General Cleburne’s Memorial (1864)

In January 1864, Major General Patrick R. Cleburne proposed to emancipate slaves in return for their services in the Confederate Army. Cleburne, Irish born and one of the most renowned of its “Wild Geese,” was perhaps the best division commander in either the Confederate or Union armies. Cleburne was renowned as the “Stonewall Jackson of the West.” He offered this proposal in the form of a memorial (memorandum) to the Commander and general officers of the Army of Tennessee with the endorsement of most, but not all, of the senior officers in his division—whose names also appeared on the document. At a meeting of the general officers in the presence of the Commanding General, Joseph E. Johnston—Cleburne presented his memorial. Most of the division commanders at the meeting were cold to the proposal, and many were appalled—one division commander called it “revolting to Southern sentiment, Southern pride, and Southern honor.”

General Johnston refused to forward the proposal to the War Department. He held that the enlistment of slaves was a political matter and not the proper concern of military officers. So incensed at Cleburne’s proposal was one of the generals present, Major General W.H.T. Walker, that he determined officially to register with higher authority his opposition to it. Walker circumvented Johnston's refusal to forward the proposal to the War Department by mailing it directly to Confederate President Jefferson Davis. In justifying this action, Walker professed: “The gravity of the subject, the magnitude of the issues involved, my strong convictions that the further agitation of such sentiments and propositions would ruin the efficiency of our army, and involve our cause in ruin and disgrace constitute my reason for bringing the documents before the Executive.”

Jefferson Davis replied: “Deeming it to be injurious to the public service that such subject [the employment of slaves as soldiers in the army] should be mooted or even known to be entertained by persons possessed of confidence and respect of the people, I have concluded that the best policy under the circumstances will be to avoid all publicity, and the Secretary of War has therefore written to General Johnston requested him to convey to those concerned my desire that it should be kept private. If it be kept out of the public journals its ill effects will be much lessened.”

General Johnston informed Cleburne and his other senior subordinates of Davis’ response and told them “the dissemination of even promulgation of such opinion under the present circumstances of the Confederacy, whither in the army or among the people, can be productive only of discouragement, distraction, and desertion. The agitation and controversy which must spring from the presentation of such views of officers high in the public confidence are to be deeply deprecated, and while no doubt or mistrust is for a moment entertained of the patriotic intents of the gallant author of the memorial, and such of his brother officers as may have favored his opinions, it is requested that you communicate to them, as well as all others present on the occasion, the opinions, as herein expressed, of the President, and urge on them the suppression, not only of the memorial itself, but likewise of all discussion and controversy respecting or growing out of it. . . .”

Thus, was General Cleburne’s remarkable analysis and proposal suppressed within the Army. The issue of enlisting slaves in the defense of the Confederacy in exchange for their freedom, however, did not disappear. It was debated throughout 1864, and on November 7th, President Davis offered a proposal for the enlistment of slaves to the Congress. Based on his leadership and fighting ability Patrick Cleburne should have risen to higher command, but Davis refused to promote him.

Major General Patrick Cleburne, Irish-expatriate and southern patriot, was killed in action at the Battle of Franklin in November of 1864. Only three months after Cleburne’s death, the Confederate Congress—with the endorsement of General of the Army Robert E. Lee, passed the bill to enlist black soldiers. In exchange for their faithful service to the cause, those slaves who enlisted would receive their full emancipation. Having gone to war, in large part to preserve slavery, the leadership of the South finally concluded it would have to be abolished if independence was to be preserved. That is, once tens of thousands of slaves won their freedom fighting for the Cause—the old system could never be maintained. As scholar Jay Winik summarizes this ironic situation: “The significance of this could not be underestimated. In the end what the Confederacy most cherished was its independence [rather than slavery]. And unwittingly, this produced a supreme irony: as April 1865 approached, the two sides, North and South, were closer on the issue of slavery than perhaps they had been since the founding of the republic, and yet it no longer mattered.” It was too late.]
[January 2, 1864]

