

A WAR FOR FREEDOM: SLAVERY AND THE EMANCIPATION PROCLAMATION

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Abstract

This paper examines the real effects of the Emancipation Proclamation, as it technically freed no slaves. It explores the events and legislation that led up the issuance of the Emancipation Proclamation as well as the reactions to and effects of the proclamation's release. This paper delves into the role of slaves in the Civil War, both as "contraband" and soldiers, and the conflict that resulted from these roles. The research ultimately enters the debate on who freed the slaves. Some historians argue that the slaves freed themselves, while others argue that they were freed by the Civil War and President Lincoln. Based on primary and secondary source research, the paper combines these two ideas into an independent judgment on this question, concluding that slaves provided the pressure to force Lincoln's hand, but the act of emancipation was still ultimately issued by Lincoln, so he should be credited with freeing the slaves.

Keywords: Emancipation, Slavery, Civil War, Africans Americans, Federalism, Freedom

Introduction

On 1st January, 1863, African Americans and white abolitionists across the country anxiously waited to find out whether President Abraham Lincoln would follow through on his promise to free the slaves. As the text of the Emancipation Proclamation came over the telegraph wires,

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cautiously optimistic festivities erupted in widespread jubilation and celebrations that lasted throughout the night in some areas. African Americans celebrated a status many took for granted: freedom. However, the Emancipation Proclamation technically freed no slaves. The much-celebrated document only applied to the rebelling territories, though the Confederate states were not inclined to obey the President of the Union from which they had seceded. Slaveholders across the country held tight to their livelihood, reluctant to accept the Emancipation Proclamation. The border-states and most areas controlled by the Union army before January 1, 1863 were exempted from the Proclamation; slaves reacted as if there were no exceptions. The Emancipation Proclamation may not have freed the slaves, but it nonetheless changed the focus of the Civil War and compelled the nation to decide on a final solution to the issue of slavery, as slaves pressured officials for their freedom through both actions and words.

Historians continue to debate the issue of emancipation, asking a central question: who freed the slaves? Civil War historian James McPherson argues that Abraham Lincoln freed the slaves. Slavery scholars such as Ira Berlin argue that the slaves freed themselves. In *Drawn with the Sword*, McPherson maintains that the Civil War and President Lincoln were responsible for emancipation. This traditional answer holds true because, “The common denominator in all of the steps that opened the door to freedom was the active agency of Abraham Lincoln as anti-slavery political leader, president-elect, president, and commander in chief.”² These roles placed Lincoln in a position to issue the Emancipation Proclamation. Though slaves certainly pressured the president to move toward an emancipation measure by their actions, the decision was ultimately Lincoln’s to make. Berlin claims the slaves freed themselves, asserting that, “the actions of the slaves made it possible and necessary for citizens, legislators, military officers, and the president to act.”³ Many slaves fled to Union camps and served the army in various capacities, which took labor away from the enemy. The slaves’ flight forced the army to develop a federal policy on slave “contrabands” of war and to address the issue of emancipation. Parts of both Berlin’s and McPherson’s arguments seem correct. While Berlin is correct that the slaves forced the issue of

² James McPherson, *Drawn with the Sword: Reflections on the American Civil War*, (New York: Oxford University Press, 1996), 197.

³ Ira Berlin, *Who Freed the Slaves? Emancipation and Its Meaning*, in *Major Problems in the Civil War and Reconstruction*, 2nd ed., ed. Michael Perman (New York: Houghton Mifflin Company, 1998), 291.

emancipation through their actions, ultimately, the slaves did not possess the authority to abolish slavery; Lincoln did. Thus, McPherson argues correctly that President Lincoln freed the slaves. He did not have to do so and not every person in his position would have.⁴ These factors and others make Lincoln's decision to issue the Emancipation Proclamation more significant and are the reasons he can be credited with freeing the slaves.

Determining Federal Slave Policy

The Emancipation Proclamation was the result of many months of thought and planning. Lincoln tried to avoid outright emancipation through rewards to encourage states, especially the border-states, to free the slaves on their own. Lincoln repeatedly offered a system of compensated, gradual emancipation and colonization of freed slaves. The Emancipation Proclamation was the final step in what had been a series of military and government orders regarding slaves and runaways. Lincoln did not enter office with the intention of freeing the slaves, but both blacks and whites urged him to do so through their actions. Letters pressing Lincoln to abolish slavery and enlist freed slaves into the Union army arrived daily. However, Lincoln insisted that the war not become a war over slavery.⁵ "I have no purpose," Lincoln declared in his inaugural address, "to interfere with the institution of slavery in the states where it exists."⁶ Circumstances of the war urged him to consider the issues of slavery and emancipation more closely though, as slaves crossed into Union lines expecting freedom.

The military did not initially have a policy for dealing with slaves, though as early as December 1861, Secretary of War Simon Cameron recommended emancipating and arming slaves. Lincoln disagreed, refusing to use black soldiers in a war ostensibly being fought to save the Union.⁷ He allowed generals to form their own policies for dealing with runaway slaves. This course of action

⁴ McPherson argues that not even every Republican would have freed the slaves, such as Edward Bates, had he been nominated and won the 1860 presidential election, 199.

⁵ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 52.

⁶ Abraham Lincoln, "First Inaugural Address of Abraham Lincoln." Available at <http://www.yale.edu/lawweb/avalon/presiden/inaug/lincoln1.htm>. Last visited on 5th January, 2019.

