‘TO MAKE THE UNION WHAT IT OUGHT TO BE’: AFRICAN AMERICANS, CIVIL WAR MILITARY SERVICE AND CITIZENSHIP

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‘TO MAKE THE UNION WHAT IT OUGHT TO BE’: AFRICAN AMERICANS, MILITARY SERVICE, AND THE DRIVE TO MAKE BLACK CIVIL WAR SERVICE COUNT

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ABSTRACT

This study investigates black Northerners’ debates about whether and how to enlist in the Union Army during the American Civil War. It considers the history of African-American military service and citizenship in pre-Civil War America and highlights black Northerners’ determination to use any service they performed in the Civil War to win collective gains denied black veterans of earlier wars. It charts how the debate black Northerners conducted regarding service influenced black Northerners’ thinking about enlistment, black soldiers’ experience of service, and African Americans’ post-war struggle for rights and citizenship. It pays particular attention to issues of citizenship and Americans’ conceptual thinking about citizenship. It explains why African Americans’ campaign to use military service to win citizenship resulted in the type of citizenship it did and evaluates military service as a means of winning citizenship.
This dissertation is dedicated to all those who made it possible, especially:

My father, Stephen, for letting me take his history books off the shelf to look at the pictures; my mother, Lois, for forcing me to learn how to write despite my best efforts to the contrary; my sister, Jenny, for putting up with the cannon-fire down the hall; my wife, Diane, for her unwavering love and support and for sharing life amongst the books and articles with me; and my mentor and friend, Chandra Manning, whom I have been lucky enough to learn from for the past five years and without whose guidance this dissertation would not exist.

Thank you,
Brian

“Some things you will remember –
Some things stay sweet forever.”
John Darnielle
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Introduction

“O Heavenly Father, we want you to let our folks know that we died facing the enemy! We want 'em to know that we went down standing up! Amongst those that are fighting against our oppression. We want 'em to know, Heavenly Father, that we died for freedom!” John Rawlins, a fictional black soldier played by Morgan Freeman, speaks these striking words in one of the more memorable scenes from the 1989 Hollywood film *Glory*, as he and other members of his regiment gather around a campfire on the eve of battle. *Glory* is the primary basis for many Americans’ knowledge of black soldiers’ participation in the Civil War and, overall, it serves as a good introduction to the topic. The film takes important, misleading and seemingly inexplicable liberties with the history of its subject, the famous 54th Massachusetts regiment, and focuses most intently on the 54th’s white commander, Colonel Robert Gould Shaw; still, as James M. McPherson has written, *Glory* serves an important function in replacing in popular historical consciousness the moonlight-and-magnolias romanticizing of films like *Gone With the Wind* with the “courageous image of black soldiers and their white officers that prevailed in the North during the latter war years and the early postwar decades...”¹

*Glory* concludes with the 54th’s failed July 18, 1863 assault on Fort Wagner in Charleston Harbor, and its final shot features Confederate soldiers dumping the lifeless bodies of Shaw, played by Matthew Broderick, and Silas Trip, a fugitive-slave-turned-soldier played by Denzel Washington, into a mass grave. The two bodies sink together, and the scene symbolizes the film’s integrationist, optimistic bent: Trip has taken his

freedom and proved his worth by fighting, and his death brings a tragic sort of progress, as in death he wins the equality denied him in life. The scene encapsulates the film’s interpretation of the war as a struggle that saw black men fight to help the nation achieve abolition.

There is much validity in this interpretation, but it oversimplifies the motivations, hopes, fears and frustrations that animated black soldiers’ Civil War service, as well as the war’s impact on African Americans’ struggle for justice. In truth, an earlier scene better encapsulates black soldiers’ thinking about their participation in the Union war effort. In this scene, Shaw asks Trip to serve as the regiment’s color-bearer. Trip refuses. “I ain’t fightin’ this war for you, sir,” he tells Shaw. Despite Shaw’s persistence, Trip remains steadfast: “I still don’t wanna carry your flag.” Trip’s reluctance to carry this symbol of state authority – of white authority – is true to black men’s purpose in fighting: for them the war was never about maintenance of the Union as it was, about maintaining a government that had previously existed. Black Americans saw in the war an opportunity to create an entirely new nation, a United States that would live up to the principles of equality and liberty proclaimed in the Declaration of Independence. African Americans focused on the questions Trip asks Shaw as the two consider the war’s meaning and outcome: “What about us? What do we get?” They hoped the answer to Trip’s second question was a new Union, purified of slavery and discrimination. During the war’s early years black Northerners, some of them runaway slaves like Trip, debated and strategized about whether and how to use military service to
achieve that Union, ever mindful that slavery and discrimination had survived black soldiers’ service in earlier American wars.²

Later in the film, during the climactic assault on Fort Wagner, Trip sees Shaw killed at the head of the regiment, and races to pick up a fallen United States flag. Trip is killed moving the flag forward. He sees in the Union cause a chance to move the nation forward and he accomplishes that task symbolically by moving its foremost symbol up Fort Wagner’s parapet. That he is killed in the attempt, though, suggests that while the war serves as an opportunity for black men to prove their equality with white men, military service may prove an imperfect, uncertain vehicle for black men to win lasting gains. The film clearly intends to present a positive interpretation of the war and its impact on black Americans and their struggle for justice, but when we focus on Trip and his brief meditations on black men’s reasons for fighting, it tells a more troubling story truer to the war’s history and impact.³

In the past several decades, historians have chronicled black soldiers’ military experience, but have paid little attention to how they got into the Union Army in the first place. Most historians of black service have ignored the question of why black men enlisted in the Union Army, assuming that they would eagerly grab the first chance to battle the Confederacy. Some black men did; but for many, the decision to join the Union Army was neither quick nor uncomplicated. One can understand why an enslaved black Southerner, choosing between remaining in bondage or running away and joining the invading Union Army, would think it in his best interest to enlist – a chance to fight,

² For this insight, I am indebted to Hannah Rosen, as a conversation with her in the fall of 2010 helped me think about this scene and its relevance to my project.
³ Glory, directed by Edward Zwick, produced by Pieter Jan Brugge et al., TriStar Pictures and Freddie Fields Productions, 1989, DVD.
and perhaps die, for freedom might convince him to make the difficult, courageous
decision to leave his enslaved kin behind and enlist. But black Northerners were already
free, and they knew that black service in previous American wars had availed African
Americans little in a collective sense. In the aftermath of the American Revolution and
the War of 1812, Southern slavery and legally-enacted racial discrimination across the
nation had expanded. Considering the United States’ history of betraying black soldiers,
black Northerners faced powerful arguments against donning Union blue and helping to
bring the slaveholding South back into the Union. How could they ensure that, if they
fought, their service would fundamentally change the United States and its treatment of
African Americans? What strategy should they follow in relation to enlistment to make
the opportunity the war presented them bear fruit?

This study pays attention to black Northerners’ strategic approach to the war and
enlistment, and the debate over the proper method and timing of enlistment that
consumed the black North from 1861 through mid-1863. It demonstrates that black
Northerners’ discussions of the war and enlistment influenced the process of black
enlistment, the course of black service and the post-war change it helped achieve. In
particular, this study focuses on black Northerners’ drive to use military service to win
government recognition of black citizenship. Black Northerners did not typically specify
what exactly they meant when they talked of citizenship, often refraining from
enumerating the specific rights and privileges the government would need to grant them
before they considered themselves citizens. Black Northerners’ non-specificity as to
citizenship’s content grew directly out of a general nineteenth-century confusion about
what precisely American citizenship entailed as, prior to the Fourteenth Amendment, no concrete definition of American citizenship existed.

Today, for many Americans citizenship implies a universality of rights and privileges and equality among citizens. But scholars like Rogers Smith and Judith Shklar have seen that a key paradox lies at the heart of citizenship as manifested in the American context: the U.S. is a republic supposedly devoted to equality, but the history of American citizenship reads largely as a story of exclusion in which some Americans have denied citizenship to others based on ascriptive qualities like race, ethnicity and gender. 4 "The tension between an acknowledged ideology of equal political rights and a deep and common desire to exclude and reject large groups of human beings from citizenship has marked every stage of the history of American democracy," Shklar has written. 5 William Novak has shown that in the antebellum U.S., an individual’s possession of citizenship, and the array of privileges and immunities to which that individual was entitled, depended on status markers like residence, occupation, and organizational membership as well as ascriptive qualities like race and gender. 6 It is perhaps not surprising that, given this context, when black Northerners talked about citizenship they tended not to articulate a consistent set of rights and privileges without which one did not enjoy citizenship.

Black Northerners did tend to associate citizenship with suffrage and legal equality, and these goals formed the basis for black political agitation in the war’s

aftermath. African Americans did not consistently say whether or not they saw suffrage and legal equality flowing from citizenship, or as rights complementary to citizenship but necessary to its full enjoyment. If we cannot know precisely how they conceived of the relationship between citizenship, suffrage and legal equality, we can see why they associated these concepts so closely with citizenship. Shklar has convincingly argued that Americans’ preoccupation with citizenship derived largely from citizenship’s denial to slaves. Extending Edmund Morgan’s argument about the connection between colonial Virginians’ obsession with liberty and proximity to slavery, Shklar has written that Americans’ association of the vote with citizenship derives from slavery’s unshakeable heritage. “[T]he denial of the suffrage to large groups of Americans…made the right to vote…a mark of social standing. To be refused the right to vote was to be almost a slave,” she has written. Anxious to remove this badge of slavery, disfranchised Americans have clamored for the vote throughout American history. Because of the history of slavery and Americans’ unequal enjoyment of citizenship, whatever citizenship laws say, Americans only feel like citizens when markers of their inferiority have been removed, when they have a sense of social standing in their communities. Even though they were explicitly defined as constitutional citizens by the Fourteenth Amendment, since that Amendment’s passage Americans denied the vote have not felt like citizens and have fought vigorously for suffrage. Antebellum black Americans understood the degradation implied in their disfranchisement and felt it keenly as the white male

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9 Shklar, American Citizenship, 27.
electorate expanded in the early nineteenth century; it is not surprising, then, that black men in the North, who knew slavery intimately, associated the vote with citizenship. The Constitution did not confer a right to vote or tie suffrage to citizenship, but free black men did not feel like citizens when they could not vote.

Shklar’s insight regarding the connection between voting and citizenship illuminates black Northerners’ connection of legal equality to citizenship as well, as it surely derived from their experience of life in the antebellum North. By statute and custom, Northern states regularly restricted the rights, privileges, and opportunities available to black freemen. Black Northerners felt the sting of these restrictions intensely and identified their removal as key to their enjoyment of citizenship. Antebellum black agitators, historian Stephen Kantrowitz has observed, wanted to achieve more than inclusion within a citizenship defined as a common set of rights and obligations; their political activity was animated by a “a vision of solidarity, regard, and even love that continued to reverberate for generations to come.”

Black Americans desired legal change, but they also sought a sense of acceptance within American society. A crucial part of this acceptance could only derive from a feeling of equal standing, and this feeling would only come when black Americans possessed the same array of rights as white Americans. Achieving legal equality was a way for black Americans to gain the feelings of equal citizenship and acceptance they sought.

That black Americans wanted citizenship, and associated suffrage and legal equality with citizenship in their wartime and post-war debates, is clear; less clear is whether citizenship was really worth fighting and dying for. Scholars like Shklar, Michael Vorenberg and Kate Masur have highlighted citizenship’s often disappointing

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10 Kantrowitz, More Than Freedom, 9.
practical results; officials who determine citizenship’s bounds have generally described citizenship in ascriptive terms and, tangling this ascriptive vision of citizenship with the concept of rights, have limited individual rights in discriminatory ways.\(^\text{11}\) American officials’ tendency to see citizenship in ascriptive terms has often made the Fourteenth Amendment a poor guarantor of citizens’ rights, its language too vague to prevent states, private entities and individuals from discriminating against African Americans and other groups. It is certainly desirable that everyone enjoy citizenship, suffrage and legal equality but, given the harsh realities of modern capitalism, American social organization, and American politics, none of these can by itself allow marginalized groups to alter their collective material circumstances. Additionally, as Shklar argues, the social standing integral to feeling one’s citizenship depends not only on possessing political rights like suffrage, but on earning and the perception that one earns a living – for the poor and unemployed, their lack of earning and buying power can undermine any feeling of citizenship.\(^\text{12}\) Given these constraints on citizenship as a historical reality and a concept, when one sees that black Americans wanted their military service to win citizenship, one might conclude sadly that the end was not worth the sacrifice.

Such a conclusion places too much emphasis on legal and material status, and too little on individual self-worth. Had, as Vorenberg suggests, the framers of the post-war amendments passed a civil rights amendment that talked expansively of freedom rights rather than the Fourteenth Amendment’s vague language of citizens’ privileges and immunities, perhaps they would have encoded in the Constitution a more effective

\(^{11}\) See Kate Masur, *An Example For All the Land: Emancipation and the Struggle over Equality in Washington, D.C.* (Chapel Hill: University of North Carolina Press, 2010); Vorenberg, “Citizenship and the Thirteenth Amendment.”

bulwark for citizens’ rights than the Fourteenth Amendment has proved to be. But like it or not, while citizenship’s meaning has changed profoundly over the course of U.S. history, citizenship has been and will in all likelihood remain a meaningful concept for Americans when they think about their place in their nation. In this context, the feeling that one is a citizen has value.

In October 1868, roughly a year-and-a-half before the Fifteenth Amendment, Iowa enfranchised black men. An anonymous black Iowan described his reaction to his enfranchisement to the *Davenport Gazette*:

I’m a man; I have enjoyed citizenship two days out of forty years, and from the fullness of a grateful heart, I beg leave to thank the legal voters in our young State for the substantial test they have given of their sympathy for freedom, by extending to the colored man the right of suffrage. I, in common with my people, felt proud of Iowa last Tuesday... When the sun broke in upon the world last Tuesday morning, what hopes, born years before in the curse of slavery, and carried through its blight — encouraged by its death, fluttered half with fear for a realization; but that day with its contending brilliancy went into night, and left a brilliant record never to be effaced. The Fatherhood of God, the brotherhood of man, was vindicated, a burden was rolled from the shoulders of oppression, and a glad *Te Deum* went up to the God of all men. Jefferson’s “all men are created equal” appeared with a deeper significance, and Iowa was proud of what she had done. One of the first in this noble work, we feel proud of her. We see the Stars and Stripes and feel that it is our flag. The same old bunting that in childish years we gazed at through a mist of slavery, now purged of its stain, its brilliant stripes are broader, and its glittering stars increased in number.¹³

San Francisco’s black newspaper *The Elevator* reprinted this portion of this letter without, unfortunately, indicating its author or the date on which it was written or published. Still, its author clearly composed it just days after gaining the suffrage, and his enfranchisement can in that short time hardly have allowed him or other black Iowans to change their material circumstances.

Yet things had changed for this man. His enfranchisement made him a citizen, validated his manhood, confirmed the equality of man under God and government, and gave him a new pride in his state and his country. The stain of disfranchisement

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removed, he felt that not only had his place in the American polity improved, but so had black Americans’ generally. It is important to focus on the limitations inherent to key elements of American political life like citizenship, but it is equally important to remember that they serve purposes that may not be easy to quantify. In a society founded on the principle of republican equality, in which every person’s citizenship supposedly makes that person equal to every other citizen, feeling that one is a citizen has value that cannot be quantified or measured.14

Whatever citizenship, and the yardsticks of suffrage and legal equality that African Americans used to measure their possession of citizenship, failed to do for them in a collective socioeconomic and political sense, we must not forget the lesson of this unnamed black Iowan: that historical events work changes both tangible and intangible. They came to mean far too little in reality for far too many African Americans, but black citizenship, manhood suffrage and legal equality were momentous departures from the United States’ history of slavery and state-sanctioned, blatant discrimination. Despite Reconstruction’s failures, the fact that black soldiers helped force the United States to recognize black citizenship, rights and equality surely meant something to black Americans of the Civil War generation and their descendants. And it likely gave at least some African Americans hope that they could win further change. Citizenship, suffrage,

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14 Alfred F. Young’s work on the Boston Tea Party participant and patriot George Robert Twelves Hewes may be instructive in further illustrating this point. Hewes participated in events of great historical importance but, in the final analysis, he went into the American Revolution poor and his condition did not change much as a result of the momentous changes he helped foment; he stayed poor his whole life. Yet, when in the 1830s authors learned of Hewes’ role in the Revolution and asked him to tell his story, he did not bitterly complain that his youthful militancy had availed him little. He talked instead of the incidents from his Revolutionary career that meant the most to him, of times when he and his comrades asserted rights and saw these rights respected by their superiors, of incidents in which he was treated with respect by figures of great stature whom he knew to be his social betters. Hewes cared little that his wartime service did little for him financially or materially – for him, the war was about a feeling of equality with other Americans and of his possession of rights, and these feelings stayed with him all his life. See Alfred F. Young, “George Robert Twelves Hewes (1742-1840): A Boston Shoemaker and the Memory of the American Revolution,” William and Mary Quarterly 38, no. 4 (1981): 561-623.
and legal equality have not always justified the lofty terms in which Americans have
spoken of these concepts, but they are not nothing, either, and to brand black soldiers’
efforts tragic or naïve because they resulted in an imperfect citizenship misses this point.

This study’s purpose, however, is not to defend citizenship as a concept; it seeks
to contribute to the literature on black military service by considering the process by
which black men entered the Union Army and how their goals and rhetoric influenced the
war and its outcome. Black Civil War service is by now a well-covered topic; historians
have made great strides since 1927, when W.E. Woodward, a biographer of Ulysses S.
Grant, identified African Americans as “the only people in the history of the world, so far
as I know, that ever became free without any effort of their own.” Following the lead of
black historians like William Wells Brown and W.E.B. DuBois who chronicled black
service while white scholars turned their gaze elsewhere, since the 1950s authors like
Benjamin Quarles, James M. McPherson, Dudley T. Cornish, John David Smith, and the
scholars of the Freedmen and Southern Society Project have produced first-rate studies of
the black military experience. They have illuminated the Union’s decision to employ

black soldiers, black troops’ battlefield performance and black men’s experiences in the army. Their accounts of black service have tended, however, to treat black enlistment as a preordained, nearly automatic outcome. Some have acknowledged briefly that black Northerners debated enlistment, but none has traced their debate as it developed or examined its implications. A few authors of short, article- or chapter-length works have considered black Northerners’ debate over service in more detail, but these works’ brevity has limited their ability to fully elucidate this debate and trace its significance. This study highlights this debate and the fact that large-scale black enlistment was not a foregone conclusion, but the result of decisions made by black men that fighting for the United States would benefit African Americans. In his recent, otherwise-excellent study of the Lincoln administration and black service, John David Smith claimed that, “[d]uring the first two years of the war, northern black communities had little interest in and impact on [Union] war policy.” In truth, following the Union’s rejection of black volunteers in April 1861, black Northerners debated the war and U.S. policy constantly to

ed. John David Smith (Chapel Hill: University of North Carolina Press, 2002). The other articles in Smith’s edited volume deal mainly with the military and battlefield aspects of black service, as does Noah Andre Trudeau’s 1998 Like Men of War, which provides the most thorough description of the major engagements in which black soldiers fought. See Noah Andre Trudeau, Like Men of War: Black Troops in the Civil War, 1862-1865 (Boston: Little, Brown, 1998). See also Howard C. Westwood, Black Troops, White Commanders, and Freedmen during the Civil War (Carbondale: Southern Illinois University Press, 1992).

17 James M. McPherson, for instance, spent six pages of his 300-plus page book on black Americans during the Civil War considering the process of enlistment and black Northerners’ reasons for objecting to volunteer. See McPherson, The Negro’s Civil War, 175-181.


discern whether or not they ought to join the Union war effort if asked. Their close attention to the war and Northern policy fueled their debate over enlistment. They saw the war as a national calamity, but also as an opportunity to use the country’s distress to their advantage, and while debating enlistment they articulated the goals they hoped their service might achieve. One of those goals was a new Union, cleansed of slavery and racial discrimination. Some historians have recognized that black soldiers, unlike many white soldiers, did not see preserving the antebellum Union as a particularly important goal; Chandra Manning, for instance, has written that black troops fought not to preserve the Union but to “make the American Revolution live up to its promises.” This study builds on this insight and gives African Americans’ thinking about the concept of Union more sustained attention than it has previously received.

In so doing, this study focuses attention on the make-up of the Union Army and the changing goals of those who served in it. Recently, Gary Gallagher has argued that for Union soldiers the Civil War was primarily about preserving the Union; they saw emancipation and abolition merely as means to that desired end. Gallagher dealt little with black soldiers and their perceptions of the conflict, describing Union troops as “cogs in a grand military mechanism” who “ground down slavery” in spite of their individual racial prejudices. Gallagher’s work is important in its concentration on the Union’s meaning for white Americans and re-establishment of the point that preserving the Union

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20 Chandra M. Manning, What This Cruel War Was Over; Soldiers, Slavery and the Civil War (New York: Random House, 2007), 125-126.
21 Gary W. Gallagher, The Union War (Cambridge: Harvard University Press, 2011), 147. Gallagher acknowledges in his introduction that his book gives short shrift to black soldiers, naming them among groups “peripheral to my main line of inquiry.” Given Civil War historians’ estimations of black soldiers’ contributions to Union victory, and the sheer number of black soldiers who served the Union Army, it would seem that to truly understand the Union Army and its members’ understanding of the war, especially in the war’s later years, one must account for black soldiers’ perception of and goals in the conflict. See Gallagher, Union War, 5.
centrally informed white soldiers’ understanding of the war’s significance. But to black soldiers, who accounted for roughly 10% of total Union manpower, Union as it was meant nothing; only the chance that their service might create a new Union compelled them to fight. For one out of every ten Union soldiers—and, of course, this proportion was higher as the war progressed, for black troops did not serve in large numbers in 1861 or 1862—the Civil War was never a Union war, but a war for a new Union.

Historians have demonstrated that black troops won white soldiers’ respect and caused many to reevaluate their opposition to black enlistment.22 The Freedmen and Southern Society Project’s magisterial volume on black service includes a report from Colonel Thomas J. Morgan of the 14th United States Colored Infantry (USCT) that described the praise his regiment elicited from white troops for its performance in the Battle of Decatur. “Their conduct has gained for the regiment an enviable reputation in the Western army, noted for its fighting qualities,” Morgan wrote. “The blood of those who fell has hushed the mouths of our Enemies while the conduct of those who live Elicited praises and cheers from all who witnessed it—It is no small event for a black regiment to receive three hearty cheers from a regiment of white men; and yet the 14th deserved the compliment.”23 Chandra Manning has shown that this respect for black Northerners’ fighting prowess encouraged some white Union soldiers to support abolition, black rights and equality. “In the final months of the Civil War, a critical mass of white Union troops supported expanded rights for African Americans, and believed that the U.S. government had a duty to work toward equality for black citizens,” she has

written. This sentiment was not universal among white troops and faded for some in the war’s aftermath, but by war’s end black service had created “the potential for a radically different United States” to emerge.²⁴

Black troops’ conduct could change white minds; it seems likely that their words could, too. From 1863 on, black and white soldiers interacted on battlefields, in military camps, on city streets and innumerable additional public settings. If black Northerners’ and soldiers’ writings are any indication, in these interactions black troops talked about the Union they hoped to win. Slaves-turned-soldiers may not have articulated the concept of achieving a new Union as eloquently as their free Northern counterparts, but they would surely have talking of fighting for freedom rather than the Union’s preservation. In thinking about Union soldiers’ evolving perceptions of the war and goals we must consider that, late in the war, some white soldiers would have interacted daily with black troops wholly uninterested in preserving the Union as it was and unafraid to say so. When we add this consideration to the evidence Manning has compiled regarding white soldiers’ changing views on slavery and black rights, we see that by war’s end Union camps were filled soldiers who either cared nothing for the old Union or who had set their sights on something higher than preserving the Union as it was.

In addition to forging a Union whose laws embodied American founding principles, black Northerners saw service as a way to validate black manhood and win black citizenship. Historians have long recognized that black soldiers associated their service with proof of their manhood; Dudley T. Cornish concluded his 1966 study of black service by observing that, “The Negro soldier proved that the slave could become a

man.” Black soldiers saw service as a means to prove black manhood in both universalistic and gendered senses. First, they believed service could validate African Americans’ basic humanity and equality with whites. Second, they sought their service to combat white depictions of black males’ weakness and docility, and objected in gendered terms when they believed Union pay policies prevented them from providing for their wives, female relatives, and children. This study recognizes black men’s association of service with black manhood and endorses the work of scholars who have attended to black service’s implications for black manhood, but does not take black manhood as its central concern. Donald Shaffer has already produced an outstanding study of black men’s ability to sustain the sense of manhood they gained from their service into the post-war period that evaluates service’s effectiveness as a tool for winning black manhood, and there is no need to duplicate his work. This study joins the work of scholars who have since the 1970s produced top-notch studies of the connection between black military service and citizenship. Mary

26 See, for instance, Jim Cullen, “I’s a Man Now:’ Gender and African American Men,” in Divided Houses: Gender and the Civil War, eds. Catherine Clinton and Nina Silber (New York: Oxford University Press, 1993); Manning, What This Cruel War Was Over.
27 Donald Shaffer, After the Glory: The Struggles of Black Civil War Veterans (Lawrence: University of Kansas Press, 2004).
28 Scholars who have investigated the link between black service and black citizenship are part of a larger trend that has in recent decades seen historians focus on discrete aspects of the black military experience. Historians have moved away somewhat from narrative histories of black service and focused tightly on topics like the relationship between black soldiers and their white officers, Confederate atrocities against black soldiers and the reprisals they inspired, and black troops’ medical care. See Glatthaar, Forged in Battle; Margaret A. Humphreys, Intensely Human: The Health of the Black Soldier in the American Civil War (Baltimore: Johns Hopkins University Press, 2008); Gregory J.W. Urwin, ed., Black Flag Over Dixie: Racial Atrocities and Reprisals in the Civil War (Carbondale: Southern Illinois University Press, 2004). For other recent works dealing with specific facets of black Civil War service, see Barbara A. Gannon, The Won Cause: Black and White Comradeship in the Grand Army of the Republic (Chapel Hill: University of North Carolina Press, 2011); Steven J. Ramold, Slaves, Sailors, Citizens: African Americans in the Union Navy (DeKalb: Northern Illinois University Press, 2002); Barbara Tomblin, Bluejackets and Contrabands: African Americans and the Union Navy (Lexington: University of Kentucky, 2009); Keith P. Wilson, Campfires of Freedom: The Camp Life of Black Soldiers during the Civil War (Kent: Kent State University Press, 2002).
Frances Berry’s 1977 *Military Necessity and Civil Rights Policy* connected African Americans’ post-war attainment of citizenship with black service but focused on white officials’ debates about black enlistment and citizenship. On multiple occasions, Joseph P. Reidy has written about the black campaign to turn service into citizenship with helpful insight, but has not highlighted the reality that black Northerners disagreed about how to parlay their service into citizenship. More recently, Christian Samito has explained how black service helped make the Union Army a “primary site” for rethinking citizenship as a universal concept entailing rights and implying equality. But Samito likewise paid scant attention to black Northerners’ debates over service. Stephen Kantrowitz has provided the most thorough discussion of black Northerners’ debate over service. His 2012 *More Than Freedom*, a sweeping examination of Boston’s nineteenth-century black activist community and its struggle for justice, did not concentrate centrally on black service. Nevertheless, Kantrowitz gave sustained attention to black Bostonians’ disagreement over enlistment and acknowledged that the prospect of service presented black Northerners with a difficult dilemma. Scholars like Berry, Reidy, Samito and Kantrowitz have deepened our understanding of how black men sought to use service to achieve citizenship and the results of their campaign, but no one has paid extended

attention to black Northerners’ debates over enlistment or explained how they influenced black thinking and conduct during and beyond the war. This study seeks to fill this resulting historiographical gap.

In considering the relationship between black service and black citizenship, this study also attempts to grapple with the troubling implications in the reality that black men had to kill and die in large numbers to win citizenship. In his groundbreaking study of Reconstruction, W.E.B. DuBois considered the contradictions inherent in this proposition. White Americans, he wrote, saw nothing laudable in the refusal to fight and kill, believing that if black men did not fight they did not deserve emancipation or citizenship. “[T]he ability and willingness to take human life has always been, even in the minds of liberal men, a proof of manhood,” DuBois wrote, and only black service “made emancipation possible in the United States. Nothing else made Negro citizenship conceivable, but the record of the Negro soldier as a fighter.”33 Recently, Carole Emberton has elaborated on this point, highlighting the limitations of citizenship won at the point of a bayonet. Black soldiers, she has written, seemed threatening to whites who saw black men as bestial and lacking self-control. Uncomfortable whites legitimated black service with a discourse that stressed black soldiers’ “control and discipline rather than political rights or independence,” involved violence and coercion, reinforced white convictions of black servility and brutality, and depicted black service as simple repayment of the debt black men owed for emancipation. DuBois and Emberton have recognized that the tensions inherent in forcing men to fight for their rights, and the rhetorical stratagems white Americans employed to facilitate black service, limited the extent to which black Americans could enjoy the political rights their service helped win.

Their insights leave historians to ask, in Emberton’s phrase, “not if military service made blacks into citizens but instead what kind of citizens it made.”34 This study seeks to address her question by evaluating black service’s effectiveness at winning citizenship by assessing the degree of citizenship available to black Americans in the post-war world.

Citizenship earned could be lost, and the contradictions inherent in black Northerners’ campaign to use service to win citizenship may have helped limit black citizenship’s long-term potential. White Southerners’ violent post-war devotion to white supremacy played a far greater role in this outcome, and this study will consider the post-war period in detail and attempt to explain why so few black Americans could enjoy citizenship and rights in the years after the war. But in examining the post-war U.S., this study focuses not only on black civilians, but on black men who continued to have a relationship with the federal government, either through service in the post-war frontier regiments – the so-called “buffalo soldiers” – or the post-war pension system and other veterans’ services. Evelyn Nakano Glenn has described citizenship as consisting of two levels: “formal citizenship…embodied in law and policy,” and “substantive citizenship,” which consists of the “actual ability to exercise rights of citizenship.” 35 If we stipulate that their formal citizenship notwithstanding, black civilians in the post-war South on a de jure basis – and, often, black Americans in the post-war North on a de facto basis – could not exercise substantive citizenship, must we say the same of black soldiers on the American frontier? Must we say the same of black veterans in their interactions with the federal government? Military service involved the surrender of personal liberty in return

for the chance to earn a living as a soldier. Did a paradoxical inverse relationship exist between this surrender of self-sovereignty and citizenship status for black men in the post-war world? As Drew Gilpin Faust has argued, wartime conscription and the formation of mass citizen-armies created a new, more personal and mutual relationship between the national government and those it governed.\footnote{Drew Gilpin Faust, \textit{This Republic of Suffering: Death and the American Civil War} (New York: Alfred A. Knopf, 2008).} What does it say about this relationship that time, place and individual circumstance determined black Americans’ ability to enjoy substantive citizenship in the war’s aftermath? This study will add depth to the literature on black service by considering these questions, extending the timeline of black service and considering the post-war experiences of black civilians and soldiers.

Black service was a non-linear, uneven process with uneven results, and understanding black Northerners’ debate over service is fundamental to understanding how it happened and what it accomplished. Today it may seem inevitable that black men would volunteer to fight the Confederacy when allowed to, but we must not let our knowledge of the war’s course and outcome distort our ability to see the war and the prospect of fighting for the United States as African Americans saw it in 1861. Several considerations encouraged black men to regard enlistment warily. Early in the war, Union officials often identified saving the Union as their purpose in prosecuting the war and decried any intention to destroy slavery. Slavery persisted in the loyal Border States of Kentucky, Maryland, Missouri and Delaware. Discriminatory laws and practices circumscribed black Northerners’ lives. And there remained the painful memory of black veterans of earlier wars whose service the nation had betrayed. The antebellum Union had meant enslavement and oppression for black Americans; they had little desire to fight
to preserve it and, early on, some black Northerners urged their fellows not to take any part in the war.

From 1861 black Americans, enslaved and free, discussed the war and its potential impact all over the United States, but black Northerners’ dialogue was distinctive in its public character. Following the Northern states’ slow post-revolutionary emancipations, large free black communities had coalesced in Northern cities and built a range of civil-society institutions – churches, debating societies, mutual-benefit organizations, newspapers – that served as forums for public discussion. Black Northerners debated service within these institutions; black churches hosted “war meetings”, black debating societies considered the war’s meaning for black Americans, and black newspapers published editorials and letters on the topic of black service. Black newspapers loomed especially large in this debate, as they allowed black Northerners living far from large black population centers like Philadelphia, Boston and New York to stay abreast of black thinking about the war and enlistment. African-American newspapers, Gilbert Anthony Williams has written, helped foster a sense of national community among a black North divided by class and location. In the pages of organs like Philadelphia’s African Methodist Episcopal (AME) Church-run Christian Recorder and New York’s Weekly Anglo-African, black Northerners could feel part of an “imagined community,” a “black North” in which the common consumption of black

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newspapers overcame geographical isolation. Black newspapers provide an excellent window into black Northerners’ thinking about the war and military service, and are the primary basis for this study.

Rebuffed in their efforts to volunteer in April 1861, some black Northerners continued to agitate for black enlistment and urged black men to enlist whenever possible. Many others quickly recoiled, insulted by government officials’ reaction to their offers of service and disgusted by the Union’s seeming reluctance to make war on slavery. These considerations caused a few black Northerners to oppose black enlistment categorically, but more took a middle position, arguing that black men should delay their enlistment until the Union had made guarantees for black freedom, rights and citizenship in return for black service. Black Northerners debating enlistment articulated a politics of service, considering how to use enlistment strategically to achieve their goals. During the remainder of 1861, argument between immediate-enlistment advocates and those adhering to the delayed-enlistment position defined the debate over service in the black North. In 1862, as Union officials pushed forward an emancipationist agenda, black Northerners cheered this progress but lamented that it fell short of the abolitionist war they sought, the conflict that could result in the nation’s fundamental transformation. Over the course of the war’s second year, debate over the proper strategy to follow regarding enlistment continued, and many prominent black leaders and institutions

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40 This study defines as “Northern” all states and districts that did not secede. Maryland, Kentucky, Missouri, Delaware, and Washington, D.C., could easily be depicted as Southern, given their geographical situations, their commitment to slavery, and the pro-Confederate sympathies of large portions of their populations. The salient point for this study, though, is that the frequent correspondence from members of their black communities to Northern black newspapers evinced that, throughout the war, they considered themselves part of a larger Northern black community that remained loyal to the Union and considered the terms under which they would fight for it.
embraced delayed enlistment, arguing that the government needed to do more than legislate piecemeal emancipations to convince black Northerners to serve.

In January 1863, Union officials’ newfound willingness to enlist black troops gave black Northerners’ debate over service new urgency. President Abraham Lincoln’s Emancipation Proclamation and a December 1862 ruling affirming black citizenship from Attorney General Edward Bates convinced many black Northern leaders, some of whom had recently advocated delayed enlistment, that the time for black volunteering had come. From February 1863 forward, prominent black Northerners like Frederick Douglass became government-sponsored recruiters and urged black Northerners to abandon their determination to delay enlistment, counseling them not to withhold their service until the government acceded to their terms. 41 Many rank-and-file black Northerners, however, remained unconvinced that their service could achieve the new Union they sought and continued to oppose immediate enlistment. Only in the fall of 1863 did black Northerners stop debating the question of service, having been convinced by the war’s momentum that black service might win a new Union after all.

From late 1863 through the war’s end, black Northerners’ early-war debates over enlistment influenced the course of black soldiers’ service. To generate volunteers, black recruiters promised that black soldiers would enjoy basic equality with white troops and lauded Bates’ opinion on black citizenship. Reality proved quite different from black recruiters’ promises, and black soldiers feared that the service inequalities under which they suffered could undermine the citizenship they supposedly enjoyed and sought their service to confirm. In particular, the Union’s June 1863 decision to pay black soldiers

41 See Brian Taylor, “A Politics of Service: Blacks Northerners’ Debates Over Enlistment in the American Civil War,” Civil War History 58, no. 4 (December 2012), 451-480.
less than white troops outraged them. Seizing on Bates’ contractual description of
citizenship, black soldiers demanded redress, depicting their enlistment as part of a
contract that bound the government to make good on its promises of equality. Black
soldiers understood that if the government could break the contract into which it had
entered with them, their citizenship meant little.

In their 1863-1864 campaign for equal pay, black soldiers shifted the terms of
their politics of service to reflect the fact that they had enlisted despite slavery and racial
discrimination within the Union. They contested their mistreatment from their regimental
camps, argued that they were fulfilling their part of their enlistment contracts by serving,
and lamented the hardship Union pay policy caused their families. Black civilians joined
black soldiers in this late-war agitation, and from 1863 through the war’s end protested
service inequalities and the home-front discrimination they faced. Black civilians and
soldiers pushed for immediate change while black men remained in uniform to ensure
that Union victory achieved the new nation of their hopes and, for both groups, black
service and the debt the nation owed its black warriors served as rhetorical touchstones.

Black Northerners’ debate over enlistment remained relevant into the post-war
period. Slavery died in December 1865 with the 13th Amendment’s ratification, but the
far-reaching changes black Americans sought were slower in coming. Through civil-
society institutions like state and national conventions, black newspapers and the newly-
created National Equal Rights League, African Americans adapted their wartime protest
to the post-war world. Black leaders continued to link black rights and citizenship to
black service and portrayed the extension of citizenship and rights as fulfillment of the
contract into which the government had entered with black Americans. Change came
relatively quickly: by 1870, new federal civil-rights legislation and constitutional amendments encoded many of black Americans’ demands in law. Black recruiters who in 1863 counseled black men to abandon the politics of service and enlist correctly predicted that a victorious, post-war North could be induced to make fundamental changes to black Americans’ legal status. This victory did not, however, ensure that federal and state governments would enforce these legal changes, or that subsequent events would not erode the substance of black citizenship.

In his 2013 study of Lincoln and the USCT, John David Smith observed that, at times, historians have “romanticize[d] and exaggerate[d]” black soldiers’ martial abilities, “embellishing assessments of their combat with notions of heroism…” Trying to counter this trend, Smith weighed the evidence and found that black troops “discharged their duties more or less like all soldiers, irrespective of time, race or place.” Today, Americans do tend to romanticize black Civil War service; looking back, we quite naturally admire black soldiers who fought to make the United States live up to its founding promises, and we want them all to have fought heroically, fulfilling our highest aspirations. But the reality is that some black soldiers fought bravely and performed truly heroic deeds, while other skulked and ran, as with any other group of soldiers in human history. There was a time when the American public needed heroic accounts of black service, as W.E. Woodward’s above-quoted dismissal of black Americans’ freedom struggle proves. Today, black soldiers’ service is well-documented, and it is time to take a hard, sober look at what it meant that black men had to fight to earn citizenship and evaluate the citizenship their struggle helped produce. By investigating black Americans’ wartime debates about service and war aims, and by analyzing their descriptions of the

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citizenship they hoped their service would bring, this study shows that black Americans debated and strategized about how to use military service in the Civil War to fundamentally transform the nation and served with an eye toward using their service to confirm black citizenship; although they failed to create a nation that lived up to their highest aspirations, black soldiers’ service helped transform the nation in momentous, complex ways that can be fully appreciated when we consider the scope of their thinking about the war, the Union, military service and citizenship.
Chapter One
Black Military Service and Citizenship

In the winter of 1856, black Californians convened in the African Methodist Episcopal Church on Seventh Street in Sacramento, the town in which their young state’s legislature had started meeting just two years earlier. The delegates to this Second Annual State Convention of Colored Citizens addressed numerous concerns, chief among them the state of black education in California and their drive to repeal the statewide ban on black testimony. On the meeting’s second day, delegate William H. Newby sparked debate on a topic that divided the delegates sharply, bringing the convention’s other business to a halt. Born free in Virginia in 1828, Newby had grown up in Philadelphia, come to California in the wake of the gold rush, and become an influential figure in California’s growing black community. He edited *The Mirror of the Times*, a black newspaper started in San Francisco in the mid-1850s, and served as corresponding secretary of San Francisco’s Athenaeum Institute, a black literary and debating society modeled on organizations like the Library Company of Colored Persons that Newby and others had known in Philadelphia. He became a regular contributor to *Frederick Douglass’ Paper* and apparently developed significant international contacts – the next year, he would leave California for a position in Haiti as the personal secretary to the French consul general.43

Newby opposed a resolution pledging black men to “cast [their] lot in the fortunes of battle, to protect [the United States] from foreign invasion.” America’s history might

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inspire patriotism in white Americans, but Newby said he would welcome a foreign army if “that army provided liberty to me and my people in bondage.” He maintained that he only echoed Patrick Henry in demanding his liberties in an “ultra” manner and asserted that were white Americans asked to fight for a country that systematically oppressed them, they would feel the same way. Why, Newby asked, should black men fight for the United States? Their forefathers had done this, and their reward had been “chains and oppression” for their posterity. Newby argued that, in the event of war, black men ought to refuse to fight until whites “put away their prejudice, and do a just part by us…and like our fathers, we will shoulder our muskets, and expose our bodies, ever ready to defend our country against foreign invaders and domestic foes, to protect her institutions, and promote her progress.” Other delegates shared Newby’s objections to the resolution proclaiming black men’s willingness to fight, and it failed.

William H. Newby and his supporters articulated a compelling critique of the United States’ failure to reward black service in the wars of the early republic and suggested that this failure ought to color black men’s attitudes toward service in future American wars. Newby recommended that black men withhold their service until white Americans did them justice, although he did not specify the specific legal changes necessary to meet this standard. He suggested that black men would feel allegiance to a United States that treated black Americans fairly but that black Americans did not, as matters stood, owe the country allegiance. Still, he could envision a different United States, one he would fight for willingly. Newby’s interpretation of American history

depicted black veterans as victims of bad faith, warriors who had answered their country’s call while it struggled for its existence in the Revolutionary War and defended its fragile sovereignty during the War of 1812 and had received too little in return. Until white Americans rectified this injustice, he concluded, black men ought to keep out of the national service. If and when American laws changed, black men would fight.

Whether or not they agreed with Newby’s conclusion, most black Northerners shared the frustrations that inspired it, and they contested the myriad forms of oppression they encountered. Despite their contributions to the nation, prior to the Civil War federal and state laws restricted black rights and defined African Americans as second-class citizens or non-citizens. They faced overwhelming social prejudice that restricted their entry into most professions and skilled trades and governed their everyday social interactions and access to public accommodations. And the American republic supposedly devoted to liberty sanctioned an expanding, aggressive Southern slave empire built on the unrequited toil of black men and women. To combat discrimination and slavery, black Northerners developed a rich protest rhetoric that asserted their citizenship and equality, launching state-level campaigns to win black male suffrage and repeal discriminatory laws. In deliberations at state and national conventions, in the pages of black and abolitionist newspapers, and in sermons delivered from the pulpits of black churches, black Northerners argued for black rights and black citizenship. They frequently anchored their claims to rights and citizenship on their ancestors’ participation in American wars and, as a result, they discussed black service often. Black Northerners also talked about the nation they hoped would emerge from their successful struggle: the nation that their ancestors had fought for in 1776 but had not won, a nation whose laws
reflected the ideals proclaimed in the Declaration of Independence. They sought to forge a new United States, a nation that would fulfill the promise of its founding principles by changing its laws to conform to their egalitarian spirit.

Their efforts bore some fruit. From the early 1830s onward, they found willing allies among white abolitionists dedicated to slavery’s immediate abolition. As Paul Finkelman has shown, in many Northern states black rights gradually and steadily improved from the 1830s through the late antebellum years. Northern states passed laws, for instance, freeing slaves whose owners voluntarily brought them within state borders, and rarely enforced statutes barring black emigrants. Still, when the Civil War began most black Northerners remained disfranchised, and all struggled against numerous discriminatory laws and practices. Moreover, they had watched a slew of frightening national developments in the 1850s that saw slavery spread westward and culminated in the infamous *Dred Scott* decision, which denied that African Americans could be American citizens or that any U.S. territory could outlaw slavery. Black Northerners knew they faced a crisis, and they considered a range of responses to it. As sectional war loomed, some embraced foreign emigration, others advocated the government’s destruction, and others still followed William H. Newby in denying any allegiance to or intention to fight for the United States.

When war came in 1861, black Northerners found themselves at a crossroads. They knew they wanted a nation that recognized their citizenship, one in which they could enjoy the supposedly unalienable rights spoken of in the Declaration of Independence. They did not agree about how to achieve this nation, or whether serving

the United States militarily would help their cause. Black Northerners’ protest had achieved some success and helped sustain black Northern communities, but it had failed in its larger goals, and this ambivalent record left black leaders divided as to how to proceed as war commenced. The pre-war history of black Northerners’ protest thought shows that it was no foregone conclusion that black men would fight for the United States if given the chance.

By the time William H. Newby and black Californians debated black service in the 1850s, the prospect of black men serving in state militias or the federal army would have seemed unthinkable to many white Americans. In truth, black Americans had amassed a long record of military service dating to the colonial period. Black men served in seventeenth-century British colonial militias with little apparent controversy; hostile Indians threatened scattered pockets of white settlement and, in times of crisis, white colonists enlisted all who could serve. During the last decades of the seventeenth century, the British mainland colonies codified a strict system of race-based, heritable slavery. By the early 1700s nearly all black Southerners were enslaved, and slavery became African Americans’ most common status in the New England and Mid-Atlantic colonies as well. Black service in colonial militias persisted, but it caused tension, as whites recognized that allowing black men to bear arms undermined evolving notions of black inferiority, implied that they should enjoy rights and posed danger, as weapons given to slaves could as easily be turned upon white masters as hostile Indians. Many colonies dealt with the tension between their need for manpower and their reticence to arm black men by barring black soldiers from the militia in peacetime but allowing for
their enlistment in times of danger. As a result, black men participated in Indian wars up and down the Atlantic seaboard; even in South Carolina, which explicitly forbade black men to bear arms, black men fought alongside white colonists in the Yamasee War of 1715. Manpower needs continued to force colonial governments to enlist black men through the end of the colonial period, and black men fought in colonial militias during the French and Indian War.\textsuperscript{46}

White colonists would compel black men to participate in colonial militias in times of extreme necessity but did not believe black men’s occasional service translated into their permanent enjoyment of equal civic status. White colonists felt surrounded by Indians angry over white land incursions, and black slaves angered over their brutal treatment, and they withheld many rights and privileges from members of these groups. To forestall slave insurrection – and to keep poor white indentured servants and black slaves from allying on the basis of their shared class interests – in the late seventeenth and early eighteenth centuries the colonies passed restrictive slave codes that identified blackness with slavery and attempted to deny enslaved persons’ humanity. Colonial legislatures also restricted the rights and privileges available to the small number of black freemen. By the early eighteenth century, many colonies afforded black freemen’s personal property some protection, but most free black colonists were barred from holding office, voting, assembling, testifying against whites, or engaging in interracial sexual relations.\textsuperscript{47}


\textsuperscript{47} Smith, \textit{Civic Ideals}, 53, 63-66.
American-born white colonists sharply constricted the lives of black slaves and freemen alike, but British officials expressed some willingness to treat black freemen as rights-bearing subjects. As the eighteenth century progressed, many black freemen had been born on British soil, making them subjects under British law. And black freemen’s rights were not curtailed uniformly everywhere. Rogers Smith describes the pattern of discriminatory legislation across the British colonies as “shifting and checkered,” varying with the size of local black populations and incidences of slave unrest. Even in South Carolina, it seems that African Americans occasionally voted. During the colonial period, black men’s military service did not lead to widespread recognition of black rights as popular attitudes and colonial laws drew distinctions between black and white colonists. Nevertheless, the patchwork nature of colonial legislation meant that some black freemen in some colonies could exercise some of the same rights as whites, and British law on birthright subjecthood suggested that some black men might possess all the rights available to British subjects.48

However white colonists conceived of their black counterparts’ civic status, free and enslaved black colonists occupied an undeniably central role in the colonial economy, both on Southern farms and plantations and in large Northern cities, where black men clustered on the wharves and waterfronts, working as sailors and stevedores in one of the few industries open to them. In these urban environments, African Americans joined in the popular unrest that preceded the American Revolution. A black man, Crispus Attucks, figured prominently in the mob whose harassment of British soldiers on the night of March 5, 1770 provoked the Boston Massacre. Attucks was an escaped slave who had for twenty years worked as a sailor and rope-maker in Boston, and his

commitment to revolutionary ideology had earlier inspired him to write a threatening letter to royal governor Thomas Hutchinson. Black participation in ideologically-inspired popular violence and mob activity in Northern cities was so commonplace that John Adams, defending the British soldiers who fired on Attucks and his compatriots, expressed no surprise at Attucks’ leadership of the mob. Black colonists participated in the ideological ferment and street violence of the early 1770s, and they fought in the open warfare that followed. Black men fought at Lexington and Concord and at Bunker Hill, served in the naval crews that carried George Washington’s army to safety after the disaster at Manhattan in November 1776, and ferried the general across the Delaware River to make his surprise attack at Trenton the next month.49

Black service in the Revolution did not happen without controversy. African-American soldiers had fought prior to George Washington’s appointment to command of the Continental Army, but by July 1775 white misgivings about black participation had surfaced and Adjutant General Horatio Gates halted black recruiting. In November 1775 the Continental Congress declared black men ineligible to serve in the patriot cause. But as the war continued the need for manpower persisted; when in 1777 Congress imposed troop quotas on the states, many began to ignore their laws barring black enlistment. Under the compulsion of military necessity, Congress warmed to black enlistment and African-American soldiers served the patriot cause in infantry units from every state except Georgia and South Carolina. Black men also fought in naval units from every state except Georgia and South Carolina. Black men also fought in naval units from every state except Georgia and South Carolina. Black men also fought in naval units from every state except Georgia and South Carolina. Black men also fought in naval units from every state except Georgia and South Carolina. Black men also fought in naval units from every state except Georgia and South Carolina.

and here their service caused little controversy, thanks in large part to black sailors’ prominent role in the pre-Revolutionary maritime workforce. The day-to-day circumstances of black service tended to distinguish between white and black troops; black soldiers were more likely than their white counterparts to be given non-arms-bearing roles, frequently working as servants, cooks, waiters, drummers, or laborers. Yet on land and sea, slaves, most of whom attained freedom in some manner as a result of their service, fought alongside black freemen and white troops in integrated units. The US military in this embryonic stage had not yet discovered the preference for segregation that marked its existence into the twentieth century. Historians have generally put the number of black men who served the patriot cause at 5,000, though recently Alan Gilbert has argued that this number is too low.

Black service in the Revolution was not limited to the patriot side. Enticed by promises of freedom, enslaved black Southerners ran away to the British Army in large numbers and served the imperial cause in a variety of functions. In contrast to the colonists’ dithering regarding black enlistment, the British began enlisting African-American troops shortly after the start of hostilities. By mid-April 1775, Virginia’s royal governor Lord Dunmore had threatened to free enslaved Virginians in the event of a colonial uprising, and in November he made good on this threat with an open proclamation inviting Virginia slaves to escape and enlist with the British. Dunmore eventually enrolled hundreds of black Virginians in his Royal Ethiopian Regiment, which saw limited action. More importantly, the fear that British officials would use

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emancipation as a lever to subdue colonial resistance caused many Virginia slaveholders previously lukewarm on the question of rebellion to align with the patriot cause. The American Revolution was the first instance in American history in which Southerners sought political independence to protect slavery, as Alan Gilbert has observed.52

A unique dynamic took shape in the Southern theater of war, where most of the fighting happened after 1778, a “complex triangular process” involving two sets of competing whites and 400,000 enslaved black Southerners. British generals attempted not to confiscate slaves belonging to Loyalist owners, but runaways flocked to British lines. Sylvia Frey estimates that between 80,000 and 100,000 black Southerners fled their masters. Like the patriots, the British preferred not to employ black men as soldiers, relegating them to support functions. Unlike black soldiers who fought with the patriots, many slaves who made it to British lines were eventually re-enslaved, either by their former masters, new masters, or the British themselves, sold into British Caribbean slavery. This treachery aside, many black men and women who reached British lines found lasting freedom. British officers like Guy Carleton saw they owed a debt to the African Americans who had served their cause, and when the British evacuated Savannah, Charleston, New York and other strongholds at war’s end, thousands of former slaves went with them, defying the Treaty of Paris and the revolutionaries’ insistence on their slaves’ return. One should not overstate the British commitment to black liberty; British officials and commanders sought black labor because it benefitted their cause, never intending to proclaim general emancipation. Nevertheless, enslaved

Americans’ recognition that liberty laid within British lines highlighted the contradiction at the heart of the American Revolution, a war for liberty waged by slaveholders.  

A similar dynamic took shape during the nation’s next major conflict, the War of 1812. Congress barred black men from militia service in 1792, and the Secretaries of the Army and Navy later barred black men from the Navy and Marines, but white Americans remained willing as ever to take black help when they found themselves in a tight spot. Black men served in the Navy during the Quasi-War with France in the late 1790s, and participated in some of the most momentous American victories in the War of 1812. Black sailors served under Oliver Hazard Perry on the Great Lakes, black Northerners volunteered to defend Northern cities when British invasion looked imminent in the summer of 1814 and black freemen and slaves from nearby plantations fought to achieve victory at New Orleans alongside Andrew Jackson. But just as in the Revolution, the British offered freedom to slaves who reached their lines. African Americans thus accompanied the British Army as it burned Washington and fought with the British Navy on Chesapeake Bay and the Great Lakes.  

In all likelihood, as pro-slavery attorney Francis Scott Key sat aboard a British prison ship in during the Battle of Baltimore and composed his paean to American liberty, enslaved Marylanders were attempting to seize liberty by reaching the British fleet.

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African-American participation in the wars of the early republic did not kill slavery, but several developments that emerged from the revolutionary activity of the 1770s and 1780s had important anti-slavery implications. First, the rhetoric of liberty and freedom that inspired the Revolution served anti-slavery ends. Enslaved Americans used revolutionary rhetoric to protest slavery publically, petitioning colonial and state legislatures to bring their practice into accord with their theory by abolishing slavery. Second, the white delegates to the Continental Congress announced in their Declaration of Independence a belief in the fundamental principles of human equality and natural rights, beliefs that if enacted in law would fatally undermine American slavery. In the following decades, African Americans drew on that document’s stirring phrases to object to slavery and racial discrimination; the Declaration guided their conception of what they wanted the United States to become. Lastly, the combination of revolutionary ideology and black service in the patriot cause caused some white Americans to see that slavery contradicted the ideals they claimed to espouse, resulting in the beginning of slavery’s death in the North and an increase in manumissions in the Upper South.

Spurred by Revolutionary ideology – and abetted by the marginality of enslaved labor to their economies – Northern states began during the Revolutionary War to outlaw slavery by judicial rulings or gradual emancipation laws. Deferring to masters’ human property rights, Pennsylvania and other states passed cautious emancipation acts that could be fairly easily circumvented by masters seeking to sell their slaves South before emancipation took effect, but slowly they killed slavery in the North. A small number of slaves toiled for Northern masters until the eve of the Civil War – New Jersey still contained a handful of slaves as late as 1860 – but by the late 1820s the vast majority of
black Northerners were free. Personal manumissions increased during the 1780s as well, especially in Maryland and Virginia, where masters who could no longer square slaveholding with the freedom they had fought for liberated their slaves. In some ways, the American Revolution weakened the foundations on which American slavery rested.\(^{55}\)

Some developments under the Articles of Confederation, adopted in 1781, boded well for black citizenship in the new American republic; Americans feeling the pressure of a war for national survival produced legislation displaying commitment to civic reform and egalitarian liberal republicanism. The Continental Congress displayed a broader commitment to inclusive citizenship than had characterized the colonial era when in 1778 it rejected South Carolina’s proposal to amend the Articles’ proposed comity clause – which guaranteed that citizens of one state would be treated as citizens in any other state to which they traveled – to include whites only. The clause defined slaves and the indigent poor as non-citizens, suggesting implicitly that black freemen could be citizens. In later decades, black Northerners often referred to this comity-clause debate as proof that white Americans of the founding generation had considered African Americans citizens. As Northern states wrote new constitutions or revised their existing governmental compacts, many refrained from specifically outlawing black voting. Black men possessing the requisite property could also vote in Maryland, North Carolina and several federal territories that later became slave states. Most importantly, the Confederation Congress passed the Northwest Ordinance of 1787, banning slavery in the territories of the Old Northwest and conferring rights on those territories’ inhabitants without reference to race or color. Slavery and discriminatory legislation persisted North

and South, but these enactments signaled Americans’ palpable, if tentative, willingness to recognize at least some African Americans as citizens.\textsuperscript{56}

The Constitution that replaced the Articles of Confederation did not explicitly repudiate this willingness to extend citizenship to some black Americans, but it contained troubling provisions and ambiguities. The document mentioned citizenship three times but failed to define or describe citizenship or any rights, privileges or immunities it might entail. The framers’ decision not to link citizenship to white skin suggested that African Americans could retain the citizenship that had been recognized in various ways under the Articles of Confederation. Article IV, Section II of the Constitution also seemed to offer hope to African Americans recognized as citizens within their states of residence, as it forbade states from abridging the privileges and immunities of other states’ citizens, but this clause’s promise would be dimmed in the coming decades by Southern-endorsed narrow constructions. Regarding slavery, the document was famously ambiguous; the framers omitted the distasteful words “slave” and “slavery” but provided the institution with key supports by acknowledging masters’ rights to recapture fugitives, granting slaveholders disproportionate political power by counting 3/5\textsuperscript{th} of their slaves toward their states’ Congressional representation, and barring Congress from outlawing the international slave trade for twenty years. Americans have debated the framers’ intentions regarding slavery ever since the Constitution was ratified and, in truth, they had no single intention regarding the institution. Some felt the document put slavery on a path to eventual extinction, while others rejoiced in the protections it gave to slaveholders. What can be said with certainty is that the Constitution did not explicitly nationalize the gradual emancipationist sentiments and policies that animated much of the

\textsuperscript{56} Smith, \textit{Civic Ideals}, 88, 97-106.
North during and after the American Revolution and that convinced many Americans that slavery had begun its inevitable, gradual decline.\(^{57}\)

Americans who believed slavery in decline were badly mistaken. From the early 1790s on, slavery grew in economic importance and scope and its center of gravity shifted westward, from the Atlantic seaboard to the Old Southwest. A combination of circumstances ensured that slave-grown agriculture remained immensely profitable for those wealthy enough to accumulate sufficient land and labor. The expansion of textile production associated with the Industrial Revolution in first Great Britain, and later the United States, caused the demand for cotton to rise rapidly and remain high generally. White cotton planters, aided by the federal government’s willingness to seize Indians’ land, could feed this demand thanks to improvements in cotton-gin technology that made it profitable to grow short-staple cotton farther inland than coastal Georgia and South Carolina, where cotton production had previously been concentrated. Following the Louisiana Purchase of 1803, Southerners moved west to join in the ongoing cotton boom, buying slaves from older states like Virginia and Maryland that had shifted from tobacco production to less labor-intensive grains. The impetus these developments gave to slave-grown agriculture made slavery tremendously profitable, and gave white Southerners—beside the powerful social and psychological benefits they derived from slavery—compelling economic motivations to oppose anti-slavery or abolitionist measures.\(^{58}\)

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As Southern slavery grew in scope and economic importance, substantial free black communities took root in major Northern cities, whose black populations swelled around the turn of the nineteenth century. Philadelphia’s black population, for instance, quadrupled between 1790 and 1810 and by 1820 over 12,000 African Americans called the city home, accounting for over 10% of its population. Black Northerners flocked to urban environments because they provided job opportunities, sociability and protection, a strength in numbers as free black communities grew to sizable proportions. Denied professional or occupational training because most schools refused to admit black students and stymied by white artisans’ refusal to allow African Americans to practice many trades, most black men worked as sailors or toiled on city waterfronts. Black women worked primarily in domestic service. Black Northerners’ job prospects were meager; James and Lois Horton have estimated that, prior to the Civil War, between two-thirds and three-fourths of black Northerners worked jobs requiring little or no skill. Still, a black middle class developed that included ministers like the former slave Richard Allen, who founded the African Methodist Episcopal (AME) discipline, entrepreneurs like the sailmaker and Revolutionary War veteran James Forten, and professionals like the doctor James McCune Smith. Prominent black men like Allen, Forten and Smith, who had attained some measure of wealth and status, exercised considerable influence within the black community, but the Hortons estimate that black professionals did not exceed two percent of the black Northern population. The nineteenth century brought a type of freedom to most black Northerners that entailed scant socioeconomic or occupational mobility.59

Nor did this freedom entail equal rights or citizenship. In 1848, at a national convention of black leaders, a committee headed by Frederick Douglass accurately depicted black Northerners’ civic status: “In the Northern states, we are not slaves to individuals, not personal slaves, yet in many respects we are the slaves of the community.”

Born a slave in Maryland, Douglass escaped to the North in 1838 and befriended influential white abolitionists; by 1841, he was lecturing publicly about his life as a slave, the start of a long career that saw him become black America’s foremost spokesman as a lecturer, author, newspaper editor and agitator. Douglass was in a unique position to compare Northern and Southern states’ treatment of their black populations, and the difference he and his co-authors described was one of degree rather than kind. Northern states generally afforded their black residents basic legal protections against bodily harm, allowed for redress of grievances, and recognized black property rights; but no federal statute defined black freemen’s rights and privileges, so a hodgepodge of discriminatory laws and practices prevailed from state to state. Five Northern


states barred black testimony in cases to which a white person was a party and informal custom barred most black Northerners from jury service, placing clear practical limits on black Northerners’ legal protections. As new states carved out of the Northwest Territory entered the Union, they often barred black immigrants or placed onerous entrance requirements on them; state officials rarely enforced these laws, but they remained an ever-present threat and demeaning marker of inferior status. Informal prejudice governed public accommodations, as segregation generally reigned in public transportation, theaters, hotels, restaurants, hospitals and cemeteries. Lastly, many Northern states denied the ballot to black men. In states like Pennsylvania where black men had voted for decades, new state constitutions outlawed black voting, and between Maine’s admission to statehood in 1820 and the Civil War, no new state permitted black voting. The 1820s and 1830s, often hailed as an era of democratic expansion, really witnessed the expansion of a master-race, or *Herrenvolk*, democracy that saw black men disenfranchised as the white electorate expanded.\(^\text{62}\)

State and federal authorities typically defined these disenfranchised black freemen as non-citizens. Little about antebellum citizenship law was consistent, and judges and government officials had to deal with a tension between a desire to require black Americans to show allegiance to the state while allowing prevailing racial theories – which held black men and women incapable of fulfilling the responsibilities of republican citizenship – to govern the rights and citizenship status available to them.\(^\text{63}\) To balance


\(^{63}\) On the confused nature of citizenship law prior to the Civil War, see Novak, “The Legal Transformation of Citizenship in Nineteenth-Century America.”
these considerations, state judges North and South tended to refrain from denying black citizenship outright but withheld from black Americans its full benefits, a delicate balancing act that produced tortured legal reasoning. That Northern and Southern states denied their black residents many rights, privileges and immunities they gave to whites argued against black citizenship, although in some Northern states like Massachusetts black men and women eventually enjoyed all the rights, or nearly all the rights, held by their white counterparts. Federal officials denied black citizenship more consistently. Several early Congressional acts – a 1790 restriction of naturalization to whites, the 1792 law barring black militia participation, legislation barring black federal mail carriers – undermined black citizenship, and Attorneys General denied the existence of black citizenship through various legal formulas. Even at the federal level, though, some ambiguity persisted: in their speeches during the Missouri Crisis, many Northern Congressmen recognized that at least some African Americans were citizens.

Nevertheless, the general trend in pre-Civil War citizenship law was to deny black citizenship’s existence or severely circumscribe black citizens’ rights and privileges.64

The US State Department’s policy in issuing passports to African Americans offered a particularly revealing window into government officials’ attitudes toward black citizenship. Usually, State Department officials declined to issue black travelers full-fledged passports asserting their bearer’s citizenship.65 Instead, they usually gave free

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64 Horton and Horton, In Hope of Liberty, 101-102; Litwack, North of Slavery, 31-38, 50-54; Smith, Civic Ideals, 175-181.

65 On at least two occasions, though, black men obtained full-fledged passports. Pennsylvania abolitionist Robert Purvis received a passport in 1834, and New York minister Peter Williams received one two years later. These two anomalies became apparent in 1849, when controversy arose over the passport application of black Pennsylvanian Harry Hambleton. State Department officials hastily explained that Williams’ passport was the result of a bureaucratic error, because Williams’ application had not specified his skin color. Purvis’ case was more complicated. Purvis applied once and received the special certificate usually given to black travelers. He applied again and this time, with a note written by Roberts Vaux, a prominent
black travelers special certificates acknowledging a relationship between the bearers and the US government. State Department policy was not consistent – State Department officials issued black sailors “seamen’s protection certificates” that did state their bearers’ citizenship – and in the mid-nineteenth century many Americans thought of passports primarily as travel documents establishing identity rather than as signifiers of citizenship. Secretaries of State, however, wanted to equate possession of a passport with citizenship; black activists were aware of the State Department’s desire to link passports to citizenship, and many black passport applicants were motivated by a desire to establish black citizenship or highlight the inconsistencies in American citizenship law. Like state judges who denied black citizenship but acknowledged that African Americans possessed some membership in the political community, the State Department saw black men and women as non-citizens who possessed some relationship to the federal government. “The claim to birth while not grounds for ‘full’ citizenship,” Craig Robertson has written, “did apparently entitle individuals to protection regardless of their skin color,” and the State Department contemplated black Americans as holders of a kind of resident non-citizenship.66

Most states also barred free black men from their militias, membership in which had long been connected with full citizenship. The 1790 statute that organized the federal army lacked a color clause because, historically, armies could be augmented by

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manpower drawn from any rank of society as circumstances dictated. Americans saw the militia as a permanent body whose members were upstanding, respectable community stewards; permanent militia membership carried connotations of citizenship and community standing, and Congress limited it to whites in 1792. In organizing their units, states followed the federal standard, barring black service. Only Louisiana, with its complex French and Spanish heritage and wealthy community of free gens de couleur, permitted black men to serve. Black Northerners recognized that whites-only militia laws stemmed from white Americans’ desire to deny citizenship to African Americans. In an effort to establish black citizenship, in the 1850s black men in New York and Massachusetts petitioned their legislatures to permit black militia service, but both campaigns failed. Black men might have taken cold comfort from the fact that Congress did not exclude them from American military life entirely, as John C. Calhoun’s 1842 effort to bar black troops from all branches of federal service failed; nevertheless, American military law clearly showed African Americans that whites considered them less than citizens, undesirables fit only for naval service or enlistment in time of crisis.67

Although mostly free, antebellum black Northerners possessed a type of second-class citizenship status and faced economic, social and political obstacles to the full enjoyment of their freedom. The death of Northern slavery meant, however, that black Northerners did not have to fear re-enslavement as a consequence for protesting their treatment, and they developed a rich tradition of protest and political activism.68 Led by

67 Berry, Military Necessity and Civil Rights Policy, 22-25, 31-34; Horton and Horton, In Hope of Liberty, 263-264.
68 At least they did not have to fear legally-sanctioned re-enslavement. Black Northerners, free-born and runaway slaves alike, lived constantly with the fear that they might be kidnapped and sold South as slaves. See Carol Wilson, Freedom at Risk: The Kidnapping of Free Blacks in America, 1780-1865 (Lexington: Univresity of Kentucky Press, 1994).
ministers, middle-class professionals and slaves-turned-public lecturers like Frederick Douglass, black Northerners pressed for equal rights and full citizenship. Black activists drew on the institutions black Northerners had built during the early nineteenth century, which proved critical to the coalescence of free black communities: churches, mutual-aid and benevolent organizations and, from 1827 onward, the black press. Starting in 1830, black Northerners convened national and state conventions; the first national convention was held in Philadelphia at Richard Allen’s Mother Bethel AME Church that year. These gatherings allowed delegates representing local black communities, churches, fraternal and mutual-aid societies, and a variety of local organizations to collectively consider and propose solutions to the common problems black Americans faced. In these conventions, and in the protest rhetoric that emerged from their civil-society activities, black Northerners targeted Northern discrimination as well as Southern slavery. Many black Northerners had recently emerged from slavery, or been born to parents who had escaped slavery; many had friends and relatives still enslaved in the South. That most whites looked down upon African Americans as a degraded, undiversified mass, no matter how much wealth or occupational status individual black men and women accrued, led black Northerners to feel solidarity with their enslaved brethren not seen elsewhere in the New World. If black Northerners were slaves of the community as Frederick Douglass suggested, they used the tools at their disposal, and the relative freedom from reprisal they enjoyed, to contest the terms of their bondage.69

69 Rael, Black Identity and Black Protest in the Antebellum North, 25-27, 38-41; John Ernest, A Nation Within a Nation: Organizing African-American Communities Before the Civil War (Chicago: Ivar R. Dee, 2011), 107-111. On the growth and development of black churches, benevolent societies, conventions and the black press, see Reed, Platform for Change; Tate, “How Antebellum Black Communities Became Mobilized.” On white attitudes toward African Americans during this period and assumptions of black inferiority, as well as the development of a new form of racism allegedly based on scientific understanding, see Fredrickson, The Black Image in the White Mind, Chapters 1-3.
Black Northerners frequently held public protest meetings at which they claimed the rights denied them and asserted their citizenship. Commonly, they based their claims on black military service in previous American wars, hoping that the magnitude of the black contribution to American independence would move whites to justice. An 1851 black state convention in Ohio cited Crispus Attucks’ leadership of the Boston mob, and black service in both wars of the early republic, to justify its claims for equal rights.

Black veterans and their descendants lived in Ohio; did their service not give them, black Ohioans asked, “a just claim to the same rights with [whites]?”

Black Northerners aimed penetrating rhetorical questions of this kind at white Americans, asking whether they could in good conscience deny the fruits of victory to descendants of black soldiers who had fought to achieve it. In 1838, black Pennsylvanians petitioned their state’s constitutional convention, insisting that black men had fought to build the state’s political community and should have the right to participate in it. “[W]hen called on by our Country in an hour of danger, were we ever found wanting?” they inquired. Reminding the white delegates that black men fought in both wars with England and that some black Revolutionary War veterans yet lived, they asked pointedly, “are [black veterans] to be torn from the citizenship of the commonwealth and disowned?”

Robert Purvis, a free-born, college-educated black abolitionist and author who as President of the Philadelphia Vigilance Committee assisted fugitive slaves on their way north, led black Pennsylvanians’ 1838 petition drive, aimed to prevent their impending

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disenfranchisement. Was it their fate, he inquired, “to be looked for in the ‘hour of
danger,’ [only to] be trampled under foot in the time of peace?” 72 Antebellum black
agitators like Purvis insisted that because African-American soldiers had served the
United States in the wars of its infancy, the country owed more than disenfranchisement
and discrimination; Pennsylvania legislators were unmoved by this appeal, and
disenfranchised Purvis and his brethren.

