

*Ordinary Men in Extraordinary Circumstances: Jefferson Davis and Robert E. Lee*

**An Honors Thesis (HIST 470)**

**by**

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## Abstract

Jefferson Davis and Robert E. Lee are the most well-known members of the leadership of the Confederacy during the American Civil War. In the years following the war, both men became mythologized, transformed into something beyond humanity that we cannot reach. Lee becomes the “Reluctant Confederate,” who fought for the South out of duty rather than belief in rhetoric. Davis becomes an enigma, the “Sphinx of the Confederacy,” whose motivations are unknown to us mere mortals. In truth, both men are much simpler and much more human. They both believed in the Southern cause, with all the white supremacist and pro-slavery attitudes this represented, and the conflict they faced in 1861 was not lack of faith in the Southern system but a moderate stance on secession. After the war, both men made no secret of their desire to justify the actions of the South, and therefore themselves. Neither believed that they had done wrong in seceding, claiming it as a constitutional right. Davis and Lee are remembered not for their character but for their role in Confederate society. They are entirely human, and their enigmatic nature is in truth internal conflict, as they faced life-changing decisions as history was being made all around them.

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## Process Analysis Statement

The story of this thesis truly begins when I was in middle school. In middle school, essay writing was not an assignment as much as it was a punishment. At my school, serious misbehavior would be punished with writing assignments on why the rules you had broken were in place. These were assigned with no guidance and were enormously stressful for twelve-year-old me. It was sink or swim whether you wrote something acceptable. This experience made it very hard for me to write academically in the future.

In high school, I suffered from writing anxiety even as I learned to write at a high school level and was routinely praised for my writing. Senior year stands out in particular because I simultaneously wrote the worst paper I ever wrote for a grade and two papers I am still proud of to this day. One was a research project on Henry VIII for a European History class, the first proper historical research paper I wrote, and the other was an assignment for English class. This English assignment stressed me out enormously, despite a three-page minimum length. In a strange twist, I wrote three pages before realizing I needed to double-space my paper. The resulting five-page paper was the first time I felt like I could write something lengthy and substantive for a writing assignment.

Before college, I had never written anything longer than five or six pages. When I took EDPS 251 my Freshman year, I was expected to turn in a ten-page paper for my final project. What ended up making it manageable was that it neatly broke into smaller chunks of two to three pages. It would take a while before I learned to apply that lesson to other writing assignments.

As I continued in college, I experienced ups and downs in writing. A refusal to change a topic that wasn't working contributed to a mediocre paper turned in at the last minute after an

enormous amount of stress. I was fortunate to have good professors my first two years who helped me work through the stress of writing college-length papers. Still, the Honors thesis hung over my head like the Sword of Damocles.

After several changes of major, I settled into majoring in History, which came with its own thesis, HIST 470. Having HIST 470 count as HONR 499 created enough stress before I even began writing. Nervous about a deadline that turned out to not exist, I submitted my proposal to the Honors College before I had finalized a topic. Brainstorming a topic for this project with my advisor, Dr. Stephen, was a process of narrowing down broad ideas. Dr. Stephen's specialty was the Civil War era, and of that, the thing that fascinated me the most was General Sherman's letter where he declares "you people of the South don't know what you are doing," and proceeds to explain in prescient detail how the North is militarily and technologically superior to the South. This letter led me to a letter of Robert E. Lee's where he declares "secession is naught but revolution." These two documents led me to the idea of Southern Unionists, which meant letting go of General Sherman, as he was a Northerner. This was where I was when I hastily submitted my thesis.

Dr. Stephan, however, felt Southern Unionists was too broad a topic for my thesis, especially as I had planned to talk about political leaders, military figures, and civilians in multiple parts of the Confederacy as well as the border states. Talking with Dr. Stephan to narrow things down, I decided to focus on two major figures in the Confederacy, Lee and President Davis. The research I did quickly established that neither man was a Unionist, despite Lee's quote above, but as I did more research and started writing, my finalized thesis and topic came into being.

As for the writing itself, I knew I needed to pace myself to write something this long. Dr. Stephan's required minimum still approached twice the length of any paper I had written previously. He gave us good advice, however, that called back to my first success writing a paper of daunting length. Rather than think of it as a twenty-plus-page paper, think of it as three seven-page papers connected together by analysis. The assignments for HIST 470 encouraged this process. A seven-page section draft was due one week, followed two weeks later by a fifteen-page draft that was expected to include two sections and a draft of your introduction. My usual strategy of writing in big chunks on weekends wouldn't work here, so I came up with a new approach. I set a goal for myself of writing one page a day. To avoid stress, I intentionally stopped after about a page of writing a day, even if I had more to say. I didn't want this paper to overwhelm me; I wanted to be able to socialize and take time to myself instead of constantly writing and researching.

When I approached the end of this project, I got a stimulating rush of euphoria that led to me writing five or more pages in a whirlwind of energy. I was so excited and relieved to be done. Writing this paper was strangely easier than I ever would have believed four years ago. The obstacles I encountered were either bureaucratic or my own misinterpretation of instructions and deadlines. Four and a half years of college prepared me for this project better than I ever realized until it was done.

## Introduction

The American Civil War is probably the most popular historical event in American History outside of living memory. Among casual historians, its battles and leadership are legendary. While an ordinary American probably could not name a single battle of the Mexican-American War, or other nineteenth-century American conflicts, that same ordinary American could easily name a half-dozen battles of the Civil War. Because of this proliferation of information about the Civil War in the popular consciousness, the Civil War's popularity has reached an almost mythical point.

Perhaps no part of the Civil War has been mythologized more than the leadership of the Union and Confederacy. For example, historians who dare to critique Abraham Lincoln tread on thin ice when dealing with popular audiences. And despite losing the war, the Confederate leadership is no less mythologized. Among Confederate leaders, two names stand head and shoulders above the rest: General Robert E. Lee and President Jefferson Davis.

