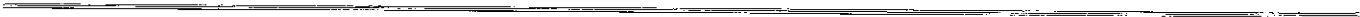


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A COUNTRY OF THEIR OWN

You have to imagine the scene. On 20 December 1860, the streets of Charleston, South Carolina, erupted in joy.

Think of the state in which you live, a state you're proud to call home. What if you and many of your fellow Virginians, or Californians, or Texans—and your state legislatures—felt that for decades your state had been provoked and derided by the federal government? What if you—and your state legislatures—concluded that the federal government no longer served your state's interests? What if your state asserted that it existed as an independent entity before it joined the Union, that it had ceded its autonomy only in part, to promote the general welfare, and that when the federal government failed to serve the ends of the people of Virginia, or California, or Texas, these people, in their states, were entitled to rescind their voluntary cession of authority to the federal government because anything else would be submission to tyranny? What if your state suddenly, proudly, declared itself independent and reclaimed its inherent, sovereign rights?

South Carolina had done just that. South Carolinians had declared themselves a nation once again.

Guess What?

- ✦ Southern secession in 1861 was better founded in law than the secession of the American colonies in 1776
- ✦ Alexis de Tocqueville thought racism was far more prevalent in free states than in slave states
- ✦ Jefferson Davis and Robert E. Lee expected slavery to fade away naturally

The Politically Incorrect Guide to the Civil War

Artillery batteries fired salutes over Charleston harbor. Church bells pealed from the many spires of “the Holy City.” Brightly dressed bands and militia (for this was the South where every man felt a martial calling) marched in celebration. And South Carolinians rejoiced in a new birth of freedom—of government of the people, by the people, and for the people of South Carolina.

A special Convention of the People of South Carolina had declared by unanimous vote, 169 to nil, “that the Union now subsisting between South Carolina and other States, under the name of ‘The United States of America,’ is hereby dissolved,” and that, echoing the language of the Declaration of Independence, the “State of South Carolina has resumed her position among the nations of the world, as a separate and independent State; with full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do.”¹

An audacious action, certainly—its authors, however, were not a body of red-hot revolutionaries, but a convention of eminentoes from the state, including five former governors, four former United States senators, a former Speaker of the United States House of Representatives, and men of local prominence—from clergymen to planters—all of whom felt their patriotic sap rising.

It was 1776 all over again.


In their new Declaration, the delegates reminded folks up north that the Declaration of Independence of 4 July 1776 was the precedent for their action. It had affirmed what South Carolina was reaffirming now, that the colonies were, “and of right ought to be, FREE AND INDEPENDENT STATES; and that, as free and independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do.”²

South Carolina had reclaimed these sovereign rights—and did so on the very same grounds that Jefferson had laid out eighty-four years before:

whenever any “form of government becomes destructive of the ends for which it was established, it is the right of the people to alter or abolish it, and to institute a new government.”³ For the people of the Palmetto Republic, that time had come.

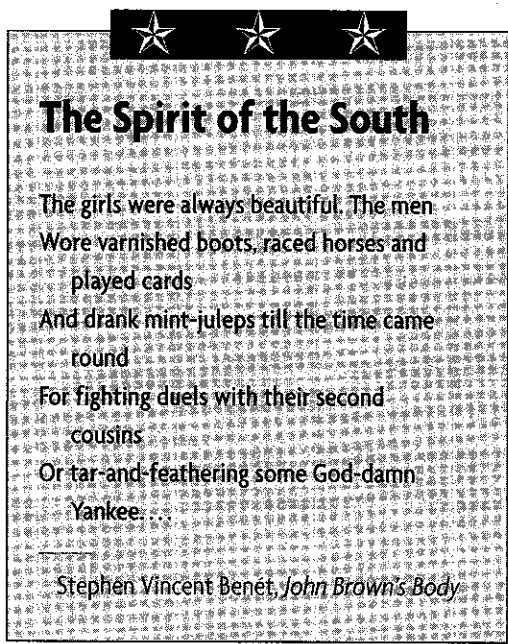
And who could not wish them well? A short month later they were joined in secession from the United States by Mississippi (9 January 1861), Florida (10 January), Alabama (11 January), Georgia (19 January), Louisiana (26 January), and soon thereafter by Texas (1 February). Before Texas had even fully seceded, South Carolina and its sister states of the Deep South had met and created a new confederation of states. They called it the Provisional Government of the Confederate States of America, with its capital in Montgomery, Alabama.