Black Northerners knew that, in the popular mind and early histories of the
Revolutionary War, the black role in achieving independence was largely neglected, and
they tried to force white Americans to remember black veterans’ service. They
frequently quoted white officials’ recognitions of black service, reading them into the
minutes of state and national conventions; black authors, orators and convention-goers
invoked Andrew Jackson’s proclamations to the black Louisianans who fought at New
Orleans so frequently that Benjamin Quarles has called them “the two most widely
quoted documents in antebellum black historiography.” 73 Boston’s William C. Nell, a
black abolitionist and author, became black soldiers’ chief antebellum historian. Seeking
to prove that the nation’s wars had been “signalized by the devotion and bravery of
colored Americans,” Nell published a short pamphlet in 1851 detailing black soldiers’
efforts, followed by a mammoth 400-page work on the same subject in 1855. 74 In the
wake of the 1857 Dred Scott decision, Nell redoubled his efforts, organizing annual

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72 Robert Purvis, “Appeal of Forty Thousand Citizens, Threatened with Disfranchisement, to the People of
Pennsylvania,” 1837, in Pamphlets of Protest: An Anthology of Early African-American Protest Literature,
On Purvis, see C. Peter Ripley et al., eds., Black Abolitionist Papers: Volume III, United States 1830-1846,
81-82n.
73 Benjamin Quarles, “Black History’s Antebellum Origins,” in African-American Activism Before the Civil
74 William C. Nell, The Colored Patriots of the American Revolution, with Sketches of Several
Distinguished Colored Persons: To Which Is Added a Brief Survey of the Condition and Prospects of
Colored Americans (Boston: R.F. Wallcutt, 1855), 378.
Crispus Attucks Day celebrations in Boston on the anniversary of the Boston Massacre beginning in 1858. In their invocations of black military service as a primary basis for black citizenship, black Northerners testified to their faith that they could rhetorically parlay their ancestors’ service into rights and citizenship.⁷⁵

During the antebellum period this strategy failed, but this failure does not mean that black Northerners’ faith in their ability to use military service to claim citizenship was misplaced. Throughout American history individual black men reaped substantial gains from military service. Many slaves who had fought in the wars with Britain received freedom in return for their service, and black service during the Revolution helped push Northern states toward emancipation. An even more recent precedent likewise suggested black service’s efficacy. During Rhode Island’s 1841-1842 Dorr War, a revolt by disfranchised white Rhode Islanders who sought to wrest control of state government from the state’s mercantile elite, black Rhode Islanders sided with the ruling faction. The state’s traditional power brokers prevailed and rewarded black loyalty by enfranchising black men. These precedents suggested that, if white Americans found themselves again forced to shelve their prejudices and call on black assistance in time of war, black Northerners could use that occasion to insist that black service be rewarded with rights and citizenship; these changes would come in this scenario as a sort of next logical step, black freedom, at least in the North, already having been established. During such a theoretical conflict, black leaders would have the advantage, as they had

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not during the Revolution, of institutional platforms backed by large free black communities from which to make their appeals for proper rewards.\textsuperscript{76}

Citing black service was not the only way black Northerners invoked the founding epoch in their rhetorical attempts to force change. They knew their struggle was analogous to the patriot cause of the 1770s and they often pointed out the similarities between their drive for rights and citizenship and the colonists’ fight.\textsuperscript{77} Black Northerners claimed the Revolutionary heritage by likening themselves to heroes of the era. Charles B. Ray was a free-born black man who, when compelled by white prejudice to leave his theological studies at the Wesleyan Theological Seminary, moved to New York City and became active in the black press, political abolition and the Underground Railroad.\textsuperscript{78} In 1840, he implored black Americans to “take a stand for our rights as such, more firm and decisive, than that taken by Patrick Henry, and the fathers of the revolution.”\textsuperscript{79} Black Northerners pointed out that many of the rights and privileges withheld from them were the same that had inspired the colonists’ revolt, often inserting Revolutionary slogans directly into their statements of protest. In 1856, a state convention of black Illinoisans resolved that “taxation and representation should go together; and that to tax us while we are not allowed to be represented, is but to enact, upon a grander scale, the outrages that forced our Revolutionary Fathers to treat King George to a continental tea party in Boston


\textsuperscript{77} See, for instance, Quarles, “Black History’s Antebellum Origins,” 88; Horton and Horton, \textit{In Hope of Liberty}, xii, 177, 200; Rael, \textit{Black Identity and Black Protest in the Antebellum North}, 255-257.


Black Americans sought the same freedom and liberty the colonists had, a point William J. Watkins underlined in 1854. Watkins was an associate editor on Frederick Douglass’ Paper and an anti-slavery lecturer closely allied with leading white abolitionist William Lloyd Garrison; Watkins’ father, also named William, was a schoolteacher, author and longtime leader of Baltimore’s free black community, and his opposition to colonization had influenced Garrison’s rejection of colonization and embrace of immediate abolition. The younger Watkins argued that to call an abolitionist accused of killing a government official involved in fugitive slave rendition a “murderer” was to likewise brand George Washington a murderer; by this principle, “all who wielded swords and bayonets under [Washington], in defence of liberty, [were] the most cold-blooded murderers.” The abuses whites perpetrated upon black Americans far outweighed the abuses that had inspired the colonists to revolt, and black Northerners said as much. As a group of fugitive slaves put it in 1850: “If the American revolutionists had excuse for shedding but one drop of blood, then have the American slaves excuse for making blood flow ‘even unto the horsebridles.’”

Black Northerners’ appropriation of the rhetoric and example of the revolutionary generation involved a deep acceptance of American principles rather than a search for alternative solutions to the problems of slavery and prejudice. Black Northerners

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acknowledged as much.\textsuperscript{84} At the 1853 national convention, a committee headed by Frederick Douglass and George B. Vashon, a Syracuse-based lawyer, educator, newspaperman and Vigilance Committee member, confessed that black Northerners had not discovered “any new principles adapted to ameliorate the condition of mankind…” The “great truths of moral and political science, upon which we rely,” they said in a published address to white Americans, “have been evolved and enunciated by you. We point to your principles, your wisdom, and to your great example as the full justification of our course this day.”\textsuperscript{85} Black Americans sincerely believed in the principles the founding generation had proclaimed but failed to enact; they believed that by steady agitation and good conduct, the cultivation of a middle-class respectability that would prove black Americans’ equality with whites, they could force white Americans to finally live up to the nation’s founding principles. William Wells Brown, a Kentucky-born slave who in 1834 escaped north on the Mississippi River and became a prominent abolitionist lecturer, declared in 1854 that when black freedom came, “the revolution that was commenced in 1776 would…be finished, and the glorious sentiments of the Declaration of Independence…would be realized, and our government would no longer be the scorn and contempt of the friends of freedom in other lands, but would really be the LAND OF THE FREE AND THE HOME OF THE BRAVE.”\textsuperscript{86}

\textsuperscript{84} Rael, \textit{Black Identity and Black Protest in the Antebellum North}, 281-283.
Black Northerners’ faith in their white counterparts’ fidelity to American principles may seem naïve to modern readers familiar with the depths of white racism and white Americans’ willingness to sacrifice American principles for the tangible and psychological benefits of white supremacy. But knowledge of later events should not color one’s attitude toward earlier modes of protest. When black agitators like William Wells Brown proclaimed their faith in American founding principles, Reconstruction’s failures lay in the future. Antebellum black Americans could point to the recent extension of the vote to lower-class whites as a sign that white Americans were becoming gradually more willing to countenance diversified political and civic participation, though of course the expansion of the white franchise was coterminous with black disenfranchisement in many states. Black Americans’ belief in the applicability of American founding principles to their struggle and in these principles’ efficacy as rhetorical bases for their claims, viewed in the context of the time, was not without merit.

For black Northerners, the ideals and rhetoric of the Revolutionary generation were not all created equal. One document, the Declaration of Independence, and the human equality and natural rights whose existence it proclaimed, was central to their protest thought and rhetoric. The Declaration defined their conception of what an America cleansed of discrimination and slavery would look like. In pamphlets, speeches, resolutions and editorials, black Northerners affirmed the Declaration of Independence’s centrality to their vision, contending that white Americans’ denial of equal rights and citizenship to African Americans violated its most basic principles. Black orators and authors appealed to the Declaration’s equality and natural-rights clauses in their protest

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rhetoric from the republic’s earliest days. In 1791, the black scientist Benjamin Banneker
told the Declaration’s author, Secretary of State Thomas Jefferson, in a personal letter
that he considered it “pitiable” that Jefferson had been “fully convinced of the
benevolence of the Father of Mankind, and of his equal and impartial distribution of…
rights and privileges,” and yet continued to hold slaves.87 Black Northerners cited the
Declaration to demand that white Americans bring state and national legislation into line
with their nation’s founding principles. In 1799, Philadelphia ministers Richard Allen
and Absalom Jones secured seventy-three signatures on a petition to the President and
Congress on the subject of slavery and black rights which asserted that, “if the Bill of
Rights, or the Declaration of Congress are of any validity,” African Americans would be
“admitted to partake of the liberties and unalienable rights therein held forth…”88

In appealing to the Declaration’s equality clause, black leaders of the early 1800s
were a bit ahead of their time as, prior to the 1820s, Americans tended to ignore the
Declaration’s equality clause and focus on its assertion of American sovereignty.89
Banneker, Allen and others like them, though, knew that pointing to the Declaration’s
equality clause was a savvy rhetorical strategy for those facing discriminatory treatment;
and as in the 1830s the first generation of free black Northern leaders passed from the
scene and a new, less-deferential group of orators, authors and agitators took their place,

87 Benjamin Banneker to Thomas Jefferson, 1791, in A Documentary History of the Negro People in the
United States, Volume I: From Colonial Times Through the Civil War, ed. Herbert Aptheker (New York:
88 Newman, Freedom’s Prophet, 147; “Petition of Absalom Jones and Seventy-Three Others To the
President, Senate, and House of Representatives,” December 30, 1799, in A Documentary History of the
Negro People in the United States, Volume I: From Colonial Times Through the Civil War, ed. Herbert
Aptheker (New York: Citadel Press, 1969), 331. See also James Forten, “Series of Letters by a Man of
Color,” 1813, in in Pamphlets of Protest: An Anthology of Early African-American Protest Literature,
60.
Press, 2007), 90-95.

government was formed, that it in turn may become purified from those iniquitous inconsistencies into which she has fallen by her aberration from first principles; that the laws of our country may cease to conflict with the spirit of that sacred instrument, the Declaration of American Independence.” Nearly twenty years later, Ohio’s John Mercer Langston echoed their appeal in an 1854 address to Ohio’s General Assembly demanding the repeal of all discriminatory legislation. Langston was the son of a white Virginia planter and his manumitted slave who had moved to Ohio with his brothers Charles and Gideon and become involved in abolition and political anti-slavery. Langston passed the Ohio bar examination in 1854, became the first black official elected by popular vote when he was chosen as township clerk of Brownhelm, Ohio, and would after the Civil War become the first dean of Howard University’s law department, serve as consul general to Haiti, and represent Virginia in the US House of Representatives. In imploring the state to alter its racist laws, the erudite Langston insisted, he was “but asking that the constitution of our State be made to reflect, in all its truthfulness and deep significance, the…living, breathing sentiment of the Declaration,” its equality clause.93

To highlight the contradictions between American principle and practice, black Northerners often held “counter-July Fourth celebrations,” sometimes on July 5, rather than celebrate the Fourth of July alongside their white brethren. When Frederick Douglass in 1852 asked, “What to the American slave is your Fourth of July?” he was

putting a new, particularly eloquent spin on an old tactic.\textsuperscript{94} Black Northerners in New Haven held such a July 5 event in 1832 at which the minister Peter Osborne stated that, “On account of the misfortune of our color, our fourth of July comes on the fifth; but I hope and trust that when the Declaration of Independence is fully executed, which declares that all men, without respect to person, were born free and equal, we may have our fourth of July on the fourth…”\textsuperscript{95} As black New Yorkers put it in 1831, black Northerners believed that the time would “come when the Declaration of Independence will be felt in the heart, as well as uttered from the mouth, and when the rights of all shall be properly acknowledged and appreciated…” The Declaration was the key to antebellum black Northerners’ thinking about the type of country they wanted to emerge from their successful protest struggle.\textsuperscript{96} When they invoked their vision of a United States that lived up to its founding principles, they envisioned a new nation in which black Americans participated fully and freely in public life as citizens.

Black Northerners did not refer exclusively to the Declaration in legitimating their struggle for equal rights and citizenship, often asserting that slavery and discriminatory legislation violated the Constitution as well; but the Declaration guided their conception of what they wanted the United States to become in a way that the Constitution did not. The Constitution included several key protections for slavery and had generally been given a pro-slavery interpretation by federal officials. The Declaration, by contrast,

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remained unsullied by even veiled protections of slavery and, while they sometimes
denied that the Declaration’s equality clause applied to African Americans, white
Americans never developed a pro-slavery theory of the Declaration to match their pro-
slavery constitutional theorizing.\textsuperscript{97} Black Northerners’ embrace of the document took
place as Americans in the 1820s, with U.S. sovereignty no longer in doubt, celebrated its
fiftieth anniversary and began to see its equality clause as central to its meaning. In the
following decades, labor reformers, nativists, women’s rights activists and a diverse array
of political actors used the Declaration’s equality clause to advance their own causes.
Black Northerners were not unique in their use of the Declaration to legitimate their
political claims, but their belief in its principles provided them a critical source of unity.\textsuperscript{98}

Unity was often in short supply within the black North, especially during the late
antebellum period. Racism, slavery and discrimination meant always that more united
than divided black Northerners; nevertheless, because the species of oppression they
suffered varied from place to place, they developed different solutions to the problems
they faced. Several issues, often pitting devotion to principle against pragmatism, proved
divisive at antebellum state and national conventions and among black Northerners
generally. Should black Northerners advance their struggle through black-only
institutions or should they on principle oppose all restrictions based on color? Should
they continue to devote themselves to forcing the United States to live up to its professed ideals
or seek freedom and citizenship by emigrating to some foreign realm, perhaps Canada or
Sierra Leone? Beginning in the 1830s with the rise of a new, aggressive white

\textsuperscript{97} On federal officials, constitutional interpretation, and slavery, see Fehrenbacher, \textit{The Slaveholding Republic}.
abolitionist movement dedicated to immediate abolition, black reformers’ close ties with white activists caused additional difficulties.\(^\text{99}\)

Black Northerners involved in abolitionist or anti-slavery activity sensed that even these friends sympathetic to their cause regarded them at a distance. White abolitionists in Boston, Stephen Kantrowitz has written, lacked much “feeling for the lives, work or experiences of the black members of their alliance,” and their contacts with black men and women “remained tentative, self-conscious and symbolic.” Theoretically integrated, anti-slavery or abolitionist organizations often contained a predominance of white members leavened by a smattering of black men and women; some organizations, like Boston’s Female Anti-Slavery Society, required segregated seating at their meetings. Black activists sometimes charged their white counterparts with holding racist views, complained that many were interested only in abolition and not in black rights or citizenship, and chafed at their seeming assumption that they would command anti-slavery efforts. In 1857, Frederick Douglass expressed the frustration black activists felt toward their well-meaning but aloof associates, and presaged black Northerners’ wartime objections to the Union Army’s insistence on staffing black regiments exclusively with white officers.\(^\text{100}\) Referring to a certain “class of Abolitionists” that did not support black

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conventions or fund black newspapers, Douglass acknowledged that “in some quarters the efforts of colored people meet with very little encouragement. We may fight, but we must fight like the Seapoys of India, under white officers.”

White abolitionists often battled over ideological purity and morally-correct tactics, and their schisms confronted black activists with a series of dilemmas. How should they respond to white abolitionists who focused narrowly on abolition, to the neglect of black rights and citizenship? Should black Northerners follow the lead of William Lloyd Garrison and his American Anti-Slavery Society and “come out” of all institutions that supported slavery, including churches and political parties? Should they adopt the Garrisonian program of transforming society totally, embracing the Garrisonians’ full array of reform causes, or focus on the issues, slavery and discrimination, that mattered most to their lives? Should they join the Garrisonians in abstaining from politics, relying on moral suasion to effect change? If they entered politics, were they bound to support the Liberty Party, founded in 1840 by non-Garrisonian abolitionists, or could they ally with ideologically unsound but viable anti-slavery parties like the Free Soilers of the late 1840s or the Republicans of the mid-1850s? When black leaders debated controversial questions like these, sincere differences of opinion and analysis could harden into animosity; at an 1860 meeting in New York’s Zion Church, disagreement over black emigration grew so heated that the meeting degenerated into a fistfight. Black Northerners agreed that they wanted to

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realize the Declaration of Independence, but they differed as how to accomplish this task. Despite their common devotion to bettering life for black Americans, Jane and William Pease have written, their pre-war conventions were “weakened by the divisiveness of ideological controversy and the shattering consequences of personal rivalry.”

Class tensions divided black Northerners as well. Black leaders imbibed – and, as Patrick Rael has pointed out, helped fabricate – the dominant middle-class ideals of their evolving market-capitalist society, and their class perspectives sometimes angered black non-elites. Rael has exonerated black leaders of Frederick Cooper’s charge that they merely parroted white middle-class reformers’ ideals and rhetoric. Nevertheless, black leaders sincerely believed that achieving personal and community respectability – by practicing middle-class virtues like thrift, sobriety, economy, pluck, and independence – could erode white prejudice and force white Americans to treat African Americans equally. In service of this goal, Rael has written, well-to-do black Northerners directed a “veritable flood of advice…to the black non-elite – virtues to cultivate and influence to shun, behaviors to avoid and habits to embrace.” Sometimes this advice provoked direct conflicts between the black professional class and black non-elites. At the 1848 national convention, the convention’s “lesser lights,” more familiar with the harsh realities of survival and obstacles to occupational mobility than their wealthier counterparts, defected


a resolution imploring black men to spurn menial trades and seek respectable employment. Such incidents were relatively rare, but it is likely that lower-class black Northerners resented, to some degree, their better-off brethren’s habit of preaching correct behavior and middle-class virtues. These class tensions may have contributed to black leaders’ frequent antebellum complaints that they lacked followers. The burdens of daily survival accounted for much of the political apathy black leaders like Douglass detected among black Northerners but, as Jane and William Pease have speculated, so may have black non-elites’ resentment of these leaders’ class-infused rhetoric.\textsuperscript{104}

It is important not to overemphasize the differences of opinion and class that divided black Northerners because, always, more united them than divided them. Black Northerners were reminded frequently of their common predicament during the late antebellum years, when new laws and court rulings threatened black rights and suggested that slavery might overspread not only the national territories, but the free states. In 1850, Congress authorized a controversial new Fugitive Slave Law that trampled African Americans’ constitutional rights and required all Northerners to assist in recapturing fugitive slaves. The new law threatened not only fugitives but all black Northerners, as its disrespect for due process meant that a free black Northerner claimed mistakenly as a slave might have little chance to prove his or her freedom. The law also gave new license to kidnappers who had for decades captured black freemen and claimed them as slaves.\textsuperscript{105}

In 1854, Congress approved the Kansas-Nebraska Act, which repealed the prohibition on


\textsuperscript{105} On the kidnapping of black freemen before and after the 1850 Fugitive Slave Law, see Wilson, \textit{Freedom at Risk}.  

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slavery in the Louisiana Purchase north of Missouri’s southern border that had governed westward expansion since the 1820s. Finally, in 1857, the Supreme Court ruled definitively on the issue of slavery in the federal territories. In *Dred Scott v. Sandford*, Chief Justice Roger Taney held that Congress could not bar slavery from any territory. Anti-slavery politicians like the Illinois Republican Abraham Lincoln characterized Taney’s ruling as the latest in a series of conspiratorial acts by the so-called Slave Power, a combination of federal officials and pro-slavery politicians bent on ensuring slavery’s security and expansion and, eventually, nationalizing slavery.¹⁰⁶

They were incensed by Taney’s ruling on this count, but black Northerners were more outraged by Taney’s assertion that they were not American citizens. The case did not require Taney to rule on black citizenship, but he did anyway, arguing that two classes of citizens existed: those holding state citizenship, and those holding federal and state citizenship. Taney repeated Southern judges’ frequent contentions that, as community members, African Americans owed their country allegiance, but did not possess a sufficient array of rights to qualify for federal citizenship – what rights were necessary to federal citizenship he did not clearly specify. Taney justified his finding by erroneously claiming that no African Americans had been considered state or federal citizens at the time of the Constitution’s adoption, a claim that Justice Benjamin Curtis eviscerated in his dissent. For black Northerners, it mattered little that Taney had been led into bad history by his desire to ensure slaveholder’s property rights; what mattered

was that the highest court in the land had ruled that black men and women were not citizens of the nation black soldiers had fought and died to establish and defend.\textsuperscript{107}

Black Northerners felt frightened and angered by the events of the 1850s. Their dismay was increased by the fact that setbacks like \textit{Dred Scott} came on the heels of two decades of collaboration with white abolitionists and anti-slavery politicians. Peaceful, political means of combatting slavery and discrimination seemed increasingly ineffective, and black Northerners looked for alternatives. Some began to wonder if African Americans ever could enjoy equal rights or citizenship in the United States. The late 1850s saw the proliferation of several black- and abolitionist-led colonizationist movements, involving Haiti, South America, and Africa and such prominent leaders as Martin Delany, a Pittsburgh-based newspaper editor, doctor and author, and Henry Highland Garnet, an escaped Maryland slave who had become an influential orator and minister in New York.\textsuperscript{108} Delany went so far as to travel to West Africa in 1858 to scout locations for black colonies, exploring the Niger River region and negotiating treaties with local chiefs. Many black Northerners shared the conviction that the time had come to flee; in the wake of the Fugitive Slave Law, thousands of black men, women and children, many of them former fugitives resettled in the North, fled to Canada. Other black Northerners thought domestically, but grew more radical. Frederick Douglass, formerly a Garrisonian pacifist, embraced violence. Throughout the decade, he met with the white abolitionist John Brown, who had told Douglass as early as 1848 of his violent plans, and by the mid-1850s Douglass was publicly absolving murderers of slave-


catchers from guilt and preaching slave rebellion. Henry Highland Garnet had embraced violence as early as 1843, when at that year’s national convention his militant rhetoric proved so controversial the delegates refused to publish it, and by 1854 William Wells Brown also openly spoke of slave rebellion. Black Northerners’ turn to emigration and violence stemmed from their reactions to developments they deplored and could do little to halt.109

The Fugitive Slave Law also inspired black Northerners to embrace organized military preparedness by forming black militia companies. Black Northerners had long collaborated for self-defense purposes, having combined to protect themselves from the depredations of kidnappers and to assist fugitive slaves in avoiding recapture for decades. By the 1830s, most major Northern cities had vigilance committees like the one Robert Purvis presided over in Pennsylvania. Many of these committees consisted of predominantly black memberships, and they helped runaway slaves establish themselves in new locations and defend their newly-seized freedom. In the 1850s, black Northerners embraced an explicitly military style of organization, founding militia companies all over the North and often naming them for prominent black leaders. New York City boasted the Attucks Guards, the Free Soil Guards and the Hannibal Guards. Black Philadelphians organized the Frank Johnson Guards in the mid-1850s, and black Bostonians founded the Massasoit Guards in 1855 and the Liberty Guards in 1857. Other black units formed

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during the 1850s included Cincinnati’s Attucks Blues, Binghamton, New York’s Loguen Guards – named for the Syracuse minister and Underground Railroad operative Jermain Loguen – New Bedford, Massachusetts’ Attucks Guards, Pittsburgh’s Henry Highland Garnet Guards, Morris Grove, Long Island’s Attic Guard, Reading, Pennsylvania’s Douglass Guard, Harrisburg, Pennsylvania’s Henry Highland Garnet Guards and Providence’s National Guards. These outfits often sought state recognition, but they represented black Northerners’ independent response to the assault on their liberties contained in the new fugitive slave legislation.110

Antebellum black militia units, Benjamin Quarles has written, “were largely ceremonial, parading on August 1, or at the grand opening of a church or school.”111 Two companies’ appearance at an August 1, 1858 celebration of British West Indian emancipation held in New Bedford provided an indication of their typical activities. Prior to addresses from speakers including William Wells Brown and William C. Nell, both the Liberty Guards of Boston and New Bedford’s own company provided military entertainment. Twenty Attucks Guards and twenty-five Liberty Guards, accompanied by a brass band, “put on quite a handsome military display,” forming and marching down several of the town’s main thoroughfares before eventually breaking for refreshments and chowder.112 Black militia units did not always wield actual weapons; some possessed firearms, and the Morris Grove Attic Guard featured sixteen axe-wielding members, but

111 Quarles, Black Abolitionists, 229.
some marched with broomsticks. That these companies were not always heavily armed and did not engage in combat did not allay their white neighbors’ fears, however, especially in the aftermath of John Brown’s failed raid of October 1859. Two days after the raid’s failure, Pennsylvania’s Adjutant General disarmed a forty-man company of black men the state had recently provided with arms, and disbanded the unit. Michigan authorities disarmed the black company that formed in the raid’s wake, the Detroit Military Guards, and black Bostonians attributed Massachusetts officials’ reluctance to repeal legislation barring black men from the state militia to the failed raid. State officials’ desire to neutralize these black units derived likely from the wariness with which whites regarded armed black men as well as the heightened fear of black violence that arose following the attack at Harpers Ferry. In the wake of Brown’s raid, which included five black participants and which, white Americans quickly learned, had received varying degrees of support from prominent abolitionists like Frederick Douglass, state officials also likely doubted black loyalty. Their doubts may have been further fueled by the fact that by the 1850s some black leaders argued that the nation had forfeited African Americans’ allegiance.

Black Northerners were committed to American founding ideals, but the idea that African Americans might not owe allegiance to the federal Union, or might welcome its destruction, had a long history in black protest thought. This idea had appeared in David Walker’s landmark 1829 *Appeal to the Colored Citizens of the World*. Walker was a used-clothing dealer who moved to Boston in the mid-1820s and became an outspoken abolitionist; his pamphlet outraged the white South, and he died under mysterious
circumstances shortly after its publication.\textsuperscript{113} That Walker envisioned black Americans possessing allegiance to something other than the United States was apparent from his pamphlet’s title, with its implicit description of black Americans as “colored citizens of the world.” Walker argued against colonization and for African Americans’ claim on the United States, yet he repeatedly used the term “American” to address whites exclusively. “God will not suffer [African Americans], always to be oppressed,” he predicted. “Our sufferings will come to an end, in spite of all the Americans this side of eternity... ‘Every dog must have its day,’ and the American’s is coming to an end.” Walker predicted calamity if the United States failed to cleanse itself of slavery and prejudice and counseled Americans to change for the sake of their own salvation: “Perhaps they will laugh at or make light of this; but I tell you Americans! that unless you speedily alter your course, you and your Country are gone!!!!!!”\textsuperscript{114} Walker’s use of the term “American” suggested that the United States’ treatment of African Americans had caused them to hesitate to identify with the nation. His prediction of divine judgment and national destruction demonstrated that black Americans could be pushed by slavery and discrimination only so far while maintaining their faith in their ability to find justice within the national framework – at some point, they would welcome the nation’s destruction in the belief that a more just polity would take its place.\textsuperscript{115}

\textsuperscript{113} On Walker, see Peter Hinks, \textit{To Awaken My Afflicted Brethren: David Walker and the Problem of Antebellum Slave Resistance} (University Park: Pennsylvania State University Press, 1997).


Following Walker’s lead, in the 1850s some black Northerners called for disunion and maintained that African Americans owed the United States no allegiance. By the late 1850s, disunionism, the proposition that Americans should refuse to participate in a federal Union with slaveholders, had been a key tenet of Garrisonian dogma for decades. The events of the 1850s, particularly the *Dred Scott* decision, gave new impetus to the anger and alienation felt by Garrison’s black adherents. Before a meeting of Garrison’s American Anti-Slavery Society held in *Dred Scott*’s wake, Robert Purvis branded the American government “one of the basest, meanest, most atrocious despotisms that ever saw the face of the sun” and reveled in the possibility that sectional tensions over slavery might destroy it: “And, I rejoice, sir, that there is a prospect of this atrocious government being overthrown, and a better one built up in its place.”

A year later, the black abolitionist and orator Charles Lenox Remond affirmed the American Anti-Slavery Society’s “earnest…purpose to dissolve the American Union and break into a thousand pieces the American Government,” and closed with the familiar Garrisonian cry “NO UNION WITH SLAVEHOLDERS!”

On one level, Purvis and Remond simply articulated key tenets of Garrisonian thought, but when Remond “boldly proclaimed himself a traitor to the government and the Union, so long as his rights were denied him for no fault of his own,” he highlighted the limitations of the communal inclusion whites had extended to African Americans during the antebellum period, which had required their allegiance and yet withheld from them basic rights and privileges.

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Black Northerners saw how incomplete their citizenship was and occasionally argued that their non-citizenship absolved them from national allegiance. In November 1859, as he prepared to leave for England ahead of the federal marshals who sought him in connection with John Brown’s failed insurrection, Douglass lambasted the proposition that African Americans denied citizenship owed allegiance to the American government:

A government which refuses to acknowledge -- nay, denies that I can be a citizen, or bring a suit into its courts of justice -- in a word, brands me as an outlaw in virtue of my blood, now professes a wish to try me for being a traitor and an outlaw! To be a traitor, two conditions are necessary: First -- one must have a government; secondly -- he must be found in armed rebellion against that government. I am guilty of neither element of treason. The American government refuses to shelter the negro under its protecting wing and makes him an outlaw. The government is therefore quite unreasonable and inconsistent. Allegiance and protection are said to go together, and depend upon each other. When one is withdrawn, the other ceases.  

Douglass justified his potentially-treasonous association with Brown on the grounds that one who did not receive full protection from the government owed it no allegiance, and he was not alone in this belief. In 1858, a convention of black Ohioans resolved, “That if the Dred Scott dictum be a true exposition of the law of the land…colored men are absolved from all allegiance to a government which withholds all protection…” This resolution was revealing because, a year earlier and prior to Dred Scott, black Ohioans had promised to fight for the United States in the event of foreign war. For decades, the idea that African Americans were citizens unjustly denied the fruits of citizenship had been an article of faith among black Northerners. The crises of the 1850s eroded this faith, inspiring some to embrace their non-citizenship in justifying defiance of the law.

119 Frederick Douglass to Readership of Douglass’ Monthly, Douglass Monthly, November 1859.  
120 On Douglass’ actions in the wake of Harpers Ferry, see McFeely, Frederick Douglass, 197-203. According to McFeely, the “deliberate, calm” tone of Douglass’ letter reflected “the conscious effort Douglass had made to regain his composure” in the aftermath of the raid, when he narrowly evaded capture.  
The doctrine they developed as a result of this new analysis had far-reaching implications. In 1854, H. Ford Douglas, who had escaped from slavery eight years earlier and joined the convention movement in Illinois, proclaimed to a colonizationist meeting in Cleveland that he might fight with a foreign army, as the US government had only ever treated him “as a stranger and an alien.”\footnote{Quoted in Quarles, \textit{Black Abolitionists}, 228. On Douglas, see C. Peter Ripley et al., eds., \textit{Black Abolitionist Papers: Volume IV, The United States, 1847-1858}, 78-79.} If black men could envision a new Union to which they would owe allegiance and support, they could also hold the United States accountable for its failure to fulfill its founding principles to the point that its conduct toward them cancelled their loyalty.

Black men sometimes wavered on what attitude to take in the event of a foreign war. In 1842, when an Anglo-American disagreement over the issue of slave rebels sheltered by the British had made war seem possible, an unidentified black man had considered the looming conflict in the \textit{Colored People’s Press}. Frustrated that black service in American wars had yielded little in terms of black rights and citizenship, he counseled black men to take no part in a foreign war until white Americans met black demands for equal rights and citizenship:

\begin{flushleft}
If war be declared, shall we fight with chains upon our limbs? Will we fight in defence of a government which denies us the most precious right of citizenship? Shall we shed our blood in defence of the American slave trade? Shall we make our bodies a rampart in defence of American slavery?

We ask these questions, because there is no law in existence which can compel us to fight, and any fighting on our part, must be a VOLUNTARY ACT. The States in which we dwell have twice availed themselves of our \textit{voluntary services}, and have repaid us with chains and slavery. Shall we a third time kiss the foot that crushes us? If so, we deserve our chains. No! let us maintain an organized neutrality, until the laws of the Union and of all the States have made us free and equal citizens.\footnote{Untitled letter copied from \textit{Colored People’s Press, Liberator}, April 1, 1842.}
\end{flushleft}

This unidentified commenter was surely influenced by the fact that the looming foreign war involved England, the world’s leading anti-slavery power, which welcomed black
abolitionists and whose principle North American colony was a haven for runaway slaves and free black emigrants. Antebellum black leaders frequently professed their admiration for Great Britain, and there was great rhetorical value in the observation that African Americans found freedom under British monarchy rather than American democracy.\textsuperscript{124} War with Great Britain never came, so black men did not have to answer the questions this author posed. That he asked them at all suggested that, for some black Northerners, bitterness over the betrayal of black veterans prevailed over national loyalty, and that some black Americans might withhold their service to bargain for change in the event of a future war.

William H. Newby expanded on this idea in the 1850s; black Californians who followed his regularly-published missives in \textit{Frederick Douglass’ Paper}, which he published under the name “Nubia,” would not have been surprised by the stance he assumed at their 1856 state convention. In a March 1855 letter to Douglass’ publication, Newby commented on speculation that the United States might become involved in a foreign war. He relished this possibility, for he saw that in a major conflict, the nation would need to enlist black soldiers. African Americans could turn this situation to their advantage by approaching it opportunistically, Newby explained:

\begin{quote}
All [the United States’] resources, physical, mental and financial, will be taxed to the utmost; and the colored people may yet be called upon for assistance, for their assistance would be no small item, when we reflect that they could muster a \textit{hundred thousand} capable of bearing arms. I apprehend that the free colored people have learned a lesson since the last war. No promises, no flattery, no appeal to patriotism, will induce them to ‘fly to arms.’ The removal of all political disabilities, elevation to social equality, the same inducements to enlist that are held out to the whites, would be the terms demanded by them, before they would be willing to fight.
\end{quote}

Newby died in 1859, so it is impossible to know whether he would have maintained this

\textsuperscript{124} See Gosse, “‘As a Nation, the English Are Our Friends.’”
attitude after the outbreak of hostilities in 1861.\textsuperscript{125} Regardless, he injected debate over the question of black men’s response to the nation’s entry into war into two of the most important civil-society institutions black Northerners possessed, the state convention movement and the black press, encouraging African Americans to consider how they might approach a future war strategically.

Newby’s thinking was not typical of black Northerners’ opinion on the question of service, especially during the late 1850s, when sectional war within the United States seemed far more likely to erupt than a foreign conflict. Some black Northerners maintained hope that African Americans would find citizenship within the United States and insisted that black men would serve the United States in a future crisis. In 1859, the New York physician James McCune Smith took to Douglass’ new monthly newspaper to proclaim black Americans citizens in spite of \textit{Dred Scott}. His article was a telling comment on antebellum confusion over citizenship and the rights, privileges and immunities it entailed; Smith based his argument for black citizenship on his analysis of Roman citizenship and his contention that, at one time or another, black Americans had enjoyed the rights of Roman citizenship. “Relying upon this basis for citizenship,” he wrote, “we blacks may smile at the Dred Scott decision, and the various rulings of the minions of slaveholders...[and] safely bide our time...” The previous year, addressing a Crispus Attucks Day celebration in Boston, John Rock predicted that war would soon come and that slaves would strike for freedom. Rock was a free-born doctor, dentist and lawyer who moved to Boston in the 1850s and became a prominent abolitionist orator; in 1865, he would become the first black lawyer to argue a case before the U.S. Supreme

Court. “Will the blacks fight?” he asked. “Of course they will. The black man will never be neutral…Will he fight for his country right or wrong? This the common sense of every one answers; and when the time comes, and come it will, the black man will give an intelligent answer.”

Events led Rock to reconsider this opinion and, two years later, at another Crispus Attucks gathering, he proclaimed that black Northerners would not repeat what he characterized as the mistakes of their forefathers. “Crispus Attucks was a brave man,” Rock observed, “and he fought with our fathers in a good cause; but they were not victorious. They fought for liberty, but they got slavery. The white man was benefited, but the black man was injured.” He desired to see all men free and prosperous, he said, “But by this I do not mean to imply, that, should our country be again situated as it was [at the time of the Revolutionary War], we would be willing to re-commit the errors of our Revolutionary fathers. The Scotch have a saying, ‘When a man deceives me once, shame on him; but when he deceives me twice, shame on me.’” Some black Northerners prepared to join a sectional war against slavery, but others vowed not to repeat previous mistakes by believing that black military service could make white Americans live up to the nation’s founding principles.

When war erupted in 1861, it did so in response to the election of an anti-slavery Republican who talked of gradual abolition – perhaps over the course of a hundred years or more – and had in 1858 announced himself “not in favor of negro citizenship,” though

126 Kantrowitz, More Than Freedom, 226-228.
129 Kantrowitz, 199-200, More Than Freedom; Horton and Horton, In Hope of Liberty, 263-264; Quarles, Black Abolitionists, 229.
he acknowledged its basic constitutionality in defiance of Dred Scott. This war pitted a Confederate republic committed to maintaining slavery and white supremacy against an American republic that had steadfastly supported slaveholders’ rights, contained four slave states – Delaware, Kentucky, Maryland and Missouri – and a host of other states that restricted black rights, and was controlled by an anti-slavery Republican Party whose anti-slavery convictions often failed to translate into support for black rights and equality. American history suggested that, eventually, both sides would enlist black soldiers, but white racism had intensified over the course of the nineteenth century, as had white Southerners’ commitment to slaveholding and white supremacy. Both of these trends suggested that white Americans and white Confederates might be more reluctant to enlist black troops than combatants in earlier American wars.

So did the pessimism that had overtaken some black Northerners’ thinking regarding their future in the United States. Continuous setbacks and the depth of white prejudice had pushed some black leaders toward colonization; even Frederick Douglass, who had staunchly resisted colonizationist efforts for years, had scheduled a trip to visit Haiti and evaluate its suitability as a destination for black Americans that he canceled only when hostilities commenced. Other black men had turned to violence against slavery, urging slave insurrection or joining in it themselves. Three free black Northerners and one black man from Canada had joined John Brown at Harpers Ferry.

and evidence suggests that more may have joined had Brown clarified his intentions regarding the date of his raid. Others advocated disunion, absolved themselves of national loyalty, contemplated welcoming foreign invasion, and recoiled at the suggestion that black men would fight alongside whites as had their forefathers. The events of the 1850s led black Northerners to different conclusions about how to achieve the common end they sought: the birth of a new nation, one that would in practice honor the Declaration of Independence. Their differing analyses of the problems they faced would inform their analysis of how black men should respond to the new national crisis. As war engulfed the nation, it was far from clear what part black men would take in the coming conflict or how they would respond if asked to fight.

Chapter Two

1861: Rebuff

Shortly after Fort Sumter’s fall in April 1861, Douglass’ Monthly printed a letter from a correspondent signing himself “Immaterial,” which, Douglass wrote, voiced the sentiments of “all thoughtful colored men of the North.” Slavery, Immaterial believed, had caused the war and he considered it “extremely proper that the descendants of Africans should take a prominent part in [this] war which will eventually lead to a general emancipation of the race.” Immaterial wanted to raise an African Zouave regiment and fill it with black men from the North and Canada. The regiment would be a nucleus around which slaves, freed by the proclamation of emancipation he believed Lincoln would issue, could rally. Immaterial knew that white opposition to black enlistment might forestall such a plan but maintained that, by war’s end, “every man, black or white, able and willing to carry a musket, will be wanted, and the Government will accept readily the services of all those who shall offer to bring down this infernal confederated rebellion to an end.”

With the benefit of hindsight, Immaterial looks downright prophetic. He predicted the war’s destruction of slavery and sketched much of the basic outline of events that ended with nearly 200,000 black men fighting for the Union. Immaterial’s scenario was only one, however, among many that black Northerners contemplated during the uncertain months after Sumter. Debate raged within the black community about African Americans’ role in and attitude toward the conflict; Douglass’ assertion that Immaterial spoke for all “thoughtful colored men of the North” was wishful thinking.

from one who wanted black men to rush to arms when permitted. Some black Northerners wanted nothing to do with the war and scorned enlistment. Weeks after Douglass ran Immaterial’s letter, an anonymous correspondent assured New York’s *Weekly Anglo-African* that black Baltimoreans had not tried to volunteer in Sumter’s aftermath. Rumors circulated to the contrary but, he wrote, in truth only “[t]wo or three of our people who have enjoyed the good will of many of our leading white citizens” had actually tried to enlist. The rest of black Baltimore was furious with these sycophants. Their efforts were “by no means a representation of the true sentiment of the colored people of Baltimore or Maryland,” and proved so unpopular that, “were it not for the exigent circumstances of the times, the cloud of indignant wrath that has brewed over them, from the breasts of our people, would soon put a stop to their career by ending their lives.”

Black Baltimoreans’ “indignant wrath” at the suggestion that they fight for the Union starkly contrasted the enthusiasm for enlistment black Northerners like Immaterial and Douglass felt in the war’s first days.

Rebuffed in their efforts to volunteer in April 1861, black Northerners spent the remainder of the year debating the prospect of service and their proper response if Union officials allowed black men to serve. They did not know quite what to make of the war as it developed in 1861, and no more than in antebellum times – when issues like support for slave rebellion, involvement in anti-slavery politics, emigrationism, and all-black institutions had divided them – did they think with one mind about how to respond to it.

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133 During the secession crisis and the war’s early months, Douglass was characteristically mercurial. At times, he despaired that the war and the Union cause would do little to benefit African Americans, lamenting its slowness to embrace emancipation. Mostly, though, Douglass was hopeful about the war and black men’s potential to play a decisive role in the Union cause, seeing the war as a divine chastisement for the sin of slavery that would purge the young republic of sin and thereby allow the United States to play its ordained role in world history as a beacon of liberty and freedom. On Douglass’ thinking during the war, see Blight, *Frederick Douglass’s Civil War*.

Historians have made sweeping statements about black Northerners’ desire to volunteer in the aftermath of Sumter. In 1965, James M. McPherson wrote that, “In the first weeks after the fall of Fort Sumter, Northern Negroes joined in the outburst of patriotism and offered their services to the government to help suppress the rebellion.” More recently, Christian Samito concurred: “Black men eagerly sought to participate in the patriotic wave that swept the North after the firing on Fort Sumter…” Some did, advocating enlistment at the first possible opportunity. And in spite of the prejudice that prevented widespread black enlistment in Union infantry regiments, some fought for the Union in 1861 by enlisting in the Union Navy or defying Union policy and joining otherwise all-white companies.

Angered by the refusal of their services and viewing the opportunity the war presented strategically, from April 1861 forward other black Northerners staked out a different stance on enlistment. A few urged black men to stay out of the war altogether and let racist whites North and South fight the issue out themselves. More argued that, given the government’s rebuff of their services, they should refrain from enlisting until the government guaranteed change in return for their service. Whatever their thoughts on enlistment, from April 1861 black Northerners also began to insist that, if they served, they would not fight merely to restore the political integrity of the antebellum United States. Echoing their pre-war demand that the nation enact its founding principles, black

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137 For an example of a black man who joined a white unit, see H. Ford Douglas to Frederick Douglass, January 8, 1863, in *Black Abolitionist Papers: Volume V, United States, 1859-1865*, eds. C. Peter Ripley et al (Chapel Hill: University of North Carolina Press, 1992), 166-167. Douglas, a light-skinned black man, enlisted in the 95th Illinois, and may not have been questioned about his race at first. Eventually, Douglas’ comrades discovered his ancestry, but continued to treat him with respect. He eventually transferred to a black unit, where he became one of the few black men to rise to the level of commissioned officer, serving as Captain of the Independent Battery, U.S. Colored Light Artillery. See Berlin, Reidy and Rowland, eds., *The Black Military Experience*, 311.
Northerners insisted that they would only fight for fundamental change, to in subduing the Confederacy forge a new Union in which black men and women, North and South, would enjoy freedom, equality and citizenship. They knew that for the war to result in a new Union, it would have to prove lengthy and bloody enough to overcome white Northern racism; accordingly, they hoped for a long war and saw that early Confederate victories served their cause well. In their discussions of enlistment, the war, and their wartime objectives, black Northerners developed a politics of service, strategizing about how to seize upon the opportunity the war brought. Mindful of the nation’s history of betraying black veterans, black Northerners considered how they might make their service in this war count in a way their forefathers’ had not.

Black Northerners’ thinking about enlistment evolved as 1861 progressed, shifting in response to changing circumstances. Official pronouncements on slavery and military policy by politicians and commanders, personal experiences with white opposition to black enlistment, and their own analysis of events influenced how black Northerners thought about the Union war effort and their potential place in it. Unable to know the conflict’s ultimate anti-slavery direction, black Northerners contemplated a range of possible outcomes in the war’s first days, and their knowledge of American history encouraged some to assume that this newest crisis over slavery would end as others had: with a sectional compromise that preserved slavery and left discriminatory legislation unaltered. Black Northerners trying to predict the war’s outcome and divine the direction of Union policy regarding slavery did not have the benefit of hindsight nor the ability to review communications between generals and politicians regarding Union policies’ nature and implementation. They could only rely on their own analysis of the
news, stories and rumors that circulated rapidly through the wartime North to evaluate the war and Union policy toward the issues that mattered to them.

As in 1861 black Northerners tried to determine what the war might accomplish and where they might fit into the Union war effort, many felt the signals they received were mixed. The federal government’s initial refusal of black service, general uncertainty over Union policy toward African Americans and slavery, and analysis of their treatment by white Americans ensured that black Northerners were no more certain by 1861’s end that they would eventually serve or that the war would end in abolition than they had been in Sumter’s immediate aftermath. By year’s end, “the thoughtful colored men of the North” had not achieved consensus about where the war might go and what role they might play in it, although they shared a determination to exploit the opportunity the war presented to bring the nation they had long envisioned into being.

After Fort Sumter’s fall, influential black institutions and leaders urged black men to volunteer and predicted that African Americans would benefit from the war. Under the headline “Better Than Peace,” Philadelphia’s Christian Recorder, a black newspaper and the principal organ of the AME Church, declared “there [was] no duty which the crisis may bring upon order-loving citizens, who desire to transmit the priceless blessing of a good government to their posterity, from which we would shrink.” Earlier in the secession winter Frederick Douglass had doubted that the national crisis would result in slavery’s demise, but in May he implored the government to enlist black men, insisting that only slavery’s destruction could preserve the Union. “We lack nothing but your consent,” he wrote. “We are ready and would go, counting ourselves happy in being

permitted to serve and suffer for the cause of freedom and free institutions.” Douglass did note, though, that until the Union declared war on slavery, it did not “deserve the support of a single sable arm.”

Philadelphia’s Alfred M. Green heartily endorsed black enlistment. The Pennsylvania-born son of an AME clergyman, Green was a well-known lecturer who had spent much of his life in Canada West. Prior to the war he had returned to his native state, and was in 1860 arrested and imprisoned for participating in an attempted fugitive slave rescue. Green argued that since the South fought for slavery, war with the South might kill the institution, and he urged black men to fight. Green said that he would gladly join the government, which he acknowledged often acted counter to black interests, and abolitionists, on whose support he could count, in a war that might kill slavery. He proposed to form a black Home Guard unit, and added that his correspondence with state and military officials had led him to believe that whether that unit’s service was accepted or rejected, it would redound to the black community’s benefit. Green did not explain this somewhat curious claim; perhaps it was a subtle statement of the idea that black men needed to think strategically about how to use the war to their benefit, and a recognition that they could parlay either immediate service or service after a period of rejection into change.

Douglass and Green’s support for enlistment reflected a popular sentiment among black Northerners at the war’s outbreak: that slavery had caused the war and therefore the war might destroy slavery, and thus black men should fight at the first opportunity.

139 Frederick Douglass, “How to End the War,” Douglass’s Monthly, May 1861.
Influenced by these beliefs, black men across the North responded enthusiastically to newly-inaugurated president Abraham Lincoln’s call for volunteers to suppress the Southern rebellion. On April 23, just nine days after Sumter’s fall, Washington’s Jacob Dodson offered Secretary of War Simon Cameron 300 “reliable colored citizens” to serve in a city-defense unit. Some black Northern militia units tried to enlist en masse. Pittsburgh’s Hannibal Guards informed Pennsylvania militia commander Jacob S. Negley that they took interest in the war’s outcome. They considered themselves American citizens despite their lack of political rights, and they desired to “assist in any honorable way” in sustaining the federal government.142

Black Bostonians likewise offered to serve. In Boston’s Twelfth Street Baptist Church, John Rock, Robert Morris, and other speakers urged enlistment. Morris was a lawyer, one of the first black men to gain admission to the Massachusetts bar, and justice of the peace in Suffolk County. He had long supported black military efforts; in the 1850s he had commanded Boston’s Massasoit Guards and spearheaded black efforts to gain state recognition of black militia units.143 He urged black men to fight. If Massachusetts would allow black men to serve in the state militia, he said, “there was not a man who would not leap for his knapsack and musket, and they would make it intolerably hot for Old Virginia.”144 At another meeting a few days later, Boston’s black community proposed forming a “Home Guard” unit. Here, Rock proclaimed that black men would “not take advantage of the fact [that state law forbade their service] in this hour of our country’s danger but will show even to our enemies that we have the best

143 C. Peter Ripley et al., eds., Black Abolitionist Papers: Volume III, United States, 1830-1846, 448-449n.
144 Cunningham, The Black Citizen-Soldiers of Kansas, 8; “Sentiments of the Colored People of Boston,” The Liberator, April 26, 1861.
wishes for our country's prosperity.” The wealthy hotelier and caterer George T. Downing, Lewis Hayden – a former fugitive slave who had established himself in Boston as a used-clothing dealer and leading Vigilance Committee member – and others also spoke, and the meeting concluded with 125 black volunteers receiving drill instruction from Captain Watkins of the city’s Liberty Guards.145 Black Bostonians’ desire to serve caused them to submit, unsuccessfully, two petitions to the state legislature for the removal of the word “white” from the state’s militia laws; similar enlistment movements took place in New Bedford, Philadelphia, Cleveland, Providence, Cincinnati and New York City, among other places.146

White officials at the local, state and federal levels rejected these black attempts to enlist. Secretary of War Cameron told Jacob Dodson that his Department had “no intention at present to call into the service of the Government any colored soldiers.” New York’s police chief informed black men drilling publicly in his city that they must cease or he could not protect them from mob violence.147 Black Cincinnatians seeking to form a Home Guard unit received an especially harsh refusal. Police demanded the keys to a school-house they had selected as a Home Guard meeting site. The owner of one business to be used as a black recruiting station was forced to remove an American flag from his premises, while the owners of another such business were told by police: “We want you d----d niggers to keep out of this; this is a white man’s war.” With rumors

147 McPherson, The Negro’s Civil War, 21-22.
circulating that a mob of white steamboat workers would attack black volunteers, black Cincinnatians halted their preparations for home defense. According to Peter Clark, the incident dampened black Cincinnatians’ patriotism. Clark was the grandson of William Clark, Meriwether Lewis’s famous companion, and his slave Betty; by the mid-1850s, he had become a prominent instructor in Cincinnati’s black public school system, where he remained a fixture for decades as both teacher and administrator.148 When in 1862 white Cincinnatians asked their black counterparts to help defend the city from an expected Confederate attack, Clark remembered, their appeals “fell upon the ears of colored men unheeded. They remembered their lesson…”149

Despite these rebuffs, black men continued to discuss their potential place in the war, publicly debating what they stood to gain from it, the course they hoped it would take, and their willingness to fight. Some black leaders remained sanguine about the war’s potential to bring productive change. Eminent black Northerners like Alfred M. Green, the abolitionist and philanthropist William P. Powell, and AME clergymen James Lynch, Jermain Loguen and Thomas M.D. Ward expected great things from the war, predicting that black men would get a chance to fight and urging them to enlist whenever permitted.150 The government’s initial refusal of black service, however, caused many other black Northerners to take a more circumspect view of the war. Some began to

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strategize about what kind of war they wanted to see and how their participation in it might further their struggle for rights and citizenship.

In 1861, black Northerners followed debate over the war and their place in it primarily in the pages of abolitionist organs like William Lloyd Garrison’s *Liberator*, Frederick Douglass’ monthly journal, and three other black newspapers: Boston’s *Pine and Palm*, Philadelphia’s *Christian Recorder*, and New York City’s *Weekly Anglo-African*. The *Anglo-African* first appeared in 1859, and was managed by the brothers Robert and Thomas Hamilton. Thomas was a book dealer with experience in the black press: he had founded the short-lived *People’s Press* in 1841 and worked on a series of black and abolitionist newspapers, including the *National Anti-Slavery Standard*. The Hamiltons launched their weekly newspaper alongside a monthly literary publication, the *Anglo-African Magazine*, which folded after just a year. Financial hardship persisted, and in early 1861 the brothers sold their paper to James Redpath, a white abolitionist. Redpath moved the operation to Boston, gave its editorship to George Lawrence, Jr., a staunch black advocate of Haitian emigration, and in May changed its name to the *Pine & Palm*. The *Pine & Palm* quickly fell on hard times, publishing its last issue in 1862. The Hamilton brothers were upset with their newspaper’s rebirth as a pro-emigration organ, and in July Robert began publishing the *Weekly Anglo-African* again. Robert maintained the editorship of the revived *Anglo-African*, with Thomas assisting as business manager, and together the Hamiltons managed the paper until 1865, when it ceased publication after Thomas’ death. The brothers made clear their militant stance toward slavery and
discrimination in their newspaper’s motto: “Man must be free; if not within the law, why then, above the law.”151

Like the Anglo-African, Philadelphia’s Christian Recorder provided a forum for discussing the war throughout the conflict. The Recorder dated back to 1852, and was backed by the AME Church. In the Recorder’s early years, it printed mainly religious items, but during the war it embraced the issues roiling the nation. Elisha Weaver, an AME minister who had worked in communities throughout the North, served as the paper’s editor for most of the war. Born free in North Carolina, Weaver was raised and educated in Indiana and had studied at Oberlin College in Ohio, shepherded the growth of the AME Church in the young city of Chicago, and overseen the Recorder’s growth first in Indianapolis and then Philadelphia, where he moved in the late 1850s when church leadership requested that he base his publication in an Eastern city.152 Weaver broadened the paper’s coverage of secular issues, “turn[ing] the Recorder into a paper with a nationwide reach, that solicit[ed] and publish[ed] extensive coverage of the Civil War,” Eric Gardner has written.153 More parochial in its perspective than the Anglo-African in some respects, the Recorder nonetheless commented frequently on war-related issues, joining the Anglo-African as a vital forum for discussion and debate. Both newspapers helped unify a black population scattered in cities, towns and villages throughout the

152 Weaver voluntarily left the editor’s chair in July 1861 in favor of A.L. Stanford, but returned at the start of 1862.
153 Gardner, Unexpected Places, 56.
Northern states by carrying letters, weekly reports, and transcripts of black public gatherings in addition to war news and more mundane material.  

Many whites North and South confidently predicted a quick, easy victory for their section, but black Northerners hoped for a long, arduous conflict, one sufficiently taxing on Northern blood and treasure to compel the government to enlist black soldiers and, as a concomitant, recognize black rights and citizenship. In the belief that black Americans would benefit from a long, bloody war, perhaps, lay the meaning behind an otherwise curious statement made by William Wells Brown during the Boston meeting at which Robert Morris promised to make it “intolerably hot for old Virginia.” Dissenting from Morris, Rock and the meeting’s other speakers, Brown had opposed plans to arm black men, declaring that the time had not yet come for black volunteering because black men would not enter the service on terms of equality with white soldiers. “The only hope today for the colored man,” Brown had insisted, “was in Jefferson Davis.”

Black Northerners like Brown saw that, to reap the maximum possible benefits from the war, they needed the Confederacy to survive and win some battles; only an arduous conflict and Northern defeats would induce Northern officials to enlist black soldiers and countenance the fundamental change black Northerners wanted to see. Weeks after Sumter’s fall, an anonymous correspondent of Boston’s *Pine & Palm* made this point in stark terms. The North, he said, stood in need of a lesson, and a Confederate invasion of Washington, followed by the capture of Lincoln and his cabinet and federal defeats in the Border States, might teach that lesson. Only when such calamities forced

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155 “Sentiments of the Colored People of Boston Upon the War,” *The Liberator*, April 26, 1861.
some Northern soul-searching could the country be saved. Therefore, “the hopes of the country rest in Jeff. Davis, and the jubilant songs of freedom will arise when the armies of the Southern Confederacy sweep the Washington Cabinet into the Potomac.”  \(^{156}\)

Frederick Douglass also desired a long war, pinning his hopes for black service to a conflict of “grand dimensions.” Douglass used the Irish nationalist leader Daniel O’Connell’s famous formulation, that “England’s extremity was Ireland’s opportunity,” to describe the war and the opportunity it presented to black Americans. White Americans’ calamity was black Americans’ chance – the Union’s peril might bring their salvation. \(^{157}\) The North’s struggle with the slaveholding South might end in slavery’s abolition, but only if it proved long and taxing. The war must go on, Douglass insisted, feeling “quite free to say… I should regret the sudden and peaceful termination of this conflict.” Only a lengthy war would induce white Northerners, who now considered themselves “too aristocratic to march by the side of a ‘nigger,’” to call “the iron arm of the black man into service.” \(^{158}\) Douglass, David Blight has demonstrated, was convinced that God had imbued the war with a divine mission. He understood the war through a prism of “millennial nationalism,” believing that God intended the conflict to cleanse the United States of slavery and allow it to fulfill its historical mission as a beacon of freedom to the world. \(^{159}\) Whether or not other commentators understood the war in these terms, they joined Douglass in seeing that only through a long, costly war would the

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\(^{158}\) “Frederick Douglass on the Crisis,” \textit{Douglass’ Monthly}, June 1861.

\(^{159}\) Blight, \textit{Frederick Douglass’s Civil War}, 101-121.
country find itself in straits sufficiently dire to accept black service and improve black rights and status.\textsuperscript{160}

Black Northerners’ desire for a lengthy war was likely furthered by the Union’s seemingly cautious policy toward slavery in the Southern and Border States during the war’s initial months. Northern policymakers’ first steps toward making slavery a target of the Union war effort are well-known, particularly General Benjamin Butler’s May 1861 “contraband of war” doctrine – which allowed Union soldiers to refuse to return fugitive slaves who had entered Union lines – and the First Confiscation Act that in August essentially formalized this policy. Recently, James Oakes has shown that by summer 1861 Union policy on slavery and emancipation had actually moved far in advance of these measures, which have often been characterized as the Union’s halting first steps on its path toward an anti-slavery war. The instructions Secretary of War Simon Cameron sent to Union commanders regarding the First Confiscation Act’s implementation widened the law’s practical effect considerably, as Cameron forbade Union soldiers and commanders from deciding the ultimate status of slaves entering their lines. The Secretary of War banned military officials from attempting to determine which slaves had fled rebel masters and which fled loyal Unionists, and instructed Union commanders to accept all fugitives who reached their lines voluntarily. Loyal slaveowners who lost slaves in this manner would have to seek judicial or legislative redress upon the cessation of hostilities. Federal officials’ refusal to allow Union troops to determine the status of slaves entering Union lines stemmed from the Republican

Party’s devotion to the theory of “freedom national,” which bound federal officials to side with freedom in all cases where positive local law did not clearly protect slavery. By a combination of slaves’ initiative, federal legislation, and Cameron’s orders, military emancipation was happening a year before Lincoln issued his preliminary Emancipation Proclamation. Lincoln made no comment on Cameron’s instructions to Butler but, had he disapproved of the order, he would have countermanded it.¹⁶¹

Oakes has also shown that Lincoln’s revocation of General John C. Fremont’s August 1861 proclamation of martial law and emancipation in Missouri, another action often seen as an example of the president’s reticence to prosecute an anti-slavery war, should be viewed differently. Lincoln was uncomfortable with the proclamation’s source, not its anti-slavery intent. The president cancelled the proclamation because it came from a military commander, who under Republican constitutional theory was not legally competent to determine the ultimate disposition of property, and because it exceeded the First Confiscation Act (which was already being exceeded in practical terms anyway), the most recent attempt by legislators, who were competent to make such a disposition, to do so. At first, Lincoln asked Fremont privately to bring his order into conformity with the Act, publicly forcing him to do so only when Fremont refused to alter his proclamation without a public order. Thus, Lincoln’s revocation of Fremont’s order should not be read as reluctance to embrace emancipation.¹⁶²

Oakes’ work holds great value for modern readers, and suggests that Republicans put their commitment to destroying slavery into practice earlier than previously thought.

¹⁶² Because Lincoln asked Fremont to alter his proclamation to align with the First Confiscation Act, Lincoln’s actions represent a tacit acknowledgment that the law applied to the Border States as well, something which the legislation itself had not made clear. See Oakes, *Freedom National*, 156-163, 175.
To black Northerners who observed the war as it unfolded, however, many of the early signs of Republicans’ anti-slavery intent would have been difficult to see, or at least would not have stood out as they now do to those familiar with the war’s trajectory. Most black Northerners did not travel with Union armies. On the home front, they could not witness the practical effects of the First Confiscation Act’s implementation, and they did not receive correspondence from Cameron or Lincoln. They had only history, the war news they received from newspapers and other sources, and their own analysis of the conflict to guide them as they searched for meaning in the events of the war’s first few months. The American Revolution and War of 1812 had ended with slavery and racial discrimination intact and entrenched. Some thought this war would be different, but many remained doubtful.

Other statements and actions by key Union figures convinced black Northerners that hostility to emancipation and African Americans ran strong in official circles.

Benjamin Butler is primarily remembered for his “contraband” doctrine but, earlier in the war, he assured Marylanders that his troops would assist in quelling any domestic insurrection, a statement widely read as a pledge to help put down slave uprisings. George McClellan made a similar proclamation upon taking command in western Virginia. Federal commanders, even after Cameron’s August order implementing the First Confiscation Act, sometimes refused to permit fugitive slaves to enter their lines or returned them to their masters, and in the fall Cameron ordered that black laborers who worked for the Union Army to work in support positions – as cooks, laborers, teamsters, or in other such roles – could not wear the same uniform as federal soldiers. Without the benefit of hindsight Lincoln’s rebuke of Fremont stung, and sometimes Republicans’
anti-slavery rhetoric seemed hostile to African Americans as well as the Southern institution. Finally, Lincoln maintained that the war was being fought to preserve the Union, not to emancipate slaves or abolish slavery; as late as August 1862, although he had already determined to issue his Emancipation Proclamation, Lincoln publicly insisted that, “his paramount object in this struggle [was] to save the Union… not to either save or destroy slavery.”

Black Northerners reacted indignantly at this evidence of the Union’s indifference toward African Americans, and their indignation colored their attitudes toward enlistment. A *Pine & Palm* correspondent styling himself “Bobb’n Around” linked his opposition to volunteering to Union policy toward slavery. The proposal to volunteer immediately would entail black soldiers serving under “such men as Gen. Butler, of Massachusetts, and Lieut. [Adam] Slemmer, of Fort Pickens; the first of whom has offered the services of the Massachusetts troops to suppress an insurrection in Maryland, and the latter, having already returned many poor slaves, who, through incredible hardships, had reached his strongholds…” Union policy toward slavery had not totally dimmed his hopes for the war. Like Douglass and others, he believed that, as the pressures of wartime increased, the North would eventually enlist black soldiers. “The Government knows that it can have our services for the asking, at any time; do you not

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163 Lincoln quoted in Eric Foner, *The Fiery Trial: Abraham Lincoln and American Slavery* (W.W. Norton: New York, 2010), 228; Oakes, *Freedom National*, 90, 104. V. Jacque Voegeli has demonstrated that, in 1861 and 1862, anti-slavery Republicans from Midwestern states often coupled their advocacy for anti-slavery measures with white supremacist rhetoric. They asserted white Northerners’ superiority to black Northerners and pandered to white Midwesterners’ fears that emancipation would entail massive black migration to the North. John Sherman of Ohio could thus proclaim that though the “great mass” of Midwesterners were “opposed to slavery – morally, socially and politically” they were yet “opposed to having many negroes among them” and that African Americans were “spurned and hated all over the country North and South.” Sherman quoted in V. Jacque Voegeli, *Free But Not Equal: The Midwest and the Negro During the Civil War* (Chicago: University of Chicago Press, 1967).
think that we had better wait until the time of need has come?” There was a good time coming, he believed, and urged black men to “wait a little longer” to volunteer.  

Not all black Northerners shared Bobb’n Around’s sanguine expectations for the war’s course, and they expressed anger at federal officials’ hostility toward African Americans and reluctance to make war on slavery. The Weekly Anglo-African dramatically branded Lincoln’s revocation of Fremont’s proclamation “The Fatal Step Backward.” George Lawrence Jr., editor of the Pine & Palm, blamed Cameron’s order barring black laborers from wearing federal uniforms for causing black New Yorkers to cease their volunteering efforts. Lawrence believed the Secretary of War had meant his order as a “mark of denigration,” acidly remarking that he was glad Cameron had “saved certain fatuous, but well-meaning men among us from self-stultification, and many a true-hearted but despised American from a bitter mortification” by killing their enthusiasm for enlistment. Lawrence hoped that now, no more “rebuffs [were] needed to convince colored men, that, by superserviceable manifestations of loyalty, they are only ‘barking up the wrong tree.’”

164 “Bobb’n Around,” “Colored Americans and the War,” Pine & Palm, May 25, 1861. For other instance in which black commentators expressed dissatisfaction with Union policy toward slavery, see “Progress of Opinion,” Christian Recorder, November 23, 1861; “What are We Fighting For?” Pine & Palm, June 2, 1861.
166 “L. [George Lawrence Jr.],” Pine & Palm October 5, 1861. For another complaint regarding Cameron’s order, see A.F., untitled article, Christian Recorder, October 12, 1861. Cameron’s order had a powerful impact on black men’ thinking. Earlier in the war, a black correspondent of the Christian Recorder signing himself “Sacer” had described with pride the passing of, “A regiment from New York...through Baltimore on Tuesday last with an entire colored company, dressed in the full uniform of the regiment, having everything but guns. These men were undoubtedly servants, but,” he wrote, “the position given them by the officers of the regiment was an exponent of liberal sentiment that is encouraging, a recognition of their rights to an extent not to be overlooked.” The revocation of this recognition of black participation in the Union cause stung deeply, and was in black men’s eyes part of a larger pattern that saw Northern officials, soldiers and civilians remain reticent to attack slavery while demeaning black men and their attempts to contribute to the war effort. See “Sacer” to Editor, Christian Recorder, October 5, 1861.
From the Colorado Territory, Wesley W. Tate maintained that the Union’s
treatment of African Americans had rendered him a “disinterested spectator” to the war.
Union generals like Butler and Nathaniel Banks returned fugitive slaves to rebel masters,
Republican governors spurned black men’s offers of service, and Cameron denied black
laborers “the frivolous privilege of donning the uniform of an American Soldier!” In his
anger, Tate castigated some black Northerners’ willingness to fight for the Union. He
had watched black volunteering efforts with “much shame and indignation,” and his
analysis of American history and current events convinced him that the war would end
with slavery intact and further entrenched. Tate ridiculed would-be black soldiers: he
hoped they might all have the “honor of marching in the front ranks to the next Bull Run
or Lexington battle; so that while your patriotic names may be handed down to posterity
in golden characters, on the pages of American history, your carcasses may be used by
the Southern Traitors, to build up ramparts to defend their peculiar institution, for which
cause you enlisted, bled, fought and died.”167

Union officials’ attitude toward black Americans and slavery could dim black
Northerners’ hopes for the war, and so could demonstrations that white Northerners
generally shared this attitude. Throughout 1861, white Northerners reprised their initial
reactions to black men’s offer to serve, expressing their opposition to black participation
in the war effort. In August “Inquirer,” a regular Philadelphia correspondent of the Pine

167 Wesley W. Tate, “Letter from a Colored Frontiersman,” Pine & Palm, November 23, 1861. For other
elements of black men discouraged by Union policy toward slavery and African Americans, see Jabez P.
Campbell, untitled article, Christian Recorder, October 12, 1861. Campbell argued that President Lincoln
did not include black men when he spoke of the American nation. Campbell cited Lincoln and other
officials’ repeated assertions that they were not fighting an anti-slavery war and citations of the Dred Scott
decision as law, the president’s revocation of Fremont’s proclamation, the government’s refusal to enlist
black soldiers, and the War Department’s order barring black laborers from wearing the federal uniform as
evidence that “[Lincoln] does not recognise black men, neither expressly nor impliedly to be a part and
parcel of this nation.”
& Palm, told of a federal recruiting party led by a black drummer and fife player that was attacked by returning white volunteers who felt “‘aggrieved that colored men were used in drumming up recruits.’” Besides this latest outrage, Philadelphia’s black men still rankled over their treatment at the conflict’s outset. Several black military companies, Inquirer continued, remained active in the city, but he doubted they would enlist. “If there was any enthusiasm among us,” he wrote, “we think a damper was put upon it at the outbreak of the present conflict, when several having offered their services, were contemptuously refused.”\(^{168}\) N.B. Harris of Oberlin described his attempt to volunteer ruefully. Harris had heard that the local recruiting agent was enlisting black men, and he and a lighter-skinned friend went to try their luck. The agent refused Harris, but accepted his friend. “[W]hat is this country coming to?” he asked plaintively. Were he a white foreigner, he lamented, he would likely be accepted – but “because I am an American-born citizen, claiming all the rights as such, but granted none, I am not allowed to protect the Stars and Stripes.”\(^{169}\)

Four years later, Richard McDaniel remembered conversing with a “white gentleman” during the war’s early days and telling the man of his enthusiasm for enlistment. McDaniel’s white companion scoffed at McDaniel’s desire to fight, predicting that “‘the rebels will have to spill the blood of all the white men in the North before a nigger can take up arms,’” and adding that he would rather be “shot in the back” than “stand by the side of a black man and fight…” McDaniel eventually served in the 11\(^{th}\) USCT but remembered that following this encounter and the North’s initial refusal to

enlist black men, he thought he “never would enlist at all.” 170 It is impossible to know how many times scenes like those described above occurred during the war’s first months. But each time black men, individually or collectively, tried to volunteer and were refused, they felt angered and humiliated and, often, began to reassess their desire to fight.

Black men were offended by the North’s reaction to their offer to serve; offended personally in interactions like those described above, but offended generally because they knew that white Northerners refused to enlist black men because they saw black Americans as non-citizens. At an October convention of black Baptists in New Bedford, Reverend William E. Walker read a series of resolutions drawn up by a “Committee…on national affairs” that voiced black Northerners’ frustration. The committee considered it “unjust and unwarranted” that

while the very foundations of the government are shaken by these disturbed elements, and the overthrow of Republican institutions are threatened, the national government still refuses to regard us as men and citizens, by not allowing men to take up arms in defence of free institutions and their most sacred rights, their personal liberties which are in jeopardy.

The committee interpreted the government’s refusal to enlist black troops as an affront to black manhood and black citizenship, but the government’s conduct had not caused them to withdraw their support from the Union war effort. While the federal government possessed some deplorable qualities, the committee supported its preservation, but only insofar as that preservation furthered its adoption of correct principles – their resolution, in a curious phrase, asked God to end the war so the government could be “admitted on the principles of justice, right and equality.” 171

170 Richard McDaniel to Editor, Anglo-African Magazine, August 26, 1865.
These black Baptists possessed a degree of magnanimity not shared by all black Northerners; as months passed and local and national governments refused to accept black soldiers, some began to openly mock the Union war effort, their initial humiliation and anger at their services’ refusal having turned to malice. In August, a black Chicagoan told the *Pine & Palm* of watching white soldiers attack black civilians.

Following a First of August celebration marking the anniversary of British West Indian emancipation that featured a parade by the city’s Attucks Guards, a contingent of forty federal soldiers attacked a party of young black men and women. The revelers drove off their white assailants, much to the delight of the anonymous correspondent, who displayed his attitude toward the Union war effort by lampooning the disastrous defeat Union troops had suffered at the First Battle of Bull Run the previous month. The subject of that day’s oration was black courage during the Haitian Revolution, he said, and as such, “African courage was at fever heat, and the morning papers had the melancholy duty to perform of recording another Bull Run.”

When William J. Watkins, sojourning in Detroit, described that city’s Military Guards in a sketch of the city’s black community that appeared in *Pine & Palm*, he too mocked the Union defeat at Bull Run. Like many black militia companies across the North, the Detroit Military Guards had volunteered at the outset of hostilities and been refused. They contained in their ranks a talented band, Watkins joked, which specialized in a piece called “Lincoln’s Races, or Bull’s Run Retreat.” Earlier in the summer, Watkins had predicted that the war would kill slavery, and that black men would have the

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chance to serve. As Union officials continued to spurn black assistance, however, his zeal for black enlistment faded, and he insisted that any future change in Union policy toward black enlistment would come too late. “[P]erhaps, before the war is over, [the Detroit Military Guards] will be needed, and perhaps they will have something else to attend to then,” he warned. “Now, do your own fighting, Mr. Lincoln, from this time henceforth.”

It took Watkins several months to get to the point of making such a declaration; other black men had voiced their opposition to black volunteering far earlier. Even as black communities throughout the North organized enlistment drives in April 1861, some black Northerners opposed black volunteering. They counseled black men to use common sense, and demonstrate awareness of their own self-worth, by refusing to serve a government that discriminated against them and cruelly spurned their offers of service. It may be that black Northerners who opposed enlistment, or advocated delaying enlistment, in the war’s early weeks and months did so after having supported the idea at first, changing their minds quickly when they learned that black recruits had been rebuffed. Even if such a quick change of opinion occurred, however, the opposition to enlistment some black Northerners expressed in newspapers and community meetings in the weeks and months following Sumter’s fall proves that, at the very least, a vocal...

174 William J. Watkins, “A Few Notes By the Way,” Pine & Palm, October 5, 1861. Around this same time, AME minister Henry McNeal Turner also talked about how he had his mind changed about African Americans’ stake in the Union war effort. Initially, he had disagreed with his fellow AME clergyman Jabez P. Campbell that the “colored man… had no interests for which the administration contemplated any idea of benefiting.” He had had his mind changed by the prejudiced manner in which Northern newspaper correspondents, even those sympathetic to emancipation, described African Americans. He also expressed frustration with what he perceived as Northern slowness to strike at slavery: “[E]very person knows, that the national strife now agitating this country, is about the thraldimized condition of the colored man, and yet its unpopularity palsies the tongue of its clearest perceivers, and they will wise in, and wise out, and wise all around the theme, and never wise into it.” See Henry McNeal Turner to Editor, Christian Recorder, November 30, 1861.
element within the black community quickly recoiled from enlistment. From the war’s beginning, black Northerners disagreed loudly and profoundly about whether black men should fight and under what set of circumstances they should do so.