Interestingly, the mythological Lee and Davis are staunch opposites. The Mythical Lee is the "Reluctant Confederate" and the "Great Conciliator," while Davis is seen as the living embodiment of the Southern Cause. Whether that demonizes or glorifies him comes down to the opinions of individuals. And these mythologized images are not new phenomena. The idea of Lee as the "Reluctant Confederate" can be seen as early as 1866, in the book *Life and Campaigns of General Robert E. Lee*, written by James D. McCabe, Jr. In the book's third chapter, entitled "Col. Lee Leaves the Federal Army," McCabe writes that Lee "was motivated by no feeling of ambition or sectional hatred" in his decision to side with the Confederacy.<sup>1</sup> As I discuss later in this essay, "sectional hatred" was absolutely a factor in Lee's decision to secede.

Lee states many times that he has no love for the North and his sympathies lie with the South in the secession crisis.

Lee's mythic image would continue into the next century. As early as 1912, historian Gamaliel Bradford, Jr. notes with regret that Lee comes off as aggravatingly perfect,<sup>2</sup> but still glosses over Lee's Southern sympathies when discussing Lee's decision to secede.<sup>3</sup> The mythic Lee only grew stronger over the course of the 20<sup>th</sup> century. Writing in 1977, historian Thomas Connelly notes that "Lee the man has become so intertwined with Lee the hero symbol that the real person has been obscured."<sup>4</sup> Connelly's ultimate picture of Lee is of a tragic figure who felt overwhelmed by his duties, who buried his self-doubt beneath a stoic façade.<sup>5</sup> Alan T. Nolan, writing in 1991, credits Connelly with being the first to attack the mythic Lee, but accuses him of not going far enough in dismantling what Nolan views as inherent contradictions in Lee's legacy.<sup>6</sup>

Where Lee became mythologized almost immediately after the war, Jefferson Davis became an embodiment of the Southern Cause, making him a hero to Southern Apologists and a villain to the North. This made scholarly study of the man difficult. Writing in 1977, Clement Eaton notes that the previous seventy years' worth of biographies of Davis are on the whole superficial and partisan.<sup>7</sup> Eaton ultimately finds Davis an admirable man in a flawed society, yet dubs him the "Sphinx of the Confederacy," implying an inscrutability to the man.<sup>8</sup> The trend of lackluster Davis biographies unfortunately continued, as William C. Davis noted in 1991, accusing Eaton's work of "Antiseptic Brevity," and taking umbrage with the treatment of Jefferson Davis as an enigma. For William Davis, Jefferson Davis is an enigma only to those who seek to fit him into a mold that he was not cast from.<sup>9</sup> Much like Lee, the mythical Davis is quite distinct from the real man.

So, who are Jefferson Davis and Robert E. Lee? On the surface, they are the Confederacy's President and most famous general, respectively. But beyond that they are two figures burdened with over 150 years of analysis and interpretation that has given rise to opposite mythologies. Lee is the "Reluctant Confederate" who could do no wrong and Davis is the embodiment of everything wrong with the antebellum South. Attempts to strip away these mythologies have led to Davis being lauded as a great man for his accomplishments while Lee becomes a flawed individual, the perfect marble man being scrutinized for every flaw.

In truth, the two men are more alike than dislike. Both were Southerners who participated in the slave system and thought of it as, if not a good thing, then a necessary thing for their economy and the enslaved people themselves. This was, after all, standard belief among slaveholders at the time. Both men supported the Southern cause during the secession crisis, but neither believed in secession as the solution when it began, each hoping that bipartisan compromise could be reached without rebellion and war. Each man came to believe over the course of the secession crisis that compromise was not possible and sided with the new Confederacy because their sympathies laid with the South. After the war, both men maintained the belief that the South, and therefore they themselves, had done no wrong. They resumed their antebellum calls for peaceful compromise, since they had just fought a war that they had wanted to prevent the outbreak of and did not wish to see another war so soon after the first one. Ultimately, Jefferson Davis and Robert E. Lee are not inscrutable enigmas, they are not idealized marble men, they are no more heroes than they are villains, instead they are merely ordinary men in extraordinary circumstances.

A note on subject matter before we begin. This essay will primarily focus on three periods in the lives of Lee and Davis. The secession crisis surrounding the election of 1860, the

final days of the war in April of 1865, and the two men's return to civilian life after the war and their personal reflections on the causes of the war. This essay will not be going into detail on the war itself, and Davis and Lee's differing strategies for the war. There is good scholarship on this out there already, and the focus of this essay is intended to be on the most life-changing decision these two men made, the choice to secede, why they made it, and how they justified it after the fact.

### Early Life

Robert E. Lee was born in Virginia on January 19<sup>th</sup>, 1807.<sup>10</sup> His lineage could be traced to important members of the Revolutionary Army and to the leadership of the Virginia Colony well before the revolution.<sup>11</sup> He graduated from West Point in 1829 and served with distinction during the Mexican-American War.<sup>12</sup> He was promoted to colonel, served for almost three years as superintendent at West Point, and was in charge of putting down John Brown's raid at Harpers Ferry, Virginia. Lee was posted to San Antonio, Texas in early 1861 when secession began.<sup>13</sup>

Jefferson Davis was born in Kentucky on June 3<sup>rd</sup>, 1808.<sup>14</sup> Unlike Lee, Davis could not trace his lineage to anyone of major historical significance. Davis' father was a relatively successful farmer with ten children, at most a dozen slaves, and had owned a series of large farms as he moved from Kentucky to Louisiana and, ultimately, Mississippi, where Jefferson Davis spent much of his upbringing.<sup>15</sup> He entered Transylvania University in Kentucky at the age of fourteen, but when his father died two years later, he left Transylvania for West Point at the insistence of his elder brother Joseph.<sup>16</sup> Davis graduated from West Point in 1828, and was posted to Missouri.<sup>17</sup> He would serve in various places on the frontier during a seven-year military career, but left the army to marry his fiancée Knox Taylor and move onto his brother

