

Paul Walsh, *Guns and Sheets*
South Eastern Ohio, KKK, 1987
(detail), courtesy of the artist.

LEGACY OF DISSENT:
**THE CIVIL
WAR'S
CONTESTED
MEANING
IN THE
MIDWEST**

By Christopher Phillips

A half century after the coincidence of the Civil Rights Movement and the centennial of the Civil War, cities in the former slave states are struggling again with the war's legacy. In the aftermath of the tragic mass murder of African American churchgoers in Charleston, South Carolina, and police shootings and mobilized protests in Baltimore, Ferguson, and Charlotte, the removals of Confederate battle flags and carved-stone and bronze monuments dedicated to its military leaders in New Orleans, Columbia, and St. Louis triggered protests against "political correctness" and "historical vandalism."

Most recently, the focus was on Charlottesville,

Virginia, the normally quiet home of a public university judged among the nation's best. Avowed "conservative" white nationalists, including prominent graduates of the University of Virginia, bearing both Confederate and Nazi flags and vowing to "take our country back," tried to hold a "Unite the Right" rally to protest the city's decision to remove the statue of Robert E. Lee, erected in 1924 following the semicentennial of the Civil War, from a park just renamed Emancipation Park. Violence ensued when they were met with sign-carrying counterprotesters and the armed National Guard. In perhaps the ordeal's most shocking twist, the perpetrator of the purposeful killing of an unarmed counterprotester was an Ohio resident recently relocated from northern Kentucky.



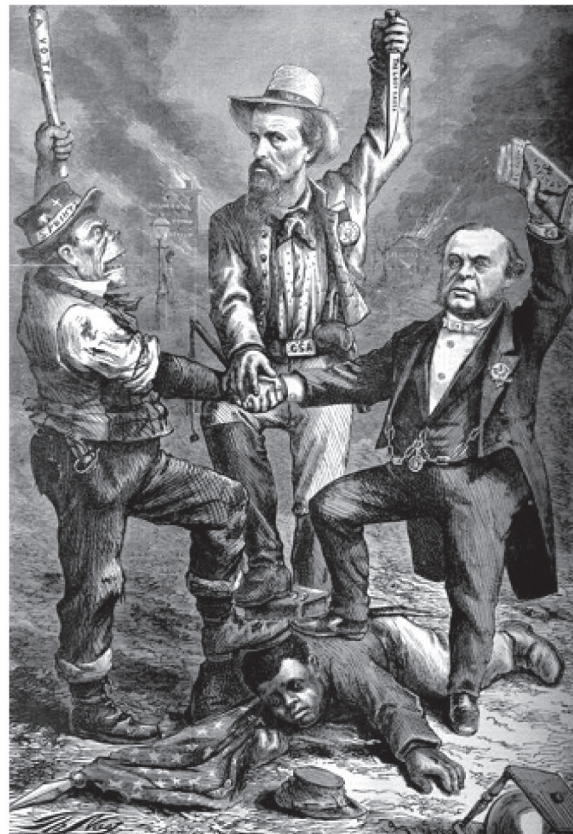
Although the problem of race is national, the problematic history of the Civil War is largely seen as regional. Schoolchildren learn about the Civil War written as a binary—that the South lost to the North—with the Ohio River being a virtual extension of the Mason-Dixon Line. Lines on this map are clearly drawn and easily understood as blue Union states that fought the war for freedom and gray Confederate states that fought to preserve slavery. With few battlegrounds, whether Confederate monuments or civil rights sites, residents of states north of the Ohio River generally breathe easy about the complicated legacy of that war, safe in the knowledge that former resident Abraham Lincoln ended slavery and with the painful struggle for civil rights largely understood as a “Southern” history and burden—until Ohioans like James Alex Fields, Jr.,

and protests over the overnight removal of a forgotten 90-year-old plaque venerating Robert E. Lee from its overgrown spot along a sleepy southwest Ohio town’s roadway became national news, have complicated that comforting story.

Ironically, the Civil War’s central figure only complicates the broader narrative of slavery’s end and the meaning of the war. Lincoln had a long evolution on slavery and race: from colonizationist (or someone who sought to remove freed African Americans from the country), to supporter of the nearly forgotten 1861 “Corwin Amendment” (named for yet another Ohioan, Thomas Corwin, that sought to protect slavery where it existed, the “ghost Thirteenth Amendment”), to pragmatic president who walked slowly and carefully toward slavery’s wartime end, to martyred Great Emancipator.



Allison Wrabel, "Torch-carrying demonstrators gather in Charlottesville, Virginia, on May 13, 2017, to protest the removal of a statue of Robert E. Lee," *The Daily Progress*. (Below) Thomas Nast, "This is a white man's government," *Harper's Weekly*, September 5, 1868, courtesy of Library of Congress.