In Sumter’s immediate aftermath, a handful of black Northerners opposed black volunteering outright. N.A.D. of Detroit catalogued for the *Pine & Palm* various Southern slave codes and Northern discriminatory laws, and concluded simply and forcefully: “Catch me fighting for a country that perpetrates such outrages.” ¹⁷⁵ J.H.W. of Chillicothe, Ohio, opposed black recruiting efforts and disputed would-be soldiers’ contention that their willingness to serve would benefit African Americans. He believed that offers of service sent a dangerous message regarding the government’s treatment of black Americans. “If the colored people, under all the social and legal disabilities by which they are environed, are ever ready to defend the government that despoils them of their rights, it may be concluded that it is quite safe to oppress them,” he argued. J.H.W. linked his reticence to serve to the fact that black service in previous wars had not bettered African Americans’ condition: “The truth is, if in time of peace, the fact of our having bled in defense of the country when it was struggling desperately for independence, avails nothing, it is absurd to suppose that the fact of tendering our services in a domestic war when we know that our services will be contemptuously rejected, will procure a practical acknowledgment of our rights.” ¹⁷⁶

Cincinnati’s William Parham conducted a frank correspondence with his friend Jacob C. White, Jr. of Philadelphia concerning the war. Parham was a schoolteacher who would become superintendent of the city’s black schools and the first black graduate of

Cincinnati Law School; White, the scion of one of Philadelphia’s leading black families, was an educator, a founding member of the Banneker Institute – a local debating society that promoted black intellectual improvement – and served as a local subscription agent for both the *Weekly Anglo-African* and *Pine & Palm*. In his correspondence with White, Parham strongly condemned black volunteering efforts. Looking back scornfully on the days after Sumter’s fall, he recalled how, when the “Northern heart was fired with indignation…[s]ome of our colored men thinking they were a part of this Northern heart alluded to, imagined themselves very indignant; and as all the rest of this heart was forming Home Guards &c concluded they must do likewise.” He had not then supported the movement, refusing to attend local recruitment meetings, and the white response to black offers of service had only strengthened his convictions: black Ohioans were told that the war was a “white men’s fight, with which niggars had nothing to do.” Parham and White agreed that in October 1861, the time for black service had not come, but they disagreed as to whether that time might come at some point. White held out hope that it would, whereas Parham did not, “if Negro equality [was] to be its precursor.” Parham believed that the Union would prevail and that slavery would die as an unintended consequence of Northern victory, but he predicted that white prejudice would survive the war and dog African Americans’ every step.

In examining Parham and White’s disagreement regarding the prospect of service at some future point, a key development in black Northerners’ thinking about enlistment in the aftermath of the government’s refusal of black volunteers emerges. Few black

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177 On White, see C. Peter Ripley, et al., *Black Abolitionist Papers: Volume IV, United States, 1847-1858*, 138-139.

178 William Parham to Jacob C. White, Jr., October 12, 1861, Box 115-2, Jacob C. White Collection, Moorland-Spingarn Research Center, Manuscript Division, Howard University.
Northerners opposed black enlistment as stridently and completely as Wesley Tate, J.H.W. and William Parham. White Northerners’ reaction to black volunteering efforts, and government policy toward slavery and African Americans had dampened black men’s enthusiasm for enlistment. Nevertheless, most black commentators joined White in hoping that black men might at some point find it in their interest to fight for the Union. As such, discussions about the part black men might potentially play in the Union war effort remained central to black Northerners’ public discourse throughout the remainder of 1861, as black Northerners discussed the changes that might persuade them to join the fray in newspapers, public meetings, and other forums.

Following the government’s rejection of black volunteers, black Northerners developed a politics of service in which they began to set the price of black enlistment. This politics drew on the historical analysis they had developed during the antebellum period, which lamented that the government had not recognized black rights and citizenship despite black men’s service in earlier American wars. Wanting to avoid a repeat of this outcome, black Northerners strategized about how they might make this war different. They began to consider and articulate the circumstances that ought to prevail, or demands that the government ought to meet, before they would enlist. Their politics of service was frequently embedded within larger critiques of government treatment of African Americans, and was in 1861 often short on specifics, but it nevertheless marked the beginning of black men’s conceptualization of what their military role in the Union war effort might look like.

The *Weekly Anglo-African* had begun talking about using black service strategically even before Fort Sumter’s fall, arguing in March 1861 that black men should
not fight unless given suffrage and other rights. On March 23, the newspaper responded to a *New York Tribune* piece that predicted that if white Southerners armed their slaves, Union officials would arm black Northerners. The *Anglo-African* did not think that either side would arm black men, but it urged white Northerners, before “prat[ing] of co-operation in the future,”

…the to recognize our just claims upon the inheritance which our past efforts aided…to secure[.] Before we [enlist]…we must have something better than flattery to convince us that after freely giving our blood to again build up the Union whose foot has bound us down for eighty-five years, that though free nominally, we shall not be as in the past, pariahs and outcasts. We remember how the blood of Crispus Attucks was paid for in the rendition of [fugitive slaves Anthony] Burns and [Thomas] Sims…Knowing as the politicians do the long arrears of blood-bought rights this country owes us, as well as the dark record of crimes against our race of which it stands accused and condemned; how ought not their cheeks to tingle with shame, and their tongues to falter at the proposition to further use us as instruments to prop up this rotten sham, this hollow fraud, this charnel house of human rights, -- the Federal Government.

This commentary echoed William H. Newby’s pre-war suggestion that black men extract concessions from the United States prior to fighting for it again. “Messrs. Republicans,” the influential publication demanded, “before you hand us bullets give us ballots. Ere you talk to us about instruments of war, give us those civic rights, those social privileges, for whose maintenance or defence only is war legitimate.”

Black Northerners developed their politics of service in Sumter’s wake. On April 27, the *Christian Recorder* claimed in one piece that “there [was] no duty…from which [black men] would shrink,” but in another it displayed a more conditional approach to the war. In an article on “the Duty of Colored Americans to the Flag,” the *Recorder* argued that while black men had been duty-bound to fight in earlier wars, they were not in 1861, as court decisions and state and federal laws now denied black citizenship and humanity. For black men to volunteer under these circumstances would “abandon self-respect, and invite insult;” and the *Recorder* charged black men who had led volunteering efforts with

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“[betraying] that modest prudence which should always characterize a conscious manhood.” The Recorder did not foreclose the possibility that at some juncture black men might justifiably volunteer, and encouraged black Northerners to pray that God might cause the government to “harmonize” itself toward them and prove worthy of black assistance. On the same day, the Weekly Anglo-African opposed black volunteering. Like the Recorder, the Anglo-African argued that although black men had fought in the past, this time was different. Given the government’s evident determination to “make this a white man’s war,” it asked, “is it wise to put [black men] in a position to have fresh contumely poured on them?” Instead of seeking to enlist, the newspaper urged black Northerners “not to fight for the Government” but to form military companies that would “hold [themselves] as Minute Men to respond when the slave calls.”

The Recorder spoke in vague and contradictory terms – although it might be argued that, implicitly, it identified government recognition of black citizenship and humanity as sufficient to motivate black enlistment – and the Anglo-African did not necessarily envision fighting for slave liberation alongside federal forces; still, their comments prove that, within two weeks of Sumter’s fall, the debate over black enlistment had evolved beyond the point of a contest between pro-enlistment and anti-enlistment advocates to include those who advocated delaying black military service until acceptable circumstances prevailed.

Correspondents to these newspapers took up similar themes, arguing that the time for volunteering had not yet come but might if the government altered its conduct toward

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181 “Have We a War Policy?” Weekly Anglo-African, April 27, 1861. For another black correspondent making an argument that used the example of unrewarded black service in earlier wars to oppose immediate enlistment, see J.N.S., “A Word from the Country,” Pine & Palm, May 25, 1861.
black Americans. The crucial aspect of black Northerners’ politics of service was the set of conditions they desired the government to meet prior to their enlistment. Black Northerners often, however, declined to articulate those conditions in concrete terms, commonly refraining from enumerating the specific legislative changes that could inspire their enlistment. Instead, they tended to speak in general terms of concessions involving equality, rights and citizenship. Nineteenth-century Americans recognized distinctions between natural, political, civil and social rights that Americans today generally do not, and prior to the Civil War no national category or definition of citizenship existed. Given this reality, it is perhaps not surprising that, at this early juncture, black Northerners speaking of concepts like rights or citizenship did so without outlining their specific contours. More important than determining the exact content of black Northerners’ demands is recognizing that, as early as spring 1861, they began to think strategically about using their service to achieve their own wartime aims.

Black Northerners often invoked goals like equality and citizenship without specifying the changes to American law and life that would realize them. Henry M. Cropper, who captained Philadelphia’s Frank Johnson Guards, angrily disavowed rumors that after Sumter he and his fellow Guardsmen had tried to volunteer; they possessed a greater sense of their own self-worth than that, he insisted. “We…have more knowledge of our duty, and more dignity, than to offer our services,” he wrote, and he and his comrades had “resolved never to offer or give service, except it be on equality with all

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other men.” Cropper did not specify the changes that, in his opinion, would make this equality a reality. J.N.S. from Newton Falls, New Jersey likewise believed that black men should serve only if guaranteed rewards for their service, and likewise failed to specify these rewards. Black men should not fight, he wrote, unless they received “some further guarantee of benefits to be derived from it, as the just rewards of loyalty and patriotism.” The United States’ history of denying the fruits of victory to black soldiers dictated this course. “[I]f the Government wants us to fight and will reward us accordingly, I say, fight – not without, if we can help it.”

Frederick Douglass also urged the government to make concessions to compel black service, though he did not join Cropper and J.N.S. in advising black men not to volunteer until their demands had been met. Douglass still wanted black men to enlist whenever possible but, with an oblique reference to the *Dred Scott* opinion, he stressed that black soldiers would fight best if made “to feel that they are hereafter to be recognized as persons bearing rights.”

Some black Northerners argued that they would reap the greatest advantage by waiting until entreated by the government to volunteer, figuring that if the Northern war effort floundered enough to induce Northern officials to enlist black soldiers in spite of rampant white racial prejudice, black men would be able to impose conditions in return for their service. “Argo,” one of the *Christian Recorder*’s regular Washington correspondents, believed that the war presented a critical opportunity for African Americans, and that black men should not squander it by acting rashly. He denounced

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black Baltimoreans who had tried to volunteer, calling their actions “folly, *neither more not less.*” Argo counseled black men to wait until “*called upon*” and hoped “that that portion of the *most respectable people of color,* as the [Baltimore] *Sun* terms them, will be a little more discreet in the future” regarding enlistment.\(^{186}\) In early May, William Lloyd Garrison’s *Liberator* printed a letter from an unsigned black correspondent who predicted that black men would eventually be sought as soldiers but should in the meantime be “discreet.” Black service ought to be “forthcoming” only “when most needed.”\(^{187}\)

Debate about enlistment between black Northerners became heated during the fall of 1861. In September, Alfred M. Green became involved in a lengthy exchange regarding black service with a correspondent signing himself R.H.V. in the pages of the *Anglo-African.*\(^{188}\) R.H.V. opened the exchange by using the history of black service in American wars to oppose black enlistment; he cited the nation’s shabby treatment of black veterans and their families to insist that black soldiers who fought for the Union would only repeat mistakes of earlier generations. Black men had fought before, and yet lacked “the rights of men and citizens…Will the satisfaction,” he asked, “of again hearing a casual mention of our heroic deeds upon the fields of battle, by our own children, doomed for all we know to the same inveterate heart-crushing prejudice that we


have come up under” be sufficient to inspire black men to serve? If black men “let [their]
own heart[s] answer this question,” R.H.V. believed, “no regiments of black troops will
leave their bodies to rot upon the battle-field beneath a Southern sun.”

Green replied the next month that, no matter how the war developed, black men
would need military knowledge, and described how for the past six months he had been
engaged in raising black drilling companies. He did not believe that the history of black
service in American wars should prevent black men from enlisting, and lamented that
black men were divided at this moment of national crisis, when they needed most to
present a united front. He criticized as “foolish” those like R.H.V. who sought to
“[nurse] past grievances to our own detriment…” That earlier generations of black
soldiers had been cheated of the fruits of victory mattered little to Green, because the
present generation was different, possessing “the manhood to defend the right and the
sagacity to detest the wrong.”

In reply R.H.V. mocked Green’s faith in black drilling, demonstrating how black
commentators unaware of the extent to which the war was already becoming an
emancipatory conflict put their own constructions on events. Were black men to drill as
Green suggested, R.H.V. argued, they could not influence Union policy any more than
had John C. Fremont, and their activities would do no more to benefit black Americans
than had his proclamation. Whatever contributions to the war effort black men might
make, they could not shake white Americans’ deeply-held prejudice: “I am satisfied,” he
wrote, “that neither recruiting, drilling, or fighting will never break this innate prejudice,

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embedded in the hearts of the nation.”191 Green and R.H.V.’s dispute continued until November, and Green considered their exchanges of sufficient import – and the question of black enlistment still sufficiently unsettled – that he published both sides of the correspondence as a pamphlet the following year.192

Black Northerners’ debate over service was not limited to the pages of black newspapers; following the government’s rejection of black service, at community meetings – often called “war meetings” – similar to the ones in Boston that launched the enlistment movement there, black Northerners considered their best course of action. Black Northerners possessed a long tradition of public gathering and debate. In the decades prior to the war, black communities in Northern cities had met frequently to contemplate issues of general interest. In January 1817, ministers Richard Allen and John Gloucester and the sailmaker James Forten called black Philadelphians together in Allen’s Mother Bethel Church, wanting to gauge their opinion on the recently-formed African Colonization Society and emigration. The “black elites” Allen, Forten and Gloucester initially argued for emigration’s merits, but were surprised by the unanimous opposition they received from the meeting’s 3,000 attendees.193 Antebellum black Northerners discussed matters of community interest in their churches, debating societies, and mutual-aid organizations. These bodies in turn selected delegates to attend the less-frequent state and national conventions that gathered prominent black men – and some

few women – together to discuss matters of relevance to all black Northerners, such as
disenfranchisement, discrimination, black education, and the black press.194

Drawing on this tradition of public meeting and debate, in Sumter’s aftermath
black Northerners congregated frequently to discuss the war and the prospect of
enlistment. They often met in black churches: Leonard Grimes’ Twelfth Street Baptist
Church in Boston, Henry Highland Garnet’s Shiloh Presbyterian Church in New York,
Richard H. Cain’s Bridge Street Wesleyan Church in Brooklyn, and Mother Bethel in
Philadelphia, among many others, housed war meetings.195 These were public spaces
black Northerners built and maintained themselves, spaces one might view as “safe
houses” for the conduct of black politics. But black Northerners met in city halls and
other public spaces whites frequented; over the course of the war, New Bedford’s City
Hall, Worcester’s City Hall, and Buffalo’s Old Court House all hosted black war
meetings.196 At no point during the war did white violence interrupt a black war meeting.
Across the antebellum decades, white violence had flared in Northern cities, as it did in
Philadelphia in 1838 when white mobs burned Pennsylvania Hall, an abolitionist
meeting-place, and attacked the Shelter for Colored Orphans and a black church.197 The
war did not temper white Northerners’ penchant for racist violence, as would become
clear during the summer of 1863. That black Northerners could assemble in what they
billed as “war meetings” and debate the possibility of engaging in violence highlights the
comparative openness of Northern civil society – such a meeting of free black

194 Ernest, A Nation Within a Nation, 107-112.
195 See Jabez P. Campbell and L.R. Seymour to Editor, Christian Recorder, September 6, 1862; “Great
Meeting in Shiloh Church,” Liberator, May 22, 1863; “Sentiments of the Colored People of Boston Upon
196 “Meeting of Colored Citizens,” Liberator, June 27, 1862; “Meeting of Colored Citizens in New
Bedford,” Liberator, October 18, 1861; War Meeting in Massachusetts,” Weekly Anglo-African, March 21,
1863.
197 Nash, Forging Freedom, 277-278.
Southerners would have been unthinkable – if also the extent to which many white Northerners ignored black political activity altogether.

Black war meetings seem to have been fairly grassroots affairs, announced through some local public medium and held shortly thereafter. Black newspapers carried notices for the regular meetings of established black organizations, and for meetings planned over a period of weeks or months, such as the Syracuse Conference black Northerners would hold in 1864. But war meetings were typically local community gatherings convened on short notice. Local black leaders were eager to know where their fellow community members stood on the war and enlistment and, often, to convince them of the wisdom of a particular position on these subjects; meeting attendees would not have had to travel far to attend them, and could be assembled quickly, so advertising them in a weekly black newspaper like the Anglo-African would have made little sense.

Instead, calls for war meetings seem to have been issued through – presumably white-run – local newspapers or by word of mouth. The Liberator correspondent who reported on a June 1862 meeting he attended in Buffalo learned of it by a “call through the public journals of Buffalo, N.Y”; in spring 1863 black Philadelphians went to hear Frederick Douglass speak about the war and black enlistment because they had seen a “notice inserted in yesterday's papers”; and in December 1863, the Liberator similarly reprinted a report of a war meeting held in “accordance with a published call.”

By contrast, “Bobb’n Around” attended a New York war meeting in May 1861 because he had “heard that our friends were to hold a meeting in Wanarda Hall…” Some war meetings were

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extremely *ad hoc* affairs; in the spring of 1863, the “colored citizens of Pinebrook, N.J.”
met in a private home belonging to a W.B. Nelson.²⁰⁰ A black minister told in August
1862 of going to Washington’s Israel Church to hear Amos Beman lecture, when “a
messenger arrived and spread the news like wild-fire, that at the Asbury M.E. Colored
Church, there was a great war meeting of the colored people”; he and several others left
to attend the war meeting. These proceedings’ *ad hoc* nature did not harm attendance;
when the minister and his companions reached Asbury, he estimated that 1,000 black
Washingtonians had gathered there.²⁰¹ A February 1863 war meeting in New Bedford
attracted 1,500 attendees.²⁰²

These meetings may have come together quickly and somewhat haphazardly but,
once they began, attendees showed a high degree of respect for organization and
decorum. Black Northerners had placed high importance on maintaining respectability
and order at their antebellum meetings, conventions and celebrations as a way of
demonstrating their ability to embrace middle-class values and counteract white
depictions of black incompetence and degradation.²⁰³ “[T]o some extent,” John Ernest
has observed, “the convention itself was the point – a public and publicized affair, a
highly visible gathering of African Americans…a display of organization and…either
unity or disciplined debate.”²⁰⁴ Black Northerners who attended war meetings had
matters of vital interest and strategy to discuss; war meetings were about far more than
simply demonstrating their capacity to master parliamentary procedure and committee

²⁰¹ Henry McNeal Turner to Editor, *Christian Recorder*, August 9, 1862.
²⁰⁴ Ernest, *A Nation Within a Nation*, 113.
work. But they continued to show a high degree of interest in organization and respectable conduct and typically ran their meetings as mini-conventions, with the election or appointment of prominent black men as chairmen, presidents, subordinate officers and committee members. Even the spring 1863 Pinebrook meeting held at W.B. Nelson’s house began with a motion appointing the meeting’s chairman and secretary. Black Northerners used war meetings to debate their stance on the war and enlistment, but also to convey to any observers that they possessed the capacity to conduct their politics in an organized, respectable way befitting of the citizenship they claimed.

In May 1861, black New Yorkers held such a meeting in Wanarda Hall, and enlistment proved so controversial that several attendees asked to preside over the meeting declined because they had not made up their minds on the subject. After Anglo-African editor Robert Hamilton finally took the chair, debate began in earnest. A committee had been appointed prior to the meeting to consider the question of service, led by James N. Gloucester. Gloucester was the son of Richard Allen’s associate John Gloucester, a well-known black Presbyterian minister and close associate of John Brown who had recently relocated to the Liberty Street Presbyterian Church in Troy; he recommended that black men offer themselves as firemen, form a Home Guard unit, or join the federal army. Several speakers opposed this plan, including one of the committee’s own members, William J. Wilson, a prominent black educator and political leader who had championed the black militia movement and black military preparedness since the early 1850s. Wilson had supported volunteering, he said, but the government’s

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206 On Gloucester, see C. Peter Ripley et al., eds., Black Abolitionist Papers: Volume IV, United States, 1847-1858, 380.
rebuff of black service had cooled his military ardor: “inasmuch as the offers of these patriotic black men had been refused,” Wilson explained, “he did not think that we should offer ourselves to be kicked and insulted.” Whites by this point knew that black men would fight, and he did not think black men ought to court the humiliation of refusal “simply for the privilege of saying so.”

Either Wilson or one of the others opposing further volunteering efforts invoked the developing politics of service, insisting that black men should only enlist once the government had met their demands. When Gloucester spoke in favor of enlistment, he argued that, with the nation at war, “this was not the time for argument in reference to our rights.” The minister articulated an alternative take on the politics of service: rather than waiting to enlist until guaranteed certain rights and privileges, black men ought to enlist at the first opportunity as in earlier wars and trust that gains would come later. Gloucester’s suggestion proved unpopular; he and his allies “exhausted the magazine of patriotism” in their pro-volunteering arguments, but the meeting’s attendees “by a very large majority” refused to volunteer.

Black Philadelphians considered the enlistment question in various public forums. The city’s Church Anti-Slavery Society considered black enlistment at two consecutive monthly meetings, October and November 1861. In October, Alfred M. Green argued that black Northerners were duty-bound to fight, but met strong opposition from several attendees. One white man argued that black men should not fight until the government abolished slavery and enacted black suffrage, and Isaiah C. Wears sounded the familiar note that the time for black service would come but had not yet. Wears had attained a

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207 Johnson, African American Soldiers in the National Guard, 7. On Wilson, see C. Peter Ripley et al., eds., Black Abolitionist Papers: Volume IV, United States, 1846-1858, 145.
position of leadership in the city’s black community through his work on Philadelphia’s Vigilance Committee, his involvement in black state and national conventions, and his operation of a successful barbershop, and he feared that as matters stood, black soldiers would fall in battle like “sheep.” Debate over service seems to have lasted the entire session, as speakers both white and black “kept up a friendly and spirited meeting till a late hour of the evening.” A similar discussion transpired the following month. No record survives of the various positions staked out at this gathering, but debate on the question “What action should be taken by the Colored People in the present contest?” inspired “very instructive” words from several prominent black Philadelphians, including Wears and Stephen Smith, a wealthy investor, pastor, and Underground Railroad operative. At a meeting of the Banneker Institute, the educator Octavius Catto, who also served as the group’s Recording Secretary, echoed Wears. In his “political essay” entitled “The Voice of 1861,” Catto viewed the war hopefully, believing that Northern war aims might change in ways that benefitted black Americans as the conflict progressed. “The ultimatum of revolutions is not conceived at the outset,” he said. “With time new motives arise.” Nevertheless, he counseled black men to wait to enlist “until the government was compelled from circumstance to accept them.”

Both immediate- and delayed-enlistment advocates shared the same basic goal: they sought to use black service to change the nation fundamentally by forcing it to live

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209 On Wears, see C. Peter Ripley et al., eds., Black Abolitionist Papers: Volume IV, United States, 1846-1858, 318-319n.
210 “Veritas” to Editor, Weekly Anglo-African, November 2, 1861.
211 “Inquirer,” “Letter from Philadelphia,” Pine & Palm, November 23, 1861. On Smith, who was responsible for organizing the AME Church in Chester, Pennsylvania, see C. Peter Ripley et al., eds., Black Abolitionist Papers: Volume IV, United States, 1846-1858, 316-317; Wayman, Cyclopaedia of African Methodism, 35.
up to its founding principles. The demand that black service must bring fundamental change was intrinsic to the delayed-enlistment position, as advocates of this course advised black men to withhold their service until the government altered its treatment of African Americans. But immediate-enlistment advocates also wanted to use black service to create fundamental change and, perhaps fearing that black men would see immediate enlistment as simply a repeat of the mistakes black Americans had made in earlier wars, they appended a clear description of their ultimate goal to their arguments. Immediate-enlistment advocates began as early as fall 1861 to insist that black men would not go to war simply to preserve the antebellum Union, but would fight to forge a new United States that would fulfill black aspirations for freedom, rights and citizenship.

Immediate-enlistment advocates like Jermain Loguen and B.K. Sampson made it clear that black men would only fight for a new Union, cleansed of slavery. The son of an enslaved mother and her white master, the Tennessee-born Loguen had escaped slavery in the mid-1830s, relocated to Syracuse, and become a minister in the African Methodist Episcopal Zion discipline. He was a prominent leader on the Underground Railroad and had helped recruit troops for John Brown’s raid, and his anti-slavery militancy guided his thinking about black service. 213 In September, he urged the government to enlist black troops, as black men had “always been willing and ready, to do our duty, when the Government would permit, and are ready now.” But black men would only fight because they had “[their] all at stake, hence something more than Union to fight for, that, with Slavery, is to us worse than nothing,” and predicted that black men inspired by the desire to destroy slavery “would do the cause of liberty more service than

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half a dozen regiments that are merely fighting for the Constitution and the Union.”

B.K. Sampson spoke similarly in October before a pro-enlistment meeting of black Clevelanders. Cleveland’s black men wanted to fight for the Union, said Sampson, but he insisted that the Union could only be maintained if the war destroyed slavery, the war’s cause. Black men desired to fight, “for more than country, more than a union of States; we would defend more than human laws, we would defend those which are divine.” They held their “country dear, but liberty [was] dearer. That is a noble soul that would lay his life upon the altar of his country, but nobler far is he who dies to free his brother man.”

Black leaders who called on black men to enlist whenever possible, without forcing the government to agree to certain terms in advance of their enlistment, expected that black soldiers would have the opportunity to fight to destroy slavery rather than for the narrow principle of the Union’s preservation. This expectation was problematic, eliding the fact that Union officials had not publicly committed themselves to waging an anti-slavery war. Loguen and Sampson did not explain how they could ensure that Union officials would allow black soldiers the chance to destroy slavery. Still, they made their ultimate aspirations for black service clear. They would fight for the government, but not for the principle of maintaining the government – they would fight for the government because they believed doing so could force it to change, advancing black freedom.

The Weekly Anglo-African also envisioned black men fighting for more than Union, and did not strictly contemplate black soldiers fighting for the Union Army. It insisted in April that black men would not make the same mistake their ancestors had

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214 Jermain W. Loguen to Editor, Weekly Anglo-African, September 14, 1861.
during the American Revolution, when they had served the United States but been rewarded with “disfranchisement, bondage and contumely.” Rather than fight for the Union, the *Anglo-African* urged black men to make war on slavery, boldly declaring that if their actions “be termed treason, rebellion, insurrection! – we care not…” Echoing the question black leaders like Frederick Douglass had posed in the late 1850s, the *Anglo-African* asked its readers, “What allegiance do [black men] owe to a power that denies our rights? What is left but rebellion to those whom government recognizes only to oppress?” The *Anglo-African* did not foreclose the possibility that black men could fight for the Union if its officials adopted sufficiently anti-slavery policies, but it wanted to ensure that whenever and however black men fought, they did so with black interests at heart. Black men, it warned, “retain[ed] full faith in the inalienability of human rights, and are willing to venture all for their defense”; they would not fight to “further partial interests, or governmental theories, but to establish liberty upon a basis coextensive with the human race.”

The *Anglo-African*’s rhetoric grew more militant as the weeks passed, and the paper urged black Northerners to strike on their own for black freedom. In late April, it urged black men to descend on the South in guerilla bands, and took a swipe at black Northern volunteering efforts in the process: “We want Nat Turner – not speeches; Denmark Vesey – not resolutions; John Brown – not meetings.”217 The following week, it reprinted a transcript of one of Alfred Green’s immediate-enlistment speeches, and commented that men like Green, who sought to “serve under a flag which has never meant freedom to them,” possessed more “zeal” than “discretion.” The government

would never allow black men enlisted in its service to “be a disturbing element,” and thus the newspaper urged them to avoid the federal service, as they would need “all their strength to aid the slave.”\textsuperscript{218} By August, setbacks to the Union war effort caused the \textit{Anglo-African} to believe that the Union would enlist black soldiers. The paper did not oppose black enlistment altogether, but it implored black men to “be ready to fight when we are assured what we are fighting for.” Black men should only fight on the “ground of the highest patriotism,” the newspaper declared, “not to save the government as it \textit{was}, but to uphold it as it ought to be. Let no black hand lift a musket…unless it be for immediate emancipation.”\textsuperscript{219}

Across the spectrum of opinion regarding the question of service, black Northerners who in 1861 envisioned black men going to war saw them fighting not to preserve the antebellum Union, but to bring change, to achieve a new Union. Black Northerners’ fixation on using the war to do something more than maintain the pre-war United States stood in stark contrast to white soldiers’ willingness to fight for Union. The idea of preserving the Union for its own sake compelled white Northerners to enlist; many believed that the American experiment in democracy needed to be defended, that the government brought forth by the founders needed to be preserved, and that they possessed a responsibility to defend the ideals of representative government in a world of monarchies. White soldiers would fight and die to preserve the antebellum United States and its experiment in political democracy.\textsuperscript{220} Black Northerners, from the war’s earliest months, made it clear that Union as a principle meant nothing to them; American


democracy had too long excluded African Americans for them to feel any desire to
preserve it for its own sake. Black Northerners differed greatly in their reactions to the
conflict and the prospect of service, but they agreed on one principle: that if black men
fought, they would do so not for Union, but for black freedom and a fundamentally
changed nation.

In fact, some black men were already serving in a military capacity in 1861,
although their service was rarely acknowledged. During the war’s early years, a few
black men enlisted in white regiments despite Union officials’ determination to keep their
armies all-white, doing so either by passing as white men or simply because their courage
and bearing gained them acceptance in spite of their ancestry. William H. Johnson of
Connecticut was one of these early black soldiers; in the summer of 1861, he joined the
2nd Connecticut as an “independent man” – records do not indicate what this term meant
– and served with it for ninety days, before transferring to the 8th Connecticut. Johnson
fought at the First Battle of Bull Run and participated in the capture of New Bern and
Roanoke Island, North Carolina.221

Johnson’s thinking about enlistment demonstrated how prevalent doubts about the
wisdom of black service were among black Northerners during the war’s first months;
even Johnson, a black man who was already serving in the Union Army, wavered about
black enlistment’s advisability. Writing to the Pine & Palm a few days after the fight at
Bull Run, Johnson claimed that Confederates had used large numbers of black troops
during the battle, which was in turn causing Northern officials to consider arming black
Northerners. Like other black Northerners considering the proper response to a call for

black service, Johnson advised caution: “Shall we [enlist]? Not until our rights as men are acknowledged in good faith. We desire to free the slaves, and to build up a Negro nationality in Hayti; but we must bide our own time, and choose the manner by which it shall be accomplished.”222 By December, Johnson was thoroughly convinced that the time for black enlistment had come, and he wrote to Philadelphia’s Banneker Institute explaining his reasons for enlisting and entreating them to do likewise. Perhaps he felt compelled to do so by reports that prominent black Philadelphians like Octavius Catto and Isaiah C. Wears had opposed immediate enlistment. Johnson now rejected the proposition that past wrongs ought to make black men reticent to serve, telling his Philadelphia acquaintances that when they were “called upon as I hope you will be to come to the rescue of your country and your brothers in chains do not be found wanting in the request do not excuse your selves from such a pleasant duty because injustice has bin meet out to you continusley by a perverted and faulty Government…”223 It is unclear what changed Johnson’s thinking, but the fact that a black man already wearing Union blue found the question of service so vexing highlights the degree to which the war and the prospect of service forced black men to search their souls as to their proper course.

In addition to mavericks like Johnson, black men served in the Union Navy from the war’s outset. Continuing its pre-war policy of enlisting black sailors, the Union Navy welcomed black recruits, free and enslaved. From the war’s earliest days, slaves reached Union ships and naval installations and enlisted alongside white and free black sailors. Black men in the Union Navy dealt with racism in the ranks, but often enjoyed

substantial equality with white sailors, usually serving in integrated crews, receiving equal pay, benefits and living conditions, and having access to promotion.\(^{224}\) Black enlistment, Steven J. Ramold has written, was a “godsend” to Navy Secretary Gideon Welles, who faced the formidable task of establishing an effective blockade of Confederate ports and rivers. The Navy’s policy elicited little comment. This silence likely stemmed from the fact that the pre-war navy had enlisted black men, and thus no new law or change in policy drew particular focus to black naval service. That black sailors spent long periods at sea or in a small number of Eastern naval yards and were literally not as visible to the Northern public as black infantry troops later would be, combined with Americans’ generally low estimation of the Navy and those who served in it to quiet criticism. Black service was happening in 1861, but it occasioned relatively little comment in the black press.\(^{225}\)

Black men who supposedly fought for the Confederate Army elicited far more comment from black Northerners than did the few black Union soldiers like Johnson or the black sailors already engaged in the federal cause. Rumors of black Confederate regiments fighting in the war’s early battles were false or greatly exaggerated; aside from the small number of body servants who in the heat of battle grabbed a rifle or were forced by their masters to fight, black men did not join the Confederate Army until the war was nearly lost in March 1865. At this juncture, Confederates impressed enslaved black men to work as laborers on fortifications or in other support functions.\(^{226}\) Black Northerners

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\(^{224}\) Orders authorizing navy recruiters to enlist fugitive slaves, however, did specify that they be given the demeaning rank of “boy” and mandated lower monthly pay than other sailors received. See Ramold Slaves, Sailors, Citizens, 41.

\(^{225}\) Ramold, Slaves, Sailors, Citizens, 4-5, 36-43, 82-83.

\(^{226}\) On rumors of black troops at First Bull Run and their impact on Northern opinion regarding slavery, see Glenn David Brasher, The Peninsula Campaign & the Necessity of Emancipation: African Americans & the Fight for Freedom (Chapel Hill: University of North Carolina Press, 2012). On black service for the
knew that Confederates used their slaves in auxiliary roles similar to those free black men and fugitive slaves played in the Union war effort; they also talked, however, of rumors of black Confederate soldiers. William H. Johnson claimed that black Confederate regiments had fought along Bull Run Creek. The Confederate victory at Bull Run was “not alone the white man’s victory[,]” he claimed, “for it was won by slaves. Yes, the Confederates had three regiments of blacks in the field, and they manoeuvered like veterans, and beat the Union men back.” Johnson likely believed that he had seen black regiments fighting in the Confederate service – perhaps seeing a small number of black men with guns in hand and extrapolating, or in the heat of battle confusing white men, their faces darkened by powder, smoke and sweat, with black men – or had heard stories about these black regiments from someone he considered a reliable source. In any case, black Northerners reading his account of the battle and other repetitions of the rumor that the Confederate army was enlisting black men could, even if they doubted these tales’ veracity, not be sure they had no or little truth to them. They knew all too well, by contrast, that Northern officials would not brook black service.

It may be tempting to look at men like Johnson and the black sailors who served the Union Navy from the war’s earliest days and see slight cracks in the façade of Confederacy, see Bruce Levine, “In Search of a Usable Past: Neo-Confederates and Black Confederates,” in Slavery and Public History: The Tough Stuff of American Memory, eds. James Oliver Horton and Lois E. Horton (New York: New Press, 2006), 197. Levine surveys attempts by neo-Confederate historians to falsely claim that Confederate armies employed tens of thousands of black men as soldiers during the course of the war. Levine has written the definitive account of Confederate emancipation policy and Southern black enlistment, which resulted in, at most, a few hundred black men donning the Confederate uniform by the time of Robert E. Lee’s surrender in April 1865. See Bruce Levine, Confederate Emancipation: Southern Plans to Free and Arm Slaves During the Civil War (Oxford: Oxford University Press, 2006).

Northern racism that would inevitably widen as the war intensified and lead to large-scale black enlistment. Such a reading of the fact that black service was happening on a small scale in 1861 would depend entirely on hindsight and knowledge of the war’s conclusion; black Northerners lacked such a perspective, and could only interpret events as they happened. They discussed the war constantly, but by the end of 1861 had achieved no consensus regarding enlistment or their potential place in the war. Some signs from the federal government encouraged them; others discouraged them. Southern slaves were finding freedom behind Northern lines, but Lincoln and Northern officials continued to deny black men the chance to fight and had not committed themselves publicly to slavery’s destruction. Frederick Douglass conceded as much in January 1862: “Up to this hour, nothing of a straightforward, tangible and substantial indication of the abolition of slavery has come from Congress, Cabinet, or Camp,” he wrote. Uncertainty concerning the war and future Union policy, combined with their analysis of black service in earlier wars and the government’s treatment of black Americans, caused black Northerners to develop a range of positions regarding enlistment. Some led drilling companies and advocated volunteering as soon as Union authorities adopted black enlistment. Others angrily denounced enlistment, refusing to serve a country that treated them poorly and had forsaken black veterans of earlier wars. A third group envisioned serving at some future juncture and began to consider what the government might do to justify their enlistment. All shared a desire to use military service to achieve a goal far higher than maintenance of Union, hoping they might use the opportunity the war provided to achieve a nation that lived up to their aspirations.

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228 Quoted in Blight, Frederick Douglass’ Civil War, 151.
A sermon delivered by Philadelphia’s Reverend William Douglass perhaps best encapsulated the mix of promise and uncertainty, hope and disappointment, with which black men viewed the Northern war effort and enlistment as the war entered its second calendar year. Douglass saw hope in the war, believing it represented God’s punishment for the national crime of slavery and that it would accomplish slavery’s destruction.

When he noted that the federal government had rebuffed black Northerners’ attempt to enlist, he maintained that “[people of color] had…[no] ground for complaint on that score.” In refusing to enlist black soldiers, Douglass explained, the War Department had simply acted in accord with Justice Taney’s finding in the *Dred Scott* decision – the United States did not recognize black men as citizens, and as such did not require them to protect the nation in its time of need. Black men might fight, but as any citizenship they enjoyed arose from their states of residence, they should only do so if those states suffered invasion; black men should only fight for political entities that recognized them as citizens. Douglass set government recognition of black citizenship as the price of black service, arguing that black men were not obligated to show military allegiance to a nation that denied them citizenship.²²⁹ As 1861 closed, only time would tell whether the nation would do anything to recognize black citizenship, and whether black men would hold to the politics of service by forcing the government to meet their demands before enlisting in its service.

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Chapter Three

1862: Delay

As Congress readied to convene in December 1862, the Washington, D.C.-based AME minister Henry McNeal Turner anticipated the upcoming session with nervousness and expectation. Turner was a relatively recent arrival to the federal district. Born free in South Carolina, he had determined to escape the fieldwork that his family’s financial needs had forced him to perform as a young man. With the help of friendly whites, Turner learned to read and become an itinerant minister in the employ of the white-run Methodist Episcopal Church-South. In 1858 he learned of the black-controlled AME discipline; he switched his theological allegiance and by 1860 had become an AME deacon. That same year, church elders appointed the young clergyman to the capital’s largest black church, Union Bethel. Turner quickly established himself as a leader in the district’s black community; in early 1863, a correspondent to the Christian Recorder reported that he was “regarded as the Henry Ward Beecher among the colored people of Washington.”230 The minister cultivated friendships with leading Radical Republicans like Charles Sumner and became an astute political observer. The upcoming congressional session, he predicted, would “touch the nation's heart-strings more than any previous one,” and African Americans’ destinies rested upon its outcome.231

The national mood worried Turner; many supposedly loyal white Northerners opposed emancipation and would rather, he wrote, “see the nation severed to atoms, than that the oppressed should go free.” Lincoln had issued his preliminary Emancipation

230 J.W.H. to Editor, Christian Recorder, January 24, 1863.
Proclamation some two months before, but it had not changed white Northerners’ attitude toward emancipation and African Americans. Turner knew that white opposition to emancipation might prevent the Union war effort from moving in a decisively anti-slavery direction and fulfilling black Northerners’ aspirations. Lincoln had issued his Proclamation, Turner wrote, but “the hearts of the peoples have not,” and he warned that if white Northerners failed to embrace emancipation, “God will blow out the sun, burn up the sea, and thunder his wrath abroad.”

As 1862 progressed, debate over service did not consume the black community the way it had the previous year. Black Northerners’ discussion of service slackened as winter turned to spring of 1862, likely in response to their belief that the Union had won the war. As Confederate fortunes revived after June 1862, black Northerners saw that the war’s end was not imminent and again took up the question of service. As they did so, many black leaders and institutions expressed support for the delayed-enlistment position – even Alfred M. Green in 1862 argued that black men should only fight under certain conditions. In the second half of 1862 black Northerners increasingly embraced the delayed-enlistment stance because, alongside the Union’s substantial anti-slavery progress, Union officials and white Northerners continued to express hostility toward African Americans and their presence in the United States. Lincoln issued his preliminary Emancipation Proclamation in 1862, but he also advocated black colonization. White Northerners violently targeted black communities in several cities, herding black men into mule pens and forcing them to labor on city defenses in one especially shocking incident in Cincinnati. These outrages suggested that white Americans viewed their black counterparts as non-citizens and that the Union that would

emerge from the war was not the Union black Americans desired, and they caused some black Northerners to remain wary of enlistment.

As 1862 concluded, black Northerners were excited by Union officials’ gradual implementation of new, public anti-slavery policies but remained frustrated that Union policymakers refrained from embracing abolition. Republican congressmen had worked to encode their belief in “freedom national” into law: they abolished slavery wherever they could and passed new confiscation legislation, widening the federal government’s authority to seize rebel slaves. And Lincoln’s preliminary Emancipation Proclamation promised to free all slaves in Confederate-held territory on January 1, 1863. Despite these positive developments and the war’s mounting toll, by December 1862 the North had not committed itself to slavery’s destruction. And although Congress legalized black enlistment in July, white Northerners enlisted few black soldiers and did nothing to suggest that black service might bring black rights or citizenship. Despite the cheering developments 1862 witnessed, as the year ended, the Union’s attitude toward slavery and African Americans remained unresolved. Union officials had moved the nation closer to realizing black Americans’ goals, but had not unambiguously embraced black freedom, rights or citizenship. As a result, while they anxiously awaited Lincoln’s final proclamation, many black Northerners argued that black men should not enlist until the nation committed to do them justice.

Historians have paid little attention to black Northerners’ evolving perceptions of the war during the conflict’s second year, concentrating instead on Union officials’ anti-slavery progress and the formation of the first black regiments in South Carolina, Kansas and Louisiana. Seemingly they have operated under an assumption that because federal
officials did not in 1862 alter their policy on large-scale black service, black Northerners’ perceptions of the war – and the willingness to enlist immediately they had expressed in Sumter’s aftermath – changed little if at all. Kate Masur has identified a similar tendency among historians to assume that, by 1862, black Northerners had unified in their opposition to colonization, when in fact a sizable minority of black Northerners still favored colonization. In 1862 Northern black public opinion was unsettled about colonization, and it remained unsettled about enlistment, as many prominent black Northerners and institutions embraced delayed enlistment. Pragmatic analysis recommended delayed enlistment to black Northerners but it seems that, the longer the United States fought a brutal, taxing war and refrained from calling on black help, the more black Northerners felt the sting of Union refusal to enlist black troops, and anger, pride and self-respect reinforced pragmatism. Black Northerners did not achieve consensus on enlistment in 1862, but over the course of the year black leaders and institutions moved closer to a consensus on delaying enlistment, as numerous prominent publications, organizations and leaders urged black men only to enlist once the government had reformed itself or made guarantees of change.

Black Northerners had developed war aims that remained distinct from white Northerners’: they wanted a Union free of slavery in which they lived as citizens and possessed rights. Many of them felt that neither abolition in Washington, DC, nor the Second Confiscation Act, nor the Emancipation Proclamation would bring this Union into being. As their faith in quick Union victory dissipated, black Northerners resumed

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Kate Masur has noted “historians’ continuing tendency to represent black public opinion in 1862 as unified against emigration and to gloss over the substantive discussions the issue generated.” Historians have a similar tendency to gloss over substantive discussions of and disagreements over service. Kate Masur, “The African-American Delegation to Abraham Lincoln: A Reappraisal,” Civil War History 56, no. 2 (June 2010), 144.
debate about their place in the Union war effort, and many argued that the Union had still not done enough to inspire their enlistment. Black Northerners’ politics of service survived because the war continued to present black Northerners the chance to use enlistment strategically to win long-sought gains. As 1862 closed and Americans turned their eyes to Washington to see if Lincoln really would issue the emancipation edict he had threatened the Confederacy with, many black Northerners remained determined to set the price of black service at something higher than partial emancipation.

As the year began, Union policy toward black Americans and slavery continued to frustrate black Northerners. In addition to the previous year’s disappointments, they could by January 1862 add Lincoln’s dismissal of Secretary of War Simon Cameron to their list of grievances. Lincoln fired Cameron chiefly for the corruption and inefficiency that had made him notorious before the war and that continued during his Cabinet tenure; but in an attempt to curry favor with Republican radicals Cameron had, without Lincoln’s approval, talked in late 1861 of arming black soldiers. Anti-slavery Northerners, black and white, welcomed Cameron’s endorsement of black service and believed it had triggered his dismissal. Cameron’s departure, combined with the disappointments and affronts they had suffered in 1861, suggested to black Northerners that the Union war effort’s main goal remained restoring the antebellum United States, and that a Union victory would leave slavery alive and well.234

“Every thing that [Republicans] do,” cried the Weekly Anglo-African on January 4, “indicates a disposition to save the country at the expense of the rights of man,” and it

claimed that examples of this disposition were “too innumerable” to list. A few weeks later, the *Anglo-African* branded Cameron’s dismissal a “blow to Anti-Slavery, and a renewed proof of the constitutional (that is Pro-Slavery) conservatism of President Lincoln.” Pessimism suffused the influential newspaper’s analysis of the Union war effort: even if the Union embraced emancipation, the *Anglo-African* predicted that Northern officials would use it more to hurt white Southerners than to help the formerly enslaved, and would likely pair it either with colonization or post-slavery apprenticeships. “[S]uch emancipation,” claimed the influential newspaper, “is not worth the having.”

Speaking to the Massachusetts Anti-Slavery Society, Charles Lenox Remond echoed these sentiments in late January. African Americans, he said, were worse off than they had been during the American Revolution or the War of 1812. Black men had fought in those wars, but they were now disenfranchised. Even Massachusetts kept them from enlisting, and they were barred from wearing the federal uniform if they served in a non-military capacity. For these reasons, he “could see little to hope in our position at the present moment,” though he held that the United States could only subdue the rebellion when it did justice to its black population. On another occasion, Remond told the Society that the present state of affairs made him “blue,” daily reminding him that he

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236 “What of the Night?” *Weekly Anglo-African*, January 25, 1862. John Rock also believed Cameron’s dismissal resulted from his anti-slavery stance. “Some of our ablest and best men have been sacrificed to appease the wrath of this American god [slavery],” Rock claimed in January. “Then, there was Mr. Cameron, the hem of whose garment was not soiled with Anti-Slavery, except what he got from his official position, as it was forced upon his convictions. But, standing where he did, he saw the real enemy of the country; and because he favored striking at its vitals, his head was cut off, and that of a Hunker’s substituted!” See “Speech of John S. Rock, ESQ., at the annual meeting of the Massachusetts Anti-Slavery Society, Thursday Evening, Jan. 23,” *Christian Recorder*, February 22, 1862.
belonged “to a despised race, and one that was not loved by the American people.”

“Gracious God,” he asked, “who can the black man trust outside this hall? Who is there that cares for him? Nobody, nobody, so help me God.” Remond had not lost hope that the United States might yet recognize black manhood, pleading with his audience that “the country which recognize[d] Irishmen, Germans and English would also recognize the manhood of 4,000,000 blacks who are not foreigners, but who are born here, live here, are identified with the prosperity of the country, and have no desire for the success of any country but the land of their birth.” Remond felt disheartened as 1862 began, but the indignities black men had suffered since the spring of 1861 had not totally dispelled his hope that better times might be coming.

Black Northerners in 1862 continued to deplore the Union’s perceived reluctance to enact anti-slavery policies, but few joined black newspaper correspondent George Stephens in refusing to “cheer at the success of any man or nation that sanctions human bondage.” More typically, black Northerners criticized the Union war effort while hoping for its ultimate success. The victory of an insufficiently anti-slavery United States, they knew, was better for their interests than the triumph of a Southern Confederacy for which black slavery constituted a bedrock principle and way of life. In February, this consideration induced Frederick Douglass to support the Union cause while deploiring its “mortifying” slowness to attack slavery. It likewise inspired John Rock to tell the Massachusetts Anti-Slavery Society that although black men would refuse to enlist in Union armies if the government “continue[d] to deny us our rights, and

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238 “A Speech and a Comment,” Weekly Anglo-African, February 1, 1862.
240 “Speech of Frederick Douglass on the War,” Douglass’ Monthly, March 1862.
spurn our offers except as menials,” black Americans generally would stand by the
Union, and “wish [it] that success which [it] will not deserve.”241 Despite their
disappointment with Union policy, prominent black abolitionists like Rock and Douglass
looked past the Union’s insufficient anti-slavery zeal and supported the war effort,
something not all white abolitionists could do. By this point in the war, white
Garrisonians like Parker Pillsbury and Stephen S. Foster were urging abolitionists not to
support the Union until it had completely embraced abolition, no matter what anti-slavery
measures it might adopt. A schism on this issue developed within the Garrisonian
movement that saw erstwhile radicals like Garrison and Wendell Phillips move closer to
mainstream anti-slavery opinion in their willingness to support the Union pragmatically
rather than insist on doctrinal purity. No comparable schism divided black Northerners.
Having always prioritized policies that stood a practical chance of success over doctrinal
fidelity, black Northerners continued to view national affairs in pragmatic terms and
support the Union despite their frustrations with the war’s prosecution.242

During 1862’s first months, some of these frustrations melted away as Union
policymakers adopted ever harsher and public anti-slavery measures. Southern
legislators’ absence from Congress gave anti-slavery Republican congressmen freedom
to operate, and they advanced their anti-slavery agenda in several ways. In March,
Congress barred Union commanders from returning fugitive slaves to their masters,
openly formalizing the policy put into place the previous August by Simon Cameron. In
July, Congress passed the Second Confiscation Act, which widened the scope of the

241 “Speech of John S. Rock, Esq., at the Annual Meeting of the Massachusetts Anti-Slavery Society,
242 On this schism, see James M. McPherson, The Struggle for Equality: Abolitionists and the Negro in the
previous year’s confiscation legislation by creating several new mechanisms to free
slaves of rebel masters, including by a presidential proclamation. Republicans also
translated their belief in the principle of “freedom national” into federal law by
abolishing slavery and removing protections for it wherever Congress had the clear
authority to do so. Congress barred the federal government from enforcing the Fugitive
Slave Act; approved a treaty with Great Britain strengthening procedures for suppressing
the international slave trade; prohibited slavery in the federal territories; and, in April,
abolished slavery in Washington, DC.243

Not all positive developments regarding slavery and black rights came at
Congress’s behest. Lincoln embraced anti-slavery and black rights in new ways. On
March 6, the president sent a special “Message to Congress,” unveiling incentives to
induce Border-State slaveholders to cooperate with federally-sponsored compensated
emancipation, and he pressured Border-State congressmen to adopt his plan through mid-
summer. In a widely-read letter to *New York Tribune* editor Horace Greeley, Lincoln
affirmed that his primary goal remained preserving the Union, but stated publicly that he
would free “all the slaves” if he thought abolition could save the Union. Lincoln also
reversed federal policies that had stung black Americans by broadcasting white
Americans’ low estimation of them. He finally recognized the black republics of Haiti
and Liberia, and he allowed the State Department to issue passports to black travellers,
thereby allowing government officials to issue to African Americans a document that
Secretaries of State insisted were markers of their bearers’ citizenship.244

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244 Allen C. Guelzo, *Lincoln’s Emancipation Proclamation: The End of Slavery in America* (Simon &
Passport in America*, 129.
These developments buoyed black Northerners’ spirits, as did signs in the spring of 1862 that the war was creating positive change. Black Northerners rejoiced, for instance, that abolitionist speakers who had been assaulted the previous spring by angry mobs now spoke to enthusiastic, supportive crowds.245 “The emancipation thunder of Dr. [George] Cheever, which has shaken the Smithsonian, and the walls of the Capitol - the interest which it called forth, the general approval it received,” believed “Sacer”, one of the Christian Recorder’s Washington correspondents, “is certainly a harbinger of the good times coming, when a man shall be considered a man, whether his face be black or white, his hair woolly or straight, his nose flat or sharp, his lips thick or thin.”246 Another of the Recorder’s correspondents concurred, citing Wendell Phillips’ ability to speak without molestation in Washington as “evidence of the radical change which has occurred in public opinion on the subject of slavery, and an indication of the future triumph of the principles of common justice and humanity.”247 Black Northerners also witnessed firsthand some of the ways in which the war was undermining slavery. Sacer traveled with the New York minister James Gloucester to Alexandria, Virginia, where touring this former “monument of the barbarism of slavery” was “enough to make any colored man enthusiastic.” Sacer and Gloucester saw former slave pens turned into army hospitals and stores and watched black men and women enjoying, Sacer claimed, nearly all the same rights as whites. They departed “highly impressed with the wonderful change which was fast taking place on old ‘Virginy shore.”248

245 On white abolitionists’ reactions to their newfound popularity and abolitionism’s sudden respectability in the North, see McPherson, Struggle for Equality, 81-86; Sinha, “Allies for Emancipation? Lincoln and Black Abolitionists,” 179-180.
Legislative advances cheered black Northerners as well, none more so than emancipation in Washington, DC, long an abolitionist goal. The prospect of emancipation in the District caused “Observer,” a DC correspondent of the _Recorder_’s, to proclaim in late March that God was directing events and would “accomplish His own will…which will prove abundantly worthy the Divine administration, and promotive of [African Americans’] own true, best, and most enduring interests.”

Around the same time, Sacer wrote that the “[t]he heart of the colored man almost swells to bursting as he views the wonderful change taking place in his civil relation to the American nation.” He looked forward to the war’s end and spoke of black Northerners’ duty to help the freedmen adjust to their new condition.

Black communities throughout the North held mass meetings celebrating DC emancipation, passing resolutions thanking the President and Congress for the bill and pledging their devotion to the Union cause. On April 6, three days after the DC emancipation bill passed the Senate, Frederick Douglass gushed to Massachusetts Senator Charles Sumner: “I trust I am not dreaming but the events taking place seem like a dream.”

Black Northerners also rejoiced at the Lincoln administration’s decision to issue passports to black travellers. Some believed that this policy shift by itself embodied national recognition of black citizenship. As early as September 1861, when Henry Highland Garnet acquired a passport, the _Christian Recorder_ had crowed that the minister had departed New York “with a regular passport of citizenship, signed by W.H.

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Seward, Secretary of State.” Taking aim at black citizenship’s chief antagonist, the Recorder added, “This fact must fill Judge Taney with horror.” Speaking in England in 1862, the Boston minister J. Sella Martin and a white ally used the passport issue to answer complaints that the Union had not embraced anti-slavery sufficiently. After Martin defended the Union’s anti-slavery credentials, another speaker, Joseph E. Horner, echoed Martin’s defense of the Union. Horner announced that while Martin was in England, US ambassador Charles Francis Adams had issued Martin what Horner erroneously believed “was never granted to a colored man before…a passport as a CITIZEN OF UNITED STATES.” It seems fair to speculate that Horner used Martin’s passport to support Martin’s pro-Union arguments because he had heard Martin himself emphasize his possession of the document and its implications for his citizenship. By summer 1862, the Indiana AME clergyman Willis R. Revels included “the fact that within one short year our citizenship has been re-affirmed by the government” among a list of reasons for opposing black emigration to Haiti. Revels did not specify which government actions had recognized black citizenship, but it seems fair based on his wording to guess that Revels may have referred to the passport issue. Revels’ contention that the government “re-affirmed” black citizenship may have referred to the fact, known at least to black Northerners, that the United States had on two occasions granted passports to black men before the war. In any case, by mid-1862, some prominent black Northerners felt the federal government had already recognized black citizenship,

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253 “Martin’s Farewell to England,” Liberator, February 28, 1862.
254 W.R. Revels, “Eight Reasons for Objecting to the Haytien Scheme,” Christian Recorder, July 5, 1862. Revels was the brother of Hiram P. Revels, who would after the war take Albert Gallatin Brown’s old Senate seat, the first black man ever to serve in the US Senate. Wayman, Cyclopaedia of African Methodism, 133-134.
255 Robertson, The Passport in America, 132-133.
and they appreciated its willingness to provide black travellers with a document affirming their citizenship before the world.256

As black Northerners enjoyed the anti-slavery advances Lincoln and Congressional Republicans authored in the spring of 1862, they stopped discussing enlistment with the same frequency as in the previous year. Not all discussion of black service ceased; in multiple speeches, John Rock speculated that tensions between Great Britain and the United States might cause war and urged black men to enlist in this event, though he maintained that their service would be predicated on equal treatment.257 Nevertheless, the flurry of discussion over the prospect and advisability of black enlistment that took place after Sumter and continued throughout 1861 declined markedly during 1862’s first few months.

Two factors explain why black Northerners’ discussions of enlistment tapered off in early 1862. First, the politics of service had made an impression, and by 1862 some black Northerners had simply become convinced that they should not enlist unless guaranteed something in return. More importantly, Union successes in the spring of 1862

256 Of course, not all black commentators were cheered by the aforementioned developments in spring 1862. For continued skepticism about Lincoln and the Union war effort, see “Essex Co. Anti-Slavery Convention and Pic-nic,” Liberator, July 25, 1862; Henry McNeal Turner, “The Plagues of This Country,” Christian Recorder, July 12, 1862; J.W.P., “Colored Men in the Revolution and in the War of 1812,” Christian Recorder, May 10, 1862; untitled article, Pacific Appeal, June 14, 1862; untitled article, Pacific Appeal, June 21, 1862. William J. Watkins, who had soured on the Union war effort, had not warmed to the prospect of black service by summer 1862. McNeal Turner reported Watkins as saying of black service that African Americans “might sing[,] ‘In Dixie's land we take our stand, We will live and die in Dixie's land.’ But living and dying is about all we ever would do in this country. We might stay to fight it out, as many had said, but how men could fight without arms he could not see, and he knew the colored people had none in this country. He stated that many who had claimed to be the colored man's friend, were actuated with a desire to rid the country of the negro, and that there were not five leading men in this country who desired to see the negro on an equality with the white, and that one thousand years would not secure one colored man the nomination for President.” See Henry McNeal Turner, “Letter from Washington,” Christian Recorder, June 28, 1862.

caused many Northerners, white and black, to believe that the war’s end was near at hand. From January through early June, Union armies won a nearly unbroken string of successes. Ulysses S. Grant, the North’s newest hero, took Forts Henry and Donelson on the Tennessee and Cumberland Rivers; Union forces captured New Orleans, Nashville, the sea islands off North Carolina and the critical rail junction of Corinth, Mississippi; Grant again emerged victorious at the bloody Battle of Shiloh; and by late May George McClellan had advanced his massive Army of the Potomac within six miles of Richmond, the Confederate capital. To many observers, even many Southerners, the Confederacy appeared to be on its last legs. Confederate authorities reacted to the crisis by passing national conscription legislation and enacting martial law; Union officials believed victory so assured that they released political prisoners and suspended recruiting.258

Black Northerners eagerly anticipated the Confederacy’s imminent collapse. The Pacific Appeal, a new San Francisco black newspaper, declared the Confederacy all but dead in early April. Peter Anderson had founded the Appeal. Anderson was a black Philadelphian who, like William H. Newby, had headed west to California after the discovery of gold. He had become involved in efforts to improve black education, participated in the state convention movement, and had worked with Newby on the defunct Mirror of the Times. He founded the new paper to give voice to California’s growing black community.259 “The end is fast approaching,” his journal declared. “Victory after victory perches on the banner of the Union….”260 The Christian Recorder

258 On this period of the war, see McPherson, Battle Cry of Freedom, 392-437, 454-462.
259 On Anderson, see C. Peter Ripley et al., eds., Black Abolitionist Papers: Volume V, United States 1859-1865, 185-186n; Lapp, Blacks in Gold Rush California, 219-220.
welcomed the “culmination, decline and inevitable swift approaches of the final overthrow of the Rebellion,” and thanked Providence for securing “us against a second year of [the war’s] awful ravages, and [settling] our National existence on a stronger and better foundation than ever.” 261 Sacer agreed in May, speaking of the “auspicious circumstances” that prevailed: “the war [was] nearing its close,” he said, and black Americans could rejoice that “legislation in behalf of colored people, to relieve them of the crushing disabilities of many years, is in active progress…” With the war ending, black Northerners saw little need to contemplate black service, and they abandoned some of the vitriol toward the Union cause they had expressed in 1861 and early 1862. Union officials had not proclaimed universal abolition, slavery lived in both the Confederacy and the Union, and discriminatory laws and practices still plagued black Northerners’ daily existence. Nevertheless, the slaveholders’ rebellion was doomed, and it had been productive of legislative and executive actions that heightened black Americans’ hopes for further positive change. The war had not brought the Union they desired into being, but it had done enough to leave black Northerners anticipating its end feeling sanguine.

The rosy military picture that helped inspire this feeling did not last long. On June 1, following the Battle of Seven Pines, Robert E. Lee took command of the Army of Northern Virginia and vowed to defend Richmond. Lee seized the offensive, fighting several battles in late June known as the “Seven Days.” The Virginia general lost all but one, but his aggressive tactics and the heavy casualties McClellan’s army suffered convinced the Union commander to retreat to the James River. In the late summer and fall the Confederacy pursued the offensive. Lee defeated Union forces at the Second Battle of Bull Run in late August and then invaded Maryland, and Confederate armies.

261 “Review of the Past Year,” Christian Recorder, April 26, 1862.
invaded Tennessee and Kentucky as well. None of these offensives gained Southerners much strategically, but Americans North and South saw that the crisis of Confederate existence had passed, and that the war would continue. In response, Lincoln issued a new call for troops in June. Seeing that only heavy fighting would subdue the slaveholders’ rebellion, black Northerners revived the debate over enlistment that had occupied so much of their attention the previous year.

As black Northerners considered enlistment anew, Congress made black service legally possible, passing the Second Confiscation and Militia Acts on July 17. Section 11 of the Confiscation Act authorized Lincoln to “employ as many persons of African descent” as he deemed necessary and “organize and use them in such manner as he may judge best for the public welfare.” The Militia Act repealed the 1792 ban on black militia service, allowing Lincoln to employ black men for “any military or naval service for which they may be found competent,” although it seemed primarily to contemplate black men serving as non-combat laborers. Some black Northerners rejoiced at the bills’ passage, embracing without qualification the chance to serve. The *Pacific Appeal* betrayed no hint that its editors had been influenced by their deceased fellow Newby’s attitude toward black service. The newly-founded sheet gloried in the fact that, “The Negro is at last acknowledged as a part of the effective force of the country,” and predicted that black combat troops would follow black laborers into the federal service.

For other black Northerners, these laws changed little, and prominent black Northerners and institutions stuck to the delayed-enlistment position in spite of them.

After all, neither law mandated any improvement in black rights or status in return for

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262 On this period of the war, see McPherson, *Battle Cry of Freedom*, 463-480, 490-494, 511-537.
263 *U.S. Statutes at Large, Volume XII*, ed. George P. Sanger (Boston: Little, Brown, 1863) 592, 599.
black service. Elisha Weaver’s *Christian Recorder* pronounced the Confiscation Bill’s black-service provision “good enough, and right,” but asked:

> What provision has Congress made, or empowered the President, in relation to guarantying to the colored people of this country full protection from her laws, and the privilege of enjoying all the rights accorded to other human beings in the United States of America? If provisions are made satisfactorily to our mind, we will frankly state that there is no class of people in this country who are or will be more loyal in every sense of the word than the colored people, or who will do as much service and honor to this - the country of their BIRTH.

The *Recorder* placed a capital “IF” in the path of black service, putting the onus on federal officials to satisfy black Northerners’ demands: full protection of the laws and equal rights. Henry McNeal Turner looked askance at these new laws and doubted their potential to inspire black enlistment. If the government were to enlist black regiments, “[t]his [was] very well as far as it goes,” Turner wrote a few days before the bills became law, but he predicted that it would “have a hard time raising negro regiments to place in front of the battle or anywhere else, unless freedom, eternal freedom, is guarantied to them, their children, and their brethren. To talk about freeing only those who fight and should happen to escape the ball, is all gammon. If our people have not got too much sense for that, they have too much instinct; at all events they will not do it.”

Weaver and Turner both suggested that pragmatic judgments would govern black Northerners’ reactions to the chance to serve. Black Northerners might enlist, but the Second Confiscation and Militia Acts did not meet the price they determined to extract in return for their service.

Congress’ legalization of black service gave the question of black service renewed vitality, and debate between immediate- and delayed-enlistment advocates resumed. Frederick Douglass still supported immediate enlistment, wondering why

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266 Henry McNeal Turner to Editor, *Christian Recorder*, July 19, 1862.
Lincoln waited to organize black regiments. “Where are the regulations which the President was to frame for the organization of the blacks in the service of the government?” he asked in August. “Nobody expects that these laws are to remain a dead letter; they were not passed to be neglected and suffered to become obsolete.” Other black Northerners followed Turner in demanding improvements in black rights and status in return for black service. Douglass’ son Lewis, William H. Johnson, and white abolitionist Daniel Ricketson oversaw an August First celebration in Myrick’s Station, Massachusetts where black Northerners qualified their support for enlistment. They coupled black service with government recognition of black citizenship, and called for the removal of “all disqualifications from our statute books relative to the full recognition of the colored man’s right to citizenship, and particularly for the end and purpose of enrolling him as a soldier upon equal forms with all other citizens.” The Christian Recorder urged black men to embrace the politics of service, and in early August it paired black service with citizenship rights in stark terms:

Now we will say that the negroes have no inclination to want to lose their lives; to want to be shot down like bullocks. Not a bit of it. They would rather serve God, and provide for their families, than to shoulder the musket and go before the Confederate army, who have been making preparations for this struggle for years, and are now well fortified. But if the Union wants our aid, as citizens of the United States, and gives us the rights of men, there is not a colored man but what will readily shoulder his musket, and this Rebellion will soon cease - universal liberty proclaimed to all men, and the Union restored. 268

Black men would serve, said the Recorder, but only as rights-bearing citizens fighting for a Union that embraced “universal liberty.”

At another First of August gathering in Massachusetts, John Rock and William Wells Brown displayed black Northerners’ pragmatic evaluation of the opportunity the war presented them and deep-seated anger over their treatment. Rock predicted that

267 Frederick Douglass, “What the People Expect of Mr. Lincoln,” Douglass’ Monthly, August 1862.
268 “War. – Mobs,” Christian Recorder, August 9, 1862.
black Northerners would fight, but he also talked with feeling about how persecution and prejudice stifled black ambition. Though enfranchised, black Bostonians remained “colonized,” denied good jobs and houses by white prejudice. Rock assured his listeners that such limitations could not continue should black men enlist: surely, the government would not “be mean enough to force us to fight for your liberty, (after having spurned our offers) – and then leave us when we go home to our respective States to be told that we cannot ride in the cars, that our children cannot go to the public schools, that we cannot vote.” Rock did not quite say that black men would not fight until the government guaranteed to end the discrimination they deplored, but he coupled black service with expanded black rights.

Brown followed Rock and, seizing on a theme black Northerners had developed since the war’s first months, gloried in Union arms’ recent setbacks. Pragmatism, anger and resentment fueled Brown’s remarks. “Everything,” he said, “…looks bright for us, while everything is dark for the Republic.” The war had gone on long enough, Brown believed, that the Union could not triumph without emancipation. Brown recognized the truth that present-day historians have also seen: that while Robert E. Lee’s spring 1862 offensive preserved the Confederacy, it had also preserved the possibility that the war might evolve into a struggle for something greater than Union, in which the nation might be changed fundamentally and for the better. “If the rebellion had been crushed,” the former slave explained, “as was intended by the President and his Cabinet, and the Union as it was restored, the black man would have been left just where he was ten, fifteen or twenty years ago; but the war has gone on until there seems not to be a possibility of putting down the rebellion without giving the black man his freedom.” Black men should
enlist if the Union unambiguously embraced black freedom. “[I]f the Government,” said Brown, “will only…proclaim freedom, and declare that it will receive any who shall come forward and offer to do battle for liberty, I believe that black men will rush from the North, and black men, formerly slaves, will rush from Canada, and, more numerous than all these, there will rise up in the Southern States black men with strong arms…”

The new laws authorizing black service generated renewed debate over enlistment and seem to have heightened tensions regarding this issue; now that the Union could legally enlist black troops, the stakes involved in black Northerners’ debate over service had increased. In the nation’s capital, disagreements related to service degenerated into violence. On July 27, black Washingtonians attempted to convene a “great war meeting of the colored people” at the Asbury AME Church for the purpose of organizing a black regiment. The meeting ended abruptly, however, when Asbury’s trustees refused to open the church’s doors after learning the meeting’s purpose. The parishioners who favored black service remained determined to hold their meeting, and attempted to convene it on the church steps, “but,” reported Henry McNeal Turner, “the Trustees here seemed to rout them again, and finally the crowd dispersed.” According to Turner, the violence between the anti- and pro-enlistment factions turned so serious that an Asbury trustee who attempted to block the church door confronted vicious resistance, escaping with his life only through the “logic of fleetness.” Asbury’s trustees opposed enlistment, but many black Washingtonians apparently favored it: Turner had learned that many black

269 “Celebration of the First of August, at Island Grove, Abington,” Liberator, August 15, 1862. Henry McNeal Turner also acknowledged that Northern defeats were helping the cause of black freedom. “The truth is,” he wrote on July 9, “every victory the Southerners gain tends to loosen the chains of slavery, and every one the Northerners gain tends only to tighten them, and it will be so till the North is brought to her senses. And God’s plan of teaching her sense is through Southern victories.” See Henry McNeal Turner to Editor, Christian Recorder, July 19, 1862.
Washingtonians thought that “the nation…freeing them and giving them their word in law equal to any person, white or colored, is a sufficient favor for them to return a corresponding compliment in aiding the Government in putting down its rebels.”

If newly-freed black Washingtonians believed the time had come to enlist, other black Northerners remained unsure in late summer 1862. Numerous aspects of the Union war effort and wartime North continued to trouble black Northerners. Republican politicians, especially in the Midwest, still couched their anti-slavery policies in language that denigrated black Americans. Prominent Republicans, including the Postmaster General Montgomery Blair, embraced black colonization; both the Second Confiscation Act and the DC emancipation bill contained funding for colonization schemes. Racist violence flared in Toledo, Chicago and Cincinnati, and black Kentuckians complained of harsh treatment from Union officials. Perhaps most galling was Lincoln’s treatment of anti-slavery General David Hunter, which seemed to reprise his dealings with John C. Fremont the previous year. In early May, Hunter, the newly-named commander of the Department of the South, abolished slavery in Florida, Georgia and South Carolina despite the fact that he controlled little territory in these states; as with Fremont, Lincoln

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271 On colonization appropriations in these acts, see Oakes, Freedom National, 280. On Republicans’ embrace of colonization and continued white supremacist rhetoric, see Voegeli, Free But Not Equal, 19-29, and on Midwestern racial violence, 34-35. On complaints about mistreatment in Kentucky, see “An Observer,” “Letter from Kentucky,” Christian Recorder, April 5, 1862. Black Northerners complained at various times during 1862 of black civilians being mistreated by Union soldiers. Racism among Union soldiers incensed Henry McNeal Turner. On September 19, 1862, he wrote that, “the latest round of Union recruits are all the time cursing and abusing the infernal negro, as some say, neger. In many instances you may see a regiment of soldiers passing along the street, and knowing them to be fresh troops, you may (as it is natural) stop to take a look at them, and instead of them thinking about the orders of their commanders, or Jeff. Davis and his army, with whom they must soon contend, they are gazing about to see if they can find a neger to spit their venom at. And I believe it is to kill off just such rebels as these that this war is being waged for, one in rebellion to their country, and the other in rebellion to humanity, for that man who refuses to respect an individual because his skin is black, when God himself made him black, is as big a rebel as ever the devil or any of his subalterns were…” See Henry McNeal Turner, “Affairs in Washington,” Christian Recorder, September 27, 1862.
forced Hunter to modify his edict. James Oakes has cautioned modern readers not to read
Lincoln’s action as evidence of hostility to emancipation. Lincoln only forced Hunter to
bring his order into compliance with the First Confiscation Act, whose emancipatory
terms were being exceeded anyway. Additionally, Lincoln’s revocation order threatened
Border-State slaveholders with uncompensated compensation if they failed to abolish
slavery themselves. Still, for black Northerners to see another anti-slavery general
publicly rebuked was surely disheartening despite the ways in which anti-slavery seemed
on the march.  