Joseph's plantation. He and his wife would both come down with malaria shortly after their marriage, and tragically, Knox passed away in September of 1835.<sup>18</sup>

With a plot of land and money to purchase slaves given to him by Joseph, Jefferson Davis began to build a successful plantation he called Brierfield.<sup>19</sup> At the age of thirty-five, he ran for a seat in the Mississippi House of Representatives on the Democratic ticket, but ultimately lost.<sup>20</sup> In 1844, shortly before marrying his second wife, Davis was appointed as an elector for the upcoming presidential election.<sup>21</sup> This was but the beginning of a career in politics for Davis. Like Lee, he served with distinction during the Mexican-American War but turned down a promotion to brigadier general to return to politics, becoming secretary of war under Franklin Pierce and serving in the Senate on the Military Affairs Committee.

November 6<sup>th</sup>, 1860 was a day that would change the trajectories of Davis and Lee's lives forever, for that was the day Abraham Lincoln was elected President. Less than two months later, on December 20<sup>th</sup>, South Carolina seceded from the Union, followed by Mississippi, Louisiana, Florida, Georgia, Alabama, and Texas in January. The capture of Fort Sumter by Confederate forces in April, and subsequent call to arms by President Lincoln pushed North Carolina, Virginia, Tennessee, and Arkansas to secede shortly thereafter.

#### Lee Secedes

Lee was very concerned about the state and future of the union during this time. Writing on November 24<sup>th</sup>, 1860 to his son Custis from his post in Texas, Lee notes that "The Southern States seem to be in a convulsion.... My little personal troubles sink into insignificance when I contemplate the condition of my country, and I feel as if I could easily lay down my life for its safety."<sup>22</sup> Here, Lee does not yet espouse his later opinion of loyalty to Virginia over the Union,

but maintains a position that rebellion in the South is something he would fight against. On December 4<sup>th</sup>, President Buchanan proposed a threefold compromise on the issue of slavery: recognition of the right to own slaves in all states, present and future, where it existed or would exist; popular sovereignty in the territories to determine their status on slavery; and enforcement of federal fugitive slave laws overriding state laws to the contrary.<sup>23</sup> He wrote again to Custis on the 14<sup>th</sup>, on his support for President Buchanan's platform, writing: "The three propositions of the President are eminently just, are in accordance with the Constitution, and ought to be cheerfully assented to by all the States." Immediately afterward, though, he notes grimly "But I do not think the Northern and Western States will agree to them."<sup>24</sup> Lee did not wish to see his country embroiled in Civil War; he remained optimistic at this time that the problem could be solved through compromise as it had in the past. It was around this time that Lee first declared that his first loyalty was to Virginia, in conversation with a staunchly Pro-Union colleague.<sup>25</sup>

When secession became a reality in January, Lee continued to articulate his thoughts in letters to his family. In a letter written January 22<sup>nd</sup> to his cousin Martha Williams, he continues to hope for a peaceful resolution to the conflict, while admitting he has sympathy for the southern cause, saying: "...I believe that the South justly complains of the aggressions of the North, & I have believed that the North would cheerfully redress the grievances complained of. I see no cause of disunion, strife & civil war & pray it may be averted."<sup>26</sup> While Lee had sympathy for the Southern cause, he disagreed with secession and the rising tide of Civil War. He held out hope for a peaceful resolution to the tension. However, he takes a position elsewhere in the letter that would have great repercussions several months later: "If a disruption takes place, I shall go back in sorrow to my people & share the misery of my native state[.]"<sup>27</sup> Lee would continue to reiterate these positions in further letters. Writing on January 23<sup>rd</sup> to his family, he notes, "The

South, in my opinion, has been aggrieved by the acts of the North, as you say. I feel the aggression, and am willing to take every proper step for redress....As an American citizen, I take great pride in my country, her prosperity and institutions, and would defend any state if her rights were invaded.”<sup>28</sup> Lee’s words here evoke the classic Southern defense of secession, citing Northern aggression and states’ rights. Lee, however, tempers his words, unlike some of the more hawkish Confederates, by emphasizing his commitment to a peaceful solution. He continues, “I hope...that all constitutional means will be exhausted before there is a resort to force.”<sup>29</sup> Lee in 1861 did not believe secession was the solution, instead he believed that the issues at hand could be solved through political compromise. However, he felt as though he was powerless to make a difference, writing, “I must be patient and await the end, for I can do nothing to hasten or retard it.”<sup>30</sup> He therefore chose to side with Virginia whatever side the state would take in the conflict, essentially putting the issue of what he would do if civil war broke out outside of his hands. Being supportive of the Southern cause but not of its methods, Lee doubtlessly faced an internal struggle over where his loyalties should lie. By choosing to side with Virginia, regardless of its decision, he solved his dilemma by not taking a side, such that he could claim reluctance no matter which cause he supported. But at the same time, he could in this way maintain loyalty to at the very least his home state.

