

Lincoln's Scapegoat: David Hunter

In March of 1862, General David Hunter was assigned to the Department of the South. This position gave him command of Union troops in South Carolina, Florida, and Georgia. Since these states were in active rebellion, Hunter had to deal with many slaves running into his camps, and like many other men in power, had to decide what to do with these men. Hunter decided that the best course of action would be to arm these men and use them in military efforts. President Lincoln quickly condemned these actions in front of congress saying, "I must dissent from those who advise a general levy and arming of the slaves for the duty of soldiers. Until our white population shall prove insufficient for the armies we require."¹ However, Hunter chose to ignore these orders and enlisted ex-slaves in South Carolina. Hunter continued to remind those criticizing him of his authority as a commanding officer in a war zone—and the fact that the orders he was given when taking his position allowed him to do this. "The instructions given to Brig. Gen. T.W. Sherman by the late Secretary of War, and turned over to me by succession for my guidance, do distinctly authorize me to employ all loyal persons offering their services in the defence of the Union and for the suppression of this Rebellion in any manner I might see fit."² While government officials initially condemned Hunter's views of arming former slaves, they soon adopted these views with the Militia Act of 1862. Hunter made many controversial decisions throughout his military career, and Lincoln and his administration continued to be lenient with him, taking notes of which decisions were popular and using those decisions themselves later.

¹ Confederate States of America. Congress, and United States War Department *Journal of the congress of the Confederate States of America*. Washington: Government Printing Office, 1904. 258.

² Robert N Scott, *The War of the Rebellion: A Compilation of Official Records of the Union and Confederate Armies*, series 3, vol. 2 (Washington D.C. 1899), 197.

On 13 April, 1862, Hunter issued General Order No. 7, which freed the slaves who were used by the Confederacy in Georgia. This order went unchecked by the administration, which emboldened him to continue his actions. Hunter became a controversial figure with what he called General Order No. 11. This order was issued on May 9, 1862 and the goal was to emancipate all slaves in Georgia, South Carolina, and Florida.

The three states of Georgia, Florida, and South Carolina, compromising the military department of the south, have deliberately declared themselves no longer under the protection of the United States of America, and having taken up arms against the United States, it becomes a military necessity to declare them under martial law. This was accordingly done on the 25th day of April, 1862. Slavery and martial law in a free country are altogether incompatible; the persons in these three states -- Georgia, Florida, and South Carolina-- heretofore held as slaves, are therefore declared forever free.³

General Hunter issued his order without coordinating with the President, and a week went by before Lincoln got word of what had been done. Lincoln, concerned that freeing the slaves in these states could cause the South to react with aggressive military action, responded on May 19 saying, "Neither General Hunter, nor any other commander, or person, has been authorized by the Government of the United States to make proclamations declaring the slaves of any State free... in any case,... to exercise such supposed power, I reserve to myself."⁴ In this statement Lincoln made clear his stance on what Hunter did. At the time Lincoln was likely seeing emancipation as an option for himself, but Lincoln also wanted to be the one to make these large decisions because if there were positive reactions it would further his political career.

It is clear that Hunter knew what consequences may lay ahead for him after this general order, seeing first-hand what had happened to Fremont when he was fired from the Department

³ David Hunter *General Order No. 11*. Via American Antiquarian Society
<https://www.americanantiquarian.org/Manuscripts/generalorders.html>

⁴ John G. Nicolay, and John Hay, Abraham *Lincoln: A History*, New York: Century, 90.

of the South for trying to free slaves. In an earlier letter sent January of 1862 to Stanton, he wrote, "Please let me have my own way on the subject of slavery. The administration will not be responsible. I alone will bear the blame; you can censure me, arrest me, dismiss me, hang me if you will, but permit me to make my mark in such a way as to be remembered by friend and foe."⁵ Hunter was willing to take full responsibility for his actions, even acknowledging that he could be fired or killed for what he was planning on doing. Despite his recognition of this fact, his dismissal never came, and he maintained his position at the Department of the South. This letter should have served as a warning to the Lincoln administration that Hunter would be making important decisions regarding slavery, but they ignored it and imposed rules on Hunter later.