⁷ John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 14-15.

became problematic as Union armies moved deeper into slaveholding areas, where slaves desperately sought work and protection with the Union army and its soldiers. Every general had a different policy. Most generals opposed emancipation when the war began and returned slaves to their owners if the owner came to claim them.⁸ Meanwhile, the Confederates used slaves to defeat the Union by having them build fortifications and tend the fields in their masters' absence. Eventually, the Union army also took advantage of southern slaves and freedmen, though the slaves remained chattel property.

Although Union generals had a great deal of choice regarding what to do with the slaves who ran to their camps, some actually emancipated the slaves, creating headaches for the Lincoln administration and firing up abolitionists and slaveholders alike. Major General Benjamin Butler, the commander of Fortress Monroe at Port Royal, South Carolina, devised perhaps the most inventive approach to the slave issue. In May 1861, slaves from a nearby Confederate camp came to Ft. Monroe seeking freedom. Instead of returning the slaves per the Fugitive Slave Act, Butler kept the able-bodied slaves and put them to work at the fort digging trenches, building started calling these slaves "contraband," a term typically used to describe property confiscated from the enemy in war. Slaves could be used against the Union army, so there was a military interest in confiscating them as human contraband. The term caught on, and other generals also began calling runaways contraband. Butler viewed using the slaves as taking labor away from the enemy, thus hurting their cause. Nonetheless, he wrote to his commander seeking advice on whether his policy was politically acceptable. "As a military question," Butler wrote, "it would seem to be a measure of necessity to deprive their masters of their services."⁹ Both his superior officer and Secretary of War Cameron supported Butler's policy because slaves were confiscated for military purposes. Slaves were thus employed to the benefit of the Union army; however, as contraband, they were still technically property.

⁸ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 58.

⁹ Benjamin F. Butler, "Benjamin F. Butler to Lieutenant Genl. Scott," in *Free At Last*, ed. Ira Berlin (New York: The New Press, 1992), 10.

Meanwhile, Congress worked to pass legislation to make acts such as Butler's legal. The First Confiscation Act, passed in August 1861, stated that if rebels used their slaves against Union forces, the slaves could be confiscated by the Union. Lincoln reluctantly signed the bill, but did not strongly enforce it.¹⁰ It did not take long for someone to test the new act. The same month the Confiscation Act was signed, Major General John C. Fremont declared martial law in Missouri, where he was military governor, and freed slaves belonging to Confederate sympathizers.¹¹ After repeated unsuccessful efforts to get Fremont to abide by the limits of the Constitution and the Confiscation Act, Lincoln removed him from his post. Missouri was a border state and still loyal to the Union. Fremont's act thus proved especially infuriating for Lincoln, who was working tirelessly to keep the border-states loyal by defining the war as one to save the Union; Congress even passed the Crittenden Resolution to emphasize that the war was not about slavery.¹² Abolitionists criticized Lincoln's policy, charging him with being opposed to emancipation. Meanwhile, slaveholders grew increasingly nervous about slaves escaping or revolting. Fremont was not the first or the last Union commander to attempt to emancipate slaves, but the response remained the same: Lincoln sought to reserve emancipation of slaves for himself as president and commander-in-chief.

The government, in July 1861, decided that when slaves escaped to Union camps, the army was required to return them to their owners, but this did not always happen. Some individual soldiers or regiments sheltered slaves who ran within their lines, even reacting violently toward slaveholders who tried to claim their property. Slaveholder A.J. Smoot met with such a reception. Though he was in Maryland, where Union troops could not confiscate slaves, his slave ran to an army camp and was protected by abolitionists in the regiment. Smoot was warned of the regiment's views on slavery, but he tried to claim his property from the soldiers anyway. "At first their threats were accompanied with a few stones thrown at me," Smoot wrote, "which very soon became an

¹⁰ Allen C. Guelzo, *Lincoln's Emancipation Proclamation: The End of Slavery in America*, (New York: Simon & Schuster, 2004), 41.

¹¹ John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 16.

¹² William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 66.

almost [sic] continued shower of stones a number of which struck me.”¹³ Smoot gave up on the slave, but his experience was not an isolated incident, irritating slaveholders in the border states; they had been assured that their property would be protected. Acts such as this demonstrated that the “slaves did not emancipate themselves; they were liberated by Union armies.”¹⁴ The slave ran to the camp, but the soldiers refused to give him up to his owner, despite orders to the contrary.

The situation with Fremont, and others similar to it, helped push Congress further toward emancipation. On April 11, 1862, Congress approved the compensated emancipation of slaves residing in the District of Columbia, where they had jurisdiction to make and enforce such an edict; slaves flocked to Washington to claim freedom. In June, Congress also passed the abolition of slavery in the territories.¹⁵ Militarily, Congress approved the Second Confiscation Act on July 17, 1862, freeing the slaves of traitorous owners. It was soon followed by an act declaring that soldiers could not return fugitive slaves to their Confederate owners; slaves were valuable to the military. Significantly, a letter from E. P. Halstead stated “that all negroes coming into the lines...are to be treated as persons and not as chattels.”¹⁶ This suggested a humanization of the “contrabands” and demonstrated changing views on the war and slavery.

The Preliminary Proclamation

Lincoln finally decided that he needed to free the slaves to save the Union. He pushed for gradual, compensated emancipation and colonization of freed slaves until the very end, but found little support. The border-states stubbornly held onto slavery, even as their slaves fled to Union camps. Lincoln offered compensation in exchange for emancipation in the border-states and any rebel

¹³ A.J. Smoot, “Affadavit of A.J. Smoot,” in Ira Berlin, *Who Freed the Slaves? Emancipation and Its Meaning*, in *Major Problems in the Civil War and Reconstruction*, 2nd ed., ed. Michael Perman (New York: Houghton Mifflin Company, 1998), 33.