COMMANDING GENERAL, THE CORPS, DIVISION, BRIGADE, AND REGIMENTAL COMMANDERS OF THE ARMY OF TENNESSEE

GENERAL: Moved by the exigency in which our country is now placed, we take the liberty of laying before you, unofficially, our views on the present state of affairs. The subject is so grave, and our views so new, we feel it a duty both to you and the cause that before going further we should submit them for your judgment and receive your suggestions in regard to them. We therefore respectfully ask you to give us an expression of your views in the premises. We have now been fighting for nearly three years, have spilled much of our best blood, and lost, consumed, or thrown to the flames an amount of property equal in value to the specie currency of the world. Through some lack in our system the fruits of our struggles and sacrifices have invariably slipped away from us and left us nothing but long lists of dead and mangled. Instead of standing defiantly on the borders of our territory or harassing those of the enemy, we are hemmed in today into less than two-thirds of it, and still the enemy menacingly confronts us at every point with superior forces. Our soldiers can see no end to this state of affairs except in our own exhaustion; hence, instead of rising to the occasion, they are sinking into a fatal apathy, growing weary of hardships and slaughters which promise no results. In this state of things it is easy to understand why there is a growing belief that some black catastrophe is not far ahead of us, and that unless some extraordinary change is soon made in our condition we must overtake it. The consequences of this condition are showing themselves more plainly every day; restlessness of morals spreading everywhere, manifesting itself in the army in a growing disregard for private rights; desertion spreading to a class of soldiers it never dared to tamper with before; military commissions sinking in the estimation of the soldier; our supplies failing; our firesides in ruins. If this state continues much longer we must be subjugated. Every man should endeavor to understand the meaning of subjugation before it is too late. We can give but a faint idea when we say it means the loss of all we now hold most sacred—slaves and all other personal property, lands, homesteads, liberty, justice, safety, pride, manhood. It means that the history of this heroic struggle will be written by the enemy; that our youth will be trained by Northern school teachers; will learn from Northern school books their version of the war; will be impressed by all the influences of history and education to regard our gallant dead as traitors, our maimed veterans as fit objects for derision. It means the crushing of Southern manhood, the hatred of our former slaves, who will, on a spy system, be our secret police. The conqueror's policy is to divide the conquered into factions and stir up animosity among them, and in training an army of negroes the North no doubt holds this thought in perspective. We can see three great causes operating to destroy us: First, the inferiority of our armies to those of the enemy in point of numbers; second, the poverty of our single source of supply in comparison with his several sources; third, the fact that slavery, from being one of our chief sources of strength at the commencement of the war, has now become, in a military point of view, one of our chief sources of weakness.

The enemy already opposes us at every point with superior numbers, and is endeavoring to make the preponderance irresistible. President Davis, in his recent message, says the enemy "has recently ordered a large conscription and made a subsequent call for volunteers, to be followed, if ineffectual, by a still further draft." In addition, the President of the United States announces that "he has already in training an army of 100,000 negroes as good as any troops," and every fresh raid he makes and new slice of territory he wrests from us will add to this force. Every
soldier in our army already knows and feels our numerical inferiority to the enemy. Want of men in the field has prevented him from reaping the fruits of his victories, and has prevented him from having the furlough he expected after the last reorganization, and when he turns from the wasting armies in the field to look at the source of supply, he finds nothing in the prospect to encourage him. Our single source of supply is that portion of our white men fit for duty and not now in the ranks. The enemy has three sources of supply: First, his own motley population; secondly, our slaves; and thirdly, Europeans whose hearts are fired into a crusade against us by fictitious pictures of the atrocities of slavery, and who meet no hindrance from their Governments in such enterprise, because these Governments are equally antagonistic to the institution. In touching the third cause, the fact that slavery has become a military weakness, we may rouse prejudice and passion, but the time has come when it would be madness not to look at our danger from every point of view, and to probe it to the bottom. Apart from the assistance that home and foreign prejudice against slavery has given to the North, slavery is a source of great strength to the enemy in a purely military point of view, by supplying him with an army from our granaries; but it is our most vulnerable point, a continued embarrassment, and in some respects an insidious weakness. Wherever slavery is once seriously disturbed, whether by the actual presence or the approach of the enemy, or even by a cavalry raid, the whites can no longer with safety to their property openly sympathize with our cause. The fear of their slaves is continually haunting them, and from silence and apprehension many of these soon learn to wish the war stopped on any terms. The next stage is to take the oath to save property, and they become dead to us, if not open enemies. To prevent raids we are forced to scatter our forces, and are not free to move and strike like the enemy; his vulnerable points are carefully selected and fortified depots. Ours are found in every point where there is a slave to set free. All along the lines slavery is comparatively valueless to us for labor, but of great and increasing worth to the enemy for information. It is an omnipresent spy system, pointing out our valuable men to the enemy, revealing our positions, purposes, and resources, and yet acting so safely and secretly that there is no means to guard against it. Even in the heart of our country, where our hold upon this secret espionage is firmest, it waits but the opening fire of the enemy's battle line to wake it, like a torpid serpent, into venomous activity.