A new country, a new republic, had sprung up in North America. It was based—despite what Yankees like Henry Adams would say—not on



States' Rights = The American Way

When, in 1861, South Carolina reasserted that it was a sovereign state, it was on firmer ground than Thomas Jefferson had been in 1776 when he drafted the Declaration of Independence proclaiming that the colonies were sovereign states. In fact, they were not; they were British colonies under colonial charters. It was the “crown in parliament” that was sovereign over the colonies. But the Declaration, the Continental Congress, the Articles of Confederation, and the Constitution all rested on Jefferson's asseveration that the colonies were free and independent states, (which is why states, rather than a mass majority vote of all the people in all the states collectively, approved the Constitution). State sovereignty was a cornerstone of America's political philosophy, and given these precedents, South Carolina's declaration of independence was a much less radical step than the Declaration of Independence.



treason, but on patriotism. Its members so loved their respective sovereign states, were so jealous for their freedom, that they had embarked on the perilous if exhilarating course of founding a new nation.

It was a nation that did not seek a *novus ordo seculorum*, but rather the preservation of the life, liberty, and pursuit of happiness of South Carolinians, Mississippians, Floridians, Alabamans, Georgians, Louisianans, and Texans. The new nation was created out of motives of preservation, not destruction, of conservatism rather than revolution. For inspiration, the South looked to its past; one Georgia delegate wanted the new nation

to be named “The Republic of Washington.” Instead, George Washington ended up on the Great Seal of the Confederacy.

And the man chosen to be Washington’s successor—the father of this new country and first president of the Confederate States of America—would not be a Robespierre or a Napoleon. Instead, he would be a pillar of rectitude and principle, of constitutionalism and liberty, of Christian stoicism and political conservatism.

Jefferson Davis was a United States senator from Mississippi at the time of secession. He believed in secession’s legality, while working to prevent its necessity—as one might believe in the legality of divorce, while doing everything possible to preserve a marriage. A graduate of West Point, a distinguished colonel of the Mississippi Rifles in the Mexican War, a former member of the United States House of Representatives, and perhaps the finest secretary of war the United States ever had, Davis was also a planter, a man of education, and a man devoted to his state.

When he rose in the United States Senate to announce that he would follow Mississippi's withdrawal from the Union, he said, "It is known to senators who have served with me here, that I have for many years advocated, as an essential attribute of State sovereignty, the right of a state to secede from the Union . . . If I had thought that Mississippi was acting without sufficient provocation . . . I should still, under my theory of government, because of my allegiance to the State of which I am a citizen, have been bound by her action."⁴

He did not fear, in fact he relished, the prospect of being arrested and tried in a federal court on charges of treason, so confident was he that he could prove the absolute constitutionality of secession. For him—as for many Southerners, especially in the Upper South—secession was a remedy justified only *in extremis*. But that point had manifestly been reached when state governments in South Carolina, Mississippi, and other Southern states promulgated their ordinances of secession. Once these sovereign states had made their decision, men like Jefferson Davis felt bound by it—to do otherwise, to prefer loyalty to a federal *government* rather than to the state, the soil, the land, and the people to which one belonged, and which in Davis's case had sent him to the United States Senate, *that* would have been treason.

He pointed out to the United States Senate that the people of the Deep South "tread but in the paths of our fathers when we proclaim our independence and take the hazard . . . not in hostility to others, not to injure any section of the country, not even for our own pecuniary benefit, but from the high and solemn motive of defending the rights we inherited, and which it is our duty to transmit unshorn to our children."⁵

In his inaugural address as president of the Confederate States of America, Davis assured his listeners that they had performed no "revolution." They had merely "formed a new alliance, but within each State its government has remained, and the rights of person and property have not been disturbed. The agent, through whom they communicated with

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foreign nations, is changed; but this does not necessarily interrupt their international relations.”⁶

Far from disturbing “the rights of person and property” the Confederate government sought liberation from northern tariffs, an expansion of free trade, and the protection of a most peculiar form of property—slaves.

