

# The Copperheads: Historical Approaches to Civil War Dissent in the Midwest

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In the folklore of American patriotism the word Copperhead has held a special place of scorn. Once used by Republicans during the Civil War to slander Democrats opposed to Lincoln's war and emancipation policies, the term has become synonymous in the vernacular with traitor or coward. Apparently Clement L. Vallandigham, a leading Copperhead, inspired Edward Everett Hale's paean to the American nation, *The Man Without a Country*.<sup>1</sup> More recent writers have used the Copperheads as exemplars of evil. As Nathaniel Weyl wrote of them in 1951, "the parallel with the contemporary pro-Soviet conspiracy is evident."<sup>2</sup>

But folklore is not history, and historical literature dealing with Civil War dissent offers a wide variety of interpretations and moral judgments of the subject. Most scholars have agreed that there was widespread discontent with the war, especially after 1862 and primarily in the Midwest. A few Democratic politicians heatedly denounced the war aims as Republican tyranny and abolitionism. Draft resistance posed some threat to the Union cause, and secret societies were created to fight the Republican party extralegally. At the same time, Republicans capitalized on the "treason" of a small number of Democrats to slander the entire opposition. As the war progressed, Republican campaign hyperbole turned into suppression as dissenters were illegally arrested and Democratic presses were destroyed.

Most historians accept these bare facts regarding the phenomenon of Copperheadism, but the most profound questions surrounding the subject of dissent have yet to be explored sensitively. One central problem—the lack of a working definition for Copperheadism—has its roots in the partisan and perjorative use of the word by Republicans in the Civil War era to describe those suspected of having even the least reservation about the war effort. Historians have described Copperheads variously as advocates of "peace at any price," those who actively encouraged or participated in draft resistance, or loyal Democrats victimized by Republican partisan politics for their grave misgivings about the changes being wrought by the war. To avoid confusion, this essay will use the term only to point out the conceptual limitations it has fostered.

Questions which historians ask about people and events in the past are often as important to the growth of an historical literature

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<sup>1</sup> Edward Everett Hale, *The Man Without a Country* (Chicago, 1893). This edition includes an introduction explaining the genesis of the story.

<sup>2</sup> Nathaniel Weyl, *The Battle Against Disloyalty* (New York, 1951), 66.

as the empirical data on which that literature is based. This is certainly true in the case of Civil War dissent, where historical study has been strongly influenced by considerations of patriotism and tradition. Inquiry in this field has been dominated by two major types of questions. First, some historians have concentrated on studying dissent mainly in its relation to the Union cause. They have asked whether there was real danger of widespread, active disaffection. They have studied the Republican response to opposition activities and have asked if the extraconstitutional measures taken were justifiable in a war situation. Historians who have posed such questions in the past have usually been highly sympathetic to the war effort. Thus the answers given have generally led to an indictment of the dissenters and at least qualified endorsement of their suppression. Following a somewhat different line of questioning and often appearing more sympathetic to the antiwar group, other historians have studied the economic, social, and political roots of dissent. This approach has dominated the latest research in the field, but its use stretches back to the early part of the twentieth century.

Of the two roads to an understanding of Civil War dissent, the first to appear was that which attempted to assess the relationship of antiwar feeling to the Union cause. Implicit in this approach was an understanding of the most profound institutional conflicts in a democracy. An obvious problem was that of the seemingly subversive use of constitutional liberties during a government's fight for survival. Less obvious and largely ignored was the question of how dissenters reacted to the Lincoln administration's concept of the powers and role of Federal government: both the decision in favor of a war to force Union and also by the powers developed to prosecute that war. Early historians usually just assumed answers to these difficult questions rather than investigating what actually happened.

James Ford Rhodes is a case in point. This great nationalist historian found war resistance to be a tricky challenge to his twin deities of national destiny and the Constitution. On the one hand, a serious antiwar movement would have shaken his thesis of consensus for the Union cause in the North. On the other hand, had there existed no threat to the northern cause from within, it would have been hard to explain Lincoln's use of extraconstitutional power to suppress dissent.<sup>3</sup> Rhodes' solution was to stress the seeming threat of disaffection while denying the seriousness of its presence, and to show that Lincoln stretched the Constitution only when he thought that it was in the interest of saving the Union. Though he admitted that "the

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<sup>3</sup> James Ford Rhodes, *History of the United States from the Compromise of 1850* (7 vols., New York, 1899), IV, 227-36. Rhodes found the problem serious enough to employ comparison with the English judicial system.

military commission which tried and sentenced Vallandigham had not a vestige of legal standing" and that "the commutation of the President was likewise vitiated in law," Rhodes nonetheless stressed mitigating circumstances for these actions. He impressed upon the reader that it would be "well to remember" that Lincoln "came to the consideration of the Vallandigham case oppressed with the anxiety at the terrible defeat of the Army of the Potomac at Chancellorsville."<sup>4</sup>

One need not condemn Rhodes for such pragmatic historical judgment. A government is expected to defend itself in times of crisis. But Rhodes was so caught up in his vision of what America was to become after the war that he gave no notice to the dissenters' vision of the "Union as it was," a conservative conception of what American life should have been. He failed to explore fully the impact of the Civil War for a significant segment of the northern populus.