In view of the state of affairs what does our country propose to do? In the words of President Davis "no effort must be spared to add largely to our effective force as promptly as possible. The sources of supply are to be found in restoring to the army all who are improperly absent, putting an end to substitution, modifying the exemption law, restricting details, and placing in the ranks such of the able-bodied men now employed as wagoners, nurses, cooks, and other employés, as are doing service for which the negroes may be found competent." Most of the men improperly absent, together with many of the exempts and men having substitutes, are now without the Confederate lines and cannot be calculated on. If all the exempts capable of bearing arms were enrolled, it will give us the boys below eighteen, the men above forty-five, and those persons who are left at home to meet the wants of the country and the army, but this modification of the exemption law will remove from the fields and manufactories most of the skill that directed agricultural and mechanical labor, and, as stated by the President, "details will have to be made to meet the wants of the country," thus sending many of the men to be derived from this source back to their homes again. Independently of this, experience proves that striplings and men above conscript age break down and swell the sick lists more than they do the ranks. The portion now in our lines of the class who have substitutes is not on the whole a hopeful element, for the motives that created it must have been stronger than patriotism, and
these motives added to what many of them will call breach of faith, will cause some to be not forthcoming, and others to be unwilling and discontented soldiers. The remaining sources mentioned by the President have been so closely pruned in the Army of Tennessee that they will be found not to yield largely. The supply from all these sources, together with what we now have in the field, will exhaust the white race, and though it should greatly exceed expectations and put us on an equality with the enemy, or even give us temporary advantages, still we have no reserve to meet unexpected disaster or to supply a protracted struggle. Like past years, 1864 will diminish our ranks by the casualties of war, and what source of repair is there left us? We therefore see in the recommendations of the President only a temporary expedient, which at the best will leave us twelve months hence in the same predicament we are in now. The President attempts to meet only one of the depressing causes mentioned; for the other two he has proposed no remedy. They remain to generate lack of confidence in our final success, and to keep us moving down hill as heretofore. Adequately to meet the causes which are now threatening ruin to our country, we propose, in addition to a modification of the President's plans, that we retain in service for the war all troops now in service, and that we immediately commence training a large reserve of the most courageous of our slaves, and further that we guarantee freedom within a reasonable time to every slave in the South who shall remain true to the Confederacy in this war. As between the loss of independence and the loss of slavery, we assume that every patriot will freely give up the latter--give up the negro slave rather than be a slave himself. If we are correct in this assumption it only remains to show how this great national sacrifice is, in all human probabilities, to change the current of success and sweep the invader from our country.