Was the war really all about slavery?

In the sense that the South was defined by slavery, yes. The Southern states were the slave states. But so too were the border states of Maryland, Delaware, Missouri, and Kentucky. Slavery was also legal in the federal capital, Washington, D.C. It was constitutional, and certainly no innovation as it had existed in America for more than two centuries. It had even, only a few years before (1857), been reaffirmed as a constitutional right by the Supreme Court, and in the early days of the war, it was a right that United States President Abraham Lincoln upheld. During the federal occupation of Missouri in 1861, Lincoln summarily removed General John C. Frémont from command when the abolitionist general refused to rescind a proclamation confiscating the property—and freeing the slaves—of active Confederates.

Lincoln, after all, had embarked on the war *denying* that his presidency endangered slavery in the South. In his First Inaugural Address (4 March 1861) Lincoln reassured Southerners that “I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so.”⁷ This, said Lincoln, was his constant policy.


True to his word, he reiterated it in a letter to Horace Greeley, an abolitionist and editor of the *New York Tribune*, on 22 August 1862, “My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slave I would do it, and if I could save it by freeing all the slaves I would

do it; and if I could save it by freeing some and leaving others alone I would also do that.”⁸

Lincoln, however, was a lawyer and politician of remarkable slipperiness. Southerners remembered when Lincoln campaigned for the Senate in 1858 against Stephen Douglas and made his famous proclamation: “A house divided against itself cannot stand. I believe this government cannot endure permanently half slave and half free. . . . Either the opponents of slavery, will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or its advocates will push it forward, till it shall become alike lawful in all the States, old as well as new—North as well as South.”⁹

Nevertheless, the stated aim of the Lincoln administration in 1861 was *not* the abolition of slavery; it was the forcible reunification of the Union. In Lincoln’s early presidential view, a house divided against itself by slavery could stand, if it was reinforced by enough bayonets. And the use of bayonets, cannons, sabers, muskets, and rifles to subjugate the South certainly did not constitute a state of war. Indeed, Lincoln asserted that the conflict between North and South was a legal matter to be resolved by the police—a domestic dispute.

On 15 April 1861, Lincoln issued an order for 75,000 volunteers to subdue in the South “combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in Marshals by law.” Marshals? Judicial proceedings? In the canny imagination of Abraham Lincoln, the Confederate States of America simply did not exist—and thus could not be recognized by foreign governments. The Southern states, he reckoned, had never seceded, because secession was