When Rhodes eventually gave pragmatic approval to the suppression of dissent, it was only after gravely questioning its legal implications. With the coming of the First World War, a number of historians developed a view of Civil War dissent so hostile as to ignore the issue of civil liberties. Scholars such as William A. Dunning and Elbert J. Benton fell victim to the same wartime fears which transformed sauerkraut into victory cabbage. Dunning compared Woodrow Wilson's and Lincoln's methods for dealing with "subversives," using efficiency and adequate legislation as his main standards. Lincoln and the war governors, without the Espionage and Sedition Acts of 1917 and 1918 as aids, had to suppress dangerous elements through makeshift executive power and without clear sanction or precedent. Wilson, on the other hand, had adequate power through legislation and therefore could suppress dissent within "an abiding reign of law."<sup>5</sup> This argument stressed legal positivism at the expense of suppression's victims.

Elbert J. Benton, in his *Movement for Peace Without Victory During the Civil War*, complemented the legalisms of Dunning by lashing out at the Peace Democrats.<sup>6</sup> To Benton they represented the gravest threat to the Union cause: "The most dangerous opposition which a cause may have is one which conceals itself, perhaps unconsciously, behind a pacifist group, or any particular group, and makes use of one or the other for partisan ends . . . . Such a party deliberately flouts democracy."<sup>7</sup>

<sup>4</sup> *Ibid.*, 250, 255.

<sup>5</sup> William A. Dunning, "Disloyalty in Two Wars," *American Historical Review*, XXIV (July, 1919), 625, 629-30.

<sup>6</sup> Elbert J. Benton, *The Movement for Peace Without Victory During the Civil War* (Cleveland, 1918), 9-25. For a less emotional view see E. C. Kirkland, *The Peacemakers of 1864* (New York, 1927).

<sup>7</sup> Benton, *The Movement for Peace Without Victory*, 9-10.

The spirit of the First World War did not pervade all Copperhead scholarship. One of the pioneer monographs in the field, Mayo Fesler's "Secret Political Societies in the North during the Civil War," argued more in the tone of Rhodes when it concluded that dissenters failed to "distinguish between partisan politics in time of peace and in time of war." Fesler discounted, as did Rhodes, any real danger of widespread subversion.<sup>8</sup> At the same time, he was more realistic about Republican actions than Rhodes. On the subject of Republican charges of treason Fesler asserted that "such statements had more of vote-winning power than truth in them." As for the motivations of Peace Democrats, he stressed partisanship and his judgment that the dissenters were from "the more ignorant portion of the Democratic Party . . . ."<sup>9</sup>

In later years general histories of the Civil War period have continued to deal with the two major questions of the extent of danger from dissent and the propriety of Republican responses. James G. Randall made a detailed study of civil liberties problems raised by the use of executive powers during the war and concluded that Lincoln limited constitutional liberties only in order to insure the preservation of the Union.<sup>10</sup> Yet Randall, like Rhodes and Fesler, thought the dangers of internal dissent were magnified out of proportion to reality in the heat of politics and war. In his *Civil War and Reconstruction*, he stated that "careful historians do not accept the view that . . . [the Copperheads] were a dangerous organization of a thoroughly treasonable nature."<sup>11</sup>

Allan Nevins, in *War for the Union*, presented similar views in relation to dissent. Nevins questioned the constitutionality of Vallandigham's arrest but also appreciated the circumstances under which Lincoln had to act. He emphasized that the President's duty was "to think first and foremost of the nation's safety . . . ."<sup>12</sup> At the same time Nevins discounted any real danger from war dissenters:

It is clear that the danger was by no means so great as the excited governors supposed. Organization of revolt was impossible. Local malcontents could not communicate with each other, could not drill without inviting the attentions of home guards and military, and could find no real leaders. Under these circumstances, sedition was like the ghost in Hamlet; it was here, it was there, it was nowhere.<sup>13</sup>

Those historians interested in Civil War dissent as it related to the Union have contributed a certain number of levelheaded answers

<sup>8</sup> Mayo Fesler, "Secret Political Societies in the North during the Civil War," *Indiana Magazine of History*, XIV (September, 1918), 285-86.

<sup>9</sup> *Ibid.*, 279-80.

<sup>10</sup> James G. Randall, *Constitutional Problems Under Lincoln* (New York, 1927).

<sup>11</sup> James G. Randall, *Civil War and Reconstruction* (Boston, 1937), 389-90.

<sup>12</sup> Allan Nevins, *The War for the Union* (2 vols., New York, 1960), II, 454-55.