Our country has already some friends in England and France, and there are strong motives to induce these nations to recognize and assist us, but they cannot assist us without helping slavery, and to do this would be in conflict with their policy for the last quarter of a century. England has paid hundreds of millions to emancipate her West India slaves and break up the slave trade. Could she now consistently spend her treasure to reinstate slavery in this country? But this barrier once removed, the sympathy and the interests of these and other nations will accord with our own, and we may expect from them both moral support and material aid. One thing is certain, as soon as the great sacrifice to independence is made and known in foreign countries there will be a complete change of front in our favor of the sympathies of the world. This measure will deprive the North of the moral and material aid which it now derives from the bitter prejudices with which foreigners view the institution, and its war, if continued, will henceforth be so despicable in their eyes that the source of recruiting will be dried up. It will leave the enemy's negro army no motive to fight for, and will exhaust the source from which it has been recruited. The idea that it is their special mission to war against slavery has held growing sway over the Northern people for many years, and has at length ripened into an armed and bloody crusade against it. This baleful superstition has so far supplied them with a courage and constancy not their own. It is the most powerful and honestly entertained plank in their war platform. Knock this away and what is left? A bloody ambition for more territory, a pretended veneration for the Union, which one of their own most distinguished orators (Doctor Beecher in his Liverpool speech) openly avowed was only used as a stimulus to stir up the anti-slavery crusade, and lastly the poisonous and selfish interests which are the fungus growth of the war itself. Mankind may fancy it a great duty to destroy slavery, but what interest can mankind have in upholding this remainder of the Northern war platform? Their interests and feelings will be diametrically opposed to it. The measure we propose will strike dead all John Brown fanaticism, and will compel the enemy to draw off altogether or in the eyes of the world to swallow the
Declaration of Independence without the sauce and disguise of philanthropy. This delusion of fanaticism at an end, thousands of Northern people will have leisure to look at home and to see the gulf of despotism into which they themselves are rushing.

The measure will at one blow strip the enemy of foreign sympathy and assistance, and transfer them to the South; it will dry up two of his three sources of recruiting; it will take from his negro army the only motive it could have to fight against the South, and will probably cause much of it to desert over to us; it will deprive his cause of the powerful stimulus of fanaticism, and will enable him to see the rock on which his so called friends are now piloting him. The immediate effect of the emancipation and enrollment of negroes on the military strength of the South would be: To enable us to have armies numerically superior to those of the North, and a reserve of any size we might think necessary; to enable us to take the offensive, move forward, and forage on the enemy. It would open to us in prospective another and almost untouched source of supply, and furnish us with the means of preventing temporary disaster, and carrying on a protracted struggle. It would instantly remove all the vulnerability, embarrassment, and inherent weakness which result from slavery. The approach of the enemy would no longer find every household surrounded by spies; the fear that sealed the master's lips and the avarice that has, in so many cases, tempted him practically to desert us would alike be removed. There would be no recruits awaiting the enemy with open arms, no complete history of every neighborhood with ready guides, no fear of insurrection in the rear, or anxieties for the fate of loved ones when our armies moved forward. The chronic irritation of hope deferred would be joyfully ended with the negro, and the sympathies of his whole race would be due to his native South. It would restore confidence in an early termination of the war with all its inspiring consequences, and even if contrary to all expectations the enemy should succeed in overrunning the South, instead of finding a cheap, ready-made means of holding it down, he would find a common hatred and thirst for vengeance, which would break into acts at every favorable opportunity, would prevent him from settling on our lands, and render the South a very unprofitable conquest. It would remove forever all selfish taint from our cause and place independence above every question of property. The very magnitude of the sacrifice itself, such as no nation has ever voluntarily made before, would appal our enemies, destroy his spirit and his finances, and fill our hearts with a pride and singleness of purpose which would clothe us with new strength in battle. Apart from all other aspects of the question, the necessity for more fighting men is upon us. We can only get a sufficiency by making the negro share the danger and hardships of the war. If we arm and train him and make him fight for the country in her hour of dire distress, every consideration of principle and policy demand that we should set him and his whole race who side with us free. It is a first principle with mankind that he who offers his life in defense of the State should receive from her in return his freedom and his happiness, and we believe in acknowledgment of this principle. The Constitution of the Southern States has reserved to their respective governments the power to free slaves for meritorious services to the State. It is politic besides. For many years, ever since the agitation of the subject of slavery commenced, the negro has been dreaming of freedom, and his vivid imagination has surrounded that condition with so many gratifications that it has become the paradise of his hopes. To attain it he will tempt dangers and difficulties not exceeded by the bravest soldier in the field. The hope of freedom is perhaps the only moral incentive that can be applied to him in his present condition. It would be preposterous then to expect him to fight against it with any degree of enthusiasm, therefore we must bind him to our cause by no doubtful bonds; we must leave no possible loophole for treachery to creep in. The slaves are dangerous now, but armed, trained, and collected in an army they would be a thousand
fold more dangerous: therefore when we make soldiers of them we must make free men of them beyond all question, and thus enlist their sympathies also. We can do this more effectually than the North can now do, for we can give the negro not only his own freedom, but that of his wife and child, and can secure it to him in his old home. To do this, we must immediately make his marriage and parental relations sacred in the eyes of the law and forbid their sale. The past legislation of the South concedes that large free middle class of negro blood, between the master and slave, must sooner or later destroy the institution. If, then, we touch the institution at all, we would do best to make the most of it, and by emancipating the whole race upon reasonable terms, and within such reasonable time as will prepare both races for the change, secure to ourselves all the advantages, and to our enemies all the disadvantages that can arise, both at home and abroad, from such a sacrifice. Satisfy the negro that if he faithfully adheres to our standard during the war he shall receive his freedom and that of his race. Give him as an earnest of our intentions such immediate immunities as will impress him with our sincerity and be in keeping with his new condition, enroll a portion of his class as soldiers of the Confederacy, and we change the race from a dreaded weakness to a position of strength.