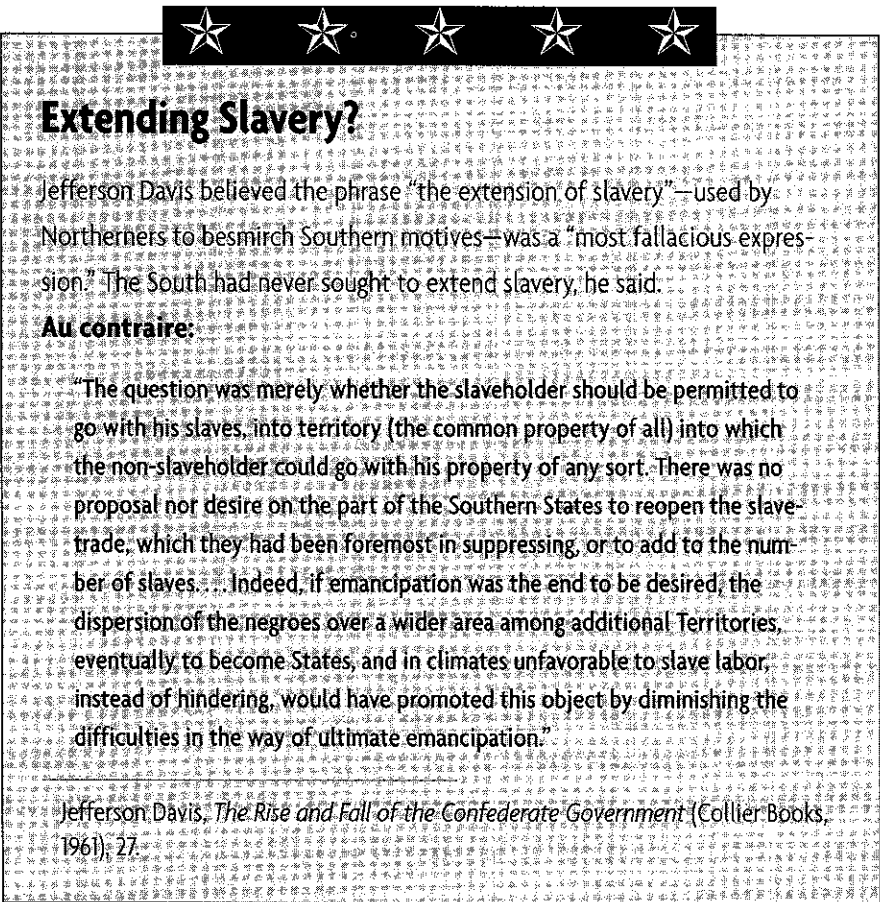


Books Yankees Don't Want You to Read

The Southern Tradition at Bay: A History of Postbellum Thought, by Richard Weaver (Regnery, 1989). A brilliant, classic dissertation on the South's view of itself; what Weaver called, "the last non-materialist civilization in the Western world."

a legal impossibility. All that had happened in South Carolina, Alabama, and the other Southern states, was a large-scale riot that needed a larger than usual body of marshals and judges to straighten out.

While denying that he meant to abolish slavery, Lincoln simultaneously chided the South, denying its claims to high principle, by asserting that “One section of our country believes slavery is *right* and ought to be extended, while the other believes it is *wrong* and ought not to be extended. This is the only substantial dispute.”¹⁰



Unfortunately for the South, Lincoln was lent support by the Confederacy's own vice president, the Gollum-like Alexander Stephens, who embarrassed the cause of Southern Independence by asserting, "Our new government is founded . . . its foundations are laid, its cornerstone rests, upon the great truth that the negro is not equal to the white man; that slavery, subordination to the superior race, is his natural and normal condition."¹¹

In this, Stephens was not entirely at odds with Lincoln. Lincoln certainly opposed slavery, but he also said in one of the Lincoln-Douglas debates: "I will say then that I am not, nor ever have been, in favor of bringing about in any way the social and political equality of the white and black races—that I am not, nor ever have been, in favor of making voters or jurors of Negroes, nor of qualifying them to hold office, nor to intermarry with white people; and I will say in addition to this that there is a physical difference between the white and black races which I believe forever forbid the two races living together on terms of social and political equality. And in as much as they cannot so live, while they do remain together there must be the position of superior and inferior, and I as much as any other man am in favor of having the superior position assigned to the white race."¹² One of his proposed solutions to the problem of slavery was setting up colonies, either in Africa or Latin America, for American blacks; ideally, he wanted to free the slaves and then send them somewhere else.

One man that Vice President Alexander Stephens certainly did not speak for was President Jefferson Davis, whose roseate view of slavery, shaped by his own experience as a planter, was of slaves who were "contented, well provided for in their physical wants, and steadily improving in their moral condition." Slavery as it existed in the South, he believed, was guided by providence to lift heathen blacks to Christianity; its end might be "the preparation of that race for civil liberty and social enjoyment"; and "it is quite within the range of possibility that the masters"

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would eventually, of their own volition, desire to free the slaves “when their slaves [themselves] will object.”¹³

Jefferson Davis, then, saw the abolition of slavery as something that would happen peaceably in due course. This view was shared by the pre-eminent Confederate general, Robert E. Lee, who wrote to his wife shortly after Christmas in 1856, “In this enlightened age, there are few I believe, but what will acknowledge, that slavery as an institution, is a moral and political evil in any Country. It is useless to expatiate on its disadvantages.” Like Davis, he believed, “the blacks are immeasurably better off here than in Africa, morally, socially and physically,” and that while “we see the course of the final abolition of human slavery is onward, and we must give it all the aid of our prayers and all justifiable means in our power,” Lee concluded that “emancipation will sooner result from the mild and melting influence of Christianity than from the storms and contests of fiery controversy.”¹⁴