¹⁴ James McPherson, *Drawn with the Sword: Reflections on the American Civil War*, (New York: Oxford University Press, 1996), 206.

¹⁵ John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 19-20.

¹⁶ E.P. Halstead, “Assistant Adjutant General E.P. Halstead to Col. J.D. Shaul,” in in Ira Berlin, *Who Freed the Slaves? Emancipation and Its Meaning*, in *Major Problems in the Civil War and Reconstruction*, 2nd ed., ed. Michael Perman (New York: Houghton Mifflin Company, 1998), 36.

states that wanted to rejoin the Union; the government would buy the slaves and then free them.¹⁷ Lincoln wanted to colonize the freed persons, for as Lorraine A. Williams pointed out, he “believed that as long as Negroes remained in the United States, they would always be a source of friction because they could never live as equals with whites.”¹⁸ He was concerned with the racial dynamics of the nation. The plan never successfully materialized and the idea met with vehement opposition, especially from African Americans and abolitionists. The war was slowly eroding slavery in the South, as it disrupted life and enabled slaves to escape virtually unnoticed by their masters, who were often fighting in the war; this situation placed greater pressure on the border-states to either emancipate or watch their slaves more closely.¹⁹

By about the middle of 1862, after months of consideration, Lincoln had decided to free the slaves, determining that it was necessary to save the Union. He formally announced his decision to his cabinet on July 22 and requested suggestions on the language and timing of release of an emancipation proclamation.²⁰ This early form of the proclamation outlined policies making civil and military confiscation of property federal policy; it also repeated the idea of compensated, gradual emancipation as a means of enticing states back into the Union. The cabinet largely supported Lincoln’s act, though they suggested he wait for a Union victory to unveil it. After a shaky Union victory at Antietam, Lincoln decided to release the Preliminary Proclamation on September 22, 1862, stating that it would go into effect on January 1, 1863. The country had one hundred days to react and respond to the threat of emancipation.

By this point in the war, contact with runaways and contraband had turned more Union soldiers into abolitionist sympathizers favoring emancipation and made them less likely to return runaways to their masters, regardless of whether the owner was a Unionist or a rebel.²¹ Prejudice between

¹⁷ Allen C. Guelzo, *Lincoln’s Emancipation Proclamation: The End of Slavery in America*, (New York: Simon & Schuster, 2004), 68-69.

¹⁸ Lorraine A. Williams, “Northern Intellectual Reaction to the Policy of Emancipation,” in *The Journal of Negro History* 46, no. 3 (1961), 180. Available at <http://www.jstor.org>. Last Visited on 10 January, 2019.

¹⁹ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 85.

²⁰ John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 39

²¹ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 92-93.

blacks and whites were certainly still prevalent and had even risen in some areas, but the war largely seemed to encourage its decline. In July 1862, Congress repealed the ban on African Americans serving in state militias. This was controversial, since many feared armed blacks would seek revenge against their masters. Others thought former slaves would be cowards in combat and run at the first shots. Opposing such people were those who believed slaves were good workers and deserved to be armed and added to the soldiers' ranks.²² Emancipation thus proved a divisive issue. Lincoln still hoped the border-states would abolish slavery on their own. Although the proclamation would not affect them directly, it led to noticeable repercussions due to their proximity to Southern slave states where emancipation occurred.

Lincoln did not doubt the constitutionality of his move to issue the Preliminary Proclamation, believing that, as a war president, his powers extended to emancipation if he believed it was the only way to preserve the Union or hasten the end of the Civil War. Lincoln referenced acts of Congress such as the Confiscation Acts and the militia act as precedent in order to ground himself in a legislative framework. As historian Allen Guelzo suggested, the preliminary proclamation was also "entirely a military pronouncement, not a civil proclamation," for Lincoln was acting under his war powers against the Confederacy.²³ He did not free the slaves out of regard for a higher moral purpose, though he was personally opposed to slavery. He held true to the statement he made to Horace Greeley of the *New York Tribune*, when he wrote, "What I do about slavery and the colored race, I do because I believe it helps to save the Union..."²⁴ His main objective remained to save the Union, even if that meant freeing some slaves and not others. Regardless of pressure from slaves, emancipation was still up to Lincoln.

Reaction to the Preliminary Proclamation was swift and varied, from grand accolades to equally intense condemnation. Initial public reaction was positive. Crowds in Washington D.C. celebrated, singing and praising Lincoln. Most Northern governors supported the proclamation as well.²⁵

²² Ibid, p.160

²³ Allen C. Guelzo, *Lincoln's Emancipation Proclamation: The End of Slavery in America*, (New York: Simon & Schuster, 2004), 154.

²⁴ John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 28

²⁵ Ibid, 59.

Horace Greeley declared in his editorial, “It is the beginning of the end of the rebellion; the beginning of the new life of the nation.”²⁶ He had pressured Lincoln toward emancipation through his newspaper column up until the preliminary proclamation was issued. Most newspapers, however, were either opposed to the preliminary proclamation or were reticent on the issue, withholding opinion.

