remain quiet." If they did, no harm would befall them; and as for slavery, so long as masters did not employ their bondsmen in support of the Confederate war effort, Union forces would leave the peculiar institution alone. Rowan also left a gunboat stationed at Plymouth, which helped to encourage the open manifestation of loyalist feeling among the local nonslaveholding population. Offered the chance to enlist in a Federal militia regiment, over one hundred Washington County inhabitants did so.[13]

Experience thus appeared to vindicate both the effectiveness of the conciliatory policy and the premises on which it was based. Numerous officers felt certain they could see evidence of the shallowness of Southern support for the rebellion. A Union staff officer stationed at Beaufort, South Carolina, echoed conservative orthodoxy when he observed, "The fact is, though the people of respectability are many of them rampant, the poor whites think the war a hard thing, which they do not like to bear." Writing from western Tennessee in March 1862, an Ohio colonel was even more emphatic. "There seems to be a great deal of Union sentiment along the Tennessee [River]," he informed his wife. "All along the river our progress was greeted with cheering and waving of handkerchiefs." The mild policy seemed to help: "All classes concur in their testimony that our troops treat the citizens better than the secession troops did."[14]

With so much apparent success, why did Union forces discard conciliation? Modern writers have attributed its abandonment to a Union reassessment of the military problem: the means required to defeat the Confederacy.

[12] Report of Col. John Geary, May 14, 1862, *OR*, vol. 5:513; the incident described occurred on March 5. General Orders No. 5, Feb. 3, 1862, ibid., vol. 9:359–60; "Proclamation Made to the People of North Carolina," Feb. 16, 1862, ibid., 364.

[13] Col. Thomas G. Stevenson's Official Report on Expedition to Washington, N.C., Mar. 23, 1862, *OR*, vol. 9, 269; Wayne K. Durrill, *War of Another Kind: A Southern Community in the Great Rebellion* (New York: Oxford Univ. Press, 1990), 94, 102–3.

[14] Capt. William Thompson Lusk to his mother, Dec. 20, 1861, William C. Lusk, ed., *War Letters of William Thompson Lusk* (New York, 1911), 110; DeWitt Clinton Loudon to Hannah Loudon, Mar. 13, 1862, Loudon Papers, Ohio Historical Society, Columbus.

Some, indeed, have argued that the effect of mass participation and two industrializing economies made the advent of an eventual "hard war" inevitable. Others, taking their cue from Ulysses S. Grant, have argued that conciliation failed because Northerners changed their minds about the tenacity of Southern resistance. In his memoirs, the Union hero asserted that until the spring of 1862 he had supposed the Southern people were not in earnest and that one or two decisive Federal successes would make them quit the war. "[Forts] Donelson and Henry," Grant continued, were such victories; but when they led only to the furious Confederate counterattack at Shiloh, "then, indeed, I gave up all idea of saving the Union except by complete conquest." Until that time he had ordered his troops to protect all private property, regardless of the owner's loyalty. But afterward, he "regarded it as humane to both sides to protect the persons of those found at their homes, but to consume everything that could be used to support or supply armies."[15]

Reliance on this passage from Grant's postwar recollections, however, is somewhat misleading. Historians sometimes deploy it as if it illustrated a growing consensus among Northern commanders and policy makers during the spring of 1862. But in fact most Union commanders—including Grant—regarded the war as being close to over. And two months after Shiloh, Grant still considered Southern civilians lukewarm about the war. He wrote his wife that he thought the conflict could be ended at once "if the whole Southern people could express their unbiased feeling untramelled [*sic*] by by [*sic*] leaders." Two things might encourage this development, and both accorded closely with the classic tenets of the conciliatory policy. It would be useful if Southerners stopped thinking of the Union war effort as "Abolitionest" in character. Then too, it would help if Northerners did not contribute to this misconception. "There has been instances of negro stealing, persons going to the houses of farmers who have remained at home, being inclined to Union sentiments, and before their eyes perswaid [*sic*] their blacks to mount up behind them and go off." Grant's thinking hardened during the summer, but even just prior to the Emancipation Proclamation he thought that the South could not sustain the war much longer.[16]

A variant of this military explanation for conciliation's demise points to the guerrilla activity encountered by Union troops. This is taken as evidence

[15] See T. Harry Williams, *Lincoln and His Generals* (New York: Alfred A. Knopf, 1952), 3; Walter Millis, *Arms and Men: A Study of American Military History* (New York: Mentor, 1956), 109–116. Weigley, *Way of War*, 146–47; James M. McPherson, "Lincoln and the Strategy of Unconditional Surrender," *Abraham Lincoln and the Second American Revolution* (New York: Oxford Univ. Press, 1990), 78–79; Ulysses S. Grant, *Personal Memoirs of U.S. Grant*, 2 vols. (New York: Charles Webster, 1885), 1:368–69.