<sup>13</sup> *Ibid.*, 391.

to the historical literature. With the exception of scholars such as Dunning and Benton, they sensibly assessed the dissenters as being of little immediate danger to the Union cause. They took a common-sense approach to constitutional liberties in time of war by arguing that infringements seemed justifiable in the context of a war for the Union's existence. Yet none of these historians looked very hard at the thoughts and motivations of the dissenters themselves. Most dissent was seen as a product of Democratic partisanship, cowardice, or prosouthern attitudes.

When one raises questions as to the motives of the antiwar elements and the significance of their social, political, and economic outlook in a broader view of American history, regional and state studies of the Civil War era have proved most helpful. The authors of these works usually asked not only how but also why the antiwar movement attempted to counter war policies. Copperheadism was explained not only in terms of selfish partisanship and cowardice, but in addition as a product of economic interest, racial fears, and western sectional identity. Thus dissent could be viewed in terms of American life before and after the war.

Not all state and regional studies followed this approach. Works by Arthur C. Cole and William Dudley Foulke, for instance, reviewed the same questions as Rhodes, Fesler, and Nevins. *Era of the Civil War*, Cole's history of Illinois, written during the First World War, often spoke harshly of the dissenters. The author attributed antiwar activities almost solely to prosouthern sentiment which was "often translated into action, varying from cheers for Jefferson Davis to active aid for the rebel cause."<sup>14</sup> Though Cole himself had some question about the wisdom of suppression, he found sincere fear to be behind arbitrary arrests and the destruction of presses: "The justification for drastic action by individuals or by government authorities was found in the so-called 'crimes of the copperheads,' which terrorized not only individuals but whole communities. They were so numerous and varied that there was a fearful uncertainty as to when and how the copperheads might next strike."<sup>15</sup>

William Dudley Foulke, in his influential writings on Indiana war governor Oliver P. Morton, approached antiwar activities with a mixture of acceptance of their dangerous nature and outright ridicule. In dealing with the largely mythical "Northwest Conspiracy" Foulke accepted every damaging bit of evidence to show the dangerous intentions of the Sons of Liberty, an antiwar group.<sup>16</sup> While empha-

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<sup>14</sup> Arthur C. Cole, *The Era of the Civil War* (Springfield, 1919), 302.

<sup>15</sup> *Ibid.*, 304-305.

<sup>16</sup> William Dudley Foulke, *Life of Oliver P. Morton* (2 vols., Indianapolis, 1899), I, 387-432.

sizing their danger, however, he nonetheless turned to strained ridicule through literary allusion in an attempt to portray the enemy within as buffoons: "Rozinante [and] Mambrino's helmet . . . were essentially no fitter subjects for satire than the midnight initiators in Indianapolis . . . ."<sup>17</sup>

Cole and Foulke have been exceptions, however, and most other prominent regional and state historians have had more interesting things to say about antiwar activities. In the regional group Henry Clyde Hubbart was one of the first midwestern scholars to see a general pattern for dissent in that region. In "Pro-Southern Influence in the Free West, 1840-65" and *The Older Middle West* he argued that midwestern Democrats were zealously prowestern and were attempting to guard their way of life from both eastern and southern incursions.<sup>18</sup> Hubbart attributed a distinct ideology to the western Democracy and those who would become dissenters: they "championed a western version of the rights of man, of Jeffersonian liberty, and agrarianism and of the right of revolution."<sup>19</sup> Accordingly, Copperheadism "appeared to be the manner in which thwarted westerners showed their sectional discontent."<sup>20</sup> Though Republicans attempted to use western sectionalism as an issue before and during the war, they were seriously hindered by the strong identity that Republicanism had with eastern economic interests and New England abolitionism.<sup>21</sup>

In the field of economic history, regional scholars also showed that those who urged peace did not do so because they were especially dependent on the South for economic well being; rather it was because the West played an important role in the economic life of both South and East, and the war temporarily made that position impossible. Albert L. Kohlmeier's *The Old Northwest as the Keystone of the Arch of American Federal Union* carefully documented what the title stated—that midwesterners had a vital interest in keeping the Union together. Unfortunately Kohlmeier's study did not include an explanation as to why Democrats and Republicans envisioned such different paths toward Union. He did, however, establish that a western

<sup>17</sup> William Dudley Foulke, "Governor Morton and the Sons of Liberty," *Atlantic Monthly*, LXXII (July, 1893), 73.

<sup>18</sup> Henry Clyde Hubbart, "Pro-Southern Influences in the Free West, 1840-65," *Mississippi Valley Historical Review*, XX (June, 1933), 51-61; Henry Clyde Hubbart, *The Older Middle West* (New York, 1936). The present essay deals only with material covering dissent in the Midwest. For works on dissent in the East, consult the bibliography of Wood Gray, *The Hidden Civil War: The Story of the Copperheads* (New York, 1942); and Richard O. Curry, "The Union As It Was: A Critique of Recent Interpretations of the Copperheads," *Civil War History*, XIII (March, 1967), 25-39.

<sup>19</sup> Hubbart, "Pro-Southern Influences in the Free West," 51.