Throughout the months of March and April, Lee formed a consistent opinion on the ongoing secession crisis. In a letter to his sister Anne Marshall dated April 20<sup>th</sup>, 1861, he states, “I had to meet the question whether I should take part against my native State.... I have not been able to make up my mind to raise my hand against my relatives, my children and my home.”<sup>31</sup> That same day, he resigned from the Union army. Two days later, before his resignation had even been approved, he had accepted an appointment as the commander of the military and naval

forces of seceded Virginia.<sup>32</sup> Lee's secession, especially its rapidity, has puzzled scholars for decades. After all, Lee said himself that he saw secession as "naught but revolution." His loyalty to Virginia goes part of the way to answering this question, but not all the way. As quoted earlier, Lee stated he had no desire to fight again except in defense of his home state of Virginia. He had opinions on the factors that led to the Civil War but saw no desire to act on them unless his home state was directly involved. When President Lincoln raised a militia force to put down secession on April 12<sup>th</sup>, 1861, and on April 18<sup>th</sup> Virginia seized the Federal arsenal at Harpers Ferry making the state functionally at war with the Union,<sup>33</sup> Lee must have felt that the die was cast. Virginia had chosen to secede, and he had followed the state's decision, as he had made up his mind to do. Furthermore, Lee stated in the January 23<sup>rd</sup> letter that "[A] Union that can only be maintained by swords and bayonets, and in which strife and civil war are to take the place of brotherly love and kindness, has no charm for me." He then reiterated his plan to side with Virginia if the Union were to be "dissolved."<sup>34</sup> Lee saw the secession of the Southern states as the end of the country he loved. With his sympathies laying chiefly with the South, and the actions of the Union government conforming to everything he had hoped would not come from the crisis, Lee's belief in the Union was shattered. The United States he knew, loved and defended was no more. But he still believed in his home state of Virginia, and let that state lead him into the crucible.

#### Davis Secedes

During his antebellum political career, Jefferson Davis spoke often and lovingly of the bond between the United States. Unlike some rabid secessionists, Davis did not see the industrial North and agricultural South as incompatible; he maintained that their different economic systems complemented each other well, leading to growth of the country as a whole. The North

and South had coexisted for decades and he saw no reason why this could not continue.<sup>35</sup> Davis did not see his fellow Southerners as aggressors, to him they were simply demanding a constitutional right. Northern abolitionists were the aggressors, especially men like John Brown. His greatest concern in 1860 was the possibility that the abolitionists could elect one of their own as president in that year's election.<sup>36</sup>

Secessionist sentiment was strong in Davis' state of Mississippi, and this led him to walk a thin tightrope between his loyalty to Mississippi and to the Union. As a result, Davis' rhetoric to Mississippian audiences is noticeably different from his rhetoric in the Senate. To an audience in Vicksburg on November 27<sup>th</sup>, 1858, he proclaimed that, should an abolitionist president be elected, he "would rather appeal to the God of Battles at once than attempt to live any longer in such a Union."<sup>37</sup> Davis was always careful, unlike some of his contemporaries, to not mention the Republican party by name, referring only to abolitionists. Still, his words in the Senate were much more careful, saying only that he would support secession if someone became president, "not to administer [the government] according to the constitution, but to pervert it to our destruction, to make this Government one of hostility to us."<sup>38</sup> While he was much more obvious in his meanings when talking to his Mississippian constituents, Davis was a career politician at this point, and he knew how to maneuver. His words in the Senate were, to use a modern term, a "dog whistle." Secessionists could hear those words and know that Davis supported their cause, but Davis was left with plausible deniability if he were ever questioned by his peers in the Senate.

As the election of 1860 drew ever closer, Davis campaigned all over Mississippi for John C. Breckenridge, the candidate nominated by the Southern wing of the Democratic Party. Davis'

rhetoric in the final days of the campaign bear a superficial similarity to Lee's resolution to follow Virginia whatever path she took. Speaking at Vicksburg, Davis claimed,

“If Mississippi in her sovereign capacity decides to submit to the rule of an arrogant and sectional North, then I will sit me down as one upon whose brow the brand infamy and degradation has been written, and bear my portion of the bitter trial. But, if on the other hand, Mississippi decides to resist the hands that would tarnish her star on the national flag, then I will come at your bidding, whether by day or by night, and pluck that star from the galaxy, and place it upon a banner of its own.”<sup>39</sup>

Where Lee's decision to follow his native state wherever she would lead him was the private musings of a conflicted man, Davis' declaration of the same is the rhetoric of a politician. Davis chooses his language to present one of Mississippi's two options as far worse than the other, showing a clear preference for what he believes is Mississippi's best course of action. Where Lee finds himself torn between two poor choices, Davis sees no choice at all. It is obvious to Davis that Mississippi must secede to preserve her constitutional rights, and his speech is not merely a declaration of this opinion, it is a rallying cry and an argument that his fellow Mississippians should follow him down that path.

Still, even after Lincoln was elected, Davis was not as gung-ho for secession as some of his fellow Mississippians. He preferred to wait on secession until it was clear that no hope of peaceful compromise remained between North and South.<sup>40</sup> He served on the Committee of Thirteen during the last days of the Buchanan administration, a bipartisan congressional committee attempting to create legislation that would solve the issue of slavery in the territories. It was serving on this committee that would convince him that there was no compromise with the Republicans.<sup>41</sup> Afterwards, Davis made little secret his opinion on Mississippian secession. He became quite active in the preparations thereof. In early January of 1861, he was confined to bed due to facial neuralgia. When, on January 19<sup>th</sup>, he received word that Mississippi had seceded, he

made his way there two days later despite protests from his physician. On February 9<sup>th</sup>, he received a telegram that he had been chosen as President of the newly-formed Confederate States of America. One week later, he arrived in Montgomery to assume the presidency.<sup>42</sup>

#### April and May 1865-The War Ends

One of the great ironies of Lee's service in the Civil War is that while he fought long and hard to defend the Confederacy, he personally believed the war to be impossible to win, perhaps as early as the beginning of the war. He certainly claimed as much in the war's immediate aftermath.<sup>43</sup> This poses a twofold question: why did Lee continue the war when he believed it to be unwinnable and why did he change his mind and surrender at Appomattox Courthouse on April 9<sup>th</sup>, 1865?