[16] Grant to Julia Dent Grant, June 12, 1862, John Y. Simon, ed., *The Papers of Ulysses S. Grant*, 16 vols. (Carbondale: Southern Illinois Press, 1967–), 5:143 (hereafter cited as *Grant Papers*); Grant to Julia Dent Grant, Sept. 14, 1862, ibid. 6:44.

of Rebel tenacity and—as with Vietnam—a demonstration of widespread popular support for the Confederacy. But Federals did not necessarily see it that way, and, in any event, they had met that sort of opposition almost from the war's beginning. Certainly it placed a strain on the conciliatory policy and often provoked severe reprisal. Yet until the summer of 1862 that strain seemed manageable. Some Northerners even viewed partisan resistance as evidence that the Confederacy was on its last legs. From northern Alabama, for example, a Pennsylvania colonel confided to his diary in June 1862, "Rebels destroyed the R.R. behind us last night. Small parties of from twenty-five to fifty and one hundred mounted guerrillas are all through the country. Poor C.S.A. fast giving up the ghost." Irregular warfare did not impress Union brigadier general John P. Hatch, either. "I believe the resources of the south are about played out," he wrote his father from Virginia. "Their guerrilla warfare will in the end hurt themselves more than us."[17]

Increasing pressure for emancipation forms still another explanation for conciliation's abandonment, for assurances regarding slavery were a vital component of the mild policy. A number of modern accounts place the Union military at the center of this pressure in favor of emancipation. When Congress embarked on a limited program of emancipation in July 1862, writes William L. Barney, "it was only confirming what the soldiers already knew: Emancipation would be in the best interests of the army."[18]

In some respects this argument makes excellent sense, for slaves formed an important military resource in at least three respects: their labor buttressed the Confederate war economy, it could be tapped and used by the Federal armies for a variety of purposes, and, above all, male bondsmen represented a major pool of potential military manpower. Observers pointed out these realities at the time and historians since have dwelled heavily upon them. Yet when one examines the evidence for the military pressures in favor of emancipation, one is struck by how seldom these arguments were deployed. A number of generals, including McClellan, Buell, and Dix, strongly opposed emancipation on political grounds. Those few who championed it—John C. Frémont, David Hunter, and John Phelps—also had clearly political agendas. Most senior commanders, however, simply thought the political complexities of emancipation would outstrip any military benefits. Soldiers, ran a common refrain, should be neither "negro stealers or negro catchers." Grant believed that the war probably signaled the "doom of Slavery" and that if slavery must die to preserve the republic "let slavery go." But as late as August

[17] Entry for June 20, 1862, typescript diary of Lt. Col. William A. Robinson, 77th Pennsylvania, Regimental Papers of the Civil War, Western Reserve Historical Society, Cleveland; Hatch to his father, Aug. 13, 1862, John P. Hatch Papers, Library of Congress.

[18] William L. Barney, *Battleground for the Union: The Era of the Civil War and Reconstruction, 1848–1877* (Englewood Cliffs, N.J.: Prentice Hall, 1990), 174.

1862 he insisted, "I have no hobby of my own with regard to the negro, either to effect his freedom or to continue his bondage. If Congress pass any law and the President approves, I am willing to execute it."[19] The decision concerning emancipation rested in the hands of the politicians, and Grant was content to leave it that way.

For William T. Sherman, who would eventually emerge as the sternest practitioner of "hard war," slaves seemed more a liability than asset. "We cannot have our trains encumbered by them," he told his troops in June 1862, "nor can we afford to feed them." In September he wrote that if the army tried to protect and feed the hordes of black refugees that came its way, the attempt would soon hamstring military operations. And as late as April 1863 he expressed skepticism about the idea of using blacks as soldiers.[20] From a soldier's perspective, it seemed, emancipation was less a potential military advantage to be exploited than a political reality to be accommodated.

Indeed, a strong alternative modern view of the drive for emancipation emphasizes its essentially political nature. Some historians, highlighting Lincoln's genuine objections to slavery on political and moral grounds, argue that he moved toward emancipation as quickly as he could, consistent with competing concerns. Others maintain that pressure from the radical wing of his own party, coupled with lukewarm support from Democrats and conservatives, eventually forced him toward emancipation in a bid to maintain a viable political base. Either way, the impetus for emancipation stemmed from other-than-military considerations,[21] and thus so perhaps did the pressures to abandon conciliation.

[19] See Stephen W. Sears, *George B. McClellan: Young Napoleon* (New York: Ticknor and Fields, 1988), 116–18; Chumney, "Gentleman General," passim; and John A. Dix to Simon Cameron, Aug. 8, 1861, *OR*, ser. 2, vol. 1:673; Henry W. Halleck to L. F. Ross, Jan. 14, 1862, ibid., 159. Grant to Jesse R. Grant, Aug. 3, 1862, ibid., vol. 5:264. Grant's actual words form a sharp contrast to David Donald's offhand statement that "military leaders like General Grant demanded more men and pointed to the large numbers of Negroes who would willingly serve for their freedom" (*Lincoln Reconsidered: Essays on the Civil War Era* [1947; New York: Vintage Books, 1956], 138). Demands of that sort, indeed, are the sort of thing one would expect had emancipation derived primarily from military necessity. But few military men made them, and Grant, with his careful subordination to civilian authority, was not among those who did.