While Lincoln's proclamation barred future generals from freeing slaves in entire states, it did not take away the authority of military commanders to liberate individual groups of slaves, since these actions could be seen as a military necessity. The proclamation also did not cover anything about Hunter's actions attempting to arm contrabands.⁶ Hunter believed that Lincoln approved of his actions but couldn't support them publicly because it would hurt Lincoln's image. In a letter to Hunter, Lincoln wrote, "I am glad to see the accounts of your colored force at Jacksonville, Florida ... It is important to the enemy that such force shall not take shape and grow and thrive in the South; and in precisely the same proportion it is important to us that it shall."⁷ Following this letter Hunter wrote to both Brigadier General Henry Benham, Commander of the Northern District, and General Isaac I. Stevens, commander of the 2nd

⁵ Thomas Harry Williams. *Lincoln and the Radicals*. Madison: Univ. of Wisconsin Press, 2005.

⁶ "Contraband" was a term commonly used at the time to refer to slaves who escaped successfully to Union lines

⁷ David Hunter. *Report of the Military Services of Gen. David Hunter, U.S.A., during the War of the Rebellion*, 1873.

Brigade in the Northern District, suggesting that they should organize slaves into companies.⁸ At this point Hunter was not only making decisions for himself and his district but trying to further these decisions to the entire military. Washington got word of what Hunter was doing, and the Secretary of War was asked to provide information on organizing fugitive slaves into the army. Secretary Stanton wrote to Hunter asking about his activities, and Hunter responded saying that if given permission, he expected to recruit 40,000 to 50,000 former slaves to fight in Union Armies.⁹ The Northern radicals supported this idea; T. Harry Williams explains Hunter's move saying, "General David Hunter, an ambitious officer who decided that the best way to advance his military career was to curry favour with the radicals had impressed them with a scheme to organize an army of freed slaves."¹⁰ Many of the troops were being recruited from Port Royal, where freed slaves had been able to buy or rent land to farm and were learning to become independent. Hunter believed that since there were so many of these men in one place, it would be simple to recruit them into the military, and the women and children could be left to farm in Port Royal. Hunter could get no reply from the administration approving or disapproving his conduct, so he continued. In the weeks following Hunter's actions, congress passed the Militia Act of July 1862 which allowed the employment of African American men by the Union Army.

Hunter believed that former slaves made the best troops, stating, "The experiment of arming the blacks, so far as I have made it, has been a complete and marvellous success. They are sober, docile, attentive, and enthusiastic."¹¹ This is in stark contrast to white troops on both the Union and Confederate sides who had grown tired of the war and were starting to become insubordinate. Between 1863 and 1865 nearly 777,000 Union men had been drafted, but only

⁸ Scott, *War of the Rebellion*, 30.

⁹ Scott, *War of the Rebellion*, 196-198.

¹⁰ Hunter, *Military Services of Gen. David Hunter*.

¹¹ Hunter, *Military Services of Gen. David Hunter*.

46,000 went into service.¹² Despite having evidence that arming former slaves was a successful idea, Lincoln did not act on the legislation of the Militia Act, and after months of drilling troops with no pay General Hunter disbanded his black regiment saying, “Failing to receive authority to muster the first Regiment of South Carolina Volunteers into the service of the United States, I have disbanded them.”¹³ Just weeks after Hunter disbanded his regiment, Secretary of War Stanton gave General Rufus Saxton, military governor of South Carolina, permission to arm 5,000 black men, and Saxton scrambled to try and rebuild the regiment that Hunter had disbanded.¹⁴ It became evident that Stanton had the power and the desire to raise troops, but he had allowed Hunter to struggle for months until he eventually failed. It is possible that the administration had not fully committed to arming black men until after Hunter disbanded, but it is more probable that the administration was trying to distance itself from Hunter and his actions.

Hunter was open in his beliefs and was not afraid to let both Lincoln and the Confederate leaders know where he stood on these issues. In an 1863 letter to the president of the Confederacy, Jefferson Davis, Hunter wrote:

You say you are fighting for liberty. Yes you are fighting for liberty: liberty to keep for millions of your fellow-beings in ignorance and degradation;- liberty to separate parents and children, husband and wife, brother and sister;- liberty to steal the products of their labor, exacted with many a cruel lash and bitter tear;- liberty to seduce their wives and daughters, and sell your own children into bondage;- liberty to kill these children with impunity, when the murder cannot be proven by one of pure white blood. This is the kind of liberty-the liberty to do wrong-which Satan, Chief of the fallen Angels, was contending for when he was cast into Hell.¹⁵

¹² Levine, Peter. “Draft Evasion in the North during the Civil War 1863-1865.” *Journal of American History* 67, no. 4, March 1981.

¹³ Scott, *War of the Rebellion*, 346.