<sup>20</sup> Hubbart, *The Older Middle West*, vi.

<sup>21</sup> See, for instance, *ibid.*, 151.

economic consciousness strongly influenced basic political outlook.<sup>22</sup>

Another midwestern scholar, Charles R. Wilson, considered particularly the charges of prosouthern economic motives in antiwar sentiment.<sup>23</sup> Wilson argued that expanding industry and increased trade with the East suggested that assumptions as to Cincinnati's prosouthern sympathies were "largely legendary."<sup>24</sup> According to Wilson it was true that much western trade did go south, but the fact that the West traded with both regions and manufactured as well allowed it to be independent: "Actually, then, no colorless subservience to the South characterized pre-war Cincinnati. It spoke for itself, and it spoke in terms of a driving, booming, independent westernism which wore no man's collar."<sup>25</sup>

Departing from economic history, a recent work by V. Jacque Voegeli, *Free but Not Equal*, discussed the prevalent racism of the Midwest during the Civil War and related it both to Republican and Democratic politics. Voegeli stressed the Negrophobic elements of Democratic campaigns and opposition to the war after the Emancipation Proclamation, but he also showed that racism was not limited to the Democrats. *Free but Not Equal* thus reinforced the importance of western sectionalism in a rather odd way: Voegeli showed that while both parties had strains of Negrophobia, only the Democrats could take full advantage of midwestern racism because the local Republicans were tied to their eastern brethren who included a radical fringe. If Republicans wished to exploit midwesterner's racial attitudes, they had to do more than make defensive statements which explained away the abolitionist wing of the party. In a sense then, Negrophobia's relation to dissent had to be read both as an independent force and as a political tool to pin the abolitionist label on the Republican party.<sup>26</sup>

The cultural, economic, and social traditions through which midwestern regional historians viewed dissent have also been evident in the monographs and histories dealing with individual states. It would be beyond the scope of this inquiry to cover each state separately and

<sup>22</sup> Albert L. Kohlmeier, *The Old Northwest as the Keystone of the Arch of American Federal Union: A Study in Commerce and Politics* (Bloomington, 1938); most relevant are pages 209-47.

<sup>23</sup> Charles R. Wilson, "Cincinnati's Reputation during the Civil War," *Journal of Southern History*, II (November, 1936), 468-79; Charles R. Wilson, "Cincinnati, A Southern Outpost in 1860-1?" *Mississippi Valley Historical Review*, XXIV (March, 1938), 473-82. For other economic studies see E. Merton Coulter, "The Commercial Intercourse with the Confederacy in the Mississippi Valley, 1861-1865," *Mississippi Valley Historical Review*, V (March, 1919), 377-95; E. Merton Coulter, "The Effects of Secession Upon the Commerce of the Mississippi Valley," *Mississippi Valley Historical Review*, III (December, 1916), 275-300.

<sup>24</sup> Wilson, "Cincinnati, A Southern Outpost?" 474.

<sup>25</sup> *Ibid.*, 481.

<sup>26</sup> V. Jacque Voegeli, *Free but Not Equal: The Midwest and the Negro during the Civil War* (Chicago, 1967), *passim*.

thoroughly. Representative works dealing with the Civil War period in Indiana, however, point to some of the achievements as well as the shortcomings of the state studies which have appeared so far. James A. Woodburn's "Party Politics in Indiana During the Civil War," one of the first serious looks at Civil War politics on a local level since that war ended, contained a startling number of insights which would be exploited in future years. Woodburn asserted at the outset that both parties professed and practiced loyalty to the Union. In the case of the Democrats, this devotion sometimes took "a peculiar, even a questionable turn." But Woodburn emphasized that the Democratic opposition to the war opposed not the Union cause, but the kind of Union which they saw the Republicans building.<sup>27</sup> According to Woodburn, antiabolitionist feelings, conservative constitutionalism, and partisanship all played major roles in creating opposition to the Republican administration's war policies. He saw all of these reasons as basically negative and concluded that the Democrats had really no constructive critique of the crisis at hand.<sup>28</sup> Even so, his article gave more of an airing of Democratic views than most other unfriendly studies.

Written a number of years later, the second of Logan Esarey's two volume *History of Indiana* offered a similar but somewhat inconsistent view of antiwar activities in that state. He began by generalizing that although resistance to the war effort existed in all parts of the state, "the old Jacksonian Democracy stood firm for the Union." At the same time he noted that "among the people of Indiana there was at all times considerable opposition to the war." Esarey attributed most of this opposition to partisan politics, thus indicting the Democrats whom he also called loyal.<sup>29</sup> He then went into a lengthy description of the marginal Knights of the Golden Circle and its secret plots as if it were representative of dissent in general.<sup>30</sup> With reference to the Knights Esarey concluded that it was "doubtful if Governor Morton was ever seriously alarmed at their plots and certainly history has paid the poltroons entirely too much attention."<sup>31</sup>

Kenneth M. Stampp's *Indiana Politics during the Civil War* dealt with the dissenting Democrats by emphasizing the partisan nature of Republican treason charges and the questionable nature of evidence used in the famous "treason trials" held after the abortive Northwest

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<sup>27</sup> James A. Woodburn, "Party Politics in Indiana During the Civil War," *Annual Report of the American Historical Association for the Year 1902* (2 vols., Washington, 1903), I, 229.