[20] General Order No. 43, June 18, 1862, *OR*, vol. 17, 2:14–15; Sherman to John Sherman, Sept. 3, 1862, William T. Sherman Papers, Library of Congress; Sherman to his wife, Apr. 17, 1863, in M. A. DeWolfe Howe, ed., *Home Letters of General Sherman* (New York: Charles Scribner's Sons, 1909), 252–53.

[21] LaWanda Cox, *Lincoln and Black Freedom: A Study in Presidential Leadership* (1981; Urbana: Univ. of Illinois Press, 1985), argues forcefully that Lincoln had a strong personal commitment to black freedom, moved toward emancipation as quickly as political realities permitted, and exercised vigorous leadership to shape events toward that goal. T. Harry Williams, *Lincoln and the Radicals* (Madison: Univ. of Wisconsin Press, 1941), is the chief proponent of the view that Lincoln eventually succumbed to radical pressure. Hans L. Trefousse, *The Radical Republicans: Lincoln's Vanguard for Racial Justice* (New York: Alfred A. Knopf, 1969), argues, as the title implies, that Lincoln permitted the radical wing of the Republican party to move events in directions that he himself desired, meanwhile pursuing a moderate course of his own in order to maximize conservative and moderate support.

A new assessment of the mild program's eclipse must begin with the recognition that support for it, although widespread, was far from universal. Although both Scott and McClellan, the two Union generals in chief during the war's first year, staunchly favored a conciliatory policy, their views did not necessarily permeate Northern conduct in every zone of operations. The war was simply too big, the Federal government too small, and political power too diffused at a variety of levels to permit an effective system of command and control. The loose structure of the Union war machine meant that officers with independent commands had great latitude and could respond to influences other than those emanating from the War Department, such as radical republican sentiment. The Lincoln administration, indeed, offered little explicit direction regarding civilian policy except to oppose attempts by Frémont and Hunter to proclaim military emancipation. Because of this, it is useful to think in terms of a constellation of policies toward Southern civilians, not a single program. It so happened that during the first year of the war, most top Federal commanders embraced conciliation, but those who did not remained free to pursue a different course.

Thus, in some areas the conciliatory policy was never attempted. The most critical of these was Missouri, where Capt. (later a brigadier general) Nathaniel Lyon and Congressman-elect Francis P. Blair combined to secure the removal of the department commander, Maj. Gen. William S. Harney, precisely *because* he favored conciliation. The result insured a sprawling guerrilla war, and within weeks Union officers in Missouri began employing the sorts of draconian measures usually associated with the Civil War's later stages. Brig. Gen. John Pope, for example, imposed in northern Missouri a stern policy similar to the one for which he later gained notoriety in Virginia. Even Halleck, by nature a deeply conservative man and a disciple of Vattel, felt obliged to impose martial law, threaten guerrillas with death, and levy contributions on Saint Louis secessionists.[22]

The irregular conflict in Missouri formed the crucible in which some Union commanders first adopted what might be called the pragmatic policy. This program resembled conciliation in its insistence that, as far as possible, civilians should be spared the rigors of war, but it rejected the notion that mild conduct would woo alienated Southerners back to their former allegiance. Halleck, for example, believed that the North could win the war only through purely military efforts. His policy toward civilians was designed simply to keep them out of the way so that he could march and fight his armies

[22] Christopher Phillips, *Damned Yankee: The Life of General Nathaniel Lyon* (Columbia: Univ. of Missouri Press, 1990), 129–214; Pope, "Notice," *OR*, vol. 3:404; General Orders No. 3, July 31, 1861, ibid., 418; Pope to Commanding Officer Iowa Forces, Keokuk, Iowa, Aug. 2, 1861, ibid., 422; Pope to J. H. Sturgeon, Aug. 3, 1861, ibid., 423–24; and Pope to Col. Cyrus Bussey, Aug. 10, 1861, ibid., 435–36; Halleck to Brig. Gen. Prentiss, Nov. 26, 1861, *OR*, vol. 8:379–80; General Orders No. 13, Dec. 4 and 12, 1861, ibid., 406, 431–32.

successfully. Halleck continued that policy when his forces entered western Tennessee and northern Mississippi.