¹⁴ Berlin, Ira *The Wartime Genesis of Free Labor: The Lower South*, 269-70.

¹⁵ Hayman, Robert L. *The Smart Culture: Society, Intelligence, and Law*, 60.

While Lincoln and many people in the North tried to avoid the key issues with slavery, Hunter looked at them straight on and was not afraid to let his beliefs be known. Doing this gained Hunter popularity with the radicals in the North, but it lost him support of any moderates and Southerners. Lincoln saw being moderate as more profitable for his own career, so it would be better for him to distance himself from Hunter and these radical beliefs.

The fact that the Lincoln administration was trying to distance itself from Hunter is made even more obvious with the fact that by August Lincoln would choose to emancipate slaves, though just months earlier he overruled Hunter's attempt to do so. Lincoln was following the lead of his generals, as he first condemned their actions, then did the same thing on a larger scale months later. We see this happening first with arming contrabands, then emancipation. The military and political leadership were constantly undermining each other's authority because of the issue of slavery, and it came time for a decision to be made. With it being clear that slavery could no longer be ignored in the cause of the Civil War, Hunter and Lincoln made their choice on how to go about making decisions. Hunter chose to play to the radicals of his time, seeing slavery as a moral issue that should be eradicated at all costs. Lincoln wanted to play to the moderates, and seeing the border states as the key to winning the war, he had to be sure not to make any direct attacks on slaveholders' rights. Unfortunately, at the start of the war, Lincoln did not set clear boundaries on what generals could and couldn't do, which gave rise to generals like Fremont and Hunter who would take actions that Lincoln wanted to reserve for himself. However, once these generals made their decisions and put out orders, it was hard for Lincoln to rescind orders that had the support of the people.

Lincoln called representatives of the border states to the White House in July 1862. In this meeting, he encouraged the representatives to accept gradual emancipation and talked about

how the American populace's reaction to the reversal of General Hunter's proclamation had not been a positive one saying; "I gave dissatisfaction, if not offence, to many whose support the country can not afford to lose. And this is not the end of it. The pressure, in this direction, is still upon me, and is increasing."¹⁶ Lincoln realized that Hunter's proclamation was popular in the North, as it would deprive the South of the manpower that slavery provided. Lincoln's efforts failed, and a few days later the representatives replied that they could not support this proposition. It was clear that the border states had made up their minds, and so had Lincoln. The North was ready for the South to suffer, and generals like Hunter were pushing towards a total victory, not a compromise. Lincoln was faced with the fact that the people of the Southern states were not willing to compromise, so he had to fully support his military commanders. Hunter was fully aware that Lincoln was using his generals to experiment with ideas, so if any blame were to come it could be avoided by Lincoln and his administration. In a telegram to Lincoln dated July 17, 1864, Hunter said, "Your order had entirely destroyed my usefulness. When an official is selected as the scapegoat to cover up the blunders of others... the country requires that he should at-once be relieved from command."¹⁷ This shows that Hunter was aware that Lincoln should have removed Hunter from command, but he didn't because Hunter would be more useful if he would continue making decisions that Lincoln could use later.

Lincoln, drawing inspiration from Hunter months before, called his cabinet together to discuss his intention of an emancipation proclamation. While Congress had previously legislated the freedom of slaves belonging to individuals in rebellion, Lincoln was about to free entire states. This decision was pushed by the acts of men like Hunter, who, without guidance from the

¹⁶ Basler, Roy P. *Collected Works of Lincoln*, New Brunswick, N.J.: Rutgers University Press, 1953. 318.

¹⁷ Lincoln, Abraham. Abraham Lincoln papers: Series 1. General Correspondence. 1833 to 1916: David Hunter to Abraham Lincoln, Sunday, Telegram requesting to be relieved of command. 1864. Manuscript/Mixed Material. <https://www.loc.gov/item/mal3453400/>.

Lincoln administration and unambiguous rules, had performed similar acts earlier and gained popular favor. Smaller acts were ignored by the administration until they triggered serious responses from the South. By the point that the actions could no longer be ignored, Lincoln had no other choice than to follow his general's lead in emancipation.

If not for General David Hunter making bold decisions, Lincoln would not have been able to gauge public opinion on issues like arming slaves or freeing them entirely without putting himself at risk. While Hunter's decisions were seen as controversial in the beginning, the government would come to adopt these choices in their own time. Hunter, however, grew tired of being treated like a scapegoat and pushed for his own dismissal. In the end Hunter's views were adopted by the government, and the change he wanted was made by someone else.

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