Abolitionists greeted the proclamation with parades, rallies, and bonfires.²⁷ Frederick Douglass was not as eager with his praise, lamenting at the proclamation’s modest demands and legalistic tone.²⁸ Many criticized the document for freeing slaves not under control of Union armies and for leaving slavery in the border-states intact. Lincoln still held out hope that his gradual, compensated emancipation plan would draw support from some border-states and seceded states before the January 1 deadline. Radical Republicans in Congress either withheld comment on the proclamation or reluctantly supported it. Some questioned Lincoln’s claim of presidential authority to free the Confederacy’s slaves. Most Northerners agreed with the preliminary proclamation as a measure to weaken the South and hasten the end of the war.²⁹

Union army commander General George McClellan only abided by the proclamation with great reluctance, actually refusing to read the document to the troops. He even prepared an objection to the proclamation that he almost presented to Lincoln, but his friends wisely dissuaded him.³⁰ He was very popular with the troops and very critical of the Lincoln administration. His influence was potentially dangerous. In the 1864 election, he was the Democratic nominee and opposed Lincoln. Lincoln sincerely believed he would not win reelection. As McPherson conjectures, this would have been a serious setback for freedom in America: “If the Democrats had won, at best the Union would have been restored without a Thirteenth Amendment; at worst the Confederacy would have achieved its independence. In either case the institution of slavery would have survived. That this

²⁶ Ibid, 62.

²⁷ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 196.

²⁸ Allen C. Guelzo, *Lincoln’s Emancipation Proclamation: The End of Slavery in America*, (New York: Simon & Schuster, 2004), 160.

²⁹ Ibid.

³⁰ Ibid, 165.

did not happen owed more to the steadfast purpose of Abraham Lincoln than to any other single factor.”³¹ Lincoln refused to back down on slavery, despite extreme pressure. Fortunately, he won reelection. However, such dissension at the head of the Union army and within its ranks clearly illustrates the challenges Lincoln faced in determining slave policy.

The reactions of soldiers varied. Some agreed with the proclamation and the idea of freedom, while others resigned their commissions and left for home in opposition to fighting a war to end slavery. Naturally, the proclamation infuriated Confederates more than Unionists.³² Perhaps not surprisingly, wrote scholar William Klingaman, the border-states responded to news of the proclamation with “nearly universal condemnation.”³³ Some Southern newspapers did not even carry news of the proclamation; others relegated it to interior pages with no analysis or reaction, only the text of the document. News of the preliminary proclamation traveled quickly to slaves in the South, so that within days slaves heard about the proclamation. Slave owners rushed to move their slaves to the interior and slaves ran away or simply quit working in anticipation of emancipation.³⁴ Slaves did not usually distinguish between loyal and seceded states, so some slaves in the border-states mistakenly thought they were free, which infuriated loyal masters.

Southern papers offered biting criticism of the presidential order, noting its ineffectuality in the South, where the President lacked jurisdiction. The Richmond *Whig* declared it the “last resort of a defeated, perplexed and desperate government.”³⁵ Historian John Hope Franklin noted that, aside from all the reactionary rhetoric, Southern editorial comments expressed a couple of major fears regarding the proclamation: “fear of servile insurrection” inspired by the proclamation, and the obstruction of Confederate attempts to gain diplomatic recognition abroad.³⁶ The South grew more determined to preserve slavery, though Lincoln hoped slaves would leave their masters and deny

³¹ James McPherson, *Drawn with the Sword: Reflections on the American Civil War*, (New York: Oxford University Press, 1996), 205.

³² John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 79-80.

³³ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 198.

³⁴ *Ibid*, p.205.

³⁵ John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 68.

³⁶ *Ibid*, 68-69.

the rebels their labor, thus undercutting the military.³⁷ Lincoln got his wish, as slaves fled in even greater numbers than before the proclamation.

In the December session of Congress, Lincoln once again proposed compensated emancipation for the border states; it was declined. On December 15, both Houses narrowly approved Lincoln's Emancipation Proclamation, which was set to be released soon. The only state that took advantage of Lincoln's offer of gradual emancipation was West Virginia, which seceded from Virginia to rejoin the Union before the Emancipation Proclamation took effect. Despite uncertainty about the constitutionality of a state seceding from another state, Congress reluctantly approved and Lincoln signed the bill allowing West Virginia to enter the Union as a free state in the last days of 1862.³⁸ Lincoln also finished writing his final draft of the Emancipation Proclamation, with few changes from the Preliminary Proclamation he had issued in September. According to Klingaman, the decision to issue the proclamation was based on such vital domestic war issues as the need to take valuable human resources from the Confederacy, counter Radical Republicans in Congress, "and destroy the institution that ripped the country apart."³⁹ Slavery had helped cause the war. Lincoln, with the Emancipation Proclamation, sought to end the institution and thus hasten the end of the war.

The Emancipation Proclamation Takes Effect

On the afternoon of January 1, 1863, Abraham Lincoln fulfilled his promise of freeing the slaves by signing the Emancipation Proclamation, saying to those present, "I never, in my life, felt more certain that I was doing right than I do in signing this paper."⁴⁰ Regardless of the legalistic manner and tone of the document, Lincoln believed in his decision to free the slaves, calling it an "act of justice."⁴¹ The proclamation only freed slaves in the rebelling territories and could only promise

³⁷ Ibid, 80-81.

³⁸ Allen C. Guelzo, *Lincoln's Emancipation Proclamation: The End of Slavery in America*, (New York: Simon & Schuster, 2004), 176.

³⁹ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 233.

⁴⁰ John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 95.