Nolan, in his discussion of Lee, briefly brings up a point made by Frank Vandiver that Lee "embodied southern hopes in the public mind. He, and by extension his army, were more symbols than realities."<sup>44</sup> More so than any other general, or even President Davis, Lee was the Southern Cause incarnate during the war. There would have been enormous pressure on him to continue the fight and succeed. Even if he personally felt like the cause was lost, he had a duty to the Confederate civilians and government to continue the fight. And the concept of duty was an integral part of Southern honor at the time.

However, Lee had a duty to both the civilians he fought to protect and the soldiers under his command. As the war dragged on, the soldiers under Lee's command began to make their displeasure known. Many deserted, and those that stayed were often weakened and lacked morale. Furthermore, the cost of the war on the civilian population was mounting exponentially.<sup>45</sup> On the one hand, Lee had a duty to the Confederacy to continue the war so long

as its leadership believed victory possible. On the other hand, Lee could see the writing on the wall. Civilian populations were losing faith, as were his troops. The death toll was mounting, as was the damage to infrastructure. The sense of duty Lee felt to continue the war was coming into conflict with his sense of duty to protect the South. After all, as stated above, he had joined the war effort to defend Virginia.

Why then did Lee wait until Appomattox to surrender? It's possible he spent some time ruminating on the decision, caught between two duties as mention above. It's possible that he was blinded to the suffering his prolonging of the war was causing until something opened his eyes. But perhaps he protracted the war on purpose. As mentioned in more detail below, President Davis was insistent in public that the war could and would continue until victory. With such an insistent force arguing for the war to continue, Lee must have felt that his surrender would only be accepted by Davis and the Confederacy at large if it came during a period when all hope was lost. Any earlier, and the hawkish Confederates could drag him through the mud and ruin his social standing for surrendering.

By Contrast, even after being forced to abandon Richmond, the Confederate Capital, on April 2<sup>nd</sup>, 1865 due to the advances of Union Generals Grant and Sherman, Davis did not believe the Confederate cause to be lost. In a proclamation to his citizens, he stressed that the war had merely entered "a new phase...the memory of which is to endure for all ages, and to shed ever increasing lustre [sic] upon our country."<sup>46</sup> Davis knew that morale was the most important resource to the Confederacy at this stage of the war. Any decision he made had to be framed positively or risk his civilian population giving up. Even after receiving word on the 9<sup>th</sup> that Lee had surrendered, Davis refused to give in. After relocating his Government once more, he fully intended to continue the fight. His cabinet, however, believed the war was lost.<sup>47</sup> Davis insisted

to the end that the Confederacy could be saved by some miracle, and insisted that the fight be kept up until the end, at least publicly.

In a letter to his wife written April 23<sup>rd</sup>, 1865, Davis reveals a private struggle behind his defiant rhetoric. He writes, “The issue is one which it is very painful for me to meet. On one hand is the long night of oppression which will follow the return of our people to the "Union"; on the other, the suffering of the women and children, and carnage among the few brave patriots who would still oppose the invader, and who, unless the people would rise en-masse to sustain them, would struggle but to die in vain.”<sup>48</sup> Publicly, Davis insisted the fight continue, but privately he was torn. He knew that the return of the South into the Union would be disastrous for the Southern states, but at the same time felt that the suffering caused by continuing the struggle was enormous. Davis found himself in a situation where there was no easy answer to the problem he faced. As stated above, he still held out for a miracle to save the Confederacy. Davis had faith in the Southern cause even when all of his generals and advisors had lost theirs. To surrender would be to admit that his cause was not just, to admit that he had failed.

### Lee After the War

The traditional image of Lee after the war is that of Lee the conciliator, who urged his fellow Southerners to abandon their animosity towards the Union. Like any traditional view of a historical figure, it is open to criticism. On August 24<sup>th</sup>, 1865, Lee became President of Washington College in Lexington, Virginia, a small university that had suffered much during the war. It was a position he would hold until his death in 1870.<sup>49</sup> In his acceptance letter to the trustees of Washington College, Lee articulated the conciliatory attitude he is remembered for, saying, “I think it the duty of every citizen, in the present condition of the country, to do all in his power to aid in the restoration of peace and harmony, and in no way to oppose the policy of the

State or [Federal] Governments, directed to that object.”<sup>50</sup> He expressed similar sentiments in an August 28<sup>th</sup>, 1865 letter to former governor John Letcher of Virginia, writing “The questions which for years were in dispute between the State and General Governments...having been decided against us, it is the part of wisdom to acquiesce in the result, and of candor to recognize the fact.”<sup>51</sup> On September 7<sup>th</sup>, he reiterated this in a letter to former confederate naval captain Josiah Tatnall, saying “The war being at an end, the Southern States having laid down their arms and the questions at issue between them and the Northern States having been decided, I believe it to be the duty of every one to unite in the restoration of the country and the reestablishment of peace and harmony.”<sup>52</sup> Lee’s encouragement of conciliation primarily focuses on the avoidance of a second Civil War, which makes sense when one recalls that Lee had hoped for a peaceful resolution to the secession crisis in 1861.

While Lee urged conciliation, he never denied that the South was justified in its actions. In a letter to Jefferson Davis’ wife posted February 23, 1866, while her husband was imprisoned, Lee wrote, “I have felt most keenly the sufferings and imprisonment of your husband....He enjoys the sympathy and respect of all good men; and if, as you state, his trial is now near, the exhibition of the whole truth in his case will, I trust, prove his defense and justification.”<sup>53</sup> Here, Lee affirms that he has no doubt that any trial Jefferson Davis would undergo would find him acquitted, and his actions, and therefore those of the South as a whole, justified. In 1868, Alexander H. Stephens published *A Constitutional View of the Late War Between the States*, outlining his defense of secession as a constitutional right. On November 8, 1869, in a letter to General E. G. W. Butler, Lee discussed Stephens’ book, saying, “I have not read the work of Mr. A. H. Stephens, but from what I have seen of it I think it a strong exposition of Southern views on the subject...I think the South is indebted to him for his defense of her opinions and acts.”<sup>54</sup>

After war's end, Lee never denied that the South was justified in its decision to secede; rather, he upheld it as a constitutional right.