For Davis and for many of the great generals of the Confederacy—who were the real leaders of the new nation—arguments over slavery, and the claim of Northern moral superiority, were nothing more than a cynical Yankee ploy. The North, which had had few slaves in any event, had dispensed with slavery when it was no longer economically viable; the South would do the same—and indeed, might already be headed in that direction: slave owners, though influential, were a small minority in the South, and Southern workingmen, like Northern workingmen, had every reason not to want to compete against slave labor.

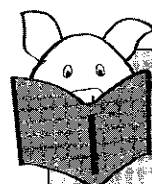
Indeed, outside of the minority of abolitionists, this was the driving force behind anti-slavery sentiment in the North: the preservation of the status of white labor. As Lyman Trumbull, United States senator from Illinois, proclaimed: “we, the Republican Party, are the white man’s party. We are for the free white man, and for making white labor acceptable and honorable, which it can never be when Negro slave labor is brought into competition with it.”¹⁵

Or, in Lincoln’s own words: “Whether slavery shall go into Nebraska, or other new territories, is not a matter of exclusive concern to the people who may go there. The whole nation is interested that the best use shall be made of these territories. We want them to be homes of free white people. This they cannot be, to any considerable extent, if slavery shall be planted with them. Slave states are the places for poor white people to move from.”¹⁶

The appeal of Free States, in other words, was that they might be free of blacks. Perhaps this was why Alexis de Tocqueville noted that “Race prejudice seems stronger in those states that have abolished slavery than in those where it still exists, and nowhere is it more intolerant than in those states where slavery was never known . . . In the South, where slavery still exists, less trouble is taken to keep the Negro apart: they sometimes share the labors and the pleasures of the white men; people are prepared to mix with them to some extent; legislation is more harsh against them, but customs are more tolerant and gentle.”¹⁷ Many Northerners had a view of an all-white future; Southerners did not.

In addition, if slavery were a moral trump card, if it decided who was right and who was wrong, then Britain had held moral superiority over the American colonists in 1776, for the Crown was willing to free black slaves as a wartime measure against the rebels, just as Lincoln would later do. The real issue, the real battle, was over the rights of the sovereign states, and their protection from Northern invasion.

As Confederate General Richard Taylor, the son of President Zachary Taylor, put it after the war, the people of the Confederacy “struggled in all honorable ways, and for what? For their slaves? Regret for their loss



Books Yankees Don't Want You to Read

The Rise and Fall of the Confederate Government, by Jefferson Davis (Collier Books, 1961). Jefferson Davis's defense of the Southern cause is irrefutable, and this one-volume condensation, "abridged for the modern reader," makes it a relatively easy read.

has neither been felt nor expressed. But they have striven for that which brought our forefathers to Runnymede, the privilege of exercising some influence in their own government.” In bitter repudiation of Alexander Stephens, Taylor added: “Yet we fought for nothing but slavery, says the world, and the late vice-president of the Confederacy, Mr. Alexander Stephens, reechoes the cry, declaring that it was the corner-stone of his Government.”¹⁸

The New Republic

But the real cornerstone of the Confederate government was the United States Constitution, modestly modified to meet the needs of the Southern people. The Confederate Constitution guaranteed the right to slavery, but the United States Supreme Court had already ruled that slavery was a constitutional right in the *Dred Scott* case (1857). No great change there. The Confederate Constitution also banned the importation of slaves. There would be no Confederate slave ships. The Constitution guaranteed freedom of speech and religion and incorporated the bill of rights into its basic

The Old Southern Gentleman

“For the aristocrat of Old Dixie, with all his faults and inconsistencies, did understand what the gentleman of Old Europe generally did not. He did understand the Republican ideal, the notion of the Citizen as it was understood among the noblest of the pagans. That combination of ideal democracy with real chivalry was a particular blend for which the world was immeasurably the better, and for the loss of which it is immeasurably the worse. It may never be recovered; but it will certainly be missed.”