In August, Lincoln joined conservative Republicans like Montgomery Blair in
proposing black colonization; the president’s proposal suggested that any black soldiers
who fought for the United States might not have a place in it in the war’s aftermath. On
August 14, 1862, Lincoln summoned five prominent black men to the White House.
Prior to this meeting, Lincoln had sent James Mitchell, a colonization agent, to meet with
black Washingtonians at Henry McNeal Turner’s Union Bethel Church. Turner did not
attend this meeting, but representatives from the district’s other black churches did.
Mitchell told them that the president wanted to discuss colonization with a delegation
representing black opinion on the subject. Black Washingtonians objected to the premise
that a small group could represent the interests of millions of African Americans, but
chose five representatives: Edward M. Thomas, John F. Cook Jr., John T. Costin,
Cornelius Clark, and Benjamin McCoy. “All,” Kate Masur has written, “were members
of Washington’s well-educated and well-organized antebellum black elite” – ministers,
teachers, cultural and intellectual leaders involved in various black civil-society
institutions. Turner reported that the summons made black Washingtonians “frantic with

excitement,” some fearing that Lincoln intended to forcibly deport black Americans. Wild rumors circulated regarding Lincoln’s intentions: “every imaginable idea, however absurd to common reason it might be, seemed to have gained a respectable idea of currency in the mind of some class of thinkers.” If some feared what Lincoln’s summons portended, others likely viewed the invitation optimistically. Just a few months earlier, AME bishop Daniel Payne had met with Lincoln, Republican leader Carl Schurz and Illinois congressman Elihu Washburne, and the meeting had gone well. When Payne assured Lincoln that he could count on “the prayers of the colored people” in the ongoing struggle, Lincoln had expressed “a hearty wish for the welfare of the colored race,” and Payne left the encounter “favorably impressed” with what he had heard. So when word got out that Lincoln wanted to meet with a committee of black men, it likely inspired both fear and hope.

Anyone who thought Lincoln might express support for abolition or black rights and citizenship was sorely disappointed when the meeting’s transcript became public. Rather than blaming slavery for the war, Lincoln blamed slavery’s victims, insisting that, “But for [the black] race among us there could not be war.” Lincoln called slavery the “greatest wrong inflicted on any people,” but insisted that white racism ran so strong that, even after it ended, black Americans would remain “far removed from being placed on an equality with the white race”; total separation of the races would be the most beneficial outcome for all involved. To achieve this separation, Lincoln wanted to colonize black Americans in Central America. He urged black Americans to emulate the

revolutionary generation by undergoing “hardships” and “[sacrificing] some of your present comfort” for the good of their race – to do otherwise would be “extremely selfish.” Lincoln argued forcefully for the impossibility of the black and white races living together, but he did not suggest forced deportation as had other Republican figures. The colonization he envisioned would be strictly voluntary. Nevertheless, the president’s performance did not suggest that the Union black Americans wanted to emerge from the war was in the offing.²⁷⁶

Historians have taken great pains to explain Lincoln’s harsh words, especially in light of the fact that Lincoln had already decided to issue his Emancipation Proclamation. Lincoln had publicly supported colonization since the 1850s, and scholars have suggested that Lincoln wanted to use the meeting to soften white Northerners’ opposition to emancipation by pairing it with colonization. White Northerners, Lincoln thought, would find emancipation accompanied by mass departures of freed slaves palatable. Biographer David H. Donald explained Lincoln’s actions in these terms. Donald acknowledged that Lincoln’s belief in colonization’s desirability was “heartfelt,” but characterized the meeting as “a shrewd political move, a bit of careful preparation for an eventual emancipation proclamation” Lincoln knew would be rejected by most.²⁷⁷ Likewise, James Oakes has argued that Lincoln’s performance this day was uncharacteristic in so many ways – he made sure a newspaper reporter was present to record the interview, something he “never” did; he lectured his guests, rather than treating them as equals and

²⁷⁶ Foner, The Fiery Trial, 224-226; Masur, “The African-American Delegation to Abraham Lincoln,” 135-135. In November 1862, E.J.J., a black correspondent of the Pacific Appeal, remembered how African Americans in New Bedford, Massachusetts had felt prior to the ministers’ meeting with the nation’s Chief Executive. “We looked and felt hopeful,” he wrote. “We were sure of a welcome, for we were invited guests. The air we breathed seemed to be impregnated with humanity and love. The sun shone brighter and the birds sang more sweetly as we wended our way to the interview.” See E.J.J., “Acts of the Present Administration,” Pacific Appeal, December 6, 1862.
²⁷⁷ Donald, Lincoln, 367-368.
engaging in back-and-forth dialogue – that though he believed in colonization, his words must be read as something more than mere plugs for colonization: a “strong element of political calculation…haunted the meeting.”

It is impossible to determine the extent to which Lincoln suggested colonization as a way to introduce emancipation to segments of the Northern public that opposed it. The claim that this was Lincoln’s intention, however, is not mere historical revisionism developed by modern authors sympathetic to the president and anxious to dissociate him from colonization. In the meeting’s aftermath, Henry McNeal Turner saw it in terms nearly identical to Donald and Oakes. Writing to the Christian Recorder days after Lincoln issued his preliminary Emancipation Proclamation, Turner insisted that Lincoln held little enthusiasm for colonization:

…Mr. Lincoln is not half such a stickler for colored expatriation as he has been pronounced, (I am responsible for the assertion) but it was a strategic move upon his part in contemplation of this emancipatory proclamation just delivered. He knows as well as any one, that it is a thing morally impracticable, ever to rid this country of colored people unless God does it miraculously, but it was a preparatory nucleus around which he intended to cluster the raid of objections while the proclamation went forth in the strength of God and executed its mission.

In preparing the nation for emancipation, Turner maintained, the President needed “a place to point to,” and his desire to assuage white fears about former slaves inundating Northern cities explained his behavior in the August meeting with the District’s black leaders.® Historians have found the incident distasteful – Eric Foner called it “one of the most controversial moments of [Lincoln’s] entire career” – but the five black men who met with Lincoln did not seem particularly offended by Lincoln’s message or behavior. Their leader, Edward Thomas, told Lincoln his argument had been convincing: “We were

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278 Oakes, Freedom National, 308-310.
entirely hostile to the movement until all the advantages [of colonization] were so ably
tbrought to our views by you.”

Many other black Northerners reacted furiously to Lincoln’s plan. Douglass
branded Lincoln an “itinerant colonization lecturer,” writing that the president’s
“[i]logical and unfair” statements were “quite in keeping with his whole course from the
beginning of his administration up to this day, and confirm[ed] the painful conviction that
though elected as an anti-slavery man by Republican and Abolition voters, Mr. Lincoln is
quite a genuine representative of American prejudice and negro hatred and far more
concerned for the preservation of slavery, and the favor of the Border Slave States, than
for any sentiment of magnanimity or principle of justice and humanity.”

George B. Vashon, who had relocated from Syracuse to Pittsburgh to work as a public-school
teacher and principal, also took Lincoln to task in a public letter. Had African
Americans’ service in previous wars, he asked, not earned them a right to stay in the land
of their birth? Lincoln, Vashon asserted, knew the history of black service in the wars of
the early republic, and yet “when the banquet of Freedom has been spread, when the
descendants of the men who fought under Howe and Clinton, under Cornwallis and
Burgoyne, have with ostentatious liberality, been invited to the repast, the children of the
patriotic blacks who periled their lives at Bunker Hill, at Red Bank, and on many another
hardfought field, must be requested, not merely to take a lower seat, but to with draw
entirely from the table.”

Black Northerners had considered emigration for several

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282 George B. Vashon to Abraham Lincoln, *Douglass’ Monthly*, October 1862. On black Washingtonians’
enthusiasm for emigration to Chiriqui, in modern-day Panama, see Masur, “The African-American
Delegation to Abraham Lincoln,” 138-140. On Vashon, see C. Peter Ripley, et al. *Black Abolitionist
Papers: Volume III: United States, 1830-1846*, 321n. Other protests relating to Lincoln’s colonization plan
and the meeting with the DC black delegation include “Mrs. Frances E. Watkins Harper on the War and the
decades by 1862, and though some black Northerners’ enthusiasm for emigration waned with the onset of war, others embraced the idea, as evidenced by the “hundreds…likely thousands” of black Washingtonians who volunteered to emigrate to Central America in the August 14 meeting’s aftermath; black Northerners who opposed colonization could only see Lincoln’s proposal as a real threat.283

White violence in Cincinnati also raised black Northerners’ ire. Aleph, a Recorder correspondent from that city, reported in mid-August that “Celts” had recently assailed black men in the streets, breaking windows and doors in black households. When black men fought back, city officials arrested and fined them.284 That Irish-Americans, many of whom were probably fairly recent immigrants, perpetrated this violence, added insult to injury; black Northerners resented the fact the nation welcomed foreign-born whites as citizens while defining American-born black men and women as non-citizens. Black Northerners knew that on the same day Lincoln signed the

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283 On federally-supported colonization efforts, see McPherson, Battle Cry of Freedom, 508-509; McPherson, Struggle for Equality, 155-156. Lincoln actually signed a contract with Bernard Kock, whom McPherson described as a “fly-by-night promoter,” for a colonization venture on the small island of Ile-de-Vache off Haiti, but it attracted little support and failed dismally. Lincoln admitted the failure and sent a ship to return the expedition’s survivors in 1864. Black leaders opposed to colonization saw an acute threat in 1862 in that certain segments of the free black population were talking enthusiastically of colonization at the same time that the administration was touting it as policy. For instance, when in March the Recorder’s DC correspondent “Sacer” learned that Reverend Alexander Crummell, a prominent advocate of black emigration to Liberia, was visiting the District, he hoped Crummell would “say just as little about Africa, at this present time, as he can. When a strong party is forming in the nation to banish from the shores of America the colored man, because there is a prospect of his chains falling off, it is no time to lend directly or indirectly any aid to the scheme of sending the colored people out of the country.” See Sacer, “District of Columbia Correspondence,” Christian Recorder, March 22, 1862. That some enthusiasm for colonization nevertheless remained seems certain. Henry McNeal Turner reported hearing William J. Watkins advocate Haitian emigration to a cheering audience, though he noted that this same crowd had cheered John Rock when he had spoken against emigration the week prior. See Henry McNeal Turner, “Letter from Washington,” Christian Recorder, June 28, 1862. McNeal Turner also reported enthusiasm for colonization in October. See Henry McNeal Turner, “Our Washington Correspondence,” Christian Recorder, November 1, 1862.

284 “Aleph,” “From Cincinnati,” Christian Recorder, August 2, 1862
Confiscation and Militia Bills, which legalized black service while doing nothing in relation to black citizenship, he also signed a bill creating a quick path to naturalized citizenship for foreign-born white soldiers. Congress and the President were willing to use citizenship to induce enlistment – just not to induce black enlistment.  

Black Cincinnatians endured assault and harassment through September. When the Confederate invasion of Kentucky threatened Ohio early in the month, Cincinnati officials deputized members of the city’s Irish-American community to forcibly remove black Cincinnatians from their homes and compel them to labor on the city’s defenses. Whites drove Cincinnati’s black men through the streets like “beasts,” remembered one black man. According to William Parham, the newly-minted deputies pulled any black man that failed to present himself for duty from his home “at the point of the bayonet”; Parham himself received this treatment, but was exempted as a schoolteacher. A “mobocracy” ruled the city, complained Aleph, and Elisha Weaver, who was visiting the city at the time, reported that Irish-American deputies would “take the bayonet off their guns, and ram it through their beds” when told they had reached a home in which no black men were present. The Black Cincinnatians impressed into their city’s “Black Brigade” eventually found themselves commanded by sympathetic white officers and in later years took great pride in the services they rendered the city in its time of need. But in the moment, this incident angered black Cincinnatians, affecting their attitude toward the Union war effort powerfully.

286 William C. Nell, “Matters and Things,” *Liberator*, December 5, 1862; William Parham to Jacob C. White Jr., September 7, 1862, Jacob C. White Collection, Box 115-2, Moorland-Spingarn Research Center, Manuscript Division, Howard University.
287 Clark, *The Black Brigade of Cincinnati*, 9-10. Cincinnati black men’s labor may have inspired their brethren in Louisville, for a call for 1,000 black men to work on city entrenchments in advance of Confederate forces’ arrival appeared in the September 27 issue of the *Christian Recorder*. See B.L. Brooks, “From Louisville, KY,” *Christian Recorder*, September 27, 1862.
Cincinnati’s black men were incensed that city authorities had refused them as volunteers the previous year and then violently impressed them when danger threatened; city officials’ conduct was an insult to black pride and self-respect. One black Cincinnatian wrote that the incident had “increased the tenacity of [his] self-respect,” and changed his mind about black service. “I have been among those who desired the acceptance of our services in crushing the rebellion, but am changed now.” He had desired to fight to in return for “equality before the law,” but recent events had convinced him that, “having suffered with unexampled patience all our lives,” black Americans “[did] not need additional suffering” to earn that equality. Black soldiers would only serve “as those in bondage do, involuntarily submitting to peremptory orders,” and he opposed this menial service. The incident inspired another black Cincinnatian to relocate – to where he did not say – rather than support the Union war effort involuntarily. “I confess,” he wrote, “I am not patriot enough to fight or dig trenches for ‘the Union as it was,’ ‘the Constitution as it is,’ and the negroes as they are; and so, for the time being, change my base of operation.”

Black Northerners saw the Cincinnati incident as a reflection of their continued inferior status. The war had changed the government’s attitude toward black citizenship to some degree: a prominent black minister like Henry Highland Garnet could now visit the State Department and receive a passport affirming his citizenship. Passports did black men no good in the streets of Cincinnati. Here, they could be rounded up and driven like cattle in keeping with the longstanding American tradition that non-citizens ordinarily barred from military service could augment the army’s strength in times of dire

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288 William C. Nell, “Matters and Things,” Liberator, December 5, 1862. Both quotations are extracts from letters written by black Cincinnatians to Nell. Nell did not name either man.
necessity. Elisha Weaver believed that the Cincinnati incident proved that white immigrants possessed a more robust quality of citizenship than did native-born black Americans. City officials, he wrote, had rounded up black Cincinnatians because the city’s Irish population refused to serve unless black men also served. Weaver fumed that, “In order to have [the Irish] go, who have all the rights of citizenship, it was necessary to pounce upon those who are deprived of all the laws and rights of citizenship in this country only on account of their color.” It was surely not lost on Weaver that the Irish-Americans who had treated black Cincinnatians so roughly could, under the terms of recently-passed legislation, obtain citizenship through enlistment, whereas African Americans had been declared non-citizens by the land’s highest court. If black Americans, subject to state-sanctioned, arbitrary violence, possessed citizenship at all, it was an inferior degree of citizenship to that whites enjoyed. Congressional Republicans’ anti-slavery enactments had not changed white Northerners’ racist attitudes nor encoded black citizenship in law, in the aftermath of this incident, it was likely hard for black Northerners to see how a Union reaching their aspirations would emerge from the war.

Against this backdrop, prominent black Northerners continued to oppose immediate enlistment. In mid-August, Weaver’s Christian Recorder declared that it “did not favor at all” movements to enlist black regiments in Kansas and Rhode Island. Rather than enlist, it counseled black men to “stay in their own State, and let the whites battle away at their pleasure.” Around the same time, the male members of Philadelphia’s AME Mother Bethel Church approved a series of resolutions opposing black volunteering. Their city had been invaded, they complained, by “[c]ertain restless

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289 “Aleph” to Editor, Christian Recorder, September 20, 1862; Elisha Weaver, “Editorial Correspondence,” Christian Recorder, September 20, 1862.
spirits among our people in this city, who compose part of the floating population” who had been “[pressing] themselves on the patience of the authorities as being representatives of the sentiment and wish of the colored people of Philadelphia and Pennsylvania, with the assumption that they desire to thrust themselves on the Government as soldiers…” Bethel’s male congregants denied that black Philadelphians wanted to fight; they possessed too much self-respect to fight under current conditions. Although they “keenly [felt] the unfortunate troubles that are upon the country, yet…[they had] too much self-respect to intrude themselves where they are not wanted,” adding that “any person, or persons, representing otherwise, do not represent the colored people…”

Government policy and white racism wounded black Northerners’ pride, causing some black Northerners to oppose black service totally; others argued that black men would serve, but only if the government met their terms, continuing to articulate a shrewd politics of service. Black men, said Henry Highland Garnet, were devoted to the Union cause, electing to serve the Union Army as “menials” though they could not fight. Despite their legal and social disadvantages, Garnet insisted that “throughout the North and South, tens of thousands…[of black men] are ready and anxious to peril their lives in defence of the Government whenever they are called as free citizen soldiers…”

J.M.W., writing to the Pacific Appeal, spoke in like terms. The government needed to accept black men’s services to put down the rebellion but it also needed to nullify the Dred Scott decision and its denial of black citizenship, abolish slavery and pass legislation opening the ranks to black men – perhaps he meant a law that required black

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291 J.P. Campbell and L.R. Seymour to Editor, Christian Recorder, September 6, 1862.
enlistment, as opposed to the July 1862 legislation, which simply allowed black service at Lincoln’s discretion. Should the government fulfill these terms, he said, Lincoln would “stand at the head of the greatest and most valiant army the world ever saw…” In making these demands, J.M.W. became one of the first black Northerners to give the politics of service specific legislative content by identifying the policy changes that could, in his estimation, inspire black enlistment.

The *Pacific Appeal*’s next issue contained a similar item, in which a J.C.J. set forth the changes he believed necessary to inspire black enlistment. J.C.J. aired black Northerners’ familiar argument about the injustices the United States had perpetrated on black veterans and confessed that he feared this struggle might have the same outcome. “What are [black men] to fight for?” he asked. They had fought under Jackson in the War of 1812, and their service had only “rivet[ed] the chains of slavery tighter.”

Lincoln’s treatment of Fremont and Hunter had convinced him that black enlistment might benefit African Americans no more than had black soldiers’ earlier efforts. As a result, black men would not fight “in the [present] degraded condition of things, looked upon as goods and chattels…” They would fight if they could do so as “men, enjoying all the political rights and privileges of other men.” For J.C.J., equality meant emancipation, the repeal of the Fugitive Slave Law, the nullification of the *Dred Scott* decision, and an end to “all laws that destroy our position as men…” These changes would realize black equality and “raise…[African Americans] from the degraded position of goods and chattels to our true position of men, women and children…”

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293 J.M.W. to Editor, *Pacific Appeal*, August 9, 1862.
In mid-August, the proposition that black men should not enlist until the government recognized black citizenship took center stage at a Philadelphia meeting in which immediate-enlistment and delayed-enlistment advocates debated this central tenet of the politics of service. The meeting seems to have been held in response to recruiters working in the city, likely the same “restless spirits” to whose presence the above-quoted AME meeting also objected. Black enlistment found support, as Alfred M. Green proposed to enroll all “able-bodied male citizen[s] of color” willing to enlist “whenever the rights of citizenship and equal privileges in common with other soldiers in the army and navy of the United States, are awarded to them.” Green still supported service, but now he did so conditionally, having backed down from his 1861 endorsement of service without qualifications. Debate on Green’s proposal began, and those who spoke generally supported enlistment, although they disagreed as to whether or not black men should travel out of state to enlist. The meeting’s principal controversy developed, however, when David Bowser proposed to remove black citizenship and rights as prerequisites for black service. Isaiah Wears concurred with Bowser’s proposal, believing it “impossible to get [citizenship and rights] now, and therefore foolish and impolitic to ask for it, or make it a condition.” Proponents and opponents of including citizenship and rights as prerequisites for black citizenship debated the question at length, and ultimately Bowser’s resolution passed. Evidently, enough of the black Philadelphians who attended this meeting were satisfied that the war had taken on a sufficiently hopeful cast to enlist without receiving guarantees of black rights or citizenship.\footnote{John A. Williams and A.M. Green, “Meeting in Relation to Colored Enlistment,” \textit{Pacific Appeal}, September 27, 1862. Around this same time, the AME Church’s Genesee Conference resolved a similar debate differently, expressing opposition to enlisting without certain guarantees. This meeting resolved, “That we, as ministers, advise our brethren to take no part in this war on either side until they can do it as...}
Black Northerners’ late-summer debates over enlistment were eclipsed by Lincoln’s preliminary Emancipation Proclamation, which the president issued on September 22, five days after the Army of the Potomac halted Robert E. Lee’s invasion of Maryland at the Battle of Antietam. The Proclamation contained several facets that troubled black leaders. It spoke of using federal subsidies to fund plans of emancipation and colonization in the loyal slave states, and of compensating loyal slaveowners whose slaves gained freedom during the war. It framed emancipation as a war measure, employed lawyerly, colorless phrasing, and failed to justify emancipation an act of humanity, morality or justice. Its text would later inspire Richard Hofstadter’s famous quip that it contained “all the moral grandeur of a bill of lading.” Nevertheless, the Proclamation sustained Congressional enactments barring Union soldiers from returning fugitive slaves to their masters or determining whether such fugitives had fled from genuinely disloyal masters. Most importantly, it proclaimed that on January 1, 1863 all slaves held in disloyal states, or parts of states deemed to be disloyal, would be “forever free,” and it committed Lincoln and Union forces to “recognize and maintain” any actions slaves took to win their freedom – which, as Allen Guelzo has pointed out, theoretically committed the federal government to supporting slave rebellion.

men, as freemen, and citizens. When that time comes, as come it must, let them be ready to prove themselves true lovers of God and liberty, nobly acting their part.” It is possible this meeting took place after Lincoln’s preliminary Proclamation was released, but it seems unlikely, as the Proclamation likely would have been enumerated among a list of measures that cheered the gathering that included DC abolition and the new confiscation legislation. The ministers also resolved they did not want to see the war end “until it uses up slavery root and branch, and fully restores to the colored man all his God-given rights.” See, “The Genesee Conference – Concluded,” Christian Recorder, October 4, 1862.


Guelzo, Lincoln’s Emancipation Proclamation, 174. Frederick Douglass seems to have understood this section of the Proclamation in precisely this way. He told a rally in Chicago in February 1863 that, “The President's proclamation had given the slaves the legal right to liberty. Now they could obtain their personal freedom without trampling upon civil laws. Instead of rising up as insurrectionists, in opposition
The Proclamation did not come as a surprise. The Second Confiscation Act had authorized the President to free slaves of Confederate masters by proclamation, and abolitionists and anti-slavery politicians had since July urged Lincoln to proclaim emancipation. “On the steamers and on the railway trains which bring their thousands to this metropolis every morning,” Frederick Douglass wrote in August, “the first enquiry, as soon as the passengers furnish themselves with the morning papers, ‘Where is the President's proclamation bringing those who aid and encourage the rebellion within the penalties of the Confiscation act?’” In the days prior to the 22nd rumors had floated around the capital that Lincoln was on the verge of proclaiming emancipation. Although it did not come as a complete shock, the Proclamation committed the Union to emancipation in an unmistakably public and official way, giving black men much to ponder as they considered the Union war effort and enlistment.

Unsurprisingly, many black Northerners enthusiastically supported Lincoln’s edict. “The proclamation of the President of the United States,” wrote the Christian Recorder, “will be read with interest by all of our people, and all true lovers of freedom, irrespective of clime or caste, will give three hearty cheers for Abraham Lincoln...” In early October, Henry McNeal Turner issued a “Call to Action,” asserting that the Proclamation “[had] opened up a new series of obligations, consequences, and results, never known to our honored sires...” Turner had for some time viewed black participation in the Union war effort skeptically and did not identify military service as one of the new “obligations” the Proclamation had created; instead, he talked of aiding to law, they could rise up in obedience to law.” See “Fred. Douglass in Chicago, His Lecture Last Evening.” Douglass’ Monthly, February 1863.


299 Untitled article, Christian Recorder, September 27, 1862.
the freedmen in their transition to freedom. Still, the Proclamation satisfied him that, “the stern intention of the Presidential policy is, to wage the war in favour of freedom, till the last groan of the anguished heart slave shall be hushed in the ears of nature's God.”

Not all black Northerners viewed the Proclamation in such joyous terms. Some joined white abolitionists who complained that the Proclamation did not enact universal emancipation, or objected to certain of its facets. In fact, “a large portion of our people,” Turner reported, doubted that Lincoln “wrote his proclamation in good faith.”

Most who harbored suspicion about the Proclamation’s intentions or efficacy, though—such as William Parham, who believed it would kill slavery but fail to address the more intractable problems of white prejudice and racial inequality—seem to have kept their doubts out of the public realm.

The Proclamation did not intensify debate regarding black enlistment among black Northerners; if anything, toward year’s end debate regarding enlistment slackened. This trend likely stemmed from the fact that the preliminary Proclamation said nothing about black enlistment and that Lincoln’s most recent public statements regarding the issue had denied any intention to enlist black men as soldiers. When black Northerners publicly discussed black service in the interval between September 22 and January 1, the preliminary Proclamation seemed to have changed little. They were no more disposed to enlist immediately and trust that subsequent gains would come in the Proclamation’s

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301 McPherson, Struggle for Equality, 118-119.
wake than they had been prior to it. The preliminary Proclamation certainly represented progress, but it failed to meet black Northerners’ demands.

Black Northerners were grateful that the Union war effort was heading in an increasingly anti-slavery direction, but black Northerners wanted more than the preliminary Proclamation – and, as it turned out, the final version – offered. Dr. Ezra R. Johnson, who regularly published articles on the war for the Pacific Appeal, explained this point in early October. Johnson hailed originally from New Bedford, the son of a Revolutionary War veteran. After finishing school in his hometown, he had traveled to Philadelphia and apprenticed to James Forten as a sailmaker. He had been active in New Bedford’s Wilberforce Debating Society, an ardent opponent of colonization and the Fugitive Slave Law, and studied medicine. Like William H. Newby, he left for California in the wake of the Gold Rush, but returned home in 1851. In the wake of Fort Sumter’s fall, he expressed enthusiasm for enlistment, chairing a New Bedford war meeting that offered black men’s services to the government. His offer of service rebuffed, Johnson returned to California to practice medicine.305

Since he and his New Bedford compatriots had tried to volunteer in 1861, Johnson’s thinking had shifted, and he now viewed service conditionally. He had heard “intelligence” of the president’s Proclamation, but was not satisfied with the document. He believed that Union armies as presently composed could not put down the rebellion and Lincoln would have to call on black help, but held that the government had still not “turn[ed] from the error of [its] ways and done [African Americans] justice…” Johnson

did not identify concrete measures that in his estimation would constitute “justice”, but he predicated black service on the government meeting black demands. “Let the Government do these things,” he wrote, “and then we will feel a national pride and glory for a Free Union, as it should be. Then we will have a home and birthright in a free land for ourselves and children, and we will pledge our highest vow to strive to make the Union what it ought to be, after the terrible ordeal through which it is called to pass.”

The preliminary Emancipation Proclamation, welcome though it was, was not enough for Johnson. It promised mass emancipations, but did not abolish slavery or create a new Union, and did not meet the price the doctor hoped to extract for black service.\(^\text{306}\)

Black Northerners clung to their demand for change as a concomitant of black service in the preliminary Proclamation’s wake. Henry Highland Garnet addressed a mass meeting at Newport, Rhode Island’s Union AME Church on October 9 on “the present American Crisis, our duty to the Church, to the Country, and to ourselves.” No record of Garnet’s words survives, but at his lecture’s conclusion, the church’s minister read a series of resolutions from a previous community meeting. Newport’s black community had pledged itself to assist Governor William Sprague in forming a black Home Guard unit, but resolved, “That the same feeling and effort shall be exhibited by us for the Government as with others, when our services are accepted, and we receive the same privileges.”\(^\text{307}\) Ezra Johnson accounted the price for black service more specifically in November. The former immediate-enlistment advocate stated that, “Before they enlist, the same rights, protection and remuneration which is enjoyed by the whites should be

\(^{306}\) E.R.J. [Ezra R. Johnson], “Liberty Bells are Ringing,” Pacific Appeal, October 4, 1862.

\(^{307}\) “Meeting at Newport, R.I.,” Pacific Appeal, October 18, 1862.
Johnson did not specify the rights he sought, but envisioned equal pay as a prerequisite for black service and seemed, in his demand for equal protection, to have already heard that Southerners were threatening not to treat black soldiers as legitimate POWs. Another correspondent of the *Pacific Appeal* labeled the Proclamation “progress,” but lamented that the government had refused to enlist black volunteers “while the Irish, Germans, French and Italians were all welcomed to the call.” Black men “can wait,” he resolved. “Our time has not come yet; but it will surely come, if we are faithful to ourselves.” What changes precisely would inspire black men to serve, he did not say, but the preliminary Proclamation had not been enough.

While black Northerners continued in late 1862 to discuss what the government might do to secure their enlistment, some black troops fought for the Union, doing so in increasingly public ways. Black sailors still served in the Union Navy, and courageous black men like H. Ford Douglas, who in 1862 joined the 95th Illinois, forced their way into white regiments. Perhaps they believed, as Douglas did, that emancipation would come and that, “This war will educate Mr. Lincoln out of his idea of the deportation of the Negro, quite as fast as it has some of his other proslavery ideas with respect to employing them as soldiers.” But in 1862, white commanders also began to arm and equip black units for the first time.

Sometimes working without sanction and sometimes with the War Department’s blessing, white officers formed black units in Kansas, New Orleans and South Carolina.

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309 E.J.J., “Acts of the Present Administration,” *Pacific Appeal*, November 1, 1862. It is possible that this “E.J.J.” is in fact E.R.J., and that a typo accounts for the different middle initial in this case. This is unlikely, though, as E.R.J.’s articles were usually numbered with Roman numerals and billed as part of a series, but the possibility remains.
In April, black soldiers began enlisting under the command of Kansas senator and anti-slavery guerilla James H. Lane. Most of these soldiers seem to have been fugitive slaves from Missouri and Arkansas and, despite their unit’s lack of official sanction, the 1st Kansas Colored Volunteers began conducting raids into Missouri as early as October 1862. In New Orleans, General John W. Phelps clashed with his superior Benjamin Butler over Phelps’ desire to enlist fugitive slaves, resigning in late July when Butler insisted black men serve only as laborers. Shortly thereafter, Butler reversed himself, allowing the members of the Louisiana Native Guards, gens de couleur whose ancestors had fought with Andrew Jackson in 1815, to muster into the Union Army. In South Carolina, David Hunter formed a regiment of fugitive slaves in April, then disbanded most of it in August due to complaints about his recruiting tactics and the War Department’s refusal to pay his soldiers. A short while later, new Secretary of War Edwin Stanton permitted General Rufus Saxton to raise a regiment of freedmen, and by year’s end the 1st South Carolina Volunteers had been officially organized under the command of Thomas Wentworth Higginson, a radical Boston abolitionist who had funded John Brown and dared federal authorities to arrest him in the raid’s wake.

Lincoln neither endorsed nor actively opposed these efforts, but they certainly suggested that the time when the Union might publicly call on black men to enlist was approaching. Black Northerners knew of these first black regiments, but they occasioned relatively little comment in the black press and do not seem to have inspired black Northerners to think differently black service. Rather, at 1862’s conclusion black Northerners placed more stock in their own evaluations of Union policy toward slavery.

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311 On these 1862 efforts to raise black troops, see Berlin, Reidy and Rowland, eds. *The Black Military Experience*, 37-45. For primary documents relating to these efforts, see pages 46-73. See also Cornish, *The Sable Arm*, 37-84.
and African Americans than they did in the fact that the massive Union Army now boasted three black regiments. Black Northerners waited anxiously to see if Lincoln would make good on his promise to emancipate the Confederacy’s slaves on January 1, 1863. His Proclamation unleashed a firestorm of protest in some quarters of the North, as many Northerners believed emancipation had replaced preserving the Union as the North’s true cause; backlash to the Proclamation helped Democrats win important victories in the 1862 mid-term elections, and Democratic politicians pressured Lincoln to backtrack on emancipation.312 Black Northerners may too have sensed the danger William Parham spoke of privately: that the government might abolish slavery but fail to eradicate the larger problem of white prejudice, and that the Union that emerged from the war would depressingly resemble the antebellum United States. In this context, many black Northerners continued to view enlistment cautiously.

Lincoln’s preliminary Emancipation Proclamation capped Republicans’ significant 1862 efforts to move the Union war effort in an anti-slavery direction, but as the year ended the Union had not embraced abolition, black rights or black citizenship. Black Northerners could not be sure that a Union victory would result in the type of fundamental change they sought, and they remained divided over service. Black leaders, though, were approaching a consensus that black men should only enlist once the government had met certain conditions. Over the course of the year, numerous prominent black Northerners and institutions held that black enlistment must be predicated on the government meeting black demands: the Christian Recorder, William Wells Brown, Henry Highland Garnet, Alfred M. Green, Henry McNeal Turner, Dr. Ezra Johnson and Philadelphia’s venerable Mother Bethel Church all at one time or another

312 McPherson, Struggle for Equality, 119-122.
opposed enlistment or advocated delaying black enlistment. Perhaps because Congress had passed legislation allowing black service and therefore the entire proposition seemed more immediate, a few black men had begun to articulate *exactly* what types of changes they wanted to see in return for black service. Many others did not, though, continuing to speak of concepts like equality, freedom and citizenship without describing their content.

By 1862’s end, black Northerners had not achieved total consensus on delaying enlistment until the government met certain concrete terms, but it would likely have been impossible for them to reach total consensus on such a momentous, controversial issue anyway. Many black Northerners had, though, declared their intention to extract a price in return for service that included abolition, black rights and black citizenship. The delayed-enlistment position gained strength over the course of 1862, winning increasingly widespread acceptance among black Northern leaders and institutions who would doubtlessly exercise a strong influence on black Northerners’ decision-making if the government sought black recruits. Considering it far from certain that Lincoln would issue his Emancipation Proclamation as promised on January 1, black Northerners waited to see what the new year brought before making any definite determinations on the question of enlistment.
Chapter Four

1863: Recruitment

On January 1, 1863, fears that Lincoln would withdraw his promise of emancipation proved groundless as, following a lengthy New Years’ reception at the White House, the president retired to his office and signed his Emancipation Proclamation. The Proclamation left slavery untouched in the Border States, did not apply to Tennessee or portions of Louisiana and Virginia and featured softened language in a couple of key spots. Lincoln scaled back his subtle promise of federal support for slave rebellion, simply requiring the Union Army and Navy to “recognize and maintain the freedom” of slaves freed by the Proclamation, whom he cautioned to refrain from violence. Whereas the initial document had declared all slaves in rebel territory on January 1 “forever free”, Lincoln now recognized that his wartime measure might prove vulnerable to judicial or legislative cancellation after the war. Wary of making a promise he could not keep, Lincoln changed the document’s language and decreed that slaves in rebel-occupied territory “are, and henceforward shall be free.”

The Proclamation fell short of black Northerners’ fondest hopes but it markedly surpassed the document Lincoln had issued the previous September. At Treasury Secretary Salmon Chase’s urging, Lincoln went beyond citing military necessity in justifying the Proclamation, acknowledging its essential morality as well: the president affirmed that he “sincerely believed” the Proclamation “to be an act of justice, warranted by the Constitution, upon military necessity…” Lincoln also “invoked[d] the considerate

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judgment of mankind, and the gracious favor of Almighty God,” in sanctioning his edict. These alterations did not change the Proclamation’s legal effect, but the president’s unambiguous moral justification of emancipation surely cheered black readers. Finally, Lincoln made no mention of colonizing emancipated slaves; instead, the president proposed to arm them. Freed slaves of “suitable condition,” he stated, “will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.”

Black men had served the Union in various capacities since the war began, but Lincoln’s addition of a black-service clause to his final Emancipation Proclamation signaled a momentous shift. The chance that many black Northerners sought after Fort Sumter, the moment immediate-enlistment advocates like Frederick Douglass had long anticipated, had arrived. Lincoln’s Proclamation only mentioned enlisting ex-slaves as soldiers, but Union leaders quickly proved willing to enlist black Northerners; as such, from early 1863 forward black Northerners debated enlistment with newfound urgency. Most prominent black Northerners, influenced by the Proclamation, promises of equality and a momentous legal opinion handed down late in 1862, counseled immediate enlistment. From February 1863 forward, black Northern leaders – including some who had in 1862 embraced delayed enlistment – like Douglass, William Wells Brown, John Mercer Langston and George T. Downing encouraged black Northerners to don the Union blue from platforms across the North and in the press. These and other prominent black Northerners became government-sanctioned recruiters, scouring the North to find recruits for the first black Northern regiments. Historians of black service have recognized that this black recruiting network existed and mentioned its recruiting work,

but none has devoted extended analysis to black recruiters’ arguments or fully explained their importance to the Union war effort.315

As they tried to convince black Northerners to enlist during 1863, black recruiters contended with the politics of service they had helped develop since April 1861; they had to persuade black Northerners not to hold out for terms, but to enlist while slavery and discrimination persisted. Black Northerners had not forgotten the nation’s history of betraying black veterans. Neither had they forgotten the government’s rebuff of their offers to fight, white Northerners’ opposition to black service, or Union officials’ seeming hesitance to target slavery. And as black recruiters began canvassing for enlistees in February 1863, black Northerners knew that they would not enjoy complete equality with white troops. Black recruiters had to explain why black Northerners should serve when denied equal access to promotion, subject to barbarous Confederate POW policies and, thanks to a June 1863 decision, paid less than white soldiers.

To overcome these obstacles, black recruiters crafted arguments that acknowledged and answered black men’s objections to enlistment. They claimed that Attorney General Edward Bates’ December 1862 opinion recognizing black citizenship portended better things to come. They insisted that black men should submit to temporary inequalities, putting pragmatism before principle to win long-term gains.

They asserted that, despite Union promotion and Confederate POW policies, black

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315 James McPherson’s treatment of these black recruiters and their arguments is fairly typical of their place in the existing literature. McPherson wrote that this network was formed to help fill up the 54th Massachusetts regiment because Massachusetts did not have enough black men living in state. McPherson acknowledged that resistance to service existed in some corners of the North, and spent ten pages — of a 318-page book — discussing some of the pro-enlistment arguments black recruiters mustered and the formation of black Northern regiments. See McPherson, The Negro’s Civil War, 175-185. For similar brief treatments of this recruiting network and black recruiters’ arguments, see Berlin, Reidy and Rowland eds., Black Military Experience, 74-78; Cornish, The Sable Arm, 108-111; Samito, Becoming American Under Fire, 40-41; John David Smith, “Let Us All Be Grateful We Have Colored Troops That Will Fight,” 24-25.
soldiers would enjoy day-to-day equality with white troops. Finally, they argued that the war gave black men a fleeting opportunity to parlay service into lasting gains too potentially fruitful to ignore; black men possessed a duty to themselves and their kin to exploit that opportunity. A Union that lived up to black aspirations was within their reach, black recruiters contended, and black Northerners needed to enlist and win it rather than lament the inequalities they would suffer along the way. Black recruiters’ pro-enlistment arguments were key components of the process by which the first black Northern regiments took shape; their rhetorical efforts helped facilitate the massive, crucial black military contribution to the Union war effort, and understanding them is necessary to understand how black enlistment happened.

The black Northern regiments raised in 1863 were not the first black regiments to see action, but in some sense the fate of black enlistment hinged on their performance. John Andrew sensed this truth. Andrew, an anti-slavery Republican, had been elected governor of Massachusetts in 1860, and in 1863 he emerged as black enlistment’s foremost white champion. In January, he described the newly-proposed 54th Massachusetts as “perhaps the most important corps to be organized during the whole war,” and confessed himself “very anxious to organize it judiciously in order that it may be a model for all future Colored Regiments.” The 54th’s success or failure would “go far to elevate or to depress the Estimation in which the character of the Colored Americans will be held throughout the World…”

Black enlistment might have died still-born had black Northerners refused to enlist until the government met their terms. And at 1863’s

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316 John Andrew to Francis G. Shaw, January 30, 1863, Box 11, Folder 5, John A. Andrew Papers, Massachusetts Historical Society.
outset, some black Northerners thought the effort to enlist black troops would encounter great difficulties.

Looking back on early 1863, Francis Preston Stearns, whose father George Luther Stearns became heavily involved in recruiting black troops in 1863, remembered that when the white abolitionist Norwood P. Hallowell asked black Bostonians if they planned to enlist, all but Lewis Hayden answered in the negative. “We have no objection to white officers,” they said, “but our self-respect demands that competent colored men be at least eligible to promotion.”317 Robert Purvis also received a communication from Hallowell early in the year and wrote that, the government’s progress on forming colored regiments aside, “it augurs a sad misapprehension of character aspirations and self-respect of colored men to suppose that they would submit to the degrading limit which the government imposes in regard to the officering of said regiments.” Purvis predicted that if the government did not change its policy, recruiters would have trouble securing “the right kind of men…”318 Securing the right kind of men would be imperative to black enlistment’s success. Much depended on black leaders’ ability to develop a call to service capable of inspiring black Northerners to enlist in spite of their objections.

Not all black Northerners need to be convinced to enlist. Some quickly joined P.B. Randolph of Utica in declaring that, “We have rights, at last, which white men are bound to respect, and I regard the first of these as being the right to fight, and if God so

318 Robert Purvis to Anonymous, February 18, 1863, accessed March 10, 2014, http://bap.chadwyck.com. The editors of the *Black Abolitionist Papers* online archive simply list this letter as “Purvis, Robert to [?]”, and in the letter Purvis gave no indication who the “Dear Friend” he was writing to was.
wills it, nobly die for our country.”

Nevertheless, black recruiters’ efforts deserve sustained attention, for they played a critical role in mobilizing black soldiers as 1863 progressed and facilitating the Union’s adoption of large-scale black enlistment. Prominent black Northerners like Douglass, Brown and Garnet had long careers as lecturers and public speakers under their belts. They could command large audiences, they spoke and wrote persuasively, they benefitted from long-recognized community standing and they had cultivated influential white allies. The arguments they developed, and the public “war meetings” at which they aired them, undoubtedly played crucial roles in the individual decision-making processes of the tens of thousands of black Northerners who eventually fought for the Union. By 1863, the war many had thought might end after a few weeks or months entered its third full year, and seemingly all of Northern society had adapted itself to the demands of fighting a war for national survival.

Contributions to the Union war effort came from all rungs of society: bankers sold war bonds, women served as nurses and worked in sanitary and soldiers’ relief organizations, industrial workers churned out armaments. From February 1863 forward, black recruiters played an important but rarely recognized role in sustaining the Union war effort. Their tireless traveling and eloquent, if controversial, immediate-enlistment arguments filled the ranks of the first black Northern regiments, whose battlefield success was critical to Union officials’ embrace of large-scale black enlistment. When one considers the importance of black service to Northern victory, black recruiters emerge as key contributors to the United States’ salvation. Understanding how their network

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319 P.B. Randolph to John Andrew, January 16, [1863], Executive Letters, Volume 57a, Commonwealth of Massachusetts Archives. The letter is actually dated “1862” in Randolph’s hand, but is marked “1863” by someone else’s hand, and filed with other letters from January 1863. It is likely a reminder that, in 1863 as in 2015, it takes some time to adjust to the dawning of a new calendar year.
operated and the arguments they developed illuminates not only how black service
happened, but how Union victory happened.

News of the final Emancipation Proclamation sparked celebrations in black
communities throughout the North. While Frederick Douglass and other high-profile
abolitionists rejoiced in Boston’s Tremont Temple, a Christian Recorder correspondent
in Camden, New Jersey spoke with a former fugitive who had escaped slavery by
jumping from the second story of his master’s house thirty-five years earlier. Having
lived as a free man in the North since then, he yet proclaimed, “I have never at any time
felt as I did this morning. I have never felt free before today.”

Henry McNeal Turner praised Lincoln’s edict and believed it dispelled any doubts black Washingtonians’ had
about enlistment: “Abraham Lincoln can get any thing he wants from the colored people
here, from a company to a corps. I would not be surprised to see myself carrying a
musket before long.” Nevertheless, Lincoln’s Proclamation had committed the
government to enlist black soldiers without creating the machinery for doing so. That
work remained as 1863 began.

Congressional Republicans had begun debating black-service legislation in
December, and they continued into January; little that black Northerners saw of the
debate over black service in the House of Representatives, however, would have cheered
them about white attitudes toward black enlistment. On January 12, Thaddeus Stevens, a

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320 “Frederick Douglass at the Cooper Institute – The Proclamation,” Douglass Monthly, February 1863;
“Rejoicing Over Proclamation,” Douglass Monthly; “West Jersey” to Editor, Christian Recorder, January
10, 1863. For other articles talking of emancipation celebrations in Northern black communities on or after
January 1, see “City Items,” Christian Recorder, January 10, 1863; “Emancipation Day in Boston,”
Liberator, January 16, 1863; “Junius” to Editor, Christian Recorder, January 30, 1863; “Meetings and
Demonstrations,” Christian Recorder, January 10, 1863; B.F. Randolph, “Emancipation Celebration at
321 Henry McNeal Turner to Editor, Christian Recorder, January 10, 1863.
Radical Republican from Pennsylvania who had fought for anti-slavery and black rights since the 1830s, introduced a bill to raise 150,000 black soldiers on terms of basic equality with white soldiers. His fellow representatives quickly rejected it.\textsuperscript{322} The House discussed Stevens’ proposal into February and different versions of his bill, amended to increase its chances for passage, included provisions obnoxious to black Northerners. At various times, the bill mandated that black soldiers would receive less monthly pay than whites, contemplated implementing colonization through a series of “semi-monthly” voyages to foreign ports, forbade black officers from commanding white soldiers, and barred slaves of loyal masters from enlisting.\textsuperscript{323}

Congressmen from the Border States and lower North advanced outlandish, racist arguments against Stevens’ bill. Various representatives predicted that black service would drive the Border States out of the Union and that black men’s uncontrollable bloodlust would result in servile war. Congressmen hostile to black service also denigrated the idea of black citizenship.\textsuperscript{324} Kentucky’s John J. Crittenden staked his desire to keep black troops from the ranks squarely on the issue of citizenship. Black men, Crittenden maintained, “are not necessary for the putting down of this rebellion. They are not worthy of being called to the aid of those who aspire to be considered free-born men.” He asked rhetorically: “Have not our citizens” – meaning, of course, white men – “the courage and strength to defend the country?” And why, he wondered, did Stevens’ amended bill contemplate paying black soldiers less than white troops? “Do


\textsuperscript{323} \textit{Congressional Globe}, 37\textsuperscript{th} Congress, 3\textsuperscript{rd} Session, Part 1, 282, 689-690, 695; Cornish, \textit{The Sable Arm}, 98-99.

\textsuperscript{324} For opposition to Stevens’ bill, see speeches made by H.B. Wright (Pennsylvania), William Allen (Ohio), C.A. White (Ohio) and James S. Rollins (Missouri). All can be found alongside Crittenden’s speech in \textit{Congressional Globe}, 37\textsuperscript{th} Congress, 3\textsuperscript{rd} Session, Appendix.
you not claim that they are as good citizens [as whites]?” he asked mockingly.325

Throughout Crittenden’s comments, and those of other representatives who opposed the bill, ran the assumption that black men were and could not be citizens and were not worthy or capable of fighting.

More worrisome to black Northerners, perhaps, was the fact that some proponents of Stevens’ bill argued their case in terms that degraded black men and undermined the proposition that they could win gains by serving. Ohio’s Carey A. Trimble argued for black service but clearly regretted its necessity. If Indians—“savages,” he called them—could fight for the government, he asked, why not black men? Trimble predicted that most black soldiers would come from conquered Confederate territory because black Northerners saw they had nothing to gain by fighting. “The more intelligent among them,” Trimble stated flatly, “say that they are not willing to risk their lives in a contest from which they are to derive no special advantage. They occupy a position of inferiority, they are denied the rights and privileges of white men, and they can see no good to grow out of this struggle to them, let it terminate which way it will. They cannot hope for an equality of political privileges, or any other equality, by the decision of this contest, and therefore they will decline to engage in it.”326 Trimble’s statement surely discouraged any black Northerners who read it, increasing their skepticism that black service would result in citizenship or other desired changes.

Even Thaddeus Stevens, speaking in his bill’s defense, said little about the justice of black enlistment or gains that black men could win by fighting. Stevens framed his measure as a way to keep federal armies up to strength, spoke of ensuring that black men did their part alongside whites, and affirmed that his bill would not mandate racial equality by referencing its prohibition against black officers commanding white troops. The characteristically acerbic Stevens displayed his dissatisfaction with the bill’s limitations and the pervasive Northern racism that necessitated them, commenting that he did not “expect to live to see the day when, in this Christian land, merit shall counterbalance the crime of color.” He also offered up a pessimistic assessment of black service’s limitations as a vehicle to win citizenship, painting the opportunity enlistment offered to black men grimly. “[W]e propose to give them an equal chance to meet death, on the battle-field. But even then their great achievements, if equal to those of [Haitian General Jean-Jacques] Dessalines, would give them no hope of honor. The only place where they can find equality is in the grave. There all God’s children are equal.”

Stevens’ amended bill passed the House but was ultimately discarded on recommendation of the House Committee on Military Affairs, which found it unnecessary, as the acts of July 17, 1862 had given the President and War Department sufficient authority to raise black regiments.

Stevens’ bill did not create the legislative or bureaucratic machinery through which black enlistment happened, but the debate it inspired influenced black Northerners’ thinking about enlistment. Black- and white-run newspapers carried transcripts and

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accounts of Congressional debates, and black observers attended these sessions. Henry McNeal Turner visited Congress regularly during early 1863 and noted the vehemence of black enlistment’s antagonists. His writings expressed a pervasive uncertainty about what black service would look like and how it would happen that might otherwise be hard for those familiar with Civil War history to appreciate. Turner reported in late January that, in the federal district, “various speculations concerning negro regiments, and negro fighting capacity, are too numerous to detail.” One of the rumors claimed that black troops would be tested against hostile Indians on the Western frontier before they would be trusted to fight Confederates. Turner doubted that black men would perform well when fighting a “co-sufferer” who “hast been [their] fellow in miserableness...” Rather than send black troops to engage in “Indian experimentalities,” Turner implored white officials to let black men “turn their faces South and let the Star Spangled Banner flaunt in the breeze, lettered in semi-circular form, LIBERTY TO ALL MEN, AND RIGHT OF FRANCHISE...” On this mission, black soldiers “would engrave [their] bravery so deep in the rock of history, that the most corroding elements of time will never efface it.”

All was uncertain in early 1863, even the enemy black soldiers would fight, and black Northerners could not know that the debates surrounding Stevens’ bill would prove relatively inconsequential.

Turner’s observation of these debates led him to recommend black troops’ segregation in all-black units, a practice that angered black soldiers in later American wars. The clergyman reported general distress over the provision of Stevens’ bill barring

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329 Henry McNeal Turner to Editor, *Christian Recorder*, January 31, 1863. Rumors about what black service would look like and the motives behind it continued to circulate throughout spring 1863, some of them spread by Copperheads and Democrats unfriendly to emancipation and black service. In April, Turner reported that these elements had convinced some “poor colored friends... that Mr. Lincoln is laying a plan to kill them off.” See Henry McNeal Turner to Editor, *Christian Recorder*, April 18, 1863.
black officers from commanding white troops, but he rated this feature one of the bill’s
great strengths. He worried that black soldiers mixed in divisions, brigades and corps
with white units would be insulted by prejudiced whites and in their anger turn to
violence. He also feared that a black regiment fighting alongside white units in a
common effort would be denied its fair share of honor for its performance. Turner
wanted black men to have the chance, separate from whites, to to stand or fall on their
own: “…if we do go in the field, let us have our own soldiers, captains, colonels, and
generals, and then an entire separation from soldiers of every other color, and then bid us
strike for our liberty, and if we deserve any merit it will stand out beyond contradiction,
and if we deserve none, why, then brand us with the stigmatic infamy of cowardly dupes
as long as there is a skull upon our shoulders.”330 Turner continued to attend
Congressional sessions even after Stevens’ bill had been laid aside, witnessing the
debates that culminated in the March 1863 conscription law, and watching as “copper-
head” Congressmen attempted to keep the word “white” in the proposed law. Their
resistance to black participation in the war effort and ugly rhetoric did not dim Turner’s
good humor. “The copper-heads were so fearful that a negro would get a crack at a
secesh,” he joked, “that it appeared they would have been willing to have voted their
wives and daughters into the battle, rather than allow a negro to take a part.”331

Turner’s enthusiasm for black service persisted despite Northern Democrats’
efforts to keep black men out of the Union Army and the inequalities written into
proposed legislation regarding black troops, but not all black observers were so forgiving.
As 1863 began, Frederick Douglass, black service’s most prominent advocate, seemed to

330 Henry McNeal Turner to Editor, Christian Recorder, February 14, 1863.
331 Henry McNeal Turner to Editor, Christian Recorder, March 7, 1863.
have altered his stance, and advised black men to volunteer only if they could so on equal
terms with whites. In the February issue of his *Douglass' Monthly*, Douglass printed a
letter from the 95th Illinois’ lone black member, H. Ford Douglas, that urged black men to
enlist. Douglass praised Douglas’ motives, but held that, “[O]ur correspondent must bear
with our absence from the army until our own unbiased judgement and the action of the
Government shall make it our duty and our privilege to become a soldier.”332 Douglass
c counseled black Northerners to enlist only under certain conditions, which he did not
specify. Douglass spoke in similar terms later that month at New York’s Cooper Institute,
proclaiming that black men would only enlist under terms of equality:

Do you ask me whether black men will freely enlist in the service of the country? I tell you that
that depends upon the white men of the country. The Government must assure them of protection
as soldiers, and give them a fair chance of winning distinction and glory in common with other
soldiers.—[Cheers.] They must not be made the mere hewers of wood and drawers of water for the
army. When a man leaves home, family, and security, to risk his limbs and life in the field of
battle, for God's sake let him have all the honor which he may achieve, let his color be what it
may. If, by the fortunes of war he is flung into the hands of the Rebels, let him be assured that the
loyal Government will not desert him, but will hold the Confederate Government strictly
responsible, as much for a black as for a white soldier. [Applause.] Give us fair play, and open
here your recruiting offices, and their doors shall be crowded with black recruits to fight the
battles of the country. [Loud cheers.] Do your part, my white fellow-countrymen, and we will
do ours.333

Douglass made this argument alongside calls for the nation to enlist black men and
affirmations that he saw the nation’s willingness to countenance black service as a
hopeful sign of things to come. That he made it all after Lincoln’s Emancipation
Proclamation remains significant, demonstrating how pervasive the belief that black men
should force the government to meet their terms had become.334

332 H. Ford Douglas to Frederick Douglass, *Douglass’ Monthly*, February 1863; Frederick Douglass,
333 “Frederick Douglass at the Cooper Institute – The Proclamation and a Negro Army,” *Douglass’
Monthly*, March 1863.
334 “Frederick Douglass at the Cooper Institute – The Proclamation and a Negro Army,” *Douglass’
Monthly*, March 1863; Frederick Douglass, “Condition of the Country,” *Douglass’ Monthly*, February
1863.
After learning of his sentiments, the *Weekly Anglo-African* challenged Douglass for putting an “‘if’ in the way” of black service, arguing that by insisting that black men only serve once certain conditions had been met, he did “himself and his brethren the wrong of misconceiving and mis-stating our duty at this hour.” In his newspaper’s March issue, Douglass defended his words the previous month by setting them against the backdrop of the Congressional debates over black service and Stevens’ proposed bill. “When we made that speech at Cooper Institute, a bill was before the American Congress, to which all kinds of degrading amendments, were being offered and insisted upon, calculated, if carried out, to leave us after enduring all the hardships and perils of war, a degraded caste, to wither under the unabated scorn of the community,” he wrote. The activity surrounding the bill had suggested to him that black service would not bring the gains black Americans sought, would fail to bring a new Union into being. Douglass pleaded that he could not then know what he had since learned, of “the honorable terms” under which black soldiers could enlist.

Because the Union Army enlisted black men under the auspices of 1862 legislation, historians have paid relatively little attention to Congress’ 1863 debates about black enlistment. But black Northerners could not know that this Congressional wrangling would come for naught. They watched attentively as the nation’s white political leaders debated the future of black service, and discussed their impressions of these debates through the press and at the pulpit. They saw much in these debates to give them pause – the vulgar, racist rhetoric of black service’s many opponents, but also the fact that the Republican radical Thaddeus Stevens included several degrading stipulations in his bill in hopes of securing its passage. Watching this debate caused Frederick
Douglass, who had championed black enlistment from the war’s outset, to momentarily adopt the delayed-enlistment position; these debates likely caused other black observers, who had not publicly committed themselves to black service, to doubt black enlistment’s advisability.  

Nevertheless, the first black Northern regiments began to form in early 1863, a product of cooperation between the War Department, Northern state officials and black Northerners. In early January, Massachusetts Governor John Andrew and a delegation of white abolitionist and anti-slavery leaders met with Lincoln and Edwin Stanton in Washington to discuss black service. Andrew left the capital believing that black troops would be allowed to enlist under the same basic terms of service as white troops – they would receive the same pay, clothing, rations as white soldiers – but he failed to obtain permission to commission black officers. Thus, from the start, it was clear that black troops would not enjoy total equality with white soldiers. By mid-January, Stanton had authorized Massachusetts and Rhode Island to recruit black units and Andrew began corresponding with black leaders, sharing with them promises of equality.

Andrew tapped George L. Stearns, a wealthy lead-pipe manufacturer and abolitionist who had helped fund John Brown’s raid, to head black recruitment efforts, and Stearns assembled an impressive roster of black recruiting agents. Working under Stearns’ aegis, Frederick Douglass, Martin Delany, William Wells Brown, John Mercer Langston, Charles Langston and others crisscrossed the Northern states in 1863, working on commission and urging black men to enlist. Black Northerners not officially affiliated with Stearns assisted these recruiting efforts, using their community standing and

335 “Frederick Douglass at the Cooper Institute,” Douglass’ Monthly, March 1863.
336 Berlin, Reidy and Rowland, eds., Black Military Experience, 74-75.
rhetorical abilities to urge black men to volunteer. Utilizing their contacts with the black militia organizations that had formed throughout the North during the 1850s, black recruiters were primarily responsible for recruiting the 54th Massachusetts, the 14th Rhode Island Heavy Artillery, and the 29th Connecticut. Stearns headquartered his operation in Buffalo, New York’s luxurious Mansion House and by April had a buzzing operation going. He had hired a corps of clerks who worked round the clock to handle a “constant receipt of letters and telegrams or of persons conferring on business” that kept them “all the time at work…” Stearns’ task was a difficult one: “Blacks are scattered in a population of Twenty Millions you can understand how much more difficult this is than recruiting the Whites,” he wrote. The businessman deployed his team of “Agents and Sub-Agents” across the Northern free states and Canada and required them to report daily on their work, resulting in a constant stream of “demand[s] for advice, direction, money and transportation…” White prejudice circumscribed his agents’ initial recruiting efforts, which “were secret and confined to the Blacks,” but white leaders in many Northern cities warmed to black enlistment. By late spring, his agents could convene war meetings in public halls frequented by whites. In mid-May, John Mercer Langston reported that a meeting he had held the night before at a court house in Tiffin, Ohio was “so densely crowded…that it seemed every man, white and black, in the city was in attendance.”

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338 George Stearns to John Andrew, April 30, 1863, Folder 21B, Executive Letters, Commonwealth of Massachusetts Archives; John Mercer Langston to George Stearns, May 21, 1863, Volume 84, Executive Letters, Commonwealth of Massachusetts Archives.
efficiency and predicted confidently that, with his help, “The Government [would] arm One Hundred Thousand [black men] with the approbation of the Entire North.”  

War-meeting activity intensified in the aftermath of John Andrew’s January visit to Washington, and black recruiters received help from local leaders in securing audiences across the North. In February, “Guerre” told the *Christian Recorder* about the enlistment movement in New Bedford. News of the 54th Massachusetts appears to have reached the coastal New England town in early- to mid-February; a recruiting office opened on February 13 and, reported Guerre, “Very enthusiastic war meetings ha[d] been held and attended by many.” The former delayed-enlistment advocate William Wells Brown addressed one of the meetings, and John Andrew was scheduled to address another but, as Stearns’ network was still in its nascent stages at this point, it seems likely that at least some of these meetings were the product of local initiative. Commissioned recruiters like Brown, who by late March had opened up a recruiting office on Prince Street in New York, enlisted the help of local black leaders not affiliated with Stearns’ network. In March, Brown took to the podium of Brooklyn’s Bridge Street Church, and was supported by John V. Givens, Reverend J.W.C. Pennington, and a doctor from New Bedford. Black recruiters participated in a coordinated effort to secure recruits but were not always aware of each other’s movements. In early May, a correspondent told the *Christian Recorder* that Charles Lenox Remond and Charles and John Mercer Langston had recently arrived in Chicago, and that “all landed here without a knowledge of each other's whereabouts.” Enlisting the help of John Jones, a wealthy tailor and real

339 George Stearns to John Andrew, April 30, 1863, Folder 21B, Executive Letters, Commonwealth of Massachusetts Archives.
340 “Guerre” to Editor, *Christian Recorder*, March 7, 1863.
estate speculator who had taken a prominent role in the pre-war convention movement, “Mr. [John Mercer] Langston went to work, got up a public meeting among our citizens, which was quite numerously attended, and went off with considerable enthusiasm.” After an introduction from Jones, Langston “moved off at once in a speech of great power, and earnest force, warming as he progressed, until at times he was really eloquent.” The Ohio lawyer’s efforts secured forty recruits.³⁴²

Stearns asked prominent black Northerners like Langston to join his recruiting network because he recognized that their rhetorical talents and reputations would make them effective recruiters; not all black Northerners of Langston’s stature accepted, however, that the time for black enlistment had come. In April, Henry Highland Garnet asked a war meeting at New York’s Shiloh Church, “what have black men to fight for in this war?” Men went to war for “love of country, promotion on the field, and honor,” he asserted, and asked again, “What, then, has the black man to fight for?” The black man who hesitated to enlist did so not out of cowardice, he insisted, but “because he has not justice done him.” The Union’s refusal to commission black officers irked Garnet, and he predicted that if the black soldier received “justice” and an “equal chance with a white soldier...he will show you how he can fight.”³⁴³ About a month later Robert Morris, who

³⁴³ “Meeting at Shiloh Church,” Douglass’ Monthly, June 1863. Joel Schor has described Garnet’s words on April 20 as a “trial balloon” Garnet floated after having agreed to assist in recruiting efforts. This interpretation is a bit hard to square with the newspaper article that described this meeting. Garnet spoke after John V. Givens, who endorsed immediate enlistment in unabashed terms. Garnet began by stating that “he did not arise to speak entirely in support of the remarks of the able and eloquent advocate on the enlistment of colored men.” After concluding his own remarks, Garnet invited anyone who wanted to speak with him on the subject of black enlistment to come forward and do so, seemingly challenging those present to disagree with his analysis. None took him up on his offer. These objections to enlistment may have been a “trial balloon” intended to gauge black New Yorkers’ opinion on enlistment and prepare them for the idea of enlisting under unequal terms of service. It seems more likely that Garnet’s words at this meeting were sincere, and that Garnet’s back-and-forth thinking about the wisdom of enlistment in the
had captained the Massasoit Guards in the 1850s and pledged black men’s help in putting down the rebellion at the war’s beginning, objected to Union promotion policy. Morris told the New England Anti-Slavery Convention that when black men had been denied commissions in the 54th Massachusetts, he had “determined not to lift a finger for that Regiment, and he had never asked and never would ask any man to enlist it.” Morris regretted that the 54th had gone to war without a black commissioned officer and asserted that, whatever recent ex-slaves did in relation to enlistment, “the intelligent young black men of the North know their rights, and will not submit to a curtailment of them.”

Months after the Union had begun recruiting black regiments, a few high-profile black Northerners like Garnet and Morris clung to delayed enlistment, insisting that the Union meet certain conditions before black men volunteered.

Morris and Garnet’s reactions did not typify prominent black Northerners’ response to the call to enlist; almost overnight, many influential black Northerners and institutions who had once embraced delayed enlistment changed their minds. A combination of factors likely caused these black leaders to warm to immediate enlistment: the Emancipation Proclamation and its presidential endorsement of black service, their analysis of the war’s progress, the sincerity Andrew and other white men involved in the project demonstrated, and the promises of equality for black soldiers that they received all likely played a role. Douglass made an abrupt about-face on the question of enlistment, and by late February had removed the “if” he had momentarily placed in front of black service. “Fred. Douglass enters heart & soul into this

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schor, 189-190.

344 “new england anti-slavery convention,” liberator, june 5, 1863.
movement,” Stearns informed Andrew on February 27. One of Douglass’ sons, Lewis, had already agreed to enlist, wrote Stearns, “and it is probable that another will.”

Around the same time, John Rock explained why his thinking regarding black service had changed. Rock had in 1860 urged black men not to repeat the mistakes made by earlier generations of black soldiers, had in 1862 paired improvements in black rights and status with black service, and had recently belonged to “the most intelligent portion of the colored men in [Massachusetts that did] not understand why we are to be proscribed in the Army, when we are willing to offer ourselves on the Altar of our Country.” Rock remained troubled that black soldiers could not obtain commissions but did not “believe that the door of promotion [was] to be permanently closed against us…” He had become “fully convinced that we shall not be doing right if we waive the opportunity to show that we will seize every thing that offers.” Black men should enlist, and if any possessed “Military Genius,” they would eventually secure promotion. He declared himself “heart & soul with the boys who are going to represent this Commonwealth,” and offered his own services to Andrew: “If I can serve you in any way you have only to command me.” Despite Union promotion policy and the injustices that persisted North and South, Rock challenged black men to show their willingness to seize any opportunity to win gains rather than demanding change before enlisting.

Most of the black press joined Douglass and Rock in endorsing immediate enlistment. The Christian Recorder – which, of the three major black newspapers, had taken strongest hold of the delayed-enlistment position – continued to advocate black

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345 George L. Stearns to John Andrew, February 27, 1863, Folder 21B, Executive Letters, Commonwealth of Massachusetts Archives.
346 John S. Rock to John Andrew, February 24, 1863, Volume 57A, Executive Letters, Commonwealth of Massachusetts Archives.
service only conditionally. The Recorder urged black men to enlist because the nation had recognized black citizenship but cautioned them, before taking any “hasty steps,” to ensure they would enjoy the same rights, privileges and pay as all other citizens.\(^\text{347}\) The Weekly Anglo-African and Pacific Appeal embraced enlistment without qualification. The Anglo-African urged black men to form a regiment in every large Northern city.

“[African Americans] have been pronounced citizens by the highest legal authority, why should we not share in the perils of citizenship?” it asked. Black soldiers, the New York journal predicted, could “claim [black] rights” and “speedily overcome” racial prejudice.\(^\text{348}\) The Pacific Appeal told that black men to forget past rebuffs of black service and enlist, because to be “considered good citizens we must possess ourselves with the necessary qualifications, and be prepared for military as well as civilian life.”\(^\text{349}\)

These influential newspapers’ emphasis on citizenship, and having been pronounced citizens, suggests that a December 1862 opinion rendered by Attorney General Edward Bates convinced their editors that black enlistment’s time had come. Bates’ opinion affirmed black citizenship and repudiated the hated Dred Scott decision. With the final Emancipation Proclamation looming and the issue of black citizenship seeming crucial, Salmon Chase asked Bates to consider a case involving a black schooner captain whose ship had been detained due to its captain’s presumed non-citizenship, and Bates used this opportunity to affirm the legal possibility of black citizenship. The Constitution’s framers, Bates wrote, had not specified which rights and privileges citizenship entailed and which members of the body politic qualified for it, but had in

\(^{347}\) “Call for Colored Soldiers. Will They Fight? Should They Fight?” Christian Recorder, February 14, 1863.


referring to “natural-born citizens” recognized the ancient principle that citizenship
attached to persons born within the confines of a national territory. The framers had not
made race or skin color a barrier to the possession of citizenship. The Constitution was
“as silent about race as it is about color,” meaning that free African Americans born in
the United States, like the detained schooner captain, were citizens.350

While a clear victory for black activists who had argued throughout the
antebellum period for black citizenship, Bates’ opinion sharply limited American
citizenship’s content. Bates described citizenship as a relationship between the individual
and the nation that entailed reciprocal duties: citizens owed allegiance to their nation,
which in turn owed them protection. “In my opinion the Constitution uses the word
citizen only to express the political quality of the individual in his relations to the nation,”
he wrote, “to declare that he is a member of the body politic, and bound to it by the
reciprocal obligation of allegiance on the one side and protection on the other.”
Citizenship did not, Bates held, imply possession of political rights like voting. Through
discourses on US and world history, he proved that non-citizens had from time to time
exercised these rights and, more importantly, that persons recognized as citizens had not
and yet remained citizens. Citizenship and the possession of political rights were not
coterminous. For African Americans, Bates’ opinion was an important but limited victory
that repudiated Taney’s loathsome doctrine, showing how profoundly the exigencies of

McClure et al., eds., “Circumventing the Dred Scott Decision: Edward Bates, Salmon P. Chase and the
Citizenship of African Americans,” in Race and Recruitment, ed. John David Smith (Kent: Kent State
war had already transformed the nation. But Bates’ opinion did not require that the nation bestow political rights, like suffrage, or legal equality upon its citizens.  

James Oakes has argued that Bates’ opinion cleared the way for black enlistment and in a theoretical sense it did. Since the late eighteenth century, military service had been linked to citizenship, and the 1792 Militia Act that barred black men from the federal army had limited its membership to white male citizens. The 1862 Militia Act had removed freedom and whiteness as qualifiers for army service, but kept the stipulation that soldiers must be citizens. Bates’ finding that free black men born in the United States were citizens – and, by implication, that citizenship attached to native-born slaves once freed – was a legally-necessary concomitant to the large-scale black enlistment that began in 1863. Using this reasoning, Oakes has argued that, because the Emancipation Proclamation authorized black enlistment, black citizenship must be viewed as one of the document’s hidden assumptions.  

If black leaders understood the combined implications of Bates’ opinion and Lincoln’s Proclamation in exactly these terms they did not say so. Nevertheless, Bates’ opinion served from early 1863 on as a touchstone for supports of immediate enlistment. At the emancipation celebration held in Boston’s Tremont Temple on  

January 1, William C. Nell argued that Lincoln’s Proclamation and Bates’ opinion inaugurated “a national era of fair play for the black man…” Why, he asked, should black men hesitate to enlist? By fighting, they could make the citizenship Bates’ opinion recognized meaningful by winning the rights and privileges white Americans enjoyed. “Why content ourselves with sleeping at the base of the hill,” he asked, “when, by a vigorous ascent to its summit, we may obtain entrance to the Temple of Freedom, where, under the aegis of the American Eagle, we shall not only be safe from the spoiler, but may aspire to its noblest privileges and its highest honors?” At the same meeting, John Rock reviewed the anti-slavery progress 1862 had brought, cited Bates’ recognition of black citizenship, and concluded that black men should enlist, as, “The black man must, as time and opportunity offer, enter upon his duties as a citizen.”

To the modern eye, Bates’ description of citizenship leaves much to be desired, failing to define any rights, privileges or immunities citizenship entailed. But black Northerners, who knew that citizenship had never existed as a well-defined, all-encompassing legal category, gloried in finally being officially recognized as individuals to whom Bates’ relationship of reciprocal allegiance and protection applied. Time and again, in public meetings and in the black press, black Northerners affirmed their faith in Bates’ opinion. In late January, the Christian Recorder implied that black troops’ praiseworthy performance in Louisiana resulted from their confidence that they were US citizens: “The universal opinion is that good citizens make good soldiers.”


Remond endorsed black enlistment in New Bedford, Massachusetts, urged black men to fight, as the government had given the black man “assurance of his rights, as a freeman and a citizen.” Speaking before the annual convention of the American Anti-Slavery Society, Robert Purvis celebrated the fact that, “For the first time since this Society was organized, I stand before you a recognized citizen of the United States…Now a black man has rights, under this government, which every white man, here and every where, is bound to respect…The black man is a citizen – all honor to secretary Bates, who has so pronounced him!” Agreement on this point was not universal, but some black Northerners believed that Bates’ opinion had made black citizenship a legal reality.