Close examination of Lee's writings after the war reveal that losing the war did little, if anything, to change his opinions on the causes of the war. As mentioned above, he maintained for the rest of his life that secession was constitutionally justified. He had no desire for freedmen to become his equal. In an appearance before a congressional subcommittee on Reconstruction in 1866, Lee stated, "I think it would be better for Virginia if she could get rid of [the freedmen population]." He also responded in the affirmative when asked if he felt that the freedmen population posed a threat to Virginia's continued well-being.<sup>55</sup> Lee's racism is not out of the ordinary for a man of his time and place, nor is it a new phenomenon for him. In an infamous letter to his wife dated December 27, 1856, Lee states his belief in slavery as an evil thing, but continues, "I think it however a greater evil to the white than the Black race....The blacks are immeasurably better off here than in Africa."<sup>56</sup> Again, this is not an uncommon viewpoint for a Southerner of the time to possess. Like many slaveholding Southerners, Lee justifies the practice of slavery with the biased claim that forced servitude is somehow a force for good in the lives of the enslaved, and that it is a heavy burden on the white man's shoulders to do so. Lee's attitude is no different than that of countless other Southerners whose names are not remembered. Losing the Civil War in no way changed Lee's opinions on secession, slavery, white supremacy, or any of the issues of the war.

Was Lee the mythic "Great Conciliator?" Only in that he did not wish there to be another war. Lee was willing to admit that the South had lost the battle for slavery. But that was where his admission of defeat ended. Losing the Civil War did not make Lee into a paragon of peaceful conciliation. He held to his attitudes from before the war: that the federal government, and

therefore the North, should not interfere with Southern matters; that the white race was superior to the black; and that Southern Secession was justified under the constitution. Lee was not a Reluctant Confederate as much as he was a Reluctant Soldier. Lee's calls for peaceful reconciliation after the war are much the same as his hope for peaceful resolution to the secession crisis: the hope of a man who knows the horror of war that the nation's conflicts can be resolved at the ballot box and debate stage rather than the battlefield.

### Davis After the War

While Lee was able to return to civilian life shortly after the war, Davis was one of the few Confederates not pardoned by President Andrew Johnson. Davis was imprisoned pending trial from May 10<sup>th</sup>, 1865 to May 13<sup>th</sup>, 1867, when he was released on bail.<sup>57</sup> Imprisonment did little to damper Davis' appeal among his supporters. If anything, it strengthened his image. Davis had been respected as President of the Confederacy by Southerners, but never beloved. But in his imprisonment Davis became a symbol of the fallen Confederacy, a martyr and a rallying point for Southerners. Many of them agreed with Lee's assessment quoted above that an acquittal for Davis would be an acquittal for the South as a whole.<sup>58</sup> Through correspondence with his wife while imprisoned, Davis was aware of efforts to acquit him. Still, he was unafraid to serve as a martyr for the confederate cause, writing on February 17<sup>th</sup> of 1866 that "Oftentimes the question occurs to me, would the spirit of vengeance be satiated by my sacrifice so that my family and countrymen would then be left in peace. If so, I trust my past life will bring others to the conclusion that is embodied in the mental answer I have so often made, and that those who would mourn me longest would least expect or desire me to shrink from the purchase."<sup>59</sup> Davis was unsure of his future during his imprisonment, especially as it took two years for his case to even make it to trial. Here, he makes the ultimate show of support to the Confederate cause,

offering himself willingly to anger of the North, so long as it meant that the remainder of the South would be spared from Northern retribution. He was unafraid to sacrifice himself for his cause, and he believed that this was what was expected of him. Even if he were afraid, he believed his supporters expected and needed him to do so. If his supporters viewed Davis as the Confederate cause incarnate in the postbellum years, Davis himself saw that cause as bigger than himself or any one human, he knew it could survive without him. Further, even the politician, he knew if he were executed it would reinvigorate the South against Reconstruction. He was more valuable to his cause as a martyr than as a leader.

Davis' trial would be delayed numerous times following his release, until President Johnson issued a guarantee of total amnesty to all participants in the rebellion on December 25<sup>th</sup>, 1868. Previous pardons had excluded those on trial for treason, like Davis, but with this announcement, Davis ceased to face charges for treason. However, he was having difficulty returning to civilian life. Needing a source of income to replace slave-based agriculture, Davis made several business investments that went nowhere.<sup>60</sup> Like other former Confederates, Davis looked to Reconstruction as the source of both his misfortune and that of the South as a whole, writing on August 1<sup>st</sup>, 1867, "My thoughts are ever turned to our oppressed countrymen and my prayers are daily offered for their restoration to freedom and prosperity."<sup>61</sup> Davis here displays a somewhat naïve hope that a rough approximation of the antebellum status quo can be achieved in the South, born of the Southern insistence that they had done no wrong in seceding.

In October of 1869, Davis accepted a position as President of the Carolina Life Insurance Company. He would hold the position for almost four years before resigning amid the Panic of 1873.<sup>62</sup> He would not be employed again until January of 1876, when he accepted the Presidency of the International Chamber of Commerce and Mississippi Valley Society.<sup>63</sup> In 1881 Davis

published his two-volume work, *The Rise and Fall of the Confederate Government*. Part memoir, part treatise, it served as an extensive justification for the Confederacy's actions in seceding from the Union. Davis' main argument therein was that secession was constitutional. He believed that proving that point would vindicate the South and reveal the North as the true belligerents. He downplayed the role of Slavery, writing, "the existence of African servitude was in no [way] the cause of the conflict."<sup>64</sup> This denial, of course, contradicts numerous statements from Confederates from before the war, but it is important to note for the larger context of the postbellum South. The South could not justify their actions if those actions were in defense of a practice now illegal under the constitution. Southerners would have to determine an alternate explanation for their actions that would seem noble and defensible to Northern ears. Very quickly, they settled on States' Rights. Davis was no exception.