<sup>28</sup> *Ibid.*, 248-49.

<sup>29</sup> Logan Esarey, *History of Indiana* . . . (2 vols., Indianapolis, 1918), II, 777, 776.

<sup>30</sup> *Ibid.*, 778-93.

<sup>31</sup> *Ibid.*, 793.



Conspiracy.<sup>32</sup> Stamppp did not deny the existence of illegal war resistance; he reaffirmed Woodburn's contention, however, that the Democratic party was basically loyal.<sup>33</sup> According to Stamppp, what the Democrats fought were the Republican war policies which attempted to change the basic social and economic relationships existing before the war.<sup>34</sup>

Emma Lou Thornbrough's *Indiana in the Civil War Era*, the most recent and most comprehensive study to appear on the subject thus far, summed up the problems inherent in dealing with Civil War dissenters. Miss Thornbrough pointed out the delicate problem of deciding whether the dissenters were indeed "disloyal" but came to no real conclusion on the matter.<sup>35</sup> The book excellently reviewed the accomplishments of past scholars by describing all the reasons why different individuals and groups opposed either Governor Morton or the war effort in general. Included were economic grievances, infringement on civil liberties, Negrophobia, and the fear of New England dominance. Miss Thornbrough even put some stress on dissent outside the normal political sphere.<sup>36</sup>

But state studies, from Woodburn to Thornbrough, concentrated largely on dissent channeled through the Democratic party. Some stressed the unreasoned partisanship of the Democratic side during wartime, others the exaggerated charges of treason hurled by the Republicans. Much has thereby been clarified as to the loyalty and actions of those Democratic politicians who voiced reservations about Republican war policy. It has been made clear that a good deal of the dissenters' political importance came through the use made of them by Republican politicians—both during and after the war. But what of the antiwar sentiment expressed through the varied forms of resistance to the draft? What of the strong disillusion with the Republican war policies which had only partial expression through the election of 1862? And what of the worth of that "Union as it was" which the dissenters mourned? Little in the way of analysis of such points has come from the largely politically oriented state studies.

Answers to these questions would seem most likely to come from studies devoted primarily to the dissenters themselves, but so far the results have been mixed. The first major work on the dissenters, Wood Gray's *Hidden Civil War*, made some headway but was unfor-

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<sup>32</sup> Kenneth M. Stamppp, *Indiana Politics during the Civil War* (*Indiana Historical Collections*, Vol. XXXI; Indianapolis, 1949); see also Kenneth M. Stamppp, "The Milligan Case and the Election of 1864 in Indiana," *Mississippi Valley Historical Review*, XXXI (June, 1944), 41-58.

<sup>33</sup> Stamppp, *Indiana Politics*, 72, 152, 175-76.

<sup>34</sup> *Ibid.*, 78-79, 139-40, 189-90.

<sup>35</sup> Emma Lou Thornbrough, *Indiana in the Civil War Era* (Indianapolis, 1965), 180-83.

<sup>36</sup> *Ibid.*, 200-202.

unately hindered by the author's rather unfriendly attitude toward his subject. Published just after Pearl Harbor, *Hidden Civil War* began with a lesson: "In any future crisis this nation may almost certainly expect to be once more face to face with some aspect of defeatism . . . . A wise people learns from such experience."<sup>37</sup> Gray described the Copperhead defeatists as "narrow, clinging to prejudice as though it were principle, capable of plausible but twisted logic . . . ."<sup>38</sup>

Yet to judge Gray's scholarship by such conclusions would be to distort and underrate his contribution. In the pages between his virulent though informative introduction and his generally hostile conclusion, he soberly discussed the roots of discontent with the war, the extent and importance of Republican harrassment and suppression, and the significance of changes in northern progress on the battlefield. He particularly pointed out the bitter reaction to emancipation policies, noting that midwesterners feared that "the bars would be lowered for a horde of Negroes to sweep into the section."<sup>39</sup>

Gray's harsh judgment of Copperhead defeatists thus tended to be modified by the evidence he presented showing the stresses and suppression under which antiwar advocates lived. He reported throughout the book major and minor incidences of harrassment through mob violence, arrests, and in the case of Vallandigham, even exile from the North.<sup>40</sup> It was this suppression, Gray argued, that led to the formation of secret societies such as the Knights of the Golden Circle and the Sons of Liberty. They were created "at first largely as a means of self-protection and to some extent for revenge."<sup>41</sup> To balance the picture he also reported Democratic retaliation with mob action.<sup>42</sup> But even after this insightful and comprehensive look at antiwar sentiment Gray still felt the need to conclude that "the great majority of the people, often misled and given to alternate excesses of optimism and despair, were in the end willing to carry the war through to its close."<sup>43</sup>

If patriotic moralisms sometimes got in the way of Gray's otherwise competent research, they clearly dominated George Fort Milton's *Abraham Lincoln and the Fifth Column*. Milton made more than concessions to the wartime situation. He turned the story of Copperheadism into a patriotic morality play. The issues of 1861 and 1942 were the same: "In the Civil War, as in our war of today, we find the same common denominators. Nobility and heroism are hardy peren-

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<sup>37</sup> Gray, *Hidden Civil War*, 14.