G. K. Chesterton (and Lawrence J. Clipper, editor). *Collected Works of G. K. Chesterton Volume XXXV, The Illustrated London News, 1929-1931* (Ignatius Press, 1992): 218.

structure. It limited the president to a single six-year term, granted him a line-item veto to prevent pork-barrel spending, and prohibited the Confederate Congress from issuing any tariffs or otherwise spending money on “internal improvements,” except for basic necessities for navigation, harbor development, and commerce. The Confederate States of America, in short, had formed a republic with a limited government that guaranteed individual and state rights; and unlike the republic up north, didn’t insist on subjugating states that didn’t want to be a part of it. The Confederacy might have had slavery, as the United States did, but it was no tyranny.

What the Confederate Constitution sought to do was to preserve what Southerners believed was the original intent of the Constitution, which the North had tried to overturn. To the framers of the Confederate Constitution, sovereignty resided in the people of the states. That’s how it had been in the colonial period, and how it was under the Articles of Confederation and under the Constitution of the United States. The North, however, had adopted a view not of sovereign states affiliated within a union, but of a sovereign majority of an American people, represented in the federal government.

To Southerners, this interpretation of the Constitution was flat-out wrong. The Constitution, Jefferson Davis pointed out, did not create a new *American* people; sovereignty continued to reside with the people within their respective states. “The monstrous conception of the creation of a new people, invested with the whole or a great part of the sovereignty which had previously belonged to the people of each State,” Davis argued, “has not a syllable to sustain it in the Constitution.”¹⁹

And you don’t have to take Jefferson Davis’s word for it. Alexis de Tocqueville said much the same in his book *Democracy in America*: “The confederation [the Union] was formed by the free will of the states; these, by uniting, did not lose their nationality or become fused in one single nation. If today one of those same states wished to withdraw its name from the contract, it would be hard to prove that it could not do so.”²⁰

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This constitutional nicety, this guarantee of liberty (in the Southern view), is often treated in one of two ways—either it is ignored (and thus the main constitutional defense of the South is neglected) or it is dismissed, as the celebrated British military historian Major General J. F. C. Fuller dismissed it in 1932: “from the purely legal point of view,” he wrote, Jefferson Davis was correct; “consequently, when in 1861 the Southern States seceded they had the law on their side. But what Jefferson Davis did not see was that the great industrial revolution was rapidly merging the individual states into ‘one great consolidated State,’ and that forces of circumstances had in fact replaced law.”²¹

The South, being an old-fashioned place, did not bow to this progressive view; it refused to accept a future as an agricultural subsidiary of an industrious and industrial North; it thought it had a civilization of its own worth defending: one that had, over the long course of history, from the very first settlement of the Continent, diverged ever more widely from the civilization of the Northern states. And in thinking all this, the South was right.

The older, more settled parts of the South would recognize themselves in the description that Confederate veteran George Cary Eggleston penned of his memory of old Virginia:

It was a soft, dreamy, deliciously quiet life, a life of repose, an old life, with all its sharp corners and rough surfaces long ago worn round and smooth. Everything fitted everything else, and every point in it was so well settled as to leave no work of improvement for anybody to do. The Virginians were satisfied with things as they were, and if there were reformers among them, they went elsewhere to work their changes. Society in the old Dominion was like a well-rolled and closely packed gravel walk, in which each pebble had found precisely the place it fits best. There was no giving way under one's feet, no

uncomfortable grinding of loose materials as one walked about over the firm and long-used ways of Virginia social life....The Virginians were born conservatives, constitutionally opposed to change. They loved the old because it was old, and disliked the new because it was new; for newness and rawness were well-nigh the same in their eyes.²²

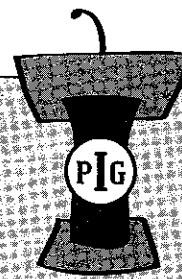
Granted, in the West, on the frontier, newness and rawness were to be expected. But the goal of Southern life was leisure and what Bagehot called “the conservatism of enjoyment.” Men did not focus their energies on industry, but on manners. They did not seek change and reform and progress—and Southern men-folk were as politically minded as any on the planet—but rather preservation of an existing system. They were not led by divines who had left Christian doctrine behind and become Unitarians or transcendentalists or preachers of a social gospel that included abolitionism among its causes. Antebellum Southern religion was, in Professor Richard Weaver’s words, “a simple acceptance of a body of belief, an innocence of protest and heresy which left religion one of the unquestioned and unquestionable supports of the general settlement under which men live.”²³