⁴¹ Abraham Lincoln, "Emancipation Proclamation". Available at <http://www.pbs.org/wgbh/aia/part4/4h1549t.html>. 5th January, 2019.

freedom for the duration of the Lincoln administration. The document beseeched slaves not to revolt violently against their masters, but suggested “they labor faithfully for reasonable wages,” recognizing both the South’s need for labor and freed people’s need for work.⁴² Slaves were allowed to join the armed services for the first time, another move aimed at weakening the Confederacy. The proclamation listed areas that were exempt including slaveholding areas loyal to the Union, areas already occupied by Union troops, the newly created West Virginia, and Tennessee, whose Senator, Andrew Johnson, did not vacate his Senate seat upon secession of the state he represented. The final draft included nothing about compensation, gradualism, or colonization, though they had always been Lincoln’s pet projects. Lincoln opted for immediate emancipation in the end, believing it was “a fit and necessary measure” to save the Union, stop the southern rebellion, and hasten the end of the war.⁴³

Regardless of the wording or meaning of Lincoln’s act, celebrations erupted as the text of the Emancipation Proclamation came over telegraph wires throughout the North, especially in cities such as Boston and Philadelphia. In the cities, “By firing of guns, mass meetings and other demonstrations, the Proclamation was widely hailed as an occasion of jubilation.”⁴⁴ Despite its limits, people saw a reason to celebrate a symbolic turning point in the Civil War and the war against slavery. The largest celebrations were in Boston on New Year’s Day, where the festivities boasted guests such as Ralph Waldo Emerson, Harriet Beecher Stowe and Frederick Douglass. Douglass praised the Emancipation Proclamation, but warned that slavery had a deep hold on the American character, so deep that “The slave will yet remain in some sense a slave, long after the chains are taken from his limbs.”⁴⁵ His words anticipated the trials that awaited the emancipated slave in a nation that was not yet ready to view blacks and whites as equals.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Lorraine A. Williams, “Northern Intellectual Reaction to the Policy of Emancipation,” in *The Journal of Negro History* 46, no. 3 (1961), 180. Available at <http://www.jstor.org>. Last Visited on 10 January, 2019.

⁴⁵ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 234.

African Americans were happy, but abolitionists were disappointed that the proclamation was promulgated out of “military necessity,” not moral righteousness.⁴⁶ Perhaps ironically, one of the largest emancipation celebrations occurred in Norfolk, Virginia, which was exempted from the Emancipation Proclamation because it was in Union hands. Although the Sea Islands in South Carolina were under Union control at the time of the proclamation, they curiously escaped exception. Slaves in the thriving contraband community gathered with military officers and teachers to celebrate emancipation, an event they had planned for months. Famously, the freedmen sporadically began singing “My country, ‘tis of thee,” professing their new identity in American society.⁴⁷ In New Orleans, both races celebrated the Emancipation Proclamation, though the city was already in Union hands and thus exempt.⁴⁸

Newspapers reacted in much the same way as they had to the Preliminary Proclamation. Many Northern newspapers supported the proclamation; the *New York Times* declared it a “revolution” that “changes entirely the relations of the National Government to the institution of Slavery.”⁴⁹ In his abolitionist newspaper *The Liberator*, William Lloyd Garrison published poems written to commemorate the event. Almira Seymour’s poem was entitled “January First”:

“Hear it, ye Traitors with you sealed doom frantic,
You own salvation’s summons, could you read!
Hear it, across the Christo-born Atlantic
Oppressed, to hope! Oppressors, well to heed!
Catch it, ye echoes of the loftiest mountains!
Chant it, ye thunders of the wildest sea!
Angels and men! Shout from life’s deepest fountains,

⁴⁶ John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 108-109.

⁴⁷ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 234.

⁴⁸ John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 115.

⁴⁹ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 235; John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 118.

Today, Today, Columbia is free.”⁵⁰

The poem succinctly expressed the emotions of the day and the reactions of newly freed slaves. However, some people in the Midwest and areas close to the border-states were opposed to emancipation for fear of slaves coming north and competing for jobs, which would drive down wages. Many also disagreed with Lincoln’s use of presidential power.⁵¹ Democratic newspapers frequently charged that the Emancipation Proclamation was unconstitutional and would be ineffective; additionally, they argued that Lincoln lacked the authority to free the slaves. Others feared servile insurrection, though it never occurred.

Confederate newspapers predictably reacted with reproach, as did the people and President Jefferson Davis. Naturally, those papers that had been critical of the Preliminary Proclamation were critical of the Emancipation Proclamation. However, some reacted with less vehemence, perhaps realizing that their way of life hung in the balance and they could not stop the movement to end slavery.⁵² Davis declared that reconciliation between North and South “has been rendered forever impossible”; many southerners agreed.⁵³ Contrary to its purpose, the proclamation initially strengthened the resolve of the Confederacy, before the full effects of the Emancipation Proclamation manifested themselves.

The border-states were especially vehement in their opposition to the Emancipation Proclamation, as alienation from the Union grew. Some states, such as Kentucky, even proposed state legislation against the proclamation.⁵⁴ The border states were close to the Confederacy, so they feared that all their slaves would flee to freedom elsewhere. In Missouri and other states, “Emancipation became

⁵⁰ John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 120.

⁵¹ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 236.

⁵² John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 121, 124, 125.

⁵³ *Ibid*, p.126.