<sup>38</sup> *Ibid.*, 224.

<sup>39</sup> *Ibid.*, 99.

<sup>40</sup> *Ibid.*, *passim*; the Vallandigham case is described on page 145.

<sup>41</sup> *Ibid.*, 70.

<sup>42</sup> See, for instance, *ibid.*, 71.

<sup>43</sup> *Ibid.*, 224.

nials—and so are baseness and cowardice.”<sup>44</sup>

As a revisionist Civil War historian, Milton found both Radical Republicans and Peace Democrats base and cowardly. On the Republican side of the “Fifth Column” Charles Sumner and Thaddeus Stevens were “as deeply committed to a secret revolution as they were to Federal successes on the battlefield.”<sup>45</sup> On the Democratic side those who did not fully stand by the Union insidiously plotted against the cause of the boys in blue. Thus Milton treated Vallandigham’s political career under the chapter heading “Anatomy of Treason.”<sup>46</sup> Fernando Wood, Peace Democrat and mayor of New York “made a few statements of his veneration for the dear old flag,” Milton snidely noted, “and then began to fill his paper with innuendo and subversive propaganda.”<sup>47</sup>

The latest full scale study of the dissenters, Frank Klement’s *The Copperheads in the Middle West*, countered the kind of treatment Milton gave to the antiwar faction.<sup>48</sup> Klement did, in fact, produce a detailed study of dissent, taking the same basic approach as the regional and state studies of the Civil War era. He saw men opposing the war for economic reasons, for racist reasons, and for fear of eastern dominance.<sup>49</sup> He made explicit one theme which had remained in the background, and its use was perhaps the chief contribution of his work. This was the idea of the dissenter as arch-conservative: “In a sense, those Democrats were conservatives; they thought that the wheel of revolution turned too far. Their wartime slogan, ‘The Constitution as it is, the Union as it was,’ proved that they looked toward the past and feared the changes which the war foisted upon the country.”<sup>50</sup> Yet Klement treated Copperhead and Peace Democrat as synonyms, which of course was the way many of the Republicans had used the terms during the war period. Klement showed the Copperheads not to be treasonous at all because the Peace Democrats were not treasonous. The group of extrapolitical war resisters who interfered with war plans by fighting the draft, for instance, found no place in Klement’s consideration of the Copperheads. Copperheads

<sup>44</sup> George Fort Milton, *Abraham Lincoln and the Fifth Column* (New York, 1942), 18.

<sup>45</sup> *Ibid.*, 69-70.

<sup>46</sup> *Ibid.*, 240-57.

<sup>47</sup> *Ibid.*, 33.

<sup>48</sup> Frank L. Klement, *The Copperheads in the Middle West* (Chicago, 1960), vii-viii. See also Frank L. Klement, “Middle Western Copperheadism and the Genesis of the Granger Movement,” *Mississippi Valley Historical Review*, XXXVIII (March, 1952), 679-94; Frank L. Klement, “Clement L. Vallandigham’s Exile in the Confederacy, May 25-June 17, 1863,” *Journal of Southern History*, XXXI (May, 1965), 149-63; Frank L. Klement, “Copperheads and Copperheadism in Wisconsin: Democratic Opposition to the Lincoln Administration,” *Wisconsin Magazine of History*, XLII (Spring, 1959), 182-88.

<sup>49</sup> Klement, *Copperheads in the Middle West*, 1-39.

<sup>50</sup> *Ibid.*, 1.

were solely the "Democratic critics of change and of the Lincoln administration."<sup>51</sup>

Instead of dealing with the real war resistance, Klement fell back to correcting the age old slander of Democrats. He saw the process of revision in two steps. First of all, he stated, the historical literature "still viewed . . . [them] as men whose hearts were black, whose blood was yellow, and whose minds were blank."<sup>52</sup> His task was to reveal that the Copperheads were really "human beings—motivated by the same wants and emotions that have been possessed by people throughout the ages . . ."<sup>53</sup> It must be noted at this point that one of Klement's predecessors, Gray, made almost exactly the same remark in *The Hidden Civil War*: "All opponents of the war had at least one thing in common: they were human beings acting from human motives."<sup>54</sup>

After establishing that the Copperheads were human beings, Klement completed his revision by linking Copperheadism with both protoagrarian and backward looking Jacksonian ideals.<sup>55</sup> Thus Klement's contribution turned out to be an extended monograph continually exploiting links between anti-Republican sentiment and agrarian Jacksonianism, and filling in interesting details on various dissenters, while claiming to do much more. Klement himself never tried to put his own research into any historiographical context. He pointed with pride to the fact that "readers who check the footnotes will notice that this study is based, practically in entirety, upon primary sources";<sup>56</sup> left unanswered was the extent to which Klement has brought new understanding to the Civil War peace movement.