The opinion inspired comment throughout spring 1863. In early March, Richard H. Cain, an AME minister and future South Carolina congressman, presided over a public meeting to consider Bates’ opinion at his Bridge Street Church in Brooklyn. No record survives of any of the speeches made but, evidently, the speakers argued that Bates’ opinion established black citizenship as a fact and obligated black men to enlist. One of the resolutions the meeting’s attendees passed closely echoed Bates’ description of citizenship as a reciprocal relationship of allegiance and protection between the citizen and the state:

**Resolved,** That the reciprocal obligations of protection and allegiance are the law of the relation of the Government to those under its control: That all owing allegiance to the Government are entitled to its protection in life, liberty and property, and are denominated by the general term “citizens;” and that no person born and residing in the country can, in the nature of things be, exempt from such allegiance: That as this allegiance to the general Government is bound to protect the citizen in his rights against any and every other power whatsoever, whether domestic or foreign. And **Resolved** further, That in the present great struggle for national existence, no male citizens of the requisite age or physical ability, is exempt from the duty or should be excluded from the privilege of bearing arms in the national defense.

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356 “Guerre” to Editor, *Christian Recorder*, March 7, 1863.
358 “Meeting at Bridge Street Church, Brooklyn,” *Weekly Anglo-African*, March 7, 1863.
For some, Bates’ opinion established black citizenship and made it black men’s duty to fight.

During the early months of 1863 white leaders who urged black men to volunteer stressed black men’s duty as citizens to fight for their country. Sometimes they took this argument further and held that black men who would not fight to gain improved rights and status did not deserve them anyway. White abolitionists Edward Pierce and Wendell Phillips spoke in these terms when they addressed a recruitment rally for the 54th Massachusetts in February. Pierce pointed out that although black men did not enjoy equality, they possessed the freedoms of worship and education and, as such, “they at least owed us a little.” Pierce believed that when the nation called black men to service, “there is the same duty to country resting upon you, that there is upon white men,” and called them “as citizens to sustain the honor of the State.” Phillips expounded on this theme more bluntly. He conceded the injustice of Union promotion policy, but argued that black men ought to respond by serving and earning promotion. “[I]f you cannot have a whole loaf, will you not take a slice[?]!” he asked. “[M]ake use of the offer Government has made you, for if you are not willing to fight your way up to office, you are not worthy of it.” White leaders like Pierce and Phillips told black men that if they wanted change, they would have to fight and die for the country like good citizens, even if they had to endure inequality while serving.

In summer 1863 Secretary of State William Seward ratified this viewpoint. In late June, John Mercer Langston asked Seward what duty black men owed the United States in light of the fact that, by that point, the government had decided to pay black

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soldiers less than white troops, asking them “to take an inferior position as Soldiers.”

Seward replied unequivocally that black men’s citizenship bound them to enlist regardless of discriminatory treatment. “The duty of the colored man to defend his country wherever, whenever, and in whatever form, is the same with that of the white man,” Seward replied. “It does not,” he continued, depend on, nor is it affected by, what the country pays us, or what position she assigns us; but it depends on her need alone, and of that she, not we, are to judge. The true way to secure her rewards and win her confidence is not to stipulate for them, but to deserve them. Factious disputes among patriots, about compensations and honors invariably betray any people, of whatever race, into bondage. If you wish your race to be delivered from that curse, this is the time to secure their freedom in every land and for all generations. It is no time for any American citizen to be hesitating about pay or place.

According to Seward, black men were duty-bound to fight for their country no matter the discrimination they faced, and he challenged them to prove themselves worthy of equal treatment. Like Pierce and Phillips, Seward asked much of black men, but did not require white Americans to bow to the principles of equality on which the nation had been founded by giving justice to their black counterparts. White assertions that black men possessed a duty to fight for the United States, especially when couched in harsh and condescending tones, likely irked black listeners. At the least, statements like Seward’s betrayed a lack of sensitivity to black concerns and an inability to empathize with well-founded, longstanding black grievances. African Americans could meet these white arguments for black enlistment with compelling objections: they could appeal to simple justice, or black service in previous American wars, to argue that they already deserved equality. They could also dismiss predictions by men like Phillips and Seward that change would come in the war’s aftermath by pointing to the history of black service in

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Americans wars and continue to insist on immediate change. In short, if arguments by men like Pierce, Phillips and Seward had been the only pro-enlistment arguments black Northerners heard in 1863, delayed enlistment might have won the day.

But black recruiters developed their own arguments to convince black Northerners to enlist, seemingly recognizing the potentially offensive, unconvincing nature of white leaders’ pro-enlistment arguments. As evidenced by black newspapers’ linkage of citizenship with a duty to fight and the previously-quoted Brooklyn war meeting, some black Northerners accepted the proposition that black men possessed a duty to fight for the United States as citizens, but black recruiters did not generally argue for enlistment in these terms. They contended that, practically speaking, fighting despite service inequalities would more likely win gains than would a principled refusal to serve unless under complete terms of equality. Black recruiters urged black men to forget past injustices, as the chance that black service could bring change counted for more than did their former treatment; they possessed in the opportunity to enlist a unique chance that, if rejected, might never come again. It was now or never, black recruiters insisted, and they urged black Northerners to bear temporary injustices and forget past grievances in service of the greater goal of bringing the Union they sought into being.

Douglass’ famous appeal for the 54th Massachusetts, “Men of Color, to Arms!” published in his newspaper’s March 1863 issue, urged black men to enlist in exactly these terms. “There is no time for delay,” he wrote, “NOW OR NEVER”. That African Americans did not yet enjoy equality should not deter black men from enlisting, for they could win equality through service. “When the war is over,” he predicted, “the country is saved, peace is established, and the black man's rights are secured, as they will be, history
with an impartial hand, will dispose of that and sundry other questions.” Talk, at such a moment fraught with potential for change, did no good: “Action! action! not criticism, is the plain duty of this hour. Words are now useful only as they stimulate to blows. The office of speech now is only to point out when, where and how, to strike to the best advantage.”

Douglass implored black men to shelve their objections and enlist, for change would come if they fought.

Black recruiters often linked the ideas that the war presented a fleeting opportunity and that black men should bear present-day inequalities for the sake of long-term gains. At a February 1863 war meeting in New Bedford, William Wells Brown urged black Northerners not to refuse to fight because they had not received all the rights they sought. “If [black men] had refused to avail themselves of the public conveyances and public schools when first allowed those privileges,” he argued, “because the right to bear arms was not also granted, they would be in a ridiculous position.” If black men let the “opportunity” to enlist pass, “they would forever be left out in the cold.” At a subsequent war meeting in New York, Brown sounded the same theme, telling black men that if they did not enlist at once, “generations must pass away ere they would have another chance.” Rather than dwelling on service inequalities, they should “rush to the battlefield and win by deeds of noble daring, that position which they had long been contending for in civil life.”

At a March war meeting in Worcester, Massachusetts, Isaiah C. Ray dismissed service inequalities as reasons to forestall enlistment. “This was the colored man’s war,” he said, and, “To refuse to enlist as a private was as foolish as to stay away from school

till one could read.”

The government’s acceptance of black enlistment, argued black recruiters, provided black men with an – admittedly imperfect – opportunity they had to seize, because such an opportunity would not come again if they remained on the sidelines. “Inactivity now on our part will be certain death to us,” wrote California’s Dr. Ezra R. Johnson, having abandoned the resolve to delay enlistment he had manifested the previous year. If black men “held back,” the nation would not grant them new rights, but if they took “an active part, we may have all our rights as citizens given to us when peace is again restored.”

Black recruiters insisted that black rights and citizenship, though elusive for the moment, would come in the post-war period. They knew they needed to assuage the anxiety that underlay the politics of service, the nagging fear that history would repeat itself and black service would again go unrewarded. In this vein, “Hope”, Troy, New York’s Anglo-African correspondent, urged black men “to first aid in putting down this rebellion…then claim our rights as men and citizens; we will have earned it then, and who will dare dispute them [?]” At a war meeting in Ithaca, Jermain Loguen implored black men to “[demonstrate] our manhood and title to American citizenship by our patriotism as American soldiers.” In July, the Anglo-African’s Robert Hamilton advised black Baltimoreans to forget service inequalities and enlist, because if they “[did] right and trust in God that all shall come right.”

Around the same time, Thomas H.C. Hinton, an A.M.E. minister from Washington, D.C. engaged in recruiting, insisted that

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367 “Hope” to Editor, Weekly Anglo-African, April 4, 1863.
black service would win black rights in the post-war period.\textsuperscript{370} Speaking of efforts to form a Washington-area home-guard regiment, Hinton wrote that,

> when the question, whether a black man has rights that the white man is bound to respect, comes up, those gentlemen who desire to form a home guard, wish to be among the happy number who will say to the government, We, the colored people of these U.S., have not left one stone unturned by way of dulness on our part, in showing the Americans that we have attempted to do our duty, and will look for its legislators to use every means proper, in their power to show that the colored American deserves every immunity, every right, and every blessing the most favored of its subjects deserves.\textsuperscript{371}

In arguing for black men’s duty to fight for rights that would come later, these black Northerners voided the delayed enlistment position and came close to echoing the language employed by white speakers and politicians who held black men, no matter the discrimination they suffered, duty-bound to fight. Indeed, Hamilton couched his message to Baltimore’s black community in these exact terms. But Hamilton was the outlier. For the most part, when black recruiters and leaders talked of black men’s duty to fight, it was not a duty to the nation they referred to, but a duty to strike for black rights and freedom. Black men owed it to themselves, their families, their communities and their enslaved brethren to fight. In his speech before the Ithaca war meeting, Loguen repeatedly reminded his listeners that, “Who would be free, themselves must strike the blow”; Douglass’ March 1863 appeal “Men of Color, to Arms!” invoked the same

\textsuperscript{370} On Hinton, see Ripley et al., eds., \textit{Black Abolitionist Papers: Volume V, United States, 1859-1865}, 271.

\textsuperscript{371} Thomas H.C. Hinton to Editor, \textit{Christian Recorder}, July 25, 1863. For other expressions of willingness to wait for change in the post-war period, or confidence that black service would bring change in time, see John H. Dickson Jr., to Editor, \textit{Pacific Appeal}, July 18, 1863; “Guerre;” to Editor, \textit{Christian Recorder}, May 16, 1863; John Mercer Langston, “Colored Soldiers of Ohio,” \textit{Weekly Anglo-African}, July 25, 1863; “Our Colored Soldiers,” \textit{Weekly Anglo-African}, April 4, 1863; “Tomahawk,” to Editor, \textit{Weekly Anglo-African}, April 11, 1863; the speech of “Rev. Mr. Girdwood, “ in “War Meeting in Massachusetts,” \textit{Weekly Anglo-African}, March 21, 1863. Brooklyn’s Junius, who in February counseled black men to wait to enlist, eventually came around to this view as well; in September, referring to the rewards of land and freedom he believed black men would receive in return for their service, Junius wrote that, “[W]e are not very technical on that point just now, as we know that all these ‘constitutional’ questions cannot be settled while the country is in such an unsettled condition.” See Junius to Editor, \textit{Christian Recorder}, September 5, 1863.
In using this phrase, black recruiters like Douglass and Loguen appealed to black men not to strike a blow for the nation, but for themselves and black freedom. Theirs was a far more compelling appeal than that made by Seward and other white leaders. The argument that black men owed the nation their service as citizens also threatened to undermine black service’s potential to achieve expansions in black rights and status. If black men owed their nation service as citizens, then, post-war, white Americans might argue that black men had simply done their duty and did not deserve further compensation for their service. Black Northerners thrilled at Edward Bates’ recognition of black citizenship, and his opinion convinced many of them to enlist; it is striking that black recruiters tended not to frame black men’s duty to fight as a duty they owed to the nation as citizens. Black men had instead a duty to fight for black freedom, for themselves.

In urging black men to fight for the freedom they desired, black recruiters like Douglass and Loguen drew on a strain in American political thought that dated back to the American Revolution: that peoples unwilling to fight for their own freedom did not deserve it. They also seized on an effective rhetorical strategy by which they could express the vital necessity of black enlistment without asserting that black men possessed

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373 In April 1863, Douglass did include concerns related to citizenship among a list of reasons why black men should enlist. He did not say that, as citizens, black men owed service to the nation; rather, he argued that their refusal to serve would justify white Americans’ long tendency to treat African Americans as non-citizens. Douglass wrote: “[Y]ou have hitherto felt wronged and slighted, because while white men of all other nations have been freely enrolled to serve the country, you a native born citizen have been coldly denied the honor of aiding in defense of the land of your birth. The injustice thus done you is now repented of by the Government and you are welcomed to a place in the army of the nation. Should you refuse to enlist now, you will justify the past contempt of the Government towards you and lead it to regret having honored you with a call to take up arms in its defense. You cannot but see that here is a good reason why you should promptly enlist.” Frederick Douglass, “Why Should a Colored Man Enlist?” Douglass’ Monthly, April 1863.

a duty to fight for the nation that had mistreated them for so long. Prominent black Northerners like Douglass and Loguen were all too familiar with the crushing oppression and discrimination African Americans had suffered and realized that black Northerners might balk at suggestions that they possessed a duty to fight for the United States. They knew that black Northerners would respond better to the proposition that they possessed a duty to themselves and their kin to strike for freedom. In making the phrase, “Who would be free, themselves must strike the blow,” key to the language of black enlistment, they assured black Northerners that they would not be fighting for the antebellum Union, but to create a new Union that would live up to their aspirations.

While black recruiters urged black Northerners to submit to temporary inequalities in the service of long-term gains, they somewhat contradictorily also insisted that, in the day-to-day particulars of their service, black troops would serve as equals with white troops. Andrew and other Northern officials had promised black recruiters that black troops would receive the same pay, clothing and rations as white soldiers, and black recruiters frequently repeated these promises of equality.375 In March 1863, Douglass asserted that he had been “authorized to assure you that you will receive the same wages, the same rations, the same equipments, the same protection, the same treatment and the same bounty secured to white soldiers.”376 He repeated this promise in May, telling a New York City war meeting that black troops in the 54th Massachusetts would be “treated in all respects as white soldiers are treated.”377 At the end of this meeting – which came a week later, as it turned contentious and had to be suspended – George T. Downing read a

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376 Frederick Douglass, “Men of Color, to Arms!” Douglass’ Monthly, March 1863.
377 “Great Meeting in Shiloh Church,” Liberator, May 22, 1863.
letter from Andrew, likely the same letter Downing had earlier printed in the *Weekly Anglo-African*, in which Andrew promised black troops equality in regard to “pay, equipments, bounty, or any aid and protection.” When black recruiters like Downing and Douglass promised black men equality in their day-to-day treatment by the Union Army, they expressed their sincere beliefs in the promises of equal treatment they had received; only later in the year would it become clear that black troops would be paid less than their white counterparts. In a sense, though, in these promises of equality Douglass, Downing and others deliberately tried to distract black Northerners from the fact that, since January, it had been obvious that black soldiers would not enjoy equality in *all* aspects of their service.

When they authorized black enlistment in January 1863, Lincoln and Stanton refused to commission black officers, barring black soldiers from rising above the rank of sergeant-major. Although some black commissioned officers had served in the Kansas and Louisiana regiments formed in 1862, Stanton and Lincoln denied Andrew’s request to commission black officers. This step, they believed, was too far ahead of public

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379 The War Department’s June 1863 announcement that black soldiers would receive less monthly pay than white soldiers put officials like Andrew, who had promised black troops equality, in an awkward position. “My statement, declaring [black soldiers’] position as to pay and all the rights of soldiers – save that I could not promise promotions to the place of commissioned officers, were promulgated by a speech in print. And there men enlisted in the faith of these representations,” the governor wrote to John Wilder in May 1863 upon learning of the pay issue. His embarrassment and anger at having his promises undermined surely influenced Andrew’s vehement efforts to secure equal pay for black troops later in the war. See John Andrew to John Wilder (copy), May 23, 1863, Volume W100, Executive Letters, Commonwealth of Massachusetts Archives.
opinion, only just accommodating itself to black enlistment.\textsuperscript{380} Many black Northerners objected to Union promotion policy, and black recruiters had to explain why black men should bear this insult and enlist.

Black recruiters answered black Northerners’ objections to Northern promotion policy effectively. William Wells Brown contended that denying commissions to black men at first made sense given white racism and black men’s general inexperience as soldiers. In mid-February, Brown argued that Northern prejudice would only dissipate gradually, and that black troops serving under white officers would conquer this prejudice faster than if they served under black officers. White observers would not as readily believe a black officer’s praise for his troops, he contended, as they would praise coming from a white officer.\textsuperscript{381} White soldiers had been fighting in large numbers for nearly two years by the spring of 1863, and many had gained the experience as combat officers that black men, through no fault of their own, had not. Martin Delany cited this consideration when he recommended enlisting despite Union promotion policy in late

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\textsuperscript{380} See Berlin, Reidy and Rowland, eds., \textit{Black Military Experience}, 303-307; McPherson, \textit{The Negro’s Civil War}, 176-177; Smith, \textit{Lincoln and the US Colored Troops}, 51-52. In commissioning black officers in his Kansas regiment, James Lane had acted without official authorization, limiting the value of his black officers as precedent-setters. In Louisiana, the situation was a bit more complicated. The men of the Louisiana Native Guards were members of New Orleans’ free black elite class, the \textit{gens de couleur}, and many claimed descent from the black men who had fought with Andrew Jackson during the War of 1812. While he commanded the Department of the Gulf, Benjamin Butler allowed the black officers of the Native Guard regiment to serve; but when Nathaniel Banks took command of the department in December 1862, he began through a combination of intimidation, bureaucratic chicanery and racist invective to force the black officers under his command to resign. Although a few black officers survived what the scholars of the Freedmen and Southern Society refer to as Banks’ “purge” of black officers from his ranks, Banks’ hostility to black commissioned officers and the mass resignations it occasioned limited the value of black commission-holding in the Louisiana regiment to set a general precedent. For more on the Louisiana Native Guards, see James G. Hollandsworth, \textit{The Louisiana Native Guards: The Black Military Experience in the Civil War} (Baton Rouge: Louisiana State University Press, 1995).
\textsuperscript{381} “War Meeting in New Bedford,” \textit{Weekly Anglo-African}, February 28, 1863. Wendell Phillips echoed this point. \textit{A Liberator} correspondent reported that Phillips “showed several reasons why white officers will be better for them at present, and among others, the fact that they would be more likely to have justice done them, than if commanded by men of their own race, and the prejudice against them would be more surely overcome.” See “The Negro Regiment – Meeting of the Colored Citizens,” \textit{Liberator}, February 20, 1863.
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April, arguing that, as matters stood, no black men were “eligible or capable” of serving as officers.  

In an equally pragmatic but callous vein, the *Weekly Anglo-African* predicted that Confederates would quickly “pick off” white officers of black regiments, whose skin color would make them easy targets, and “the necessity of sergeants and corporals of color taking command” would prevail. Moreover, added the *Anglo-African*, “The general rule of promoting men from the ranks for courage or conduct will quickly instal these sub-officers into commands earned by their bravery!” That most soldiers did not enter the army as commissioned officers, but ascended to this position as a result of meritorious service, allowed recruiters to brush aside opposition to Union promotion policy comparatively easily. When the white Boston judge Thomas Russell told black Northerners at a Boston war meeting, “If you want commissions, go earn and get them,” his command carried a good deal of force, if it also casually elided the white prejudice that denied black men commissions in the first place.

Black recruiters could not answer black Northerners’ concerns regarding their prisoner-of-war status so easily, as no argument could justify Confederates’ refusal to recognize captured black soldiers as legitimate POWs. As early as 1862, Confederate officials had talked of refusing to treat captured black soldier as they did white POWs. Confederate field officers argued amongst themselves about whether to shoot or hang black captured black soldiers; most thought they should be hanged. Confederate Secretary of War James Seddon merely directed that they be summarily executed in some manner. In December 1862, Jefferson Davis ordered that captured black soldiers be

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remanded to the various Confederate states, all of which treated black insurrection as a capital offense, for punishment. The following May, the Confederate Congress mandated that white officers of black regiments be tried by military courts and, at their discretion, executed. The Congress directed the various states to deal with captured black troops under their own laws, which meant execution or enslavement. Northern efforts to enlist and arm their slaves enraged Confederates, and slaves-turned-soldiers were their chief targets; Southern officials had not by 1863 decided how to treat captured free-born black soldiers or black troops free before the war, although some wanted to treat all black prisoners as insurrectionists no matter their pre-war legal status. At the least, though, black Northerners knew that they might be executed or enslaved if captured, or perhaps murdered on the field outright by Confederate soldiers seeking to implement their government’s policy more speedily. As early as May 1863, controversy arose in Kansas over Southern treatment of black prisoners, and by summer reports came from several Southern battlefields that Confederate troops had murdered captured black soldiers.385

The possibility that black soldiers might not be permitted to surrender acted as a powerful brake on black Northerners’ willingness to enlist. It is striking, then, how infrequently black leaders directly addressed the POW issue as they recruited the first black Northern regiments, especially in comparison to their frequent discussions of Union promotion policy. Black recruiters discussed Confederate POW policy occasionally: during the New Year’s Day emancipation celebration at Boston’s Tremont Temple, Frederick Douglass rather blithely asserted that, “Although the colored men were not to

be considered prisoners of war when taken by the Confederates yet he was sure the
colored men were as ready to give their services to the country now as they were at the
commencement of the war.\textsuperscript{386} From time to time, recruiting agents mentioned
Confederate threats against black soldiers as a legitimate argument against enlistment,
and in late May the \textit{Weekly Anglo-African} praised black men who had volunteered
though they could “rightfully dodge [enlistment], as some do, behind the fact that the
government will afford them no protection if captured…”\textsuperscript{387} No rhetorical strategy
comparable to those recruiters employed to meet objections to federal promotion policy
existed that could explain away Confederate POW policies, and so black leaders seem to
have declined to try to fashion arguments that rationalized them as somehow less
objectionable than they seemed. If black men went to war, they would have to accept
that the price of their capture might be enslavement or execution. Black Northerners had
to acknowledge that Confederate POW policies were not something Union officials could
control in the strictest sense, even if they wished the government would devise policies to
discourage the Confederacy’s characteristic disregard for black lives.

As 1863 progressed, the POW issue and other indignities inspired some black
Northerners to resist enlistment, and black recruiters found they could not so easily brush
aside delayed enlistment as had Douglass in his March 1863 appeal, in which he branded
as cowards black men who refused to enlist. Rather, black recruiters conceded the
validity of black Northerners’ objections to enlistment while maintaining that the benefits
service could win outweighed temporary inequalities.\textsuperscript{388} Making this argument required

\textsuperscript{386} “Emancipation Day in Boston,” \textit{Liberator}, January 16, 1863.
\textsuperscript{388} Douglass was not the only immediate-enlistment advocate to brand as cowards black men who remained
black recruiters to walk a fine rhetorical line. In his autobiography, John Mercer Langston recalled his days as a recruiting agent and the difficulty of overcoming black Northerners’ objections to enlistment as he helped raise the 54th and 55th Massachusetts and 5th USCT regiments. The government’s initial rejection of black service, he remembered, had created among black Northerners a general “feeling against taking any part as soldiers in the war,” and he had to rely on “cautious, truthful statements, made with such candor and appeal as to create after meeting their prejudices, favorable and effective impressions,” to overcome this reticence to enlist. Langston wrote that at the beginning of his time as a recruiter, his work was “largely...of such character.”

John Rock followed this blueprint while advocating enlistment at the New England Anti-Slavery Society’s convention in late May. Some Northerners wondered, said Rock, why black men hesitated to enlist. “But,” he continued, “if you will consider, for a moment how reluctantly the government has taken hold of this matter; how nearly every post of honor and profit is denied us: how unwilling [the Massachusetts] legislature has been to strike the word ‘white’ from the militia laws; and when you add to all this the fact, that many colored man in the service of the government have been taken prisoners and sold into slavery, without even a protest from the Federal Government, you ought not to be surprised why we have hesitated, and not rushed pell-mell into the service and urged others to follow us.” Black men had fought in previous wars and gotten nothing in return for their service; “[m]any of our grandfathers,” said Rock, “fought in the


revolution, and the battles of the revolution we are obliged to fight over again to-day.”

Nevertheless, he urged all those whose consciences permitted them to enlist, arguing that temporary concessions to racism and expediency would bring long-term gains. “I say to my people, if we cannot get what we want, we must get what we can, keeping our rights uppermost and always in view…if the government will not come to us, we will go to it. We will leave no excuse for these who would deprive us of our rights.”

Black Northerners might resent service inequalities, said Rock, but they were more likely to bring the Union they sought into being by fighting than by a principled refusal to fight.

As the year drew on, the obstacles black recruiters faced increased, as the Union implemented a new and especially galling service inequality: in June 1863, the government announced that it would pay black soldiers less than white troops. Black soldiers would receive $10 a month, with three dollars deducted monthly for clothing costs; white privates received $13 a month with a pay increase if promoted. All black soldiers would receive $7 a month, and none would receive the $100 federal bounty paid to white volunteers since 1861. These pay discrepancies contradicted the promise of day-to-day equality John Andrew and black recruiters had made since early 1863.

The government’s controversial pay decision came as the first Northern black regiments took shape, as black troops fought on Southern battlefields, and as the federal government embraced black enlistment unequivocally. Despite some black Northerners’ objections to enlistment, George Stearns’ recruiting network had secured enough volunteers for the 54th Massachusetts that by late April the War Department authorized Andrew to raise a second state regiment, which became the 55th Massachusetts. Black

troops also began to prove their mettle in battle. Black soldiers fought well at Port Hudson, Louisiana on May 27, Milliken’s Bend, Mississippi on June 7, Honey Springs in Indian Territory on July 17 and, especially, in the failed assault on Fort Wagner in Charleston Harbor on July 18. Their efforts received praise from white officers and the white press. Edwin Stanton recognized black enlistment’s success and its importance to the Union cause, and established a federal Bureau of Colored Troops in late May. Stanton’s action brought black troops under federal oversight and imposed centralized authority over the recruiting process. Although individual states continued to receive authorization to raise black regiments, the units that formed from the summer of 1863 onward took shape under federal rather than state authority, and were designated as part of the United States Colored Troops (USCT) rather than as state regiments.393

When Stanton transferred authority over black troops from the states to the federal government, he triggered the imposition of pay inequalities that undermined Northern officials’ promises of equal pay. After creating the Bureau of Colored Troops, Stanton asked War Department solicitor William Whiting what monthly rate of pay black troops should receive. Whiting cited the 1862 Militia Act, which had authorized black federal troops to receive $10 per month, as the only applicable statute, and recommended that black men receive this sum, with $3 deducted monthly for clothing costs. When this statute had become law, Northern officials widely assumed that black troops would only serve as laborers or garrison troops in areas already captured by white units. The discrepancy in pay had ostensibly recognized a distinction between combat and support troops, and had catered to white soldiers’ aversion to receiving the same wages as black

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393 Berlin, Reidy and Rowland, eds., *Black Military Experience*, 76; Cornish, *The Sable Arm*, 142-156; McPherson, *The Negro’s Civil War*, 180. For more information on blacks troops’ performance in these engagements, see Trudeau, *Like Men of War*. 
troops. The War Department announced its pay policy in General Orders No. 163, which it released on June 4. By this point black troops had enlisted as combat troops and had seen fighting, and Thomas Wentworth Higginson’s South Carolina Volunteers had been paid at least once on the same basis as whites. This decision also violated the March 1863 conscription law, which subjected black men to the draft and directed that all conscripts receive the same wages.\textsuperscript{394}

Black recruitment in the Northern states had proved successful enough to cause the federal government to institutionalize black enlistment, but black men in multiple Northern cities continued to embrace delayed enlistment; the pay issue only raised their concerns that black service would not bring a new Union into existence. Black Northerners’ anger over Union pay policy and other service inequalities helped keep delayed enlistment alive during the momentous summer of 1863. The galling treatment to which the Union subjected black troops caused even Frederick Douglass to temporarily withdraw his support from the movement to recruit black volunteers. Douglass’ brief resignation from recruiting revealed the dilemma black recruiters faced in asking black Northerners to enlist.

In July, Douglass gave a much-publicized recruiting speech in Philadelphia and rehearsed the argument he had made for months. He insisted that black men needed to think pragmatically, that service inequalities would more likely cease as a result of their service than their refusal to enlist.\textsuperscript{395} The horrors of Confederate POW policy and the humiliation of other service inequalities weighed on Douglass, though, and by August 1

he had had enough. Unaware that on July 30 Lincoln had issued a retaliatory proclamation promising to execute or put to hard labor one rebel soldier for every black Union soldier so treated, Douglass penned a public letter to George Stearns resigning his post as recruiting agent. 396 He had previously felt duty-bound to help Stearns enlist black troops, but he now felt it his duty to stop recruiting and work full-time to combat service inequalities. “I owe it to my long abused people, and especially those of them already in the army,” he said, “to expose their wrongs and plead their cause. I cannot do that in connection with recruiting. When I plead for recruits, I want to do it with all my heart, without qualification. I cannot do that now.” Douglass acknowledged that he and other black recruiters had counseled enduring temporary inequalities in the service of winning long-term gains, but he could no longer stomach this proposition:

I know what you will say to this [letter]; you will say; ‘wait a little longer, and after all, the best way to have justice done to your people is to get them into the army as fast as possible.’ You may be right in this; my argument has been the same, but have we not already waited, and have we not already shown the highest qualities of soldiers and on this account deserve the protection of the Government for which we are fighting? Can any case stronger than that before Charleston ever arise? If the President is ever to demand justice and humanity, for black soldiers, is not this the time for him to do it? How many 54ths must be cut to pieces, its mutilated prisoners killed and its living sold into Slavery, to be tortured to death by inches before Mr. Lincoln shall say? ‘Hold, enough?’ 397

Douglass lashed out at William Seward’s reply to John Mercer Langston the previous month, his injunction that black men forget service inequalities and do their duty as citizens by fighting for their country. While black troops were rendering the allegiance Edward Bates’ formulation of citizenship required, they were not receiving the protection in return. What privileges, Douglass asked, did black men receive in the

396 Blight, Frederick Douglass’ Civil War, 166-167; McPherson, Battle Cry of Freedom, 794. Lincoln never made good on this proclamation, though it retained symbolic importance for its acknowledgment that black and white Union troops ought to be treated equally.
present in compensation for fighting and thereby fulfilling their supposed duty as citizens? He fumed at Seward’s “remarkably sophistical statement”:

> We have in our simplicity always supposed that the relation of the citizen, to the State is one of reciprocal rights and duties, that the citizen is bound to render true allegiance to the State, and the State is equally bound to render that which is just and equal to the citizen. Mr. Seward's reasoning is a revival of the detestable doctrine now happily scouted with contempt, even through Europe, that ‘a subject is a person having duties but no rights’…Not a word from Mr. Seward against the injustice and unfairness of asking the black citizen, to fight the battles of his country upon terms which would be scouted by white men. But with all-amazing coolness the Honorable Secretary of State from his high position in the Government ridicules such contemptible little springs as pay and place. For these the citizen is not to stipulate, but to deserve. He is farther not to trouble his brain about either pay or place; the government alone will attend to those little matters… Mr. Seward's lecture to colored men would be considered everywhere as twaddle if applied to white men, but popular prejudice imparts a visage of wisdom to what would otherwise pass for political nonsense. Colored men have a right not only to ask for equal pay for equal work, but that merit, not color, should be the criterion observed by Government in the distribution of places.  

Union officials’ callous attitude toward black soldiers had become too much for Douglass to bear, and he castigated them as he left George Stearns’ recruiting network. Black Northerners had enlisted as Douglass had instructed, but the weight of service inequalities, combined with the audacity of white officials who brushed these inequalities aside, caused him to stop recruiting.

Shortly after composing his letter to Stearns and his condemnation of Seward, Douglass learned of Lincoln’s retaliatory proclamation; a few days later, he met with Lincoln and Stanton in Washington. These meetings did not result in alterations to Union pay or promotion policy, but Douglass came away satisfied enough to resume recruiting.\(^\text{399}\) When he published his missives to Stearns and Seward in August, he appended an editorial note that acknowledged the president’s retaliation order but bemoaned the fact that African Americans only saw positive change “through tears and blood.”\(^\text{400}\) That Douglass published these pieces at all was significant. They, and this

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\(^{399}\) McFeely, *Frederick Douglass*, 227-230.

\(^{400}\) McFeely, *Frederick Douglass*, 227-230.
incident generally, revealed something about Douglass and the network of recruiting agents and speakers he spearheaded. Douglass’ recruiting work confronted him with the dilemma between principle and pragmatism that had often confronted antebellum black Northerners. Recruiting required Douglass to encourage black men to put their bodies on the line while suffering discriminatory treatment as part of a pragmatic campaign to win long-term gains. When Douglass downplayed service inequalities and highlighted the gains black service could win, David Blight has observed, he was no longer just a reformer and black community leader, but became also a “war propagandist” and “government recruiter.” When Douglass temporarily resigned to protest the government’s treatment of black soldiers, he temporarily abandoned these new roles and resumed his accustomed mantle of black leader, forsaking his new wartime duties and becoming once again an advocate for his community. Only after meeting with Lincoln and Stanton in early August, and receiving assurance that they would protect black soldiers, did Douglass resume recruiting; once Douglass the black leader was satisfied, he could combine the black leader and recruiting agent’s missions once more.401

Blight’s observation about Douglass applies generally to the network of black recruiting agents within which Douglass worked. Men like Douglass, John Rock, and William Wells Brown had long been community leaders, and they had built public careers protesting slavery and discrimination. Although they petitioned the government for redress and many – though not all, especially those who embraced emigration – looked to government action to bring about the changes they desired, they were used to advocating for their communities and protesting the government’s treatment of black Americans. The war and black enlistment put them in the novel position of continuing to

401 Blight, Frederick Douglass’ Civil War, 167-169.
oppose government recognition of slavery and discriminatory policies and yet encouraging black Northerners to enlist and fight for the government.

While remaining community leaders, men like Douglass, Rock and Brown assumed new roles that identified them with the local, state and national governments at which they had directed so much protest and anger during the antebellum period. Fulfilling both roles proved difficult, and black recruiters had to adjust to their conflicting demands by acknowledging the validity of black Northerners’ objections to service while nevertheless urging black men to enlist. But, as Douglass demonstrated through his brief resignation, they remained willing to sever ties with the government if its treatment of black soldiers became objectionable enough to justify such action. Douglass and his fellow recruiters wanted black military service to fundamentally change the United States, to end slavery and force the government to recognize black citizenship and rights; they remained attuned to the reality that the terms under which black men served could become so degrading that they could undermine these goals. In the aftermath of the 54th Massachusetts’ bloody repulse at Fort Wagner – in which Douglass’ sons fought – black soldiers’ predicament became too much for Douglass to bear, and he momentarily stopped recruiting. By printing his letter to Stearns and his response to Seward, Douglass signaled to black Northerners that, as a recruiter, he had black interests at heart and that he would end his connection with the government if circumstances eroded his belief that black service could win a Union that fulfilled black aspirations.

Serving as a recruiting agent for the Northern black regiments was a difficult task that Douglass and his brethren performed well. In the face of powerful obstacles, they developed a compelling call to service: by war’s end, more than seventy percent of free
black males of military age living in states in which slavery had ended before the Civil War served in the Union Army. Surely many were influenced by the fact that community leaders like Douglass took to stages time and again to urge black enlistment.\footnote{402 This figure is based on the data provided by the scholars of the Freedmen and Southern Society Project, which they compiled using 1860 U.S. census data and figures given in the \textit{Official Records} delineating how many black troops had been credited to each state. This study, however, defines as Northern all states that did not secede from the Union. Determining the percentage of black men free before the war in all of the states that remained within the Union during the Civil War is problematic because their data does not make clear what percentage of black troops from Maryland, Kentucky, Delaware and Missouri were free before their enlistment, and how many gained freedom as a result of their enlistment. Most of the 954 black soldiers from Delaware would have been free when they enlisted, as the state contained only 289 slaves in 1860. In 1860, Maryland’s free and enslaved black populations were roughly equal, so it seems fair to assume that a substantial portion of the 8,718 black soldiers from that state gained their freedom prior to enlisting. Missouri and Kentucky both had very small free black populations relative to their populations of enslaved black men, making it likely that the vast majority of black soldiers from those states gained their freedom by enlistment. The distinction here is important, because whereas slaves could be motivated to enlist by the desire for personal freedom, free black men did not possess this motive, and thus by their rate of enlistment can we best judge the performance of the black recruiters who argued the correctness of the immediate-enlistment position. See Berlin, Reidy and Rowland, eds., \textit{Black Military Experience}, 12.} Black recruiters’ early 1863 efforts won recruits for the first black regiments while the success of black enlistment hung in the balance, and these regiments’ praiseworthy performances paved the way for black enlistment’s expansion. “It is not too much to say,” claimed the \textit{New York Tribune} in the war’s aftermath, “that if this Massachusetts Fifty-fourth had faltered when its trial came, Two Hundred Thousand Colored Troops, for whom it was a pioneer, would never have been put into the field, or would not have been put in for another year, which would have been equivalent to protracting the war into 1866.”\footnote{403 Originally printed in \textit{New York Tribune}, reprinted as “Fifty-Fourth Massachusetts,” \textit{Christian Recorder}, September 23, 1865.} Given historians’ recent claims regarding black service and its importance to Union victory, we must rate highly the contributions to Union triumph made by the network of black recruiters and speakers who convinced black Northerners to enlist.

Black troops began to enlist in significant numbers just as white recruitment flagged in 1863, and they served as combat and garrison troops as Union armies captured
large swaths of Confederate territory in the war’s last years. Joseph T. Glatthaar has explained that, “Blacks alone did not win the war, but timely and extensive support from them contributed significantly and may have made the difference between Union defeat and stalemate.” William W. Freehling has described black troops’ contribution to Union victory as crucial, noting that black soldiers’ garrison service in the Western theater relieved white soldiers of this onerous duty, contributing to the “decisive” numerical superiority Eastern Union armies enjoyed in 1864 and 1865 “as much as if [black troops] had swapped assignments with whites in the army of conquest.” Freehling and Stephanie McCurry have both emphasized the Confederacy’s failure to mobilize its black population as an element of military strength as key to its defeat. Freehling included formerly enslaved black troops among the “anti-Confederate Southerners” who helped bring down the Confederacy; black troops, and the need to detach whites from Southern armies to police runaway slaves, increased tensions on the Southern home front, while black enlistment simultaneously eased Northern home-front tensions by removing the necessity for drafting larger numbers of white men. McCurry has pointed to male slaves’ military potential as a great resource that the Confederacy failed to tap, not because white Southerners refused to contemplate arming slaves altogether, but because they could not devise a system that would accord slaves enough rights to induce them to fight while also maintaining the racial and class hierarchies they prized. The Confederacy’s failure to mobilize its black male population as soldiers

406 Freehling, The South vs. The South, 146.
stood in stark contrast to the massive black presence in the Union Army during the war’s latter years.408

Black recruiters and immediate-enlistment advocates deserve much credit for the Union’s ability to avail itself of black military power, as their arguments influenced black Northerners’ decisions regarding enlistment during the early months of 1863, one of the war’s most crucial junctures. But if by late spring they had succeeded in convincing enough black Northerners to volunteer that Massachusetts had received authorization to recruit a new regiment and the federal government had decided to take charge of black recruiting, they had not conquered delayed enlistment. As late as August 1863, black men in Wilmington, Delaware remained unwilling to enlist because they could not do so as citizens. Frisby J. Cooper, a schoolteacher who would later become a leading AME clergyman, explained that most black Wilmingtonians were,

perfectly willing to go and fight the battles of the country, in its hour of trial and danger, if they are to have and enjoy all of the rights and immunities of a bonafide citizen of these United States, in common with other citizens, irrespective of color, cast, or condition; that they have rights, is a fact that is undeniable, for our progenitors fought and bled for the establishing and preservation of this Union, and, therefore, we, their progeny, should have the inherent right, to enjoy all the privileges of the same; not as some would have it, ‘that colored men have no rights that white men are bound to respect.’409

Black recruiters’ call to service represented only one half of the process by which black soldiers entered the Union Army – black Northerners had to decide that these recruiters were right, that service really could achieve the fundamentally-transformed nation they nation sought. Late into summer 1863 some black Northerners clung to delayed enlistment in spite of black soldiers’ gallant performance at Fort Wagner and other

408 On Confederate attempts to enlist black soldiers at the war’s end, see Levine, Confederate Emancipation.
places. Black enlistment represented the culmination of thousands of decisions by black men that fighting for the United States made sense for themselves as individuals and for African Americans generally, and the process by which black men made the decision to enlist reveals much about why they fought in such large numbers for a nation that had so long treated them as chattels and non-citizens.
Chapter Five

1863: Enlistment

On April 27, 1863, black New Yorkers met to discuss enlistment in Henry Highland Garnet’s Shiloh Presbyterian Church. It was, claimed The Liberator, “[o]ne of the largest meetings held in New York.” Numerous prominent black Northerners attended, including Frederick Douglass, Robert Hamilton and George T. Downing. Nearly all the meeting’s speakers urged black men to enlist at once, even Garnet, who just a week before had stood in the same church and opposed enlistment, asking what black men had to fight for. Garnet admitted that he “had heretofore hesitated in recommending [enlistment],” but said that, “after looking over the whole field, he could…with his whole heart support it.” If Garnet explained what had changed his mind, The Liberator’s correspondent did not record this portion of his remarks; in any case, the audience received his words warmly, showering him with “great applause.”

Garnet’s remarks suggested that he had done some soul-searching regarding enlistment, acknowledging at least implicitly that enlistment presented black Northerners with a knotty dilemma over which they might legitimately disagree. Frederick Douglass conceded no legitimacy to the delayed-enlistment position. He openly mocked black men who hesitated to enlist, “creat[ing] considerable mirth by his description of the men who did not want to go…” But when he concluded, only one man, William S. Everson of New York, volunteered. Douglass appealed again for volunteers; none came forward. “This,” reported The Liberator’s correspondent, “seem[ed] to put the meeting in a cowardly position” – it is unclear whether this statement represented that correspondent’s judgment, or whether Douglass himself called the black men in attendance “cowards.”
At this point, a Robert Johnson rose to defend black Northerners who adhered to delayed enlistment, and “by a few well-spoken words,” he “convinced the meeting that it was not cowardice which made the young men hesitate to enlist, but a proper respect for their own manhood. If the Government wanted their services,” said Johnson, “let it guarantee to them all the rights of citizens and soldiers, and, instead of one man, he would insure them 5000 men in twenty days.” The audience received Johnson’s words with as much enthusiasm as it had Garnet’s appeal for enlistment, meeting his “remarks…with tremendous and long-continued applause.”^410

Black Northerners had constructed their politics of service in hopeful anticipation of the moment when, desperate for manpower, the Union asked them to enlist. This moment came in January 1863. From February 1863 forward black recruiters did their best to secure recruits, but many black Northerners joined Robert Johnson in opposing enlistment into the summer of 1863, adhering to the delayed-enlistment position they had developed during the war’s first two years. Slavery’s continued existence, Northern discrimination, and service inequalities all violated the emphases on equality, rights and citizenship that had emerged as key tenets of the politic of services during 1861 and 1862, and this fact remained salient for many black Northerners. Edward Bates had pronounced free black men citizens the previous year, and though some black Northerners accepted that Bates’ opinion made their citizenship a reality, others did not feel their citizenship recognized while they did not enjoy the same rights and privileges as white Americans. Nor were politics-of-service-related grievances the only considerations that caused black men to hesitate to enlist during 1863’s first months. Some wanted to enlist but could not for logistical reasons or because of violent hostility

^410 “Great Meeting in Shiloh Church,” Liberator, May 22, 1863.
from local whites. Class tensions within the black community, the context and tone of white Northerners’ acceptance of black service, and racist violence on the Northern home front also seem to have fueled opposition to enlistment. Historians have acknowledged that some black Northerners opposed enlistment into 1863; they have not revealed the depth of this opposition nor the full range of factors that inspired it.\footnote{Some historians of black service have acknowledged that black Northerners disagreed over enlistment. James McPherson, for instance, wrote that in 1863, “Northern Negroes seemed much less eager to flock to the colors now than they had been at the outbreak of the war.” McPherson attributed this reluctance to good pay and full employment in parts of the North, as well as service inequalities. See McPherson, The Negro’s Civil War, 175-182. Others have given little coverage to black Northerners’ debates over service. Christian Samito, for instance, acknowledged that, “It…remained to be seen if blacks would enlist in light of earlier rejection of their offers of service.” In his next sentence he describes the reaction of New Bedford’s James Henry Gooding as typical: “he quickly enlisted and offered an active vision of black enlistment and its potential fruits.” See Samito, Becoming American Under Fire, 41. The scholars of the Freedmen and Southern Society Project talked briefly about the recruiting network that George Stearns assembled to secure black enlistments, but not the opposition they faced. See Berlin, Reidy, and Rowland, eds., Black Military Experience, 8-9, 74-76. Stephen Kantrowitz was not principally concerned with black service, but he covered black enlistment and its effects in detail, and gave significant attention to the debate over enlistment in Boston. See Kantrowitz, More Than Freedom, 282-286. A handful of book chapters and articles have considered black Northerners’ opposition to enlistment and the debate over enlistment, but none has done covered either in the same depth as this study. See Gallman, “In Your Hands that Musket Means Liberty”; Kynoch, “Terrible Dilemmas”; Martin, “Black Churches and the Civil War”; Walker, A Rock in a Weary Land, 31-45.}

Eventually, most black Northerners of military age saw time in the Union Army, but many refrained from rushing to arms at the first possible opportunity in January and February of 1863. Rather, their enlistment represented the culmination of a lengthy public debate about what fighting for the United States meant and what they sought to gain by joining the Union Army. Many black Northerners were not convinced as 1863 began that the Union that was asking for their help was a Union they wanted to fight for. They sought confirmation that their service would change the United States fundamentally, creating a new nation that would finally live up to American founding principles. In public meetings and black newspapers, black Northerners pushed back against black recruiters. Resistance to the immediate-enlistment position ran strong in some corners of
the North through August 1863, and then seemed to cease abruptly. By late 1863, the
war’s momentum convinced black Northerners that Union victory could result in a
fundamentally changed nation, and they rejoiced that black soldiers could go into battle
feeling that their service could usher in a new United States, one equal to their
aspirations.

When the United States adopted black enlistment in 1863, black Northerners saw
that service remained a gamble. Black soldiers might serve in units raised by anti-slavery
men and officered by abolitionist whites, but they would not be treated the same as white
soldiers.\textsuperscript{412} Many black Northerners found it incongruous that black soldiers should
endure discriminatory treatment in an effort that their community’s leaders insisted
would result in black equality. Why, many surely wondered, did some black leaders
think it so axiomatic that gains would result after the war when the crisis of the war itself,
a massive internal rebellion threatening the nation’s life, did not force the government to
concede equal terms of service to all who risked their lives in its defense? Did black
citizenship truly exist when black men suffered discrimination in and out of the army?
Black recruiters tailored their immediate-enlistment arguments to validate and overcome
these counterarguments, but many black Northerners remained unconvinced that the time
had come to enlist.

White Northerners like George Stearns saw recruiters like Frederick Douglass,
William Wells Brown and John Mercer Langston as intermediaries between the white

\textsuperscript{412} Of course, not all white officers in black regiments were abolitionists; some were virulent racists who
cared neither for abolition nor black rights and only accepted their posts because of a desire for position,
financial gain, or other personal reasons. On relationships between white officers and black troops during
the Civil War generally, see Glatthaar, \textit{Forged in Battle}. 
and black Northern communities. They had attained local, and in some cases national, prominence and their wealth and status set them apart from most black Northerners. Black Northerners often listened when they spoke. Listening, though, had never implied automatic agreement with their positions and recommendations; black Northerners sometimes resisted positions taken by the black professional class on whom whites relied as a barometer of black opinion. In January 1817, black Philadelphians had pushed back against Richard Allen and repudiated colonization, which Allen and other “black elites” supported or at least thought worth considering.413 Lincoln’s August 1862 meeting with five black representatives, Kate Masur has written, precipitated “a crisis…of leadership in black Washington,” as some black Washingtonians objected to the proposition that such a small group could represent the opinions and interests of all African Americans on a momentous subject like colonization. The five men who met with the president were “racial representatives” with longstanding ties to white circles, and whites often turned to them as “intermediaries between black Washington and the city’s white elite.”414 Masur’s description of the delegation to Lincoln described equally well George Stearns’ network of recruiters. No more than black Washingtonians were willing to be represented by a committee of five were black Northerners inclined to automatically accept and act on recommendations made by black Northerners who whites identified as leaders. As with colonization, black Northerners would make their own decisions about enlistment.

Evidence from across the North shows that hesitation to enlist or opposition to enlistment remained widespread in Northern black communities past the time black men began to fight and die in the Confederate states, and many who recorded this opposition

413 Newman, Freedom’s Prophet, 200-207.
attributed it to concerns over service inequalities or the state of black rights and citizenship. This opposition has long gone underappreciated by historians, perhaps because opponents of immediate enlistment tended to be less visible from a historical perspective than immediate-enlistment advocates. Speaking for immediate enlistment was a cadre of prominent black Northerners supported, financially and administratively, by George Stearns. These recruiters left in their wake an extensive written record. No organized network of speakers argued for the politics of service and, as a result, black Northerners who in 1863 continued to counsel delayed enlistment did not carve out as prominent a place in the historical record as did immediate-enlistment advocates like Frederick Douglass.

Black Northerners sometimes wrote to black or abolitionist newspapers to argue against immediate enlistment. Junius, the Christian Recorder’s regular Brooklyn correspondent, believed that service inequalities, when combined with the high wages black men could earn on the Northern home front, would inhibit black enlistment.415

“[Black] men in the North will not leave their homes and families, their avocations, at wages of $25 and $30 per month, to be sent to South Carolina, or Georgia, to fight rebel white men, with the prospect of dog's death by the minions of Jeff. Davis, should they be captured, all for $10 per month, without bounty at that; no- no, we do not see any beauty

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415 Junius’ identity is difficult to establish. Carol Faulkner and Judith Wellman have argued that that Junius is “probably” Junius C. Morel (sometimes spelled “Morrell”), a public-school principal from Brooklyn. See Carol Faulkner, Women’s Radical Reconstruction: The Freedmen’s Aid Movement (Philadelphia: University of Pennsylvania Press, 2004); Judith Wellman, Brooklyn’s Promised Land: The Free Black Community of Weeksville, New York (New York: New York University Press, 2014), 61. Mitchell A. Kachun, on the other hand, claims that “Junius” was the “nom de plume” for New York minister and future Congressman Richard H. Cain. See Mitchell A. Kachun, Festivals of Freedom: Memory and Meaning in African American Emancipation Celebrations, 1808-1915 (Amherst: University of Massachusetts Press, 2003), 281. In his correspondence of November 21, 1863, Junius wrote that the Reverend R.H. Cain had been called to answer for some unpopular words from one of Junius’ columns. Junius responded by saying that the “Rev. Gentleman so charged...had no part nor lot in the matter.” This statement is unfortunately also inconclusive. It could be interpreted either as evidence of Morel’s authorship or Cain’s desire to protect his anonymity. Either way, Junius was a prominent member of Brooklyn’s black community.
or enough glory for such fool-hardy madness.” Junius invoked the rebuff black Northerners had received in 1861 and pronounced them perfectly willing to “wait [to enlist] till they raise the soldier's wages, and secure us from Jeff's halters, or from his merciless whips and tortures.”<sup>416</sup> “Box,” a Washington, D.C. correspondent for the <i>Anglo-African</i>, criticized black Northerners who were eager to fight. “Stop, I pray you, and consider,” he implored. “For what do you expose your lives?” Congress had not guaranteed any legal changes in return for black service, and one version of its black-soldier bill had included a colonization provision. Box implored his readers to remember that they did not have an interest in restoring the antebellum Union for its own sake, and should only fight when assured that their service could achieve a new Union, “guarantee[ing] that [black men] are fighting for a country and a home.”<sup>417</sup>

Statements by correspondents like Junius and Box might only confirm a scattered resistance to immediate enlistment, merely representative of the unpopular or idiosyncratic opinions of an isolated few. Evidence that in early 1863 resistance to immediate enlistment remained strong in black Northern communities comes from a different set of sources: from records of community meetings in which immediate-enlistment speakers labored to acknowledge and neutralize the points made by advocates of delayed enlistment, and from the often disgusted reports of community correspondents from cities throughout the North, who told of apathy, hesitation, or outright opposition to

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<sup>416</sup> “Junius” to Editor, <i>Christian Recorder</i>, February 14, 1863
<sup>417</sup> “Box” to Editor, <i>Weekly Anglo-African</i>, February 28, 1863. For other examples of black men advocating delaying black enlistments until black soldiers received equal treatment or saying they would only enlist under terms of equality, see M.S.D. to Editor, <i>Christian Recorder</i>, August 15, 1863; W.J.E. Jennings to Editor, <i>Christian Recorder</i>, April 4, 1863; “Our Future,” <i>Weekly Anglo-African</i>, February 14, 1863; “Philadelphia Conference of the A.M.E. Zion Church,” <i>Christian Recorder</i>, May 16, 1863; Charles Satchell to Editor, <i>Pacific Appeal</i>, June 20,1863. Additionally, doubts that black and white Americans could live together on terms of equality continued. For opposition to service based on this fear, see J.W. Menard to Frederick Douglass, <i>Douglass’ Monthly</i>, April 1863.
service during the spring and summer of 1863.

Resistance to immediate enlistment flared in the Border States, where slavery survived as a daily reminder of the nation’s refusal to fully embrace black freedom. In late July, Frisby J. Cooper reported that black Wilmingtonians possessed “little war spirit,” and would rather take their chances with the draft rather than volunteer. The next month, Cooper was “not sorry” to hear a rumor that black Delawareans would not be conscripted.\footnote{Frisby J. Cooper to Editor, \textit{Christian Recorder}, July 25, 1863; Frisby J. Cooper to Editor, \textit{Christian Recorder}, August 8, 1863. Black men in the Colorado Territory also hoped that the draft would not apply to them. On July 5, a G.W.T. reported that, “Those who were afraid of the draft begin to breathe easier now. Since the defeat of the rebels in Pennsylvania, and the fall of Vicksburg, as they believe, there will now be no need of enforcing the draft in this Territory.” See G.W.T. to Editor, \textit{Christian Recorder}, August 1, 1863. A week later, after lamenting the mob violence that had recently terrorized New York City’s black community, G.W.T. informed the \textit{Recorder}’s readership that talk of forming a local regiment had been laid aside, though he did not imply direct causation between the Draft Riots and the ceasing of black Coloradans’ martial planning. See G.W.T. to Editor, \textit{Christian Recorder}, August 8, 1863.} Black Delawareans did not consider their citizenship fully recognized while they lacked the rights and privileges their white counterparts enjoyed, whatever Edward Bates and black recruiters might have said on the matter.\footnote{Frisby J. Cooper to Editor, \textit{Christian Recorder}, August 29, 1863. Black men in Maryland also manifested their desire only to serve under the same terms the government extended to whites. See John Kline and Samuel Perkins to Editor, \textit{New York Tribune}, reprinted in \textit{Weekly Anglo-African}, July 11, 1863.} Cooper wrote that he ultimately expected great things from the war, but as late as August 1863 racist injustice cooled the military ardor of Wilmington’s black community.

Resistance to service also manifested itself in the nation’s capital, where slavery had died, but which lay between the loyal slave state Maryland and Confederate Virginia. As Henry McNeal Turner and other DC black leaders encouraged black Washingtonians to enlist, they encountered dissension. In late July, Thomas H.C. Hinton participated in a debate at the Israel Lyceum, a black debating society, on the question, “Should the colored men of this country participate in the present war?” and failed to bring the
meeting to consensus. The next month, Hinton’s anger at black Washingtonians’ reluctance to serve boiled over in a letter to the *Christian Recorder*. Hinton admonished black draftees to “have some other plea than ‘what am I going to fight for?’” He decried the District’s “colored copperheads,” the “hog-headed, bull-nosed, owl-eyed, dog-trotted, monkey-souled, State prison birds, and work-house pimps…who are the slush hounds of our kindred,” and who jeered at Hinton and other DC black men drafted into the federal service. Hinton believed that his conscription signified his citizenship, but evidently many others disagreed. Hinton’s harsh rhetoric did not harmonize DC’s black men to enlistment; in late August, Henry McNeal Turner noted general “mourning” over the draft. A short while later, Hinton reported that the only substantial activity taking place among black Washingtonians was sporadic substitute-hunting; some black men, evidently, remained unconvinced of the necessity to serve and sought to avail themselves of the March 1863 conscription law’s substitution clause by buying their way out of service.

If evidence of opposition to enlistment had been limited to areas of the North in close proximity to slavery’s continued existence within the Union, it might be seen as a

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regional quirk. Black men in places like Delaware and Washington who interacted frequently with slavery within the Union might have felt little compulsion to enlist. But opposition to enlistment also manifested itself in Northern states where slavery had mostly died out within a generation or two after the American Revolution. In March, as recruiting agents for the 54th Massachusetts fanned out across the North, the *Weekly Anglo-African* commented that enlistment proceeded slowly because “there is so much about the brigade which our men cannot understand, that they approach it as carefully, and as suspiciously as a man-trap.” Cowardice did not explain black Northerners’ hesitation to enlist, insisted the New York sheet; they hesitated to enlist because of black Americans’ continued mistreatment.423

Black Pennsylvanians were divided on the question of service when they considered it at a “Grand Emancipation Demonstration” in Harrisburg in mid-January. The attendees passed several enthusiastic resolutions praising Lincoln and his Emancipation Proclamation but took a more circumspect attitude toward black service. They would “give [their] faithful service in any manner,” they said, “when legitimately called upon by the proper authorities, that will not involve our self-respect…” After reading their resolutions aloud, speakers debated enlistment’s merits. Thomas Early, a veteran of the Underground Railroad, “was not in favor of going to war unless he received as much money as white soldiers,” and suggested that black men should seek commissions as well. Another speaker, a Mr. Cann, joined Early in opposing immediate enlistment. Several others took the opposite position, including the Reverend David Stevens, who said he would fight if he did not receive a cent: “[T]hey whipped my mother down South; they whipped my sister down South, and he was ready to go whip

them…” Evidently, the audience was as divided as the speakers, as it rewarded all who spoke with loud applause, and the meeting seems to have ended without resolution.424

In March, William Wells Brown and J.W.C. Pennington, a Presbyterian minister who like Brown had risen from slavery to prominence, solicited black recruits at a Brooklyn war meeting.425 Brown and Pennington encountered “much opposition, among the colored people, to the enlistment of our brethren because of the many indignities heaped upon us, both at home and in the camp…” The recruiters’ “best reasoning powers…were taxed to overwhelm” what the Weekly Anglo-African considered the “extremely flimsy restraining influences” black Brooklynites raised to explain their opposition to enlistment. Apparently Brown, Pennington and their fellow speakers argued persuasively, as the meeting concluded with resolutions approving enlistment, but resistance proved harder elsewhere. In April, “Hope” from Troy, New York, complained that many black men who would otherwise volunteer hesitated because they felt “as if there [was] no sufficient inducement. Not,” he clarified, “in regard to pay, but in a social and political view.”426 Later that month, Pennington, visiting Poughkeepsie, conceded that, “The fact cannot be denied that in certain quarters among us there is some shy fighting in regard to the war question.” The minister admonished black men who hesitated to enlist and cautioned his readers to “[b]eware of black Copperheadism.”427

In late May, the Christian Recorder’s Brooklyn correspondent Junius blamed

424 N.N., “A Grand Emancipation Demonstration at Harrisburg; The First Response to the Black Soldier Bill,” unidentified newspaper clipping. The envelope that accompanies the clipping is marked February 5, 1863 and it seems likely that the meeting took place at some point during mid-January when Congress was debating Thaddeus Stevens’ black-soldier bill. Folder 21b, Executive Letters, Commonwealth of Massachusetts Archives.
426 “Hope” to Editor, Weekly Anglo-African, April 4, 1863.
427 J.W.C. Pennington to Editor, Weekly Anglo-African, April 18, 1863.
pervasive Northern racism for black Brooklyites’ hesitance to enlist. Referring to the discriminatory public transportation policies enacted by some New York streetcar companies, Junius opined, “War is a reality, and the glory of dying for the privilege of riding in the ‘Jim Crow car’ in 6th Avenue, or standing with the driver on the 4th Avenue is not considered by some gentlemen a sufficient compensation [for fighting].” Junius also alleged that the scattershot nature of early efforts to recruit black Northerners, in which paid recruiting agents roamed the North pursuing volunteers, encouraged agents to see recruitment as a means to profit. These agents sowed confusion, and black Northerners had difficulty distinguishing genuinely-commissioned recruiters from impostors. He considered a few recruiting agents, like Douglass and William Wells Brown, “fit representatives of the race”, but there were “as many pretenders as there are sharks in the wake of vessels near the gulf stream; there are so many of these pretenders and adventurers in this section, that the people have become tired of their incursions, and they are mere sources of amusement rather than of interest, to attend war meetings and hear speeches.”

According to Parker T. Smith, the Anglo-African’s regular Philadelphia correspondent, “general apathy” in Philadelphia dissipated when Robert E. Lee’s Army of Northern Virginia invaded Pennsylvania in June, and black Philadelphians had offered their services to assist in this emergency. State officials enrolled white men but, as in 1861, refused black volunteers. Smith believed that this new refusal, combined with other service inequalities, helped explain why a city so otherwise full of black men with “fighting propensities” had not produced more recruits.

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428 Junius to Editor, Christian Recorder, May 23, 1863.
Black Northerners in the states carved out of the Northwest Territory also opposed immediate enlistment through the first half of 1863. In late January, a black state convention in Michigan expressed willingness to fight for the United States but held that “as residents of the State of Michigan, we cannot feel willing to serve a State while it concedes all that is due to others and denies much, if not the most, that is due to us.” Black Michiganders would serve when state legislators eliminated distinctions on the basis of color from the state’s constitution.\(^{430}\) Black Ohioans gave enlistment an especially cold reception. The *Weekly Anglo-African*’s Ohio correspondent “L’Occident” reported in late April that several recruitment meetings for the 54\(^{th}\) Massachusetts had been “thinly attended” despite efforts by Peter Clark and other Cincinnati black leaders to encourage enlistment, and argued that black Ohioans who objected to leaving their native state to fight did so to conceal their desire not to fight at all.\(^{431}\) William Parham met with a recruiting agent from Massachusetts but wrote in March that he thought few black men would enlist, as they had observed the war’s brutal progress and did not want to risk their lives any more than white Northerners.\(^{432}\) Later in the year, Parham attributed black Ohioans’ slowness to enlist to service inequalities, “the very discouraging facts regarding differences of pay and bounty, which were elicited from the War Department by the inquiries of Gov. Todd.”\(^{433}\) L’Occident shared this judgment, writing in November that assembling Ohio’s 5\(^{th}\) USCT was an “arduous task” because, “The decision concerning the pay and bounty of colored troops is so manifestly unjust that a man needs a large


\(^{432}\) William Parham to Jacob C. White, Jr., March 28, 1863, Jacob C. White Collection, Box 115-2, Moorland-Spingarn Research Center, Manuscript Division, Howard University.

\(^{433}\) William Parham to Jacob C. White, Jr., August 7, 1863, Jacob C. White Collection, Box 115-2, Moorland-Spingarn Research Center, Manuscript Division, Howard University.
stock of patriotism to enlist on such terms.\textsuperscript{434}

In assessing the strength of delayed enlistment during the early months of 1863, it is important to note that not all of the authors quoted above specifically mentioned objections related to the politics of service when reporting opposition to enlistment. Personal considerations and idiosyncratic concerns motivated at least some of the opposition mentioned in these reports. And while many of the above-quoted reports did specifically mention anger over service inequalities, they usually did so second-hand; rather than quote black Northerners who opposed enlistment directly, the correspondents who reported their opposition usually rendered it in their own words, depriving historians access to the actual phrasing enlistment’s opponents used. It is impossible to know the exact contours of the language black Northerners used in 1863 to argue for delaying enlistment, but it seems reasonable to conclude – given the frequency with which correspondents linked hesitance to enlist to issues arising from concerns involving service inequalities and pervasive racist injustice – that much of black Northerners’ 1863 opposition to enlistment grew out of the politics of service they had developed during the war’s first two years.

Black Northerners sometimes removed any doubt on this point. In late March, Mitchell S. Haynes of Newport, Rhode Island, asked John Andrew to explain the terms of service under which black soldiers would serve. Haynes wanted to know whether black soldiers could become commissioned officers, whether black POWs would be protected, and whether Edward Bates’ opinion on citizenship had overturned \textit{Dred Scott}. Haynes’

\textsuperscript{434} “L’Occident,” “Cincinnati Affairs,” \textit{Weekly Anglo-African}, November 7, 1863. On black Ohioans’ objections to Union pay policy, see “Governor of Ohio to the Secretary of War and Subsequent Correspondence,” in in Berlin, et al., eds., \textit{Black Military Experience}, 370-371. In a note to Edwin Stanton, Ohio Governor David Tod complained to Edwin Stanton that, “The item of pay [was] a most serious obstacle in my way,” and pleaded with Stanton to allow him to raise a regiment on the basis of equal pay.
questions came on the heels of a meeting the “Col people of Newport” had held “to consider the question [of] enlisting in the fifty fourth Reg. of Mass. Vol…” No one had been able to answer the questions Haynes posed to Andrew, and so Newport’s black men remained undecided regarding service, having “adjourned to meet on fryday April 3/63 in order to receive the answer…”  

Black Northerners posed similar questions through late summer, when C.J. Grimes, the wife of the Twelfth Street Baptist Church’s Leonard A. Grimes, asked Andrew whether black soldiers would receive the same pay as white troops. “The question,” she insisted, “…is of vital importance to the Coled people of this State,” who felt it “unjust that a difference should be made in the payment of either volunteers of Drafted Men on account of the Collour of their skin as it has been proved that they fight as well as other men & that they are as loyal citizens [to] this Government as others they think they should go on the same terms…” Grimes’ husband had been in Washington for some time, and since his departure, she said, “a Number have been to me to make the enquiry whether there is a difference or not…”

The committee that Andrew charged with recruiting black soldiers for the 54th and 55th Massachusetts believed concerns emanating from the politics of service slowed black enlistment. Andrew, George Stearns and other influential white Northerners who favored black enlistment had always insisted that issues like equality in pay and promotion would help stimulate black recruiting. In November, twelve members of the “Committee

435 Mitchell S. Haynes to John Andrew, March 27, 1863, Volume 57a, Executive Letters, Commonwealth of Massachusetts Archives.
436 On Grimes, see Ripley et al., eds., Black Abolitionist Papers: Volume IV, 1846-1858, 184-185.
437 C.J. Grimes to John Andrew, circa August 1863, Volume W103, Executive Letters, Commonwealth of Massachusetts Archives.
438 See, for instance, Stearns’ insistence on equal promotion policy in an April 1863 letter to War Department Solicitor William Whiting, “Northern Recruiter to the Solicitor of the War Department,” April 27, 1863, in Freedom: A Documentary History of Emancipation, 1861-1867; Series II: The Black Military Experience, eds. Ira Berlin, Joseph P. Reidy, and Leslie Rowland (Cambridge: Cambridge University Press,
appointed by [Andrew] for the purpose of aiding in recruiting Colored Regiments” wrote the governor to protest the distinction in pay between black and white troops, claiming it had slowed enlistment. They implored Andrew to continue his efforts to have this policy overturned, urging him to pressure state legislators to make up the difference between the Massachusetts’ regiments pay and the pay given to white regiments. The pay issue had hampered their recruitment efforts and would continue to do so if not rectified. “The example of such a breach of faith,” the committee concluded, “towards any part of the Army, has had, and cannot fail to continue to have a most pernicious effect upon enlistments.”

Thomas Webster, a white Pennsylvanian who chaired that state’s Committee for Recruiting Colored Regiments, agreed, telling Stanton that Union pay policy “must prove detrimental to the service and positively embarrass the recruiting of Volunteer Troops….” Service inequalities seem to have kept some black Northerners from enlisting into 1865. In January of that year, Daniel Payne, Frederick Douglass, and Charles Lenox Remond joined black soldiers and surgeons in petitioning Stanton to equalize Union promotion policy. “[M]any of the noblest of our race have sprung to arms with alacrity in defence of the Government, [but] many others, equally loyal, have hesitated because one of the greatest incentives to enlistment, and the greatest stimulus to the strict performance of a soldier’s duty – the hope of promotion – has been denied

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439 J.M. Forbes, et al., to John Andrew, November 11, 1863, Volume W103, Executive Letters, Commonwealth of Massachusetts Archives.

Concerns over equal terms of service, black and white supporters of black enlistment agreed, kept some loyal black men from ever joining the ranks. 441

Anger over service inequalities, discrimination and slavery, however, were not the only reasons black Northerners hesitated to enlist through mid-1863. Some black Northerners wanted to volunteer but could not for financial or logistical reasons. Most black Northerners were impoverished, and black men’s families often depended on their wages for survival. Black men sometimes did not feel able to enlist unless they could ensure prompt payment, allowing them to forward much-needed funds to their loved ones as they headed South; eventually, black Northerners would object to discriminatory Union pay policies, but initially they worried that the notoriously slow-moving paymaster would leave their families destitute. “There are many Colored men who hesitate to enlist for fear that their families may suffer before the Regt is mustered in, and the bounty paid,” George Stearns informed Andrew in March 1863. Black Northerners had watched, Stearns said, as white regiments had been recruited and waited months without pay, and they feared the same would happen to them. Timely payments to the members of 54th, Stearns predicted, “would do more to promote enlistments than the influence of all the white Officers in the West…” 442 When the federal government announced that it would not pay black soldiers a bounty, this problem became more acute. In October 1863, Zenas W. Bliss, a Commissioner in Massachusetts’ Ninth District, reported to Andrew

442 George Stearns to John Andrew, March 28, 1863, Volume 57a, Executive Letters, Commonwealth of Massachusetts Archives.
that nearly all able-bodied black men in his area would enlist if they received a bounty, but would otherwise take their chances with the draft.\textsuperscript{443}

Transportation also proved an obstacle to enlistment. Black men joining the first Northern regiments often had to travel long distances to reach the New England states, and black recruiters could not always fund their passage. In March 1863, Albany’s Stephen Myers, a former slave turned newspaper editor and Underground Railroad operative, told Andrew he had secured a substantial number of volunteers for Massachusetts but lacked the money to pay for their trip. In December, Boston’s Lewis Hayden reported similar difficulties while seeking black recruits in Harrisburg.\textsuperscript{444} Even black Northerners who decided quickly to volunteer whenever possible could be forced to delay their enlistment by financial or logistical considerations.

Influenced by state pride, some black Northerners did not want to leave their native states to join one of the New England regiments. In June 1863, \textit{Chicago Tribune} editor Joseph Medill informed Horace White, the Senate Military Affairs Committee’s clerk, that many black Illinoisans hesitated to enlist because they wanted to join an Illinois regiment. Along with his note to White requesting authorization for such a unit, Medill enclosed a \textit{Tribune} editorial claiming that the state’s black men looked at the Massachusetts regiments “very reluctantly. They are impatient to get up an \textit{Illinois} regiment…They want to fight for the Union, but they prefer being mustered into the service as a part of the quota of their own great State. They feel a commendable State

\textsuperscript{443} Zenas W. Bliss to John Andrew, October 27, 1863, Volume W100, Executive Letters, Commonwealth of Massachusetts Archives.

\textsuperscript{444} Lewis Hayden to John Andrew, December 24, 1863, Box 12, Folder 16, John A. Andrew Papers, Massachusetts Historical Society; Stephen Myers to John Andrew, March 19, 1863, Volume 57A, Executive Letters, Commonwealth of Massachusetts Archives. On Myers, see Ripley et al., eds., \textit{Black Abolitionist Papers: Volume III, United States, 1830-1846}, 378-379n.
In New York, whose Democratic leadership balked at enlisting black soldiers, many black men felt the same way. Some black New Yorkers left the state to join other outfits, but Edward Gilbert, who chaired a committee of white New Yorkers aiming to secure black enlistments, informed Stanton in October 1863 that there were “many remaining who prefer entering the service in regiments organized at home.”446 Earlier in the year, Major Henry M. Herman, a white New York recruiting agent, told Stanton that he had enrolled 2,400 black men who were “anxiously awaiting some sort of recognition from the government…” State and federal officials’ inattention to their desire to fight left these men despondent, Herman reported: “they think that the government does not wish their services, when we are compelled to enforce the conscript law to compel men who are unwilling to fight…they have been compelled to remain at home feeling themselves humbled and disgraced and treated with more contempt and disgrace than by the Southern slave drivers and rebels.”447 The black men Herman referred to may have enlisted when New York finally authorized the recruiting of black regiments, may have gone elsewhere to fight, or may declined to enlist at all.448 Clearly, though, some black Northerners felt the same desire to do credit to their native states and communities that

447 “New York Recruiting Agent to the Secretary of War,” April 6, 1863, in Berlin, et al., eds., Black Military Experience, 89.
motivated many white soldiers to enlist, and willingness to fight could turn to bitterness when black men felt spurned by government officials.