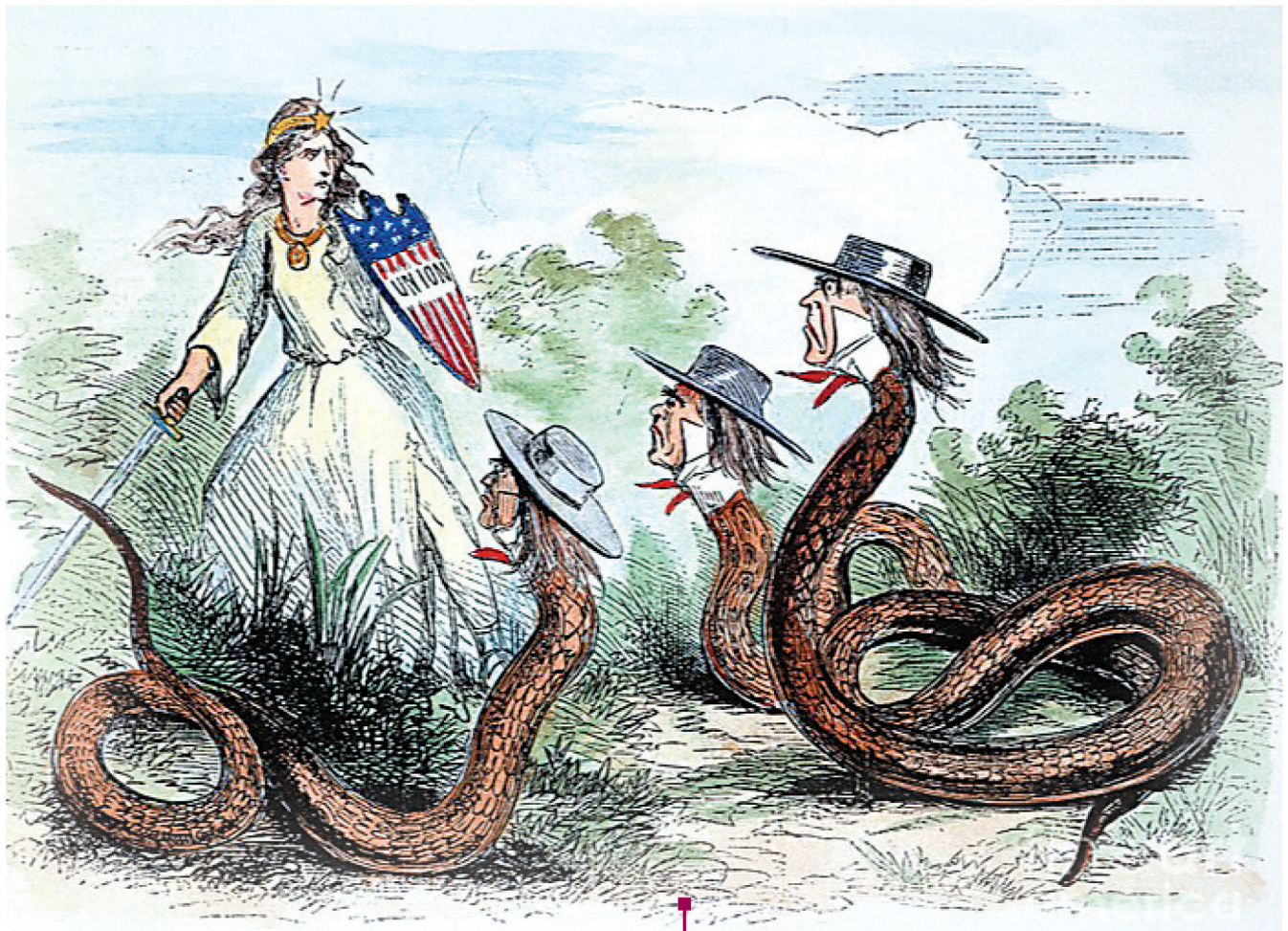
PAST REPEATING ITSELF

The summer of 1863 in Ohio offers a similarly complicated narrative. Self-styled Conservatives, or proslavery Unionists, no longer fully supported the Union coalition of Republicans and War Democrats, whose candidates had swept the 1861 state elections. Despite subsequent legislative gerrymandering, in the fall of 1862 Democrats won fourteen of the state's nineteen congressional seats. Now, ousted Ohio US congressman Clement L. Vallandigham, the nation's most infamous war dissenter arrested in the middle of the night at his Dayton home and jailed by federal troops, ran for governor from exile in Canada. Some Conservatives who left the Republican Party found themselves equally uncomfortable with the anti-war "Copperhead" Peace Democracy which called for the Constitution as it is, the Union as it was—meaning recognizing and even protecting slavery and the

racial status quo. Searching for a viable alternative, they met in convention in Cincinnati, one of a number of free state cities where segregation in fact began, as "OLD LINE WHIGS—WAR DEMOCRATS—CONSERVATIVE MEN, without regard to former party predilections" to counter the "Radical" supporters of Lincoln. Vallandigham lost by more than 100,000 votes out of a half million ballots cast, generally portrayed as a landslide of Union support. But his 186,672 votes represented nearly 40 percent of votes cast and carried seventeen Ohio counties.