The policies of Pope and Halleck in Missouri, then, introduced a competitor to conciliation that presently operated in a large swath of the Mississippi Valley. Their pragmatic conceptions tended indirectly to undercut the mild policy—first by obscuring and contradicting the message of conciliation, but also by attracting subordinate officers of certain conciliatory generals, who urged their superiors to adopt a firmer line. In a few cases these officers went over the heads of their commanders and appealed directly to political patrons.[23]

One of the most important elements undercutting conciliation, however, was the fact that Union troops simply never embraced the mild policy. From the war's outset, soldiers from all parts of the North committed depredations as soon as they reached Southern soil—and continued to do so despite many efforts to stop them. (Indeed, some began their vandalism even before leaving Northern soil). These destructive acts often owed to the soldiers' freedom from normal moral restraints coupled with an understandable desire to obtain various creature comforts. Thus, when the 4th Minnesota Volunteers arrived at the deserted hamlet of Farmington, Tennessee, they quickly took the place apart, but not from any rancor toward the vanished inhabitants: "The boys needed lumber for their tents, floors, etc., and made short work of the buildings, which were vacant, and there were only a few of them." Other soldiers regularly stole fence rails, despite the protests of officers and farmers alike, and the desire for a home-cooked meal sometimes led soldiers to pressure local civilians to feed them, despite standing orders against entering private houses.[24]

Then too, breakdowns in supply sometimes forced commanders to let their men forage, with results invariably hurtful to the conciliatory policy. In early November 1861, a Union brigadier general in eastern Kentucky lamented that present difficulties made it necessary for his troops to live off the countryside. But though the Federals gave vouchers for all goods taken, "the utmost dissatisfaction prevails among the inhabitants." The Confederates had already plundered the region to a large extent, "and we are at this time virtually plundering the people of what little they have left. Our promises to pay are looked upon by the people as a mere sham, amounting to nothing. We are taking at the point of the bayonet what the citizens really need for the support of their

[23] Mitchel to Chase, Mar. 2, 1862, Salmon P. Chase Papers, Illinois Historical Society, Springfield.

[24] Alonzo L. Brown, *History of the Fourth Regiment of Minnesota Infantry Volunteers During the Great Rebellion, 1861–1865* (St. Paul: Pioneer Press, 1892), 49; Charles E. Davis, Jr., *Three Years in the Army: The Story of the Thirteenth Massachusetts Volunteers* (Boston: Estes and Lauriat), 41–42. Leander Stilwell, *The Story of a Common Soldier of Army Life in the Civil War, 1861–1865* (N.p.: Franklin Hudson, 1920), 83–84. A similar incident is recounted in Davis, *Three Years*, 78.

families, without returning to them anything available therefor; thus turning against us a public sentiment we should endeavor to cherish."[25]

It would be wrong, however, to suggest that Union soldiers regarded the civilians in their midst simply as potential sources of food and fuel. The troops quickly developed strong personal feelings about them as well. By far the largest source of soldiers' complaints toward civilians stemmed from the stubborn hostility they encountered even when attempting to safeguard private property. Churlish behavior soon produced reprisals from exasperated Northern troops. In Moorefield, Virginia, for example, the 55th Ohio was ordered to protect the property of an aging planter named McNeal. "Our boys could take the rough side of the weather while doing guard service for him," noted Capt. Hartwell Osborn sourly, "and all the while McNeal could eat at his table, sleep in his bed, and work his slaves on his plantation unmolested." The soldiers resented it, and when, after a period of active campaigning, they passed by McNeal's plantation again, they remembered and they acted. The Ohioans took everything they could lay their hands on—"hogsheads of molasses, barrels of sugar, casks of tea, coffee, spices, fruits, with loads of bacon, flour, and produce from the garden." Afterward the trail of discarded items extended for ten miles along the regiment's line of march.[26]

Such episodes could not have occurred without the acquiescence of regimental and company commanders. A large number of volunteer officers either could not or would not enforce the standard orders against depredations. In many cases the troops they led were members of their home communities; they could not afford the risk of imposing a disciplinary code that the men found alien or distasteful. The soldiers often regarded their thievery as a kind of prank, mischievous but essentially harmless. A number of volunteer officers went along, and stories of their amused indulgence abound in the annals of Civil War soldiers. "Very strict orders were issued by the General against our killing hogs," ran a typical anecdote, "but Col. Ellis, who was ever ready to humor the boys when he could without implicating himself or violating his honor, managed to elude somewhat this order. He told the boys not to let him see them with fresh pork. The boys understood this hint and when they got fresh pork they kept it out of his sight, or, when he was around, he would persistently turn the other way, but he had fresh meat for supper nearly every night."[27]

Other incidents during the winter and spring of 1862 suggest that some destructive behavior by Union troops contained a streak of ideological

[25] Brig. Gen. A. Schoepf to Capt. George E. Flynt, AAG to Brig. Gen. George Thomas, Nov. 2, 1862, *OR*, vol. 4:329.

[26] S. F. Horrall, *History of the Forty-second Indiana Volunteer Infantry* (Chicago: Donahue and Henneberry, 1892), 114–15; Hartwell Osborn, *Trials and Triumphs: The Record of the Fifty-fifth Ohio Volunteer Infantry* (Chicago: A. C. McClurg, 1904), 40, 42.