In the volatile Border State region, would-be black volunteers sometimes faced violent opposition to their attempts to enlist. In Maryland, Colonel William Birney received authorization to recruit black freemen in June 1863. A committed abolitionist, Birney began enrolling enslaved and free black Northerners alike, and his actions inspired reprisals from local whites. In August, Birney complained that Maryland officials had arrested J.P. Creager, one of his recruiting agents. Creager’s arrest had “intimidated the people of color, giving them the impression that the United States was powerless to protect them against their enemies in this State,” and cost Birney some 200 black recruits. White Marylanders preyed on the families of free black men who had enlisted and arrested black men who intended to volunteer on bogus charges. To the Bureau of Colored Troops, Birney complained that “the enemies of the enlistment of U.S. Colored Troops” had driven livestock away from fields belonging to black families who had provided recruits to the USCT and had in some cases turned them out of their homes. He told of the arrest of John Singer, a free black man from Queen Anne’s County who, leaving for Baltimore to enlist, was arrested on a writ claiming he had broken a labor contract with a local white landowner. “Such writ,” wrote Birney, “was “not known to the law of Maryland,” but the officials who arrested Singer had “avow[ed] their intention to prevent enlistments by issuing the writ in all similar cases.”

In the Border States, black men who decided to enlist navigated a treacherous path that sometimes involved

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incarceration and violence. Sometimes they failed to reach the army despite their best intentions. White Marylanders’ resistance to black enlistment did not collapse until January 1864, and in Kentucky and Missouri black recruits, free and enslaved, had to face the possibility of violent reprisal families throughout the war.  

Hostility to black service provoked some white Northerners to violence, but white Northerners who supported black enlistment often cared for black equality or citizenship little more than did the Maryland officials who arrested John Singer. It was a not-so-well-kept secret that the Union turned to large-scale black enlistment in 1863 partially because white volunteering had fallen off dramatically from its 1861 and 1862 levels; the sudden dearth of volunteers also lay behind the conscription law passed in March 1863. With white enlistment flagging, white Northerners who had opposed black enlistment, and white troops who had scorned the idea of serving alongside black men, came to see black enlistment as simply necessary. With conscription looming, many white Northerners saw enlisting black men as a way to keep more of their own sons safe from rebel guns, and white soldiers began to see the logic in the proposition that black soldiers could stop rebel bullets as well as they could. Iowa Governor Samuel J. Kirkwood expressed this viewpoint when he took up “the ‘negro’ subject” with Union General-in-Chief Henry Halleck in August 1862. “When this war is over & we have summed up the entire loss of life it has imposed on the country,” he wrote, “I shall not have any regrets if it is found that a part of the dead are niggers and that all are not white men…”

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450 On black recruitment in the Border States, see, Berlin, Reidy and Rowland, eds., Black Military Experience, Chapter Four.
Many white Northerners warmed to black enlistment out of suspect motives and in insulting terms. One white soldier wrote that he would not “lift my finger to free them slaves if I had my say, but if we can’t whip the rebels without taking the nigers I say take them and make them fight for us any way to bring this war to a close.” A soldier from the 34th Illinois put the matter even more bluntly, writing, “If [black soldiers] can kill rebels I say arm them and set them to shooting. I would use mules for the same purpose if possible.” George Stearns recognized the motives that led white Northerners to drop the opposition to black enlistment that caused him in early 1863 to conduct his recruiting operations in secrecy. While his recruiting work was popular with Republicans because they “wanted [black men] to go to war,” it was popular with “the rest of the people, because they want to get rid of them. If the President would conscript them…men, women and children and take them south he would be so popular that it would insure his election for the coming term.” Norwood P. Hallowell believed that pure motives had driven Andrew and the whites who had raised the Massachusetts units. He believed, however, that a “show philanthropy which sends a black man to war to keep a white one at home,” motivated many white Northerners’ support for black enlistment, and he observed in late 1863 that “Copperhead states with infernal black laws outstrip all others in zeal for colored enlistments, provided so many white copperheads may be retained in the State…”

452 Quoted in McPherson, For Cause and Comrades, 126-127. On white soldiers’ reactions to black enlistment, see also Manning, What This Cruel War Was Over, 95-96.
453 George Stearns to John Andrew, April 3, 1863, Folder 21b, Executive Letters, Commonwealth of Massachusetts Archives.
454 Norwood P. Hallowell to John Andrew, December 14, 1863, Volume W100, Executive Letters, Commonwealth of Massachusetts Archives. This consideration, combined with his belief that black Northern troops were not dealing well with exposure to the harsh Southern climate, caused Hallowell to urge Andrew to stop encouraging black Northerners to enlist en masse. He believed they should still be subject to the draft and allowed to volunteer in proportion to their percentage of the overall Northern
Even ostensibly well-meaning white Northerners sometimes echoed this cynical attitude. Rather than portraying black service as a matter of justice, a means for black men to win gains in black rights and status, they sometimes depicted black soldiers as replacement troops who would keep white Northerners out of harm’s way. A public circular issued by the Pennsylvania Committee on Colored Enlistment in late June 1863 contained two appeals: one urging black men to enlist, and one urging white Pennsylvanians to support black enlistment. Speaking to black Pennsylvanians, the Committee acknowledged that the United States had cheated black veterans of earlier wars and nodded toward service inequalities’ injustice. Somewhat perversely, it presented these inequalities as opportunities that would allow black soldiers to prove they could fight as well as white troops even when denied equality and, in so doing, “dispel the remaining mists of prejudice by showing in your alacrity that you are actuated, not by love of gain, but by the promptings of patriotism...”455 If callous in its presentation of service inequalities as opportunities, the Committee’s appeal to black men at least suggested that black soldiers could win gains through their service.

The Committee’s appeal to white Pennsylvanians presented black enlistment in completely different terms. It began by stating that the War Department had granted Pennsylvania authority to count black troops it enrolled against the state’s troop quota in population, but Hallowell called for a halt on the effort to enlist as many black Northerners as possible that had begun in early 1863.

the next draft call. Then, as if to assuage white fears that soldiering might lead to black equality, it added, “The act of Congress authorizing the enlistment of colored soldiers, provides for them only about one-half the pay of the white troops, and promises no bounty.” The circular posited that the state contained only 6,000-7,000 black men capable of fighting and lamented that, of these, 400 had already enlisted in the Massachusetts regiments. The circular acknowledged the patriotism and bravery black troops had already shown in the service of a country that had only shown them a “stepmother’s affection,” but concluded by appealing to the military necessity of black enlistment: “Since volunteering can no longer fill the ranks of our armies, and recourse to conscription becomes necessary, unreasoning prejudice only can be blind to the fact that every colored recruit acts as an unpurchased substitute for a white man.”456 In the final analysis, the Committee contemplated black soldiers as bodies, replacements for white men. This document carried the signatures of many prominent white Pennsylvanians, including the well-known abolitionists J. Miller McKim and B.P. Hunt and the anti-slavery congressman William D. Kelley.

If they read this document, with its twin appeals for black enlistment carefully crafted to resonate with two distinct audiences, black Northerners would surely have wondered whether black service could bring the changes black recruiters claimed. Here were avowed friends of the black community depicting black soldiers as substitutes. Speaking to white Northerners, whose approval would be in some measure necessary for black men to parlay service into post-war gains, the Committee did not present any legal changes as concomitants to black service. It might be argued that this “white appeal” for black service did not reflect the true feelings of its signatories, that this approach was

456 “Circular of the Supervisory Committee on Colored Enlistments.”
necessary to conquer white prejudice and facilitate large-scale black enlistment. Still, black men surely wondered whether, if such a cynical argument was necessary to convince white Northerners to drop their opposition to black enlistment at the height of the crisis of war – as Lee’s Army of Northern Virginia drove into Pennsylvania – it was reasonable to expect that when danger passed, white opinion would countenance fundamental changes involving black equality, rights or citizenship.

In 1863, conscription and enlistment sparked class conflict on the Northern home front, and Northern black communities were not immune from class tensions. Enlistment excited pre-existing class divisions: the rank-and-file of Northern black communities seem to have resented being told to volunteer by elite black recruiters who did not enlist themselves. By summer 1863, black Northerners had spent months listening to comparatively wealthy members of their communities – professional orators, editors, ministers, wealthy entrepreneurs of various stripes – tell them to enlist. Some black Northerners began to wonder why black recruiters did not enlist themselves, resenting the fact that well-heeled black men stayed home and prospered while they urged black mothers and fathers to send their sons to face discrimination and death in the Union Army.

In July, Parker T. Smith clearly stated this position. Smith believed some hesitated to enlist because of service inequalities, but he also blamed black recruiters for failing to do what they told others to do. Referring to a recent pro-enlistment circular signed by Douglass, William D. Forten, and many of Philadelphia’s black ministers, Smith angrily asserted that

…we do not know a colored minister whose name is left off the paper, and about one half are liable to do military duty, while most of the other half could render eminent services in the battle field. Example is better than PRECEPT, and the reason why more do not enlist is because this
very large committee stands off and says, ‘Go boys,’ instead of encouraging others by saying ‘Come boys,’ and enlisting themselves. Several of them, it is true, have taken out commissions as recruiting sergeants, but in this they show no force of example…With all the efforts that have been put forth, there have not been half as many recruits raised in this city as there are names on the committee…Now if about one half of this very large committee will enlist, we venture to predict that the ranks will fill up fast.

Smith took dead aim at Douglass, the most visible and prominent member of George Stearns’ recruiting network, by referring to the fact that two of Douglass’ sons had enlisted in the 54th Massachusetts dismissively. “No man’s sons can work out his political salvation for him,” he wrote. Smith then reported a conversation with an influential black Philadelphian who said he would join a regiment in which Douglass served, but had not enlisted because such a regiment did not exist. “If men will not enlist and fight themselves,” argued Smith, “they have no just cause to make heavy burdens and bind them on other men’s shoulders…consistency demands they should enlist…”

Smith did not explicitly employ the language of class. He was wealthy enough to emigrate to Canada prior to the war and then return to the United States during the conflict, and his eloquence suggests he may have differed little in wealth and status from Douglass and the others he criticized. Yet he tapped into a deep resentment that many prominent recruiters failed to enlist themselves. This resentment could have been based simply on the principle that men like Douglass should not urge others to do what they themselves would not. Black Northerners may have thought it callous that black recruiters, who would not feel the material and physical brunt of the service inequalities they dismissed as reasons for delaying enlistment, advocated volunteering. Additional evidence, however, suggests that black Northerners’ resentment toward black recruiters emanated from class animus.

From correspondents in Brooklyn and Washington came resentment toward well-off black Northerners who supported enlistment but did not enlist. Brooklyn’s Junius suggested that elite black Northerners sought to avoid service. “A very blatant class of colored politicians in these regions,” he wrote, “have become suddenly silent, since Judge Bates’ decision making them citizens, and consequently liable to the draft. They find abundant employment in the oyster, hat, and drug business, – as teachers, editors and pastors, with good fat salaries.” While former slaves in the South were enlisting and “winning a name and doing deeds which shall do more to regenerate, redeem, and save their race…all these mushrooms and harpies…are seeking their own glory, the *almighty dollar*.”

Class tensions flared in the federal district, as black Washingtonians who had supported Henry McNeal Turner’s efforts to recruit the 1st USCT turned on black recruiters once they learned they would be liable to conscription. Preaching at Israel AME Church in August, Turner lamented that, “Just as our prayers are being answered, just as the victory is dawning, just as God is about to deliver us, we hear the hoarse voice of murmuring and complaint.” He continued:

But a short time ago we were full of enthusiasm, and the very arches of heaven rang with our loud hurrahs in our war meetings. Now the scene is changed. Some of our people complain because they are compelled to go and help maintain and preserve our country. Some have even blamed your preacher and others, as the cause of your being drafted. Am I the President of the United States? Can I go to the War Department and give orders? Or perhaps I went to Congress and they passed the enrolment act just to please me. I beg of you, my brethren, not to be so foolish. ‘Let them not turn again to folly.’ He had been made sick when he heard his people, some of whom had themselves been made free by it, say they were opposed to the war.

Thomas H.C. Hinton reported that when black Washingtonians learned he had been drafted, they assailed him with calls of “Now they have got him,” “Serves him right for getting the young men to enlist in his volunteer enterprise,” “Drafted; I wonder how he

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459 Turner was quoted in an article that appeared in the *National Republican*, which Thomas H.C. Hinton clipped and included in his regular correspondence with the *Christian Recorder*. See Thomas H.C. Hinton to Editor, *Christian Recorder*, August 29, 1863.
The next month, “Tom Peeper,” an occasional DC correspondent of the *Weekly Anglo-African*, criticized black Washingtonians’ mercurial attitudes about enlistment. They had supported enlistment at first, but now that some found themselves drafted, “and that [service] did not pay so funny as they had anticipated…they began to hunt for who they regarded as the founders of the scheme” and “commence to heap upon the heads of Mr. John F. Cook, John T. Costin, Wm Warmly, Thomas H.C. Hinton, Rev H.M. Turner and A.W. Winkfield the responsibility of the draft, and to sneak around every dram shop and rotten hole to vent their infernal spleen.”

These snippets suggest that not only did some black Northerners resented black recruiters’ exalted material status. All of the men Tom Peeper named were prominent black Washingtonians whose status, if not actual wealth, set them apart from most black Northerners. Turner, Hinton, and Winkfield were ministers, Cook was a schoolteacher, Costin was the son of a bank employee and was a leading black Freemason, and William Wormley was the son of a wealthy caterer; Cook and Costin had been among the delegation that met with Abraham Lincoln back in August 1862. Peeper’s derogatory reference to “dram shop[s] and rotten holes” also dripped with class invective, as did Hinton’s above-quoted outburst at the “hog-headed, bull-nosed, owl-eyed, dog-trotted, monkey-souled, State prison birds, and work-house pimps… the slush hounds of our kindred” who jeered at black draftees. Hinton and Peeper pinned resistance to enlistment on the presumably degraded, lower-class elements who frequented bars and wound up incarcerated, whose detrimental effect on black communities elite black

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leaders often decried. It makes sense that black Northerners toiling as unskilled laborers, whose impoverished families depended in large part on their meager wages to survive, resented being told by black leaders to submit to pay inequalities and other humiliations. But the fact that opposition among black Washingtonians became especially strong as black men began to be drafted in the late summer suggests that black Northerners did not so much oppose black service as conscription, being compelled to fight for a country that treated them as second-class citizens.

Correspondence between prominent black Northerners suggest that their attitudes toward service may have contributed to this resentment among the rank and file. Black elites seem to have believed that men of their stature did not possess a responsibility to fight. Several correspondents of Philadelphia’s Jacob C. White Jr., by 1863 a strong supporter of immediate enlistment, joked with him about wanting to avoid the draft.464 White received a letter dated August 6 likely written in 1863 in which a friend said he was “happy to see that you have not been able to draw a prize to entitle you to three (3) years care from Uncle Samuel and regret more of my friends have not been more fortunate, as I hear my brother has been drafted; in [Huntingdon, Pennsylvania] every body is in suspense the draft will come of probably this or probably next week …and even Nell dreads the approach for fear some of her friends will come off lucky and says that her troubles never have an end, and she expects that next thing she will be drafted herself…”465

464 For an example of White making an immediate-enlistment argument, see “Flag Presentation at Camp William Penn,” Christian Recorder, September 5, 1863.
465 “Alex” [Harris?] to Jacob C. White, Jr., August 6, [1863?], Jacob C. White Papers, Box 6, Leon B. Gardiner Collection of American Negro Historical Society Records, 1790-1905, Historical Society of Pennsylvania.
In September, former *Pine & Palm* editor George Lawrence Jr. joked with White about his decision to pay the $300 commutation fee authorized by the March conscription legislation rather than join the army. “It is true as you remark that I did draw a prize in the Union lottery,” he wrote, “but having presented a valid disclaimer as an aspirant for military honors I still remain in status quo ante bellum: in other words, Uncle Sam accepted my check in liquidation of his draft.” Depicting being drafted as an undesirable “prize” seems to have become something of an inside joke for elite black Northerners during this period. Cincinnati’s William Parham reported that he was not among the “fortunate ones” who had escaped enrollment for the draft, and worried that “when it comes to ‘drawing prizes’ I shall meet with more luck than will be either desirable or agreeable.” Were he drafted, Parham apparently planned to procure a substitute or pay the commutation fee, and he offered a justification for men like White to avoid service while they encouraged others to volunteer:

> I am pleased to learn that you were fortunate enough to escape the draft, as I believe you will be able to do more for the race where you are than you could by going to the battlefield. When this war is over, the next struggle will be against prejudice, which is to be conquered by intellect; and we shall need all the talent that we have among us or can possibly command. Then will be your time to be found in the thickest of the fight; where the battle rages fiercest and the danger is most imminent.

Some elite black Northerners believed that those who possessed the requisite intellectual acumen should save their talents for the post-war period rather than risk losing them to death on the battlefield; soldiering, apparently, was a task best left to lesser black men. Prominent black Northerners may also have been reluctant to enlist because Union promotion policy denied them the chance to rise to a military position.

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466 George Lawrence Jr., to Jacob C. White, Jr., September 30, 1863, Jacob C. White Collection, Box 115-2, Moorland-Spingarn Research Center, Manuscript Division, Howard University.

467 William Parham to Jacob C. White Jr., August 7, 1863, Jacob C. White Collection, Box 115-2, Moorland-Spingarn Research Center, Manuscript Division, Howard University.
commensurate with their civilian status. George T. Downing, one of the wealthiest black entrepreneurs of the period, wanted to serve but only in a position befitting his exalted stature. “My business and the fact that I have always in that business occupied a commanding position nationally causes me to seek or expect some position in keeping therewith,” he told John Andrew, and asked, “May I not serve the cause of Liberty and My Country and not be confined to such positions as shall make the sacrifice of leaving my business, as great as it might be?” These letters were private, but if prominent black Northerners like Downing or Parham ever expressed publicly their desire to enlist only as an officer, talked openly of wanting to avoid service in the language of “disclaimers” and “prizes,” or voiced their belief that black elites did not have a duty to enlist, their words may have increased poor black Northerners’ class-based resentment. Even if black elites kept this language and these thoughts totally private, their plebeian compatriots may have sensed the attitudes and assumptions of superiority from which they emanated. Parham made a valid point that men of rhetorical talents and well-developed intellects would be needed in the post-war period to help reap the gains black service would bring, but the validity of this point would not have helped poor black men stomach the suggestion that they possessed a duty to fight that wealthier men did not.

When they spoke of service in community forums, black leaders and recruiters generally did not use the rhetoric of “prizes” and “disclaimers” in which at least some indulged privately. Some recruiters, such as Henry McNeal Turner, did enlist and

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468 George T. Downing to John Andrew, March 6, 1863, Volume 57a, Executive Letters, Commonwealth of Massachusetts Archives.
469 Brooklyn’s Junius did once use this language. In September, he reported, “A good number of colored men have drawn prizes. Among the fortunate are several members of the Presbyterian church, with Rev. Mr. Holmes, the present supply, who is a student at Auburn, and only visiting this city during vacation; ‘lucky student.’ Hezekiah Hunter, Wm. Brown, Elder Ritter, all of Prince St., are among the ‘prophets’ chosen by faith to shoulder a musket for Uncle Sam.” Junius had once opposed immediate enlistment but
Frederick Douglass showed sensitivity to the need to answer Parker T. Smith’s charge of bad faith. In language that echoed Parham’s, Douglass claimed his efforts in the North were simply too valuable to permit him to enlist: if Mr. Smith or the “influential friend” of which he spoke could “[furnish] any considerable evidence of [their] ability to fill my place at the North, [they] will have done something to convince me that I ought to assume the position [they] [assign] me in the army at the South.” Smith and others who cited Douglass’ decision not to enlist in justifying their own hesitance to volunteer, said Douglass, were cowards, and he disputed Smith’s charge that he relied on his sons’ service in the 54th Massachusetts to “work his political salvation.” 470

As it happened, just a few days after responding to Smith, Douglass received what he believed was a commission to work as a military recruiter directly from Edwin Stanton. He ceased publishing his monthly newspaper to ready himself for this work, but for some reason, the commission never came and Douglass never enlisted. 471 In any case, at least some of black Northerners’ resistance to service in late summer 1863 seems to have emanated from class-based tensions deriving from the social divide between black recruiters and the black Northern masses, and the perception that some black men considered themselves above serving in the army while encouraging others to volunteer.

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470 Frederick Douglass to Editor, Christian Recorder, September 12, 1863.
471 David Blight has explored several reasons why Douglass never pushed for his commission or accepted a rank lower than major to continue his recruiting work as an official army recruiter: Douglass may have felt his family responsibilities were too great to permit him to go; he was a reformer, not a soldier, and may have felt the army was not a suitable place for him; or he may have simply been too stubborn to go South without the exact commission he had been promised. Blight lends some credence to Parker Smith’s comments about Douglass’ sons, noting that Douglass seems to have felt that their service fulfilled by proxy his physical obligation to the Union war effort: he often referred to them in private correspondence as his “surrogates at war.” See Blight, Frederick Douglass’ Civil War, 169-171.
Racist violence on the Northern home front also likely encouraged some black Northerners to delay enlistment. Following the bloody New York Draft Riots, some felt they needed to remain home to protect their families and property from white Northerners enraged by conscription and emancipation. In 1863, racist mob activity flared in Detroit and Harrisburg, but July witnessed the worst violence, as predominately lower-class Irish-American mobs terrorized New York City from July 13 through July 16, targeting Republicans and black New Yorkers. White mobs lynched dozens of black men, destroyed black property, and burned down black institutions, and black New Yorkers fled the city in droves to escape their murderous wrath. Later in the year, a committee formed by white merchants to aid the mob’s victims estimated that some 5,000 black refugees left the city during those terrifying July days, taking shelter in local police stations, Blackwell’s Island, Long Island, and Bergen County, New Jersey. The riots shocked the nation, and may have caused some black Northerners to doubt the advisability of going to war when their families and communities faced horrific violence on the home front.

In the Draft Riots’ aftermath black Northerners feared similar disturbances would break out in other Northern cities and some began to say that, if they took arms, they should do so in defense of their homes and families rather than at the battlefront. Just days after the violence in New York ceased, John Rock worried rioting would erupt in Boston, warning John Andrew that a friend of his had discovered a “bushel and a half of

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472 Report of the Committee of Merchants for the Relief of Colored People, Suffering from the Late Riots in the City of New York (New York: George A. Whitehorne, 1863), 7.
minie balls!” hidden in a city dump he believed was meant for use in “an outbreak on the withdrawal of the Military.” In late July, the Christian Recorder wrote that Philadelphia’s “citizens are expecting every day that a mob will break out here.” The Recorder advised black Philadelphians to, “Have plenty of powder and ball in your houses, and use it with effect, if necessary, in the protection of your wives and children…”

Black men in the New York area remained on high alert after the rioting ceased. Junius reported that black Brooklynites were ready to defend themselves, keeping “[their] own ‘powder dry.’” Black Northerners knew they needed to be ready to defend themselves and, as they had in the aftermath of the 1850 Fugitive Slave Law, talked of forming organizations for self-defense. “Junius Albus” wrote to the Christian Recorder about appointing black policemen and starting black self-defense leagues; Brooklyn’s Junius reported that individual efforts to protect homes and property had evolved into a larger communal discussion about founding a self-defense organization. “Many,” he wrote, “are thinking about powder, lead, and military companies, self-defence, and death to the man or men that dare invade their homes.” “Sea Side,” an occasional Christian Recorder correspondent, predicted continued racial violence in Northern cities and recommended that black Northerners form “in every city protective associations, for any emergency that may arise.” Sea Side implored black Northerners to create “well organized societies to resist violence and massacre,” as they “owe[d] it to the brave

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474 John Rock to John Andrew, July 20, 1863, Volume W103, Executive Letters, Commonwealth of Massachusetts Archives.
475 Untitled article, Christian Recorder, July 25, 1863.
476 Junius to Editor, Christian Recorder, July 25, 1863.
478 Junius to Editor, Christian Recorder, August 1, 1863.
colored men that have left their homes, families, and little ones with us, and perilling their lives on the battle-field.⁴⁷⁹

These calls for black men to take up arms on the home front came in the aftermath of appalling violence. No one knew where and when similar violence might occur next. The Draft Riots receded from view as weeks and months passed during the late summer and fall of 1863 and black Northerners’ talk of organizing for self-defense slowed; it seems to have amounted to little in the end, at least in terms of creating lasting community organizations. But pervasive fear and uncertainty gripped black Northern communities in the Draft Riots’ aftermath, emotions that inspired black men to think that perhaps their true duty was to remain vigilant on the home front, ready to meet the next onslaught of white rage. That black Northerners did not see black service and achieving a state of military preparedness on the home front as mutually exclusive propositions was suggested by Sea Side’s comment that black civilians owed it to black soldiers to protect their wives and families. He did not call on black troops to come home to participate in community defense; he envisioned able-bodied black men staying home to meet the domestic threat. Still, in the fears they generated and in moving black Northerners’ attention away from the battlefield and focusing it on their own communities, the riots may help explain some black Northerners’ hesitance to enlist in the late summer and early fall of 1863.

Despite the opposition to immediate enlistment that some black Northerners manifested through mid-1863, the fact remains that a remarkably high percentage of eligible black Northerners eventually wore Union blue. How does one explain this result in light of the evidence that a significant number of black Northerners opposed enlistment

⁴⁷⁹ “Sea Side” to Editor, Christian Recorder, August 8, 1863.
into 1863? First, though they stumbled and encountered opposition along the way, black recruiters performed their task well. They held regular, well-attended meetings throughout the North, and at many of these meetings their arguments met an enthusiastic reception and inspired enlistments on the spot.\footnote{See, for example: C.W. “Colored Enlistments in Chester,” July 17, 1863, Delaware County Republican; “Enlistment Meeting at Providence,” Liberator, March 13, 1863; “Enthusiastic War Meeting in Washington,” Liberator, June 12, 1863; W.H. Gibson to Editor, Christian Recorder, May 23, 1863; Occasional, “Two Weeks in Chicago,” Christian Recorder, May 9, 1863; “War Meeting in New Bedford,” Weekly Anglo-African, February 28, 1863; “A War-Meeting in New Jersey,” Weekly Anglo-African, April 25, 1863.} Some rank-and-file black Northerners likely embraced black service as quickly as their more prominent brethren did, or opposed enlisting immediately for a short time before deciding to enlist. This study highlights those voices who dissented, voices that have largely been ignored or quickly passed over in previous examinations of black service, but it is likely that by 1863 opponents of immediate enlistment were in the minority among black Northerners, albeit a substantial, vocal minority. It is impossible to know with certainty what percentage of black Northerners at one point or another opposed immediate enlistment, but a close analysis of black newspapers from these months suggests that at any given moment more black Northerners than not would have supported the black New Yorkers who met in July 1863 to protest their state’s reluctance to enlist black troops and resolve, “That more effective remedies [for the rebellion] ought now to be thoroughly tried, in the shape of warm lead and cold steel, duly administered by 200,000 black doctors….”\footnote{“Manifesto of the Colored Citizens of New York,” in Black Abolitionist Papers: Volume 5, United States, 1859-1865, ed. C. Peter Ripley, et al. (Chapel Hill: University of North Carolina Press, 1992), 224-228. Even the call to this meeting, though, demonstrated the tension between the desire to adhere to the politics of service and the desire to enlist. In it, a committee of leading black New Yorkers, including Charles B. Ray and James Gloucester, described black Northerners’ conditional willingness to fight for the Union. “The object of this meeting,” they wrote, “is to show the Government and people, their willingness to aid in the suppression of the rebellion, by organizing a large force of Colored Volunteers, to be under the command of leaders known to be in sympathy with the movement, and upon the assurance that they will get the remuneration and protection which belongs to a citizen soldier of the Union.” See “To Arms! To Arms! Grand Mass Convention of Colored Citizens,” National Prinicipia, July 9, 1863.}
Nevertheless, resistance to immediate enlistment was widespread, and the high percentage of black Northerners who eventually served in the Union Army suggests that, at one point or another, many black Northerners who fought for the Union opposed immediate enlistment and changed their minds. Unfortunately, black men fitting this description did not publicly describe their evolving thinking on black service or recount the events or arguments that caused their thinking to change. In the absence of such an explanation, one can only speculate as to why black men who opposed immediate enlistment came to favor it. It seems likely that a number of factors combined to convince black Northerners that the time had come to enlist despite service inequalities, slavery, racism and other obstacles.

Some black Northerners surely warmed to enlistment as they became convinced that the Union would not abandon emancipation as 1863 progressed. Lincoln did not, as some feared, repudiate his Emancipation Proclamation, and as Union armies took more Southern territory, the Proclamation began to fulfill its emancipatory promise. Increasing numbers of slaves found freedom under its auspices, either by running away to or coming within Union lines. The Lincoln also administration pulled back from its support for colonization. After signing the Proclamation, Lincoln never publicly mentioned colonization again, and by April Stanton had ended all colonizationist efforts, seeing them as inconsistent with black enlistment.482 Lincoln’s July 1863 retaliatory proclamation, dealing with the emotionally-charged issue of black POWs’ treatment, also helped harmonize black Northerners to the prospect of service, despite the fact that

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Lincoln never followed through on his threat to kill or put to hard labor one Confederate prisoner for each mistreated black POW.

Black troops’ performance on the battlefield and the reality of conscription likely caused black Northerners to warm to immediate enlistment. The first black regiments’ successes at places like Port Hudson, Milliken’s Bend, and Fort Wagner may have chipped away at intransigent black Northerners’ resolve. The praise these troops’ combat and non-combat performances garnered from white officers and reporters, combined with Lincoln’s retaliatory proclamation, likely convinced some that though service inequalities persisted, black service could with time erode them and the white racism that inspired them. These regiments’ service may have encouraged black Northerners to feel that they needed to take their part in the struggle, helping black service gain momentum. Edward Gilbert, who chaired a committee of white New Yorkers that sought to raise a black “Fremont legion,” considered former slaves’ “rapid volunteering…a powerful stimulus” to black Northerners.483 Finally, while some black Northerners manifested profound anxieties about being drafted, black men’s liability to the draft likely motivated others to enlist, reasoning this course better than having the details of their service dictated to them. Black Northerners longing for rights and citizenship may have seen self-determination in this realm as consistent with their goals.

Well-publicized incidents in which former opponents of black service praised black troops and in which whites stood up for black soldiers suggested that black service was beginning to alter white Americans’ racist views, making them increasingly willing to see black men as citizens. In November, Ohio’s A.M. Taylor attended a ceremony at

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Camp Delaware where the state’s former governor, William Dennison, spoke. The Republican politician had refused black recruits in 1861 but now, Taylor told the *Christian Recorder*, he stood “on the same platform with colored orators…and addressee[d] a colored regiment as citizens…” Dennison’s remarks, said Taylor, “show[ed] how public opinion has changed in our favor…”484 Around the same time, Parker T. Smith informed the *Anglo-African* of a similar incident at Camp William Penn outside Philadelphia, where General George Cadwalader and Jude Shannon, both Democrats and former foes of black enlistment, addressed black soldiers as “fellow-citizens.”485 In September, Parker T. Smith reported that Thomas Smith, the president of the Bank of North America, had stood up for a black soldier harassed on a Philadelphia streetcar; when a white patron objected to the soldier entering the car’s interior, generally reserved for whites, the bank executive knocked the man to the ground and gave the soldier his seat. Gleefully appropriating the language of *Dred Scott*, Smith suggested placing a Thomas Smith in every streetcar, “to make ruffians remember that colored men have rights which white men are bound to respect.”486 The most famous incident of this type happened in Baltimore and involved the black surgeon Alexander T. Augusta, the U.S. Army’s first black physician. When local whites attacked the uniformed Augusta, white troops assisted the surgeon in identifying and arresting his assailants. Augusta expressed his pride in this incident by mocking Roger Taney’s famous denial of black rights. “[E]ven in rowdy Baltimore,” he wrote, “colored men have rights that white men

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are bound to respect.”

To black Northerners, incidents like these suggested a real change in white opinion was taking place, and likely contributed to the slackening of opposition to enlistment. In any case, after September 1863, evidence of opposition to immediate enlistment became few and far between, suggesting that enlistment ceased to be a divisive topic in the black North.

Black Northerners stopped debating enlistment’s advisability because, as the year progressed, some combination of the factors mentioned above assured them that the hope they had articulated since 1861 had been realized. The war had proved long and costly enough to provoke white Northerners to adopt increasingly radical positions regarding emancipation, race, and slavery; it might now result in a transformed United States. For African Americans, whether or not the war could create such a transformation remained its fundamental question. James Gloucester expressed this sentiment in the *National Principia*, an abolitionist journal, in September 1863. The United States was only worth preserving, wrote the New York minister, if it fundamentally reformed itself. “[O]f what permanent value is a ‘country’, without the full recognition of the all the rights of humanity in it, without its spreading its broad protective shield over every human being that treads upon its soil?” For black Americans, the issue of the contest was not and had never been maintenance of the Union:

This great question of ‘country’, coming up, now, by the providence of God, to the American mind for its solution, I consider to be this: -- Whether this terrible ordeal through which it is passing, shall result in a thorough regenerated country purged from injustice and crime, taking its place anew, with a sublime power, permanence, and glory, among the nations of the earth, or whether, after all this conflict, this terrible tragedy of arms, this shedding of blood, this devastation of our fair land, instigated by the South, to save her system of untold injury and wrong, whether after all this, this system should be permitted to enter the bond for effecting a restored, redeemed

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country? No! A thousand answers from patriotic loyal hearts in the nation answer, No! No more as a ligature, by which to attempt binding extensive conflicting interests in one, no more as a false, deceitful shield, to but fancied liberties and rights. Let it perish. Cut it up by the roots.

This is the sentiment coming up, from the warm palpitating hearts of millions in this land, as a holy offering to universal freedom, and as to the true status of a redeemed country. They know of no such thing as a saved country, short of this. Gloucester expressed – perhaps as eloquently as any black speaker at any point during the war – African Americans’ common hope that the Civil War would prove the United States’ salvation, killing the old Union and creating a redeemed Union in its place. For black Americans, this outcome alone justified the war and their participation in it.

Earlier in the conflict, black Northerners had taken Union officials’ perceived slowness to move against slavery, and the numerous ways in which white racism influenced the Union war effort, as signs that this war would end as had earlier crises over slavery: with a compromise that preserved the institution and racial discrimination. But by the middle of 1863, Union officials were targeting slavery directly. Black Northerners had not seen all the change they desired, but they had seen much and – in keeping with their longstanding tendency to favor pragmatic action over stands based on purity of principle – the change they had seen convinced them that the chance to win a new Union, a Union worth passing down to future generations, lay at hand. In 1863, delayed enlistment became a casualty of black Northerners’ conviction that the Civil War could change the United States’ basic character.

In 1863 black Northerners often drew comparisons between the Civil War and the American Revolution, expressing their belief that the war had become a crucible through which a new nation might be formed by comparing it to the nation’s founding epoch. At Tremont Temple on January 1, William C. Nell linked the war to the Revolution’s

earliest battles. “It is recorded in the history of our country's independence,” he proclaimed, “that, on the memorable 19th of April, 1775, as the patriots, Hancock and Adams, were retiring from the field of conflict, the latter exclaimed—‘O, what an ever-glorious morning is this!’ considering the contest at Lexington as the prelude of events that were destined to secure the freedom and independence of his country. May we not, in like manner, accept the present crisis in our national affairs as a condition necessary to secure Liberty and Peace on an enduring basis?” he asked. At a Washington war meeting in May, a Mr. Bowen compared black soldiers’ ability to demand their rights to the revolutionary patriots’ successful defense of their liberties: “When we show that we are men, we can then demand our liberty, as did the revolutionary fathers – peaceably if we can, forcibly if we must.”

California’s William H. Hall referenced the Revolution in urging black men to forget past wrongs and enlist. Born free in Washington, D.C., Hall had studied for the ministry at Oberlin College, fought against black disenfranchisement in New York, and joined the Gold Rush in 1849. Having improved his material station considerably, Hall took up permanent residence in Oroville, California, and worked alongside William H. Newby and others in the black convention movement. Whether or not he intended to, he answered his late colleague’s mid-1850s injunctions that black Americans be absolutely sure they would be getting something in return before again fighting for the United States. “It matters not now,” he wrote, “in the hour of emergency, to inquire into

490 “Enthusiastic War Meeting in Washington,” The Liberator, June 12, 1863. It is likely that the Mr. Bowen referred to in this article was Anthony Bowen. Bowen was born a slave in Maryland, and in the mid-1820s he purchased his freedom. He became an AME Zion minister and founder of the first black YMCA. See Masur, An Example for All the Land, 150; Wayman, Cyclopaedia of African Methodism, 23-24. Occasionally, black speakers echoed Bowen in claiming that black men under arms would not relinquish them until they got justice. See William Steward to Editor, Christian Recorder, March 7, 1863.
491 On Hall, see Lapp, Blacks in Gold Rush California, 222.
the policy that has been pursued toward us for over eighty years. Its results have been benevolently and sublimely borne, and it should be remembered that the circumstances which once proscribed our limits and denied a recognition of merit, has been entirely changed, and we find the generation of ’63 separating from compromises and compacts to return to that sublime doctrine of ’76, which so freely disseminated the germs of liberty to all mankind.”

Hall believed that the war presented Americans the opportunity to cast aside the compromises with expediency that had sustained slavery ever since the Founders had venerated human equality – “the doctrine of ’76” – in their Declaration of Independence, and for the nation to enact its great founding principle.

The Pacific Appeal linked the war to the American Revolution, and believed that by 1863 it offered black men the chance to fight for something greater than the antebellum Union’s preservation. In late June, the Appeal claimed that African Americans could celebrate the upcoming Fourth of July “untrammeled by pro-slavery” because the Emancipation Proclamation and the events that transpired in its wake had “changed [the nation], from its pro-slavery proclivities…” In its Fourth of July issue, the Appeal stated that no July Fourth since 1776 “has been fraught with so much significance to human freedom” as July 4, 1863. Eighty-seven years before, black men had fought,

492 W.H. Hall, “Patriotic Colored Men,” Pacific Appeal, April 25, 1863. Frederick Douglass echoed this language in his February speech at New York’s Cooper Union Institute, claiming that January 1 would, “Henceforth...take rank with the Fourth of July. [Applause:] Henceforth it becomes the date of a new and glorious era in the history of American liberty.” He also replied to complaints that Lincoln’s Emancipation Proclamation was “only an ink and paper proclamation” by observing that “our own Declaration of Independence was at one time but ink and paper.” See “Frederick Douglass at the Cooper Institute – The Proclamation,” Douglass’ Monthly, March 1863. Douglass recognized that the war gave black men a chance to strike for their freedom analogous to the colonists’ struggle during the Revolutionary War, writing in April that, “The white-man's soul was tried in 1776. The black-man's soul is tried in 1863. The first stood the test, and is received as genuine—so may the last.” See Frederick Douglass, “Another Word to the Colored Men,” Douglass’ Monthly, April 1863.

side by side with white men, for the maintenance of the sentiments of freedom enunciated in that sublime document – the Declaration of American Independence. In 1863, black men have emerged, through 87 years of Babylonian-like captivity, and are placed in a position by the National Government in which they may obtain their reward. In this age of freedom, with our citizenship restored, our soldiers accepted to fight the country’s battle in behalf of human rights, we join in hailing this ‘auspicious day.’

According to the *Appeal*, black soldiers enlisted because the nation had restored their citizenship; they fought for the cause of human freedom, not the antebellum United States. Black soldiers fought because, as Peter Johnson Jr. put it in an August letter to the *Appeal*, by 1863 “the covenant with death [was] broken, the agreement with hell [was] annulled. No more Union as it was and Constitution as it is for me,” said Johnson. “[B]ut give me the Union with slavery annihilated forever, and the Constitution to read as the Declaration of Independence, proclaiming that all men are created free and equal.”

By mid-1863, black Northerners believed the war presented them a chance to forge change so momentous that it would amount to a new founding, a new national birth. They envisioned the war as an effort to “re-found” the United States, to author a pure national birth out of which the United States could grow and prosper because cleansed of its original sin of slavery and rededicated to its founding principle of equality. At a first anniversary celebration for Washington’s Association for the Relief of Contrabands, John F. Cook, Jr. presented a flag to members of Washington’s 1st USCT. In his accompanying speech, he told the troops that they had a chance to make the principles elaborated by the patriots of 1776 match the reality of American life for the first time. “If the doctrine of the equality of man was announced by the American people in 1776, its adoption has been left for 1863,” he thundered.

For the present give to the winds the wrongs, the unrequited services of 1776. Dwell not upon the faithlessness of 1812, but build your hopes, your faith upon the nature of the present strife. Draw

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your conclusions from the real cause of this bloody scene, from the most reasonable and probable ultimate consequence. The conflict is not between the North and South, it is of nobler aspect, of transcendently higher nature. It is of freedom, the equality, and of slavery, the oppression of man. A strife between civilization and barbarism, truth and error, right and wrong. Upon our side are arrayed the conquering hosts of universal human freedom; upon the other the insolent God-defying hordes of human oppression.

Cook took as his reference point not the Constitution, with its compromises and history of serving pro-slavery purposes, but the Declaration of Independence and its affirmation of human equality. Black men could erase the wrongs done to their forebears by participating in a struggle in whose balance hung interests – equality, abolition, abstract moral right – that transcended party, region, race and skin color. By fighting, black soldiers could ensure that, “1776 and 1863 in glory, in moral significance, in practical effects upon Christianity, civilization and humanity must ever grace the pages of history, ever illume and adorn the annals of America, and stand forth prominent among the world’s most favored years.”

Perhaps a letter written to the *Weekly Anglo-African* in late April 1863 best expressed black men’s linkage of the Civil War with the American Revolution and the opportunity they saw to refound the nation according to its original principles. In it, an S.T. Johnson of Susquehanna Depot, Pennsylvania, advised black men to enlist at once:

“Forbearance ceases to be a virtue.” Black men should become “brothers in arms,” associates in the foundation of a new republic whose watchword shall be Liberty, not alone in words but in noble deeds, and with laws imbued with christian humanity and God-like justice, where complexion shall not be the requirement to establish manhood – where tranquility and mutual kindness may exist – where the humblest of God’s creatures may worship Him without fear or trembling.

Here, clearly and eloquently, was the language of refounding. Black men had helped win American independence but were left out of the deliberations that produced the Constitution. Since its adoption, they had watched slavery evolve as a federally-

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protected institution, while discriminatory legislation increasingly infringed on their rights and denied their citizenship. The war offered them the chance to become members of a second founding generation by winning a United States that would live up to its ideals. That black men believed by 1863 that the Union war effort had taken on a sufficiently anti-slavery character to allow their service to result in a national refounding helps, in addition to the factors earlier cited, explain why black Northerners stopped arguing over enlistment in late 1863.

Having articulated a politics of service that contemplated enlisting only once the government had met black demands, black Northerners enlisted en masse in a Union Army that treated them unequally. They enlisted despite the fact that slavery and discrimination, though undermined in important ways, continued. They enlisted despite the fact that they had received no guarantee from state or federal officials that things would change after the war. Does this result negate the politics of service’s importance? Why pay attention to a political position that was disregarded in light of changing circumstances? Attention to the fact that the politics of service existed and continued to influence black men’s thinking about service after the Union’s embrace of black enlistment corrects a hole in the scholarship surrounding black service. Historians of black soldiers have generally brushed quickly past black Northerners’ objections to enlistment or declined to discuss them altogether, preferring to concentrate on black troops’ battlefield performance and the campaigns against service inequalities they waged in the war’s final years. Analysis of the arguments that divided black Northern communities shows that black Northerners’ acceptance of enlistment was not a quick, seamless process but an uneven one that moved in fits and starts over the course of
several months. Large-scale black service resulted from careful, contentious debate and black Northerners’ individual decisions that fighting for the Union Army would benefit themselves and their communities. It resulted from a contingent process whose result was not preordained. The politics of service highlighted black Northerners’ understanding of their own self-worth and their determination to be treated justly, convictions that influenced their service after they enlisted and which they surely imparted to the slaves-turned-soldiers with whom they interacted. Understanding the politics of service and the opposition to immediate enlistment it inspired allows for a more accurate picture of the historical moment in which black men entered the Union Army in large numbers to emerge.

Additionally, historians have held that Salmon Chase’s question about black citizenship motivated Edward Bates’ momentous opinion; certainly, this is true, but it may be that black Northerners’ conversations about service also played a role in generating the question and the answer. During the war, prominent black Northerners like George T. Downing and Frederick Douglass, men intimately familiar with the debate over black service and the concerns that inspired it, had access to the highest offices of the federal government. Before the war, black leaders had established ties with Radical Republican leaders like Charles Sumner, who developed a close working relationship with Lincoln over the course of the war.\footnote{On Sumner and Lincoln, see Donald, \textit{Lincoln}, 321-322.} Sumner received frequent correspondence from black leaders like John Rock, Robert Morris, Henry McNeal Turner, Downing and others. This correspondence included a letter from George Downing in which the wealthy entrepreneur told Sumner that equal POW protection and access to promotion
would “quicken up” the “patriotism” of “your fellow citizens of African descent.”

During the war black Northerners enjoyed “unprecedented access” to the White House, and found in Lincoln the first president willing to listen to their concerns. When Lincoln met Frederick Douglass in 1863, he acknowledged having read about Douglass and the abolitionist firebrand’s criticism of his administration; Lincoln became the first president to receive African Americans in the White House, and met with black delegations on several occasions. “African American leaders, abolitionists and Radical Republicans,” Manisha Sinha has written, “played a crucial role in pushing the president,” on a range of issues, including black rights, citizenship and legal equality. Black Northerners’ access to the White House translated into access to other government departments as well. During his brief resignation from recruiting, Douglass met with the president and Edwin Stanton. When Stanton inquired about the nature of Douglass’ dissatisfaction with the terms of black enlistment, Douglass fired back immediately: “Unequal pay, no incentives.” Douglass and other black leaders made top Union officials aware of black men’s grievances regarding service inequalities and their concerns about African Americans’ post-war status.

Furthermore, prominent white Northerners knew they needed to address black Northerners’ politics-of-service-related concerns. Philadelphia’s Supervisory Committee on Colored Enlistments and Secretary of State William Seward both did so in their appeals to black men to forget service inequalities and enlist. Aside from black leaders’ direct contact and conversations with government officials, this fact suggests that the

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498 George T. Downing to Charles Sumner, February 19, 1863, Reel 27, Charles Sumner Papers, Manuscript Division, Library of Congress.
500 Douglass quoted in Heller, Portrait of an Abolitionist, 156. On this meeting, see also McFeely, Frederick Douglass, 227-230.
discussions about enlistment that black Northerners conducted in their churches, debating societies and newspapers reached white Northerners. Black Northerners’ thinking about the war influenced the manner in which white Northerners encouraged black men to enlist, and it is possible that Bates and other Union officials possessed enough familiarity with black Northerners’ debate over service to know that an affirmation of black citizenship would help convince them to enlist.

This point highlights the importance of the North’s comparatively open and developed civil society to Union victory.501 Black Northerners had built public institutions that fostered discussions about how they might bring their war aims in line with Union war aims.502 In these discussions, they helped white Northerners construct conceptual frameworks of what black service might look like and what might inspire black men to enlist, contributing to the process by which black men became an element of Northern strength. In articulating their politics of service, black Northerners advanced the causes of abolition, black rights and black citizenship for – no matter how much promise went unfulfilled in the wake of Union victory – a stalemate or Union defeat brought on partially by black men’s absence from the army would have been a far worse

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502 Free and enslaved black Southerners possessed some civil-society institutions as well, including churches, lyceums and benevolent societies. These were clustered in Southern cities like Norfolk and Richmond and did not enjoy the freedom to discuss the war, black war aims and black enlistment possessed by their Northern counterparts. See Ernest, A Nation Within a Nation, 16-17.
outcome. Seen in this light, black Northerners’ politics of service emerges as a vital contribution to the Northern war effort.

Nor did the politics of service disappear once large numbers of black troops entered the army. When they stopped arguing about enlistment, black Northerners shifted their politics’ focus and began to use the service black troops were providing to argue that change, in the army and in American society generally, must come at once. Black Northerners who did not enlist realized they needed to serve as home-front advocates for black soldiers and agitate for the fundamental changes they sought. As Cincinnati’s Colored Citizen argued, that the nation had consented to enlist black troops meant that it had “virtually recognize[d] [black men] as citizens with rights,” but black civilians on the Northern home front needed to remain “jealous of [black troops’] honor, and…zealous for [their] rights…” Black Northerners’ recognition that those who did not enlist had a vital part to play in ensuring that black service fulfilled its transformative potential inspired their late-war protests against discrimination in the Union Army and on the home front.

Black Northerners understood that by enlisting they risked being treated as their forefathers had: eagerly sought as soldiers while the battle raged, discarded and denied the fruits of service and victory once it ceased. But by 1863 they had valid reasons to hope this time truly would be different. As the Weekly Anglo-African explained in March, the Civil War was fundamentally different from earlier American wars because it was being fought over slavery, and by 1863 the Union was willing to make war directly on the institution. While it was true that black men had fought in the Revolutionary War and the War of 1812 and been denied justice,
In both former instances, both the contending parties agreed on one thing, and in that they were one with all Christendom – that slavery was right, proper and not without the authority of the Scriptures. There was no quarrel between them on this point, and slavery was not, in any sense, the cause of the war, nor had it been a subject of disagreement or contention between the belligerents...But the present contest differs from the former contests in this very matter of slavery. What was at first carefully smothered over now bursts into sunlight through official Proclamations and solemn edicts of Congress – to wit: that slavery is the sole cause of the war, and that the war can only be ended and the Union restored by the entire abolition of slavery...There is no fear therefore, no possibility of our being reduced again to slavery after helping the nation through its present perils.

“[C]aste and political disfranchisement,” added the *Anglo-African*, would cease along with slavery. 503 Apparently most black Northerners agreed with this assessment by late 1863, convinced by Stearns’ network of recruiters or their own assessments of the war’s momentum that black men should enlist.

Overwhelmingly, at the beginning of the Civil War, white men went to war determined to save the Union, although from the beginning a hardcore abolitionist minority wanted to achieve this end by destroying slavery. As the war ground on, many Union soldiers saw slavery up close for the first time and determined to kill the institution; others recognized that slavery strengthened the Confederate war effort and came to see its destruction as necessary to winning the war; and some, witnessing the unimaginable carnage all around them, came to believe that only an outcome as momentous as abolition could justify the war’s slaughter, that perhaps God himself had ordained that the war would not end while slavery lived. 504 White soldiers had to come around to the idea that winning the war would entail fundamental change to the nation bequeathed to them by the Founding generation. In 1863 black Northerners who had always sought this end joined them in the Union Army.

504 See Chandra Manning’s work on Northern soldiers’ understanding of the war’s cause and purpose. She argues persuasively that not only did many Northern soldiers, for a variety of reasons, became convinced by the conflict’s close of the need to end slavery, but some went further than this and recognized the need to purge the nation of racism and racial discrimination as well. See Manning, *What This Cruel War Was Over*.  

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Abraham Lincoln had always hated slavery, and from the war’s first summer he authorized policies that combatted the institution. But he had felt constrained by constitutional law, Northern public opinion and the need to prevent Border State secessions from taking decisive steps against slavery too hastily. By November 1863, however, he had committed the Union to a massive program of military emancipation and, like African Americans before him, he began to see the war as a chance for a national rebirth. When the president dedicated the Soldiers’ National Cemetery at Gettysburg on November 19, 1863, he employed the language of “refounding.” Like John F. Cook Jr. and William H. Hall had earlier in the year, Lincoln reached past the Constitution to the Declaration of Independence, locating the nation’s birth in that document. Lincoln emphasized its equality as a matter of fundamental American law, speaking of the country the founders had brought forth in 1776 – “Four score and seven years ago” – that had been “conceived in Liberty, and dedicated to the proposition that all men are created equal.” Civil war, he said, had come as a test of “whether that nation, or any nation so conceived and so dedicated, can long endure.”

Lincoln had long used the Declaration and its equality clause as rhetorical touchstones. At Gettysburg, Garry Wills has argued, Lincoln went further then ever before in his embrace of the founding text. In depicting the war as a test of the viability of American equality, and in venerating the Declaration as the fundamental American founding document and its equality as the fundamental American founding principle, Lincoln “remade” America. On the site of the war’s greatest battle, Lincoln spoke not of

battles, soldiers and generals but of ideals. The president intended his speech to point the way to the America he hoped would emerge from the war, in which the constitutional compromises that had undermined the founding ideal of equality would be discarded, and the Declaration’s equality moved into a “newly favored position.” At Gettysburg, Lincoln remade the nation upon the principle of equality, altering the Constitution, which does not mention the word “equality”, without overthrowing it in the process. Lincoln’s audience that day had their “intellectual pocket[s] picked”, Wills wrote, walking away with a “new constitution Lincoln had substituted for the one they brought there with them.” The “new birth of freedom” Lincoln movingly invoked was all about equality.

Did Lincoln see his speech as an effort to remake the nation in a literal sense? Surely not – Wills employed the language of remaking to emphasize his argument regarding the speech’s political and emotional implications and how it has practically altered the way Americans think about the nation’s basic purpose. It seems unlikely that Lincoln walked away from the cemetery that day believing he had remade the United States. Yet Wills’ argument that Lincoln’s speech betrayed his hope that a new nation would emerge from the war is powerful and persuasive; and in the project of bringing forth this new nation, Lincoln had by November 1863 accepted the help of new and willing partners, black men who saw the war and its stakes in the same terms he did, who had always seen the war as a chance to remake the nation and who used the language of refounding to describe their participation in it.


507 Wills, Lincoln at Gettysburg, 38.
If by 1863 Lincoln saw the war as a chance to nation to remake the nation in the image of equality, he yet retained the faith in Union that had originally motivated his prosecution of the war. In his first inaugural address, Lincoln had memorably invoked the “mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land,” that he hoped would “yet swell the chorus of the Union, when” Americans were “again touched, as surely they will be, by the better angels of our nature.” At Gettysburg, Lincoln depicted preserving the Union – although he did not use the term “Union” itself – as an effort to ensure “that government of the people, by the people, for the people shall not perish from the earth.” In this phrase, Lincoln evoked an ideal of democracy that the United States had failed to live up to. Black Northerners had felt this failure keenly, and to them Union as it was was meaningless. As Jermain Loguen had said back in 1861, the Union was “with slavery, to us worse than nothing…” American democracy had not included African Americans, having served as a vehicle for black oppression and enslavement; black Northerners fought not to preserve “government of the people, by the people, for the people,” but to create it. They fought because by 1863 they believed the war over slavery had turned into a war capable of killing slavery and resulting in black rights and citizenship. By 1863, in the words of William Wells Brown, war had driven the nation “from one stand to another,” forcing it to enlist black soldiers and allow them the chance


509 Jermain W. Loguen to Editor, Weekly Anglo-African, September 14, 1861.
to destroy slavery. Black soldiers could go to war, said the former slave, confident that if victorious, “We are to have a new Union.”\textsuperscript{510}

Chapter Six

1864-1865: Pay, Protection and Protest

On March 5, 1864, some eight months after white mobs terrorized black New Yorkers, the city’s 20th USCT marched proudly down Broadway as thousands of enthusiastic spectators, white and black, watched. New York’s Union League Club hosted a flag-presentation ceremony addressed by the president of Columbia University, after which the regiment enjoyed refreshments and boarded a steamer bound for New Orleans. Many observers contrasted the regiment’s treatment this day with the previous summer’s violence. The *New York Times* pronounced the parade and ceremony “noble vengeance” for African Americans who had endured the riots, and William C. Nell wrote that the day’s events “partial[ly] offset...the copperhead riots of last July.”

Watching the parade, Thomas H.C. Hinton declared triumphantly that, “A new era has been ushered in, colored soldiers gloriously welcomed in the streets of New York City, and protected by the whole force of police... and as they passed along...the white and colored ladies wave[d] their handkerchiefs...the wealthy merchant [left] his desk and perplexed accounts, to behold the scene; he claps his hands and smiles. The national ensign hung out at every window; on they go, cheer after cheer. Ain't that a victory?”

New Yorkers’ reactions to the black procession confirmed Hinton’s belief that black service was changing the way the United States treated African Americans.

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Not all black regiments headed South in 1864 under such cheery circumstances. In January, as Loudon S. Langley traveled through New York with other Vermont recruits bound for the 54th Massachusetts, he recorded their anguished reaction to the news that the government would pay them less than white troops. Recruiters had lied to them about their pay, he said, and they “received [the truth] with…much cursing and swearing, accompanied with the declaration that they never would have enlisted had they been truly informed, and that they would not leave the camp” until they received their bounty. The incident, Langley wrote, left his fellow soldiers “somewhat down-hearted…”513 Later that spring, Reverend William W. Grimes reported that as the 29th Connecticut left New Haven, despite its members’ enthusiasm to fight, “there appeared to be a cloud hanging over them, notwithstanding they wanted to go; yet this cloud appeared to continue over them, and they could not see through it.” This “cloud,” Grimes continued, was the “same cloud that has disheartened all the colored troops now in the field. Namely, money.” The anger the men of the 29th felt over Union pay policy inspired them to make a striking symbolic gesture. When local leaders presented them a regimental flag, they refused to take it. “From the treatment they received,” Grimes explained, “they declared they would not receive the colors; and when they were presented, not one grant, not one word, not one cheer was given by the regiment; the whole thing was coolly done.” Their anger did not affect their sense of purpose; they embarked upon their troop ship as “stern men of war,” but they did so under protest of the government’s failure to deliver the equal pay it had promised when they enlisted.514

514 William W. Grimes to Editor, *Christian Recorder*, April 2, 1864. The 29th Connecticut was not the only black regiment to have its departure for the front marred by the pay controversy in spring 1864. The 28th USCT, raised in Indiana, was marched off under guard because of dissatisfaction over Union pay policy.

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In 1864, black troops’ anger over Union pay policy flared as Congress groped toward a solution, and they flooded black newspapers with calls for equal pay. Henry McNeal Turner confessed, from his post with the 1st USCT at City Point, Virginia, that, “unless the colored troops get their full pay very soon, I tremble with fear for the issue of things.” 515 Black troops protested Union pay policy because they understood that, given their vulnerable claim to citizenship, the terms of their service mattered as much as their service itself. If they acquiesced in discriminatory treatment while they fought, they might undermine the citizenship they claimed. Edward Bates had pronounced free African Americans citizens in December 1862 and, while this decision impacted some black Northerners’ thinking about enlistment, its practical effect was narrow. As James Oakes has observed, Bates’ opinion lacked “the force of statute…or the weight of judicial precedent.” 516 Like Lincoln’s Emancipation Proclamation, it might be overruled in court or canceled by the subsequent opinion of an Attorney General less friendly to black citizenship. Black troops sensed the tenuous nature of their claim to citizenship, and believed that this citizenship meant little when it did not preclude them from being treated unequally.

In recent decades, historians have devoted much attention to the campaign for equal pay black soldiers waged from late 1863 through the war’s end; none, however, has

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See “G.” to Editor, Christian Recorder, May 21, 1864. Union pay policy caused friction within black units as well. In April, John Rock spoke with two furloughed members of the 5th Massachusetts Cavalry, John America and John Wesley Postles, who feared returning to their regiment. These men found themselves in a “very uncomfortable position,” Rock reported, because other members of their regiment believed Postles and America had used promises of bounties to trick them into enlisting; their comrades had written letters home accusing the pair of “deceiv[ing] them and caus[ing] them to leave their families to suffer and threaten if they go with the Regt they will be avenged.” 512 Rock told Andrew later that the letters the men of the 5th wrote home describing the government’s refusal to award them bounties were “doing much to retard enlistments for our regiment. See John Rock to John Andrew, March 18, 1864, Volume W80, Executive Letters, Commonwealth of Massachusetts Archives.

515 Henry McNeal Turner to Editor, Christian Recorder, June 25, 1864.

linked this protest to the conversations that took place in Northern black communities earlier in the war. When black Northerners began enlisting in 1863, they discarded delayed enlistment, declining to hold out for terms. The politics of service might have died at this juncture. But black Northerners knew they needed to press for change while they wore Union blue, and saw no incompatibility in fighting for the Union while urging it to fundamentally reform itself. When black Northerners ceased debating enlistment in late summer 1863, they adapted their politics of service to their changed circumstances. Black soldiers protesting Union pay policy in late 1863 and 1864 claimed that their enlistment created a new, contractual relationship of reciprocal obligation between themselves and the United States. Black Northerners who enlisted in the first Northern regiments led in protesting Union pay policy, arguing that the Union’s refusal to pay them equal wages constituted breach of contract. Congress began to equalize their pay in June, and this victory occasioned celebration; but Congress did not equalize all black troops’ pay with its June 1864 bill, and Union paymasters’ notorious slowness kept some regiments from receiving equalized pay for months afterwards, so black soldiers continued to publicly protest the state of their pay into the spring of 1865.

While black soldiers fought on the battlefield and agitated in the press, black Northerners conducted parallel campaigns on the home front. Those who remained at home knew they owed it to black soldiers to serve as their home-front proxies, and to advance black equality they wrote and spoke publicly, held conventions and mass meetings, and lobbied and petitioned state legislatures. They supported black soldiers’

517 Virtually all historians of black service have covered black soldiers’ campaign for equal pay. See, for instance, Berlin, Reidy and Rowland, eds., 362-405; McPherson, *The Negro’s Civil War*, 197-207. Because none has devoted the attention to the debate over black enlistment in the North and the importance of Edward Bates’ opinion to black Northerners, none has analyzed in depth how the campaign for equal pay connected to earlier debates over service, contractual principles and concerns about black citizenship.
campaign for equal pay, but did not focus on it as intently as did the soldiers themselves. Their campaigns targeted everyday forms of discrimination, such as urban railcar companies’ frequent refusals to carry black passengers on the same terms as whites, whose eradication would be vitally important to achieving a meaningful black citizenship. Still, black Northerners remained sensitive to the treatment their husbands, fathers and sons received in the Union Army, and as service inequalities persisted into summer 1864, the repeated indignities black soldiers suffered began to chip away at black Northerners’ resolve, causing some to temporarily resurrect public debate over whether or not black soldiers should fight at all.

In their protest, black soldiers and civilians showed that, despite its practical limitations, they put great stock in Edward Bates’ formulation of citizenship; they sought to make the nation fulfill its terms. Bates defined citizenship as a relationship of mutual allegiance and protection between the citizen and the state. By serving the federal cause, black men fulfilled their half of this relationship. But while the federal government could disregard promises it made to black soldiers upon their enlistment, and while black troops could not earn wages sufficient to support their families, the government failed to meet its obligation of protection. Black Northerners understood that, despite Bates’ ruling, black citizenship did not mean much if it did not compel the government to protect black soldiers and treat them equally.\footnote{Later in 1864, John Mercer Langston, in a public speech, called Bates’ opinion the “finest legal document ever written by an American,” but characterized it merely as “a step in the right direction” that “did not go far enough” toward protecting black rights by itself. See “National Equal Rights’ League,” Christian Recorder, December 10, 1864.}

With concerns about the state of black citizenship uppermost in their minds, black troops and civilians conducted a vigorous campaign of dissent while they helped win the
war. Rather than waiting to seek post-war redress, they fought a two-pronged campaign for victory on the battlefield and the home front similar to black troops’ Double V campaign during the Second World War. Edward Bates’ December 1862 finding on black citizenship, the Brooklyn correspondent Junius wrote in November 1863, did not change the historical fact that African Americans had not been treated as citizens. The possibility that, in the future, they might enjoy statutory citizenship and yet lack the same rights and privileges whites enjoyed loomed large in his mind. Black protest during the war’s final year-and-a-half was structured by African Americans’ recognition that it remained an open question whether or not black Americans would “assume that position as a part and parcel of the bona fide citizens of the Republic.” “Without some great effort on the part of the colored people themselves,” Junius predicted, “their status will be that of serfs in all coming time.”

Black troops’ performance and the Union’s ongoing manpower needs confirmed for federal officials the wisdom of black enlistment, and in 1864 black enlistment continued and expanded. Black recruits in the Northern states moved through the various camps established for their enlistment and training: Readville in Massachusetts, New Haven in Connecticut, Riker’s and Hart’s Islands in New York, Camp William Penn in Pennsylvania, Camp Stanton in Maryland, Camp Delaware in Ohio, and Benton Barracks in Missouri. Union officials in the South continued to enlist former slaves in large numbers, and a new dynamic developed as often-unscrupulous Northern recruiters descended on Southern states looking for ex-slaves to fill black Northern regiments. Union officials knew how important black troops were to the Union cause. Lincoln wrote

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519 Junius to Editor, Christian Recorder, November 14, 1863.
in August that if the United States abandoned all the posts black troops occupied, it
“would be compelled to abandon the war in 3 weeks.” Black enlistment remained
unpopular in certain circles, but Lincoln showed no public signs of retreating from it, nor
from the promise that slaves-turned-soldiers would remain free. He saw that black men
fought for motives beyond Union, and that only the promise of freedom would inspire
former slaves to risk their lives for the United States. “Why should [black soldiers] give
their lives for us, with full notice of our purpose to betray them?” the president asked
rhetorically. “If they stake their lives for us they must be prompted by the strongest
motive – even the promise of freedom. And the promise being made, must be kept.”

All African Americans wanted to see slavery’s end and freedom for slaves-
turned-soldiers, but black Northerners wanted more than abolition and emancipation, and
some still remained unconvinced that black men ought to serve. A few continued to cite
service inequalities as justification for their refusal to enlist. Speaking at a first-
anniversary celebration of the Emancipation Proclamation in Boston, for instance, Edwin
Garrison Walker argued that the Lincoln administration “ha[d] not done enough…”
Walker, the son of the black pamphleteer David Walker, was one of the first black men
admitted to the Massachusetts bar and would in 1867 become one of the two first black
representatives elected to a state legislature. He “wanted a better state of things before he
could consent to enter the ranks and fight the enemy.”

520 Abraham Lincoln to Charles D. Robinson, August 17, 1864, in Roy P. Basler, ed., Collected Works of
Tribune published a modified version of these remarks on September 10. Berlin, Reidy and Rowland, eds.,
Black Military Experience, 76-77; Cornish, The Sable Arm, 248.
521 George H.W. Stewart to Editor, Christian Recorder, January 23, 1864. Stewart refers to Walker as
“Edward,” but his description of Walker as a lawyer living in the Charlestown section of Boston all but
confirms that he referred to Walker’s son, Edwin. Some confusion as to Walker’s first name seems to have
existed. Most scholars, including Peter Hinks, refer to him as Edwin, but some scholarly works use the
and Connecticut attributed local drop-offs in recruiting to service inequalities. Recruiting proceeded so slowly in Baltimore that a white recruiter convened a meeting of black Baltimoreans on February 29 to “ascertain the cause of the tardiness, on the part of intelligent and respectable colored men in the State of Maryland, in joining the army.”

The next month, AME minister Jabez P. Campbell, the Christian Recorder’s former editor and a future bishop, declared that black Marylanders wanted “free soil, free speech, free men, and no slaves, with equal pay, equal bounty, equal pensions, equal rights, equal privileges, and equal suffrage, under the Government of the United States, with no distinction on account of color. The want, or demand, of equal remuneration in the Union army,” he said, “has been a cause of hindrance to the enlistment of colored men in this State.”522 In early April, the Christian Recorder attributed a lag in black recruiting to service inequalities and as late as July 1864, claimed to know of two black conscripts from New Jersey who were hunting for substitutes but “would not mind going [to war] if they knew they were to be treated like white men.”523 The question of enlistment no longer preoccupied black Northerners as it had in 1863, but some black Northerners continued to object to enlistment into 1864.

522 Jabez P. Campbell to Editor, Christian Recorder, March 12, 1864. Free black Marylanders’ hesitance to enlist, reported Union officials charged with securing black volunteers, owed to Union pay policy. Maryland slaves hesitated to enlist because they wanted positive legislation freeing their family members and because, as 1864 progressed, they saw that Maryland’s legislature would likely abolish slavery. Freedom as an incentive to enlistment thus lost much of its luster. See Berlin, Reidy and Rowland, eds., Black Military Experience, 186. On Campbell, see Jessie Carney Smith, “Mary Ann Campbell,” in Notable Black American Women: Book II, ed. Jessie Carney Smith (Detroit: Gale, 1996), 80; Wayman, Cyclopaedia of African Methodism, 6-7.

These holdouts represented a minority of black Northern opinion. The relative lack of debate over black service in 1864 suggests that most black Northerners accepted the proposition that black men ought to enlist when possible. As black Northerners mostly ceased debating the question of enlistment, they shifted their focus to the service inequalities under which black troops labored, particularly Union pay policy. During 1863’s final months, black newspapers ran letters from black soldiers that blasted Union pay policy and other indignities. These letters acquainted black civilians with the anger and deprivation black soldiers felt. In September, Thomas H.C. Hinton published in the Christian Recorder a letter from the 1st USCT’s John R. Tunion telling of his unit’s reaction to Union pay policy. “The men are very angry about it,” Tunion reported. “I think it will cause insubordination among them. Fifty-two of the non-commissioned officers are going to hold a meeting upon the subject; we don't feel like serving the United States under such an imposition; we were promised $13 per month, also a bounty when we enlisted.” From South Carolina, George Stephens of the 54th Massachusetts wrote the Weekly Anglo-African several times to protest Union pay policy, and declared in September, “There may be some reason for making distinction between armed and unarmed men in the service of the government, but when the nationality of a man takes away his title to pay it becomes another thing.” Letters from soldiers like Tunion and Stephens dramatized the government’s betrayal of its promise of equal pay. 

524 Tunion’s letter can be found in Thomas H.C. Hinton to Editor, Christian Recorder, September 12, 1863. 525 George Stephens to Editor, Weekly Anglo-African, September 19, 1863, in A Voice of Thunder: The Civil War Letters of George E. Stephens, ed. Donald Yacovone (Chicago: University of Chicago Press, 1997), 259. Stephens boldly protested the injustices he and his fellow soldiers suffered as a result of the pay policy and other grievances, but privately he wrote to Philadelphia’s William Still and appealed to Still and other black leaders to secure for himself and Frederick Johnson, a fellow member of the 54th, positions as drill sergeants. He cited the army’s refusal to commission black officers, a return of prejudice following Robert Gould Shaw’s death during the July 18 assault on Fort Wagner, excessive fatigue duty, and lack of drill, as “some of the reasons which has led us to desire this new field of service. And made us lose heart
The early Massachusetts and South Carolina regiments protested the pay discrepancy especially loudly, and many soldiers in these regiments refused to accept unequal pay. The 54th and 55th Massachusetts regiments even declined an offer from their state legislature to use state funds to rectify the pay discrepancy. Principle, not desire for financial gain, inspired their refusal to accept lesser pay, Stephens explained. “We did not enlist for money,” he wrote, “but we felt that the men who enlisted us and those who accepted our service never intended that we should be treated different from other Massachusetts men.” 527 The Massachusetts regiments’ protest angered some of its white officers but stayed within acceptable bounds. But in November 1863, tragedy ensued in South Carolina when ex-slaves in the 3rd South Carolina, led by Sergeant William Walker, stacked arms outside their regimental commander’s tent in protest of their pay. Walker and his comrades, Walker told a court-martial hearing, had been poorly treated by their officers, and he had enlisted under a “promise solemnly made…that I should receive the same pay and allowances as were given to all soldiers in the U.S. Army…” 528 His commander, Colonel Augustus Bennett, sympathized with his cause but formally charged him with mutiny anyway and, for demanding the pay he had

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been promised, William Walker died before a firing squad in February 1864 with his entire brigade watching. 529

By the end of 1863, black soldiers’ agitation inspired black newspapers and civilian leaders to protest Union pay policy. In late December, the Christian Recorder issued a public protest on the pay issue. The Recorder speculated that the pay discrepancy could not possibly reflect government policy and was rather a locally perpetrated fraud, concluding that, “It would be manifest injustice in the Government to offer the colored soldier seven, while the white receives thirteen dollars, besides the large bounties given.” 530 Home-front community action started to reflect black Northerners’ concern over soldiers’ pay as well, as war meetings turned into occasions for protesting Union pay policy. In October, black Bostonians gathered in Leonard Grimes’ Twelfth Baptist Church to protest Union pay policy. After hearing a letter from a member of the 54th read aloud and speeches by Robert Morris, Grimes and others, they resolved the injustice of the policy, created a community fund to aid soldiers’ wives and families, and appointed a committee to oversee this effort. 531 The letters that black soldiers sent to black newspapers in 1863, and the home-front protest they began to inspire, prefigured the protests for equal pay that suffused the black press in 1864, as black soldiers and their home-front allies adapted their politics of service to securing justice in the army.

