Review

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Slavery played a dominant economic role in the early history of the United States even as it loomed large in politics, society, and culture. James Oakes has long written about slavery and slaveholders with perception and vigor; in this volume, he meticulously chronicles and analyzes slavery’s demise. The subject is endlessly complex and fraught with difficulties, but Oakes takes at once a clear-cut but nuanced approach. He maintains that abolitionists and, later, Republicans had for several decades believed that two basic policies could bring about the death of slavery. Despite supposed constitutional safeguards for the institution, Federal pressure against slavery—especially its exclusion from the national territories—would put it on the path to “ultimate extinction.” An important corollary to this proposition held that slavery was both a state and a local institution; in other words, “property in man” was never recognized or sanctioned by the Constitution. The second assumption made by the antislavery side was of equal if not greater importance: should the slaveholders ever rebel against the United States, an ensuing war would inaugurate a new phase of the crusade against slavery, military emancipation.

Whether in fact influential politicians and policy makers saw this process as clearly as Oakes does in this lucidly written and brilliantly argued volume remains open to question, but Freedom National makes several important contributions. From the opening pages, Oakes challenges the conventional story of a war to preserve the Union that also becomes a war for emancipation. In his view, the war against slavery began with the firing on Fort Sumter and indeed long before. Some abolitionists argued that slavery lacked constitutional protection, though William Lloyd Garrison and his allies sharply disagreed. In any case, the Liberty Party and later the Free-Soilers all moved to divorce the Federal government from slavery while conceding that the government lacked the authority to abolish slavery in the states. At the same time, many opponents maintained that the demise of
slavery was inevitable because the Federal government and the free states could surround the slave states with a “cordon of freedom” that would eventually bring about universal emancipation. According to Oakes, John Quincy Adams and William Henry Seward, among others, anticipated another possible outcome. There might be peace and gradual emancipation, but on the other hand there might be war and military emancipation. How well developed or how widespread these ideas and assumptions were remains a matter for conjecture. Oakes quotes certain passages to support his arguments but does not prove either their pervasiveness or influence with a broader public. He is definitely more a “lumper” than a “splitter,” and his central argument that a war for the Union was from the beginning a war for emancipation is thought-provoking if not always convincing.

In Oakes’s view, southern secessionists had good reason to fear the Republicans, however many times party leaders might declare that they had no intention of interfering with slavery in the states. Oakes gives short shrift to the cooperationist contention that the election of Abraham Lincoln posed little immediate threat to slavery, nor does he pay much attention to the political differences between the upper and lower South on these issues. Oakes also has trouble dealing with Seward. Historians such as Daniel Crofts and William J. Cooper Jr. have emphasized Seward’s political flexibility and apparent willingness to work out some sort of sectional compromise in the period between Lincoln’s election and inauguration, but Oakes sees the New Yorker as favoring conciliation rather than compromise. And then, too, there were early considerations of how a war would affect slavery. Seward and some Republican editors did briefly mention the possibility of slave uprisings in the event of a war, but how much weight to give such statements and whether they really presaged a policy of military emancipation remains unclear. For sure, a number of Republicans and abolitionists immediately declared that the outbreak of fighting would sound the death knell of slavery, and Oakes argues that from the outset Republicans and most notably Lincoln “were anything but reluctant emancipators” (83). Contrary to Lerone Bennett Jr. and more recent libertarian critics, the president and his party were not “forced into glory.” Instead the war brought about a fulfillment of antebellum prophecies about the collapse of slavery.

Slaves themselves helped force the issue by fleeing into Union lines, and certainly the story of Benjamin F. Butler’s declaring these fugitives “contrabands” of war is a familiar one. Oakes sees Butler’s action and the government’s refusal to send the slaves back to their masters as inaugurating a policy that consistently aimed toward emancipation. This
all marked a “tacit alliance between escaping slaves and the Union army” (103), and in congressional discussion, Republicans maintained that the army should not be returning fugitive slaves. Oakes suggests that Republicans distinguished the preservation of the Union—the war’s purpose—from the war’s effect—emancipation of the slaves. This formulation, however, somewhat confuses the issue. The author directly challenges Gary Gallagher’s *The Union War*, which argues for the primacy of the Union in northern war aims; to the contrary, Oakes claims that emancipation and Union were inextricably linked from the beginning.¹ The Crittenden-Johnson resolution adopted in the summer of 1861 seemed to suggest otherwise, but Oakes interprets it as an “empty gesture” (129), a description that would have baffled many contemporaries. Here is both a great strength and a great weakness of *Freedom National*. Oakes boldly challenges any number of standard interpretations of various events and documents. If his provocative analyses are not always convincing, they are always worthy of serious consideration, and even veteran scholars will find a good amount of new evidence and fresh interpretation in these pages.