[27] Lucius W. Barber, *Army Memoirs of Lucius W. Barber, Company "D," 15th Illinois Volunteer Infantry* (Chicago: J. M. W. Jones, 1894), 36.

vindictiveness. Part of this stemmed from the fact that Union troops were not alone in harming the civilians in their midst. They often noted the frequency with which Confederate soldiers committed depredations upon nearby Unionist families. In August 1861 the 6th Ohio, stationed near Beverly, Virginia, learned that a force of Rebel cavalry was confiscating the cattle herds of local Unionists. The regiment sent an expedition in pursuit. Frustrated in their efforts to bring the perpetrators to bay, they contented themselves by burning the homes of "two or three notorious rebels." An Illinois regiment in the autumn of 1861 noted with exasperation that Rebel cavalry across the Potomac River from their position were regularly seen "driving Union-loving men and women from their homes, besides plundering and destroying their property."[28] The remorseless way in which the Confederate government destroyed a Unionist uprising in east Tennessee further angered Northern soldiers.

Finally, a few officers harbored personal convictions that went beyond simply permitting their troops to take an occasional unauthorized ham. They actively resented the conciliatory policy and deliberately ignored it as much as they possibly could. The division of Brig. Gen. Louis Blenker, which served in the Shenandoah Valley, had a reputation for wholesale pillage wherever it went. In western Virginia and later in middle Tennessee, Col. Robert L. McCook's brigade took pride in its rough behavior toward the secessionist population. As early as October 1861 it was already burning houses and public buildings along its line of march.[29]

In themselves, of course, these incidents did not help defeat the Confederacy. They had scant impact on the South's economic infrastructure and contributed little toward undermining the Confederate will to resist. But they made implementation of the conciliatory policy far more difficult than it might otherwise have been. Southern civilians had begun the war in the firm expectation that Northern troops would conduct themselves as barbarians. The simple appearance of armed soldiers in their midst shocked and disgusted many of them, and even the mildest military occupation generated a sense of anger and mortification. Every petty theft, every act of vandalism,

[28] E. Hannaford, *The Story of a Regiment; A History of the Campaigns . . . of the Sixth Regiment, Ohio Volunteer Infantry* (Cincinnati, 1868), 95–97; Charles M. Clark, *The History of the Thirty-ninth Regiment, Illinois Volunteer Veteran Infantry* (Chicago, 1889), 22.

[29] Josiah Marshall Favill, *The Diary of a Young Officer* (Chicago: R. R. Donnelly and Sons, 1909), 71; Henry R. Pyne, *Ride to War: The History of the First New Jersey Cavalry* (1871; New Brunswick, N.J.: Rutgers Univ. Press, 1961), 33; John P. Hatch to his father, June 29, 1862, Hatch Papers, Library of Congress. Constantin Grebner, *"We Were the Ninth": A History of the Ninth Regiment, Ohio Volunteer Infantry, April 17, 1861, to June 7, 1864*, trans. Frederic Trautmann (Kent, Ohio: Kent State Univ. Press, 1987), recounts that the regiment plundered and burned Fayetteville in western Virginia on October 19, 1861 (76–77). See also the accusation of Confederate brigadier general John B. Floyd in *OR*, vol. 5:285: "When I crossed New River the enemy were in possession of all the country on the south side of the Kanawha River as far as Raleigh Court-House. They had laid waste the village of Fayetteville and the country upon their lines of march."

every hard word on the part of a Union soldier confirmed Southerners in their resentment and vindicated their fears. In the final analysis, the success of the conciliatory policy depended on the willingness of Northern soldiers to leave civilians alone and the willingness of civilians to leave soldiers alone. From the outset, the first condition was seldom secured; and, as the man in the ranks soon discovered, the second was often unlikely.

Even so, while these factors steadily undermined the conciliatory policy, they did not by themselves overthrow it. That required an additional catalyst, and more than anything else, McClellan's failure on the peninsula provided it.[30] The defeat in front of Richmond triggered the collapse of conciliation because it dramatically increased the pressure from radicals who wanted to make the war one of emancipation and from troops impatient with a policy they had never accepted. Most critically, however, it brought a sea change in the attitude of many Northern civilians, who now saw a seemingly imminent triumph disappear into a stalemate whose duration no one could predict.

By the end of June 1862, soldiers and civilians alike believed that support for the Confederacy was rapidly crumbling. From occupied Louisiana, Maj. Gen. Benjamin F. Butler observed that "the planters and men of property are now tired of the war, well-disposed toward the Union, only fearing lest their negroes shall not be let alone; would be quite happy to have the Union restored in all things." The first six months of 1862 had brought a string of victories: Mill Springs, Forts Henry and Donelson, the seizure of the North Carolina coast, the Battle of Shiloh, and the capture of New Orleans, Island No. 10, Corinth and Memphis. Most Northerners expected the Army of the Potomac to deliver the death blow by capturing Richmond.[31] When its defeat during the Seven Days shattered hopes for an early end to the war, Northern patience with conciliation abruptly disintegrated.