A few black soldiers criticized their comrades’ protests over pay, but most black Northerners, soldiers and civilians, saw Union pay policy as inconsistent with the

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citizenship they hoped black service would win and supported protests against it.\textsuperscript{532} Black men had enlisted knowing that they would not serve on terms of complete equality, but black soldiers remained determined to use their service to bring change and would not bear discrimination silently. Through their protests against Union pay policy, black soldiers changed the politics of service in 1864, abandoning their earlier insistence on satisfactory terms of enlistment as preconditions for enlistment and instead demanding equal treatment as the retroactive price of their service.

Union pay policy violated basic considerations of fairness, but it also undermined black citizenship. No one had to be a constitutional scholar to see that paying black troops less than white troops was unfair, and sometimes black soldiers’ protests appealed simply to the principle of fair treatment. Much resistance to Union pay policy likely emanated from this consideration. But close analysis of the language black soldiers employed to protest Union pay policy suggests that, issues of fairness aside, they understood that Union pay policy jeopardized black citizenship by undermining the relationship of protection and allegiance Edward Bates had defined as central to citizenship.

When protesting Union pay policy, black soldiers who had enlisted in Northern states often asserted that the government had violated the contract it had made with them at the moment of their enlistment. In early 1863, black recruiters and white officials had promised black Northerners they would receive the same pay as white soldiers. Black

\begin{footnotesize}
\textsuperscript{532} For examples of black soldiers and other black commentators criticizing black soldiers’ protests over Union pay policy, see G.C.D. to Editor, \textit{Christian Recorder}, August 27, 1864; Garland H. White to Editor, \textit{Christian Recorder}, September 17, 1864; “Wild Jack” to Editor, \textit{Christian Recorder}, August 6, 1864; “Wolverine” to Editor, \textit{Christian Recorder}, May 7, 1864; “Wolverine” to Editor, \textit{Weekly Anglo-African}, May 14, 1864. Southern ex-slaves who enlisted in the Union Army also sometimes criticized black Northern soldiers’ protests over pay, believing their agitation hurt black soldiers’ military reputation. See Wilson, \textit{Campfires of Freedom}, 52-53.
\end{footnotesize}
soldiers believed these promises constituted a contract applicable from the moment of their enlistment. The government violated this contract by its decision to pay them under the terms of the 1862 Militia Act. Daniel Walker of the 54th Massachusetts complained in mid-January that while the men of his unit, “ha[d] fulfilled all our agreements to the Government, and have done our duty wherever we have been…thus far the Government fails to fulfil their part of the contract, by not paying us…”533 That same month, “Barquet,” also of the 54th, characterized his enlistment as a contract with the government. He and his fellow soldiers would not take less than the $13 per month they had been promised, “but will perform our part of the contract” until mustered out of service.534 In July, J.H. Hall of the 54th warned that, “The educated negro does not enter into contracts without knowing what recompense he is to receive or is promised for his services,” and suggested that black men would “prosecute the [pay] matter” when they returned from the field. Hall answered the fear that underlay black protests against Union pay policy – that the Union’s refusal to pay black soldiers equal wages might serve as prelude to the government’s continued denial of black equality in the war’s aftermath – by asserting that he and his comrades would not “tamely submit to the infliction of wrongs most foul, as did our forefathers…”535 Black newspapers understood black soldiers’ enlistment in contractual terms as well. Commenting on the pay controversy in February, the Christian Recorder asked starkly: “Has the compact, now sealed in the blood of Africa's sons, been kept?”536 Once Congress began to equalize black pay, the

533 Daniel Walker to Editor, Christian Recorder, January 30, 1864.
534 “Barquet” to Editor, Weekly Anglo-African, February 13, 1864.
535 J.H. Hall to Editor, Christian Recorder, August 27, 1864.
*Weekly Anglo-African* reflected upon the pay issue and pronounced that, “There was but one side to it, the side of justice and of good faith in the obligation of contracts.”\(^{537}\)

Sometimes black soldiers spoke explicitly in the language of contractual obligation, but more often they employed language that, while not *explicitly* contractual, implied that their enlistment had created a relationship of reciprocal obligation between themselves and the government that the government had violated. In April 1864, referring to service inequalities as “hard knocks,” Edward W. Washington of the 54\(^{th}\) Massachusetts asserted that black soldiers “must be slaves, for we put our lives in peril for the defence of a government, that refuses us what it *solemnly promised* us…”\(^{538}\) That same month, “Bay State” of the 55\(^{th}\) Massachusetts affirmed that the government had promised his regiment equal pay; it had not kept this promise and, as such, he warned, “Promises have no weight with us now, until the past and present is fulfilled – future ones we will not heed.”\(^{539}\) In late May, a sergeant of the 55\(^{th}\) Massachusetts recalled enlisting “with the understanding,” confirmed by John Andrew himself, “that we should be allowed the same pay, rations, clothing and treatment as the white troops.” The sergeant concluded bitterly that if Andrew could not fulfill the “promise” he had made to Massachusetts’ black soldiers, he could “replace us where he got us from.”\(^{540}\)

Black soldiers often enumerated the specific terms under which they had enlisted to highlight the government’s breach of contract. E.D.W. of the 54\(^{th}\) Massachusetts

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\(^{539}\) “Bay State” to Editor, *Weekly Anglo-African*, April 30, 1864.

\(^{540}\) “A Sergeant of the 55\(^{th}\) Mass,” to Editor, *Christian Recorder*, July 9, 1864. For other examples of black soldiers using language not explicitly contractual and yet implying the existence of a relationship of mutual obligation between themselves and the government, see George O. DeCourcy to Editor, *Christian Recorder*, September 10, 1864; Sergeant Kellies to Editor, *Weekly Anglo-African*, June 11, 1864.
remembered that, “In time of enlisting members for the regiment, [the soldiers of the 54th] were promised the same pay, and the same rations as other soldiers.” In June, J.H.B.P. wrote that, “Governor Andrews, of Massachusetts enlisted me as follows: three years, or sooner discharged, with the same pay, rations and medical and hospital attendance as other soldiers, forty-two dollars per annum for clothing, fifty dollars bounty from the commonwealth of Massachusetts when mustered in the service, one hundred dollars bounty from the General Government, when mustered out of the service, a land warrant of one hundred and sixty acres of land, and a pension from the General Government, and the same treatment, in every respect, as the white volunteers receive.” J.H.B.P. saw Union pay policy as “a great insult and an unequivocal breach of contract.” Their insistence on keeping the terms of their enlistment at the forefront of the discussion over the pay question suggested the great stock black soldiers placed in the moment of enlistment, when their entrance into the Union Army created a new relationship between themselves and the US government.

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Black soldiers wrote directly to Northern officials, especially John Andrew, to complain that the treatment they received violated the terms of their enlistment. Just days after their bloody assault on Fort Wagner, the “Members of the Mass 54 Regiment That Still Lives” asked Andrew to bring them home in response to the Confederacy’s barbarous POW policies. “We Wer told that We Would Be Treated as White Soldiers that had Went into the field,” they said. They had been in many respects, they acknowledged, but the Confederacy’s refusal to exchange black POWs “S[truck] [them] to the heart…” In conclusion, they asked Andrew to, “for The Sake of the Old comonwelt…call us Back to our old Home once more.”544 Frederic Johnson, a sergeant in the 54th, told Andrew that many of his comrades “seem[ed] to feel as though they have been duped…” Their “General feeling” was that they would rather be called home for state-defense duty or honorably discharged than submit to Union pay policy.545 Black soldiers let Andrew know that he had not made good on his frequent promises of equal pay. An anonymous member of the 54th told Andrew indignantly, “I think the labor[er] is worthy of his hire, for if I agree to give A man $13 A month…my conscious force me duty bound to do so.” Some newly-freed slaves who had enlisted balked at black Northern soldiers’ protests over pay, believing they reflected poorly on black soldiers’ reputation as fighters, but others joined black Northern soldiers in viewing service

contractually. Ex-slave Joseph Holloway told Andrew that because the government had “come short of their promish” to give black soldiers the “same pay, rations, bounty & lands...as all other soldiers,” it “ought to come short of keeping us hear.”  

First Sergeant Stephen A. Swails of the 54th Massachusetts took his grievances to the Adjutant General’s Office, writing Colonel E.D. Townsend to “respectfully demand to be mustered out of the service of the United States.” Swails argued his case for discharge in explicitly contractual terms, painstakingly describing how he had entered into a contract with the government and the statute that governed that contract’s terms. “I am a Sergeant of Co ‘F,’ 54th Regiment Massachusetts Volunteers,” he wrote:

> I enlisted at Readville Mass, April 8th 1863, as a ‘volunteer from Massachusetts, in the force, authorized by an Act of congress of the United States, approved on the 22nd day of July, A.D. 1861, entitled, ‘An Act to authorize the employment of Volunteers to aid in enforcing the laws, and protecting public property.’ This act distinctly states in Section 5, That the officers, non commissioned officers, and privates, organized as above set forth, shall, in all respects, be placed on the footing, as to pay, and allowances, of similar corps of the Regular Army.’ I was accepted by the United States, and mustered in with the company to which I belong, April 23, 1863, by Lieut. Robert P. McKibbon, mustering officer; since that time I have performed the duty of a soldier, and have fulfilled my part of the contract with the Government. But the Government having failed to fulfill its part of the agreement, in as much as it refuses me the pay, and allowances of a Sergeant of the regular Army.”  

The well-educated Swails could demonstrate the legality of his claims to equal pay in eloquent prose. But his understanding of his service and the bond it had created between himself and the government mirrored that of his less-learned comrades, underlining the extent to which a contractual view of military service pervaded the ranks of black regiments.

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546 Joseph Holloway to Anonymous, March 27, 1864, Volume 59, Executive Letters, Commonwealth of Massachusetts Archives. The letter was forwarded to Andrew by a J.W. Ritner, for whom Halloway had worked as a servant.


548 Berlin, Reidy and Rowland, eds., Black Military Experience, 308.
In viewing their enlistments as contractual agreements with federal or state
governments, black troops displayed an understanding of military service consistent with
earlier Americans soldiers’ thinking about enlistment. Fred Anderson has found that New
England soldiers during the French and Indian War saw their service in contractual terms.
They balked at performing military duties they considered not covered under the terms of
their enlistment. They also protested military authorities’ failure to fulfill the terms of
their enlistment contracts by failing to provide them with proper rations or extending
their terms of service beyond their agreed-upon dates of discharge. Typically, these
militiamen protested by deserting, striking or staging “peaceful mutinies” that aired their
grievances without violently altering their units’ command structures. Like black Civil
War soldiers, New England militiamen kept track of the terms under which they had
enlisted, often recording their promised rate of pay and length of service in their
journals. 

Militiamen who fought in the Revolutionary War and the Red Stick War, an
offshoot of the War of 1812, saw service the same way. Revolutionary militiamen,
Charles Royster has observed, “repeatedly refused to serve beyond the time for which
they had been called up,” sometimes insisting on departing early to ensure that they

549 “Peaceful mutinies” is a term coined for this study and may seem contradictory, but it fits Anderson’s
description of New England soldiers’ mutinous behavior. According to Anderson, New England soldiers’
“mutinies did not resemble the classic mutiny in regard to the participants’ disposition toward authority;
rather than seeking to overthrow or kill their commanders, the rebellious troops apparently either behaved
with respect toward them or treated them with simple indifference.” Black Civil War soldiers may have
expressed more rhetorical hostility toward their white superiors than did these white militiamen of earlier
generations, but in their mutinies and strikes likewise displayed little desire to overthrow or kill their
Principles and Military Conduct During the Seven Years War,” William and Mary Quarterly 38, no. 2 (July

militia units’ contractual understanding of service, see also Fred Anderson, A People’s Army:
Massachusetts Soldiers and Society in the Seven Years’ War (New York: W.W. Norton, 1984), 172, 178-
194.
would be home when their enlistments expired. They would fight only “under conditions
to their liking, for an agreed upon number of months…” 551 Adam Rothman has
documented similar behavior by the Western Tennessee militiamen and volunteers who
served under Andrew Jackson during the Red Stick War of 1813-1814. In the winter of
1813, Jackson’s troops began to abandon him because they had “enrolled for specific
terms of service and were unwilling to fight any longer than legally required.”  Jackson
was “shocked” that his men “would put a narrow construction on their contractual
obligations at a moment of national crisis,” but, Rothman has written, his version of
patriotism and his soldiers’ reflected their contrasting class positions. Jackson, a wealthy
slaveowner, could endure a long absence from home. The bulk of his soldiers, poor
farmers with few or no slaves, could not; they knew that a long campaign would keep
them from their livelihoods and impose hardships on their families, and so “Jackson’s
army crumbled.”  552 These soldiers who in early American wars clung to contractual
notions of service were militiamen, not members of regular armed forces, as were black
soldiers in the Civil War. Nevertheless, militia units fought beside regular troops in both
wars.  Militiamen’s conceptions of service likely influenced regular soldiers’ thinking,
and may have influenced Americans’ thinking about military service more generally.

Black men fought in all of these wars, in both militia and regularly-constituted
units. They would have been aware of militiamen’s behavior and insistence that their
enlistment contracts be honored to the letter, as well as the contractual view of military
service from which this insistence sprung. Black veterans of these wars may have
transmitted this view of service to the free black Northern communities that formed in the

552 Rothman, Slave Country, 132-133.
late eighteenth and early nineteenth centuries, and thus it is possible that black Northerners came during the antebellum period to see military service in explicitly contractual terms whose violation justified protest and resistance. It is possible that black Northerners enlisted in the Civil War with contractual notions of military service already engrained in their consciousness, and that these long-held notions explain their furious response to Union pay policy.

Like soldiers in French and Indian War-era New England militia units, black soldiers protested by engaging in resistance that, while subversive of military discipline, usually stopped short of outright, violent mutiny. Black troops from Massachusetts, Michigan and Rhode Island refused to accept the monthly wages the government offered them in late 1863 and early 1864 – an action which constituted mutiny – despite entreaties and warnings from their white officers to take their pay.\footnote{Berlin, Reidy and Rowland, eds., \textit{Black Military Experience}, 365-366.} Black soldiers organized work stoppages, refused to do certain kinds of work, and petitioned for their rights as soldiers. In June, E.W.D. of the 54\textsuperscript{th} Massachusetts reported that, because the 54\textsuperscript{th} Massachusetts was “still in the field without pay, and the Government shows no disposition to pay us,” he and his comrades had “declined doing active field service, except in cases of the greatest emergency, and we are, therefore…doing garrison duty…”\footnote{E.W.D. to Editor, \textit{Christian Recorder}, June 25, 1864.} In mid-July, following two attempted strikes, Company D of the 55\textsuperscript{th} Massachusetts petitioned Abraham Lincoln, complaining that Union pay policy violated their terms of enlistment, “demand[ing]” their proper pay from their date of enlistment, and asking for their “immediate discharge, having been enlisted under false pretence…” The men of Company D took their protest further than most; they threatened Lincoln with
the specter of armed mutiny by vowing to “resort to more stringent measures,” if the government failed to meet their demands. Black soldiers never resorted to massive, violent revolt in protest of Union pay policy, but they refused to dignify the terms of a contract that had been altered without their consent.

Black soldiers also approximated earlier American soldiers’ contractual understandings of service in demanding that the government either fulfill the terms of their enlistment contracts or discharge them. Soldiers who demanded discharges sometimes used pseudonyms, perhaps to shield themselves from potential discipline should their demands be deemed insubordinate. Such was the case with “A Soldier” of the 29th Connecticut, who informed the *Weekly Anglo-African* that service inequalities and poor treatment by white soldiers had caused his “whole Regiment [to resolve] that if it continues they will lay down their arms and go to prison, as they would much rather be there than to be treated worse than slaves are in the South.” If the Union continued to treat black soldiers unequally, this anonymous soldier entreated the government to “call us home, and let the white soldier fight it out.” Likewise, a soldier from the 6th USCT signing himself “Unknown” called on the Senate either to “pay us full wages and bounty, or else send us home.” J.H.B.P. elaborated the consequences of Union pay policy most starkly when he argued in June 1864 that if black troops did not “receive the same pay

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556 On black soldiers’ strategies of resistance to Union pay policy, see Wilson, *Campfires of Freedom*, 51-53.
558 “Unknown” to Editor, *Christian Recorder*, May 21, 1864. For another example of a black soldier demanding either an end to service inequalities or discharge, see “Venoir” to Editor, *Weekly Anglo-African*, April 23, 1864.
and treatment as other soldiers, we owe no allegiance to the Government.”\(^559\) Demanding discharges or making potentially inflammatory statements to black newspapers were less direct forms of resistance than some of the actions discussed above. Still, these bold statements revealed the depth of black troops’ anger over Union pay policy while indicating that that anger emanated partially from a contractual view of service.

Black soldiers protested Union pay policy and other service inequalities in evocative, passionate rhetoric, but generally kept their dissent within acceptable bounds. They mounted no behind-the-lines insurrections.\(^560\) Their modes of resistance recalled New England militiamen’s resistance to breaches of their enlistment contracts. They petitioned, struck, engaged in peaceful mutiny, and vented their anger in print; all were powerful forms of resistance that military authorities could not ignore that yet fell short of the type of outright, violent resistance which would require swift and severe retributive justice.\(^561\) This commonality, in addition to the language of contract and reciprocal obligation that black men used to describe their service, suggests that the pay issue emerged as a flashpoint for black troops partially because unequal pay violated their contractual understanding of military service, an understanding of service common to American soldiers.

But black soldiers also objected to Union pay policy because of concerns related to black citizenship. A relationship of mutual obligation of allegiance and protection

\(^{559}\) J.H.B.P. to Editor, *Christian Recorder*, June 11, 1864.

\(^{560}\) Outright insurrection did not take place, but violence sometimes occurred as an unintended consequence of black protests over pay and, sometimes, military authorities executed leaders of black soldiers’ mutinies, as in the case of William Walker. For examples of violent confrontations between black soldiers and their white officers that arose from protests over pay, see Berlin, Reidy and Rowland, eds., *The Black Military Experience*, 366.

between the citizen and the nation formed the heart of Edward Bates’ depiction of national citizenship. The Attorney General did not use the word “contract” to describe the relationship between the nation and the citizen, but his description of citizenship certainly lent itself to contractual interpretation. Union pay policy directly violated the terms under which black Northerners had enlisted in the spring of 1863, unlike Union promotion and Confederate POW policies, both of which black Northerners had understood when they enlisted. This fact presented troubling implications for black citizenship in two ways. First, if citizenship was based on a contractual-type relationship between nation and citizen, what did it say about black citizenship that the nation did not feel bound to honor the enlistment agreements it had made with its black citizens? Second, did the government not fail to live up to its obligation of protection when it failed to pay black soldiers wages sufficient to allow their wives and children to survive?

Black soldiers saw that Union pay policy could undermine black citizenship and this concern helped inspire their resistance to it. “A Soldier” of the 55th Massachusetts argued that “it is the color and quality and citizenship of the United States that is the reason they want us to take” unequal wages.562 Another member of the 55th claimed that accepting unequal pay would mark black troops as “second class soldiers, which does not at all accord with our ideas and wishes.”563 J.H. Hall of the 54th Massachusetts spoke of Union pay policy and other inequalities when he held that, like Andrew Jackson before them, Northern officials had “promised the negroes every thing pertaining to a citizenship, in order to get them into the field,” but failed to honor those promises.564

562 “A Soldier” to Editor, Christian Recorder, May 21, 1864.
563 It is entirely possible that this soldier and the soldier whose letter appears in the note above were the same person. “A Soldier of the 55th Mass. Vols.,” to Editor, Weekly Anglo-African, January 30, 1864.
564 J.H. Hall to Editor, Christian Recorder, August 27, 1864.
Black civilians shared the view that Union pay policy could undermine black citizenship. Reciting a list of black soldiers’ grievances, the *Weekly Anglo-African* opined in April 1864 that if black soldiers had accepted the “[base] offer” of unequal pay, this acceptance would “strip them of all the attributes of soldiers and free American citizens…”⁵⁶⁵ And on July 6, a meeting of black Bostonians addressed by Robert Morris, John Rock and others passed a series of resolutions “almost unanimously” that protested Union pay policy. One held, “That notwithstanding the Attorney-General of the United States has more than once declared our citizenship, it is more than evident that his decision has been neither confirmed by the President, Cabinet, Congress, or United States Supreme Court, and is therefore liable to be reversed at any time.” The United States remained determined to “withhold from [African Americans] every right of citizenship and to perpetuate our degradation so far and so long as it can do so without too greatly endangering its own rights and liberties.”⁵⁶⁶ Bates’ opinion did not have the force of statute or judicial precedent, and its effect might be cancelled if other government agencies failed to honor its findings.

While some black soldiers and civilians proclaimed that the promise of black citizenship remained unfulfilled while Union pay policy discriminated against black soldiers, others implied that the nation failed to live up to its obligation of its protection while it refused to pay black soldiers wages sufficient to support their families. In black soldiers’ protest letters, wives and children suffering because of black troops’ meager wages emerged as a trope that underlined the injustice of Union pay policy. Black women wrote to black newspapers to report on their charitable work or give their

thoughts on the war and black service, but wives of black soldiers did not typically write letters protesting Union pay policy or detailing their own sufferings.\footnote{Despite their relative silence in the pages of black newspapers, black women took on new and vital roles in Northern black communities during the war, speaking in public about the war, fund-raising, organizing relief efforts for soldiers and ex-slaves, and acting as community leaders in the aftermath of the New York City Draft Riots. On black women’s public activities before and during the war, see Jane E. Dabel, \textit{A Respectable Woman: The Public Roles of African American Women in 19th-Century New York} (New York: New York University Press, 2008); Martha S. Jones, \textit{All Bound Up Together: The Woman Question in African American Public Culture, 1830-1900} (Chapel Hill: University of North Carolina Press, 2007).} If black women did not publicly develop a political identity based on their status as soldiers’ wives, they wrote to their husbands in the army, and their descriptions of their sufferings made their way into black public discourse secondhand, through their husbands’ letters.\footnote{Black soldiers’ wives did, however, write to Northern officials to protest their husbands’ wages. See “Wife of an Ohio Black Soldier to the Governor of Massachusetts or the President,” September 12, 1864, in \textit{Freedom: A Documentary History of Emancipation, 1861-1867; Series II: The Black Military Experience}, eds. Ira Berlin, Joseph P. Reidy, and Leslie Rowland (Cambridge: Cambridge University Press, 1992), 402. In writing letters like this one, black soldiers’ wives joined Confederate soldiers’ wives, who, Stephanie McCurry has argued, developed a “politics of subsistence” in basing their requests for assistance from Confederate officials on their identity as soldiers’ wives. See McCurry, \textit{Confederate Reckoning}, 133-177.}

Black soldiers frequently highlighted the suffering their wages caused their families. “Bay State” of the 55th Massachusetts asked in April if the government intended black soldiers’ “parents, wives, children, and sisters to suffer, while we, their natural protectors, are fighting the battles of the nation?” Bay State did not invoke his own wife’s misery, but wrote about seeing “a letter from a wife in Illinois to her husband, stating that she had been sick for six months, and begging him to send her the sum of \textit{fifty} cents. Was it any wonder,” he asked, “that the tears rolled in floods from that stout-hearted man’s eyes[?]”\footnote{“Bay State” to Editor, \textit{Weekly Anglo-African}, April 30, 1864.} “Mon,” also of the 55th, asked whether the government cared “for the heart-rending appeals of the wives, children, and other relations, to the soldiers, for aid in their suffering – yes, in some cases, starving condition? Is it not delightful to hear your wife and darling babies crying to you for the necessaries of life, while you are so confined that you cannot help them?” Only with difficulty could black soldiers keep
their minds on their duty when, “Every mail [brought] news from home to the soldier, telling him of destitution that well nigh distracts him.” More often, black soldiers detailed their families’ hardships briefly, mentioning loved ones’ plight in their larger arguments against Union pay policy. Typical of this approach was a letter written by Edward J. Wheeler of the 4th USCT. Wheeler lamented that, “whilst the argumentation [over pay] is going on, our families are suffering for the want of sustenance.”

In linking their families’ suffering to Union pay policies, black men displayed a degree of gendered anxiety, discomfort with the fact that Union pay policy was preventing them from fulfilling their masculine duties as husbands and fathers. Historians have long recognized that black soldiers hoped their service would validate black manhood; when they invoked considerations of manhood, though, black men did not always speak in the language of masculinity, suggesting that they simply wanted black service to cause whites to see African Americans, black and white, as fully human. But when black soldiers used images of destitute, helpless, starving black

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570 “Mon” to Editor, Weekly Anglo-African, May 21, 1864.
571 Edward J. Wheeler to Editor, Christian Recorder, April 16, 1864. For other letters from black soldiers which invoked the suffering of black families to underline the injustice of Union pay policy, see S.H.B. to Editor, Christian Recorder, September 17, 1864; “Bought and Sold” to Editor, Christian Recorder, February 20, 1864; E.W.D. to Editor, Christian Recorder, June 25, 1864; “De Waltigo” to Editor, Weekly Anglo-African, April 30, 1864; “Fort Green” to Editor, Christian Recorder, September 24, 1864; Ferdinand H. Hughes to Editor, Christian Recorder, January 14, 1865; D.I.I. to Editor, Christian Recorder, August 6, 1864; Jacob S. Johnson to Editor, Christian Recorder, November 12, 1864; Jacob S. Johnson to Editor, Christian Recorder, December 3, 1864; William B. Johnson to Editor, Christian Recorder, May 28, 1864; William McCoslin to Editor, Christian Recorder, August 27, 1864; Enoch K. Miller to Christian Recorder, March 4, 1865; Enoch K. Miller to Editor, Christian Recorder, May 6, 1865; “Rhode Island” to Editor, Weekly Anglo-African, March 26, 1864; “Unknown” to Editor, Christian Recorder, May 21, 1865; S.A. Valentine to Editor, Christian Recorder, August 27, 1864; “Venoir” to Editor, Weekly Anglo-African, April 23, 1864; H.I.W. to Editor, Christian Recorder, July 23, 1864; T.S.W. to Editor, Christian Recorder, August 20, 1864; Edward Washington to Editor, Christian Recorder, May 7, 1864.
572 Dudley T. Cornish, for example, concluded his 1966 The Sable Arm with the observation that, in the Civil War, “The Negro soldier proved that the slave could become a man”; more recently, Chandra Manning has recognized that “African Americans knew that slavery robbed black men of many of the nineteenth century’s hallmarks of manhood, including independence, courage, the right to bear arms, moral agency, liberty of conscience, and the ability to protect and care for one’s loved ones. Fighting in the Civil War offered African Americans the opportunity to display those very attributes and reclaim their identities.
women and children to dramatize Union pay discrepancies’ negative consequences, they
spoke in explicitly gendered language. Union pay policy prevented black men from
fulfilling their proscribed roles as protectors of and providers for their families. “Bay
State” conveyed this meaning when he referred to black men as their relatives’ “natural
protectors”.

A. Kristen Foster has argued persuasively that Frederick Douglass’s linkage of
black men’s service with black citizenship caused him to develop a gendered conception
of citizenship that rested on men’s ability to fight and die for their country. This
gendered vision of citizenship, she has argued, contributed to his post-war willingness to
sacrifice women’s suffrage in order to gain black manhood suffrage. It may be that in
these letters linking Union pay policy and black families’ suffering, containing as they
did the implicit assumption that military service should not prevent black men from
fulfilling their accustomed gender roles, black Northerners were articulating a similar
understanding of a connection between black service and a specifically male version of
citizenship.573

Black soldiers invoked the suffering their inadequate wages caused their families
because they felt that suffering deeply, and because they understood that the powerful
image of soldiers’ wives and children starving and freezing while their husbands and
fathers fought the nation’s battles could shame Union officials into equalizing their pay.
In deploying this image, black soldiers buttressed their arguments about the federal
government’s violation of the enlistment contracts it had made with its black troops. It

573 See A. Kristen Foster, “We are Men!”: Frederick Douglass and the Fault Lines of Gendered
was surely hard to square the idea that the nation was fulfilling the obligation of protection it owed to its citizens when black soldiers’ families had to scrape to survive because black troops did not receive proper remuneration for their service.

Black civilians’ understanding of the relationship black service created between the federal government and African Americans mirrored the individual contractual relationship black soldiers insisted had taken shape upon their enlistment. They did not talk in explicitly contractual terms as often as black soldiers, but black civilians often linked their demands for change to black service. This linkage demonstrated their belief that black service had created a new relationship not just between black soldiers and the federal government, but between all African Americans and the government. Determined that black service would not be brushed aside, black patriotism unrewarded in the conflict’s aftermath, black civilians did not wait for the war’s end to use black service to demand change. Rather, they contrasted black service with the shabby treatment black civilians endured on the home front to highlight the need for immediate reform.

Black civilians pushed for the change black service demanded. Black soldiers and civilians kept each other informed of the progress of events in their various locales through black newspapers and private letters, developing a mutual appreciation for the fact that they were working in complementary ways toward a common goal. In April 1864, R.H.C. urged black Northerners to “look after the interests of the soldiers; see that no injustice be done them by subordinates of the government, for it is from this class they suffer more than from any other.” Black civilians’ duties did not end at protesting service inequalities. They must agitate for fundamental change: “And now that there is a great progressive movement on hand, let not any man among us stop, in his efforts to elevate
and honor his race.”574 A female black author challenged black Northerners to agitate by asking pointedly, “Do not those noble and brave men who face the cannon and shake hands with death, demand of those who sit quietly around their comfortable fires, reading the ‘war news’, to get for their children that for which they fight and die?” 575 Black soldiers recognized that service and home-front agitation served a common end. From his regiment’s encampment at Jacksonville, Florida, R.H.B. of the 3rd USCT celebrated black Pennsylvanians’ campaign against railcar discrimination, and predicted that if “every section of the country, town or hamlet…agitate[d] the question of equality before the law, and demand[ed] by the law the rights that citizens enjoy,” the combined efforts of “our leading men at home, with the co-operation of their brethren in the field” would bring speedy change.576

When black delegates from across the United States met in national convention in Syracuse in October 1864, they admitted that black men had gambled by enlisting without extracting terms in the hope that service would win long-term gains. But they insisted that their abandonment of delayed enlistment did not mean that they would wait quietly until the war’s end to agitate for change. Delegates to the Syracuse Convention were intimately familiar with the debate over black service and black war aims: Frederick Douglass, William Wells Brown, Peter Clark, John Rock, George T. Downing, Robert Hamilton, Jermain Loguen, Henry Highland Garnet, William H. Johnson, William H. Day, Elisha Weaver, Alfred M. Green, Octavius Catto, Jacob C. White, George B. Vashon, and John Mercer Langston all attended. In the Convention’s published address,

574 The author of this letter was likely Richard H. Cain. R.H.C. to Editor, Christian Recorder, April 30, 1864. For another example of a black civilian publicizing the need to advocate for black soldiers, see Junius to Editor, Christian Recorder, July 30, 1864.
575 E. Goodelle H--- to Editor, Christian Recorder, February 25, 1865.
576 R.H.B. to Editor, Christian Recorder, September 17, 1864.
they acknowledged that, “colored people [had] enlisted in the service of the country without any promise or stipulation that they would be rewarded with political equality at the end of the war.” They recognized that this fact might be used to argue against post-war change. Turning this logic around, they insisted that black men’s decisions not to make their service contingent on the government’s accession to their demands proved their patriotism and highlighted the need for change. “The fact, that, when called into the service of the country, we went forward without exacting terms or conditions, to the mind of the generous man enhances our claims,” they asserted. Now that widespread black service was a reality, African Americans on either side of the soldier-civilian divide recognized the need to use black service rhetorically to push for change. Only by a sustained, multi-pronged effort would they win the gains they sought.

From the time large-scale black service began, black civilians linked their demands for immediate change to black service. Black Philadelphians used this tactic frequently in their campaign against railcar companies’ frequent practice of refusing black patrons service or forcing them to ride on their cars’ outdoor platforms. In July 1864, after he and his dying child were denied entry to a car on the Lombard and South Street line, the black Episcopal minister William Johnson Alston penned a public letter of protest that ran in white and black newspapers. He inquired pointedly whether it was, “humane to exclude respectable colored citizens from your street cars when so many of

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577 Proceedings of the National Convention of Colored Men, Held in the City of Syracuse, NY, October 4, 5, 6, and 7, 1864; with the Bill of Wrongs and Rights and the Address to the American People (Boston: Avery and Rand, 1864), 59.
our brave and vigorous young men have been and are enlisting to take part in this heavenly ordained slavery extermination, many of whom have performed commendable service in our army and navy - in the former of which your humble subscriber has two brawny-armed and battle-tried brothers." A mass meeting held in Philadelphia’s Sansom Street Hall a few days later resolved that although black men were “responding earnestly to the call of the general Government for soldiers, and our loyalty is beyond question…we regard, with anxiety, the apathy and indifference of our white citizens, to whose intelligence, morality, and love of justice, we have steadily appealed to for years” to change the city’s railway companies’ policies, which were an “outrage upon our manhood, and common sense…”. In March 1865, Britton Lanier exploded in anger when he read in the Philadelphia Press that a railcar conductor had forced two black soldiers off a car’s front platform. “The bare recital” of this outrage upon two wearing the “uniform of that Government which promises protection to the fullest extent to all who wear its uniform,” was enough, “to cause the blood of every colored man in the land to boil, as it were, in his veins.”

In their campaign for equal railcar rights, black Philadelphians adopted the same tactic black soldiers used in their protests over pay by highlighting the particularly appalling fact that wives and female relations of black soldiers were denied entry to

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Black civilians also appealed to black service when they faced racist violence on the home front. After witnessing a race riot in Camden, New Jersey, “West Jersey” asked plaintively of white Americans, “Have ye forgotten,” he asked, “that 125,000 black men have sallied forward to meet that hydra-headed monster - disunion - whose iron hand, during years past, has held the throat of the nation with a death-like grasp, while the traitor's flag proudly waves over cities and towns where once the Stars and Stripes did so majestically float?” See “West Jersey” to Editor, Christian Recorder, October 1, 1864.
581 Britton Lanier to Editor, Christian Recorder, March 25, 1865.
Philadelphia railcars. In April, J.O., a Philadelphia correspondent of the *Weekly Anglo-African*, alleged that, “While husbands, brothers, and fathers are going forward, daily giving their lives to save the country from dismemberment and ruin, their wives, sisters, and old, white-haired, tottering mothers” were confined to the front platforms of the city’s railcars. “How atrocious!” he exclaimed.582 At the same Sansom Street Hall meeting referenced above, the meeting’s presiding officer, John C. Bowers – a prominent black clothing dealer who had played a leading political role in the Philadelphia black community for decades – proclaimed it little wonder that Northern arms struggled when, “Even old women, whose sons are at Camp Wm. Penn, are obliged to ride on the front platform” of the city’s railcars. Later in the meeting, those assembled resolved that, “in the sight of the present national struggle, no more shameful sight can be presented to an intelligent, sensitive mind, than that of respectable females standing upon the platform of empty cars, with sons, husbands, and brothers beside them in United States uniform, ready to defend the rights and property of those railway corporations which treat them thus indignantly and demand full fare.”583 That black civilians appropriated the trope of the wronged, helpless black woman that black soldiers employed to buttress their arguments relating to Union pay policy says much about gender ideologies of the day, a belief in female helplessness and the need for male protection. It says that, like black soldiers, black men who did not enlist felt this insult to their wives, sisters and mothers keenly. And it suggests that black civilians were paying close attention to the rhetorical

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strategies black soldiers used to agitate for change, highlighting the extent to which black soldiers and civilians knew they were engaged in a single campaign for change.

Black civilians supported black soldiers and were determined to use black service to agitate for change, but they knew that service inequalities could undermine black service’s potential to win black rights and citizenship. Remembering Frederick Douglass’ example from the previous year, they were willing, even as increasing numbers of black soldiers fought and died, to withdraw their support from the war effort and black enlistment when they found Union policy toward black soldiers too offensive to bear. During the summer of 1864, black Northerners’ anger over service inequalities flared, individually and collectively. In August, black Philadelphians passed a series of resolutions criticizing black soldiers’ treatment, particularly the Union Army’s refusal to commission black officers. Alfred M. Green, now a sergeant-major in the 127th USCT and recruiter, read these resolutions aloud. They asserted that black soldiers’ loyal service “call[ed] for better treatment…from the Federal government, and…just treatment at the hands of our fellow-citizens, whose proper places [in the army] are filled by our self-sacrificing brothers, fathers, husbands, and kindred.”584 The meeting’s attendees did not withdraw their support for black service or the war effort, but their words were a sharp rebuke, as well as a frank acknowledgment of the fact that white Northerners’ desire to avoid service had greatly influenced the Union’s adoption of black enlistment.

Where Green and the mass of black Philadelphians registered their dissent in fairly measured terms, Philadelphia’s William Forten raged against the Union’s incomplete embrace of black citizenship in a private missive to Charles Sumner. Forten, the son of the sailmaker and abolitionist James Forten, belonged to one of Philadelphia’s

most prominent black families and had been active in various anti-slavery societies for years. He had helped re-form the city’s Vigilance Committee after the passage of the Fugitive Slave Law, fought for black suffrage, and vocally supported of black enlistment. Forten also mourned the recent death of his brother Robert. Robert Forten had been so disillusioned with the prospects for black equality that before the war he and his family had emigrated to England; the Emancipation Proclamation had convinced him to return, and he had joined the 41st USCT. He quickly contracted typhoid fever and died in April 1864. Writing to Sumner in June, William Forten lamented that his brother had died in the service of a government that refused to treat him as a citizen. “Oh My God! My God! Where, oh where is the justice?” he exclaimed. “Who Sir,” he continued, “will give the true history of this war?

Whose hand dare paint this hell-black picture? Whose tongue will be loosened to tell the startled Nations this tale of horror cruelty & crime? The black-man, disowned – dishonored – disgraced and dehumanized, trampled in the dust for a long century now lifts his head and proudly walks into the front ranks of certain death unprotected, unregarded, in order that the country may have a Constitution, and his oppressors liberty & law, who in return for this exhibition of disinterested patriotism and bravery hurl him out from its benefits, and brand him a felon. Sir, very keen are my feelings on this subject at present as but a short time has elapsed since my hand was laid on the cold brow of my brother who came from the enjoyment of liberty equality & citizenship in England to do battle for their recognition in this his own native land.

The Union’s refusal to grant equality to black troops – and thus practically recognize black citizenship – left Forten angered and disillusioned, his faith in black service’s ability to bring fundamental change likely shaken; moreover, the tragic irony of his brother’s decision to forsake citizenship in England to fight for a government that continued to discriminate against its black citizens weighed heavily on his mind and,

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585 On Forten, see Ripley et al., eds., Black Abolitionist Papers: Volume V, United States, 1859-1865, 282-283n.
586 William Forten to Charles Sumner, June 18, 1864, Reel 31, Charles Sumner Papers, Manuscript Division, Library of Congress.
perhaps, his conscience. But Forten had not given up on the idea of black enlistment, as he also asked Sumner for advice on securing a commission for a black friend of his.

By mid-August, some black Bostonians had given up on black service. At a public meeting in Leonard Grimes’ Twelfth Street Church, the erstwhile recruiters William Wells Brown and John Rock withdrew their support for the Union war effort. Anger over service inequalities had been brewing in Boston for some time, as shown by the resolutions black Bostonians passed the month before which affirmed that service inequalities undermined black citizenship. After the meeting’s first speaker, the reverend H.H. White, defended his role in encouraging black enlistment, Brown emphatically repudiated his previous recruiting efforts. “At first I desired that colored men should go to the war,” he admitted, but the “imbecile” Lincoln administration’s policies and black soldiers’ treatment had changed his mind. “[O]ur people have been so cheated, robbed, deceived, and outraged everywhere, that I cannot urge them to go,” he concluded. Rock concurred: “I think we have just cause of complaint for our treatment at the hands of the government.” He rehearsed black soldiers’ complaints over Union pay and promotion policies, and lambasted abolitionists who thanked Lincoln for enlisting black troops:

If [black] enrollment meant equal chances and a fair fight, I should gladly accept it, but when it means to be drafted and forced to fight to defend and perpetuate a government which has always persecuted us, which promises nothing better now, and which still refuses to pay, to defend, to protect or retaliate for the outrages committed upon us while in its service! This requires a greater amount of patriotism than any one except a negro is expected to have. Is not the government carrying out the Dred Scott policy in refusing to retaliate and to pay us? If we are not to be treated as men now when in this hour of peril we have come forward and forgiven two centuries of outrage and oppression what reason have we to expect anything, or even if we should receive anything, how do we know that it may not be wrested from us?...I am not certain that it may not be as [Montgomery] Blair is reported to have said – ‘We will use the negroes to put down this war and then colonize them.’

In his invocation of *Dred Scott*, Rock showed his concern that the inequality black troops faced reflected the fact that, Edward Bates notwithstanding, African Americans remained non-citizens.

After Rock concluded, Carteaux Bannister, a well-known hairdresser and female abolitionist, spoke. Two of her brothers were serving in the Union Army, she said, but she hoped no more black men would enlist. She would “rather beg from door to door than that her husband should go to the war,” she said. Robert Morris spoke last. The former militia captain had never warmed to black enlistment, continuing to insist that black soldiers only serve under terms of absolute equality even as other prominent black Northerners abandoned this stance. Morris’ observation of black service had only confirmed his position. He would not prevent any black man from enlisting – “if any one chooses to make a fool of himself, he can do so” – but he would not volunteer, and he believed the government’s denial of equality to black soldiers suggested that the war would bring little change. “[Black people] have rights as well as the white people, and it looks to me as though they intend to use us and do not mean to do anything for us. If we are not careful, they will give us what they gave our fathers in the Revolution.”

This outburst of anger from Boston and the similar, though less militant, sentiments from Philadelphia were likely inspired by more than simply service inequalities. Summer 1864 saw a precipitous drop in Northern morale generally. Northerners witnessed unprecedented killing as Ulysses S. Grant drove the Army of the Potomac against Robert E. Lee’s troops in Virginia during May and June, and as the spring offensives undertaken by Grant’s army and William Tecumseh Sherman’s Western force stalled during the summer months, many began to wonder if the

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Confederacy could be conquered at an acceptable cost. Additionally, the anger manifested at the Boston meeting seems to have been generated by white Northerners’ tendency to blame black troops for the disaster of the Battle of the Crater on July 30, Lincoln’s seeming receptivity to Confederate offers for a negotiated peace, and the president’s repeated insistence that what he had done against slavery had been prompted only by necessity.

Nevertheless, black Bostonians’ anger, Alfred M. Green’s disappointment and William Forten’s anguish demonstrated the effect service inequalities and home-front discrimination were having on black Northerners. They knew that black men had enlisted without forcing the federal government to accede to terms. They had sacrificed short-term leverage for expected long-term gains, but understood that they might get nothing. Rock’s references to the Dred Scott case and colonization hinted at the torment and doubt that beset black Northerners whose relatives, friends and neighbors were fighting the county’s battles while being treated as second-class citizens. The anger black Northerners and their leaders manifested during summer 1864 mirrored Frederick Douglass’ reaction to Lincoln’s slowness to retaliate against Confederate POW policies the previous summer. This anger also reflected their desire to bring a new Union out of the war. In service of this goal, they remained willing to reconsider or even withdraw their support from the war effort if the terms under which black soldiers fought became inconsistent with their hope for a new Union. Had black civilians continued to make the

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589 On Grant’s Overland Campaign and Sherman’s drive toward Atlanta during the spring and summer of 1864, see McPherson, Battle Cry of Freedom, 718-750.
kind of statements Brown and Rock made at that Boston meeting, a rift might have developed between them and black soldiers. Many black soldiers would have looked unkindly on black leaders who withdrew their support from the war effort and black enlistment, no matter their motivations.

Such a rift did not happen because by the time black Bostonians met in August, black soldiers’ and civilians’ protests had begun to bear fruit. On June 14 Congress passed the Appropriations Act, which equalized the pay of all black soldiers, whether or not they had been promised equal pay upon their enlistment, retroactive to January 1, 1864. In deference to black Northern soldiers’ claims that they had enlisted under the promise of equal wages, the law – when combined with Edward Bates’ legally-dubious determination that black soldiers’ pay should never have been determined by the 1862 Militia Act anyway – also allowed for black troops who could swear they had been free on April 19, 1861 to receive equal pay retroactive to the date of their enlistment. This act caused great celebration in the Massachusetts regiments that had spearheaded the protests against Union pay policy, but struck many as a half-measure. In March 1865, Congress acted one final time, allowing the South Carolina regiments that had begun forming in August 1862 to receive full pay, and allowing Stanton to make case-by-case decisions on the wages due to black troops whose pay had not been equalized retroactive to their date of enlistment, such as the Kansas regiments. Most, though not all, black troops eventually received the equalized pay for which they had clamored so loudly.591

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591 On the equalization of black soldiers’ pay, see Berlin, Reidy and Rowland, eds., The Black Military Experience, 367-368. See also Herman Belz, “Law, Politics and Race in the Struggle for Equal Pay During the Civil War,” Civil War History 22, no. 3 (September 1976): 197-213. Belz has argued that Bates’ decision was legally dubious and unrepresentative of his true feelings on the matter, but reflected political expedience and the fact that black soldiers were serving in large numbers. Though morally repugnant, Belz argued that William Whiting’s legal logic in interpreting the Militia Act of 1862 as intended to govern the enlistment of black soldiers was sound based on Congress’ intention in passing the law. Belz argued that,
In equalizing black soldiers’ pay Congress was influenced by abstract considerations of justice but also by the principle advanced by black soldiers in their letters of protest: that the government’s pay policy violated black soldiers’ enlistment contracts. Whether or not Northern officials who had promised black soldiers equal pay at had been legally authorized to make these pledges, argued Representative John F. Farnsworth of Illinois in May 1864, “if the promise was given, and [black men] enlisted and were mustered into the service with the expectation of the fulfillment of that promise, the Government is bound to fulfill the contract between the contract officers and these black men.”\(^{592}\) Black soldiers’ and civilians’ protests against the pay policy influenced Congressional debates over the pay issue. In February 1864, Massachusetts’ Henry Wilson referred to the Massachusetts regiments’ refusal to accept unequal wages, read a letter of protest from one of their white officers into the \textit{Congressional Record}, and claimed to know “from different sources” that Northern black leaders who had supported black enlistment would withdraw their support if Union pay policy was not changed.\(^{593}\) As Herman Belz has observed, using contractual principles to justify equalizing black soldiers’ pay did not imply that black soldiers deserved equal pay because they were equal to their white counterparts; nevertheless, that Congress accepted black soldiers’ argument – even if they encountered this argument not from black soldiers themselves, but through white officers and black civilian leaders serving as intermediaries – counted as a signal victory for the cause of black citizenship.\(^{594}\) When the federal government fulfilled black soldiers’ enlistment contracts by equalizing their pay, it began also to

\(^{592}\) Congressional Globe, 38th Congress, 1st Session, Part 3, 2472.
\(^{593}\) Congressional Globe, 38th Congress, 1st Session, Part 1, 481.
fulfill the larger contract integral to Edward Bates’ conception of citizenship by providing protection from economic hardship to the soldiers who showed it allegiance.

Nor was this victory regarding the pay issue anomalous. During the war’s final months, black Northerners rejoiced at a series of new laws and policy changes which suggested that the new Union they sought might be on the horizon. Prominent black men began to be allowed in places previously reserved for whites only. In February 1865, John Rock became the first black lawyer to receive accreditation from the United States Supreme Court, and in the House of Representatives – which had, along with the Senate, only since the war began allowed black spectators in its gallery – Henry Highland Garnet preached an impassioned sermon imploring the government to do justice to black soldiers by cancelling discriminatory legislation, granting black men suffrage and recognizing black Americans as citizens.595 That same month, Martin Delany received a major’s commission and his appointment, when added to the handful of Kansas and Massachusetts soldiers who had already been commissioned lieutenants, took some of the sting out of Union promotion policy. Congress legalized black testimony in federal courts, permitted African Americans to carry the federal mails and desegregated streetcars in the nation’s capital.596

Changes at the state level also bred optimism. Since the days of William H. Newby, black Californians had sought to end their state’s ban on black testimony, and in 1863 they succeeded. Black Illinoisans won a similar struggle to repeal their state’s draconian black laws in February 1865, and the black campaigns for railcar desegregation

in Philadelphia and other Northern cities began to attract support from Republican politicians and newspapers.\textsuperscript{597} Moreover, slavery continued to crumble. Federal armies overran previously untouched portions of the South and liberated the slaves who came within their lines; Maryland, Missouri, Arkansas, Louisiana and Tennessee abolished slavery by war’s end; and, in January 1865, Congress passed and sent to the states a new constitutional amendment abolishing slavery.\textsuperscript{598} Despite the obstacles to legal equality that remained and their recognition that military necessity had driven many positive wartime changes, African Americans could not help but see these developments as hopeful signs, perhaps preludes to more fundamental change.

Still, as Confederate resistance collapsed in early 1865, African Americans recognized that peace brought peril. The gains they had made during the war only came with hard fighting, and a nation at peace might regress. It was imperative that they secure immediate changes to black rights and confirm black citizenship while the memory of black service remained fresh in the popular mind. This impulse to strike quickly for black rights and citizenship helped inspire the call for the Syracuse Convention in October 1864. This impulse also inspired that Convention’s delegates to form the National Equal Rights League (NERL) to give the fight for black rights an institutional basis.\textsuperscript{599} In a public appeal for support, John Mercer Langston, the NERL’s first


\textsuperscript{598} On abolition in these states, see Oakes, \textit{Freedom National}, 456-468, 482. On the Thirteenth Amendment, see Michael Vorenberg, \textit{Final Freedom: The Civil War, the Abolition of Slavery and the Thirteenth Amendment} (New York: Cambridge University Press, 2001).

president, detailed the organization’s mission and the need for immediate action. “We know too well,” he said, “by our bitter experience of wrong and degradation, how [black soldiers] were treated after [earlier American] wars. Wisdom, then, dictates that we should profit by this lesson.” Black civilians owed it to black soldiers to, “[M]ake every effort in our power to secure for ourselves and our Children all those rights, natural and political, which Belong to us as men and as native-born citizens of America...[w]hile the devotion, the gallantry, and the heroism displayed by our sons, brothers, and fathers at Port Hudson, Fort Wagner, Petersburg, and New Market Heights are fresh in the minds of the American people...” Edward Bates’ opinion was a welcome opening salvo in the cause of making black citizenship a reality; African Americans recognized that further changes were necessary to fully encode black citizenship. As George Vashon told an audience of black Pittsburghers in January 1865, “while the public sentiment is so favorable to us, delays are dangerous, and the present propitious moment should not be suffered to slip away unused.”

The recognition that a return to peace might endanger the cause of black citizenship was nothing novel. African Americans had enlisted without securing guarantees of change. Slavery appeared doomed and positive developments had occurred both in and out of the army, but the possibility loomed that wider, systemic changes might prove elusive. William Wells Brown delivered a stern warning regarding the dangers of peace to the New England Anti-Slavery Society in May 1864. “[T]he colored man has everything yet to fear,” he told his audience. “Even when Grant's army shall be successful, we, the colored people, will be yet in danger,” because military necessity had

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played such a large role in creating positive change. “The advantages that we have so far received,” he recognized, “have come as much through Jeff. Davis as through President Lincoln.”602 Frederick Douglass likewise grasped this danger, and in a letter to a British abolitionist in September 1864 worried that, after securing peace, the government would “hand the negro back to the political power of his master, without a single element of strength to shield himself from the vindictive spirit sure to be roused against the whole colored race.”603 When Douglass gathered with other black delegates in Syracuse the next month, the address they issued displayed anxiety about white Republican leaders’ post-war commitment to black rights. In “surveying [African Americans’] possible future,” they knew that their “cause [might] suffer even more from the injudicious concessions and weakness of our friends, than from the machinations and power of our enemies.”604 Because African Americans knew that peace’s return endangered their cause, the news that Robert E. Lee’s surrender on April 9 inspired both celebration and trepidation. “If we feel less disposed to join in the shouts of victory which fill the skies,” wrote the *Weekly Anglo-African* just days afterward, “it is because with the cessation of war our anxieties begin.” Would the government continue to support black citizenship? Would it grant black men suffrage? Would it ensure that slavery’s death would result in meaningful freedom for ex-slaves? Only time would tell but, the *Anglo-African* warned, “Our fear is that the government will not be equal to its duty…”605

The cessation of hostilities between North and South betokened an uncertain future for African Americans. The changes the war had wrought – slavery’s destruction,

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603 “Frederick Douglass on President Lincoln,” *Liberator*, September 16, 1864.
604 *Proceedings of the National Convention of Colored Men, Held in the City of Syracuse, NY, October 4,5,6, and 7, 1864: with the Bill of Wrongs and Rights and the Address to the American People*, 47.
Edward Bates’ recognition of black citizenship, black military service, the erosion of some Northern forms of discrimination – inspired hope for further change. But black Northerners knew that the changes they had already seen had been spurred only by the rebellion of slaveholders. It would have been unthinkable for such fundamental change to have happened so quickly without Confederate rebellion. Once that rebellion ended, change might cease. While the war raged, black soldiers were indispensable to the Union war effort, and federal and state officials’ recognition of their contribution to the national survival helped propel legal reforms. But policies that undermined black citizenship had persisted and, although many black soldiers still had substantial time left to serve in their enlistments, the war’s end changed the relationship between black soldiers and the nation. Black soldiers continued to serve, but might no longer be seen as allies whose cooperation remained vital to the nation’s survival.

As Confederate armies laid down their arms in the spring of 1865, slavery lived. The hated institution only died with the Thirteenth Amendment’s ratification in December 1865. Discriminatory laws and practices lived too, still pervasive in the North and South. The Constitution did not include a definition of citizenship that counted black men and women as citizens. And Abraham Lincoln lay slain at the hand of an assassin, the actor John Wilkes Booth. Booth had long planned to murder the president, and had been inspired to follow through by Lincoln’s speech of April 11, 1865. As he stood outside the White House amongst an otherwise jubilant crowd, Booth listened as the president endorsed black suffrage, at least for the “very intelligent” and black soldiers. “That means nigger citizenship,” he growled. “That is the last speech he will ever
Booth’s murderous rage at the president’s moderate call for black suffrage prefigured many white Southerners’ reaction to African Americans’ post-war campaign for rights, equality and citizenship.

Despite their determination to make black service in the Civil War count in a way that black service in earlier wars had not, black Northerners who hoped for black suffrage, the elimination of discriminatory legislation, and black citizenship’s confirmation knew that black soldiers might again suffer betrayal. It remained to be seen what black citizenship meant practically, and if it entailed any new rights, privileges or immunities. Watching the war’s end in Charleston, the AME minister James Lynch recognized rightly that black Americans’ “status [was] not yet fixed.” Only time would tell whether “that citizenship given us to make us liable to the draft, will ripen into that which will give us the ballot box and make us liable to the legislative seat or Gubernatorial chair.”

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Chapter Seven

The Rise and Fall of Black Citizenship

In the summer of 1865 Henry McNeal Turner lamented the nation’s slowness to reward black military service. “Theoretical…freedom has been secured to the colored race,” he conceded, but “practical [freedom]” still eluded African Americans. The nation owed black soldiers a great debt; he demanded change in their name. “The dying groans and crimson gore of ten thousand colored heroes,” he wrote, “clotted in the mangled carcasses of the ball-riddled defenders of the nation's rights, ask in tones of thunder for their children's rights, at the hands of the same nation, and better that she drink hemlock and bitter gall than prove treacherous to their demands.”608 Black men had fought and died to bring forth a nation that would live up to American founding ideals. For Turner, it was better for the nation to perish than to fall short of fulfilling this aspiration.

Despite Turner’s fear that the United States would forsake its black soldiers, less than five years later, the minister could declare that African Americans’ demands had been met and that the struggle over slavery and black rights that had divided the nation for so long was finished. Much had changed since the summer of 1865: by 1870 slavery was forever abolished and Congress had confirmed black citizenship, passed equal-rights legislation, imposed military rule on the unrepentant South and forced Southern states to enfranchise black men. The March 1870 ratification of the Fifteenth Amendment, which forbade all states from using race or color as suffrage qualifications, inspired Turner to proclaim that the “drama of national purity and excellence [was] fast reaching its zenith and culminating in the climax of fadeless glories…” The United States had long denied

608 Henry McNeal Turner to Editor, Christian Recorder, August 5, 1865.
African Americans the rights mentioned in the Declaration of Independence, but Turner believed the nation was changed fundamentally, calling the amendment’s ratification the “finish of our national fabric…the crowning event of the nineteenth century; the brightest glare of glory that ever hung on land or sea.”

Turner believed the long fight against slavery and discrimination was over, but during the 1870s and 1880s Reconstruction’s achievements unraveled. A key blow to Republicans’ Reconstruction program came when the Supreme Court invalidated Congressional civil-rights legislation in the landmark 1883 Civil Rights Cases. The Court ruled that the Fourteenth Amendment did not authorize Congress to prevent private owners of public accommodations from discriminating on the basis of color. In 1863, Turner had been instrumental in convincing black Washingtonians to enlist in the US Army; the organization of the 1st USCT had begun in his own church. Now, in an irate missive to the Memphis Appeal, Turner insisted that the Court’s decision “absolve[d] the allegiance of the negro to the United States.” The black man who would enlist and fight for the United States, he said, “ought to be hung by the neck.” “As long as that decision is the law of the land,” he declared defiantly, “I am a rebel to this nation.” The Court’s ruling, combined with other legislative and judicial setbacks, Southern violence, and the personal frustrations Turner experienced in Reconstruction-era Georgia, had by the 1880s

convinced him that some African Americans ought to emigrate to Africa, where they
could escape violence and discrimination and Christianize the continent. As the
clergyman embraced emigration, a doctrine which many black leaders abandoned during
the Civil War when black rights and citizenship had seemed in the offing, he came to see
the United States as a “failure” with “no disposition to protect the rights of a man who is
not white.” The Supreme Court had “decitizenized the Negro” in 1883 and all African
Americans could expect was “perpetual degradation or ultimate re-enslavement.”

Turner’s evolving views did not necessarily typify African Americans’ reactions
to Reconstruction and its failures in its conclusion; the minister’s thinking, though, was
emblematic of the hopes and fears they shared as they entered the post-war world, the
elation they felt as it seemed their goals had been achieved, and the anguish they
experienced as they saw Reconstruction undone. Despite the differences in birth,

612 See John Dittmer, “The Education of Henry McNeal Turner,” in Black Leaders of the Nineteenth
613 Henry McNeal Turner to Blanche K. Bruce, Christian Recorder, March 27, 1890; Shaffer, After the
Glory, 84-85.
614 Since the late nineteenth century, several historical schools of thought regarding the Reconstruction
period have achieved prominence. In the closing years of the nineteenth century and early decades of the
twentieth, adherents of Charles Dunning depicted the period as a tragic attempt by vindictive Republicans
to punish the South by allowing naive, ignorant former slaves to dominate Southern politics, and pictured
the white Southerners who overthrew corrupt Reconstruction state governments as heroes. Key works of
this Dunning School included Claude G. Bowers, The Tragic Era: The Revolution After Lincoln
(Cambridge: Houghton Mifflin, 1929); Charles Dunning, Reconstruction, Political and Economic (New
York: Harper, 1907); E. Merton Coulter, The South During Reconstruction 1865-1877 (Baton Rouge:
Louisiana University State Press, 1947). In the late 1920s, revisionist historians began to depict the key
conflicts of the period as economic rather than moral in nature and challenge key Dunning assertions, such
as their claim that black Southerners had dominated Southern politics, and their contention that
Reconstruction governments had accomplished nothing of value. For a statement of some key revisionist
findings, see Francis B. Simkins, “New Viewpoints of Southern Reconstruction,” Journal of Southern
professional historians at the time, also reinterpreted the period boldly, depicting Reconstruction as a heroic
attempt to establish democracy in the South and defending Reconstruction governments from charges of
corruption. In the 1950s, a new group of historians – often labeled neorevisionists or post-revisionists –
emerged. Influenced by the civil rights movement, they returned focus to Reconstruction’s moral
dilemmas, especially the issue of the freedmen’s place in American society. Although in the 1970s post-
revisionist work began to take on a pessimistic cast, the tragedy most post-revisionists saw was not that
Reconstruction had happened, but that it had failed to achieve black equality and democracy in the South.
For a statement of the neo-revisionist position, see Kenneth Stampp, The Era of Reconstruction (New
status, and class that divided them, African Americans emerged from the war determined to remake the nation. In service of this goal, from the summer of 1865 forward they adapted the politics of service to fit new circumstances, as they had in 1863 when black soldiers began to enlist in large numbers. African Americans appealed to black service as justification for government recognition of black rights and citizenship to ensure that, this time, white Americans did right by the nation’s black warriors. Black Northerners, joined by black Southerners for whom slavery’s death meant the chance to discuss political issues publicly, continued to insist that the United States harmonize its laws with its founding principles.

In the war’s aftermath, African Americans pushed for a meaningful citizenship that conferred upon black citizens the same rights and privileges white citizens enjoyed. Edward Bates’ opinion had been an important victory for black citizenship, but African Americans knew that to give their citizenship force they would need new laws that confirmed their citizenship and extended them expanded rights and privileges. In the post-war period, they sought to use black service to confirm their citizenship and expand

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its content, to ensure that they enjoyed the same quality of citizenship as white Americans. As they considered what achieving a full degree of citizenship meant, they overwhelmingly identified it with black male suffrage and legal equality; without these things, they contended, citizenship counted for little. To achieve their goals, they organized on the local, state and national levels, held conventions, signed petitions, wrote letters, and lobbied public figures. Black veterans figured prominently in this activity, participating in state- and national-level political campaigns and occasionally organizing veterans’ conventions to agitate collectively on the basis of their service.

African Americans entered the post-war period with lofty aspirations for themselves and their nation, and they embarked on a determined campaign to win a real, meaningful citizenship that would allow black and white Americans to live together as equals. “The reconstruction of this Union is a broader, deeper work, than the restoration of the Rebel States,” wrote Henry Carpenter Hoyle, a veteran of the 43rd USCT, in 1867. “It is the lifting up of the entire nation into the practical realization of our republican idea.”615 In this project, African Americans were successful in legal terms. Congressional Republicans passed legislation encoding in law many of the changes they demanded as the price of black service. As African Americans embarked on this ambitious crusade, they did so not as constitutional scholars familiar with modern understandings of citizenship, but as would-be citizens of a nation in which citizenship had existed as a vexed, unstable concept and in which military service had been strongly equated with citizenship.616 They trusted in the founding principles they had always

616 On the association of military service with citizenship, see Berry, Military Necessity and Civil Rights Policy, ix, 2-34.
proclaimed as their own, the example of their meritorious service, and their powers of persuasive rhetoric to wrest meaningful black citizenship from an unwilling nation. In spite of Reconstruction’s failures, their post-war successes laid the legal groundwork for future generations to claim the rights, privileges and immunities that nineteenth-century African Americans identified with meaningful citizenship.

As Confederate armies surrendered in the spring of 1865 the question of the United States’ post-war shape took on new urgency. African Americans knew that the Confederacy’s defeat and slavery’s death were momentous by themselves but when, in the words of AME minister Thomas Strother, they celebrated the nation’s birthday “in a becoming manner, for the first time in eighty-nine years,” they looked forward to the further changes they would demand as the price of black service. ⁶¹⁷ “A.,” a correspondent of the Christian Recorder, attended a Fourth of July celebration in Washington, D.C. at which John F. Cook, Jr. – to whom Lincoln had recommended black colonization in August 1862 – read the Declaration of Independence and various speakers talked of black progress and universal suffrage. “A.” left the gathering enthused yet unsatisfied, hoping the day was “not far distant when every man will stand equal before the law, and every right given him which is due to a free and enlightened American citizen.”¹⁶¹⁸ That African Americans gathered to mark the national birthday, abandoning their common antebellum tactic of holding counter-July Fourth gatherings, showed how much the war had changed. But they were not satisfied with the change they had already seen. James H. Payne, Quartermaster Sergeant of the 27th USCT, reported that his

⁶¹⁷ T. Strother to Editor, Christian Recorder, July 29, 1865.
⁶¹⁸ “A.,” to Editor, Christian Recorder, July 15, 1865.
regiment spent the Fourth in prayer. Payne’s comrades did not limit their prayers to thanking God for abolition; they wanted more, entreat ing the Almighty to “grant us and all of our race a 4th of July in this country when we would be able to dwell under the bright and genial rays of universal liberty, enjoying the right of suffrage, and the rights and immunities accorded to others.”619 They knew that peace might bring danger, but many African Americans approached the post-war period with confident expectations that black service would receive its proper reward.

As black Northerners had said from the war’s beginning, African Americans wanted to wrest more than freedom from the federal government. Michael Vorenberg has noted that black activists took relatively little interest in the Thirteenth Amendment’s passage through Congress. African Americans supported and celebrated the amendment, but they sought “forms of empowerment more immediate and tangible” than abolition: black land-ownership, legal equality and suffrage.620 By the spring of 1865, abolition’s progress, combined with tangible evidence of slavery’s destruction in many parts of the South, convinced many black Northerners that slavery was all but dead. At the Pennsylvania State Equal Rights League’s February 1865 convention, Alfred M. Green announced that he would no longer ask black men to enlist to free the slaves, but would “[invite] [them] to the field” to secure black suffrage and “equal rights and privileges.” The convention’s published address affirmed this stance, stating flatly that, “Colored men are no longer fighting for the freedom of the slaves in the South.” Black men were,

619 James H. Payne to Editor, Christian Recorder, July 15, 1865. For another black Fourth of July celebration that included an articulation of black political goals, see “The Day We Celebrate, and How We Celebrate It,” Elevator, July 7, 1865.
620 Vorenberg, Final Freedom, 79, 82-86.
however, asking, “‘what is our reward for [fighting].’” and they demanded suffrage and
government recognition of black rights and interests.621

African Americans knew they needed to strike for black rights while the crisis of
the war remained fresh in the public mind. The slaveholders’ rebellion had represented
the greatest threat to the nation’s existence since its birth and, as Frederick Douglass told
the Massachusetts Anti-Slavery Society, the war’s “chastisement” had almost brought the
nation “up to the point of conceding [to African Americans] this great…all-important
right of suffrage.” He warned that if black Americans failed to press their cause home,
“centuries” might pass before they saw again “the same disposition that exists at this
moment.”622 Black leaders had told black Northerners during the war that it was “now or
never,” imploring them to enlist immediately or lose forever their chance to win black
rights and citizenship; the same dynamic applied as black Americans sought to translate
their service into legal change.623

Some white abolitionists, including William Lloyd Garrison, portrayed black
rights and suffrage as questions to be worked out gradually, but African Americans
insisted that the nation reward black service with citizenship and rights immediately.624

Black commentators, veterans and non-veterans both, joined Corporal William Gibson of

621 “Proceedings of the State Equal Rights Convention, of the Colored People of Pennsylvania, Held in the
City of Harrisburg, February 8th, 9th, and 10th, 1865, Together with a Few of the Arguments Presented
Suggesting the Necessity for Holding the Convention, and An Address of the Colored State Convention to
622 Frederick Douglass, “What the Black Man Wants: Speech of Frederick Douglass at the Annual Meeting
of the Massachusetts Anti-Slavery Society at Boston,” in The Equality of All Men before the Law Claimed
and Defended; in Speeches by Hon. William D. Kelley, Wendell Phillips, and Frederick Douglass, and
Letters from Elizur Wright and Wm. Heighton (Boston: George C. Rand & Avery, 1865), 36-37.
623 On the contention that black rights not won in the war’s immediate aftermath would be lost for
624 On the schism among abolitionists, between those who saw abolition’s work as finished with slavery’s
death and those who believed abolitionists needed to continue to work for black rights, see McPherson, The
Struggle for Equality.
the 28th USCT in asking whether the nation would prove willing “to pay the laborer for his hire?” “It is to be seen in all past history,” Gibson wrote in May 1865, “that when men fought for their country, and returned home, they always enjoyed all the rights and privileges due to other citizens. We ask to be made equal before the law; grant us this, and we ask no more.”625 In asserting that citizenship always followed service, Gibson was incorrect, as the history of black service in earlier American wars proved; Gibson’s optimistic statement elided the nation’s history of failing to reward black veterans in the hope that this time would be different, and that forceful, confident assertions of the nation’s duty to black veterans would achieve the desired result.

African Americans’ post-war demands for citizenship proved that they were not satisfied by Edward Bates’ opinion. It lacked the force of legislative or judicial decree and had conferred no rights. And African Americans knew, as F.H. Sawyer told the black-run New Orleans Tribune in November 1865, that Bates’ version of American citizenship “[would] mean nothing” since, within its terms, “each and every State in the Union [could] deprive such of every right that makes citizenship valuable.”626 Black soldiers had fought Union pay policy to establish their inclusion within the relationship of protection and allegiance Bates had described in his opinion; with the fighting over, African Americans demanded a more meaningful citizenship than Bates had described, a citizenship under which they enjoyed the same rights and privileges as whites. They did not, however, demand an end to a version of citizenship that doled out rights, privileges and immunities to different groups of citizens based on factors like ascriptive identity and community standing. In effect, they argued that their ascriptive identity as black

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625 William Gibson to Editor, Christian Recorder, May 27, 1865.
626 F.H. Sawyer to Editor, New Orleans Tribune, November 7, 1865.
Americans should no longer deprive them of citizenship, that by donning the nation’s uniform black men had proved themselves solid community members deserving of all the rights, privileges and immunities associated with citizenship.

In pushing for this more meaningful version of citizenship, African Americans did not develop a single concrete definition of the citizenship they sought, but overwhelmingly identified suffrage and legal equality as the key components of that citizenship. African Americans insisted that they would be citizens when they were no longer subject to discriminatory legislation and when black men could vote – if not universally, then at least under a set of qualifications applied equally to black and white males.627 In July 1865, the Christian Recorder expressed this view, stating that black men needed to push for the “right of suffrage and equality before the law” while “the great revolution of public opinion…[was] still in motion.” When the United States gave African Americans the vote and legal equality, they would then enjoy “the rights and privileges of full citizens of the country for which we fought, bled and died.”628 When the NERL convened in Cleveland in October 1865, delegates connected citizenship with suffrage and legal equality, and William Forten proclaimed these goals the organization’s “much desired end.” To make clear their interpretation of the phrase “equality before the law,” the delegates proposed an equal-rights amendment to the Constitution that would

628 “Suffrage for Our Oppressed Race,” Christian Recorder, July 1, 1865.
have barred legislation “against any civilized portion of the inhabitants…on account of race or color” and voided any such existing laws as “anti-republican in character.”

Undoubtedly African Americans associated suffrage and equality before the law with citizenship, but in describing the exact relationship of suffrage and legal equality to citizenship their rhetoric was a bit fuzzy; sometimes they depicted these rights as inherent to citizenship, and sometimes they described suffrage and legal equality as rights that some citizens might possess but others might not. Some black commentators saw certain rights as inherent to citizenship and held that, as long as they lacked these rights, African Americans lacked citizenship. In May 1865, a black political meeting in New Orleans declared the right of suffrage “inherent to citizenship, in a true republican Government,” and later that year San Francisco’s Elevator included the rights to vote, testify in court and hold office among a list of the “privileges annexed” to citizenship. Denver’s W.P. Allen insisted that black citizenship did not truly exist while black men remained disfranchised. Allen bitterly complained that although black men had always loyally served the United States, the government had not yet enacted black suffrage and thus continued to deny black men the “right of citizenship.” Statements like Allen’s envisioned citizenship as a universal status implying certain inherent rights for all its holders, a strikingly modern vision of citizenship.

In other instances, African Americans spoke of suffrage and legal equality as rights enjoyed by “full citizens,” a term that carried different and potentially problematic

631 “August First in Denver,” Christian Recorder, November 18, 1865.
implications. In February 1865, Frances Ellen Watkins Harper, a well-known anti-slavery lecturer, author and women’s rights advocate who would go on to found the National Association of Colored Women in 1896, demanded that the government “clothe” African Americans “with all the rights that are necessary to a complete citizenship.” When newly-enfranchised black Washingtonians voted in a local election in the summer of 1867, a triumphant James A. Handy described their “elat[ion]” at “exercising for the first time the right belonging to full and complete citizenship…” Implicitly, in talking of the rights necessary to complete or full citizenship, Harper and Handy suggested that other levels of citizenship existed under which persons might enjoy only some of the rights available to full citizens and yet remain citizens. It seems likely that few African Americans at the time sensed a meaningful distinction between this position and the more modern understanding of citizenship described above. Speakers who depicted the rights they desired as inherent in citizenship and those who sought “full” citizenship were, in practical terms, trying to secure the same legal gains. With hindsight, though, the tension between these positions is evident. Black Americans knew they wanted citizenship, and agreed about which legal rights they wanted to achieve, but their rhetoric was a bit confused when they described these rights’ relationship to citizenship.