Oakes maintains that Lincoln and the Republicans wished both to keep the border states in the Union and to emancipate slaves there, an assertion that certainly reframes a familiar story. He sees differences between Lincoln and General John C. Frémont over affairs in Missouri as less about emancipation and more about military authority. A real strength of the book lies in the treatment of emancipation on the ground, and especially the interactions between the Union military and runaway slaves. Everyone from company officers to army commanders had to deal with slaves who entered Federal lines and flocked into Federal camps. Official orders were ambiguous, and enlisted men sometimes defied their officers by welcoming runaways. For some time now, historians have emphasized the role of slaves in their own emancipation, and Oakes often follows their lead, but this is more a book about policy than anything else, and the primary actors remain the politicians and the generals. The geographical coverage is comprehensive, ranging from the South Carolina Sea Islands to the Trans-Mississippi, and Oakes nicely recaptures the confusion, complications, and what at times became a “humanitarian crisis” (459).

The book devotes well-deserved attention to the first and second Confiscation Acts, and painstaking research in the closely printed pages of the *Congressional Globe* yielded a number of insights. One

question centered on how much power Congress had to emancipate slaves as a war measure. Was the loyalty (or disloyalty) of the master a determinative consideration? The occupation of Confederate territory—most notably southern Louisiana—further muddled that question. And beyond what Congress chose to do in those areas of the Confederacy that came under Union control, Republicans pushed successfully for excluding slavery from the national territories, more effectively enforcing a ban on the international slave trade, and ending slavery in the nation’s capital. Oakes does not ignore the support of Lincoln or other Republicans for voluntary colonization but argues it was largely tactical, though that hardly explains why Lincoln was still broaching the subject at the end of 1862 on the eve of issuing the final Emancipation Proclamation. The author likewise explains away an insulting interview between the president and African American leaders as an attempt to appease western racists and seems to dance around Lincoln’s famous reply to Horace Greeley’s “Prayer of Twenty Millions.”

Oakes’s treatment of both Emancipation Proclamations is superb, especially in meticulously probing the subtle implications and unspoken assumptions. He rejects the idea of Lincoln as either the “Great” or the “Reluctant” emancipator, though truth be told, there was some contemporary evidence to support both notions. In any case, military force by itself would not liberate slaves in rebel areas and secure their freedom, but with the Emancipation Proclamation, Union soldiers could now openly “entice” slaves to leave their masters. Oakes in turn zeroes in on a neglected opinion by Attorney General Edward Bates that recognized the emancipated slaves as “free citizens.” And ironically a number of slaves were being emancipated even in areas supposedly exempted from the Emancipation Proclamation. Of equal importance was the enrollment of black troops who literally joined an army of liberation. On all of these points, Oakes stresses the importance of reading the Emancipation Proclamations in particular ways, but this sometimes begs the question of how people at the time interpreted those all-important decrees.

As Oakes cogently observes, slavery survived the final Emancipation Proclamation, and he estimates that only 15 percent of the slaves in the Confederate states had been freed by the end of the war. Certainly Confederates were hell-bent on keeping their slaves working, and masters clung to the old ways for months after Appomattox. These considerations shaped the passage and ratification of the Thirteenth Amendment. Lincoln and other Republicans had long harbored doubts about the constitutionality of Congress abolishing slavery on
its own, and so the winding down of the war made a constitutional settlement of the slavery question imperative.

In many ways, Freedom National presents an inspiring story, a tale of both high principle and political pragmatism, a narrative at once complex but also driven by what Oakes sees as a three-pronged attack on slavery through containment, military emancipation, and finally constitutional abolition. What is sometimes missing are doubts, questions, and political messiness. We learn little about how newspaper editors or state politicians—not to mention average citizens—sorted out the relationship between the war and slavery. What did the soldiers think they were fighting for? Did the Republican criticism that Lincoln was moving too slowly on slavery really amount to very little? What about the back-and-forth between the president and Congress over Reconstruction? In the midst of the 1864 presidential campaign, Lincoln’s campaign manager Henry J. Raymond suggested that Lincoln drop insistence on emancipation as a precondition for peace negotiations, so perhaps the emphasis on Republican unity is a bit overdrawn. Of course any good book raises and at times leaves unanswered some key questions, and this one is no exception. Yet for its often superb analysis, fine writing, and a knack for addressing a host of important questions in fresh and interesting ways, Freedom National not only rewards careful reading but will undoubtedly have lasting influence on studies of slavery, Lincoln, and the Civil War.