One episode sums up this swift change of heart. In May 1862 a Union brigade under Col. John B. Turchin wantonly sacked the town of Athens, Alabama. Maj. Gen. Don Carlos Buell, the area commander and an even more staunch advocate of conciliation than McClellan, got wind of the incident and had Turchin court-martialed. Newspapers throughout the North followed the

[30] This explanation is suggested most directly in McPherson, *Battle Cry of Freedom*, 490–91.

[31] Butler to Edwin M. Stanton, June 28, 1862, *OR*, vol. 15: 502–3. For examples of this common Northern belief, see Hans C. Heg to Gunild Heg, May 5 and July 9, 1862, Theodore C. Blegen, ed., *Civil War Letters of Colonel Hans Christian Heg* (Northfield, Minn: Norwegian-American Historical Association, 1936), 82, 105; Manning F. Force to "Mr. Kebler," June 16 and July 2, 1862, reel 3, Manning F. Force Papers, University of Washington; James A. Garfield to his mother, June 12, 1862, Frederick D. Williams, ed., *The Wild Life of the Army: Civil War Letters of James A. Garfield* (Lansing: Michigan State Univ. Press, 1964), 113; G. W. Whitman to his mother, June 1 and 9, 1862, Jerome M. Loving, ed., *Civil War Letters of George Washington Whitman* (Durham, N.C.: Duke Univ. Press, 1975), 54, 55; Salmon P. Chase to Irvin McDowell, June 6, 1862, Chase Papers, Illinois Historical Society; and Charles Sumner to Francis W. Bird, Feb. 19, 1862, Beverly Wilson Palmer, ed., *The Selected Letters of Charles Sumner*, 2 vols. (Boston: Northeastern Univ. Press, 1990), 2:101. See also Sumner to Francis Lieber, Mar. 29, 1862, ibid., 107.

story. Initially most applauded Buell and condemned Turchin. With news of the defeat on the Peninsula, however, the editorial line on the Turchin trial rapidly changed. Criticism of Buell increased; Turchin's conduct was excused or denied. The soldiers, too, were inclined to minimize the Athens atrocity. Even Col. John Beatty, a member of the court-martial board that tried Turchin, wrote impatiently that while acts like the sacking of Athens were extreme, "there is another extreme, more amiable and pleasant to look upon, but not less fatal to the cause. Buell is likely to go to that." With scathing contempt, Beatty mocked Buell's conciliatory program:

> He is inaugurating the dancing-master policy: "By your leave, my dear sir, we will have a fight, that is, if you are sufficiently fortified; no hurry; take your own time." To the bushwhacker: "Am sorry you gentlemen fire at our trains from behind stumps, logs, and ditches. Had you not better cease this sort of warfare? Now do, my good fellows, stop, I beg of you." To the citizen rebel: "You are a chivalrous people; you have been aggravated by the abolitionists into subscribing cotton to the Southern Confederacy; you had, of course, a right to dispose of your own property to suit yourselves, but we prefer that you would, in the future, make no more subscriptions of that kind, and in the meantime we propose to protect your property and guard your negroes."

Turchin's policy was bad enough, Beatty went on, but Buell's was "that of the amiable idiot." He thought there was a better policy than either, one that countenanced no plunder but at the same time, extended no special protection to Rebels, a policy that would "march boldly, defiantly" through the Confederacy, crushing anyone, soldier or civilian, who aided and abetted the rebellion. "In short," Beatty concluded, "we want an iron policy that will not tolerate treason, that will demand immediate and unconditional obedience as the price of protection."[32]

The outcome of the Turchin trial was revealing. The court-martial board found him guilty—as he certainly was—but recommended that no sentence be applied. Buell angrily disagreed and ordered Turchin's dismissal from the service. At that point the Lincoln administration intervened, ignored the conviction, promoted Turchin to brigadier general, and gave him command of another brigade.[33]

The North applauded, just as it applauded Pope's string of harsh orders issued in mid-July against the inhabitants of central Virginia. Pope estab-

[32] Albert Parry, "John B. Turchin: Russian General in the Civil War," *Russian Review* 1, no. 1 (1942): 44–60; Special Orders No. 93, July 5, 1862, *OR*, vol. 16, 2:99; General Orders No. 39, Aug. 6, 1862, ibid., 273–78; *Cincinnati Gazette*, July 7, 22, 24, 1862; *Cincinnati Daily Commercial*, July 17, 29, 1862; *Chicago Tribune*, July 25, 29, 30, 1862; John Beatty, diary entry for July 14, 1862, *Memoirs of a Volunteer, 1861–1863*, (1879; New York: W. W. Norton, 1946), 117–18.