An affirmation of the Klement approach can be found in Richard Curry's "The Union As It Was: A Critique of Recent Interpretations of the 'Copperheads.'" Curry dismissed charges of resistance and disloyalty in the same way as Klement. But whereas Klement only alluded to the previous historical treatment of the antiwar movement, Curry specifically analyzed the literature. His synthetic categories and distortions pointed out the essential evasion of his position.<sup>57</sup>

Curry began, as did Klement, by stating that Copperheadism had been a blind spot of hysteria for the modern historian and that some

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<sup>51</sup> *Ibid.*

<sup>52</sup> *Ibid.*, vii; see also Klement, "Copperheadism in Wisconsin," 182.

<sup>53</sup> Klement, *Copperheads in the Middle West*, viii.

<sup>54</sup> Gray, *Hidden Civil War*, 15. Among the major works on dissent, only the Milton study comes close to the devil theory of motivation, though Klement attributes these ideas to the entire literature.

<sup>55</sup> Klement, "Middle Western Copperheadism and the Genesis of the Granger Movement," *passim*.

<sup>56</sup> Klement, *Copperheads in the Middle West*, 331.

<sup>57</sup> Curry, "The Union As It Was," 25-39. While Curry's analysis is criticized in the present essay, his article should be consulted for a more comprehensive look at a Copperhead bibliography.

scholars still treated it within the confines of a "devil theory of politics and history . . . ." <sup>58</sup> On this basis Curry set up two schools of Copperhead historians, the traditionalists and the revisionists. The traditionalists supposedly restated the case of the "Radical Republicans against their conservative antagonists." <sup>59</sup> The revisionists, however, "reject[ed] the idea of conspiracy, treason, or treasonable intent on the part of significant numbers of northern Democrats." <sup>60</sup> The revisionists obviously carried the day in Curry's view, and the essay then went on to treat issues debated among the revisionists themselves. Differences of opinion on the Granger-Copperhead connection, economic and demographic factors, and other topics were well treated in the remainder of the article. <sup>61</sup>

Curry's treatment of the disloyalty problem, however, was both brief and misleading. In the traditionalist group were bunched Gray and Milton, <sup>62</sup> who supposedly both took a dim view of their Copperhead subjects. But the appraisals Gray and Milton gave the Copperhead phenomenon varied so widely that it would hardly be justifiable to put them in the same analytical group. Gray saw Copperheadism as a mass socio-psychological *malaise*, whereas Milton couched his argument in epithets such as coward or traitor and only dealt with a small number of people. In any case, it would certainly be unfair to make the revisionist Milton a spiritual heir of the Radical Republicans he so abhorred.

Nonetheless, Curry went on to use Gray's *Hidden Civil War* as the exemplar of traditionalist prejudices and exaggerations about the Copperhead threat. But it was Curry who exaggerated to make his point. For example, he paraphrased and quoted Gray to the effect that after Vallandigham lost the 1863 election for governor of Ohio, "*many Peace Democrats* at last became convinced that 'they must resort to revolution if they were to succeed in realizing their aims.'" <sup>63</sup> If Gray had actually made such a statement, it would have indeed been an exaggeration of the small popular interest in actual revolution. In fact, Gray's words were: "*Certain of the peace Democrats*

<sup>58</sup> *Ibid.*, 25.

<sup>59</sup> *Ibid.*, 26. In the traditionalist category are to be found the previously cited works of Gray and Milton, numerous works on eastern dissent, and some minor articles on the Midwest.

<sup>60</sup> *Ibid.*, 30. Among the revisionists are Curry himself, Klement, Stamp, and other interesting articles such as Robert Rutland, "The Copperheads of Iowa: A Re-Examination," *Iowa Journal of History*, LII (January, 1954), 289-300; Eugene H. Roseboom, "Southern Ohio and the Union in 1863," *Mississippi Valley Historical Review*, XXXIX (June, 1952), 29-44.

<sup>61</sup> Curry, "The Union As It Was," 31-39.

<sup>62</sup> *Ibid.*, 26. In making them traditionalists, Curry equates the views of Gray and Milton with Radical Republicans. A typical Radical Republican work for comparison with Gray or Milton is Benn Pitman (ed.), *The Trials for Treason at Indianapolis* . . . (Cincinnati, 1865).