North and South were, in fact, divided in the most profound way, almost as separate civilizations, though sharing the same language and the same federal government—something that was recognized as early as the founding of the United States by John Taylor of Caroline (of Caroline County, Virginia), who was an ally of Thomas Jefferson, supporter of ratifying the Constitution, and a United States senator. He referred to the

The Spirit of Antebellum Virginia

“Such was Virginia before the blast of war swept over her hills and down her dales—a mint-julep stirred with a sword-blade.”

Major General J. F. C. Fuller, *Grant & Lee: A Study in Personality and Generalship* (Indiana University Press, 1982), 25.



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sovereign states as “state nations” (whose rights were protected by the Constitution) and to the United States as the “United Nations.”

Both men envisioned the possibility of secession. Jefferson wrote to James Madison in 1798 that if the federal government could not be restrained from enforcing such laws as the Alien and Sedition Acts, the best course would be for states like Virginia and Kentucky “to sever ourselves from the union we so much value rather than give up the rights of self-government.”²⁴ One can easily, then, imagine, had he still been alive, Jefferson supporting the Confederate States of America, with John Taylor of Caroline rallying his fellow Southerners with the cry: “CSA out of the UN.”

Some sixty years after the Civil War, the Southern poet Allen Tate wrote in bold historical strokes about the differences between the antebellum North and South: “In a sense, all European history since the Reformation was concentrated in the war between the North and the South. For in the South the most conservative of the European orders had, with great power, come back to life, while in the North, opposing the Southern feudalism, had grown to be a powerful industrial state which epitomized in spirit all those middle-class, urban impulses directed against the agrarian aristocracies of Europe after the Reformation.”²⁵

Those were the stakes: two visions of civilization, each of which despised the other. The South considered the North an unprincipled, money-grubbing, self-righteously intolerant leviathan, and thought of itself as a liberty-loving agricultural Sparta of gracious gentlemen, classical culture, and feudal order.

The North, on the contrary, considered the South a backward land of hot-tempered planter-aristocrats who kept a booted heel and a master’s whip on the backs of slaves, tainted the Union with its “peculiar institution,” and dragged it into wars against Mexico only to expand its hateful “slave power.” The North, in its own view, was enlightened, practical, and business-like, and consequently wealthy, forward-looking, reform-

ing, and the obvious moral superior to a region that kept imported Africans in bondage.

In the North they read *Uncle Tom's Cabin*, and waxed furious at intolerable Southern slavery. In the South they read *Ivanhoe* and dreamt of chivalry.

The North believed in Free Soil, Free Men, and industry supported by high tariffs—and in stifling the creation of slave states that would perpetuate the South's "unfair" advantage in representation (unfair because slaves counted as three-fifths of a person for representation's sake). The South believed in a free association of sovereign states, in free trade, and in the freedom of slave-owners to settle in new territories (and thus create more slave states to preserve a regional balance of power).

The North believed in an indissoluble Union, led by itself—since it had the wealth, the banking, the industry, the population, and indeed the future of the country in its hands. The South believed the North was trying to extinguish the South's liberty, its prosperity, and its own vision of the future.

More than that, in the famous words of Mary Chestnut, wife of United States senator James Chestnut of South Carolina, "We separated from the North . . . because we have hated each other so."²⁶

★ ★ ★

A Minority Institution

- ★ Seventy-five percent of white Southern families did not own slaves.
- ★ Half of all slave owners owned only one to five slaves.
- ★ Fewer than 1 percent of slave owners owned more than fifty slaves.
- ★ Not all blacks in the South were slaves. About 10 percent of blacks in the Upper South were free and made their living as laborers or small tradesmen. Less than 2 percent of blacks in the Deep South were free, but they tended to be rich and own slaves themselves.