[33] General Orders No. 39, *OR*, vol. 16, 2:277; Chumney, "Gentleman General," 143; Lincoln to Edwin M. Stanton, Sept. 5, 1862, *CWL* 5:406.

lished stern penalties for abetting sabotage and bushwhacking, restricted civilian communication with the region beyond enemy lines, mandated the expulsion of males who refused to take the oath of allegiance, authorized troops to live off the countryside, and removed guards from private property. Newspaper editorials widely endorsed Pope's abandonment of the "kid glove" policy and praised his "vigorous war measures." From his entrenched camp on the James River, McClellan issued General Order No. 154, designed "to strike square in the teeth" of Pope's directives as well as new instructions from the Lincoln administration encouraging wider employment of military confiscations.[34] Northern newspapers reprinted the order without comment but otherwise virtually ignored it. The lack of response to McClellan's salvo underscored conciliation's ruin.

In short, conciliation failed because the North's political will to sustain it collapsed, not because the conciliatory generals themselves decided it was unworkable or because the "pragmatic" generals decided that it interfered with necessary military measures. Tellingly, the conciliatory policy was not replaced by the "hard war" policy of 1864–65, exemplified by the measures employed in Sherman's March to the Sea, but rather by the pragmatic policy of Halleck and his lieutenants. Federal generals continued to think primarily in terms of achieving victory through battle; and although foraging grew more widespread, commanders viewed it as a necessary logistical expedient, not a means of punishing Southerners or gaining victory. Not until the spring of 1863 did Grant and Sherman begin large-scale attacks on the Southern infrastructure. Eastern armies adopted such measures much more slowly; McClellan's General Order No. 154, in fact, remained in effect through 1863. Depredations by Union soldiers continued, but actual policy toward Southern civilians remained one of *de facto* restraint. General orders concerning proper conduct continued to read much as they had since the war's beginning, and the Northern population, despite its plea for an end to the "kid gloves," continued to take pride in their soldiers' good behavior. Moreover, when Northern papers urged more vigorous measures, they usually had the slaveholding aristocracy in mind.[35] Significantly, the chief "hard war" measure during

[34] General Orders No. 5 and No. 6, July 18, 1862, *OR*, vol. 12, 2:50; General Orders No. 7, July 20, 1862, ibid., 51; General Orders No. 11, July 23, 1862; ibid., 52; and General Orders No. 13, July 25, 1862, ibid. 3:509. For representative press response, see *Chicago Tribune*, July 26, 1862, and *New York Times*, July 27, 1862. On the effect of these orders, see Daniel E. Sutherland, "Introduction to War: The Civilians of Culpeper County, Virginia," *Civil War History* 37 (June 1991): 124–31. Like many historians, Sutherland calls the orders "infamous" and views them as an example of "total war." In fact, they fell almost entirely within established laws of war. General Halleck, an expert on international law, thought some of Pope's orders "very injudicious" but not illegal (*OR*, vol. 11, 3:359). McClellan to Mary Ellen McClellan, Aug. 8, 1862, Sears, ed., *McClellan Papers*, 388; General Orders No. 154, Aug. 9, 1862, *OR*, vol. 11, 3:362–64.

[35] Even as it endorsed Pope's new orders, the *New York Tribune* reported on July 24, 1862, a road march by one of Pope's divisions: "There was little straggling or plundering along the way, and regiments came in at night with ranks full as when they started out in the morning.

this period, the issuance of the Emancipation Proclamation, was a blow directed exclusively against the slaveholding class.

Often derided as a fundamentally misguided conception, the conciliatory policy merits greater appreciation. It admirably reflected initial perceptions of the rebellion's nature, the status of contemporary laws of war, the United States's well-established tradition of restraint in war and its equally established tradition of political compromise. Further, modern scholarship partially vindicates the notion that a minority of Southerners led the South into secession, although Northerners probably underestimated the common Southerner's enthusiasm for disunion once it had become a reali[illegible]rtainly a conciliatory policy served the Union well in the war's early m[illegible], when the retention of the border states was a touch-and-go affair, and events along the fringe of the Confederacy seemed to confirm the policy's effectiveness. Of course, most early instances occurred in regions where secession sentiment had never been strong to begin with, but contemporary Northern observers did not make that distinction. And while no one has made a careful examination of Southern morale during the spring of 1862—admittedly a difficult subject on which to reach convincing conclusions—considerable anecdotal evidence suggests that it may indeed have been on the verge of foundering, as many Union soldiers suspected.[36]

The ultimate failure of the policy also merits a second look. While both political and military pressures strained the original "conciliatory" program, it collapsed primarily because of frustration on the Northern home front following the defeat in front of Richmond in late June 1862—not because Northern commanders recognized that an attack on the Southern population and economic infrastructure would be necessary to defeat the Confederacy . The ultimate "hard war" strategy that replaced conciliation did not emerge in 1862. The dominant policy during late 1862 and much of 1863 permitted Union forces both to forage extensively and punish civilians for guerrilla ac-

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Gen. Schurz rightly held his brigade and regimental commanders to a strict accountability for the presence and order of their men; and with the exception of the march from Luray to Sperryville, the troops were kept well in the ranks." When two New York newspapers reported that Pope's army had appropriated several residences in Culpeper, Virginia, for use as hospitals, they took especial glee in pointing out that the dwellings belonged to "F.F.V's," not ordinary Virginians (*New York Times*, July 18, 1862; *New York Tribune*, July 19, 1862.)