⁵⁴ Allen C. Guelzo, *Lincoln’s Emancipation Proclamation: The End of Slavery in America*, (New York: Simon & Schuster, 2004), 188-189.

the most important issue in politics.”⁵⁵ Missouri eventually abolished slavery, but not before the Emancipation Proclamation took effect. Many slaveholders tried hard to keep emancipation a secret; as a result, many slaves did not gain freedom until the Union army went through or after the war ended.

With the Emancipation Proclamation, Union soldiers had the power to bring freedom to slaves in areas they passed through. Soldiers, however, had mixed reactions to the proclamation. Some were willing to fight and die for the Union, but not for slavery; some were content fighting for both. Others were simply happy African Americans could help fight the war, shifting some of the burden off white men.⁵⁶ High-ranking officers largely opposed emancipation and many resigned; mid-level officers, who were the most educated, were more likely to favor it. Soldiers were often ready to enforce anything to hurt the Confederacy.⁵⁷ Many slaves quickly learned that Lincoln had signed the proclamation and were eager for freedom. Despite the efforts of whites, within days black slaves learned they were free. They heard it through the slave grapevine, Union soldiers, overhearing whites talking, and by reading copies of the Emancipation Proclamation or having it read to them. This knowledge inaugurated a “cascade of running away in 1863 that began sweeping off the underpinnings of slavery,”⁵⁸ just as Lincoln had hoped. His main objective for issuing the proclamation proved fruitful, despite the complaints of the border-states. He robbed the Confederacy of its key labor force and a major source of strength.

As the border-states had feared, emancipation in the South sufficiently destabilized slavery in the region to lead to its collapse. Slaves fled to Union armies in the area, where masters struggled to get them back. John Ryland and other slaveholders wrote to Governor Gamble to complain: “It is no matter what proof the master offers, the negroes say they be long [sic] to secessionists, and the

⁵⁵ William E. Gienapp, “Abraham Lincoln and the Border states,” *Journal of the Abraham Lincoln Association*, 13, no. 1 (1992): par. 59. Available at <http://www.historycooperative.org/cgi-bin/printpage.cgi>. 5th January, 2019.

⁵⁶ John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 128.

⁵⁷ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 236.

⁵⁸ Allen C. Guelzo, *Lincoln’s Emancipation Proclamation: The End of Slavery in America*, (New York: Simon & Schuster, 2004), 213-214.

officers believe them.”⁵⁹ Slaves pushed the issue and most states gave in to the pressure to emancipate their slaves, but “With more slaves than any other border state, Kentucky stubbornly clung to the dying institution to the bitter end,” until it was forced to emancipate under the Thirteenth Amendment in December 1865.⁶⁰ Until then, thousands remained in bondage. Despite all of Lincoln’s efforts to encourage emancipation in the border states before the Emancipation Proclamation and before the Thirteenth Amendment, it took pressure from Southern emancipation, the flight of mass numbers of slaves, and a change in the Constitution to finally rid the nation of slavery.

The biggest effect of the Emancipation Proclamation was that it made the Civil War about slavery. Jefferson Davis predicted that the proclamation would have “one of three possible consequences—the extermination of the slaves, the exile of the whole white population of the Confederacy, or absolute and total separation of these states from the United States.”⁶¹ While none of these dire effects occurred, Davis’ conjectures demonstrated the level of fear and uncertainty Southerners felt toward the idea of emancipation. Though not all slaves ran away, many started acting like freedmen or making more demands of their owners; some simply refused to work, at least not without pay. No slave insurrections occurred, but slaves rebelled in more subtle ways, much as they had done before emancipation. Such a situation, especially with many slaves tempted to run for Union lines, encouraged slaveholders to take their slaves to the interior, away from Union armies, or sell their slaves to the deep South. The peculiar institution was dying despite the tireless efforts of those who sought to perpetuate it.

Slaves responded to freedom in a number of ways. One of the first things they did was change their name or add to their old name as a measure of self-respect and manhood. Many went looking for family members who had been sold away. Men rushed to claim wives and families and anti-

⁵⁹ John F. Ryland et al, “John F. Ryland et al to His Excellency Governor Gamble,” in *Free At Last*, ed. Berlin, *Who Freed the Slaves? Emancipation and Its Meaning*, in *Major Problems in the Civil War and Reconstruction*, 2nd ed., ed. Michael Perman (New York: Houghton Mifflin Company, 1998), 350.

⁶⁰ William E. Gienapp, “Abraham Lincoln and the Border states,” *Journal of the Abraham Lincoln Association*, 13, no. 1 (1992): par. 61. Available at <http://www.historycooperative.org/cgi-bin/printpage.cgi>. 5th January, 2019.

⁶¹ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 236.

slavery clergymen married men and women.⁶² Chaplain A.B. Randall wrote in February 1865 about the slaves' view of freedom: "The Colord [sic] People here, generally consider, this war not only; their *exodus*, from bondage; but the road, to Responsibility; Competency; and an honorable Citizenship."⁶³ Many freed slaves took advantage of the freedom to move away from slavery. Many moved to cities, where some received harsh treatment. Other slaves fled to Union camps, where commanders were often inundated with more laborers than they needed; they were left wondering how to provide for the extra men, women, and children.