Furthermore, Davis never denied that secession was a constitutional right. He insisted that the states were "the sovereign parties to the compact of union,"<sup>65</sup> meaning they were autonomous and could enter and leave the Union at any time. This principle of autonomy was the core of Davis' argument in support of secession. As independent entities in a larger compact, the states had a right to leave that compact if it threatened their livelihood. Davis saw secession as no different than the original colonies declaring independence from England. In his view, the federal government had become destructive of the rights of states, and like the founding fathers before him, Davis and his fellow Confederates had abolished that government to protect those rights. Davis did not see himself as a traitor or a rebel. Even when he died in December 1889, he maintained that his actions were those of a patriot.

## Conclusion

The Civil War shaped Robert E. Lee and Jefferson Davis' lives in a way nothing else they encountered did. On the one hand, it made them household names into the present day. On the other hand, it associated them with what was essentially an armed revolt against the government in defense of the enslavement of human beings. Despite that, both men became mythologized figures immediately following the war. Davis became the Lost Cause incarnate, a representative of the Confederate Cause as a whole. For former Confederates during Reconstruction, and later Southern apologists writing biographies, if you could redeem Jefferson Davis, you could redeem the Confederacy as a whole. In a pushback battle of the history books, Davis became mythologized as an inscrutable enigma, the so-called "Sphinx of the Confederacy." His motives and action thus became unknowable to us mere mortals, and in a way, this moved him beyond criticism.

Lee became even more mythologized than Davis. Where Davis became an enigma, Lee became the "Reluctant Confederate" and the "Marble Man," a great man who could do no wrong, whose every action was justified and who both embodied the Southern cause and supported because of duty only, rather than true belief in it. Lee had been placed on a pedestal so high that no historian could reach him. Every inherent contradiction in the man was brushed aside in the name of promoting him as a great man.

But when one moves past this cult of enigmatic perfection, one finds two men struggling with inner conflict and impossible decisions. Davis and Lee both entered the secession crisis in 1861 with a desire to maintain the Union despite their sympathies lying wholly with the South. Both men insisted that peaceful compromise was the solution as it had been in the past and joined the secessionist train only when they believed all hope of compromise was gone. Both blamed the North and the Republican party for refusing to compromise, not their fellow

Southerners. But when the choice came down to between their country and their state, both men wholeheartedly chose their state.

Both men faced a similar crisis in the last month of the war. All factors indicated that the South could not achieve victory. Davis and Lee both faced the decision whether to fight on and risk total destruction for a slim chance at success, or to admit defeat and face the unknown that was Union victory. While the two men chose different paths, Lee surrendering while Davis fought on until his capture, both faced a difficult decision in the last days of the war.

Jefferson Davis and Robert E. Lee are not perfect, marble men, immune to criticism, nor are they unknowable enigmas beyond our understanding. They are ordinary Southern men of their time. They both held the traditional Southern views on slavery: that the white race was superior, and that slavery had a net benefit for blacks by exposing them to civilization and Christianity. They both defended the secession of the South by claiming it as a constitutional right, the “states’ rights” argument trotted out by countless Southern apologists. They both spent the remainder of their lives unapologetically believing they, and by extension the South as a whole, had done nothing wrong. In essence, Davis and Lee were no different than any number of lesser-known confederates like John C. Breckenridge or John Lecter. What set Lee and Davis apart from other Confederates was not any sort of moral superiority or resonance, but simply the position of power they held. As the President of the Confederacy and its most prominent general, Lee and Davis were constantly in the public eye and forced to make decisions with enormous ramifications. Their positions of power and notoriety did not make them any better at approaching those decisions, and certainly did not make them into gods. Davis and Lee were simply ordinary men in extraordinary circumstances.