Will the slaves fight? The helots of Sparta stood their masters good stead in battle. In the great sea fight of Lepanto where the Christians checked forever the spread of Mohammedanism over Europe, the galley slaves of portions of the fleet were promised freedom, and called on to fight at a critical moment of the battle. They fought well, and civilization owes much to those brave galley slaves. The negro slaves of Saint Domingo, fighting for freedom, defeated their white masters and the French troops sent against them. The negro slaves of Jamaica revolted, and under the name of Maroons held the mountains against their masters for 150 years; and the experience of this war has been so far that half-trained negroes have fought as bravely as many other half-trained Yankees. If, contrary to the training of a lifetime, they can be made to face and fight bravely against their former masters, how much more probable is it that with the allurement of a higher reward, and led by those masters, they would submit to discipline and face dangers.

We will briefly notice a few arguments against this course. It is said Republicanism cannot exist without the institution. Even were this true, we prefer any form of government of which the Southern people may have the molding, to one forced upon us by a conqueror. It is said the white man cannot perform agricultural labor in the South. The experience of this army during the heat of summer from Bowling Green, Ky., to Tupelo, Miss., is that the white man is healthier when doing reasonable work in the open field than at any other time. It is said an army of negroes cannot be spared from the fields. A sufficient number of slaves is now administering to luxury alone to supply the place of all we need, and we believe it would be better to take half the able bodied men off a plantation than to take the one master mind that economically regulated its operations. Leave some of the skill at home and take some of the muscle to fight with. It is said slaves will not work after they are freed. We think necessity and a wise legislation will compel them to labor for a living. It is said it will cause terrible excitement and some disaffection from our cause. Excitement is far preferable to the apathy which now exists, and disaffection will not be among the fighting men. It is said slavery is all we are fighting for, and if we give it up we give up all. Even if this were true, which we deny, slavery is not all our enemies are fighting for. It is merely the pretense to establish sectional superiority and a more centralized form of government, and to deprive us of our rights and liberties. We have now briefly proposed a plan which we believe will save our country. It may be imperfect, but in all human probability it would give us our independence. No objection ought to outweigh it which is not weightier than independence. If it is worthy of being put in practice it ought to be mooted quickly before the
people, and urged earnestly by every man who believes in its efficacy. Negroes will require much training; training will require time, and there is danger that this concession to common sense may come too late.

P. R. Cleburne, major-general, commanding division;
D. C. Govan, brigadier-general;
John E. Murray, colonel Fifth Arkansas;
G. F. Baucum, colonel Eighth Arkansas;
Peter Snyder, lieutenant-colonel, commanding Sixth and Seventh Arkansas;
E. Warfield, lieutenant-colonel, Second Arkansas;
M. P. Lowrey, brigadier-general;
A. B. Hardcastle, colonel Thirty-second and Forty-fifth Mississippi;
F. A. Ashford, major Sixteenth Alabama;
John W. Colquitt, colonel First Arkansas;
Rich. J. Person, major Third and Fifth Confederate;
G. S. Deakins, major Thirty-fifth and Eighth Tennessee;
J. H. Collett, captain, commanding Seventh Texas;
J. H. Kelly, brigadier-general, commanding Cavalry Division.

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