Contraband camps were common and tried to provide for slaves and their families. The impression former slaves made on those in charge of such camps seemed largely encouraging, as evidenced by the responses to questions posed by the Emancipation League in 1863. Captain and Aide-de-camp E.W. Hooper gave a very positive picture of freedmen and concluded that "equal laws *faithfully administered* would enable the negroes to take their place in society, as a laboring class, with a fair prospect of self-support and progress."⁶⁴ Others interviewed by the Emancipation League gave similar accounts of the freedmen under their protection. People in the camps regarded freedmen as men, not chattel, and considered them capable of improving through education to function in society independent of government assistance. Slaves in camps proved good laborers and were "invaluable and almost indispensable" as spies, scouts and guides, risking their lives to gain valuable information; women and children supported themselves by doing such things as washing, ironing, and cooking for army camps.⁶⁵ Slaves worked hard to create a positive impression on their white emancipators and protectors, as if they needed to prove themselves worthy of the freedom they fought so hard to gain.

⁶² Allen C. Guelzo, *Lincoln's Emancipation Proclamation: The End of Slavery in America*, (New York: Simon & Schuster, 2004), 216.

⁶³ A.B. Randall, "Chaplain A.B. Randall to Brig. Genl L. Thomas," in *Free At Last*, ed. Berlin, *Who Freed the Slaves? Emancipation and Its Meaning*, in *Major Problems in the Civil War and Reconstruction*, 2nd ed., ed. Michael Perman (New York: Houghton Mifflin Company, 1998), 222.

⁶⁴ E.W. Hooper, "Let There Be Light. Important Facts Concerning the Negro," in *From Slavery to Freedom: The African-American Pamphlet Collection, 1824-1909*, collected by the Emancipation League, [<http://www.memory.loc.gov/>], 9 January, 2019.

⁶⁵ Vincent Colyer, "Vincent Colyer to Hon. Rob. Dale Owen (American Freedmen's Inquiry Commission)," in *Free At Last*, ed. Berlin, *Who Freed the Slaves? Emancipation and Its Meaning*, in *Major Problems in the Civil War and Reconstruction*, 2nd ed., ed. Michael Perman (New York: Houghton Mifflin Company, 1998), 195-8.

The Emancipation Proclamation allowed freedmen to enlist in the Union army, an opportunity of which many took advantage. This gave many freedmen a chance to prove themselves equal to whites and participate in the war for their freedom. They would not have had this opportunity if not for Lincoln's issuance of the Proclamation. Slaves could now fight masters on equal terms. Freedmen in the border-states enlisted primarily "to gain freedom for themselves and their families," though they risked being captured by armed patrols.⁶⁶ For thousands, it was worth it. The War Department created a segregated unit, the Bureau of Colored Troops, for black soldiers. Union soldiers recruited 134,000 black soldiers in the slave states and 52,000 men in the free states.⁶⁷ Whites in the North were not pleased with the decision to arm the former slaves. Abuse of African American troops was high, especially toward the few black officers, many of whom were forced to resign their commissions. However, as casualties rose, whites were glad to have others to share in the sacrifice.

Talk of revoking the Emancipation Proclamation declined as the war dragged on, as people realized that African Americans were earning their freedom and sacrificing their lives for their country; thus, "black enlistment made the Emancipation Proclamation irrevocable."⁶⁸ Black soldiers proved themselves as good and capable as white troops. The attack on Petersburg, Virginia turned the African American soldiers of the Army of the James into heroes, for June 15, 1864 was the "day when it was admitted that colored men were equal to the severest ordeal," the "day when prejudice died in the entire Army of the U.S. of America."⁶⁹ African American troops could no longer be charged with cowardice. In battle, they risked capture by Confederate troops, who would have mostly likely either murdered them or sold them back into slavery. As Samuel Denison reported to Treasury Secretary Salmon Chase, "the whole army, from colonels down, is thoroughly abolitionized. They have seen the negroes drill and fight, and they want to give them a chance and

⁶⁶ Berlin, *Who Freed the Slaves? Emancipation and Its Meaning*, in *Major Problems in the Civil War and Reconstruction*, 2nd ed., ed. Michael Perman (New York: Houghton Mifflin Company, 1998), 359.

⁶⁷ John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 129.

⁶⁸ Allen C. Guelzo, *Lincoln's Emancipation Proclamation: The End of Slavery in America*, (New York: Simon & Schuster, 2004), 218-219.

⁶⁹ William H. Hunter, "Letter 40," in *A Grand Army*, ed. Redkey, 102-103.

put down slavery.”⁷⁰ The valor of African American soldiers had indeed changed many opinions on slaves and slavery.

Assessing Emancipation

Even for those slaves not freed under the Emancipation Proclamation, they still dated a sense of freedom from January 1, 1863. It is as if the symbolic was more important than the reality, for as Henry Ward Beecher admitted, “Even if the Proclamation did not free a single slave, it gave liberty a moral recognition.”⁷¹ Slaves called Abraham Lincoln “Father Abraham” for his acts against slavery. Decades later, slaves remembered when they were emancipated, whether it was by Union soldiers or their master, and they remembered who was responsible for the measure that freed them. On December 8, 1863, in his third annual message to Congress, Lincoln reported no negative effects from the Emancipation Proclamation. He stated that nearly 100,000 African American soldiers had enlisted in Union armies. The Confederacy seemed to be weakening and he proposed lenient peace terms.⁷² At the beginning of 1865, Secretary of State William Seward estimated that the proclamation had directly freed 200,000 slaves and the final total may have been as high as 400,000 slaves emancipated.⁷³ Thousands were still enslaved at the time of Lincoln’s assassination in April 1865. Kentucky alone held 65,000 slaves and, along with Delaware, was the last to emancipate its slaves.⁷⁴ Many states who emancipated their slaves instituted slave codes to limit the rights of African Americans.