<sup>63</sup> Curry, "The Union As It Was," 27. [Emphasis is the author's.]

had been convinced by Vollandigham's defeat that they must resort to revolution . . . ." Moreover, Gray stated on the same page that many joined the secret societies ignorant of any revolutionary plans and "merely as a party club."<sup>64</sup>

In addition to exaggerating Gray's view of the Copperheads to fit into the traditionalist category, Curry rejected too easily Gray's proof of conspiracy and war resistance. Curry dismissed the accounts of the Northwest Conspiracy written by ex-Confederate agents assigned to help in the plot as revealing "little." Other proof of lesser activities were consigned to the realm of "bitter partisanship and war hysteria in the North."<sup>65</sup> Thus Curry set the stage for the revisionist rescue of historical sanity through the works of Stamp, Klement, and Curry himself.<sup>66</sup>

At the heart of the Klement-Curry position was a narrow definition of the term Copperhead. The revisionists, as Curry called the group to which he adhered, correctly noted that the word was a Republican epithet for Democrats unwilling to endorse the war effort without reservation. They then proceeded to show that though these Democrats opposed the Republicans politically on a number of issues, including the best way to prosecute the war and gain peace, most Democrats protested within the normal political process and could not be called traitors or disloyalists. The focus for further study became the Democratic party. Thus Curry recommended more work in the nature of "political party structure" and in comparative study of the ideological concerns of "Conservative Unionism" in the several states and regions.<sup>67</sup>

Such study might be very rewarding in its own right, but it begs the real question of dissent by focusing research on a political party which was essentially loyal and which acted through normal political channels. The platform and campaign rhetoric of the Democratic party, the lives of its leading spokesmen, and the record of Democratic legislators can only act as guides to the study of Civil War dissent. It was the Democratic party which exploited the vote getting power of the dissenter's fears and grievances, but it was not the party which extended the battle beyond legal limits. By limiting study to the Democracy, therefore, one could falsely conclude that such issues

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<sup>64</sup> Gray, *Hidden Civil War*, 164. [Emphasis is the author's.]

<sup>65</sup> Curry, "The Union As It Was," 29.

<sup>66</sup> Though this essay has grouped together the works of Stamp and Klement to deal conveniently with Curry's categories in their own terms, their points of view should be differentiated on at least one crucial issue. Stamp shows that Democratic politics were relatively free of actual disloyalty. Klement, by overloading the term Copperhead and giving it one meaning—conservative social thought rather than disloyalty—has in effect ignored extralegal dissent as if it did not exist.

<sup>67</sup> Curry, "The Union As It Was," 38-39.

as race, antieastern sentiments, economic hardship, and the conscription acts only found expression in electoral politics.

Yet men resisted the draft, assaulted recruiting officers, collaborated with the enemy, formed secret societies to combat the government, and otherwise opposed the war actively but outside the law. The scale of such actions indicated a breakdown in the political system unequalled in its time except by southern secession itself. The focus of study, therefore, should be shifted from that of political parties to the reasons for and process by which the Democratic party became incapable of satisfying the needs of its natural constituents. It is not surprising that Democratic spokesmen voiced some of the discontents which led to an antiwar position. What the historian must find is why some men crossed the line from politics to resistance.

One can begin to find an answer in the issues raised by such extreme Peace Democrats as Jesse D. Bright and Clement L. Vallandigham. Most of these issues had a common denominator—fear. Fear of the Negro, fear of the New England abolitionist and industrialist, and fear of tyranny led the arguments against Republicanism. Of course fear need not bring on extralegal political behavior. Such arguments did not have that result in the West before the war began. Yet by framing political issues in hyperbolic tones of a struggle for existence, the Democratic party paved the way for a rather apocalyptic understanding of what transpired during the war.

The relation of this understanding and dissent can only be hypothesized, but perhaps the hypothesis can be tested in the interests of further study of dissent. Democratic politicians had warned the citizenry of catastrophe in the case of Republican rule through the issues of race, tyranny, war, and sectional hegemony. Experience is usually understood in learned categories, and the antiwar minded individual could certainly understand some very important events through those categories exploited by the Democratic party. The Emancipation Proclamation made Republican denials of abolitionism beside the point. Republican tyranny seemed to manifest itself in the draft, in the gerrymandering of Vallandigham's district and his eventual arrest and exile, in the highhanded tactics of Indiana's Governor Oliver P. Morton, and in countless mob actions designed to stifle dissent.

The contemplation of this situation led some from voting to direct action as a means of protest. What had begun as a war for the Union had become a war for the Negro and for the attainment of Republican dictatorship. Very traditional people, witnessing their prejudices and liberties falling prey to the Republican beast, moved to the extreme of resistance as a last measure in what seemed to be a lost cause.

Such an interpretation may seem extreme, and it may be just

that. Research is needed to test the validity of this and other approaches to those who broke the law in their pursuit of political success or revenge. Considering the return to order which followed the Civil War, it might be hard to imagine a time when some envisioned an end to democratic government and lily white supremacy in the United States. Though we may not be sympathetic to all the norms upon which that vision was based, it would be unfair to write our history without understanding the point of view of those who have had few friends in the historical profession.