MORE THAN CHECKS AND BALANCES

Vallandigham's Democratic supporters in Ohio did not gain authority simply by portraying themselves as a democratic check on an overweening chief executive and his party waging



[Unknown artist], "The Copperhead Party," *Harper's Weekly*, February 28, 1863, courtesy of Library of Congress.

an unpopular and sanguinary war. Race was front and center in his concept of a conservative "western nationalism," presaging the goals of today's white nationalists. White voting majorities of westerners and southerners would together curb the threat of biracial northern progressives hell-bent on usurping the Constitution they believed protected slavery and white supremacy. Vallandigham, too, proposed an amendment as the Civil War began: No congressional bill could become a law without support from a majority of senators and representatives from each of the nation's four sections, including the South, giving veto power on legislation and the election of a president, thus offering the institution of slavery long-term security.

EMANCIPATION PROCLAMATION: ONLY THE BEGINNING

Over a year later, following Lincoln's Emancipation Proclamation in September 1862, Peace Democrats opposed Republicans who they believed hijacked the war's direction from one to restore the Union to one to free slaves, and fought an uncivil war within the Civil War to stop it. Among their weapons was white supremacist

rhetoric that existed for the war's duration. "Admitting the war to be over, and the negro free, we will then have to grant them every right, social and political of the white man, or slaughter them. There is absolutely no end to the difficulties which must grow out of the Republican endeavor to equalize the white and black races. It is not only at Richmond, that white men protest against this unnatural and most repugnant attempt," wrote the editor of Dayton's *Daily Empire* in 1864. That summer, during Lincoln's reelection bid, whites in Washington County, Indiana, violently accomplished the nation's first incident of "racial cleansing," as journalist Elliot Jaspin terms it, by driving out the entire black population from their county.

After Appomattox, self-styled Regulators or "White Caps" or "Ku Kluxers" increasingly targeted African Americans as living vestiges of the war's emancipationist turn. One former Kentucky slave, Nancy East, living in Middletown, Ohio, remembered "Nevah heered

... fueling the simmering controversy in by-passed places like Franklin, Ohio, is a legacy of dissent associated with the loss of various forms of societal control long associated with Union victory. The Civil War's continuing influence in the Midwest is a shadowy warfare fought as racialized grievance politics, seen in the electoral maps of the 2008, 2012, and 2016 elections.

nothin' 'bout [Ku Klux] atall until we come up here, and dey had em here." Posses and militia called to quell mobbings often met armed resistance from Democratic war veterans, their vigilantism now blended with war partisanship. The Fourteenth and Fifteenth Amendments, which protected black citizenship and voting rights, put Republicans in a defensive posture not seen since 1860. Illinois and Indiana ratified the Fourteenth Amendment, as initially did Ohio only to have a succeeding Democratic legislature rescind its ratification a year later. (It would not re-ratify it until 2003.) Only Illinois's legislature, controlled by Republicans conscious of the martyred president's legacy, ratified the Fifteenth. Indiana's ratification required a controversial interpretation of the state constitution's quorum requirements to allow a vote with Democrats entirely absent. In Ohio, the Amendment met with outright defeat in its Democratic legislature. Even self-styled Radical Republicans opposed it, leading Cincinnati's *Gazette*, a Republican organ, to

conclude, "a Legislature could not be chosen in Ohio which would adopt it." The same state that Lincoln reputedly claimed "saved the Nation" immediately after the 1863 state election now became the first to reject the Amendment. At an 1872 Ku Klux lynching of two men jailed for rape near Van Wert, Ohio, members of the mob offered "three cheers for Jeff Davis during the hanging." In 1887, the Democratic legislature donated a statue of wartime anti-emancipation congressman and Lincoln opponent William Allen to the federal government, displayed in "Statuary Hall" in the US Capitol until it was replaced in 2016 with one of Thomas Edison.

SHADOWS OF THE CIVIL WAR REMAIN

The deep social and political divisions unleashed by the Civil War cast long shadows in the form of extended postwar contests over the meanings and legacy of that conflict. Midwestern states like Ohio are not immune to the recurrent spates of populism: political and social revolts of primarily white, rural Americans riven by race and class anxieties that have erupted throughout the Midwest and South such as in the 1890s, 1920s, and most recently in the 2000s following the Great Recession. The current spate of public passion over monuments in the former Confederate states may be more directly related to the 2016 election of Donald J. Trump as the nation's forty-fifth president than that distant war. But fueling the simmering controversy in by-passed places like Franklin, Ohio, is a legacy of dissent associated with the loss of various forms of societal control long associated with Union victory. The Civil War's continuing influence in the Midwest is a shadowy warfare fought as racialized grievance politics, seen in the electoral maps of the 2008, 2012, and 2016 elections. ♥

Christopher Phillips, PhD, is John and Dorothy Hermanies Professor of American History and department head at the University of Cincinnati. His most recent book is The Rivers Ran Backward: The Civil War and the Remaking of the American Middle Border.



AP/Steve Helber, "A demonstrator walks into Lee Park in Charlottesville, Virginia, Aug. 12, 2017."