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- <sup>1</sup> James D. McCabe, Jr., *Life and Campaigns of General Robert E. Lee* (Atlanta: National Publishing Company, 1866), 29.
- <sup>2</sup> Gamaliel Bradford, *Lee the American* (Boston & New York: Houghton Mifflin Company, 1912), 25.
- <sup>3</sup> Bradford, *Lee the American*, 26-29
- <sup>4</sup> Thomas L. Connelly, *The Marble Man: Robert E. Lee and His Image in American Society* (New York: Alfred A. Knopf, 1977), xiv.
- <sup>5</sup> Connelly, *Marble Man*, 163-219.
- <sup>6</sup> Alan T. Nolan, *Lee Considered: General Robert E. Lee and Civil War History* (Chapel Hill, University of North Carolina Press, 1991), ix-xi
- <sup>7</sup> Clement Eaton, *Jefferson Davis* (New York, The Free Press, 1977), xi.
- <sup>8</sup> Eaton, *Jefferson Davis*, 275.
- <sup>9</sup> William C. Davis, *Jefferson Davis: The Man and His Hour* (New York, HarperCollins Publishers, 1991), xi-xii.
- <sup>10</sup> McCabe, *Life and Campaigns of General Robert E. Lee*, 15.
- <sup>11</sup> McCabe, *Life and Campaigns of General Robert E. Lee*, 10-14.
- <sup>12</sup> McCabe, *Life and Campaigns of General Robert E. Lee*, 15.
- <sup>13</sup> McCabe, *Life and Campaigns of General Robert E. Lee*, 17, 23-26.
- <sup>14</sup> William J. Cooper, Jr., *Jefferson Davis, American* (New York: Alfred A. Knopf, 2000), 9.
- <sup>15</sup> Cooper, *Jefferson Davis, American*, 12-14.
- <sup>16</sup> Cooper, *Jefferson Davis, American*, 22-23, 28-29.
- <sup>17</sup> Cooper, *Jefferson Davis, American*, 40.
- <sup>18</sup> Cooper, *Jefferson Davis, American*, 70-72.
- <sup>19</sup> Cooper, *Jefferson Davis, American*, 77-79.
- <sup>20</sup> Cooper, *Jefferson Davis, American*, 86-88.
- <sup>21</sup> Cooper, *Jefferson Davis, American*, 98.
- <sup>22</sup> Nolan, *Lee Considered*, 31.
- <sup>23</sup> Nolan, *Lee Considered*, 32.
- <sup>24</sup> Robert E. Lee to George Washington Custis Lee, December 14, 1860, *The American Civil War: Letters and Diaries*, Alexander Street Publishers, Accessed November 21, 2019  
<https://cwld.alexanderstreet.com/philologic/CWLD/navigate/11497/0/>
- <sup>25</sup> Nolan, *Lee Considered*, 32.
- <sup>26</sup> Nolan, *Lee Considered*, 33.
- <sup>27</sup> Nolan, *Lee Considered*, 33.
- <sup>28</sup> Robert E. Lee to his family, January 23<sup>rd</sup>, 1861, *The American Civil War: Letters and Diaries*, Alexander Street Publishers, Accessed November 21, 2019, <https://cwld.alexanderstreet.com/philologic/CWLD/navigate/11125/0/>
- <sup>29</sup> *Ibid.*
- <sup>30</sup> *Ibid.*
- <sup>31</sup> Robert E. Lee to Anne Lee Marshall, April 20<sup>th</sup>, 1861, *The American Civil War: Letters and Diaries*, Alexander Street Publishers, Accessed November 21, 2019,  
<https://cwld.alexanderstreet.com/philologic/CWLD/navigate/11538/0/>
- <sup>32</sup> Nolan, *Lee Considered*, 38-39.
- <sup>33</sup> Nolan, *Lee Considered*, 37-38.
- <sup>34</sup> Robert E. Lee to his family, January 23<sup>rd</sup>, 1861, *The American Civil War: Letters and Diaries*, Alexander Street Publishers, Accessed November 21, 2019, <https://cwld.alexanderstreet.com/philologic/CWLD/navigate/11125/0/>
- <sup>35</sup> Cooper, *Jefferson Davis, American*, 300.
- <sup>36</sup> Cooper, *Jefferson Davis, American*, 301.
- <sup>37</sup> Speech at Vicksburg, November 27<sup>th</sup>, 1858, *The Papers of Jefferson Davis*, vol VI, pg. 229-230.
- <sup>38</sup> Cooper, *Jefferson Davis, American*, 302.
- <sup>39</sup> Cooper, *Jefferson Davis, American*, 315.
- <sup>40</sup> Cooper, *Jefferson Davis, American*, 316-317.
- <sup>41</sup> Cooper, *Jefferson Davis, American* 319-320.
- <sup>42</sup> Cooper, *Jefferson Davis, American*, 322-329.

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- <sup>43</sup> Nolan, *Lee Considered*, 118.
- <sup>44</sup> Nolan, *Lee Considered*, 119.
- <sup>45</sup> Nolan, *Lee Considered*, 126-128.
- <sup>46</sup> Cooper, *Jefferson Davis, American*, 524.
- <sup>47</sup> Cooper, *Jefferson Davis, American*, 525-526.
- <sup>48</sup> Jefferson Davis to Varina Davis, April 23<sup>rd</sup>, 1865, *The American Civil War: Letters and Diaries*, Alexander Street Publishers, Accessed November 21, 2019, <https://cwld.alexanderstreet.com/philologic/CWLD/navigate/18348/0/>
- <sup>49</sup> Nolan, *Lee Considered*, 134-135.
- <sup>50</sup> Robert E. Lee to John W. Brockenbrough, August 24<sup>th</sup>, 1865, *The American Civil War: Letters and Diaries*, Alexander Street Publishers, Accessed November 21, 2019, <https://cwld.alexanderstreet.com/philologic/CWLD/navigate/11267/0/>
- <sup>51</sup> Robert E. Lee to John Letcher, August 28<sup>th</sup>, 1865, *The American Civil War: Letters and Diaries*, Alexander Street Publishers, Accessed November 21, 2019, <https://cwld.alexanderstreet.com/philologic/CWLD/navigate/11268/0/>
- <sup>52</sup> Robert E. Lee to Josiah Tatnall, September 7<sup>th</sup>, 1865, *The American Civil War: Letters and Diaries*, Alexander Street Publishers, Accessed November 21, 2019, <https://cwld.alexanderstreet.com/philologic/CWLD/navigate/11260/0/>
- <sup>53</sup> Nolan, *Lee Considered*, 137-138.
- <sup>54</sup> Nolan, *Lee Considered*, 138.
- <sup>55</sup> Nolan, *Lee Considered*, 145-146.
- <sup>56</sup> Nolan, *Lee Considered*, 11-12.
- <sup>57</sup> Cooper, *Jefferson Davis, American*, 534, 566.
- <sup>58</sup> Cooper, *Jefferson Davis, American*, 553.
- <sup>59</sup> Jefferson Davis to Varina Davis, February 17<sup>th</sup>, 1866, *The American Civil War: Letters and Diaries*, Alexander Street Publishers, Accessed November 21, 2019, <https://cwld.alexanderstreet.com/philologic/CWLD/navigate/18321/0/>
- <sup>60</sup> Cooper, *Jefferson Davis, American*, 582.
- <sup>61</sup> Cooper, *Jefferson Davis, American*, 575.
- <sup>62</sup> Cooper, *Jefferson Davis, American*, 586, 595-596.
- <sup>63</sup> Cooper, *Jefferson Davis, American*, 608.
- <sup>64</sup> Cooper, *Jefferson Davis, American*, 619.
- <sup>65</sup> Cooper, *Jefferson Davis, American*, 625.

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