Following the Confederacy’s defeat, citizenship remained a concept in flux, and African Americans’ thinking about citizenship reflected its uncertain status. Edward Bates had confirmed the principle of birthright citizenship but had not identified any political or civic rights and privileges as inherent to it. He had also explicitly stated that

persons might lack key rights, like the vote, and remain citizens. In this atmosphere, it likely seemed unclear which rights inhered in citizenship and which did not, and African Americans may have found questions involving the inherent and non-inherent rights of citizens beside the point. It was enough to know that they would not enjoy meaningful citizenship until they could influence state and federal policymaking through their votes and enjoy legal equality. Crafting arguments capable of inspiring white lawmakers to enact black suffrage and equality was more important than devising a comprehensive conceptual understanding of citizenship. African Americans were not, as an 1869 *New Orleans Tribune* headline declared, “Theorists” familiar with modern scholarly debates about citizenship; they argued for citizenship as members of a community long denied rights they had watched others enjoy, and cared far more about making compelling rhetorical arguments than about developing an exact consensus regarding citizenship’s meaning. Their widespread agreement that winning suffrage and legal equality would bring them closer to meaningful citizenship formed a sufficient basis for their agitation.

To win that meaningful citizenship, African Americans North and South threw themselves into political action, seeking to exert as much influence as a largely-disfranchised group could on state and national legislators. Many worked under the auspices of the NERL and its network of local and state auxiliaries. Black delegates met in statewide and national conventions, drawing on the network of civil-society organizations that had long supported black protest to push for change. As most black men and all black women lacked the vote, much of black activists’ early post-war political activity was rhetorical in nature, but African Americans also petitioned Congress and other government bodies, met and corresponded with high-level public officials, and

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634 “We Are Not Theorists,” *New Orleans Tribune*, February 4, 1869.
held parades and other public celebrations in support of black rights. In the South, recent ex-slaves convened to demand rights and citizenship, channeling their political activity through the kinship, church and community networks that had allowed them to conduct politics while enslaved. As black Southerners gained the franchise and participated in formal political structures and processes, they agitated for further change through local Union Leagues and the Republican Party.

In public statements and private communications, black leaders North and South nearly always cited black service as a central justification for the changes they demanded, adapting the politics of service to the demands of the post-war period. Appealing to black soldiers’ service was central to black leaders’ strategy of, in Charles Lenox Remond’s words, “sham[ing]...the ruling power...into doing them justice.” Within days of Lee’s surrender, black North Carolinians asked Charles Sumner for the vote on basis of their service. “Many of us have done service for the U.S. Government, at Ft. Fisher, elsewhere, & we shrink with horror at the thought that we may be left to the tender mercies of our former rebel masters,” they wrote, and “the franchise alone [could] give [them] security for the future.”

Looking to turn the galling inequalities under which black troops had served to their advantage, African Americans cited the pay

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635 For black leaders meeting or corresponding with government officials and Congressmen, see, for instance, Colored Citizens of Oskaloosa, IA to Charles Sumner, January [97], 1872, Reel 56, Charles Sumner Papers, Manuscript Division, Library of Congress; Colored Citizens of York County, PA to Charles Sumner, February 8, 1872, Reel 56, Manuscript Division, Charles Sumner Papers, Library of Congress; “Suffrage. A Delegation of Colored Men at the Executive Mansion. Their Interview with the President and his Speech,” Christian Recorder, February 17, 1866.


638 Colored Union League of Wilmington, North Carolina to Charles Sumner, April 29, 1865, Reel 33, Charles Sumner Papers, Manuscript Division, Library of Congress.
discrepancy and other indignities to enhance black troops’ claims to justice; black men had enlisted under especially disadvantageous circumstances and were especially worthy of reward. The Pennsylvania State Equal Rights League reminded the nation that black men had fought “without the incentive of large bounties, full pay, or promotion” and had under these trying circumstances “contributed [their] full share towards saving the flag and the Union.” At Boston’s March 5, 1865 Crispus Attucks Day celebration, John Mercer Langston tied his argument for black suffrage and legal equality to the fact that black troops “volunteered under circumstances highly creditable to them, and went to the ranks, where 90 per cent of men would have returned to peaceful homes under the circumstances.” Service inequalities were humiliating and had taxed black families to the breaking point, but black leaders realized that citing them might shame whites into acceding to black demands.

Black veterans played prominent roles in black political campaigns, attending post-war conventions across the United States and occasionally organizing veterans’ conventions to urge the government to repay them for their sacrifices. As early as November 1865, a convention of black soldiers from Iowa proclaimed it the “duty of Iowa” to enact black suffrage, “believing, as we do and must, that he who is worthy to be trusted with the musket can and ought to be trusted with the ballot.”

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year, to give “organizational force to [their] moral authority,” black veterans inaugurated a national convention movement. Their call to convene invited all who believed “that they ha[d] not received from the Government a due recognition of their services, rendered her in the hour of need, and that in sustaining the Union with the musket, they have won their right to the ballot” to attend.642

At the Colored Soldiers’ and Sailors’ Convention that resulted, held in Philadelphia in January 1867, black veterans echoed their wartime demands. They called for “equality of rights with the white soldiers who also fought against the armed traitors to the American flag.” Delegates from across the country listened approvingly as speakers demanded suffrage and legal equality or, as Sergeant A. Ward Handy termed them, “all the rights of American-born citizens.” Numerous black leaders who had not served participated, including Henry Highland Garnet, William H. Day, Jermain Loguen, George B. Vashon, William Forten, Elisha Weaver and Octavius Catto. Their attendance signified their recognition of the politics of service’s continued salience and that black veteranhood, the newfound ability of hundreds of thousands of black men to portray themselves as saviors of the Union, rated as one of the most valuable political weapons in the black arsenal.643


Black service had increased the political leverage African Americans could exert on the nation, but it had not changed their agitation’s ultimate goal: in the post-war years, African Americans still sought to bring the nation into conformity with its founding principles, linking rewards for black service with the Declaration of Independence’s equality clause.\(^{644}\) In October 1865, Black Indianans declared that black soldiers had “fought, bled and died” to secure the rights the Declaration identified as “inalienable.”\(^{645}\) The next month, black Pennsylvanians gathering outside the Capitol Building in Harrisburg to honor returning black veterans affirmed that they had fought for “the truths enunciated in the Declaration of Independence,” and decried all “distinctions based on race or color.”\(^{646}\) For decades, African Americans had seen the founding American text as the blueprint for the change they wanted to create, and they had envisioned their participation in the Union war effort as part of the struggle to bring American reality into line with American principles. After the war they continued to anchor their political agitation on the Declaration.

Black activists did make some arguments not directly related to black service. Some pointed out that black men had voted and enjoyed numerous rights under colonial and state governments in earlier periods of American history; in recognizing black

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citizenship the nation would merely be restoring to its black citizens the rights it had unjustly taken from them. The *New Orleans Tribune* observed that “colored citizens” had voted under the Articles of Confederation, and that no provision of the Constitution barred black voting. In demanding suffrage, it claimed, African Americans only asked the United States to return to its earlier practices and honor its founding principles.⁶⁴⁷

Some black commentators argued pragmatically that, no matter how uncomfortable black suffrage made white Northerners, they would need to approve it; only black votes could counter the electoral might of disloyal rebels returning home and regaining the franchise. “[T]he condition of the South, and of the country,” argued Frederick Douglass in early 1865, required black voting, as “the rank undergrowth of treason” would survive Confederate defeat, and only black voters could “counterbalance this spirit…”⁶⁴⁸ As a committee of Norfolk black leaders pointed out, slavery’s death voided the 3/5th Compromise, meaning increased Congressional representation for voters of doubtful loyalty if black men remained disenfranchised. Under these circumstances, John Mercer Langston predicted in October 1865, “as military necessity brought us emancipation and arms, political necessity may yet bring us enfranchisement and the ballot.”⁶⁴⁹


Despite Langston’s confidence and the exertions of black leaders North and South, African Americans were initially disappointed in how little whites North and South did to expand black rights and citizenship. In the North and West, between 1865 and 1869, only Wisconsin, Iowa and Minnesota legalized black voting; voters in Connecticut, Ohio, Kansas, Michigan and New York voted black suffrage down, and white Republicans in other states kept the issue from coming to a vote. Matters stood even worse in the former Confederacy. Newly-elevated president Andrew Johnson’s harsh rhetoric quickly turned to conciliation. By fall 1865 Johnson was pardoning former Confederate leaders “wholesale”; his lenience encouraged white Southerners to resume a posture of defiance toward federal authority, pass draconian Black Codes limiting black economic freedom and mobility, oppose black suffrage and talk loudly of states’ rights. South Carolina governor Benjamin Franklin Perry proclaimed that Northern Republicans advocating black suffrage had “[forgot] that this is a white man’s government, and intended for white men only, and that the Supreme Court of the United States has decided that the negro is not an American citizen under the Federal Constitution.” Perry’s reference to *Dred Scott* as binding precedent shows why, in the summer of 1865, black suffrage and legal equality seemed to many African Americans as far away as ever.

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650 Davis, *We Will Be Satisfied With Nothing Less*, 50-51.
As early as that summer some feared that history had repeated itself and the government had forsaken black soldiers. On July 4, 1865, William Wells Brown told an anti-slavery gathering in Framingham, Massachusetts that he “feared the rebellion ha[d] closed too soon,” that African Americans were “to be cheated out of what we have been promised, what the brave men have been fighting for.” The Black Codes led Brown to conclude that white Southerners were enacting a new form of slavery, black suffrage was impossible, and the nation “ha[d] broken faith with the black man.”

Writing to the *Anglo-African Magazine* in September 1865 – the weekly New York newspaper had changed its name and format in the spring of 1865 – an A. Atwood recounted how black soldiers, when called as citizens to fight during earlier Americans wars, had “cheerfully obeyed” but had watched their citizenship “[ooze] out, when the storm subsided.” Atwood saw the same dynamic at work in the Civil War’s aftermath, and predicted that peace would not come until the nation did justice to its black population.

Black anger burst forth at the NERL’s 1865 Cleveland convention as well. “We have been deserted by those we faithfully supported,” thundered William Forten, and insolently informed that this is a white man’s country, though it required the strong arms of over 200,000 black men to save it, and that the elective franchise is not now a practical question…True, they can fight and die together, and moisten the cold ground with their warm blood, in defence of the spangled banner, but there can be no abiding place for them here, as freemen and citizens.

In blasting the betrayal they saw occurring before their eyes, black agitators drew on the contractual arguments black soldiers had made during the war. Just as black

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654 A. Atwood to Editor, *Anglo-African Magazine*, August 26, 1865.
soldiers had insisted that the government honor their enlistment contracts, black leaders spoke in contractual terms when they implored the government to recognize black citizenship. At the Cleveland convention, Forten and the other delegates – including former black recruiters like Alfred M. Green and John Mercer Langston – affirmed their determination to “agitate, entreat, and demand in the name of justice, humanity, and truth, the fulfillment of the nation’s pledges made to us in her darkest hours of trial, when bankruptcy, ruin, and dissolution were rushing madly upon her.” They would continue this agitation until the nation guaranteed them the “full enjoyment of our liberties, protection to our persons throughout the land, complete enfranchisement, and until all are equal as American citizens before the law.” The same month, a convention of black Arkansans demanded “bona fide citizen[ship],” which they associated with “equality before the law and the right of suffrage.” The federal government, Arkansas’ William H. Gray dramatically reminded his listeners, had “pledged” itself to secure these rights, writing “the contract in blood, when [the nation’s] own children stood ready to destroy her.”

African Americans’ continued use of contractual principles displayed both their faith in the sanctity of contract as a bedrock principle of a free-labor economy and their recognition that the political positions black soldiers took during the war remained relevant in its aftermath.

African Americans might of course have accepted that the changes they sought would take time; their refusal to countenance even temporary denial of the rights they


believed they had earned underlined their determination to make black service count. White abolitionists, recruiters and officers had frequently insisted that black service would bring new rights, but black Northerners had extracted no positive pledge for passage of specific legislation from either President Lincoln or Congress in return for black service. Although Andrew Johnson in 1865 recognized Southern state governments that continued black disfranchisement and abridged black freedom, he also publicly acknowledged the possibility that states might enfranchise black voters as they saw fit. Johnson knew it was unlikely that any state would do so voluntarily; but had they been at all disposed to accept gradual change, statements like Johnson’s might have soothed African Americans’ post-war anger.\textsuperscript{658} Black Americans might have been appeased by vague promises of progress and accepted that change would come eventually; they might have decided that, given how fundamentally emancipation changed American life, they ought to hold off on pushing for additional \textit{immediate} changes and trust in their ability to gradually win new rights.

But African Americans would not be sated by emancipation and vague suggestions of further change; heeding the lessons of the past, they demanded instant change. The immediacy of their demands flowed from the reality that, as Stephen Kantrowitz has noted, black Northerners’ struggle against slavery had never aimed solely to end chattel bondage. Black Northerners had always wanted to abolish the hated institution as part of a larger project of winning blacks rights and citizenship. With slavery dead, black Northerners who had cut their activist teeth during the late antebellum period remained true to that project.\textsuperscript{659}

\textsuperscript{658} Foner, \textit{Reconstruction}, 184.

\textsuperscript{659} Kantrowitz, \textit{More Than Freedom}, 4, 73.
Most African Americans only countenanced political agitation for black rights in the war’s immediate aftermath, but a few insisted that they would have their rights even if they had to resort to arms to get them. Speaking for an 1865 convention of black Virginians, Henry Highland Garnet, Joseph T. Wilson and others hinted at violence when they asked white Virginians whether they believed their “perfect security” would be promoted “by the existence of a colored population of four millions and a half, placed, by your enactments, outside the pale of the Constitution, discontented by oppression, with an army of 200,000 colored soldiers, whom you have drilled, disciplined, and armed, but whose attachment to the State you have failed to secure by refusing them citizenship?”

The Black Codes aroused fears that white Southerners were trying to revive slavery under a new guise, and black leaders insisted that black men would not acquiesce in slavery’s re-establishment without a fight. In October 1865, the Anglo-African Magazine invoked the horrors of the Haitian Revolution and the emotionally-charged issue of Civil War prison camps to describe the black response to an attempt to reinstitute slavery: “if you want to see a bloody time, if you wish to witness horrors compared with which even Andersonville was a Quaker meeting – then try to reduce back to slavery the four millions of our brethren!”

Even Alfred M. Green – on the eve of the Colored Soldiers and Sailors’ Convention in January 1867, no less – suggested publicly and apparently seriously that black men might not accept the government’s denial of their rights peacefully. Of the upcoming convention, Green said that he and his fellow black

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veterans desired “if possible, to peaceably secure our right to be treated as men,” but stood ready to “avail ourselves of such other means as will secure the end or prove us worthy of it, though we fail in its attainment.”

Black men who threatened violence displayed a sense that their wartime service had given them the moral capital necessary to make potentially inflammatory public statements. Only four years earlier, white Northerners were so offended by the idea of arming black men that they had refused black assistance in putting down a massive internal rebellion; events would subsequently prove that armed displays of force by black men could in the war’s aftermath provoke furious white responses. In this atmosphere, threats of black violence were particularly bold, even if they appeared in black newspapers unlikely to fall into the hands of the white Southerners who would be most horrified by them. That black men risked making these kinds of statements likely stemmed from their belief that their contribution to Union victory had afforded them new rhetorical latitude. The government’s failure to quickly reward black service infuriated and discouraged African Americans, and these statements represented some of the most extreme manifestations of black anger in the early post-war period.

Discouraged though they were, African Americans had developed astute political instincts through their decades of agitation and wartime experience, and they displayed a sophisticated sense of Reconstruction’s political dynamics. They saw rather quickly that they could reap long-term benefits from Johnson’s lenience and white Southerners’

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intransigence. Just as, early in the Civil War, the United States’ limited efforts to subdue the Confederacy had prepared white Northerners to accept emancipation, African Americans saw that the conservative, reactionary course the president and Southern political leaders steered might provoke Northerners to adopt a harsher approach to Reconstruction. As early as August 1865, the Pennsylvania State Equal Rights League had concluded that, “the insane rage that blinds the Southern people, and prompts them to persecute and maltreat the freedmen, in the hope of bringing about a war of races, will work its own cure.” The state league’s annual meeting hoped that the Southern states would go “from bad to worse in their mad career, till the United States Government is compelled with its strong arm, to place the franchise in the hands of her loyal black sons, who will with the ballot save the South, as they have with the musket saved the Union.”

In May 1866, the Christian Recorder speculated that Johnson’s “unexpected policy” might “be just as necessary to the great work of our enfranchisement in this country as were the defeats sustained by McClellan to the employment of colored soldiers and the recognition of our citizenship.” By October, the New Orleans Tribune confidently predicted that the “folly of the Southern oligarchy” would again provoke more radical change than most white Northerners would have initially accepted, and urged its readers to, “Let the rebels do our work.”

African Americans utilized their wartime experience to evaluate the evolving American political landscape, drawing on

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664 “President Johnson and Congress,” Christian Recorder, May 19, 1866.

665 “Southern Folly Our Best Help,” New Orleans Tribune, October 23, 1866. For another prediction that Johnson’s policies and Southern intransigence would in time work to black Americans’ benefit, see “Celebration of West India Emancipation,” Liberator, August 11, 1865.
the confidence they gained through military service and the ability to interpret intersectional political dynamics they had honed during the war to help them navigate the initial disappointments of the post-war period.

Black Americans were correct that short-term setbacks would bring long-term gains. A variety of developments caused many moderate Republicans initially opposed to black suffrage and a comprehensive Reconstruction policy to join Radical Republicans in remaking Southern society and protecting black rights. By the end of 1866, some combination of Johnson’s lenient policies, the Black Codes, the ease with which former rebels came to dominate Southern politics, and racist violence in New Orleans and Memphis that targeted black veterans convinced many moderates to support fundamental change. During the late 1860s, Congressional Republicans encoded in law many of the changes African Americans demanded as rewards for black troops’ service. In 1866, Congress passed first a Civil Rights Act recognizing black citizenship and then a new amendment – ratified in 1868 – that codified national birthright citizenship, guaranteed to citizens the equal protection of the law, and forbade states from abridging citizens’ privileges and immunities. In March 1867 Congress required Southern states to write new state constitutions enfranchising black men. Finally, in 1869 Congress passed the Fifteenth Amendment, which prevented states from abridging suffrage on the basis of race, color, or previous condition, and it became law the following year.666 African Americans reacted jubilantly to this legislative revolution: at an 1870 celebration in Portland, Oregon commemorating the amendment’s ratification, Joseph Beatty called the amendment the “last spike in the construction of true liberty in America,” and the

meeting resolved that the government’s “extension to us [of] the privileges of citizenship” left them “duty bound to conform to all the laws of the land…” 667

In pushing this landmark legislation through Congress – key pieces of what Rogers M. Smith has called “the most extensive restructuring of American citizenship laws in the nation’s history, apart from the adoption of the Constitution itself” – white Republicans embraced African Americans’ vision of enacting the Declaration of Independence’s equality clause and often appealed to black military service. 668 Xi Wang has identified the “idea of equality as pronounced by the Declaration of Independence [as] the main ideological source for Reconstruction politics…” 669 In their efforts to enact the Declaration’s equality, white Republicans often appealed to the need to reward black service. As early as January 1865, Pennsylvania’s William D. Kelley lectured the House of Representatives on rewarding black service with black manhood suffrage, asking that the “brave man who has periled his life, and mayhap lost his limb…in defense of our Constitution and laws” be given the “protection” suffrage afforded. 670 Congressional Republicans appealed to black service when moving the Fifteenth Amendment through Congress and into the 1870s as they continued to push for civil-rights legislation. In 1874, Benjamin Butler, now a Massachusetts representative, told his colleagues that his experience leading black troops had changed his attitude toward black rights. He recalled how, in late September 1864, black troops under his command had assaulted a

667 Originally printed in The Oregonian, April 7, 1870, reprinted as “ Celebration in Portland,” Elevator, April 22, 1870.
668 Smith, Civic Ideals, 286.
Confederate redoubt near New Market Heights and fought valiantly despite the “very fire of hell” the Southern troops “pour[ed] upon them.” During the course of the assault, 543 black troops fell, and Butler remembered looking upon their “bronzed faces, upturned in the shining sun to heaven as a mute appeal against the wrongs [of] that country for which they had given their lives”; in that moment, he said, he swore an oath to defend their rights, declaring himself “with them against all comers” until they had secured legal equality. 671 Arguments like Butler’s helped spur Congress to pass in 1875 a new Civil Rights Bill that, though shorn of a dearly-sought provision that would have outlawed school segregation, banned discrimination in a range of public places and accommodations. Into the early 1890s, Republican Congressmen like Henry Cabot Lodge used black service rhetorically when pushing for legislation that would allow federal officials to protect black voters in the South. 672

We might dismiss Butler’s words as rhetorical bombast, and it is likely that some Republicans who argued for rewarding black service did so not out of sincere conviction but because they sensed they had a winning argument capable of convincing resistant whites to acquiesce in the expansion of black rights and citizenship. It is impossible to know how much moral conviction motivated the white Republicans who authored the post-war expansions of black rights and citizenship and how much they were influenced by political pragmatism. They knew that by enfranchising millions of black Southerners they would create a new voting bloc that would in all likelihood increase their electoral might. A mix of principle and pragmatism always lay at the heart of Republicans’ post-war push for legislation recognizing black rights and citizenship and, in truth, attempting

672 Wang, The Trial of Democracy, 30, 189, 238.
to discern which concern motivated Republicans more misses the point. Whatever the combination of motivations that animated Republicans’ post-war legislative efforts, the changes they enacted brought American law into greater harmony with the Declaration of Independence than ever before. As such, one must rate African Americans’ Civil War-era campaign to use black service to win black citizenship a qualified success.

The black recruiters who in 1863 urged black Northerners to enlist immediately rather than hold out for terms were correct that large-scale black service in a war that threatened the United States’ existence could bring the changes African Americans sought. It is hard to imagine white Americans enacting the sweeping legislation that followed the war had not black Americans insisted, even prior to the government’s adoption of black enlistment, that legal change must follow black service and kept agitating on that point after the war. Black service increased the political leverage African Americans could exert on the white leaders who controlled national politics, gave black men a claim on the nation that white politicians could not ignore, and provided white Republicans with valuable rhetorical justification for expanding black rights and citizenship. It might be argued that had Andrew Johnson not pursued an incredibly lenient course of Reconstruction, and had the former Confederate states not taken such defiant stances in the war’s immediate aftermath, Congressional Republicans might not have pushed through the post-war amendments and other measures relating to black rights. In such a scenario, black Northerners who had embraced delayed enlistment might have had cause to castigate the immediate-enlistment camp. But this is counterfactual speculation. Black Northerners who urged immediate enlistment correctly

673 Wang, *The Trial of Democracy*, xxiv-xxv. On the convergence of principle and pragmatism in Republicans’ Reconstruction efforts, see also Calhoun, *Conceiving a New Republic*. 
interpreted the political dynamics of the wartime North, correctly anticipated the political
dynamics that would take shape following a Northern victory, and parlayed large-scale
black service into government recognition of black citizenship, suffrage and civil rights.

As Congressional Republicans authored this legislative revolution, black veterans
remained politically active, although their efforts to organize collectively around their
veteranhood ended rather abruptly. No trace of the Colored Soldiers and Sailors League
exists past the early 1870s; it ceased to operate, an apparent victim of the success of
African Americans’ political agenda. Many black veterans embarked on political careers,
but they were actually underrepresented in the ranks of Reconstruction-era black
officeholders: about 10% of black officeholders from 1867-1877 had served, whereas
black veterans accounted for around 16% of the black male population. The majority
held office in states where Union armies had heavily recruited newly-freed slaves –
especially Louisiana, Mississippi, and North and South Carolina – but some held federal
office, serving in the House of Representatives and a variety of appointed posts. Once
black veterans gained suffrage and citizenship, Donald Shaffer has found, not only did
they stop organizing collectively as veterans, their service stopped influencing their
political behavior. Socioeconomic status, not veteranhood, dictated the political positions
black officeholders took; comparatively comfortable in material terms, veterans declined
to support radical measures like former slaves’ push for land confiscation. Like
antebellum black Northern leaders, they sought to shore up their rights within the existing
political system and gave little attention to the material challenges ex-slaves faced. The
political positions black veterans took during Reconstruction, Shaffer has written, were
“unremarkable, and their political behavior showed little discernible difference from that of nonveterans.”

Black veterans did not form a radical leadership cadre during Reconstruction, but they and their non-veteran brethren made significant state-level gains that augmented the success of their agenda at the federal level and in the South. Black Northerners pushed for desegregation in Northern public schools, and by the late 1860s won gains in states like Connecticut, New Hampshire and Minnesota. They continued this desegregation battle into the 1870s, and by decade’s end no Northern state laws prohibited black children from attending school and numerous states had banned school segregation. Black Northerners also continued the fight for equal access to public accommodations. Black Philadelphians still led on this issue, and by 1867 had convinced sympathetic state legislators to outlaw discrimination on state public transit facilities. With the passage of the 1875 federal civil-rights bill, black Northerners in California, Illinois, New York Indiana, Pennsylvania, New Jersey and other states brought suit to defend their equal access to public accommodations. Sometimes they were successful, but as judges and other government officials grew reluctant to rule or argue in favor of black civil rights the already-formidable obstacles, including the expense of pursuing legal action, that accompanied legal action increased. Congress had attempted to protect black civil rights, but as Reconstruction failed in the South black Northerners got the “message,” according to Hugh Davis, “that they should not expect to be treated as the equals of whites…”

674 Shaffer, After the Glory, 73-76.
Indeed, the tragedy of black service is that the expansions of black rights and citizenship that black soldiers helped achieve faded so quickly. Federal Reconstruction began to collapse in the mid-1870s as a result of white Northerners’ racism, apathy and discomfort with the continued use of federal power as well as white Southerners’ violent hostility to the Reconstruction project. White Southerners gave up military efforts to found a new nation based on slavery in the spring of 1865 but never stopped fighting for white supremacy. By 1877, through a combination of brutal paramilitary violence, intimidation, white political solidarity and legal chicanery, white Southern Democrats had retaken Southern state governments. Nor was white violence limited to the South. Whites in the North and West sometimes attacked black voters: in 1871, Democratic thugs assassinated Octavius Catto and two other black Philadelphians attempting to vote, and city officials never prosecuted anyone for these slayings. Judicial conservatism on the federal bench abetted white efforts to restrict black rights as, in a series of 1870s and 1880s decisions, federal judges emasculated the post-war amendments and restricted the federal government’s power to protect black rights from state-level infringement.

Neither Reconstruction nor black political participation ended overnight, or with the 1877 withdrawal of troops from state houses in Louisiana and South Carolina. Black men voted in several Southern states into the 1890s, and acted shrewdly to combine with

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white political movements that challenged Democratic power. But the mid-1870s witnessed the beginning of a process by which white Southerners slowly built a Jim-Crow system that divided public life into separate and unequal white and black spheres, cancelling the equality for which African Americans had fought, and disenfranchised black Southerners through both formal and informal methods. By the early twentieth century, Reconstruction’s slow death had made the United States, Rogers Smith has written, “what in one way or another it had almost always been – a regime elaborately committed to white supremacy.”

Late-nineteenth-century African Americans were acutely aware of the limitations to the citizenship black soldiers’ wartime service had won. Few whites could “realize,” asserted “X.,” a correspondent of the *Weekly Louisiana*, in 1881, “what it is to be a negro in the United States,” or know “the withering effects” of “the iron of proscription

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679 Philip A. Klinker and Rogers M. Smith, *The Unsteady March: The Rise and Decline of Racial Equality in America* (Chicago: University of Chicago Press, 1999), 105. On the decline of Reconstruction, see Heather Cox Richardson, *The Death of Reconstruction: Race, Labor and Politics in the Post-Civil War* (Cambridge: Harvard University Press, 2001); Foner, *Reconstruction*; James K. Hoge, *Uncivil War: Five New Orleans Street Battles and the Rise and Fall of Radical Reconstruction* (Baton Rouge: Louisiana State university Press, 2011); Michael Perman, *The Road to Redemption: Southern Politics, 1869-1879* (Chapel Hill: University of North Carolina Press, 1984); Andrew Slap, *The Doom of Reconstruction: The Liberal Republicans in the Civil War Era* (New York: Fordham University Press, 2006); Mark W. Summers, *A Dangerous Stir: Fear, Paranoia, and the Making of Reconstruction* (Chapel Hill: University of North Carolina Press, 2009); Richard Zuczek, *State of Rebellion: Reconstruction in South Carolina* (Columbia: University of South Carolina Press, 1996). Cox Richardson emphasizes Northerners’ growing equation of black Southerners seeking government aid with labor radicalism and their perception that black Southerners had violated free-labor ideals; Hoge and Zuczek foreground white Southerners’ violent opposition to Reconstruction and Republican rule; Perman deals with white Southerners’ political attempts to undermine Reconstruction and undo its achievements; Slap covers the Liberal Republican movement and the perception among some Northern elites that the use of federal power to remake the South threatened liberty; and Summers argues that Reconstruction had been meant primarily to prevent another war, not remake the South, and when Northerners no longer perceived the South as a threat in the early 1870s, their commitment to Reconstruction began to wane. Foner’s survey offers perhaps the most judicious assessment of Reconstruction’s undoing – Foner acknowledges both class conflict in the North and Northerners’ growing dissatisfaction with Reconstruction as well as white Southerners’ political efforts to combat Republican rule, but ultimately identifies white violence as the decisive factor in Reconstruction’s death.
Federal and state laws recognized black men and women as citizens and afford them equal rights with whites, but they were useless if the federal government did not force the Southern states to abide by them. “Is There Any Law for the Negro?” asked the black-run New York Globe in 1883. The government recognized black Southerners’ citizenship, but “the states say they shall not enjoy the privileges of citizenship and the national government has shown in a thousand instances that it had no power to coerce the states…[W]e have had,” thundered the Globe,

since the close of the war, every possible species of rebellion, usurpation, violence and down-right anarchy in some states, but the federal government has at no time interfered effectually in the interest of good government…We admit that we are citizens; we admit the ‘laws are equal;' we admit the constitution of the United States ‘forbids any state from discriminating by law against any citizen.’ We admit the correctness of these statements, but it may be that further than this the federal power does not extend. Then the question arises: does the federal power extend far enough?…We maintain that governments are maintained for the protection of life, liberty and the pursuit of happiness of its members, and so far as we are concerned…we maintain that at no time since the close of the war have we enjoyed that immunity of life, liberty and the pursuit of happiness which are guaranteed to us. 681

Black Northerners’ antebellum protest had been inspired by their recognition that they lived in a country that proclaimed fealty to certain principles but only secured enjoyment of those principles to some of its inhabitants, and the Globe recognized that black Southerners faced a distressingly similar situation. “We are Negroes in America, with our citizenship ‘on paper,’” wrote the Reverend J.G. Robinson in 1893, but paper citizenship did not equal the “free enjoyment of every right and privilege guaranteed us by the constitution of the United States” or “access to every pleasure that the white people of this country enjoy.” 682 By the late nineteenth century, many black Americans suffered the same frustrations antebellum black Northerners had endured: though free, they lacked legal equality and vital political rights.

African Americans in the late nineteenth century found themselves subject to discriminatory laws and customs that varied from place to place and state to state, a situation that recalled the antebellum United States and its patchwork pattern of discrimination. As a result, the language late nineteenth-century black Americans used to describe their situation sometimes echoed antebellum black activists’ protest rhetoric. When the AME bishop Thomas M.D. Ward in 1888 used the term “aliened Americans” to describe African Americans’ existence, he used the same term favored by newspaperman William H. Day, who had founded his *Aliened American* in 1853. Ward was born in 1823; he would have remembered the antebellum period and might have known Day’s paper, and doubtlessly he used this term purposefully. Not twenty years after hundreds of thousands of black soldiers helped quell an internal rebellion that nearly destroyed the United States, the black minister J.F. Thomas told a convention of Kansas black leaders that “if the United States did not protect her citizens, the colored people would seek some other country and fight under her flag.” Knowing or not, Thomas echoed the antebellum leader H. Ford Douglas, who had in 1854 held that his non-citizenship permitted him to enlist in a foreign army. As the nineteenth century closed, according to the black minister William H. Heard, black men were “m[en] without being allowed to enjoy manhood… citizen[s] without enjoying citizenship; law-abiding without being protected…taxpayer[s] without representation.” That antebellum black leaders’ tactic of using Revolutionary rhetoric – “taxpayer[s] without representation” – to protest the rights they were denied remained relevant as the twentieth century approached.

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represented a depressing comment on how the situation African Americans faced resembled antebellum black Americans’ situation. Not only had Reconstruction legislation failed to create a black citizenship black Americans could enjoy, Heard argued, it had failed to fulfill the bare terms of citizenship as described by Edward Bates in December 1862. State and local governments, wrote Heard, “demand of [the black man] allegiance but do not guarantee him protection of life, or property.”

Black service helped kill slavery and erect, in Eric Foner’s words, “a framework of legal rights enshrined in the Constitution” that served as “a vehicle for future federal intervention in Southern affairs” during the South’s second Reconstruction in the middle of the twentieth century. Reconstruction was, Foner wrote, “America’s unfinished revolution”; black service played a key role in starting that revolution, and in bringing about the legislative changes later generations of African Americans would use to move it forward. Black soldiers’ wartime service, to use Evelyn Nakano Glenn’s formulation, won formal citizenship for African Americans. But for many, especially black Southerners, formal citizenship did not by the 1880s and 1890s translate into substantive citizenship, the ability to actually exercise rights, like the vote, associated with citizenship.685 This reality led some to conclude that the war and black service had changed little. The Civil War, according to Henry McNeal Turner, had proved the United States had learned how “how to let the negro die in defence of her government,” but had not forced the country to learn “how to preserve to the negro his rights of citizenship…”686 As a result, some black Americans, as in the late antebellum years, embraced emigration as a strategy for enjoying the freedom the United States denied

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them. Some, known to history as the Exodusters, looked to Kansas and newer western states to, as a convention of black Louisianans put it, “obtain Christian independence and citizenship in the broadest sense.” Black veterans figured prominently in the Exoduster movement. Others former soldiers like Turner and Martin Delany – in 1864 commissioned a major in the US Army – turned their eyes abroad, and urged African Americans to leave the land of their birth to find freedom. Many scorned emigration and responded to the crisis of the late nineteenth century by continuing to agitate for black rights and equality where they stood, but others warmed to the doctrine of Booker T. Washington, who counseled black men to forgo politics and concentrate on economic success, a seeming admission that the struggle for black rights and citizenship had failed.

As the nineteenth century closed, black veterans remained revered members of black communities North and South, “often lionized,” according to Donald Shaffer, for their wartime exploits. They were determined to force the nation to remember their service. In response to early white historians’ tendency to bypass black troops’ achievements, the former black recruiter William Wells Brown and the former soldiers Joseph T. Wilson and George Washington Williams became black Civil War soldiers’ first historians. But when it came time to assess black service’s accomplishments,

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689 Shaffer, *After the Glory*, 59.
black veterans had to admit its limitations. As Christian Fleetwood, a Sergeant Major with the 4th USCT and Medal-of-Honor recipient, observed in 1895, despite African Americans’ temporary Reconstruction-era successes, the nation had forsaken its black defenders. “After each war, of 1776, of 1812, and of 1861,” Fleetwood wrote, “history repeats itself in the absolute effacement of remembrance of the gallant deeds done for the country by its brave black defenders and in their relegation to outer darkness.” Black men had been right that the crisis of the Civil War would compel the nation to change its laws, bringing them into closer harmony with American founding principles by recognizing black rights and citizenship. But black service had not forced the federal government to enforce the laws passed in the war’s wake, and as a result many African Americans found themselves, to use Henry McNeal Turner’s term, “decitizenized.” In these circumstances, it may have seemed to many African Americans that black Civil War soldiers, though valiant and worthy of celebration, had – despite their best efforts to prevent this outcome – repeated the disappointments of earlier generations by fighting for a nation that ceased to care for them once the fight had ended.

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nation remembered black service, see JNO C. Brock, “Reunion of Colored Troops,” Christian Recorder, July 15, 1886.

Conclusion

In his 1935 *Black Reconstruction*, W.E.B. DuBois encapsulated black Southerners’ experience of the dramas of the Civil War and Reconstruction in a famous phrase. “The slave went free,” he wrote, “stood a brief moment in the sun; then moved back again toward slavery.” This study might follow DuBois’ view of Reconstruction in seeing black service as having produced a brief interlude in the long history of American racism and legal discrimination in which black Americans won gains that proved reversible. It might conclude by observing that black service helped achieve many of the legal changes African Americans sought and, although these legal changes failed for many decades to matter because they were flagrantly violated, they remained momentous and provided a basis for later black agitation. Such an observation contains much truth, but does not tell the full story of how black service changed black citizenship, nor does it reveal the possibilities and limitations of military service as a means of winning citizenship. Black service helped encode black citizenship in the Constitution, but did not allow all African Americans to enjoy citizenship and the rights they gained in the war’s wake. Although black service helped win formal citizenship for all African Americans, black Southerners’ substantive citizenship was abridged by Southern state regimes, which retained the power to cancel federal legislation’s egalitarian intent in spite of the war’s verdict of federal supremacy. For some African Americans, however, the war did result in both formal and substantive citizenship; black Americans outside the South voted and enjoyed something like legal equality. Additionally, black Americans who had served the federal governments as soldiers

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enjoyed substantial equality within the federal purview, experiencing in large measure the legal equality they had described as integral to citizenship.

When the last USCT unit disbanded in August 1867, it did not signal the end of the black presence in the US Army. After Appomattox, federal officials knew an enormous military task remained before them: they needed troops to occupy the defeated South and to deal with Indians they defined as “hostile” on the Western frontier. Once again, military necessity caused US officials to recruit black soldiers. In 1866, Congress authorized the formation of six black regiments, four of infantry and two of cavalry, later consolidating the four infantry units into two. From the late 1860s through the early twentieth century, frontier black troops assisted in the extension of effective American sovereignty over the vast lands of the West and enjoyed a far greater degree of equality than did black Southerners as Reconstruction came undone.694

The black regulars, often called “buffalo soldiers,” who served on the American frontier confronted racism in myriad ways. In an institutional sense, they served in segregated regiments, and they were commanded almost exclusively by white commissioned officers, some of whom were violently racist. Military regulations did not forbid enlisted black soldiers from rising to commissioned office, but from 1866 through 1898 none did. That the black regiments’ officer corps remained nearly all-white was ensured by the fact that, in the nineteenth century, a mere handful of black men gained appointment to West Point Academy; those who did faced hostility and harassment at every turn. Unlike white regiments transferred back and forth regularly between the

sparsely-settled frontier and more populous areas, black regiments remained on the frontier, where they endured rough living conditions and brutal weather. Black troops frequently faced racist violence from white civilians, especially in Texas, where the local population’s hatred of the federal army was only increased by the fact that some of its troopers were black. Decades of black soldiers’ service had not erased white convictions about black inferiority; even white officers who praised black soldiers’ performance, historians William A. Dobak and Thomas D. Phillips have written, considered them “at the same time…dependent and incapable of initiative…” The black regulars, Dobak and Phillips concluded, “could never [escape] reminders that many observers, military and civilian, considered them second-class soldiers.”

Despite these indignities and obstacles, in many ways the black regulars enjoyed formal equality with the white troops they served alongside. They received the same pay, rations, supplies and housing as white troops, and when they received substandard equipment or food, it was the result of army-wide policy, not institutional racism. Black soldiers often received fairly even-handed justice from military tribunals, which admitted black testimony more readily than some civilian courts. Army life on the frontier was surprisingly integrated, especially in comparison to the segregation slowly developing in the South. Black units often served at segregated posts but were as likely to serve at integrated facilities, where they performed guard and fatigue duty alongside white troops, recuperated in integrated hospitals, and practiced marksmanship in integrated rifle teams.

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Black and white troops socialized together at times, playing on integrated athletic squads, performing in integrated musical groups and attending integrated worship services. On the frontier, Dobak and Phillips wrote, black soldiers inhabited a world in which “a general fairness…prevailed on the institutional level against a background of individual bigotry.” The US Army was one of the most “impartial institutions of the day,” one that “needed [black troops’] services and could not afford to discriminate against them…”698

With the significant exception that black soldiers served in segregated regiments, regulations treated black soldiers equally with white troops.

Federal service allowed the black regulars to experience to a relatively high degree the legal equality they associated with citizenship; there is thus striking irony in the fact that their military activities helped define members of other groups – Indians, Mexicans, immigrant laborers – as beyond the pale of American citizenship. Black

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698 Dobak and Phillips, *The Black Regulars*, 85-88, 194-203, 280. On black soldiers’ treatment in the post-war US Army, see also Kevin Adams, *Class and Race in the Frontier Army: Military Life in the West, 1870-1890* (Oklahoma: University of Oklahoma Press, 2009). Adams disagreed with Dobak and Phillips on some points. He conceded that supply issues were the result of army policy rather than institutionalized racism and agreed that individual racism among white enlisted men and officers was one of the most daunting issues with which black soldiers had to contend. Adams, however, held that black soldiers did not always receive equal justice from military courts, finding that at integrated posts black soldiers were court-martialed more often than white soldiers and that they sometimes received harsher sentences. He also emphasized their segregation in black regiments and that only a small number of black men rose to the ranks of commissioned officers over the day-to-day equality in pay, rations, clothing and supplies that black soldiers enjoyed. Charles Kenner has also found evidence of institutional racism in his work on the enlisted men and officers of the 9th Cavalry stationed at Fort Robinson, Nebraska. See Charles Kenner, *Black Soldiers and Officers of the Ninth Cavalry, 1867-1898: Black & White Together* (Norman: University of Oklahoma Press, 1999). Monroe Lee Billington tended to echo Dobak and Phillips’ emphasis on day-to-day equality and formal fairness. See Monroe Lee Billington, *New Mexico’s Buffalo Soldiers, 1866-1900* (Niwot: University of Colorado Press, 1991). This study agrees with the view offered by Dobak and Phillips not because it disputes Adams’ and Kenner’s conclusions, but because it does not view the patterns of racial discrimination these two authors reveal as evidence of institutionalized racism, exactly. Both authors argue that black soldiers faced unequal justice in the army; both make compelling cases, but that does not change the fact that this unequal justice was not the result of written army policy – there was no statute that said try black soldiers more often, and sentence them to longer terms – but the result of racist white officers applying the system differently to black troops. The same observation holds for Kenner’s point about the unequal distribution of duties at Fort Robinson and Adams’ point about the small number of black officers. Finally, Adams emphasized black soldiers’ segregation in all-black units; Dobak and Phillips emphasized their day-to-day equality. Day-to-day equality was what mattered to black Civil War soldiers far more than segregated units – Henry McNeal Turner thought segregated units gave black soldiers an advantage – so this study continues to privilege this aspect of their service.
soldiers conducted cross-border raids that violated Mexican sovereignty, helped establish the US-Mexico border’s reality by defining Mexicans on the other side of it as non-citizens, subdued Indian bands and destroyed Indian villages. They moved members of both groups out of the way of white settlement, serving as “voluntary participants in the violent subjugation of Indian and Hispanic peoples throughout the West.” In the 1890s they began to serve as strike-breakers in labor disputes in places like Couer d’Alene, Idaho. Henry McNeal Turner complained in 1890 that African Americans had been “de-citizenized,” and by that point many could not vote or enjoy legal equality. But on the nation’s borders, according to historian James Leiker, black troopers derived from their military exploits both citizenship and a sense of “American-ness” while defining others as “foreign.”

Eastern black newspapers mostly ignored the black regulars, but black leaders occasionally gloried in their effectiveness at dealing with striking miners of European descent, contrasting black troopers’ American identities with recent immigrants’ devotion to class interests and their countries of origin. African Americans, declared the Reverend William H. Yeocum, were citizens, had always fought for the United States and, unlike “the alien who comes to this country,” did not embrace radical political ideologies or foment labor unrest. The Haymarket Riot of 1886, in which immigrant anarchists allegedly threw a bomb that killed several Chicago policemen, was not the work of black men, “no! no! no!” insisted Yeocum. “The colored American citizen does

700 Henry McNeal Turner to Blanche K. Bruce, Christian Recorder, March 27, 1890.
701 Leiker, Racial Borders, 15-17, 47-49, 176-177.
702 Leiker ascribes black newspapers’ tendency to ignore the black regiments to the bourgeois values of their editors, who looked down on black men who made their living in the army. See Leiker, Racial Borders, 96-97.
not go on strike and to carry his point resort to the deadly dynamite or the torch; although sometimes shot down and hanged without judge or jury, or driven from his crop, his home, his wife and children. They have learned (perhaps too well) to labor and wait.

There are no Anarchists and Communists found among the colored people, nor is their love and interest divided between this and any other country." In contrast to these foreign elements, black regulars represented calm and order and acted in the national interest. Theophilus G. Steward, the black chaplain of the 25th Infantry, proudly told the Christian Recorder how his regiment had helped break the Pullman Railroad Strike of 1894, and pronounced the black regulars “the ideal American trooper[s].”

By this point, all African Americans were citizens, but black soldiers in the federal army enjoyed a better quality of citizenship than black Southerners. Black soldiers’ citizenship, however, came at the expense of members of other groups, including Indians, whom Henry McNeal Turner in 1863 labeled black Americans’ “co-sufferer[s].” Black troopers helped subdue groups that threatened white expansion and the capitalist socioeconomic order, affirming their own American citizenship and identity in the process: as James Leiker put it in his study of black troopers’ activities along the Rio Grande, “Black soldiers approached the Rio Grande and its people as American citizens…” Historically, American citizenship has been defined as much by its exclusions as its inclusions. That black troopers’ relatively robust quality of citizenship depended on their oppression of other groups on the margins of American society serves as a reminder that American citizenship, even after the Fourteenth Amendment and its

704 Theophilus G. Steward to Editor, Christian Recorder, August 9, 1894.
705 Henry McNeal Turner to Editor, Christian Recorder, January 31, 1863.
706 Leiker, Racial Borders, 17.
707 Glenn, Unequal Freedom, 1, 24; Smith, Civic Ideals, 1-3, 6.
codification of birthright citizenship, involves profound practical inequalities whose
dynamics change based on time and location. Black service did not change that reality,
although it allowed African Americans to claim the mantle of citizen.

The black regulars were not the only African Americans who enjoyed, by virtue
of military service, more equality than black Southerners as the nineteenth century
closed. Black Civil War veterans benefitted greatly from the color-blind pension and
claims systems the federal government administered in the war’s wake. Through the
claims system black veterans received bounties that had been denied them when they
enlisted and recovered lost wages, and the pension system funneled an enormous sum of
money into black communities North and South. The average black veteran and his
family received $3,759 in pension funds over the course of two decades, and black
veterans and their families received at least $313 million in total. Black veterans could
also reside in care facilities within the National Home for Disabled Volunteer Soldiers’
network. Federal officials had intended the NHDVS homes to house disabled veterans,
but they evolved into retirement facilities for impoverished former soldiers. As black and
white troops in the post-war army served together at integrated posts, at NHDVS homes
black and white veterans lived side by side.\footnote{Shaffer, \textit{After the Glory}, 119-122, 133, 137-140.}

Black veterans’ experiences with the pension system and the veterans’ care
facilities mirrored the black regulars’ on the frontier: they experienced de facto
discrimination in many forms, but enjoyed inclusion within a system that, on the level of
institutional policy, treated them equally. Black veterans claiming pension funds faced
obstacles that white veterans did not: slaves-turned-soldiers, for example, who had
changed their names upon obtaining freedom had difficulty establishing their identities,
and racism among Pension Bureau officials plagued both formerly-enslaved and free-born veterans alike. As a result, while 92% of white applicants successfully obtained a pension, only 75% of black applicants met with success. Similarly, NHDVS facilities that accepted both black and white residents often segregated internally, which may have kept some black veterans from entering them. Still, as segregation proliferated in the late nineteenth century, it was significant that these facilities were integrated at all. Black veterans and their families, moreover, did not have access to the data that allow historians to know that the pension system benefitted black veterans less than it did white veterans; when black former soldiers talked about the pension system, they usually praised it. “[I]n an era that offered little hope for their race,” Donald Shaffer has written, black veterans “grasped at all chances of inclusion, however much the reality fell short of the ideal.”

Black veterans also prized their inclusion in the Grand Army of the Republic (GAR), the primary Union veterans’ fraternal organization. Founded in 1866, many of the GAR’s white members believed that loyalty trumped color and welcomed black veterans into the fold. Black men who joined the organization enjoyed a feeling of comradeship with their white counterparts as well as practical benefits: GAR membership was helpful in securing pension funds, posts generally guaranteed their members honorable burials, and they often raised relief funds for members and their families. Some black veterans achieved national prominence within the organization: soldier-turned-historian Joseph Wilson became an aide-de-camp to the GAR’s commander-in-chief. Into the early 1880s, black men’s experiences in the GAR mirrored their

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experiences with the pension and veterans’ care facilities systems, and any discrimination they faced was generally unofficial in nature.  

De jure discrimination in the GAR became a significant issue in the 1880s and 1890s, when Union veterans who had moved south following the war began opening posts in the former Confederacy. New Southern posts’ refusal to admit black veterans became a national issue, and the organization’s national white leadership mandated integration; but when public attention abated, GAR officials often allowed segregation to prevail. The controversy over the Southern chapters also ignored the fact that while in some parts of the North black and white veterans interacted fairly regularly, in many locales effective segregation reigned: GAR departments were integrated, but most GAR activity took place at the post level, and most black veterans belonged to all-black posts. The GAR was not free of discrimination but, Shaffer has written, within its confines black veterans received a “surprising degree of respect,” and it stood as an exception to the general pattern of strict segregation that existed in this “golden age of fraternal organizations.” The federal pattern of institutional fairness tempered by individual racism prevailed even in the unofficial realm of Civil War remembrance, in the group that most prominently symbolized Union veterans’ service to the federal government. 

African Americans whose military service created a relationship between themselves and the federal government could expect something approaching equal treatment when they came under direct federal purview. Black Civil War soldiers’ insistence on serving the nation in a manner consistent with citizenship forged an

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711 Andre Fleche, “‘Shoulder to Shoulder as Comrades Tried’: Black and White Veterans and Civil War Memory,” in Race and Recruitment, ed. John David Smith (Kent: Kent State University Press, 2013), 292, 296-297; Shaffer, After the Glory, 144-145, 156-158.

712 Shaffer, After the Glory, 143, 145, 149-150, 152.
enduring institutional equality that, despite white racism, impacted the lives of the buffalo soldiers and black Civil War veterans. Many black veterans and their families, of course, lived in the South and likely experienced relatively equal treatment in their dealings with federal officials and profound inequality in their states of residence simultaneously. But in many ways, black men and women with a military tie to the federal government enjoyed both formal and substantive citizenship.

Elizabeth Leonard concluded her recent study of black military service and citizenship by speculating that, had Frederick Douglass been alive in 1937, he “would have been deeply grieved to learn that the quality of ‘citizenship’ black Americans, even black veterans, then enjoyed was so little improved…”713 She therefore concluded that Douglass’ 1863 prediction – that once black soldiers donned the federal uniform, “no power on earth” could “deny that [they have] earned the right of citizenship in the United States” – was sadly incorrect.714 Leonard was likely right that Douglass would have been disappointed in the state of black citizenship in 1937, but her conclusion regarding black service’s inability to win black citizenship was too sweeping. We must be a bit more cautious in evaluating black service’s efficacy as a tool for winning citizenship. Black service helped make black and women American citizens in a constitutional sense, changing their relationship to the federal government and the nation fundamentally. Without black service, African Americans certainly would not have enjoyed a better quality of citizenship than the kind they got in the war’s aftermath. Black soldiers helped keep the war from ending in a stalemate that amounted to Confederate victory, an outcome that would have been disastrous for black freedom, let alone black citizenship.

713 Leonard, Men of Color to Arms! 247.
714 “Speech of Frederick Douglass,” Liberator, July 24, 1863.
Black service served as a compelling justification for the passage of the Fourteenth Amendment; the citizenship the amendment created was limited, but was superior to the citizenship African Americans would have enjoyed had the United States lost the war or black men abstained from fighting. Black service also created a personal relationship between the national government and hundreds and thousands of black soldiers, and when they came under federal purview, black soldiers, veterans and their kin received relatively equal treatment even after Reconstruction’s demise. In realms where the federal government possessed unambiguous authority, federal officials constructed institutional systems that treated black soldiers and veterans equally.

Historians like Drew Gilpin Faust, Melinda Lawson and Heather Cox Richardson have shown in recent years that the Civil War created a new bond between Americans and the federal government. After the war, Americans felt a new sense of ownership over their government. Northerners, Cox Richardson has observed, “had died for their government, sacrificed for it, benefited from it, and had its money in their pocket.” As a result, “The government literally belonged to the people.”715 Union soldiers fought and died in massive numbers to preserve the nation, and the government was obligated to care for them in death and post-war life; its attempt to identify the Union dead, and its creation of national cemetery and pension systems represented, according to Faust, “a dramatically new understanding of the relationship of the citizen and the state” in which the government recognized citizens as “the literal lifeblood of the nation.”716 The black men who fought for the United States were not left out of this new relationship, nor were

their kinfolk. The personal relationship black veterans created between themselves and the government, however, did not cause federal officials to feel a permanent responsibility to protect black citizenship, defend black male suffrage or ensure equality for all African Americans very far beyond the war’s conclusion.

African Americans needed more than inclusion in this new, personal government-and-citizen relationship if all it translated to was benefits to veterans and their kin. They needed federal officials to see that they possessed a duty to shield black citizenship and rights from white Southerners who sought to reestablish white supremacy and control black labor. Initially hesitant to move beyond the Thirteenth Amendment, Congressional Republicans responded to white Southerners’ post-war defiance by passing positive legislation to provide such a shield, and for a short time federal officials vigorously protected black Southerners from white wrath. But by the mid-1870s federal efforts flagged and, as a consequence, so did black Southerners’ possession of substantive citizenship. It was never black Northerners’ intention, as they debated service, to use it to win citizenship only for veterans and their families; they had meant for service to win collective, lasting gains for all African Americans. In realizing this goal, military service proved tragically limited.

Why did the Fourteenth Amendment not result in both formal and substantive citizenship for all African Americans? The answer lies largely with white racism, the survival of some antebellum conceptions of citizenship, and devotion to local control. The Civil War and black service changed American citizenship laws and federal institutional practices but did not kill white racism. Many white Americans, even those who favored black rights, continued to harbor racialized assumptions about black
inferiority in the war’s aftermath. Although they respected black soldiers, George Fredrickson has observed, white Northerners “approached Reconstruction with their basic racial prejudices largely intact,” many still viewing African Americans as inherently submissive and inferior.\textsuperscript{717} The depressing truth may be that, in the late nineteenth-century United States, white racism dictated that the fullest citizenship African Americans could practically enjoy was a formal equality limited by individual, localized racism, and this type of citizenship is precisely what black soldiers achieved.

Black service also failed to totally transform Americans’ conceptual thinking about citizenship. In her recent study of Reconstruction-era Washington, D.C., Kate Masur has demonstrated that some antebellum conceptions about citizenship survived into the post-war period despite new the passage of new citizenship laws. Antebellum Americans, she wrote, had embraced a “vision of hierarchical citizenship” in which citizenship and its rights were distributed according to individuals’ community standing and “hierarchies of race, sex, and wealth…”\textsuperscript{718} Despite the Fourteenth Amendment’s injunction that citizens enjoy equality, many Americans continued in the post-war period to see citizenship as dependent on ascriptive identity and community standing, accepting a vision of citizenship in which gradations in rights and privileges could exist between citizens.

After the war, Americans black and white evinced an understanding of citizenship under which different groups might enjoy different arrays or rights. Black leaders often spoke of “full” citizenship, implying that other degrees of citizenship existed with which they would not be satisfied. California’s C.M. Wilson evoked a view of citizenship as

\textsuperscript{717} Fredrickson, \textit{The Black Image in the White Mind}, 174.
\textsuperscript{718} Masur, \textit{An Example for All the Land}, 4-5, 220-221.
consonant with gradations in rights and status in January 1869 when he told a meeting of black Californians that the civil-rights and citizenship legislation Congress had already passed had conferred on black Americans “all the minor degrees of citizenship.” African Americans would hold American citizenship’s “Master’s Degree,” he said, when the nation enfranchised black men, as then they “[would] be recognized, by every one as American citizens in every sense of that term…”719 Black men’s willingness to forsake female suffrage to win voting rights for themselves demonstrated their acceptance of the principle that different groups of citizens could possess different rights.

White Americans saw citizenship in the same terms. Many Republican framers of the Fourteenth Amendment did not believe the amendment conferred a set of absolute rights upon all citizens; they believed it allowed states to regulate citizens’ rights so long as they did so on the basis of some “reasonable” rationale rather than on the basis of “arbitrary” characteristics like race and color. This standard of reasonable regulation left much room for gradations to exist between the rights available to different classes of citizens. No one doubted women’s citizenship, but states could continue to disfranchise their female citizens, many legislators believed, because the argument that politics was a male realm unfit for female participation met the test of reasonableness.720 White

719 “Sixth Anniversary of President Lincoln’s Emancipation Proclamation,” Elevator, January 8, 1869. For other examples of post-war black commentators talking about citizenship in this manner, see George M. Arnold et al., “The Colored Soldiers and Sailors Convention,” New Orleans Tribune, October 31, 1866; “Second Letter to Our Colored Fellow Citizens,” Christian Recorder, October 26, 1867. Even black leaders who genuinely supported women’s rights, like Frederick Douglass, supported Reconstruction legislation that defined voting as a male right, rupturing a decades-old feminist-abolitionist alliance. On the alliance between abolitionists and first-wave feminists and its post-war rupture, see Ellen Carol DuBois, Feminism and Suffrage: The Emergence of an Independence Women’s Movement in America, 1848-1869 (Ithaca: Cornell University Press, 1978).

720 Additionally, Reconstruction-era white politicians in Washington and numerous other cities who launched “citizens”” and “taxpayers” campaigns seized on an antebellum vision of citizenship that associated citizens’ rights with community standing. The architects of these campaigns depicted themselves as sober community stewards capable of wielding citizenship’s responsibilities and portrayed newly-enfranchised black men and other lower-class voters as ignorant, easily-led tools of corrupt
Americans did not doubt that African Americans were citizens under the new constitutional definition of the term, but with time many Americans came to believe that black citizenship did not need to imply black political rights.721

The war inspired new citizenship legislation that defined as citizens many who had been non-citizens but did not completely alter the way Americans thought about citizenship. Americans remained comfortable with a citizenship that afforded all of its bearers certain basic protections, like property and contract rights, but recognized gradations between those who enjoyed “full citizenship,” including the rights to vote and hold office, and those who did not.722 Americans still linked the possession of full citizenship to community standing and stewardship. While this view of citizenship prevailed, given the reality that the nation had only conceded black citizenship and rights out of dire necessity in the first place, black citizenship and rights remained vulnerable.

As long as white Northerners remained convinced of the need to protect black Southerners, and as long as black service remained in the forefront of their minds, black rights and citizenship received federal protection. By the 1870s, though, the crisis of the war had faded and as many Northerners came to sympathize with white Southerners’ critiques of Republican state governments and black political participation, they acquiesced in Reconstruction’s undoing. As Reconstruction unraveled, black Americans

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began to lose access to the legal equality and voting rights they had associated with meaningful citizenship, gradually slipping into a kind of second-class citizenship. From the late 1870s onward, federal officials proved unable and largely unwilling to force Southern states to recognize black voting rights and acquiesced in Southern segregation while continuing to oversee institutional structures that, on their face, treated black soldiers and veterans equally with their white counterparts.\footnote{On the birth of the Jim Crow South, see Edward Ayers, \textit{The Promise of the New South: Life After Reconstruction} (Oxford: New York, 1992), 132-159; Michael J. Klarman, \textit{Unfinished Business: Racial Equality in American History} (New York: Oxford University Press, 2007), 75-92; Jerrold M. Packard, \textit{American Nightmare: The History of Jim Crow} (New York, St. Martin’s Press, 2002); Smith and Klinker, \textit{The Unsteady March}, 91-105.} That the war and black service changed national laws governing citizenship without totally changing Americans’ thinking about citizenship partially explains why Reconstruction’s radical potential was undermined so quickly.

Americans’ concerns about the proper scope of federal authority also survived the war, and by the mid-1870s superseded their commitment to the founding ideal of equality. Racist assumptions about African Americans’ ability to fulfill free-labor ideals inspired white Northerners’ abandonment of Reconstruction, but so did concerns about federal-state relations.\footnote{On white Americans’ changing perceptions of black Southerners and their withdrawal of support from federal Reconstruction, see Cox Richardson, \textit{The Death of Reconstruction}.} On some level, white Northerners had been uncomfortable with federal interference in Southern affairs all along; many held reservations about the expansive use of federal power and countenanced federal involvement in the former Confederacy as only a temporary expedient necessary to confirm the war’s outcome. Once slavery was dead, African Americans were citizens by statute and black men could vote, many white Northerners felt the government had done enough for black Southerners. Blithely ignoring the material realities that hampered black Southerners’
efforts to achieve economic self-sufficiency, they insisted that as good free laborers black men and women needed to succeed or fail by their industry alone. After the war, Americans still harbored grave doubts about the expansive use of federal power on the state level, which caused them to withdraw support for federal efforts to protect black citizenship in the South as the 1870s progressed.\(^{725}\)

In addition to white racism and Americans’ continued acceptance of antebellum notions about citizenship, Americans’ post-war desire to check federal power helps explain why African Americans’ ability to enjoy substantive citizenship varied according to personal circumstance and geography. In arenas where the federal government possessed clear authority, at frontier military outposts and in the pension and claims’ systems, black veterans and their kin could expect something approximating equal treatment. Where the federal government’s power to intervene was contested, in cases involving state and private violations of individual civil and political rights, federal officials – judges, legislators, presidents – proved all too willing to bow to local preferences. Local control did not always spell the end of substantive citizenship for African Americans; seeing the futility of further federal-level agitation, black leaders in the 1880s turned to their states and convinced eighteen Northern and Western state legislatures to pass civil-rights laws. Discrimination by custom continued to undermine black equality in these states, but local control did not negate black citizenship.\(^{726}\) Local control did spell the doom of substantive citizenship for millions of black Southerners.

White Americans’ devotion to local control trumped their devotion to life, liberty and the

\(^{725}\) On Americans’ post-war discomfort with the expansive use of federal power, see Cox Richardson, *West from Appomattox*. See also Slap, *Doom of Reconstruction*.

\(^{726}\) Davis, *We Will Be Satisfied With Nothing Less*, 146-147.
pursuit of happiness, and many watched silently as white Southerners constructed a new order premised on white supremacy and racial segregation.

The Constitution’s framers created a federal system believing that national and state governments each had vital functions to perform in the work of governing. Local control is an important principle of American government, one not to be dismissed lightly. But that black Southerners, many of whom had fought in the war that preserved the United States, faced systematic and brutal oppression at the hands of white Southerners in part because of white Americans’ squeamishness about the active use of federal authority should serve as a reminder that concerns over local control should not supersede concerns over justice. Americans seeking to preserve inequality have often cited local control to legitimate their positions. Before the Civil War, white Southerners opposed the use of federal power to restrict slavery because they knew that power could lead to abolition; concerns about local control helped preserve the Jim-Crow South for decades; recently, fidelity to state control of voting regulations has led the US Supreme Court to overturn key portions of the landmark 1965 Voting Rights Act. As they watched the white South reestablish racial supremacy in the latter years of the nineteenth century and the early years of the twentieth, black veterans of the Civil War learned dearly the tragic cost of Americans’ devotion to local control and continued to hope that in time the United States might live up to its founding principles.

Black Civil War soldiers fought valiantly, but they did not achieve a United States that lived up to its founding ideals. As a result, in the twentieth century, some African Americans formally defined as citizens who have failed to feel like citizens have

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questioned whether they should fight for the United States and felt solidarity with non-white foreign peoples. In 1903, W.E.B. DuBois described a “double consciousness” that African Americans constantly felt, an unresolvable tension between two warring identities, one American and one black. “One ever feels his twoness – an American, a Negro; two souls, two thoughts, two unreconciled strivings; two warring ideals in one dark body, whose dogged strength alone keeps it from being torn asunder.” Without so naming it, David Walker recognized this double consciousness when he defended black Americans’ right to remain in the land of their birth but addressed them as “colored citizens of the world,” and black Northerners dealt with it when they considered the conditions under which fighting for the United States made sense for them as African Americans. In spite of Northern victory and Reconstruction, black Americans entered the twentieth century aware that they were not citizens in the same way white Americans were. Thus, the question of why an African American should put on the uniform of the United States remained relevant.

In America’s wars of the twentieth century, some black Americans have supported black enlistment in the US Army, praising the country’s willingness to give black soldiers “the right to fight”; others have opposed enlistment and questioned why they should fight for the United States. African Americans divided over whether or not to support American involvement in the First World War, which President Woodrow Wilson claimed would make the world safe for democracy. In July 1918, DuBois urged African Americans to “close ranks” behind the war effort. Other black voices argued that black Americans’ first duty was to fight for justice at home, and make America safe for democracy. Southern lynch law, observed members of the black press like William

Monroe Trotter, the son of a member of the 54th Massachusetts, posed a greater threat to African Americans than imperial Germany.-facing knotty dilemmas regarding enlistment in subsequent American wars, some African Americans have tried, as did black soldiers in the Civil War, to use military service to improve their domestic position; others have rejected fighting for the United States and felt solidarity with the country’s non-white enemies. During the Second World War African Americans embraced a “Double V” campaign, seeking victory over Fascism abroad and racism at home. James G. Thompson coined the term “Double V” after searching his soul and asking himself whether the “kind of America” he knew “was worth defending”, and whether after the war it would be a “true and pure democracy.” Thompson loved his country and was willing to die for it, but only as part of a campaign that sought to destroy “our enemies from without...[and] our enemies within,” who were seeking to “destroy our democratic forms of government just as surely as the Axis forces.” Hundreds of thousands of African Americans embraced the Double V campaign; but others had developed strong pro-Japanese sympathies, seeing the Japanese people as a non-white ally and Japan’s twentieth-century rise as an antidote to white supremacist rhetoric. After Pearl Harbor, Marc Gallicchio has written, “the powerful emotions unleashed by Japan’s humbling of whites produced a brief moment of divided loyalties” for some African Americans.

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Americans. Malcolm X remembered that when he received “Uncle Sam’s Greetings” in 1943, he started “noising around that I was frantic to join…the Japanese army” to increase his chances of rejection.733

From World War II onward, the conviction that fighting non-white peoples abroad made little sense while discrimination persisted at home inspired some black Americans to resist the call to serve and has dogged African Americans who have enlisted. In 1952, when FBI agents asked Malcolm X why he had failed to register for the Korean War draft, he replied that he was a conscionable objector: “[W]hen the white man asked me to go off somewhere and fight and maybe die to preserve the way the white man treated the black man in America, then my conscience made me object.”734 During the Vietnam War, Muhammad Ali took a similar stance when government officials targeted him for induction: “I ain’t go no quarrel with them Viet Cong,” he proclaimed in 1966. Ali decided that his identity as a black man prevented him from fighting despite his country’s designation of the North Vietnamese as a national enemy. “All I know is that [the Viet Cong] are considered as Asiatic black people, and I don’t have no fight with black people.” Black troops served in Vietnam in disproportionately high numbers and during the war’s later stages, tensions between black and white troops increased as many black soldiers adopted attitudes, symbols and dress informed by the domestic Black Power movement. Black soldiers who replaced their standard-issue headgear with black berets “acquired…an ominous presence as a segregated paramilitary

within the military” and gave rise to the “widespread fear that the Black Panther Party had organized secret cells in the military.”735 Some black soldiers came to value their consciousness as black men at least as highly as their consciousness of being American.

In 1973, military historian Russell F. Weigley suggested that combat was no longer useful to the United States in a national strategic sense: “At no point on the spectrum of violence does the use of combat offer much promise for the United States today.” Combat no longer served American goals. The US possessed the technological capability to win a nuclear war, but the damage that would accompany nuclear combat would destroy so much of society that it was hardly an option. The record of “nonnuclear limited war in obtaining acceptable decisions at tolerable cost [was] also scarcely heartening,” and so, Weigley argued, “the history of usable combat may at last be reaching its end.”736 American military adventures since Weigley made this contention suggest that he may have been right, but the use of combat to serve national goals is not the concern of this study. Weigley’s insight about warfare’s limitations as a means of bringing about a desired end, though, relates to this study’s central theme. If there is a limit to combat’s effectiveness in achieving national strategy, there must be a limit to the extent to which groups of Americans can use combat to achieve their domestic goals as well. That a similar dilemma regarding enlistment, and ambivalence about fighting for the United States, has persisted in the aftermath of the Civil War suggest that black Civil War soldiers may have found that limit.

Black service in the Civil War proved that by enlisting in the US Army and fighting for the United States, US soldiers could push forward a legislative agenda. Black Northerners said they wanted a new Union that recognized black rights and citizenship; they enlisted and their persistent agitation, combined with help from white allies and some fortuitous developments, won nearly all of the legislative changes they sought. They achieved a new Union, but not one that reached their aspirations. In every society, a gap exists between law and lived reality. That gap continued to be wide for many African Americans because black service could not combat the potent post-war combination of virulent white racism, continued adherence to antebellum assumptions about citizenship and devotion to local control. As the Civil War receded from view, black military service did not force enough white Americans to care about the ideals of equality and citizenship that animated American politics for a brief moment after the war, and so African Americans in subsequent generations have found themselves asking similar questions about military service to those black Northerners asked from 1861 through 1863. Americans may decide as members of a social group to enlist in the US Army in the hope that their service will yield legislative change that collectively benefits their group; but black soldiers’ experience suggests that group military service is far less effective in altering the social attitudes and political beliefs that determine how legislation is enforced and administered.

During the early stages of the Civil War, black Northerners considering enlistment asked, in effect, “What do we get in return?” During the twentieth century, African Americans have repeated this question but added a new one as well: “Why should I, a black American, go fight and kill other non-white people? What did they ever
do to me?” African Americans never asked this question during the Civil War; they fought a virtually all-white enemy, and they knew all too well what white Confederates had done to them. This question, though, highlights the danger inherent in the United States’ historical tendency to honor its founding principles in the breach. It also highlights the limitations of formal citizenship. Americans like Malcolm X and Muhammad Ali who have asked why they should fight for the United States were unquestionably American citizens, but their experiences with racism, segregation and discrimination left them with little feeling of their citizenship. They felt their color and, when it came to military service, they identified with other non-white peoples more than their countrymen. Black Civil War service helped make these men citizens in a formal sense, but because different classes of citizens continued to enjoy different arrays of rights, privileges and immunities in the war’s aftermath, they and many other African Americans continued to feel like non-citizens. The fault line between what military service can achieve and what it cannot achieve lies squarely on the line between what Evelyn Nakano Glenn has described as formal citizenship and substantive citizenship, and this reality has influenced black Americans’ thinking about military service into the twentieth century.

Black Northerners debated the question of service because they wanted at last to live in a nation in which they could enjoy the freedoms spoken of in the Declaration of Independence. They fought, and they changed the nation in numerous ways; they helped bring American laws into greater harmony with the nation’s founding principles than they had ever been before, win formal citizenship for all African Americans, and lasting substantive citizenship for some. Despite their efforts, in the war’s aftermath many
African Americans found their ability to enjoy life, liberty and the pursuit of happiness limited by disenfranchisement, segregation, and brutal, racist violence.

Like all nations, the United States has failed to fully embody its founding ideals: freedom, equality, liberty. These goals are lofty and this failure is likely inevitable. African Americans’ debates over service and their campaign to turn service into citizenship can serve as reminders for all Americans of the need to take a critical look at their country and the ways in which its everyday reality fails to live up to its promise, and to think about how that promise might be realized. History does not move in a straight line and, much as we might like to believe otherwise, the story of the American nation has not seen the United States move progressively toward greater fidelity to its founding principles. Despite black service in the Civil War, despite the post-war amendments and black citizenship, despite the momentous civil-rights legislation of the 1960s, the names Trayvon Martin, Jordan Davis, Eric Garner and Michael Brown remind us that in the twenty-first century United States one’s skin color still plays a large part in determining one’s ability to live, enjoy liberty, and pursue happiness. Black soldiers won citizenship, but that citizenship did not allow all black Americans to enjoy these “unalienable rights” in the Civil War’s aftermath. Citizenship is not worthless, but as a legal category it has proved too weak to guarantee Americans’ ability to live their lives to their fullest potential – it remains for current and future generations to figure out how to strengthen citizenship as part of an ongoing effort to make the United States what it ought to be.
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