[36] This pattern of self-imposed restraint has been traced back to the foundations of the American republic. See Reginald C. Stuart, *War and American Thought from the Revolution to the Monroe Doctrine* (Kent, Ohio: Kent State Univ. Press, 1982). For examples of works suggesting that a minority of Southerners led the South into secession, see Eugene D. Genovese, *The Political Economy of Slavery: Studies in the Economy and Society of the Slave South* (New York: Vintage Books, 1965); and also Michael P. Johnson, *Toward a Patriarchal Republic: The Secession of Georgia* (Baton Rouge: Louisiana State Univ. Press, 1977). For Confederate morale, see J. B. Jones, *A Rebel War Clerk's Diary at the Confederate States Capital*, ed. Howard Swiggett, 2 vols. (New York: Old Hickory Bookshop, 1935), 1:125, 126–27; C. Vann Woodward, ed., *Mary Chesnut's Civil War* (New Haven, Conn.: Yale Univ. Press, 1981), 328–405; and Bell Irvin Wiley, "The Waning of the Southern Will," *The Road to Appomattox* (1956; New York: Atheneum, 1983), 49–58.

tivities, but only as necessary to secure the conditions for a military victory won on the battlefield. Official Federal policy continued to urge respect for private property, and officers, to a surprising extent, continued to discriminate between active secessionists, Unionists, and hostile but passive citizens. When other "hard war" measures did materialize, they emerged from elements already present in the conflict from its beginning. The first Southern towns did not burn in 1864, but in 1861 and early 1862. The first foraging expeditions occurred not in Georgia but in western Virginia and eastern Kentucky. The first railroads and foundries were destroyed not by Sherman's veterans, but by unseasoned recruits.[37] After all, even conservative generals were willing to retaliate for guerrilla warfare, live off the countryside when necessary, and make war on public property. The changes that characterized the war's later years were not differences in the sorts of action permissible, but in the scale on which they were conducted. The chief innovation was the return of a strategic dimension to Union military policy toward enemy civilians. Under conciliation, Federal commanders sought to undermine Southern support for the Confederacy through respect and magnanimity. Under the "hard war" policies of Grant, Sherman, and Sheridan, they sought to undermine that support through demoralization and fear.

[37] Throughout his otherwise highly destructive raid in the Shenandoah Valley in May–June 1864, for example, Maj. Gen. David Hunter continually insisted that his troops observe these distinctions. See General Orders No. 29, May 22, 1864, *OR*, vol. 37, 2:517–18; Charles G. Halpine (Hunter's AAG) to Maj. Gen. Julius Stahel, May 30, 1864, ibid., 556–57. Linderman believes that Hunter's discrimination was "aberrant" by June 1864 (183), but my own research suggests that it was more typical than not. See Mark Grimsley, "A Directed Severity: The Evolution of Federal Policy Toward Southern Civilians and Property, 1861–1865" (Ph.D. diss., The Ohio State University, 1992), chs. 6–8. By March 1, 1862, at least seven villages had been destroyed or heavily damaged by Union troops: Fayetteville, Va., Oct. 19, 1861 (see note 30 above); Fredericktown, Mo., Oct. 21, 1861 (*OR*, vol. 3:209); Guyandotte, Va., Nov. 10, 1861 (*OR*, vol. 5:412); Dayton, Mo., Jan. 4, 1862 (*OR*, vol. 8:45–46); Columbus, Mo., Jan. 9, 1862 (*OR*, vol. 8:46–47); Logan Court House, Va., Jan 15, 1862 (*OR*, vol. 5:502); and Winton, N.C., Feb. 19, 1862 (*OR*, vol. 9:195–96). The widespread foraging by Schoepf's division in eastern Kentucky has already been mentioned (see note 26 above). There were similar occurrences in Missouri and western Virginia. From the outset of the conflict, both sides regarded the capture or destruction of railroad property as legitimate. See the reports of a Union action near Vienna, June 16, 1861 (*OR*, vol. 2:128–129), and the Confederate seizure or destruction of a large amount of rolling stock at Harpers Ferry, as well as the burning of railroad bridges in that vicinity (John D. Imboden, "Jackson at Harper's Ferry in 1861," in Clarence C. Buel and Robert U. Johnson, eds., *Battles and Leaders of the Civil War*, 4 vols. [New York: Century, 1884], 1:122–23; Frank E. Vandiver, *Mighty Stonewall* [New York: McGraw-Hill, 1957], 147, 148). The same was true of foundries and mills when obviously engaged in support of the enemy war effort. See, for example, *OR*, 5:242, 398, 405.