Lincoln’s Emancipation Proclamation proved a pivotal juncture both in the history of the Civil War and the history of the United States. Scholar Henry Jaffa wrote, “In a sense, it is true that Lincoln never intended to emancipate the Negro; what he intended was to emancipate the

⁷⁰ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 256.

⁷¹ John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963), 144.

⁷² William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 272.

⁷³ Allen C. Guelzo, *Lincoln’s Emancipation Proclamation: The End of Slavery in America*, (New York: Simon & Schuster, 2004), 214.

⁷⁴ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 289.

American republic from the curse of slavery.”⁷⁵ Lincoln’s own words corroborate this statement, as he told a Washington D.C. lawyer, “It was not only the Negro that I freed, but the white man no less.”⁷⁶ He wanted the words of the Declaration of Independence to ring true at last. Lincoln faced enormous pressures as president, both from his peers and the people he had been elected to govern. He heard the cries of the slaves, soldiers, abolitionists, and commanders who petitioned for emancipation. He interpreted his presidential position as commander-in-chief to be the only one that could legitimately free the slaves, even if some questioned that claim. Ultimately, it was Lincoln who signed the Emancipation Proclamation, though only at the behest of those who hated slavery and in the interests of the Union, for “the Emancipation Proclamation reminds all...that real change derives both from the actions of the people and from the imprimatur of constitutional authority.”⁷⁷ The slaves sufficiently pressured the government to do something about slavery; Lincoln eventually responded and at least symbolically freed the slaves, as only he could. In 1865, after the assassination of “Father Abraham,” the Thirteenth Amendment freed the slaves and made the United States a free country at last.

References

1. James McPherson, *Drawn with the Sword: Reflections on the American Civil War*, (New York: Oxford University Press, 1996).
2. Ira Berlin, *Who Freed the Slaves? Emancipation and Its Meaning*, in *Major Problems in the Civil War and Reconstruction*, 2nd ed., ed. Michael Perman (New York: Houghton Mifflin Company, 1998).
3. William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001).

⁷⁵ Harry V. Jaffa, “The Emancipation Proclamation,” in *100 Years of Emancipation*, ed. Robert A. Goldwin, (Chicago: Rand McNally & Company, 1963), 23.

⁷⁶ William K. Klingaman, *Abraham Lincoln and the Road to Emancipation, 1861-1865*, (New York: Viking Penguin, 2001), 233.

⁷⁷ Berlin, *Who Freed the Slaves? Emancipation and Its Meaning*, in *Major Problems in the Civil War and Reconstruction*, 2nd ed., ed. Michael Perman (New York: Houghton Mifflin Company, 1998), 359.

4. Abraham Lincoln, "First Inaugural Address of Abraham Lincoln." Available at <http://www.yale.edu/lawweb/avalon/presiden/inaug/lincoln1.htm>. Last visited on 5th January, 2019.
5. John Hope Franklin, *The Emancipation Proclamation*, (Garden City, NY: Doubleday & Company, Inc., 1963).
6. Benjamin F. Butler, "Benjamin F. Butler to Lieutenant Genl. Scott," in *Free At Last*, ed. Ira Berlin (New York: The New Press, 1992).
7. Allen C. Guelzo, *Lincoln's Emancipation Proclamation: The End of Slavery in America*, (New York: Simon & Schuster, 2004).
8. William E. Gienapp, "Abraham Lincoln and the Border states," *Journal of the Abraham Lincoln Association*, 13, no. 1 (1992): par. 59. Available at <http://www.historycooperative.org/cgi-bin/printpage.cgi>. 5th January, 2019.
9. John F. Ryland et al, "John F. Ryland et al to His Excellency Governor Gamble," in *Free At Last*, ed. Berlin, *Who Freed the Slaves? Emancipation and Its Meaning*, in *Major Problems in the Civil War and Reconstruction*, 2nd ed., ed. Michael Perman (New York: Houghton Mifflin Company, 1998).
10. A.B. Randall, "Chaplain A.B. Randall to Brig. Genl L. Thomas," in *Free At Last*, ed. Berlin, *Who Freed the Slaves? Emancipation and Its Meaning*, in *Major Problems in the Civil War and Reconstruction*, 2nd ed., ed. Michael Perman (New York: Houghton Mifflin Company, 1998).
11. E.W. Hooper, "Let There Be Light. Important Facts Concerning the Negro," in *From Slavery to Freedom: The African-American Pamphlet Collection, 1824-1909*, collected by the Emancipation League, [<http://www.memory.loc.gov/>], 9 January, 2019.
12. Vincent Colyer, "Vincent Colyer to Hon. Rob. Dale Owen (American Freedmen's Inquiry Commission)," in *Free At Last*, ed. Berlin, *Who Freed the Slaves? Emancipation and Its Meaning*, in *Major Problems in the Civil War and Reconstruction*, 2nd ed., ed. Michael Perman (New York: Houghton Mifflin Company, 1998).
13. William H. Hunter, "Letter 40," in *A Grand Army*, ed. Redkey, 102-103.
14. Harry V. Jaffa, "The Emancipation Proclamation," in *100 Years of Emancipation*, ed. Robert A. Goldwin, (Chicago: Rand McNally & Company, 1963).

15. Berlin, *Who Freed the Slaves? Emancipation and Its Meaning*, in *Major Problems in the Civil War and Reconstruction*, 2nd ed., ed. Michael Perman (New York: Houghton Mifflin Company, 1998), 359.

