

Emancipation and the Civil War

Eastman Johnson painted *The Lord is My Shepherd* in 1863, the same year that Abraham Lincoln's Emancipation Proclamation went into full effect. The proclamation stated that "all persons held as slaves [in the Confederate States] are, and henceforward shall be free." The document also states that the United States government, in addition to military and naval authorities, will "recognize and maintain" their status as freed persons.

Freedom, of course, was contingent on the Union actually winning the war. The event which had preceded the proclamation and propelled Lincoln to finalize it was the strategic Union victory at the **Battle of Antietam** in 1862. It was this promising moment in the war that saw the Confederate forces, then in Maryland, pushed back into Virginia. The battle, the first on Union soil, was the bloodiest single-day battle in American history, with 23,000 combined Union and Confederate forces dead.



Battle of Antietam, 1887, L. Prang & Co., Library of Congress

The proclamation did not expressly free all slaves from bondage (which would later be accomplished through various Reconstruction amendments), but it did provide a much needed morale boost to the Union. The proclamation also decreed the acceptance of previously enslaved blacks into the Union Army, enabling them to fight for those still enslaved and for the country which had enabled their freedom. Johnson includes a blue Union Army blanket beside the young black man as an indication of his emancipated status and his choice to fight for his country as a free citizen.

Initially, it was not Abraham Lincoln's primary objective for the Civil War to emancipate the enslaved Southern black population; the war's main goal was to reunite the fractured nation. Lincoln morally opposed the institution of slavery, but he knew that setting forth abolition as the war's main objective would alienate some Northerners and bordering slave states like Maryland. Nevertheless, in July 1862 President Lincoln signed into law two acts that would help pave the way for the Emancipation Proclamation. The first, the **Confiscation Act of 1862**, freed

all of the slaves belonging to an owner who was openly participating in rebellion against the United States. The second, the **Militia Act of 1862**, gave Lincoln the authority to place former slaves within the Union army in whatever roles the commander in chief saw fit, including that of Union soldier. The act had the immediate effect of not only supplying the Union army with more men, but it also siphoned off the South's enslaved labor force which was essential to produce supplies for the war effort.

Following their victory at the **Second Battle of Bull Run**, Confederate generals **Robert E. Lee** and **Stonewall Jackson** made the rash decision to push the weakened Union forces back into Maryland. What followed was the major Confederate loss at the Battle of Antietam, a catastrophic battle with nearly 23,000 lives lost from both sides. As a result the Confederates were forced to retreat to Virginia. Lincoln believed that the right time to introduce abolition and the human rights of the enslaved population as a primary war objective was after a Union victory when citizen and troop morale would be highest. After the Union victory at Antietam, Lincoln felt that he could now put forth his recently drafted Emancipation Proclamation to his cabinet.

Once the proclamation was issued on September 22, 1862 (it did not go into effect until January 1, 1863), Lincoln was criticized by hardline abolitionists for not wording the document strongly enough to liberate all of the slaves. The specific language that Lincoln, a former lawyer, chose to use was carefully worded to define emancipation as only for those slaves residing in areas of rebellion. Had Lincoln chose language which called for complete abolition in both the North and South, he ran the risk of having border states secede from the Union and join the Confederacy.

Lincoln's proclamation set out to achieve several objectives. One was to make abolition a main issue of the war. Another objective was to cause disruption in the Confederacy by emboldening Southern slaves to desert their masters, escape to the North and join the Union army, thereby weakening the Southern labor force. The document also more broadly sought to prevent countries like England and France from recognizing the Confederacy as a legitimate entity, and from supporting their military forces.

Glossary

Battle of Antietam: September 17, 1862; the first major battle of the Civil War to be fought on Union territory and the deadliest single day of fighting in American history.

Confiscation Act of 1862: The second of two laws which were passed by Congress in an attempt to free the slaves in the Confederate South.

Militia Act of 1862: Enabled African Americans to participate in the war effort as soldiers and laborers. This was an important precursor to the creation of the United States Colored Troops.

Robert E. Lee: (1807-1870) Commanding general of the Confederate States Army.

Second Battle of Bull Run: August 28-30, 1862; a Confederate victory led by General Stonewall Jackson. The battle precipitated the Confederate invasion into Union territory, when they crossed the Potomac River into western Maryland just days later on September 5, 1862.

Stonewall Jackson: (1824-1863) Lieutenant general of the Confederate States Army.